

Town of Halfmoon Planning Board

Meeting Minutes – December 9, 2013

Those present at the December 9, 2013 Planning Board meeting were:

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

Planning Board Alternates: Margaret Sautter

Director of Planning: Richard Harris
Planner: Paul Marlow

Deputy Town Attorney: Matt Chauvin

Town Board Liaisons: Walt Polak

CHA Representative: Mike Bianchino

Mr. Ouimet opened the December 9, 2013 Planning Board Meeting at 7:05pm. Mr. Ouimet asked the Planning Board Members if they had reviewed the November 25, 2013 Planning Board Minutes. Mr. Roberts made a motion to approve the November 25, 2013 Planning Board Minutes. Mr. Higgins seconded. Mrs. Smith-Law abstained due to his absence from the November 25, 2013 Planning Board meeting. Vote: 6-Aye, 0-Nay, 1-Abstention. Motion carried.

Public Informational Meeting:

12.079 PIM The Kensington at Halfmoon PDD, 127 Stone Quarry Road – Major Subdivision/PDD

Mr. Ouimet opened the public informational meeting at 7:07pm. Mr. Ouimet asked if anyone would like to have the notice read. No one responded. Mr. Bill Hoblock from Capital District Properties stated the following: You have seen everything before, we've been through a lot over the last year and a half. Mr. Joe Dannible from the Environmental Design Partnership (EDP) and Mr. Ken Wersted from Creighton Manning Engineering are also here with me tonight. The Kensington at Halfmoon is a top of the market rental multi-family Planned Development District (PDD). The overall unit count was recently decreased from the initial application of a total of 90-units down to 70-units. We submitted our PDD application to the Town Board in the summer of 2012. We appeared before the Town Board at that time and we were referred to the Planning Board for a review and recommendation on our PDD application and that's the process that we are here for tonight. We first appeared before this Board over a year ago and in the fall we did our initial presentation, we answered questions and the Planning Board requested a traffic study at that

point. The application was also referred to CHA for technical review. We appeared again before the Planning Board at the beginning of this year where the traffic study was presented by Creighton Manning Engineering. We also discussed any of the issues that came up during the technical review and the technical review is basically the State Environmental Quality Review Act (SEQRA) process where all of the engineering, the environmental reports, studies and analysis are all done. We then appeared before this Board this spring discussing the technical issues again between EDP and CHA and we addressed any of the traffic issues that were raised by the Planning Board at the prior meeting in relation to the traffic study. Also, at that time we presented actual traffic data in our initial traffic study and the traffic engineers rely on studies from the Institute of Transportation Engineers (ITE) and those are based on actual counts in volumes and trips; just not locally right here. So, what we did is we went out and we did actual traffic counts, delay timing, etc. as requested by the Board at that time. This summer we did submit our revised plan and that revised plan reduces the total density 25% from 90-units to 70-units. We were here last in September where we presented that reduced plan that we submitted to the Town over the summer. We also submitted all of our revised SEQRA documents that reflect the reduction in density and the Planning Board scheduled a public informational hearing tonight. Over 550 individual public notices were sent out as the Planning Board requested an expanded public notice area for this public informational meeting. So, that's the background of where we've been to get here. The property is 17.39-acres located at the intersection of Stone Quarry Road. This proposed project is located on the south side of Stone Quarry Road and Route 9. The majority of the adjacent homes on Stone Quarry Road are: There are 2 families across the road and when you start to come to the east between Route 9 and our parcel, there is the Tire Warehouse and U-Haul Rentals, Carlito's Auto, a small repair shop that is adjacent to us, Classic Sheds, a retail strip center. Also, as you go south of the property you get down into a Light Industrial Park where Bast Hatfield, United Rentals and Stenner Pumps are located. So, that Light Industrial Park abuts us to the south. There is also a Niagara Mohawk transmission line that abuts our property to the north and there is also a cell tower located there. To the north of Stone Quarry Road is the Hudson Ridge PDD and you're going to hear a couple of different names. The Hudson Ridge PDD is also our development that was approved by the Town and is currently under construction and actually open. We developed it, we are building it, we manage it and we own it. It was approved as the Hudson Ridge PDD so it always remains as that and you'll hear the name The Moorings of Halfmoon and it is now opened as The Kensington at Halfmoon and even though this PDD is called The Kensington and that is named The Kensington at Halfmoon. That is ours and that is the top of the market rental apartment community. It's as good as you're going to build in the area, it's as good as anyone can build in area and it's built to the extent of something that you would buy; like a townhome or a condominium. The status of that right now is the first third of the units have been given Certificates of Occupancy (C.O.), our clubhouse has been C.O.'d and open and the remaining units will be complete over the winter and finished in the spring time. So, by late next spring or early summer, that development will be complete and fully operating and it is a state of the art multi-family community. To give you an overall picture, with this specific 70-unit PDD, we're proposing to really act as a seamless extension of Hudson Ridge and it will be the same exact high standards, similar exact fit and finish and in fact, it's actually the same building. The building that you see here is the same building that we're proposing here because it is top of the market. So, that's kind of a general overview of what's around us. In 2006 this property received an approval for a single-family home subdivision and that approval stands today. This property is zoned R-1 Residential and that single-family home subdivision was abandoned, it was not built and we purchased that land about 5 year ago and we own the land outright. The proposal is for 7 residential buildings and each building will have 10 residences for a total of 70-unit that will be exactly the same as the

buildings across the road. Each 10-unit building there will be 8 direct access garages. For the 2 residences who don't have in-building garages, they have a garage right next to the building. So, when you pull in the garage, you will walk right into your home. We also paid close attention to coverage and density. Only 1.2-acres of this site will be covered by buildings and that's 7% of the entire site and by code you can cover 30% maximum and we are obviously well below that. Roadways and parking will cover an additional 10% of the site. So, when you add those up, that leaves 83% of this site as green and open. It is a statistic that's overlooked a lot and it's a very significant statistic. The overall density of the site can be calculated in two ways; if you look at the full 17.39-acres, our gross density is 4-units per acre and that is down from 5.1-units per acre when we had our original 90-units proposed. If you look at what's called "buildable land" under the Town code; when you take out steep slopes, wetlands, etc., our density is down from 12.2-acres to just over 9-units to the acreage. So, that has come down significantly with our 25% unit decrease. Across the road at the Hudson Ridge PDD, this is less than that density that was approved and is built. At Hudson Ridge the gross density is 6.25-units to the gross acre and 11-units per buildable. So, we are under what is already being built in the area. Overall elements to the site design include what you see and what you're going to continue to see across the road; street trees, Old English cast streetlamps, a sidewalk system and as I mentioned, a majority of the site remains untouched or reclaimed as greenspace so that you maintain the natural amenities of the site to make it a pleasing site. We will also have a walking trail system and a community garden. So, we are trying to take a site that has some natural constraints associated with it because you do have some wetlands down below and you have some steep slopes and we'll bring those into the site design so they become actually a positive aspect of the site. The residences themselves (the buildings) are designed to exceed what's being built in the market and that's what we do. With every residence there, we have a couple of elevations, the renderings and if you want to see what they look like, just drive in across the street because they're nice. They have spacious floor plans; everybody has a private entrance, a garage, designer gourmet kitchens with granite countertops, high end wood cabinets, stainless steel appliances, tile backsplash, and pendent lighting. Throughout all the units we have wood floors, tile, oversized windows, walk-in his and her closets and full size washers and dryers. Like I mentioned before, it's really designed like something you would buy and a lot of times people say "well I really don't care what is going to be inside; let's just talk about traffic and let's just talk about the impact", but it's relevant. It's relevant because at the end of the day when the Town Board takes a vote, they need to know exactly the product that we're proposing and we're fortunate because as I sit here today I just don't say "listen to what I say" and I'm able to say "look at what I've done" and you're able to go across the street and your able to go in while it is still under construction and look at the clubhouse and see how spectacular it is. You will be able to look at the streetscape that we have created there and you're able to look at a site that I mentioned has 11-units to the buildable acre, it doesn't feel that way. You can make a site that is a little bit tight, you can be creative, you can make it a nice site and you can make it a good site and not just a flat cornfield and just drop in parking lots and buildings. So, you can get creative and make it a nice community and that's what we do. Some of the amenities with this site I had mentioned the walking trails, the community gardens and a lot of the greenspace; we're just going to have a very passive center green and the residents of this PDD will be able to utilize the clubhouse across the street, which does have a nice amenity package. One of the concerns was that we now have a PDD spread across the road and you're going to have people who live here who everyday have to go across the road to the clubhouse and what we've done is that we've looked at the one thing that gets everybody to the clubhouse on a daily basis and that's mail. What we've been able to do is; we will do an on-site mail center and the mailboxes won't be across the street at the clubhouse as they will be on this property so every day you don't have to go

across the street. The other amenities that are in the clubhouse are things that you don't use every day. The clubhouse has a private movie theatre that you would have to reserve it and how often would you do that? Also, the clubhouse has a fitness center and a yoga studio. So, they have a really nice fitness center package. A lot of people may never use it, some people use it infrequently and others do use it. Again, it's not a feature of the clubhouse where every morning everyone is going to get into their car and drive across the street. Some aspects are seasonal as they have a pool and the pool is open 3 months out of the year and unfortunately the pool is closed 9 months out of the year so, that doesn't come into play. So, being able to move the mail across the street really takes away from the thought that this may not connect as it could have. So, we're hoping that we've allayed that concern. Regarding the utilities; with every application everyone wants to know how are you going to service this site with utilities; water, sewer, etc. Water is at the site. In connection with the Hudson Ridge PDD we ran water from Route 9 down Stone Quarry Road right to the site. So, water is now at the site. Also, as a public benefit across the road and not for this application we ended up looping that waterline all the way down Stone Quarry Road to Woodin Road. So, the water is now looped, but the water is at the site. We also have sewer right at the site on Stone Quarry Road in connection with Hudson Ridge and the Birchwood pump station is located in the back where we ended up completely replacing it and we brought the sewer down to Stone Quarry Road. So, now we're able to have water and sewer at the site so you don't have large utility extensions. Public benefit; every PDD in this town and every town has to show a public benefit. When we look at public benefits, we usually start our discussions with the Town Board's by asking what the problem areas in that part of Town are. What are the water problems, what are the sewer problems and what are the traffic problems? That's where you start because that benefits the public. In connection with our projects we end up spending a lot of money, but it benefits the entire public. When we looked at what's wrong with this area of Town, it's not much. It's really what I talked about with what we did across the road at Hudson Ridge. We completely eliminated the pump station issue and also there was a tie up of sewer up at Grooms Road and Guideboard Road and we ended up taking it out of a clogged up line and hooking it directly into the County truck line. So, all the capacity issues at Grooms Road and Guideboard Road; we have fixed those with Hudson Ridge across the street. There was also an issue down at the Vandenburg Field where they had a failing septic and as part of public benefit we ran a sewer line from the ball field all the way up to Ponderosa and allowed tap-in facilities to anyone who wanted it along the road. So, with the sewer there aren't any problems that we're aware of that we could help fix in our public benefit right now. Water; I mentioned that we looped it all the way down Stone Quarry Road also providing tap-ins to all the residents along the road and there were some well issues on that road and now people are allowed and are able to tap-in to the public water system so, that's helped. So, you don't really have any water issues there. Traffic issues; there certainly were a lot of traffic issues there and I think as anyone knows or most people know that that is one of the largest aspects of Hudson Ridge across the road was really redesigning some very inadequate intersections. The intersection at Stone Quarry and Woodin was probably the worlds worse intersection and in connection with Hudson Ridge, we completely redesigned it and it is now a properly functioning intersection for the first time and people don't have to take their life into their own hands every time they cross that intersection. The only other intersection is the intersection at the end of Stone Quarry and Route 9 and we also did a major redesign of that where we lowered the hump because there were some accidents because of the hump as you came towards Route 9 and then we added a right turn lane for traffic flow. So, we've done that in connection with Hudson Ridge. So, we look around and say "water, sewer and traffic has been taken care of so, what we're proposing is a \$1,000 per unit pavement to the Town, which is \$70,000 for the Town then to determine where the problems are in the other areas of town that they can take care of

