

## **Town of Halfmoon Planning Board**

### **Meeting Minutes – December 10, 2012**

Those present at the December 10, 2012 Planning Board meeting were:

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

**Planner:** Lindsay Zepko

**Town Attorney:** Lyn Murphy

**Town Board Liaisons:** Walt Polak

**CHA Representative:** Mike Bianchino

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Mr. Watts opened the December 10, 2012 Planning Board Meeting at 6:58 pm. Mr. Watts asked the Planning Board Members if they had reviewed the November 26, 2012 Planning Board Minutes. Mr. Roberts made a motion to approve the November 26, 2012 Planning Board Minutes. Mr. Ouimet seconded. Motion carried.

#### **Public Hearings:**

##### **05.221 PH Klersy Subdivision, Farm to Market Road – Major Subdivision/GEIS**

Mr. Watts opened the Public Hearing at 6:59 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Joe Bianchine, of ABD Engineering & Surveyors, stated the following: I'm here tonight representing the Klersys and Park Place Properties. The Klersys own 90-acres of land, which is essentially on Farm to Market Road and Angle Lane on the north side. The Klersys have owned the land for about 25 years now and they would like to subdivide it for single-family homes. We are proposing 49 single-family lots. The front portion of the property along Farm to Market Road drops off; there is a fair amount of Federal wetlands and then there is a divide where part of the drainage goes to the north and part of the drainage goes to the west. In the back of the property there are steep ravines and hillsides. We are proposing to subdivide the property so that there is only one entrance on Farm to Market Road and at that entrance the remainder of the land would be openspace along Farm to Market Road. The first lots would start over 100 FT in from Farm to Market Road so there are no lots that would actually front on Farm to Market Road. This subdivision is going to be called the Meadows at Halfmoon. We are proposing a road called Wheatfield Way off of Farm to Market Road. There would be an intersection that would allow for future access into Lands of Jasmin, formerly the Lands of Tribley, and then there would be a road called Meadowview Drive that would go back to a cul-de-sac and that has a stub street into the Lands of VanWert so that property could be developed in the future. It also has an emergency

temporary connection to Angle Lane and we have provided for a larger turnaround at the end of Angle Lane because currently there is no turnaround at the end of Angle Lane. There would be another street called Rye Court that would be a cul-de-sac. There would be 44 lots off of these streets and then there would be 5 lots on Angle Lane. We have talked to Saratoga County Sewer District #1 (SCSD#1) and we'll have a sewer system within these streets that would drain by gravity down to a pump station and then it would be pumped back up to an existing force main along Farm to Market Road. There would be 2 exceptions to that; the 2 lots in the back would have grinder pumps that would pump it back up to the road and down to the pump station. The 5 lots along Angle Lane would have a grinder pump and there would be a force main along Angle Lane. That force main system is capable of providing service to the other houses on the opposite side of Angle Lane should they desire to have sewer service because they're all currently on septic systems now. So, if they need sewer service, there would be sewer service there when these homes are built. Again, we have talked to the SCSD#1 and they have approved the plans and pump station at this point. Water would be extended from the intersection of Angle Lane and Cary Road that would come across the front of the property and it would be a 12-inch water main. Within the subdivision all the streets would have an 8-inch waterline with fire hydrants and we would make a loop connection to the Town's waterline along Angle Lane that extends down and goes up to their tower. We would be making a connection there so that there would be a loop system. The streets would all be built to Town standards; there would be catch basins and piping systems within the streets and all of those would drain to one of two stormwater detention basins and those basins and the street drainage system is all designed in accordance with the New York State Department of Environmental Conservation (NYSDEC) green infrastructure for stormwater requirements. Again, the streets themselves would be built to Town standards and the drainage, the streets, and the water system would be turned over to the Town and the sewer system would be turned over to SCSD#1. We also have to go to the Town Board to get an extension of the water district since currently we are not in the water district even though the waterline is right along Angle Lane. There are 5 different areas that we're going to setup as a Homeowner's Association (HOA) and that would be to protect the wetlands within these areas. None of the lots would have any wetlands on them with the exception of 3 lots in the back but that is way down in the ravines. All of the lots within the subdivision would not have wetlands on them; they would all be in the land that is dedicated to the HOA and we are setting aside 33-acres, which is better than a third of the project, for openspace. We've gone to the Army Corp of Engineers (ACOE) and we would be disturbing less than 1/2-acre just at the road crossings. We have received approval from the ACOE for the Federal wetland disturbance. Again, this proposal is for a 49 lot subdivision on 90-acres of land and all of those lots would be built to the Town's zoning specifications, which means that the lots would be at least a 1/2-acre in size. In the back we have some lots that are 5 to 9-acres. Mr. Watts asked if anyone from the public wished to speak. Mr. Kenneth VanWert, 39 Angle Road, stated the following: This is the first time that I had a chance to look at the map, so I guess my questions are for the Board. Does Angle Road meet the Town specifications as of right now? Mr. Bianchino stated the following: Does Angle Lane meet the current subdivision specifications; no, it's narrower but it does meet some of the other specifications for a rural type road. It does not meet the Town's current standard for a subdivision, which is 28 FT wide and 2 FT wing wedge curbs on each side for a total of 32 FT. Mr. VanWert asked do you know what the current width is? Mr. Bianchino stated no, not off the top of my head. Mr. VanWert asked is it the Town's responsibility to widen the road or is that cost going to be charged to Klersy? Mrs. Murphy stated I don't think Mr. Bianchino said that it wasn't the right size; he said it was built prior to our current road specifications. Mr. VanWert asked does that mean that it's grandfathered in? Mrs. Murphy stated I don't want to use the term grandfathered but Mr. Bianchino didn't say it wasn't