because I don't know that, but it provides a good size benefit to help other aspects in Town. We did look into some potential water issues on the other side of Route 9 that apparently have been solved. So, after our discussions with the various Town departments, we came up with this solution as a public benefit and then let the Town figure out what is the best way to help the citizens from there. So, that is the public benefit. Traffic; I mentioned that Mr. Wersted is here from Creighton Manning and he can answer any traffic questions. I will give you a brief overview of what we've done here for traffic because we have done a lot. I mentioned all the traffic improvements that were done across the road and they are very significant and very numerous. The original traffic study that we did for Hudson Ridge PDD, which was originally done and is the template for the study that we're doing today was done in 2005. Hudson Ridge was approved in 2010 so, we spent between this Board and the Town Board about 5 years with some intensive studies and discussions about traffic in the area. So, that's the boilerplate and the improvements that I talked about are the improvements that we have today. With that being a template, Creighton Manning submitted its initial study for this PDD in December 2012. It had your usual traffic study aspects to it; existing conditions, trip volumes, trip generations, site evaluations, capacity analysis, etc. We initially presented that to the Planning Board and also to the CHA for their review and after that we were asked at the end of last year to do some further traffic analysis. One of the things that we were asked to do is to look at the comparison in traffic volumes between what we used in 2005 when Hudson Ridge was first done verses what we're seeing today as far as actual volumes and surprisingly the volumes at each intersection; Stone Quarry and Route 9 going west down to Stone Quarry and Woodin and then Stone Quarry and Crescent. The volumes at each intersection either only increased by 1% to 2% each year are actually decreased by up 5% each year. So, since 2005, which has been 8 years now, there has not been a significant increase in traffic in that area. The other thing that we were asked to do was in regards to delays because now we're going to have a proposed new PDD and the delays were mainly on Route 9. So, what Creighton Manning does is they take all of the statistics, the cars that come down Route 9, the volumes that come over Stone Quarry and through the ITE formulas they come up with here are your projected delays and they are projections. So, what the Board said was "well, we don't like projections" so, we said that we would do actuals. So, what we did for 2 or 3 days is that we actually had an engineer from Creighton Manning sit at this intersection with a stopwatch in the AM and PM and count actual delays times and how long it takes people to get out of there. The delay times were actually less than what the ITE manual had estimated. So, that was a good exercise in matching up actuals with assumed. The other thing that's similar as far as actual verses estimate. When we estimate the number of trips generated by a proposed multi-family PDD and you're looking really just in the AM and the PM peak hours, again you use the ITE manuals and those are estimates. While those estimates are based on other projects, they're not based on local projects and the Board had questions about that. We have a very comparable property in the Town of Wilton called the Paddocks of Saratoga. It is virtually identical as far as top of the market rental apartments, suburban and a very similar demographic that lives there. So, what Creighton Manning did for about 3 days is that they put the strips out at both ingress and egress and they measured the actuals. The actual traffic counts at the Paddocks, which is a comp, showed that the traffic generated was half of what the ITE manual estimates. So, it was a very significant actual verses let's just rely on the studies. So, we did that. This fall we submitted a further traffic analysis and this is the last thing that we did for traffic after we presented it, did further, and submitted it to the Board and to CHA. So, the final analysis that was done this fall included the 25% unit count reduction from 90-units to 70-units and it verified that the background growth rate for this and other projects is .5% and there was a question from the Board on the background growth rate and that was confirmed. We were also asked to include some other projects from

Clifton Park on the other side of the Northway that were done or projects that were either under construction or just in the approval process and those were included. We then were asked to redo the Paddocks actual trip generation counts to make sure because now it was more of an on-season and not in the middle of the winter, but in the fall just to confirm that those were correct and they were. They confirmed that the actuals out of a comparable property are approximately half of the ITE manual, which obviously brings down your potential traffic impact significantly. So, when you look at some of the traffic and the recently completed traffic improvements that I talked about, certainly make that local road network much more functional and able to handle this proposal. The last thing that I would like to mention is the land use. This is the Planning Board and every application this Planning Board looks at the use and they look at whether the proposed use appropriate for this specific parcel. The answer is yes and the answer is yes for a few reasons. The first thing you do is look at the Town's Comprehensive Plan. This parcel is located in what's called the Core Area under the Town's Comprehensive Plan. The Core Area as evidenced by its name and discussed in the comp plan its targeted for development given its location to the center of Town, Route 9 the commercial spine of the Town as well as access and availability of utilities. The Comprehensive Plan also cites the interest in locating multi-family development in the Core Area close to the commercial spine of Route 9 where this is located. In essence when you look at this and when you look at this aerial in particular, you see that this really is an in-fill parcel. Also, when you look at land uses, you look at existing surrounding land uses. I went through them and I went through the fact that the majority of the adjacent residential is two-family and then you really have all commercial uses there with some Light Industrial uses and all of these adjacent parcels on these 3 sides that's all zoned C-1 Commercial. So, what you really have here when you look at that is it's a transition parcel. You have the commercial spine of the Town of Halfmoon, which is Route 9 and what you do is you transition away from it and you go from your commercial uses, your heavy intense uses and industrial uses and as you transfer out of it you transfer through areas that are situated for multi-family and then you get up into your single-family as you get away from the Route 9 commercial spine area. Its appropriate planning and it's an appropriate use for this parcel. Especially when you look at it and across the road you have Hudson Ridge PDD, this kind of works in to be a seamless continuation of it. When you look at the uses around it and some other things, it's actually a somewhat awkward piece of property and I've said this before to this Board because it really is when you look at parcels and you ask what can it be used for, but a multi-family component is actually a good solution to an awkward piece of property in this instance. The adjacent uses also make this a very challenging site for single-family homes as evidenced by the fact that a fully approved filed map for a single-family home subdivision was completely abandoned. I understand that there is a lot of concern on multi-family in this Town and I get it and I understand it. I think the one thing that really needs to be done is you have to look at every proposal solo and not just say "I don't like multi-family" and you have to look and say "does multi-family fit here" because there are certain places that every use doesn't fit and when you look at this, this is a much different area and a much different use than some other multi-family proposals that are before the Board's right now. So, every proposal has to stand on its own legs and when you look at this one, its stands strong on its own legs. With that being said, I thank the Board for its time. Mr. Ouimet stated the following: Before I open up the meeting to the public, if you wish to speak, just raise your hand and I'll acknowledge you and then you can come up to the microphone and tell us your name, where you live and if you are for or against the project and then tell us what you have to say. With that said, would anyone from the public wished to speak? Mr. Brian Hurysz, 4 Timberwick Drive, stated the following: I have been a resident here in the Town of Halfmoon for many years. As a long term resident I guess the simple answer is that I am opposed to this development. I'm not necessarily opposed to the concept of multi-family dwellings. I think

duplex home ownership is fine and the Town has a lot of that, but I am concerned about the character of the Town being changed substantially by a large number of apartment complexes coming into the Town. Specific to the roads and the improvements that were made; yes, it is much easier for traffic coming onto Stone Quarry to funnel onto Route 9 in the morning and I travel that many mornings. They certainly did a great job with that intersection and they did a great job with the other intersection, but what I've observed is that Route 9 itself is very congested and to try to come down Route 9 to go south like probably 70% of the community does who work south of here has become very challenging. The traffic backs up all the way to Grooms Road at times, and of course I live off of Grooms Road and I'm heading south so, I don't really pay attention to how much north it backs up. The traffic on Crescent Road will also similarly back all the way up to where those improvements have been made. So, I'm concerned about the traffic and I know the traffic study said that they did some actuals, but I didn't think the other apartment complexes were actually built yet. So, I don't think the traffic that is going to be caused by the properties that are currently built is really showing up. One other observation; that's an interesting road if you drive it a lot, because it's kind of narrow and it's not the same as driving on Grooms Road with wide shoulders and things like that. Fortunately, I don't live on that road so I don't really suffer from speeding traffic on the road, but if I lived on the road, I might be concerned more about the increase in traffic and just the general nature of the road. I would recommend that if you are going to go forward, you consider widening the road and putting on decent shoulders. I think a third lane on Route 9 to get us across the bridge in the morning would be a great improvement for your existing residents that are trying to get across the bridge. Ms. Brenda LaMere, 124 Dunsbach Road, stated the following: I'm opposed to this project based on the density. I know the improvements that were done on the road for the previous PDD was very good, but I remember reading from previous Planning Board minutes that the road improvements were based on the Hudson Ridge traffic and not including the proposed 70 additional apartments. So, from what I remember those road improvements were made based on the 200 apartments at Hudson Ridge. We now have another 70 apartments being proposed. We're also not taking into account other undeveloped land here. Will that restrict other people from building because the roads cannot handle additional traffic? In my eyes that is hurting the long term resident who is trying to stay here and pull it out just to stay here and try to live it out here before they are being forced to move. Another thing; one gentleman mentioned about widening the roads and that scares me because that means it is taking away from somebody else's property to the benefit of the developer. So, I'm really not for taking away property from existing residents to better maintain a developing basis for developers. I know it's going to happen someday, but with smart planning hopefully we can just slow it down a bit. Basically I'm against it for the density. Exit 8 to Exit 8A is getting horrible and you don't need to listen to the radio to know there are traffic problems at Exit 8 and Exit 8A and how much more can it handle especially with all the other undeveloped land? I'm here representing two of my friends who are not aware of this who just bought a house at 102 Stone Quarry Road. They lived in an apartment off of Crescent Road near the Country Drive-In and they were not aware of this. So, I'm not sure if the notices went to the tenants or the homeowners of the land and the homeowners who probably don't live here because they are renting their properties. Again, they just bought on 102 Stone Quarry Road, which is that little section of Stone Quarry Road that when you pass Woodin and do they have a big surprise on their hands after they move in there. I spoke to them tonight, their names are George and Nicole LaBuff and they both are opposed and they just purchased a house at 102 Stone Quarry Road. One of the reason why I became involved with Future Halfmoon is when I had my first gut horrible feeling is years ago when the Hudson Ridge PDD was approved. I couldn't believe it. So, I remember reading the minutes and I noticed that a lot of the residents had concerns and concerns were addressed. I

would like to thank Mr. Ouimet for telling the people to say yes or no prior to coming up to speak at this public hearing because people weren't aware that. People thought they had to bring up reasons why they are opposed to this. Not everyone, but some people didn't realize that they could just say that they are opposed to the density. Thank you very much for doing that and I hope this continues. For example: the duplexes mentioned on Stone Quarry Road are gorgeous and they are better looking than some of the \$300,000 houses that I've seen and you wouldn't even know that they are duplexes and they were just built within time. There was another family who tried to make a farming area and I think he had sheep, they sold homemade pies with their rocking chairs on the front porch and after the PDD, and they're out with the 250 apartments. I have been seeing for sale signs, in fact my friends just bought one of the for sale signs. So again, what's the mission of Halfmoon to make it a livable community forever and rural. Just keep that in mind with density and future traffic, the Northway and the exits so, what can we handle? Mr. Thomas Sicko, 1426 Route 9, stated the following: The project is close to my dad's landline and I've lived there since 1959. My father purchased the home and I really don't want anybody next to me. For 50 years I've owned those fields and I knew the Bob and Ed Kennedy. I really don't think we need any more apartments. I'm just saying my peace and my business and I just want to make sure that I get up here and say what I feel. My grandkids love the fields, they love to ride their bikes and the neighbor kids love to ride their bikes and a hunter came to me and said "you have to do something with those kids" and I said "why" and he said "because they're scaring the deer off when they ride their bikes" and I said "I have no control over kids and I said I'm sorry, but that's a sport and you gotta know when to hit em". It has always been farmland and there has always been hunting there and it's just getting closer and closer. I appreciate the Board for sending me a letter and this is the first meeting that I ever spoke and I like you all because you guys are a great bunch of people. I just like what I like and that's my peace. Mr. Paul Sicko, Route 9, stated the following: I grew up with that guy there. My wife and I own the property at 1414 Route. I'm undecided as to whether I like this or not. I'm all for the growth of Halfmoon, I've watched it grow and I was born here and I grew up here. Again, I'm undecided as to whether I like this or not and I would have to reserve my thoughts on that, but the one big concern that I have and maybe you can answer these things for me. You're building on solid rock there, is that correct? Are you going to be blasting? Mr. Hoblock stated much less than across the street. For this proposal we are disturbing about 7-acres in total and across the street there was almost 25 plus acres that we disturbed and we did have much more extensive blasting over there and that was also closer to residential surroundings. So, during the blasting process we had issues and we tried to be responsive as possible to work with the neighbors. They were temporary, but they were ongoing concerns and we did the best that we could. Again, this is a different story because there are only about 7-acres and we are not doing nearly what we did across the street. Mr. Paul Sicko stated the following: Myself and my neighbors all have concerns because we all have wells. Our wells are our only source of water. We don't have access to Town water and with the blasting and the earth shaking we're concerned about how it is going to affect our water supply; the volume of water and the quality of the water. I would like to have some kind of insurance that if that water supply is affected, we could be compensated in some way. Mr. Hoblock stated the following: We can only do pre and post blast testing for the water flows. Some of the homes in the area had public water and were not on wells. So, there we just did pre and post inspections with the homes themselves to make sure there wasn't any issues and we can do that for both. Mr. Paul Sicko stated the green area shown on the plan, I presume the reason you're not developing that is because it is so steep and what is your intention with how you're going to treat that? Mr. Hoblock stated we will leave that area untouched. Mr. Paul Sicko stated right now it's brush and pretty much volunteer trees and things like that, so would that stay? Mr. Hoblock stated absolutely, that would stay. Mr. Paul

Sicko asked where would the walkways be that you are proposing? Mr. Hoblock stated everything would be on top of that small 7-acre plateau. Mr. Jack Henry, Ponderosa Drive, stated the following: Ponderosa Drive is right in the vicinity of where the first phase of the project was being done. I have some initial concerns about the impact to the community with regard to the noise and the hours of operation and so on and so forth. I think that is probably for once it is a little more confirmed that the project is going to go in and I think it probably will go in. I have respect for the growth of the Town, the tax base and the improvements that it would do for that. As with some of the other people that spoke, I have a major concern with the impact of the traffic on Ponderosa. I hear that they did any analysis, but I didn't hear anything about the potential impact on Ponderosa. What's happening is when cars are coming from either Route 9 headed west toward the Northway or visa versa and when they get to Stone Quarry, they do take Stone Quarry, but in a lot of cases they don't, they go down Woodin Road and then they cut across on Ponderosa. There has been a analysis that was done on Ponderosa back in 2010, which revealed that there is 200 cars a day going down Ponderosa and 86% of those cars travel Ponderosa between the hours of 9:00am and 8:30pm. The traffic on that street is bad enough that it's unsafe to even walk on the street because the cars typically don't follow the speed limits. There was also an analysis that was done on the speed of that road. The safety of the road, especially on the curve, which is where I live, is such that there are people that live on that curve that actually park their vehicle at the end of their driveway to protect their children. So, it's not just me that's making it obvious that there is a problem on Ponderosa as there are other people as well. I think there is a new neighborhood up west of Exit 11 and they have adopted 20 mph speed limits in their neighborhoods. So, with Ponderosa being a thoroughfare street, I recommend that if this does go through, that Ponderosa be changed to a 20 mph speed limit because one thing for sure is that we're going to get more traffic because people are not going to go down Stone Quarry and that the condition being as bad as is when you have 5 or 6 cars waiting to get out onto Grooms Road it's just going to be worse. Like I said, it is a thoroughfare now and I think something has to be done to it. It's not just this development that is going in with these apartments because I think there is something going on off of Dunsbach and there is another development that's going on there where there was a Town Board meeting a month or so ago. So, there is a combination of things going on here and that all has to be considered. Mr. Steve Aschauer, 138 Stone Quarry Road, stated the following: I live right across the street from this proposal and I just want to say that I'm in favor of it because the roads have been so bad living there that my tenant's daughter had an accident on Stone Quarry and Woodin just before they closed the road to fix it. I live there and I've been dealing with this for a long time and I think that the improvements that were made are well worth the project going through because they have made the Town safer, we got water and I just think that the overall impact is not going to affect the Town and I'm very happy with everything. Mrs. Madeline Sicko, Route 9, stated the following: I am Paul Sicko's wife. I keep hearing about the traffic and these traffic surveys that they've done and they've took care of it with the road and everything, but that doesn't include these 70-units with these multi-families and all of their vehicles coming in. I think the traffic is a great concern in terms of the speed, the speed limit that's there with the young children, the parking and the kids that are there because I drive through Woodin Road sometimes to come home rather than going on busy Route 9 and there are always kids out and maybe people walking to their mailboxes or different things. So, I think that is a great big concern. The other thing that I'm concerned about is with this walking trail and its location. Sometimes my husband and I can walk in the back of our property there and there are soda bottles and beer bottles when people come in. I'm concerned that whoever is on these walking trails and if there's no kind of fence or barrier of some sort that they're going to be coming down there. The 70-units with kids and teenagers and their sense of curiosity and stuff is definitely at some time going to lead them to

see what else is behind there. They're going to be going down there and I just think that might be a danger point. Ms. Stephanie Nolet, 3 Cambridge, stated the following: I am against this proposal for many of the reason that you already heard. I know that they did make the improvements to the intersections, but especially the one at Stone Quarry and Woodin. Coming home from school 2 nights a week I've been going that way lately. I was just coming around the corner and as I'm coming around the corner there was a car halfway in the intersection coming from Stone Quarry because they didn't see the stop sign or for whatever reason. It's still a dangerous intersection and I think adding a bunch of additional cars on top of the 200 that are going across the street may be a bit too much. In addition to that, I would be worried and I know that you all have asked about this before at different meetings, about people crossing Stone Quarry to get to the pool or the fitness center. Maybe the fitness center wouldn't be very busy, but in the summertime I would think that the pool probably would be. There may be groups of kids walking across the street by themselves and I know it's up to the parents to police that, but Stone Quarry, as we all know, is a winding road and people don't follow the speed limit even though they should. I just think that would be a little dangerous. I know that you've mentioned the Paddocks a few times and I keep meaning to go research this myself and I just don't have the time. I know that you said that the Paddocks up in Saratoga is similar with high end apartments and my husband and I just drove through Hudson Ridge this past weekend and I would think that high end in Saratoga would be a little different residence than high end in Clifton Park/Halfmoon. My parents lived in a nicer neighborhood up in Saratoga and many of their permanent residents were part time. So, I would just be curious to know about the demographics of the Paddocks and would it be similar to what you would expect here in this area verses a more touristy seasonal kind of area even though it's not that far away? Mr. Hoblock stated the following: The demographics are very similar and the Paddocks is fulltime, it's not seasonal and it's not short term, its people who live there. So, you have there and we're seeing here really 3 big groups; empty nesters, people who are retiring, people who are selling their homes and they want nothing to do with a house anymore because their kids are gone and they are here year around and some of them do leave for a couple months, not all of them, some do and then they come back to be with their kids. So, you see that. You will also see a lot of relocations coming with Global Foundries, with the College of Nanoscale Science and everything else happening in this technology hub now, which is indisputably happening with a lot of relocations. Then you have your young professionals; we're seeing people in their late 20's/early 30's either just married or not married and engaged. They don't have kids or they don't plan on having kids and they have no interest in a house and they want a nice new place, they'll pay for it and they'll have good jobs and they just want to live in that community until the time comes in 5 to 10 years when they eventually have children and move away. So, that's the demographics that we see at the Paddocks and that's the demographics for here and actually this is more centrally located to everything that is happening in the area and the Paddocks are located in Saratoga. As you know, Halfmoon sits in epicenter of the entire Capital Region. So, whether it's happening in Saratoga, Malta or in Albany, this is the middle so you actually see a higher concentration of the same people who will live here. So, I hope that answers the question. Mr. Ouimet asked could you address the issue of crossing the street? Mr. Hoblock stated the following: I mentioned earlier that by removing the mail from the clubhouse that that would take away from the daily reason to cross the street and that helps. You still have a reason to go from this parcel over to the clubhouse and the one thing I'll say about people crossing the road and again I'll just use the Paddocks as an example and that's one property, one property has 2 clubhouses with similar amenities; pools, gyms and movie theatres. What everybody does when they want to go, they get in their car and drive and I can't even get them to walk across the road. So, the thought of people actually walking across the road; they don't even do it when they're 4 buildings down

from the pool and they will get in their car and drive even though we built walking trails and streetlamps and everything and they won't use it. So, will people cross the road; based on what I see, not by foot they won't. Ms. Nolet stated the following: One of the last things you said was that we have to look at every proposal solo and I agree that obviously, as a Board, we have to do that, but what we have to do is to really look at the Town as a whole because even though I know that we have to approve or disapprove of each project solo, all of the developments together are what's really going to end up impacting us in the end, which I know you all know. Mr. Bill Lobdell, 118 Stone Quarry Road, stated the following: My wife Kate and I have lived at this address for about 2-years. We were really drawn to this area and we spent 2 years looking for a house. What's nice about Halfmoon is that it's a great community. The parcels are larger and not so developed and a lot of the other areas have very small pieces of land. The houses are very nice and it keeps their values up, which is very good, but again, Stone Quarry Road had more of the older type feel or country feel. I guess we were surprised how quickly we can go to any place in Clifton Park, but then drive home and still be in the country. It was very appealing to us and that's why we moved in there. The improvements were definitely beneficial. When we first moved in, we noticed that the Woodin Road intersection with Stone Quarry Road was definitely a risk to take that intersection all of the time because of the way the hill was. So, that was definitely a benefit and we appreciate that and obviously the rest of the community appreciates it as well. Also, regarding getting onto Route 9; there was a huge benefit between the hill and getting onto Route 9 taking a right and now it makes it a lot easier to get to work in the morning. I'm not necessarily opposed to growth in the community as others have mentioned. This current proposal is a very large parcel of land and a good percentage of it is not useable because of the wetlands, but it definitely offers opportunity for growth. I guess my concern is the density. The housing that was shown before and the previous approval for the zoning was a nice benefit for a homeowner on that road. The reason being is ours is unique in some aspects as some of the other houses that are there have larger parcels. So, it has a value to us because of that, but there is not very many of those available in that area still and the development that have been previously proposed that was similar to the other areas that are around there with large parcels, nice homes, larger homes and I can see that going forward and that it would also keep the value in the area as well for homeowners, so I thought that would be a benefit. The traffic is also a concern and I know that there was a study done. I'm not sure that the study included or took into consideration the fact that in the last year, there has been construction because of all of the improvements and because of the apartments that are being built. I would think that that would influence a lot of that number as well being compared to or maybe it would be if there was no construction there as well as the 70 additional units that are on the road. So, that's our concern. I forget the gentleman's name that brought up the well, but we do live very close and this one is obviously a little closer to where we live now, but we did slightly feel the explosives/blasting that was being done, but we did have clay in our water for a brief moment in time, but it has gone back to normal. So, we did notice a slight impact because of the blasting of the stone in the area. Mr. Harris stated you have the ability to tap into the public water where your house is located. Mr. Lobdell stated the following: Yes, but there is a cost and right now it's a cost that we're not willing to accept at this point. It's nice that the tap is there and it's nice to see the fire hydrants go all the way through and it's something to say also to live off your own land and have your own water. So, that's something that we're very proud of at this point and maybe sometime down the road we would consider that because there is also value in having a tap to the house as well for retail. Two things for utilities and sewer; there are a lot of people still on the remaining section of Stone Quarry to Woodin who are still on septic. It seems like the sewer is ending at the proposed site and there is sewer that's on Woodin that was installed, but I think remaining there are 3 or 4 houses is a section that I believe is probably because of the

elevation and there were no plans connecting the closed loop at all at that point. The proposed plan is to end the sewer at the site, correct? Mr. Hoblock stated correct. Mr. Lobdell stated it would be nice if it continued for the remaining house, but I understand also that there are proposed plans at this point. Natural gas is the only utility that I didn't hear about. I believe natural gas came through and I believe there is a connection "T" at Woodin and it looks like it ended at probably your proposed site. Is that continuing down to Woodin as well or would that not be available for the remaining homes? Mr. Harris stated that runs the entire way now. Mr. Lobdell asked it currently does? Mr. Hoblock stated with our upgrade with National Grid, I'm not 100% certain, but they made a big trench the entire way from Woodin all the way to Stone Quarry. Mr. Lobdell stated from the work that I saw daily, it seemed like it ended at the proposed site and that's why I brought it up. Mr. Hoblock stated they went the full way down, but I could be wrong on that, but I will verify that for you. Mr. Lobdell stated the following: Okay. I believe I have addressed all my concerns. Again, I'm not against development, but I am concerned with the traffic. I would also like to comment on the people walking and people know certain friends and family and they start walking if that's the case because I know we're trying to say that we're working on making sure that that doesn't happen because I know there is no sidewalks and there are no shoulders even on Stone Quarry. That's a benefit to the homeowners because it does keep the homes private and it doesn't allow people really to walk across your property and it keeps your parcel the full size that you have now. However, but down the road if there is a large amount of people walking or there are risks or concerns because of the traffic and the interaction between the two developments; I'm concerned that in the future that we would end up having to put in some type of walkway systems that would then reduce our property sizes and create that non-private situation. So, that would be my only other concern that we would like to bring up. Mr. Matthew Kennedy, 147 Stone Quarry Road, stated the following: I am opposed to converting this into multi-family property and there are a lot of reasons why. I really think that part of the background of the property of the project that has been already approved needs to be talked about. Regarding the previously approved single-family project; as part of their original approval back in 2005-2006, they were going to have to just as far as the Moorings had to, which was all the way from Route 9 to Woodin Road. Also, they were going to have to run a force main, which originally they wanted to run out to Brookview Court where they ran into some issues with the Homeowner's Association (HOA) and then they were going to actually run the force main from this property here all the way down to the pumping station for 10 houses. So, obviously that is an enormous amount of infrastructure to build for 10 houses. So, economically that project isn't going to work and that's the real reason why no one ever built it because prior to this year, you were going to have to do all those things to build a single-family project there. It was proposed for 22-units and it was reduced down to 10-units because of the geography of the site and the geology of the site. This is the stone quarry of the reason why Stone Quarry Road is named. Even though you can't really see it on this particular plan, it is right in here where the one building here is in the proposal. If you look at the plan that has been filed, the one corner of the building is literally about, and I didn't have a scale, between 8 and 10 FT from the top of the stone quarry where there is a 50 FT drop off the back. So, in order to build this project, there's going to have to be, even though it's not at the point where they're going to have to show what the topography is going to change to. Obviously, there is going to have to be an enormous amount of rock removed again. I live across the street where the rock was disturbed here that was actually called sand in this area. Basically every acre that they are considering buildable is rock and it is going to need 20 to 25 FT of rock taken out to flatten it out to make this work. It's going to be an enormous undertaking and there will definitely be blasting and there's going to have to be an enormous amount of blasting. My well was very badly affected by the blasting, but characterizing it as something that was said to be not