built correctly; he just said it's not what we do today. Mr. VanWert asked is this road big enough for two-lane traffic? Mrs. Murphy stated yes, we just told you that it is a proper road. Mr. VanWert stated the following: Everything that I've seen is fine. I've been here many years ago and my main concern is regarding the intersection at Angle Lane, Cary Road and Farm to Market. Years ago I complained about it and the resolution was that someone came and put a stop sign at Angle Lane and that didn't fix the problem. The problem you have here is that there are people shooting down Farm to Market Road and now you are going to have increased traffic on Angle Lane and you have increased traffic on Cary Road from the new developments. People who are coming down Farm to Market, they cut the corners there, and my concern is now with this development there is going to be increased traffic at that intersection. Please take a look at that because someone is going to get killed there. Every day I come out, someone is on the wrong side of the road coming off Farm to Market to Cary. It is a danger point and I can't say it enough; someone is going to get killed there. Now with more houses here and more houses up on Cary there is more opportunities and somebody is really going to get in trouble. That is all I have to say and I think this proposed development looks wonderful and I have no problem with it. Mr. Watts asked in that area that Mr. VanWert is worried about; do you know if there has ever been increased law enforcement activity there? Mr. VanWert stated the following: No, not that I know of. When this was all farmland, it was fine because there was very little traffic. What has happened is that this new development, which is mostly going to be on Farm to Market Road and very little on Angle Lane, and also there are two new developments on Cary Road and other new developments and the traffic has increased tremendously. You can't believe how much the traffic has increased in this area. Like I said, everybody that comes out of Angle Lane and some people on Cary Road; you take your life in your hands going around that corner because people are driving on the wrong side of the road all the time. So, I would just like the Town to look at it. We did look at it years ago and nothing was done but now there is a lot more traffic and it really should be investigated. Mr. Watts asked Mr. Bianchino if any of that was looked at as part of this proposal in the future or where we're at? Mr. Bianchino stated I don't recall us doing that but not to say that it wasn't done. We did not look at that intersection as part of this subdivision. Mr. Polak stated the following: A few weeks ago I was out there with the Town's Highway Superintendent, Mr. John Pingelski, and we were looking at the intersections in that area to see what we can do. So, we are aware of it and we are looking into it. Mr. Robert Delisle, 7 Angle Lane, stated the following: My biggest concern is how much more traffic is going to be on Angle Lane? My brother, my mother and I all moved up here to pretty much get out of the city. Now you are putting more houses in, my kids play out there and I'm wondering how much more traffic is going to be added in this area. Mr. Watts asked how much added traffic is anticipated for this proposal? Mr. Bianchine stated the following: Obviously we are putting 5 houses on Angle Lane so there would be traffic from those 5 houses. Also, we are making a temporary connection, although it's more of an emergency connection, between Angle Lane and this subdivision. This is not a primary access or designed to be a permanent access; it would only be a temporary access. Mr. Delisle stated so would that road disappear when all the houses are built? Mr. Bianchine stated yes and it would just be 5 houses that would generate traffic in that area. Mr. Delisle stated the following: With those 5 houses on that road, would that change that from a rural road to a regular road? I'm curious because of my taxes and they said that my taxes were lower because I lived on a rural road and would that mean that my taxes are going to go up? Mrs. Murphy stated I'm not commenting on the taxes but that doesn't change the classification of the road. Mrs. Tammy Cardinale, 316 Farm to Market Road, stated I'm just trying to figure out where this is going to hit on Farm to Market Road. Mr. Bianchine stated I don't know where 316 Farm to Market Road is and asked Mrs. Cardinale if she knew where the Storm's house was. Mrs. Cardinale stated no, I'm not familiar with that and asked where is Moreland Drive? Mr.

Bianchine pointed out the location on the map. Mrs. Cardinale stated the following: Our house is on this side of Farm to Market Road and we are down in on a hill. So, any traffic that is coming out is directly toward our house, the headlights would shine right into our bedroom windows. Mr. Bianchine stated the following: As far as I can recall, their house must be down in this area and there isn't anything really opposite us on Farm to Market Road right now. I don't know if there are any plans for any type of subdivision across the street. Mrs. Cardinale asked where is the abandon house on Farm to Market Road located? Mr. Bianchine pointed out the house on the map that he believed was abandoned on Farm to Market Road. Mrs. Cardinale stated the following: If that is the house, the new road is directly in my front yard and that is a major concern for myself and for my neighbor who couldn't be here tonight. Again, that is directly across the street from us and like I said our houses are a little bit down the hill and any headlight or any traffic would be directly in our front windows. So, that would be a concern for us. Is that something that the Town would take into consideration, it would definitely be a detriment to our property if we were having traffic right in our front windows and where our children play. Also, if there is snow removal here, that's going to go right into my front yard. Our driveway is at an angle right now and if there are snow banks at the top of our driveway, we're not going to be able to see to get out of our driveway at all. So, that would be a concern too, where this snow and snow removal plan and that kind of thing would definitely affect us. So, we would like to be a part of that decision. Mr. Watts stated well that's what we are here for. Mr. Bianchine stated the following: I will have to look into exactly where Mrs. Cardinale's house is and where this comes out in relation to her home. I'm under the impression that it is further down but I would have to look at it to see. As far as snow plowing or anything else; they would be plowing in and they wouldn't necessarily be plowing out and they couldn't plow across the road. Mr. Watts asked is the concern where the cars are exiting this subdivision where there may be lights from the cars at night that would shine into your property? Mrs. Cardinale stated the following: Absolutely, because our house and our neighbors house are tucked down and we both sit a little bit down off the road. So, our second story windows are almost level where the exit is coming out. Mr. Watts asked what could be done to ameliorate that? Mr. Bianchine stated if need be, we could either put some landscaping on that side of the road or a solid vinyl fence or something right through there so you wouldn't get the headlights going through it and that would be located in the right-of-way. Mrs. Cardinale stated I don't want a giant fence in my front yard. Mr. Bianchine stated it wouldn't be in your front yard. Mrs. Cardinale asked where would you put a fence to block it? Mr. Bianchine stated you would put it right opposite the road. Mrs. Cardinale stated right, but if this is in relation to my yard, how does that help? Mr. Bianchine stated it would block the headlights. Mrs. Cardinale stated the following: Again, I don't want to have a giant fence put in my front yard and I don't want to have landscaping put in my front yard. My house is beautiful and I enjoy the landscaping as it is. There is plenty of room in there and I know that there are wetlands and you have to take that all into consideration. I'm asking that you take into consideration these two existing homes that are located there and that we don't lose our esthetic appeal and we don't lose our line of beauty. The trees across the street are gorgeous and we don't want to give any of that up just so that somebody can put a road in there. Mr. Bianchine stated again, I will have to plot out exactly where that is and see what we can do. Mrs. Cardinale asked do we come back to get an answer for that? Mr. Watts stated the following: This is a public hearing where people can raise concerns. So, the concerns are being raised and the applicant is aware of the concerns. Then the applicant has to get back to us with what it is. Some things may be able to be addressed, some may not and that is part of our decision process to give an approval. Mr. Berkowitz asked Mrs. Cardinale if she had a house with a pool. Mrs. Cardinale stated we do. Mr. Berkowitz stated it looks like you come out at the end. Mrs. Cardinale stated yes. Mr. Polak asked could you stake the flags in the center of that intersection? Mr. Bianchine stated yes we can.

Mr. Berkowitz asked is there a way to move that entrance more to the east because there is nothing to the east? Mr. Bianchine stated yes, we can move it somewhat if that's a problem. Mrs. Cardinale stated the following: Thank you, I appreciate that. That's part of the beauty of living on that road with everybody not being on top of each other and it's a pretty place to live. So, I wouldn't want to give that up. Mrs. Christina Barber, 28 Moreland Drive, stated the following: Are there any plans to widen the end of Farm to Market Road where it meets Route 9? Is there any way you could put a left hand turn arrow coming from both Kinns Road and down Farm to Market Road? There are times that you sit there for 3 traffic light cycles and since I moved here in 2004, this will have been the fifth development going in. There is a lot more traffic than there was just a few years ago. Mr. Nadeau stated I'll second that. Mr. Polak asked Mrs. Barber if she was referring to the intersection of Route 9 and Farm to Market Road? Mrs. Barber stated yes. Mr. Polak stated I would have to check but I think Supervisor Wormuth had contacted the State on that because there were some other complaints on Farm to Market Road. Mrs. Barber stated yes, there are times when you are taking your life into your hands trying to make a left to go south on Route 9. Mrs. Murphy stated the following: One of those is a State road and the other is a County road and Supervisor Wormuth has apparently asked them to address it and to date she hasn't received a response yet. As a Town Board, they are trying to get it addressed. Mrs. Barber stated the following: Okay. It just seems that there is development after development after development and the traffic gets worse and worse. Mr. Nadeau stated I think they did reduce the speed limit in that section up near Arlington Heights. Mr. Watts stated the following: It's common to have complaints relative to any roads and Town roads too. There is a certain amount of control that the Town has relative to Town roads and then when we get the State and County roads, it's good to hear the complaints but that's another level of government that has to be made aware of the concerns. As Mr. Polak, our Town Board liaison, has said; those things are constantly being brought to the County and or the State's attention. Mrs. Barber stated but you do control the developments that go up there so that all ties in. Mr. Watts stated the following: That's a good point. So you have the dilemma of the people who own property and want developments and people want to move. The whole milieu of that stuff is difficult and the Town does make efforts to rectify the situations. It doesn't make it better for you in the morning where you are going. We've tried to get the speed limit reduced on Grooms Road and that was unsuccessful even though it was successful further down Grooms Road in Clifton Park. We've tried to get the State and County activity relative to the intersection of Route 236 and Guideboard Road because it's the same complaints. The more we hear the complaints, the more we can bring them up where something is a direct result of a particular project and we can try to get the builder to make the improvements. Mrs. Barber stated right, I just think it needs to be taken into consideration for each development that is approved because it is starting to get a little saturated up there. Mr. Watts stated as Mr. Polak has said the Town has brought those feelings forward and we will again like we do for these other roads. So, we're there too and we do try. Mr. Joseph Cardinale, 316 Farm to Market Road, stated the following: As my wife pointed out earlier, we don't know where this entrance from Farm to Market Road is going to be in conjunction to our property. My concern is construction vehicles; mainly dump trucks. Every day we deal with a huge volume of construction traffic on Farm to Market Road because it's a road that virtually any tractor-trailer, dump truck or any construction vehicle can travel on. In living there over the past 5 years we have called construction companies and people who haul materials for construction telling them that their drivers are going 50, 55 or 60 mph in a 45 mph zone. I can't tell you how many times that we've made these phone calls. If this development is going to be this close to my property, which it is, what can be done to alleviate some of that construction or commercial traffic on that road? I have young kids and my kid gets on the school bus every morning on Farm to Market Road and it's not a safe road by most

standards when it comes to commercial traffic. Mr. Watts stated the following: It is a good forum for people to complain but I don't know if it's a Planning Board issue. Mr. Polak, a Town Board Member, and our Town Highway Superintendent, Mr. Pingelski, are here tonight and you have people at the meeting who are hearing this stuff. I know if the Town finds out that certain contractors who have construction vehicles are speeding, I know those people have been contacted and I know we go after them. The Town Board talks to the police agencies, the Sheriff and the State Police, relative to trying to get them to enforce the speed limits. We keep doing it and the more we hear of it, the more we can say it and I will pass along your concerns to the Town Board. Mr. Polak is hearing the same concerns that we've heard before and there is no excuse for people driving that way. Personally speaking; whether it's construction equipment or the general moron driving a car; it's the same mentality of people. Mr. Cardinale stated this is going to increase the amount of construction traffic on Farm to Market Road. Mr. Watts asked are you referring to when the project is being built? Mr. Cardinale stated right. Mr. Watts asked how many units are proposed for this project? Mr. Bianchine stated the following: There are going to be 49 lots and obviously there is going to be an increase in traffic and there will be a temporary increase in construction traffic. Again, as Mr. Watts has indicated, the contractors will work with the Town, the County and everybody to minimize that and to minimize any inconvenience at that location. I can't speak for individual drivers as to what they can and can't do because that is something that happens. Mr. Watts stated whatever contractors are doing this project make sure people know that there is a concern. Mr. Bianchine stated right and typically we have a pre-construction meeting with the contractor, with the Town and with everybody there and that's some of the issues that we go over with the construction and the safety. Mr. Watts closed the public hearing at 7:31 pm. Mr. Higgins stated the following: This has been a long time coming and I know that there has been a lot of work planning it. During some of the site clearing, that stream that goes under Angle Lane was filled with sand and it all went down stream and that is a trout stream further down. So, could you please make sure that they take the proper precautions because I know at the time it was mentioned but I think it happened so quickly that the damage already happened. Just make sure that whoever is doing the clearing takes the proper precautions on the stream that goes underneath Angle Lane. Mr. Bianchine stated we've gone through the whole soil erosion protection plan with this and again that is one of things that is brought up at the pre-construction conference to make sure all of that gets addressed right up front. Mr. Nadeau stated I think you need to take a look at the entrance because if it is adjacent to that home, I think that has to be reconfigured. Mr. Ruchlicki stated the following: While I know it's not the answer; Liebich Lane just opened up through traffic and it comes out further down from Angle Lane at the 4-way stop intersection. Perhaps some of your traffic from this development for construction purposes can go that route and come out onto Route 9. Also, while the area overall has increased in volume as far as the density with population; part of the reason that we phased that whole Liebich Lane area in the way we did with Valente's people was to get that road open so that some of the traffic problems on Farm to Market Road would go that way to get the people closer to Exit 10. I think that was just completed sometime early this spring and I think the local people just haven't realized that they can go that way now. There are probably 90% of the people coming out of Farm to Market Road at the traffic light on Route 9. If people want to access the Northway and avoid Clifton Park and Route 146, they can just come out at the end of Liebich Lane, go down to the church and get on Exit 10 and I don't think the people realize that yet. So, perhaps you'll see some relief with the local traffic once the people realize they got a different avenue they can take. Like I said, if your construction vehicles can get out that way or come in that way, it might be easier. Mr. Watts stated at this point, what is the Board's feeling regarding this? Mr. Roberts stated I think we have to wait until Mr. Bianchine gets back to us with the Board's and public's concerns. Mr. Watts stated