appropriate because of what is around it. This is all forever unbuildable/forever wild buffer between this commercial property over here and this parcel. It's R-1 Residential and it's the original proposal for the houses that are going to be built there and there are beautiful lots in the back. These are some of the nicest lots that you will ever see in the Town with beautiful lots with beautiful slopes that will be gorgeous. I just don't think that this is an appropriate use of the property. I can't imagine having lived on Stone Quarry Road for 40 plus years that the traffic has in any way dropped since 2005. I can't even fathom it. I don't see how it's even possible. The speed limit on the road is way too high and there has been multiple single car accidents in the last year that have taken out power poles that have been caused by people driving too fast. There was one incident maybe 3 months ago right across the street from me and close to the intersection where the new entrance is built for this new project. It's too much for a place that is not designed for that location and it doesn't belong there. So, I'm opposed to this proposal. Mr. Cary Daigle stated the following: I own a parcel in the area and I'm opposed for the water. I have a well and I highly depend on the water there. The last time they blasted they never notified us and the house shook and I'm just very concerned regarding the wells in that area. Ms. Marianne Geleta, 128 Dunsbach Road, stated the following: I live at the north end of Dunsbach Road. I'm opposed to this proposed project because of everything that everyone said here and mainly with the traffic. I really don't see how the traffic could be going down with the all the discussion that we've had in the Town about traffic. So, I'm opposed to it. Mr. Ouimet stated the following: On behalf of the Board I would like to thank everybody for coming out tonight and sharing your opinions with us. It is very important for us to hear what the neighbors have to say. I would also like to thank Mr. Hoblock for his very good presentation. Mr. Ouimet closed the public informational meeting at 8:17pm. Mr. Nadeau stated the following: I have a question on the blasting and how it is affecting the wells in the area. What will you do if it affects their wells? Mr. Hoblock stated the following: The way blasting works, and we just went through it, is we do pre-blast inspections when everyone is home and if you have a well, we take samples of the water from the well. Then we do post-blast inspections and just like if there was any damage to a house, if there is damage to your well and it adversely impacts your water as shown by the test, we're responsible. We have to fix it or we're liable for damages. It's how it works and I know the Town also has a system in place on the pre and the post blasting that we went through and complied with, but it's our responsibility. That's why we do the pre-blast tests and if the blasting creates a problem, it is our responsibility. Mr. Nadeau stated one of my concerns is if there should be a problem and you're trying to get water for these residents and you can't get the water, what takes place at that point. Mr. Hoblock stated well, you have money damages, like anything. Mr. Nadeau stated so what you're saying is; they move. Mr. Hoblock stated the following: No. You asked me and I'm going to give you the options. to compensate them. If you can, you drill a new well. Mr. Nadeau stated the following: That's what I'm saying. So, you drill a new well and you still can't get water. Mr. Hoblock stated or you have municipal water services that you hook up to. You have to fix the problem and you don't have a choice. If we adversely impact someone's property, we have to fix it and we understand that. Mr. Nadeau asked approximately how many single-family homes are on Stone Quarry? Mr. Hoblock stated the following: There are 3 single-homes going one way and then when you come the other way there are 2 duplexes across the way and there may be 8 total, but I'm not exactly sure what is there. So, I will say the maximum is 8 and that's just a rough guess. Mr. Berkowitz asked on Hudson Ridge; how many apartments are there? Mr. Hoblock stated 200. Mr. Berkowitz asked was there quite a bit public benefit on that? Mr. Hoblock stated yes, a lot of public benefit on that. Mr. Berkowitz asked do you have a monetary value? Mr. Hoblock stated not off the top of my head tonight, but I can certainly obtain that value. Mr. Berkowitz asked is it close to a million dollars? Mr. Hoblock stated the following: I don't mean to be evasive; I just don't have that

number off the top of my head. So, I can obtain it and I can submit it if that's fair enough. Mr. Berkowitz asked was it more than \$1,000 per unit? Mr. Hoblock stated I don't know that and I would really have to go back to get you that answer. Mr. Berkowitz stated well, you're talking \$200,000 for traffic improvements, water lines and sewer lines. Mr. Hoblock stated yes. Mr. Berkowitz asked so, why is there such little public benefit for this phase of the project? Mr. Hoblock stated in my opinion I don't think it's a \$1,000 per unit. Mr. Berkowitz stated I'm just going on ratios and percentages. Mr. Hoblock stated yes and if you look at some other ratios and percentages, some other approvals are 300. Mr. Berkowitz stated but we're not talking about them, we are talking about this being the same project just basically across the street from one other. Mr. Hoblock stated the following: I understand, but I think you have to look at the other projects also that does come into play. There is no set rule and now you guys are involved more than anyone. I think you just have to look at the impacts verses the benefit. Mr. Berkowitz asked what's the density on Hudson Ridge? Mr. Hoblock stated the density on Hudson Ridge is 6.25 gross and 11 buildable. Mr. Berkowitz asked is that per acre? Mr. Hoblock stated the following: Yes and across the street is 4 gross and 9.5 buildable so, we're less. Mr. Berkowitz asked are there people living in Hudson Ridge now? Mr. Hoblock stated yes and we have our first 17 residences occupied and we just started pulling our Certificate of Occupancy (C.O.'s) over the last few months. Mr. Berkowitz asked okay, but no traffic study has been done since Hudson Ridge has been opened. Mr. Hoblock stated we just opened over the last couple of months. Mr. Berkowitz stated okay. Mr. Ouimet stated the following: Just a follow up on that; maybe Mr. Wersted can answer what the projected traffic flow is from Hudson Ridge. What did you project to be the traffic impact of Hudson Ridge? Mr. Wersted from Creighton Manning stated the following: I think the projected traffic flow was around probably 150 or so. I can get you the numbers because I do have that traffic study with me tonight. Mr. Hoblock asked are you just talking about Hudson Ridge? Mr. Ouimet stated yes, because it's not built out and we don't have the experience of what's there. Mr. Hoblock stated the following: While Mr. Wersted gets that information for you; I can give you one statistic. If you use the actual comp property and if you take the actual Paddocks trip generations that we did; if you use those and if you combined Hudson Ridge and this, it's less than what the ITE used for the entire project. Mr. Ouimet stated the following: No, I heard you and I understand what you're saying. Quite honestly, that doesn't mean much to me because this is not the Paddocks, this is Halfmoon. Mr. Hoblock stated no, but it's as comparable of a property I think as you're going to get. Mr. Ouimet stated it could be. Mr. Berkowitz stated the following: I have a questions about the density. There are 28 one bedroom units and 42 two bedroom units, right? Mr. Hoblock stated that is correct. Mr. Berkowitz asked how many bedrooms are in the 200 units at Hudson Ridge property? Mr. Hoblock stated it is the same mix. Mr. Berkowitz asked is it the same percentage. Mr. Hoblock stated the following: Yes, with a slight variation. We have two building types, but the second building type is only 4 buildings. So, it's so minor that the variation is not even a percent. Mr. Berkowitz stated okay. Mr. Wersted stated Hudson Ridge was estimated at about 110 to 140 trips in the morning and afternoon peak hours. Mr. Ouimet stated the following: Right. So, that's what you're estimating to increase the traffic on Stone Quarry just by the full buildout of Hudson Ridge if it is fully leased out. Mr. Wersted stated that is correct. Mr. Ouimet stated and you're going to put 150 more cars on at peak hours, right? Mr. Wersted stated correct. Mr. Hoblock asked is that per the ITE? Mr. Wersted stated correct. Mr. Ouimet stated per ITE and what does the ITE project for the additional 70-units? Mr. Wersted stated the following: For the 70-units it was around 40 in the morning and then around 70 in the afternoon based on the original proposal for the 90-units. If we go back to what the proposed 70-units is going to be; it would be around 40 to 50 trips. Mr. Ouimet asked is the 40 to 50 trips in the peak morning and evening? Mr. Wersted stated correct. Mr. Ouimet stated back to Hudson Ridge; is it 150 peak morning and

evening? Mr. Wersted stated Hudson Ridge is 110 in the morning and 140 in the afternoon. Mr. Ouimet stated okay, let's use 130 for Hudson Ridge and with this new proposal you are going to put almost 200 more cars on Stone Quarry Road during the peak hours. Mr. Wersted stated correct. Mr. Ouimet stated okay, I just wanted to be clear on that. Mr. Hoblock stated the following: Again, we don't change the statistics as we used the ITE and that's what we talked about. I think you had just talked about the actual and I think this shows the reason why the actuals are less than the ITE is because a lot of our demographic like I talked about and was asked about are empty nesters and retired where they're not running in that usual full time job AM/PM peak. So, our numbers haven't been adjusted for the ITE, but if you look at the projected demographic, it does reduce the traffic impacts and it just doesn't adjust the numbers. Mr. Ouimet asked what would it reduce it to? Mr. Hoblock stated all I can go off of is the Paddocks. Mr. Ouimet stated no, if you go by the Paddocks, would it be 75? Mr. Hoblock stated we cut those numbers in exactly in half based on the actuals that we ran at the Paddocks. Mr. Ouimet asked is the Paddocks 100% leased out? Mr. Hoblock stated the following: No, we did it on a per unit basis. We took the day, the day that we had the strips, and we took the number of units and used the number of trips so, we knew exactly per unit what that count is and it is 100% accurate. Mr. Ouimet asked what was the occupancy at that time? Mr. Hoblock stated I think it was 90% and we just finished Phase 3 last year. Mr. Berkowitz asked have you ever done a study of empty nesters driving patterns verses working peoples driving patterns because active empty nesters would actually be more active drivers during the day who are either going to doctor appointments, going to gyms or they're going shopping. Mr. Hoblock stated but that's off peak and I think you're right. Mr. Berkowitz stated I think a lot of the empty nesters actually have early morning appointments than evening appointments and I know that for a fact. Mr. Wersted stated the anecdotal description of it would be that your empty nesters and the retirees, particularly as we get older, we tend to drive less during the peak times when the most is being demanded on us to compete with other traffic, pay attention to what's going on, get to different places during those peak times and we start to shy away from traveling during those peak commute times and moving at those off peak times. So, they're going to do their grocery shopping in the middle of the day rather than at 5:00pm on a Thursday afternoon. So, if you look at some of the other studies and you look at developments that have more retirees, age restricted and that type of facility; the traffic generation from those types of facilities is usually about a ¼ of about what a regular residential un-age restricted development would generate. Just by the nature of how people are driving and chose to do their activities. It's not to say that people aren't going to drive the first thing in the morning; it just tends to be not as many people as a regular residential development would generate. Mr. Berkowitz stated the following: I just know through my own experience and through my own office that I get a lot of elderly and a lot of empty nesters who want early morning appointments or they're going to the gym or they're going shopping in the early morning. If people are going shopping in the early morning, they tend to rise earlier than other people also. Mr. Roberts stated the following: The point here is that these are not age restricted proposals. I would have to say that Hudson Ridge is a very nice development and it's coming along, but I share the residents' concerns about when that's built out and then the density of the proposal before us tonight, I just think it is too much for this area of the Town. Mr. Nadeau asked on the traffic report did you take into consideration the pending projects that are before the Town and which projects were they? Mr. Wersted stated the following: Yes, there were several projects that we had took into account; one of which was Linden Village that is proposed over on Dunsbach Road. We had looked at the Halfmoon Village and Yacht Club down near Krause's and we also included Princeton Heights. When we had looked at the Linden Village project and when we originally started that, there was a number of other developments that were included in there, but in the time frame when that study

was started and when this one was, a lot of those had been built out already so, you won't see those same projects in both reports. Mrs. Smith-Law asked did you look at the new development down on Route 9 in Latham, which is located along the Mohawk River? Mr. Wersted stated are you referring to Shelter Cove? Mrs. Smith-Law stated yes. Mr. Wersted stated Shelter Cove was not included in this study. Mrs. Smith-Law stated the following: I use Route 9 every day to go to work and the traffic on Route 9 has changed dramatically in the last few years. I think adding this proposal on top of everything else that's already under construction or about to be under construction is going to be a real problem with the traffic. A lot of people are using these back roads to try to get to different places, for example; if you need to go to Schenectady from this community, it's almost impossible. I find that if I have to be at a meeting in Schenectady, I will go into Latham and out Route 7 to try to get to Schenectady because the back roads are impossible. Mr. Wersted stated yes, one of the big issues with Schenectady is the Rexford Bridge and it's really difficult to get across that bridge during the peak hours. Mrs. Smith-Law stated I understand that and you have no control over what happens in Rexford, but adding this proposal to the problem, to my way of thinking is, it's just too much. Mr. Ouimet stated the following: The interesting thing is if you say that "oh well, we're only going to add 35 more trips during the peak hours", and I'll split the difference with you Mr. Hoblock, but based on actual counts at the Paddocks; 35 cars traveling on Stone Quarry makes a difference. I don't even know how many trips you're going to generate out of Hudson Ridge because like you've said; you only have less than 20% leased out. If you generate 130 trips out of Hudson Ridge, plus 35 more trips now gives you 165 trips and that's a ton of cars. That is a tiny back country road and I don't know if those numbers work and I agree with Mr. Roberts when he said that the density is kind of big. You look at this and there is a dispute amongst experts as to whether it's actual parcel size or its buildable land size that you determine the density on. Either way you are pushing up against a top number and you have 7.3 buildable acres with 70-units proposed and that's 9.5-units per acre. Mr. Hoblock stated correct. Mr. Ouimet stated the following: The code allows up to 10 and that doesn't mean that every PDD that comes before this Board is going to be approved for 10. It just doesn't and I don't know as if this project fits on that little country road. I've always expressed my concerns about this from when this proposal originally came before this Board and I still have those concerns. I understand the reviews and the studies that you did along with the good faith estimates that you're making based on actual counts and based on trip generation manuals with the ITE study manuals. I live in the neighborhood and I know that that's not an easy road to travel and it hasn't been easy for the 19 years that I've lived in the neighborhood. Why is this going to make it easier? I have a really problem with this. Mr. Higgins stated the following: I've said from day one that I had a problem with the density. I have major concerns regarding the amount of blasting and I'm very appreciative of the local people bring some history and by looking at the map I see what they're talking about regarding the top of the quarry being right next to building too. I know the amount of complaints that the Town got with the previously blasting and it was a daily occurrence. So, even though this is a smaller site and with the amount of blasting that you're going to have to do and you talked about guaranteeing the residents and I think the only way you can guarantee the residents is to put up a very large performance bond so that if they have trouble with the water, you're responsible for running Town water to all of these residents that have the problem. Another concern that I've had and I mentioned this before was the single entrance and you have a 5% grade on that entrance. With the ice that we had just the other day and with people trying to get in and out of that entranceway; you will be looking at a ton of accidents. I know the association of the owner is responsible for that, but are you going to have a sand truck out there 24 hours a day when the weather is bad? I had asked about a second entrance way back when and I didn't see anything discussed about that. I agree with the rest of the Board members and I think it has too