we will hold off on any action on this until Mr. Bianchine gets back to us regarding the entrance. Mr. Nadeau stated I would like it if Mr. Bianchine could identify across the street where they are located so we can see it on the map. Mr. Bianchine stated okay. Mr. Watts stated the following: Again, for the people that are concerned relative to those traffic issues; you heard the issue that Mr. Ruchlicki talked about with Liebich Lane, which can pick up some of the traffic. We will pass along your concerns to the Town Board. Mr. Polak is at all of our Planning Board meetings and I'm sure he will bring it up to the Town Board. Things have to be said to the law enforcement agencies if people are out there misbehaving and there is no reason people can't call the law enforcement agencies themselves. The State Police have a responsibility on those roads, as does the Sheriff's Department. Do your best and we'll do our best because we all drive the same roads. Everyone on the Planning Board lives in Town and we see a lot of it. A lot of the developments don't get the number of houses or units they wanted. We do things like Liebich Lane, as Mr. Ruchlicki pointed out, to try to make things the best we can.

This item was tabled for review of public comments.

**12.114 PH                    Fairways of Halfmoon Banquet House, Johnson Road – Addition to Site Plan/Special Use Permit**

Mr. Watts opened the Public Hearing at 7:36 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated the following: I'm here representing the Fairways of Halfmoon LLC in their request for a special use permit for the construction of additional office space and storage at the banquet house at the Fairways of Halfmoon Golf Course. What's being requested is an addition to the front entrance of 14 x 16 FT and then an addition on the left hand side of 14 x 32 FT for storage of tables and things for the banquet house. The right hand side is also the same size as the left hand side for a combination of office and storage space. There would be no additional space added to the banquet house. What we are doing is trying to get more storage for better efficiency of the banquet house. There would be no additional employees so we feel that the existing parking of 195 spaces is adequate. Mr. Watts asked Mr. Rabideau if he had a diagram of the interior of the building? Mr. Rabideau stated no, this is only the site plan. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the public hearing at 7:40 pm. Mr. Higgins stated the following: At the previous meeting I believe you mentioned that this is strictly storage and an office space for one person. Mr. Bruce Tanski, the applicant, stated one and no more than two. Mr. Nadeau asked is the office space being used strictly for your business? Mr. Tanski stated the following: Correct. The right side as you're looking at the building would be storage for linens, napkins and that type of thing plus additional office space. The left side would be strictly for tables and chairs so we don't have to bring those up out of the cellar because a lot of the times the women are helping to set things up and there is not someone around that can handle it because it's on the first floor.

Mr. Nadeau made a motion to approve the special use permit application for the Fairways of Halfmoon Banquet House. Mr. Ouimet seconded. Motion carried.

**New Business:**

**12.117 NB                    Transaction Network Services, Inc., 2A Halfmoon Executive Park Drive – Change of Tenant & Sign**

Mr. Tom Rento, the applicant, stated the following: I'm the landlord of the building and the building is owned under Yellow Dog Realty LLC. The building is a 2-story building and this

proposed tenant would be located in the lower level. It's the lower level and at ground level. This space was reconstructed, I obtained a permit and I received the Certificate of Occupancy (C.O.) and the tenant has been occupying this space and I never appeared before the Board for the change of tenancy. I know the Town's Code Enforcement officer has been at this location in the last two months and he didn't have any problems with it. The tenant, Transaction Network Services, Inc. occupies 50% of the building. It is a 6,000 SF building plus or minus and this tenant would occupy 3,000 SF of space. I have 24 parking spaces and the tenant is a computer service company and they don't take in any street customers. The employees work at a workstation, logging on and doing a lot of remote work. This is a pretty low-key occupancy. Mr. Watts asked would you have about 7 employees? Mr. Rento stated the following: Yes. Also, all I'm doing is replacing the tenant panel on the existing freestanding sign. Mr. Higgins asked Ms. Zepko if there was adequate parking available. Ms. Zepko stated yes.

**For the record: The Planning Department's write-up for the sign(s) is as follows:**

Sign

**Sign Size:** 2.5 SF

**Sided:** ☐ one-sided ☒ Two-sided

**Location of Sign:** on existing tenant panel sign

**Lighted:** ☐ Internal ☐ Flood ☒ None

Mr. Berkowitz made a motion to approve the change of tenant application for Transaction Network Services, Inc. Mr. Roberts seconded. Motion carried.

Mr. Berkowitz made a motion to approve the sign application for Transaction Network Services, Inc. Mr. Roberts seconded. Motion carried.