much density for that location on that road. Mr. Ruchlicki stated the following: I also have concern with the density. There were two different people here tonight and I think Mr. Kennedy was one of them and another gentleman said that you alluded to the fact that you had problems with your water while they were doing the blasting at Hudson Ridge. I was wondering if you could share with me just exactly what those problems were and if you did have a situation where your water was clouded or whatever because one person mentioned something about clay or something. How bad was that and how long did it last because I'm trying to get a feel for how inconvenienced you were by that. I have a well at my home and I know what it is like to have problems with your well and I kind of interested in how much of an inconvenience that was. Mr. Matthew Kennedy of 147 Stone Quarry Road stated the following: My well has always had problems on that street with a real deep well with sulfur and I actually have a water treatment system that is designed to take it out. The sulfur content of my water got so high that on the maximum setting, it couldn't take it out. The maximum setting uses liquid bleach and it's probably about an ounce of bleach per gallon and it couldn't take it out and luckily the blasting subsided a bit and the well had a chance to settle a little bit and it got better. To be honest, I was ready to go to the Town as people were trying to tell me to declare a hardship and tell the Town that my water was bad. So, it did get that bad. Mr. Ruchlicki stated the following: I would like to thank Mr. Kennedy for sharing that story. Again, relative to that, I have concerns with the blasting that will probably be taking place at the site. I also agree with Mr. Higgins relative to a performance bond. I think the rest of the Board has covered the density issue and I don't want to repeat more of that, although that particular road is narrow and I'm not sure that it can handle much more than it does now. I think I have to think a little bit more about whether or not I agree with this property being a good use for that property. I think overall my concern now would be for the people who are on wells for their water and that's all I have to say. Mr. Ouimet stated the following: I just wanted to say that when I was looking at the provisions of Article 11; Planned Development Districts in the Town Code and it's very clear to me that in order for us to make a positive recommendation to the Town Board, which is all we can do at this stage, we would have to find that this development as proposed and as we've discussed and heard about tonight and also received the public's input on is in the interest of the general welfare of the public of the Town of Halfmoon. Quite honestly, I think that the Board and the public over time have raised numerous questions first of all about the density of the project. I think it is clear from the discussions tonight that the members of the Board are not in favor of the density proposed for this project. In addition to the density, I think the character of Stone Quarry Road is such that everybody recognizes it, a number of us drive it every day or have driven it every day, or live in the area and certainly the people who live near this project and are affected by this project have expressed concern over the driving of Stone Quarry Road. I also think to add a 70-unit apartment complex to the situation on Stone Quarry Road would create a public safety issue, which I'm not prepared to do. So, I would ask if the Board is willing to vote tonight? Mr. Hoblock stated the following: This is the first time that we've heard public comments and I would ask that before the Board takes a vote and the Board obviously has very strong reservations, as PDD applications are fluid and flexible. I would hope that you would just give me the consideration to digest what I've heard from both the Board and public and go from there. We heard a lot tonight and I don't think there needs to be a rush for any decision and I would hope that you would give me that consideration. I've been here for 18 months working with Board and the public and I would hope that you would just let me address those concerns. Mr. Roberts stated I have no problem with that. Mr. Nadeau asked what do you feel would convince us or change our mind and what could you possibly do? Mr. Hoblock stated I just need to digest what I heard tonight because I've heard a lot and we've been here for almost 2 hours and it's a lot to hear. Mr. Nadeau stated I was just wondering and I was trying to get an idea on what we should do. Mr. Ouimet stated the

following: I think it's interesting Mr. Hoblock and I understand your request and I don't really have a problem with it, but we haven't said anything that we haven't been saying for the last 18 months. You haven't heard anything new tonight, I don't think. Correct me if I'm wrong. You did change the proposal from 90-units down to 70-units. Mr. Hoblock stated the following: That's correct and that was when I heard about traffic and density and now this is a 25% decrease, which I consider significant, so I felt that maybe that would allay some of the concerns and apparently it didn't and this is the first that I'm hearing that. So, that's the new thing that I'm hearing. Mr. Ouimet stated I know this is the only public informational meeting we have had on this project. Mr. Hoblock stated correct. Mr. Ouimet stated the following: I'm a bit concerned over saying "yah, take it back, you heard the concerns of the public and you heard the concerns of the Board, take it back" and then we don't hear from you for another year. I don't like leaving projects languished that long. Mr. Hoblock stated the following: I understand that and I was hoping that you would give me the courtesy because this is the first public informational meeting where I heard from people. Again, I'm hoping that you would just give me the courtesy to digest this. You made some very strong vocal comments as the Board and let me digest what I heard and maybe I can change the plan and maybe I can't, but I would just ask that you would give me that courtesy tonight before you vote on it. Mr. Berkowitz stated if you do make some major changes, we will have to hold another public hearing. Mr. Hoblock stated absolutely and believe me; I understand that.

This item was tabled for the applicant to consider the Board's and the public's comments and to potentially make a revision to the proposed project.

New Business:

13.114 NB Valente Subdivision, 58 Tabor Road – Minor Subdivision

Mr. Anthony Valente, the applicant, stated the following: My brother, Mr. Stephen Valente is also with me for tonight's meeting. Last September my brother Stephen and I purchased a 4.36-acre parcel from John and Kathleen Mady on Tabor Road. I just received my Certificate of Occupancy (C.O.) for my house a week and a half ago and I just moved in. My brother now would like to build his house next door to me. So, we are before the Board for a subdivision approval to accomplish that. Mr. Higgins stated the following: The original subdivision map on this piece of property that was filed with the County states no further subdivision. Were you aware of that when you bought the property? Mr. Anthony Valente stated no, but my lawyer did my deed. Mr. Higgins stated it's not in the deed; it's in the subdivision that was filed with the County from back in the late 80's. Mr. Anthony Valente asked how would I get a copy of that? Mr. Higgins stated Mr. Harris can give that to you because it is on record. Mr. Anthony Valente asked can I ask why? Mr. Higgins stated the following: Well, apparently when the property was sold, the original owner of the property put that stipulation on it that she did not want it subdivided. I imagine she was looking for larger lots along the road there, which a lot of the neighbors were aware of. Mr. Anthony Valente stated okay. Mr. Higgins asked did you get a mining permit for that site? Mr. Anthony Valente stated I got a grading permit. Mr. Higgins stated the following: Not grading because you took a lot more than grading because you dropped that site about 30 FT. Mr. Anthony Valente stated yes, I had to bring it down to road level. Mr. Higgins stated right, but you suppose to get a mining permit to do that based on the amount of material that you were moving out. Mr. Anthony Valente stated the following: Not according to Mr. Jeremy Baines from the New York State Department of Environmental Conservation (NYSDEC). I brought Mr. Baines to the site and he said I didn't need a mining permit. Mr. Higgins asked do you have that in writing? Mr. Anthony Valente stated I can get it for you because obviously I don't have it with me tonight. Mr. Higgins stated okay because that was one of the questions also that was raised. Mr. Anthony Valente stated you are obviously familiar with

the site because I'm sure you remember how high it was and I just wanted to build my house there. Mr. Higgins stated I understand that and if the NYSDEC said you didn't need a mining permit and I for one, as a Board member, would like to have that in the file because there was an extreme amount of material moved off that site. Mr. Anthony Valente stated no problem. Mr. Higgins stated the following: If I moved that much material off my site, I know my neighbors would be looking for a mining permit because there is a cubic yard amount that you can move per year without a mining permit and I can't believe that you did not exceed that. So, if you could get that, please give it to Mr. Harris. Mr. Anthony Valente stated the following: When I did submit my map to the Town, it showed the elevations on it that I was looking to do when I built my house and everything too. So yes, I can get that letter from Mr. Jeremy Baines from the NYSDEC. Mr. Nadeau asked was that the original Tabor property? Mr. Anthony Valente stated we bought the property from John and Kathleen Mady. Mr. Higgins stated I think the property was sold once or twice since Ms. Karen Tabor had it. Mr. Nadeau stated okay, thank you. Mr. Anthony Valente stated what Mr. Higgins brought up regarding the mining permit is something that we never heard about before and we just wanted to put our houses next to each other so our kids can grow up together. Mr. Higgins stated I understand that, but the trouble is that sometimes when you go back on a site, there are things that people don't realize. Mr. Anthony Valente stated which we didn't so, thank you for that.

Mr. Nadeau made a motion to set a public hearing for the January 27, 2014 Planning Board meeting. Mr. Roberts seconded. All-Aye. Motion carried.

13.119 NB Rolling Pride LLC, 392 Hudson River Road – Change of Tenant

Mr. Mike Cooper, the applicant, stated the following: I am requesting a change of tenant approval for 392 Hudson River Road. We would be using this property for the purpose of warehouse storage for our on-line retail sales of our clothing; shirts, t-shirts, sweatshirts, hats, etc. We would also be selling and storing motorcycle parts to be sold on-line and that's all we're going to be doing. Mr. Ouimet asked where are you currently located? Mr. Cooper stated we're not located anywhere and that's why we want to rent this building to do this. Mr. Ouimet asked Mr. Harris if he talked to the applicant regarding this proposed use? Mr. Harris stated the following: I think Mr. Marlow has had conversations with the applicant about it. I believe Mr. Cooper's application states that they are using space for meetings out of the VFW. Mr. Cooper stated the following: Right, we have meetings at the VFW in Mechanicville now. We go there to talk about business and stuff like that and we are trying to get this going for our on-line stuff. Right now we sell our stuff at swap meets and at events that we have. Mr. Ouimet asked is that all you do because I thought you principally were a charitable organization. Mr. Cooper stated the following: We are a motorcycle enthusiast and we also have events. We just put on an event for Mary Flynn who lost her leg and she is a very dear friend of ours. We also did an event for the Kidney Foundation and this is just another part of what we're going to be doing. We need a place to store all of our stuff. Mr. Ouimet asked is this a business that you are planning on starting or one that you are currently engaged in? Mr. Cooper stated no, we've been around for a couple of years as motorcyclist enthusiast and we just need a place to store all our stuff because we have no place to put it right now except at people's homes. We want to get on an on-line business to start selling motorcycle parts and our clothing items. Mr. Higgins asked what is presently located at this location? Mr. Cooper stated the following: Nothing. It previously was Mr. Rooter of Greater Albany and before that it was Michelle's Lingerie. Mr. Higgins stated the following: Okay, it's the old Dion Oil building. Are you just going to use the front building? Mr. Cooper stated just the front building. Mr. Higgins asked what's going to be used in the garage in the rear? Mr. Coopers stated that would not be ours and

he is renting it out to someone else. Mr. Higgins stated okay so, you are only going to rent the front part of the building. Mr. Cooper stated correct and my cousin, Mr. John Cooper, who is a Code Enforcement Officer, told me that there were previous issues at this site that have been fixed. Mr. Higgins asked are you going to do any retail sales out of there? Mr. Cooper stated the following: We have our events at the American Legion in Mechanicville and we have never had any issues at the American Legion. As a matter of fact, they welcome us there any time when we want to do an event. Mr. Higgins stated we have to be concerned regarding safety because of the location so, that's why we are asking the questions. So, are you going to have any events at this location? Mr. Cooper stated the following: No, it's for storage and stuff like that. If there ever was an event, we would have to get an event permit and all that stuff, right? Mr. Higgins stated the following: The trouble is that your definition of an event and our definition of an event might be different. You may think that 100 motorcycles is not an event and I have been to bike week a number of times and I ride myself. So, I understand exactly what you're talking about, but sometimes a bunch of people get together and all of a sudden it gets a lot larger than anybody anticipated and again, that's why we are asking the questions. So, there is not going to be any retail sales on site. Mr. Cooper stated there will be no retail sales on-site and everything is going to be on-line. Mr. Higgins asked approximately how many people are going to be working out of that location? Mr. Cooper stated the following: There would be 12 to 15 people. We won't all be there at the same time because we all have full-time jobs. Mr. Higgins asked what would be the most number of people there at the same time? Mr. Cooper stated maybe 10. Mr. Higgins stated okay, so we have to look at the proper parking for 10 employees and I'm very familiar with the site. Mr. Cooper stated the following: There is a big back parking lot that we would be sharing with the tenants in the back. We were told that we could share that parking lot. Also, in the front of the building there are about 10 parking spaces for cars. Mr. Nadeau stated the following: We do have an approved site plan from the previous tenant so; we know what the footprint of that site is. Could we get a definition from Mr. Matt Chauvin as to what this could be or couldn't be? Mr. Higgins stated I was just asking the question so we can basically do that. Mr. Ouimet stated it is my understanding that this is zoned Industrial. Mr. Cooper stated the following: Correct. When I first filled out the application I didn't know how it was zoned and nobody ever told us. We didn't know if we could store stuff or what we could actually do there. So, I was more or less told to just give a brief definition of who we are. So, that's what I did. Mr. Ouimet stated the following: Okay. Basically what I'm being told is that Rolling Pride LLC holds charity rides and benefit events for people in need. The vacant space would be used as a gathering space for the association to have meetings and to hold charity and benefit events. Mr. Cooper stated we wouldn't be holding any events there and all we are going to be doing is having our meetings and stuff like that as club. Mr. Ouimet stated the following: Except it is not zoned for that and that's the problem. It's not zoned for a club. Mr. Cooper stated the following: Right. What I'm saying is that we are going to be doing our storage where we are going to store all of our stuff that we sell on-line. We are setting up our motorcycle stuff right now and a website to sell all our stuff. Mr. Ouimet stated the following: If you wanted to hold your meetings, charity events and things that are normal fraternal organization would do, we would have to tell you no and you would have to go to the Zoning Board of Appeals (ZBA) to see if you could get a zoning change. What I'm telling you is that if you're going to do anything more than use it as storage facility for your internet business, it's not allowed in the zone. So, you couldn't have fraternity organizational meetings, you couldn't have a club meeting, you couldn't do a charity event there and you couldn't use it as a gathering place. I would like to ask Mr. Matt Chauvin if that's consistent with the zone the way it is. Mr. Matt Chauvin stated the following: Your recitation is a fair and accurate description of what would not be permitted there. It's not permitted to hold those social fraternal gatherings and charitable benefits.

Mr. Cooper stated Mr. Rooter of Greater Albany had offices in there and didn't they hold meetings in that place, didn't they store stuff and didn't they work out of that place? So, if we are going to have meetings and stuff like that to decide what we're going to be doing. Also we are going to be running a business out of there. Mr. Nadeau stated the following: I think he is using the word "warehousing" as a wrong term. I think he is selling his product and it's not like we're looking at a 10,000 square foot warehouse. If he's a business, he is selling his product, but the other items I can't go for. Mr. Ouimet stated the following: I think it is clear that you could store and sell your products out the zoned building, but what's not clear to me is what else are you going to use it for? If you are going to use it for these other activities, you should come clean with us and we'll send you to the ZBA and you could then make your case to the ZBA. Don't come here and say that you're going to do something and then do something plus 15 other things. Mr. Cooper stated the following: We're not going to hold big events there and stuff like that like you said. We don't plan on that. If we have events, we go somewhere else. Mr. Ouimet stated the following: You can't even hold a small event is what I'm saying. What you can use it for is a place to store your materials and a place to run your internet business from and that's consistent with the way it is zoned now. To do anything else; to do a fraternal organizational type of activity or activities, it's not zoned for that and we would not be able to allow you to do it without a zoning change or an approval from the ZBA. Mr. Cooper asked what would I have to go through if I wanted a zoning change or stuff like that? Mr. Ouimet stated just make an application to the ZBA and tell them what you want to do and why you want to do it there. Mr. Cooper asked would it be a problem to just have meetings in there and not events and stuff like that? Mr. Ouimet stated the following: If you have meetings related to your internet business, there are no problems. So, if you are meeting to get together to figure out how you're going to fill orders or solicit orders or store parts or purchase parts, that's not a problem. If you have meetings for other purposes, that changes the use of the building. I'm just trying to be clear about this. It's up to you, you applied to use the space and what we're telling you is what's permissible in the space and what's not and if one of your activity or activities is not permissible, we're going to have to tell you no and send you on to the ZBA. Mrs. Smith-Law stated the following: I used to be on the ZBA and I'm just worried here that you're going to boxed yourself in by not being forthright about what you may use it for because if we approve it just for the internet business, that's all you can do. If you go through the ZBA and make your case and they approve a zoning variance, then you may be able to do these other things. Mr. Ruchlicki stated the following: I think we're having an issue with what your definition of a meeting is and what we think it could be. When you say meeting you're talking relative to the business itself and if you were to meet to organize an event, would you do that in another location? Mr. Cooper stated no, we would do it there. Mr. Ruchlicki stated then I think we are kind of on the right track so, I will defer back to what Mr. Ouimet and Mrs. Lois Smith-Law were saying. Mr. Cooper stated if I have to, I will go to the ZBA. Mr. Ouimet stated all I'm suggesting is if you want to and if your concept is bigger than just selling internet products, then you're better off going to the ZBA and having them consider what you want to do and assuming that they don't have a problem with it, they'll give you a zoning change then you will come back to the Planning Board to do a change of tenant application without a problem and we won't run afoul with the way the property is zoned and you won't have any problems by way of enforcement. Mr. Higgins stated there is no guarantee that you will get an approval from the ZBA. Mr. Ruchlicki stated right, but at least you'll know and that way when you do come back if we do approve for the internet business, then you would more likely understand that you wouldn't be able to meet as a group to do your organizing for an event. Mr. Cooper stated how do I go about doing that? Mr. Ouimet stated the following: What we have to do tonight is we have to deny your application and based on that denial, you can apply to the ZBA for review. The Planning Department can help you

do that. Mr. Cooper asked what would I be applying to the ZBA for? Mr. Ouimet stated you would apply for a zoning variance to operate a fraternal organization in an M-1 Industrial zone. Mr. Cooper asked could I go to the ZBA and also tell them that this is going to be our warehouse and what we're going to be doing there. Mr. Ouimet stated right, it's because you want to do more than just the warehouse activity. Mr. Nadeau stated the following: Again, I think you are using the wrong term of "warehousing" because this will be a product that he is selling. So, that would be your inventory and not you're warehousing. Mr. Higgins stated it is a place of business. Mr. Nadeau stated yes. Mr. Ouimet stated it's a combination of a place of business and a fraternal organization.

Mr. Roberts made a motion to deny the change of tenant application for Rolling Pride LLC based upon the proposed use is not permitted in the M-1 Industrial zoning district. Mr. Nadeau seconded. All-Nay. Motion carried.

Old Business:

13.105 OB

Joe Cars LLC, 1648 Route 9 – In-Home Occupation/Special Use Permit

Ms. Brenda Vanier from Joe Cars LLC stated the following: Joe Cars LLC is a wholesale car dealer that entails buying and selling at auction. There would be no customers on-site and there would be no vehicles stored on-site. I submitted this application a while back for permission to have the proper permits to go forward. Mr. Ouimet stated just to be clear, do you live at the premises here, right? Ms. Vanier stated correct. Mr. Ouimet stated okay, you live in the premises and you want to operate an In-Home Occupation out of the premises, right. Ms. Vanier stated correct. Mr. Ouimet stated we had a subcommittee of the Board go to the site. Mr. Roberts stated Mr. Higgins, Mr. Marlow and I went to the site and we raised some questions and at that time you said that there would be no customers coming to the site, right? Ms. Vanier stated correct. Mr. Roberts stated it would be a wholesale operation, you'll be getting a wholesale license from the Department of Motor Vehicle (DMV) and you will conform to all DMV requirements, correct? Ms. Vanier stated absolutely. Mr. Roberts stated you live there so, would there only be 2 registered vehicles on the site? Mr. Vanier stated yes, I would have my own personal vehicles and then there would be a transporter vehicle. Mr. Roberts asked would the transporter vehicle be a registered vehicle? Mr. Higgins stated the following: No. I think when we were there you said that you were going to get 2 sets of transporter plates. Ms. Vanier stated we applied for 2, but we could get 1, 2, or 3 as it all depends on the DMV. Mr. Higgins stated then obviously, if you have a personal vehicle, that would be registered in your name and not in the business name. Ms. Vanier stated correct. Mr. Higgins stated again to confirm; it's wholesale only, you are not going to do retail, you are not going to have a sign on the outside of the building as a retail dealer, because with wholesale you don't need a sign. This is an In-Home Occupation so; you're not going to be able to put a sign, except for the little sign by the doorbell that we talked about. Ms. Vanier stated correct. Mr. Higgins stated you're not going to be able to put one of those DMV signs on the side of the building. Ms. Vanier stated exactly. Mr. Nadeau stated I think the DMV signs are authorized and that doesn't fall under our sign ordinance. Mr. Higgins stated that is for retail. Mr. Nadeau stated no, that's for wholesale as well because Mrs. Murphy stated that DMV signs are not considered as part of our ordinance. Mr. Higgins stated but the applicant told us during the meeting on-site that they were not going to put a sign up. Mr. Nadeau stated but the DMV is going to make them put up a wholesale sign up. Ms. Vanier stated that wasn't on their requirement, the wholesale was not required because we are not doing business. Mr. Ouimet asked do you have display a DMV placard? Ms. Vanier stated no, we just have to display the name of our business and the phone number. Mr. Higgins stated that's

what was discussed at the meeting and I was just trying to reconfirm what we discussed at the meeting. Mr. Nadeau stated but it should be required but I don't think that falls under our sign ordinance. Mr. Higgins stated as long as it's wholesale only. Mr. Roberts stated and that's what it's going to be. Ms. Vanier stated correct. Mr. Higgins stated we talked about that they're not going to be collecting sales tax because everything is wholesale between dealers. Mr. Ouimet stated the following: I think there are two keys here. I think one is the wholesale aspect of your business and the second thing is you must live in the house. Ms. Vanier stated we do live in the house. Mr. Ouimet stated if you don't live in the house or if you somehow leave the house, you can't operate your business out of there. Ms. Vanier stated correct. Mr. Ouimet stated so, it's a home based business and you can't operate a retail car business out of the home because that's not an approved home based occupation. Ms. Vanier stated right and it's a total different licensing. Mr. Ouimet stated okay. Mr. Higgins stated and you realize that if down the road you want to change the business, you have to come back before this Board. Ms. Vanier stated I understand that. Mr. Ouimet stated and the same thing for the sign. Mr. Matt Chauvin stated the following: I just want to make sure that we're clarifying this; the transporter vehicle that is being referenced; under the Town Code, they are allowed 1 unregistered vehicle per site and that is your 1 unregistered vehicle. You cannot store any other unregistered vehicles on the site. Ms. Vanier stated there will be no cars stored on the site.

Mr. Roberts made a motion to approve the In-Home Occupation/Special Use Permit for Joe Cars LLC conditioned on (1) applicant must live in the home, (2) the applicant may only operate as wholesale and cannot operate as a retail dealer, (3) the applicant is limited to three cars on site (two personal, one unregistered - any vehicle with a dealer and/or transporter is considered an unregistered vehicle), (4) no customers are allowed on site, (5) the applicant must conform to all New York State Department of Motor Vehicle requirements. Mr. Higgins seconded. All-Aye. Motion carried.