**12.118 NB      The King of Credit, 1623-1625 Route 9 – Change of Tenant & Sign**

Mr. Tony Mangino, the applicant, stated the following: I'm from Mangino Mitsubishi and The King of Credit both located on Route 9 in Halfmoon. We're proposing a change of tenant and sign for the former Gendron's building used car operation where I am expanding my used car operation, The King of Credit, and occupy that facility. We have 3 full-time employees. Our regular business hours are 9:00 am to 8:00 pm Monday through Thursday, 9:00 am to 6:00 pm on Friday, 9:00 am to 5:00 pm on Saturday and closed on Sundays. Mr. Nadeau asked would you have the same number of vehicles as the previous tenant? Mr. Mangino stated yes, it would be the same exact use. Mr. Higgins asked which office space are you going to utilize? Mr. Mangino stated the new Gendron's building and eventually moving next door to that. Mr. Watts stated please advertise that you are located in Halfmoon.

**For the record: The Planning Department's write-up for the sign(s) is as follows:**

**Sign #1:**

Sign Area: **72 SF**

**Sided:** ☒ one-sided ☐ Two-sided

**Location of Sign:** mounted on building

**Lighted:** ☒ Internal ☐ Flood

**Sign #2:**

Sign Area: **50 SF**

Total Height: **7' 10"**

**Sided:** ☐ one-sided ☒ Two-sided



Location of Sign: **freestanding**

**Lighted:** ☒ **Internal** ☐ Flood

Mr. Roberts made a motion to approve the change of tenant application for The King of Credit. Mr. Higgins seconded. Motion carried.

Mr. Roberts made a motion to approve the sign application for The King of Credit. Mr. Higgins seconded. Motion carried.

**12.119 NB      Captain's Treasure Shop, 1705 Route 9 (Shoppes of Halfmoon) – Change of Tenant & Sign**

Mr. Tom Savino stated the following: I'm representing Captain Youth and Family Services. We are before the Board for a change of tenancy to move our treasure shop from the west side of Route 9 into the Shoppes of Halfmoon in the former Maui Play Care space. Our hours of operation would be 9:00 am to 5:00 pm Monday through Friday, 10:00 am to 5:00 pm on Saturday and 12:00 pm to 3:00 pm on Sunday. We have 4 part-time employees and about 55 volunteers. Most of our people who would work here are volunteers and they would not all be there at the same time so we would have plenty of parking. Also, with me is Ms. Sue Malinowski who is our Executive Director. What we do at Captain's Treasure Shop is we take next to new goods in as donations and then we resell them. Essentially we have a regular size door and we are not going to take anything larger than what can fit through the door. We would have a lot of glassware, clothing, knickknacks and things like that. All of that funding goes to help support the other programs that we have in Captain Youth and Family Services and I sit on the Board of Directors as well. Mr. Nadeau asked would you have any type of drop-off boxes outside where people are going to drop things off? Mr. Savino stated absolutely not. Mr. Ouimet asked would you have any outside storage? Mr. Savino stated no. Mr. Ouimet asked do you operate an operation where you rehabilitate some goods, such as furniture? Mr. Savino stated the following: No. If your asking if we take old goods and make them new or make them sellable; if the goods are not in good condition, we do not resell them. There are other organizations that we will send stuff downstream, so to speak. Mr. Higgins stated I would just like to reiterate that no donations can be left outside the door at night because there have been some problems with some other institutions nearby. Mr. Savino stated Mr. Tanski, the applicant, assured us that he would also police that situation but no, that's not our intent at all. Mr. Roberts asked would you just be replacing the wall-mounted one-sided 2 FT x 8 FT tenant panel on the existing sign? Mr. Savino stated yes.

Mr. Roberts made a motion to approve the change of tenant application for Captain Treasure Shop contingent upon no outside storage or donation drop-offs. Mr. Nadeau seconded. Motion carried.

Mr. Roberts made a motion to approve the sign application for Captain Treasure Shop. Mr. Nadeau seconded. Motion carried.

**12.120 NB      Strategic Solutions Management Consultants, Inc., 3 Corporate Drive – Change of Tenant**

Mr. Tom Andress, of ABD Engineering & Surveyors, stated the following: This change of tenant application is in the Abele Park located at 3 Corporate Drive. It is the 2-story 40,000 SF building that is across from the Sportsplex. Strategic Solutions Management Consultants, Inc. wishes to occupy 10,000 SF out of the 14,000 SF of space previously used by Google Inc. The next tenant that is on the agenda, Provider Consulting Solutions, Inc., will occupy the remaining 4,000 SF.

Strategic Solutions Management Consultants, Inc. are consultants and they do all office work for a medical group. They provide all kinds of interesting consultant strategies for physicians and hospitals. They would review their procedure, methodologies and things like that. They would employ 65 full-time people. They are moving from Clifton Park over to Halfmoon. We did provide a summary in our narrative that shows that they have 200 parking spaces at the site and even with this tenant mix we would still have approximately 20 additional parking spaces available. Mr. Watts asked will they have a sign? Mr. Address stated the following: Not on this one. I don't think they have a leader board sign. I think it is just a single one because there are so many tenants.

Mr. Berkowitz made a motion to approve the change of tenant application for Strategic Solutions Management Consultants, Inc. Mr. Ruchlicki seconded. Motion carried.

**12.121 NB      Provider Consulting Solutions, Inc., 3 Corporate Drive – Change of Tenant**

Mr. Tom Address, of ABD Engineering & Surveyors, stated the following: This proposed tenant wishes to occupy the remaining 4,000 SF in the same building as Strategic Solutions Management Consultants, Inc. that was previously occupied by Google Inc. This tenant is almost exactly the same company as Strategic Solutions Management Consultants, Inc. I'm not sure if there is a relationship between the two tenants but again they provide services to health care providers. There is plenty of extra space based upon the number of employees that they will have at the site. Mr. Ouimet asked would they have 12 employees? Mr. Address stated yes, 12. Mr. Ouimet asked is it the same type of business? Mr. Address stated right; it is the same type of business. Mr. Berkowitz asked do they have the same owner? Mr. Address stated not that I am aware of. Mr. Ouimet asked is this part of the Google space also? Mr. Address stated yes. Mr. Ouimet asked how many employees did Google have? Mr. Address stated I will have to check on that for you. Mr. Ouimet stated what I'm trying to find out is if you are adding more employees than Google had. Mr. Address stated I think we might be adding a little bit more than what Google had because I believe Google had the full 14,000 SF and I believe their employee count met that. This is slightly over because Provider Consulting Solutions, Inc. would have 20 verses the 12. Mr. Ouimet stated so these two new tenants are actually bringing more employees into Town. Mr. Address stated yes, a few more employees. Mr. Ouimet asked Ms. Zepko if there was sufficient parking at the site. Ms. Zepko stated yes.

Mr. Higgins made a motion to approve the change of tenant application for Provider Consulting Solutions, Inc. Mr. Ouimet seconded. Motion carried.

**Old Business:**

**12.013 OB      Fairway Meadows Phase III, Dormie Avenue & Timothys Way – Major Subdivision/Zim Smith Trail Extension**

Mr. Roberts recused himself from this item. Mr. Watts stated the following: This proposal is for the presentation for a newly revised trail location for the Zim Smith Trail Extension. At our next Planning Board meeting, which is January 14, 2013, there will be another public informational meeting. Tonight we will hear the presentation for the newly revised trail location. At the previous public informational meeting there was a fair amount of neighborhood opposition to the original trail location. Tonight we hear the response to where the trail was proposed to be located and where it is now proposed to be located. Mr. Jason Dell, of Lansing Engineering, stated the following: I'm here tonight with the applicant, Mr. Bruce Tanski, as well as the Director of County

Planning, Mr. Jason Kemper for the Fairways of Halfmoon Phase III trail location in respect to the potential future Zim Smith Trail location. So, as Mr. Watts just mentioned, the yellow dash line on the plan represents the former location of the proposed trail that would meander through the Fairway Meadows subdivision, which will now no longer go through the Fairway Meadows subdivision. On the topside of the map is the potential future Zim Smith Trail location. Mr. Kemper stated the following: The proposed trail width would be anywhere between 8 and 10 FT wide and enough so that we could get a County maintenance vehicle down the trail. Other than that, there would be no motorized access allowed on the trail. We have some really steep slopes here and it's going to take some work to keep this 5 to 8% slope down through here to get to the ravine crossing and then come back up out of that ravine. This will add considerable costs to the project but obviously you will now be out of the front yards of those residences and that was the concerns expressed by the Board. Right now the County is in a right-of-way acquisition phase. We have had discussions with Mr. Tanski and he is willing to help us try to grub that in, which will definitely help us reduce our costs. We are willing to take what we can get at this point in time and try to move this project forward and we appreciate your support. Mr. Ouimet asked does this new configuration go through any of the lots either in Phase II or Phase III? Mr. Dell stated yes, it would skirt the rear of Phase III over on the one side. Mr. Ouimet stated it is hard for me to see that from here, but are the lot lines actually touched? Mr. Higgins stated is Coons Crossing on the right or left? Mr. Kemper stated Coons Crossing would be 2 miles on the left. Mr. Higgins asked what is that yellow that you're tying into. Mr. Watts stated that is the old proposed trail. Mr. Watts asked are any of those lots built yet? Mr. Tanski stated none of the lots are sold or built yet. Mr. Watts asked are those lots in Phase III or IV? Mr. Tanski stated some of it is Phase III and some of it is IV. Mr. Watts stated so if that trail gets approved and built where it is then anybody who would be purchasing a lot would be made aware of a trail in their backyard, correct? Mr. Tanski stated the following: That is correct and it's my understanding, unless I'm wrong, that the trails won't be on any lot. They would be contiguous but not part of. Mr. Nadeau stated I'm looking at Lot #206 and Lot #207 and it looks like it crosses a portion of those two lots. Mr. Tanski stated those homes are not built yet and those are in the back of the lots. Mr. Kemper state we had to change that last week to meet that 5 to 8% to get down to that culvert crossing so we had to add that in there. Mr. Berkowitz stated so there will not be any motorized vehicles allowed on the trail at this point. Mr. Kemper stated the following: No. Right now we allow snowmobile use to Coons Crossing and we received State grant funding to do that. Then it goes out Coons Crossing and up through Stillwater and there are no plans for motorized vehicles. The Mechanicville School District had expressed those same concerns so if the Board wants to put that restriction in, that's fine with us. Mr. Berkowitz asked has the County already done that? Mr. Kemper stated we haven't built anything yet but we would have no motorized access bollards at each end.

Mr. Berkowitz made a motion to set a public informational meeting for the January 14, 2013 Planning Board meeting. Mr. Ouimet seconded. Motion carried.

#### **12.074 OB      Simmons Capital Group, 139 Meyer Road – Addition to Site Plan**

Mr. Jason Dell, of Lansing Engineering, stated the following: I'm here tonight for the Simmons site plan that is located at 139 and 134 Meyer Road. The property is located along the eastern side of Meyer Road and south of Kennedy Lane. On the eastern side of the facility there is a new parking area as well as access to be constructed where there would be an access way coming off the south side of Kennedy Lane that would then come down to the proposed parking area. There would be approximately 10 parking stalls located on the eastern or rear side of the building as well as the existing 10 parking stalls that are located on the front side of the building. The plans were