13.106 OB Beeche Light Industrial Expansion, 356 Hudson River Road – Commercial Site Plan

Mr. Jason Dell from Lansing Engineering stated the following: I'm here tonight on the behalf of the applicant for the Beeche Light Industrial Expansion. The proposed project is located on approximately 5-acres at 356 Hudson River Road and the parcel is zoned M-1 Industrial. The existing site is currently occupied by two buildings that are shown on the gray shaded plan that you have. Those buildings are utilized right now for light fabrication and storage of rigging equipment. What the applicant is looking to do for this proposal is to add approximately 1,950 SF of office space to building #1, which is shown in the brown shaded area as well as the construction of an additional 11,900 SF warehouse building. The purpose of the warehouse building is to take the outside storage of rigging equipment that's currently there right now in the vicinity of that building and bring it inside to protect the materials. Water would be supplied to the new building via a connection to the existing water system that has already been brought on to the site. Sanitary affluent will be treated by an expansion of the existing on-site septic system. Stormwater will be managed on-site through the use of the existing stormwater basin that is currently there. Parking will be provided in accordance with the Town of Halfmoon zoning requirements. At this point in time, we have submitted plans to CHA for their review. We received a couple of comment letters that we have responded to and we've addressed all CHA's comments to this point except for one comment with regards to a technical drainage issue that I discussed with Mr. Bianchino this morning. Mr. Bianchino and I have come to a consensus as to how we are going to work through that. It is a minor technical issue, but none the less it is an outstanding comment that I figured I

would bring up. One other item I spoke with Mr. Harris about today was that our parking calculation was 1 parking stall off. We were providing 87 stalls and now we're actually going to need 88 stalls. So, we are going to propose to landbank 34 stalls instead of 33 stalls, which we have ample room for on the site. We're here tonight to ask this Board for an approval contingent upon addressing those 2 remaining comments. Mr. Ouimet asked was there some issue regarding enhancing the vegetated buffer between the existing residents? Mr. Dell stated the following: The stormwater management area is here and there have been some arborvitae that have been put along the road. As far as any additional buffer; to the south there is some vacant land there and then there is the large industrial facility to the north where we have Kivort Steel adjacent to the road. So, I guess there really is no real place for a buffer per say; we have a retaining wall, a security fence and then the property line along the south side as well. So, at this time we don't have any buffering proposed in addition to what's out there right now. So basically, this building is going right in storage area that is there now. Mr. Ouimet stated it looks like you have some space between the retention pond and the dotted yellow line. Mr. Dell stated that's the basin berm that kind of comes up and down. Mr. Ouimet stated the following: Is there any benefit to adding some arborvitae on top of that berm to block this new proposed building that you're going to build there? Right now there is currently one building and a parking lot. So, now you're proposing to put up another building and is there some way that you could visually break that up? I don't know; is there enough room between the retention area? Mr. Dell stated that I will have to look into because I know we are grading right up from the property line to get to the top of the berm and it's typically not advisable to plant plantings on the top of berm because as those roots go down, you break up the structure of the berm that you're hoping is going to hold the water back. Mr. Ouimet stated can I ask you to look at that and in the event that it is feasible if you put something up there. Mr. Dell stated yes, we can certainly take a look at that. Mr. Ouimet stated if it's not engineeringly feasible, obviously I won't make you do something that's stupid. Mr. Dell stated certainly. Mr. Ouimet asked Mr. Harris if this proposal was referred to the County. Mr. Harris stated the following: Yes, it was referred to the County, they responded, and at their November meeting they approved it and made reference to their 2006 referral letter with the comments that they brought up at that time with several which have been addressed since that time as part of the 2006 plan related to on-site septic related to delineation of wetlands for the purposes of the first development. Water service; we had the Director of the Water Department and Mr. Bianchino from CHA take a look at the plan and the only issue that seemed to stand out was relative to their comment in 2006 regarding buffering of the southern property, which Mr. Bianchino brought up and you guys just discussed. So, I think with that consideration, their 2006 comments have been largely addressed or at least addressed by this Board and considered by the Board. Mr. Higgins stated the following: On the second floor office area; on the drawing that we have it doesn't say how many square feet are going to be added there. You mentioned it in your presentation, but I think it should be on there also. Maybe it's on the other one, but it's not on this one. It just says "new second floor area". Mr. Dell stated the plan is for 1,950 SF and we will certainly get that on the final plan. Mr. Higgins stated the following: Okay. How many additional people are going to be working on this site between the office area and the new building #3? Mr. Dell stated the new building #3 is going primarily just for the storage of what's outside right now. I guess the new office building is to house engineering staff and it has been implied to me that there's going to be an additional 7 employees up there. Mr. Higgins stated the following: The only reason why I'm asking is because I had some concerns that the existing septic system might not be big enough with all of these additional people. Do you have sufficient room to expand it if necessary? Mr. Dell stated yes, the proposal is to put two new septic runs to expand the existing septic system to accommodate two additional laterals. Mr. Higgins asked how big is the tank now, is it a 1,000

gallons tank? Mr. Dell stated I'm not exactly sure of the size of the tank, however we're going to add additional capacity for another 286 gallons in the field itself. Mr. Higgins stated the following: Okay, because obviously you don't want to start having septic problems with the neighbors and everything else. Also, I agree with Mr. Ouimet because I know it is an industrial area, but it would be nice if we could try and dress things up a little bit. I know Kivort Steel, who is right next door, put a bunch of plantings out when they took over and they did dress it up and it does look very nice. So, if there is something that you can do to kind of dress the site up a little bit, I think it would make the whole appearance look a little bit better. Mr. Dell stated that is something that I can certainly talk with Mr. Bianchino about and look at an area that might be feasible. Mr. Robert Jarvis stated the following: I am an attorney who helps Mr. Greg Beeche with certain project. What you are probably not aware of is along Routes 4 & 32, which is the main highway that faces this property; there are already a bunch of houses. They are older and fairly dilapidated houses and one of those buildings at one time was actually an automotive repair place that has some existing structures that are kind of, I won't call them commercial, because they're more residential. So, if you drive down Routes 4 & 32, you don't really see the Beeche property. What you see is these other buildings along the way and then you see this driveway that goes somewhere into the back and that's where he's actually located. So, as far as trying to dress it up for people who are looking from road, they're really not going to see it. All you're really going to see is his driveway going in. Mr. Higgins stated the following: I disagree because I just happened to be driving that way over the weekend and I agree with the trees when the leaves are on, you don't see it, but when the leaves are off, and I wasn't making a big deal about looking at it, I drove by and I did look and it is very very visible. So, when you put the new building there, it's going to be extremely visible also. All we're trying to do is dress it up a little bit. We're not asking you to hide anything, we're just trying to dress it up, that's. Mr. Jarvis stated the following: As Mr. Dell said, if there is something that can be done and there is a practical approach to it, then I guess they'll work out those details. As long as we all understand that may not be a really helpful thing do.

Mr. Roberts made a motion to declare a Negative Declaration pursuant to SEQR. Mr. Higgins seconded. All-Aye. Motion carried.

Mr. Roberts made a motion to approve the commercial site plan application for the Beeche Light Industrial Expansion with the following conditions: (1) the applicant investigates the feasibility of adding landscaping buffering on the southern property line and submit to the Town Engineer/CHA for review. Mr. Nadeau seconded. All-Aye. Motion carried.

12.110 OB Crestmoore at Halfmoon – Lot #1, 410 Route 146 – Commercial Site Plan (f/n/a Halfmoon Assisted Living/Special Needs Assisted Living Facility)

Mr. Kevin Dailey, Esq. stated the following: I am an attorney from Vischer Ferry in the hamlet of Rexford. I'm here tonight representing the Pike Company and I'm also here with Mr. Jay Hopeck and Mr. Mike Ridolfo from the Pike Company. We are here tonight continuing this conversation relative to the Crestmoore at Halfmoon project, which is part of the Planned Development District (PDD) that was adopted by the Town Board as Local Law #2 of 2013 in June for the Halfmoon Healthcare and Assisted Living Memory Care PDD. This is the first lot of the project. We had felt that it was a good idea to come in to see the Board and we have submitted everything relative to a site plan application and all of the engineering. We have received the comments from CHA and it is somewhat of an extensive list, but there's one main item that needs to be dealt with. I don't want to say that any other item is simply routine, but they're all things that can be taken care of in the course of business. Just to bring the Board up to date; the building is a 4-story - 104,850 SF

structure for memory care loss patients. It is a need in Saratoga County and it's the first building on a 8.47-acre parcel of an 81-acre PDD that we're hoping to develop as a healthcare campus with Pike. Mr. Brien Ragone from Lansing Engineering is here tonight to address more particular engineering comments and certainly any questions that the Board may have or updates that you would want because I don't think we have been back to this Board since June. So, it's a good time to come back. We're hopeful that after we address CHA comments that we will be in a position for the Board to take a vote soon thereafter. As I understand it, the main comment has to do with the main roadway that comes in, which we have shown as a boulevard. Mr. Harris and I had a conversation just the other day about the boulevard and there have been several conversations. The CHA letter dealt with the boulevard and I will let Mr. Harris tell us how many other comments you had. It has been decided by the Town, I think unanimously, from every department that has reviewed this that the boulevard is not a good idea for a number of reasons, which I will let Mr. Harris address. Mr. Harris stated the following: We asked the Town's Highway Superintendent, Mr. John Pingelski, who is here tonight and the Town's Emergency Service Coordinator, Mr. Steffen Buck, who is also the Director of Code Enforcement and the Clifton Park Fire Chief to take a look at the plan. Also, we have been talking with Mr. Bianchino and the comments that CHA had. So, in talking with Mr. Pingelski and Mr. Buck, they both felt that elimination of the boulevard had its benefits for the Town and the Town's interest. Mr. Pingelski, most notably in terms of future maintenance concerns with the boulevard and the retaining walls that were proposed. Also, Mr. Buck alerted us to the fact that he does consider, wearing his fire chief hat, a boulevard entrance as providing a secondary means of ingress and egress and if that entrance is blocked for some reason, the entire entrance is going to be blocked as proposed as a boulevard. Mr. Buck suggested and we've shared it through several of us in conversations proposing some type of secondary access that I think you are going to address as part of the revised plan. So, we have had conversations over the last week in effort to look at the boulevard as a result of concerns raised by CHA initially and then through the Highway Superintendent also. Mr. Dailey stated the following: Regarding the boulevard; when we first laid out the project in 2005, we had extensive wetland areas in one area and there was no other way to get into the project other than this one entrance, which is why it was laid out as a boulevard to give us two roads in. About 18 months ago, when we started looking at how to develop this site, we were able to move the archeological boundary eastward, which created space. We also had the New York State Department of Environmental Conservation Region 5 (NYSDEC) wetland people out and when they took a look at the wetlands they said that these are not NYSDEC wetlands and that they were the Army Corp of Engineer (ACOE) wetlands. As a result of that, the 100 FT adjacent area on some of these areas went away, which actually gave us more room for the building, but it also opened up the potential for a corridor to bring a future access road in a little bit farther to the east. A month and half ago we met with Ms. Christine DeLorier from the ACOE and we talked about ACOE permitting and perhaps making some future changes, some mitigation on-site and as far as the ACOE is concerned, we can put this future access here. We have a small bit of wetland across here, which can be handled as a part of the nationwide permit along with some filling in another area. So, with that in place, we can actually bring a secondary access in over here as part of a future phase and in terms of emergency services for this building, we can always put a temporary little roadway out in this area, which would satisfy emergency services. So, we're prepared at this point to go with something other than a boulevard and that is something that could be redesigned readily. Mr. Higgins asked why can't you just go ahead and put that road in now? Mr. Dailey stated it is strictly a matter of cost, plus I still need to get the permit from the ACOE. Mr. Higgins stated the following: Well, you're going to save a lot of money not having to do the boulevard, the retaining walls and everything else. We were talking about this briefly at the pre-meeting and it just seems like you have a cost associated

with building a temporary connection and curb cut. So, it might make it a lot simpler just to go ahead and build that road now. Mr. Dailey stated the following: We will consider that and we will take a look at it. One of the things that we did want to point out is that there will be a roadway that comes around the building for obviously reasons because you are dealing with Alzheimer patients. Mr. Higgins stated yes, we had asked for that. Mr. Dailey stated the following: Yes and it would be real simple to just extend that out to Route 146 at that point. That would be the simplest way to do it just to serve this building temporarily until such time as we would come back with this later on. We will take a look at that and we'd be happy to do it. At this time, I will let Mr. Ragone speak and talk about some of the engineering questions and some of things that we have done since we were last before the Board. Mr. Harris stated the following: I would like Mr. Ragone to explain the concept plan from what we are seeing for the first time, the revised one and how the entrance onto Route 146 will have turning areas or turning radius because it doesn't look like it from this sketch revision because it looks like it is a just a regular straight 90 degree. So, if you could talk about that and that it might have to be continued to be engineered. Mr. Ragone stated the following: Yes. Regarding what Mr. Harris was mentioning; I obviously quickly threw this plan together because we just learned about on Friday. I do have it shown connected to Route 146 and we would propose a gate to block off any public access and only allow emergency services through. I have talked with Creighton Manning and it has been done before where the New York State Department of Transportation (NYSDOT) would accept just an emergency service access road along with the additional curb cut. They have done this on Route 9 on another site. I just show it going out to the road, but obviously I would have the flared sections and coordinate with the NYSDOT and see how we would handle that. In addition to what Mr. Dailey was saying regarding removing the boulevard, it would also allow for us to remove the walls that we had proposed in the right-of-way and that would save the Town from having to maintain those walls in the future because once the road is turned over, they would have to take the maintenance for the walls. It would also allow us to have more screening along the western property, which would save the existing woods and we could propose more additional plantings along that. I know that Mr. Bianchino has been asking for that in his last couple of comment letters and this would definitely free us up to be able to do that. Also not only that, we are able to provide more additional planting along the parking side where that long linear strip of parking is between the memory care facility and the road. So, that would also provide more screening. The other thing that we have done since the last time and I think this was one of the big issues is that we now have added more landbanked space parking. Back in June when we were here we had maybe 6 and we now show 24 on the plans and that provides us with 82 paved parking spaces plus 24 additional landbanked and that would be a total of 106 possible parking spaces if deemed necessary in the future for those to be built out.