submitted to CHA and we subsequently got a review letter and we did supply an erosion and sediment control plan, a landscaping and lighting plan, as well as site details back to CHA and subsequently today we received a letter with 2 remaining additional comments from CHA that we will certainly accommodate in any kind of the revised plans. Mr. Higgins stated the following: On the southern end of the building in the back there's a big pipe that's open that drains down into the stream. I don't know if that has been changed but it was that way about a month or so ago. As far as drainage going into the stream; is that going to be controlled in some way? Mr. Dell stated the proposed drainage from the new parking area as well as everything flowing from the east down onto site would be collected by a swale located along the eastern side of the parking area and that would discharge to the north to a roadside swale that will be constructed along Kennedy Lane and down Kennedy Lane to the existing catch basin. Mr. Higgins stated but that's not going to be done until you build the parking lot in the back, correct? Mr. Dell stated that is correct. Mr. Higgins asked what's going to be done in the meantime as far as drainage because I'm concerned about drainage going into the stream from that existing pipe. Mr. Donald Simmons, the applicant, stated that pipe is the same as it was when the vacuum cleaner store was there and as far as I know nothing has changed. Mr. Higgins stated the following: Right, and that's my concern, because when the vacuum cleaner store was there, there wasn't anything back there except for a backyard. Now you have done all kinds of grading back there and I'm just concerned about runoff going in and fouling the stream. Mr. Donald Simmons, the applicant, stated we can certainly take a look at that but if you look at the topography, the entire parking lot is pitched towards the north. Mr. Higgins stated okay. Mr. Watts asked Mr. Bianchino if he had looked at that. Mr. Bianchino stated we did look at that swale and we looked at the plans and we were okay with the drainage. Mr. Higgins stated the following: Maybe in the meantime they could put some bales of hay there or something just to keep from fouling the stream because that is a trout stream. As I understand it, the spots in the back are landbanked until you get additional tenants and do you feel that the 9 or 10 spaces in the front are sufficient for your business? Mr. Simmons stated the following: That is more than adequate. I have 3 employees and that should be sufficient. Our clients come based on appointments, so they just wouldn't show up. Mr. Higgins stated the following: Okay. So, for the other portion of the downstairs and upstairs; you would be coming back to the Board with your change of tenant application(s) when, and if, that is going to be occupied, correct? Mr. Simmons stated yes, if that's what I need to do. Mr. Watts stated your request right now is for Simmons Capital Group to have 4 full-time and 3 part-time employees, right? Mr. Simmons stated that is correct. Mr. Watts stated the following: Your project application stated that your hours of operation would be 9:00 am to 5:00 pm Monday through Friday with 2 full-time, 2 part-time and 1 seasonal employee. So, that's what your request is for at this point. Mr. Simmons stated that may be from the spring and I've hired 1 other person since that time. Mr. Berkowitz asked are you going to be open on weekends during tax season? Mr. Simmons stated we don't do taxes. Mr. Berkowitz stated okay. Mr. Watts asked so would you have 3 full-time employees? Mr. Simmons stated that is correct. Mr. Watts stated but if you have other businesses or an expansion there, you have to come back to the Board for that. Mr. Simmons stated okay. Mr. Higgins stated the following: The Board's concern is that the number of spots that you have verses the amount of parking that's landbanked; we understand that you want to landbank that for the future. We also want to make sure that you have sufficient parking for your employees and for your customers and not the case where you would be parking on the road. Mr. Simmons stated I understand. Mr. Watts asked do you have a sign application also? Mr. Simmons stated the signage was approved back in April. Mr. Higgins asked is the sign on Route 9 located in Clifton Park? Mr. Simmons stated no that is in the Town of Halfmoon. Ms. Zepko stated that sign has already been reviewed. Mr. Watts stated please advertise that you are located in Halfmoon.

Mr. Berkowitz made a motion to approve the addition to site plan application for Simmons Capital Group. Mr. Ruchlicki seconded. Motion carried

**12.110 OB      Halfmoon Assisted Living/Special Needs Assisted Living Facility, 410 Route 146 – Amendment to the Boni PDD/Commercial Site Plan**

Mr. Kevin Dailey, Esq., stated the following: I'm an attorney in Rexford, NY. I'm here tonight with Mr. Jay Hopeck from Pike Development. We are representing Boni Enterprises LLC who received a Planned Development District (PDD) approval in 2008 for an 81-acre parcel on Route 146 that is a 1 and ¼ mile east of the intersection of Route 9 and Route 146. We have been working diligently since that time to get something going on this site. With the economy being the way it has been and with hospital mergers, things have not gone as quickly as we would like but we now have a contract in place, we have someone who wants to come out to our facility and build a project. We are here tonight seeking a site plan approval and a 1-lot subdivision to cut out Lot #7, which would be the first portion of our project. Since our last visit to the Planning Board, we have been to see the Town Board and they have accepted a PDD application and last Wednesday night the Town Board referred the matter over to the Planning Board. Tonight we are hopeful that you will receive the project and refer the project on to CHA so we will be able to get the ball rolling. In meeting with the Town Board, and in particular the Town Supervisor, we were advised the terms of uses and the best way to proceed. The Town Board wanted to keep the uses as they exist for the balance of the PDD and that is for a hospital project. For this project, which is a medical facility, we came up with a separate list of uses but we needed to get over 10-acres for a PDD. So, it was suggested that we add some additional lands. We added Lots #5 and #6 to Lot #7 to get over that 10-acre threshold. At this point and at some future time, we would be back before Board and we plan on combining Lots #5 and #6 together and doing an individual wetland permit with the Army Corp of Engineers (ACOE) to be able to use this facility for these two lots. However, that is not what we are here tonight for. We're here tonight talking about Lot #7, which is an 8.47-acre parcel that is located on Route 146. Mr. Watts asked what is the total acreage of your application? Mr. Dailey stated the following: The total acreage is 25.2-acres. We are showing a facility that is 104,850 SF with 4-stories. It contains 133 beds and it will require 82 parking spaces. Previously the wetland that is shown on the map was considered New York State Department of Conservation (NYSDEC) wetlands and as you know with NYSDEC wetlands, there is a 100 FT buffer. That 100 FT buffer really took away most of the use of this parcel. We had the NYSDEC come back and visit the property this past summer and NYSDEC region #5 said "no, that's not NYSDEC wetlands, it is the ACOE wetlands"; at least in this particular area. So, they removed the NYSDEC designation and that is now ACOE wetlands but with the ACOE wetlands, you don't have the buffer. So, that 100 FT disappeared and we're able to use that property in terms of designing our project. One other thing that we also did was to take a second look at the archeological site, which is the old Carver site on the south side of Route 146. We really haven't focused on that too much because we didn't have plans for that area and most of it is within the NYSDEC 100 FT setback from the right-of-way on Route 146 and that falls within the setback line for the Route 146 Overlay Zone. So, we wouldn't have had any use of it anyway. When we looked at that the archeologist said that there really isn't anything over there and he did a study, it's being paid for and it's being prepared at this point and we will get that to CHA. So, that archeological line was able to be moved about 120 FT. So, through a combination of taking a second look at the wetlands and the archeological site, we were able to create a large enough space to put this project facility there, be faithful to the Route 146 Overlay Zone setback, have enough parking spaces, and to have a site that works. So, we know that there's a lot of details that have to be looked on the part of the Town's engineer but we're