The rest of the comments were exactly what Mr. Dailey was talking about and there isn't really anything that we can't address as most of it is related to the road and by eliminating the boulevard, it probably addresses the major comments in the comment letter. Mr. Higgins stated Mr. Bianchino's letter also discussed steep slopes and some of the areas for the parking that's going to be landbanked. Mr. Ragone stated yes, that is something that we could talk about here tonight. Mr. Higgins stated being that I'm the one that has been harping on the parking from day one; if that is a landbanked area, we want to make sure that it can be used somewhere in the future for parking. Mr. Dailey stated the following: We anticipated your question especially about the landbanked area that would possibly have to have a retaining wall built for those additional parking spaces. If they are necessary at a future time, those parking spaces would have to be built and that retaining wall would have to be built and that could be a condition of any site plan approval and that is something that the owners of the project would be aware of and on notice of from day one. Mr. Higgins stated the following: What I got out of Mr. Bianchino's letter was that that

retaining wall is going to be quite extensive. Do we have any idea on how tall that retaining wall is going to be? Mr. Dailey stated we had looked at possibly 8 FT, but I think with a little bit of work we could bring it down to a 6 FT wall. Mr. Higgins stated okay, thank you. Mr. Ouimet asked would that retaining wall be on the applicant's property or would that be on Town property? Mr. Dailey stated that would be on the actual site itself and it would not be on Town property and it would strictly be the responsibility of the project owner. Mr. Ouimet stated okay, so the responsibility of maintaining that wall would be the project owner. Mr. Dailey stated yes. Mr. Ouimet stated the following: I have a couple of questions about the emergency access. I noticed that it's not really shown on the plan. I did notice some dotted lines going out to Route 146, but there was an emergency access that went around or looped in front of the building that was already proposed, correct? Mr. Ragone stated yes and that will continue to go around. Mr. Ouimet stated but that's not shown and there's where I'm having a little problem. Mr. Ragone stated the following: Right and yes, it will continue to go around, but it will also go out to Route 146. Mr. Ouimet asked and you're proposing a gate on the emergency access where you proposed to extend it out to Route 146. Mr. Ragone stated yes. Mr. Ouimet asked are you proposing the gate at the Route 146 end? Mr. Ragone stated yes. Mr. Ouimet asked where would you put the gate? Mr. Ragone stated on the applicant's property. Mr. Ouimet stated I know that, but would it be closer to Route 146 or closer to the facility? Mr. Ragone stated it would be closer to Route 146 to deter anybody from turning in. Mr. Ouimet stated the following: Okay. It is important to note that since that will be the secondary access point to the facility now, until such time as you "determine its cost effective to build the proposed road"; that's going to have to be serviceable by the fire company and it has to be plowed in the winter and you're going to have to make sure that it's clear. Mr. Ragone stated it's going to be the same grass block pavers. Mr. Ouimet stated I know, but you can't allow snow and ice to accumulate on it in the winter because it is the secondary access point. Mr. Ragone stated right, it would have to be plowed. Mr. Ouimet stated the following: Before we just had the pavers going around the building to facilitate the fire apparatus moving around the structure. Now it is going to actually be an entranceway. Mr. Ragone stated right and I'm assuming that even before that would have to be plowed also. Mr. Ouimet stated so; I don't know how you are going to do that with a gate. Mr. Ragone stated they will have to get a key to be able to plow that as well. Mr. Ouimet stated so, every time it is plowed it will have to be plowed out to Route 146 and every time the State trucks come by and put up the bank of snow as they always do on Route 146, they will have to re-plow it because it has to be open all the time. Mr. Ragone stated right, somebody is going to have to plow it. Mr. Dailey stated we would be very happy to eliminate the gate and leave it open as a secondary access. Mr. Ouimet stated I thought you were going to say that you would be very happy to build that future access point. With that you would have a nice loop, it would be Town road and it would be fine. Mr. Dailey stated that would take more money than the lot is worth at this point. Mr. Ouimet stated the following: Let's talk about that for a minute. I understand there is a cost associated with it, but temporary is temporary and you're proposing a temporary solution to the problem. When are you proposing to make it un-temporary? Mr. Dailey stated the following: We are proceeding at this point with an individual permit application to the ACOE relative to some of the areas in the back. As soon as we can get our permits from the ACOE, we will be back in here to see this Board relative to the site plan for the balance of the property. Some of the members of the Board are very familiar with this property at this point and you know what we've done in the back and we've labored to create buildings between fingers of wetland and we've tried to maximize the project, but it has been a difficult go. Now with the ACOE actually taking a very friendly and benign approach here, we have some possibilities. I don't want to get committed to design or build something here without knowing where it's going to go or what its function will be to serve the rest of project. So, that's

the only hesitancy at this point. Mr. Nadeau stated the following: My concern is the objective is that as an emergency and if this portion is built out and this is not done, we theoretically don't have an access. Am I seeing something differently? Mr. Dailey stated for the rest of the project; this actually could end up being the main entrance or the major entrance. Mr. Nadeau stated but when you're talking about the rest of the project, you're talking about the lower section, but that doesn't solve an emergency access for the basic project. Mr. Dailey stated by having an access point here, that does and we would propose to the Planning Board that hopefully when you do adopt an enabling resolution, that you would stipulate that that would be eliminated at such time as another entrance would be built here. Until that is built, that can effectively serve and it will serve just fine. Mr. Ouimet stated the following: Okay, because that was one of the problems that I had, "the such time as". Will it be while I'm still on the Planning Board or will we have to say that it will be eliminated within 7 years? You say you can solve this problem by building it now. Mr. Dailey stated the following: Well, we don't have the money to build it now and it's impossible to build it now. We would like to. In fact, I'd like to have the whole project rolling out. Mr. Ouimet stated we could probably solve the problem by saying that you have to build it before anything else is developed on the whole project. Mr. Dailey stated you could, but you might put us out of business at the same time. Mr. Ouimet stated well, we don't want to do that. Mr. Dailey stated the following: We've been very lucky in this economy. We got our PDD approved in 2008 and about a week later the bottom fell out of the economy and we've been behind the eight ball ever since. So, to have this first project come in through Pike was a godsend for us and it really saved us. As the developers, we're not going to get back to even by selling this one lot. It gets us a start, it gets something established over there and we believe it is good for the Town. We're fully intent upon working on the balance of the project and getting this roadway in, but that's really part of Phase 2. The sooner we can get Phase 2 underway and actually that puts us in a position for the first time to actually make some money over there. Mr. Ouimet stated the following: I'm feeling a little better hearing you say Phase 2 and you're not saying "at some future point" anymore. Phase 2 seems like it would be something that's coming fairly quickly. Mr. Dailey stated we're very anxious to go. Mrs. Sautter stated I understand that with the NYSDEC wetlands you were able to navigate around because they were no longer Federal so, you're mitigating there. Mr. Dailey stated the following: Our responses from both the NYSDEC and the ACOE; we were mildly surprised at the warm reception when we asked them to come back and take a look. It was Mr. Jed Hayden from Region 5 who actually came and walked the property with our wetland specialist and Mr. Hayden said that this was not NYSDEC wetland, it's ACOE and when that 100 FT adjacent area was thereby eliminated that gave us enough room to put this building in and we were extremely pleased with that result. Mrs. Sautter asked how were you able to get around the archeological site that you mentioned earlier and how did you move that? Mr. Dailey stated the following: We did a Phase 2 study and there was a building here that is shown on the 1861 Beers map and we actually didn't have the archeologist do a Phase 2, just a Phase 1 originally and he actually drew a very large area because people back in the 1840's didn't have a Town landfill and they just sort of went to the back of the property and that's where a lot of those pottery shards ended up. So, we were able to come back and we did a Phase 2 study and they took a much harder look at it and there was nothing of significance where all the test pits were dug and they came back and said that there is nothing there and as a result we were able to move that archeological boundary about 80 FT east. The report did get sent to the State Historic Protection Preservation Office (SHPO) and SHPO has signed off on that. We're close now to where there is an old barn foundation, which we're protecting as part of the overall development plan. Mr. Phil Perazio was the person at SHPO that signed off and we have his letters and I think they have been furnished to the Town. Mrs. Sautter stated the following: Okay, that makes a lot of sense. How close will that access point be to the

archeological site? Mr. Dailey stated the following: It's close and we told them that the reason that we were wanting to move the archeological boundary a little bit further, which they assented to, was so that we could get a little roadway around the building for emergency services given the nature of the kind of people that will be living here and if there is ever is a problem you'd want to be able to get emergency vehicles close by windows. Mrs. Sautter asked do they have any problem with you having it that close? Mr. Dailey stated no, we specifically brought that to their attention. Mr. Ouimet stated the following: I just had a thought on that future access. Are you all willing to post a bond for that future access? Mr. Dailey stated we would consider it. Mr. Ouimet stated okay, then you will consider it. Mr. Dailey stated the following: Before I say yes, I would like to find out how much it would cost, but yes sure, we would consider that. Mr. Higgins stated so; the temporary access out to Route 146 does not affect the archeological area. Mr. Dailey stated that is correct. Mr. Higgins stated I know today the NYSDEC and the Federal feel that that road can go in there. Mr. Dailey stated yes. Mr. Higgins stated the following: What happens if they change their opinion and say, "no, the road can't go in there"? What are you going to do then? Mr. Dailey stated the following: That's why we intend to get our application filed with the ACOE quickly. Mr. Higgins stated before they change their mind. Mr. Dailey stated the following: Well, I don't want Ms. DeLorier to take a job in Alaska like Heidi did a few years ago. So, as long as we have Ms. DeLorier there, and she's handling Saratoga County, we had a very successful meeting with her. We can't file a nationwide permit because the overall impacts for everything else exceed .5-acres. So, now you have to do an individual permit application, which is a little more complicated, but it's worth doing for a project this size. Mr. Ouimet stated okay, so with respect to this project; I guess we have to refer this to the County because they haven't seen it yet and we just saw the revision tonight, right? Mr. Harris stated the following: Yes, correct. They saw the subdivision during this summer and reserved the right to review the site plan separately. When I talked to the County last week, they have it planned on their agenda. Mr. Dailey stated the following: There is one more thing that I wanted to bring to the attention of the Board. Mr. Hopeck may want to address this also. We're are going to be looking at some changes for the roadway and that has to be designed and sent to CHA for their review. Essentially, on Lot #1, which is how this lot is now referred to; that building really isn't going to change or move and the engineering is really done on that and we're looking at issues now with financing as this is going to the Saratoga County IDA for financing and the Town Supervisor actually has to attend the IDA meetings now. So, we have questions of financing and we also we also have questions of licensing from the New York State Department of Health (NYSDOH) and there is a certain schedule of events that will be taking place for this \$30,000,000.00 plus project. So, we're trying to get the sense of the Board whether you're comfortable with everything within Lot #1 where the building is and whether you feel that is about ready to be voted on for a site plan approval knowing that all that would be conditioned upon the engineering work having to be done for the roadway, which now has to be redesigned. Mr. Ragone has only done a sketch and he actually has to do full engineering drawings to redesign that and get that to CHA. We know that will take a little bit of time, but without anything else changing, are we in pretty good shape to come back and see you in January? That's a bit of a leading questions, but I thought I would ask it because if I didn't ask it, my friend over there wouldn't let me out of the room. Mr. Ouimet stated the following: The interesting thing is we've just seen this and I've heard about this for the last three days. I just seen the print tonight and the County hasn't seen it yet. The Board didn't see the print but we had a conversation about it earlier at the pre-meeting so, I don't know if I can guarantee that it would be ready for the first or second meeting in January. Mr. Dailey stated it's one of those things if you don't ask the questions, you'll never know. Mr. Ouimet stated the following: Well, I just want to be honest and frank with you because we need to consider it. This is a big project and it's a major decision that we need to make. Mr. Dailey stated

okay, that's fair enough. Mr. Ouimet stated but if you get us the changes to the road as Mr. Higgins and Mr. Roberts brought up on the flare of the proposed new driveway and how you're going to deal with the temporary access. I think we can deal with in the next two meetings. Mr. Ruchlicki stated could there be a way that you could elaborate on that temporary entrance as far as what you show us on paper so that we get a better feeling for really what it's going to look like? We talked about pavers and we talked about if it is an area that can be plowed. Mr. Dailey asked do you need a better picture and description? Mr. Ruchlicki stated I know where it's going to be and I just want to know how it's going to be and what it's going to be. You're talking about it being plowed and I need more explanation on the material that is going to be there. Mr. Higgins asked can that material handle the weight of an emergency vehicle? Mr. Ruchlicki stated the following: I don't want to end up with a situation where unless it's frozen in the winter time and it's going to give you a problem and that's really what I want to know. I'm happy with the way that looks right now. When I see what the old plan was and what your new sketch shows, I just want a better feel for what it's going to be actually other than the fact that it's not going to be paved. I know that it's not going to be paved road and I just want to know how it will appear. Mr. Dailey stated this was designed to take a 75,000 pound vehicle and if we extend something out here, it would be designed at the same standard for that purpose. Mr. Ouimet stated the following: Whatever you can get us ahead of time and if we get it shortly before a meeting it's tough for the Board to have some time to digest it and discuss it. If you could get it to us ahead of time, we will move it as fast as we can.

This item was tabled as the site plan must be considered by the Saratoga County Planning Board before the Board can vote.

Mr. Ruchlicki made a motion to adjourn the December 9, 2013 Planning Board Meeting at 9:53pm. Mr. Nadeau seconded. All-Aye. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Board Secretary