confident that this is a good facility for the Town, it serves a community purpose, fits on this particular site and we have done a rendering of what the project would look like. Mr. Jay Hopeck stated the following: I will be giving a brief overview of the proposed facility that we have right now. As Mr. Dailey has said, it is 104,850 SF 4-story facility for assisted living and a special needs assisted living, which is memory care or Alzheimer's care facility. Now everything is referred to as assisted living or special needs assisted living. The facility is actually 3-stories from the entry boulevard entry point and then utilizing the topography and working with Lansing Engineering. The backside of the building steps down and we were able to get 4-stories on the backside with type 5B construction and 4-stories. This is a private pay facility and we're going to create about 75 jobs. We use a .6 ratio for parking and of the 133-units none of the patients are allowed to have a car here. So, that's why we generally go with a lower parking count. With the 75 employees, we have 3 shifts and the parking requirements cover shift changes and then visitors during holidays and special times. We're working through the site plan layout and design with Lansing Engineering going through all the technical details and we're hoping to work with the Town's engineer to get through that. Mr. Berkowitz asked does the State have certain requirements for staff per residents? Mr. Hopeck stated yes and because this is private pay we don't need a Certificate of Need (CON) but we still have to follow the requirements. Mr. Berkowitz asked what are the requirements for staff per resident and is that the nursing staff, administrative staff and kitchen staff? Mr. Hopeck stated the following: Right now I can't answer that. I don't know when you put that entire staff all together, as we are serving 3 meals a day, there is a full service kitchen staff, an administrative staff, a clinical staff and maintenance staff; I do not know the answer to that right now. Mr. Berkowitz asked are the residents able to go from floor to floor or is one area going to be locked down by floor or by section? Mr. Hopeck stated the following: Generally we don't say locked down but it is restricted because of the mobility of the patients and there are different levels of care on the different floors. The first and second levels have the most extensive care and we have two different means of vertical circulation. Mr. Berkowitz asked where would ambulances come in for transports and for emergencies; in the front or the back of the building? Mr. Hopeck stated the following: We have two access points. The front of the building would be used for drop off and that is the fastest and most immediate. The second access point would be along the backside of the boulevard where you would come in and we have a separate employee, visitor and a public entrance along with where goods and services come in and out. So, I would say that the front door would be the fastest access point and we are working with Lansing Engineering to get the vehicle access in and out where it is right turn only exiting and actually the main entry point is a little bit just north of the building. Mr. Berkowitz stated and also visitors are coming through the rear entrance and are there going to be handicap parking spaces at the rear entrance? Mr. Hopeck stated yes and I don't believe that is shown on the map right now but we will definitely have the handicap parking by the backdoor. Generally we would encourage the visitors to come in the front door and again, there would be minimal visitors during the week or general times throughout the year and more visitors during the holidays and special times. Mr. Berkowitz stated the following: You'd be surprised how many visitors would come during the day; especially spouses who sometimes will spend the entire day there. So, you might want to consider that. Mr. Hopeck stated yes. Mr. Roberts stated the following: Lot #7 contains a little less than 8.5-acres and you've said that you are going to combine that with Lots #5 and #6. All combined, how many acres are you talking about? Mr. Dailey stated all together it is 25.2-acres for the 3 lots. Mr. Roberts stated okay, because that's not shown on the plans. Mr. Dailey stated the following: It is Lots #5, #6 and #7. Lot #7 is 8.47-acres and we have filed a subdivision request for a simple 1-lot subdivision to take one lot and sell it to the developers. Ultimately we would be back for Lot #5 and #6 for the next building and those are the two that we're talking about combining. Mr.

Roberts asked doesn't that have to be done altogether? Mrs. Murphy stated the following: Typically what happens when you're doing a PDD review, you have a public hearing to the subdivision as part of the site plan. The PDD occurs and then you would be doing the site plan approval. Mr. Roberts stated right, but right now all we have is 8.47-acres on this. Mr. Dailey stated yes, that is correct. Mrs. Murphy stated for this yes, but he's not combining for that lot. He's combining in the future and this has nothing to do with this particular one. Mr. Roberts stated so; this is not a PDD right now. Mrs. Murphy stated yes it is. Mr. Roberts stated but it's under 10-acres and that is the point I'm trying to make. Mrs. Murphy stated the PDD legislation is going to make this one PDD that would be 25-acres and that's the language that he has proposed. Mr. Roberts stated but that's not before us right now, correct? Mrs. Murphy stated the following: Yes, it is. It was referred to the Planning Board by the Town Board on Wednesday, December 5<sup>th</sup>. Mr. Nadeau stated that is not reflected on this map. Mrs. Murphy stated this map shows the parameters of the PDD, which is the black dotted line. Mr. Roberts stated okay, now it makes sense because all we saw was the one map. Mr. Higgins stated the following: The two boulevard roadways coming in, it shows it going further on. Is it going to end at the end of this building? Mr. Dailey stated the following: We've talked about that and we will have a temporary turnaround somewhere. It would be built past the building to the point just past where the last parking lot entrance is. Mr. Higgins stated the following: I understand your feeling for less parking then what would normally be required for a building of this size. But, I'm kind of echoing Mr. Berkowitz's concerns that there are going to be times that you're going to have a lot of people visiting the tenants or patients. If, for some reason, this doesn't work out and this has to be changed over to allow apartments, condo's or townhouses somewhere down the road, is there sufficient area that's not infringing on the wetlands for landbanked parking? Mr. Hopeck stated yes, there is. Mrs. Murphy stated the following: Just so we're clear; right now the way the PDD language is being proposed is for medical care and bio-medical research so you wouldn't be allowed to just make it apartments. Mr. Higgins asked am I allowed to ask the question; if it changes use with a Town Board approval and Planning Board approval somewhere down the road, I'm just concerned that there is enough room if they have to provide the sufficient number of parking spaces somewhere in the future. Mr. Dailey stated the following: In our discussions with the doctors, who are proposing this, one of the first things that Mr. Hopeck and I asked them was about the parking. We told them that there was a Town code and per every thousand square feet there are 2 parking spaces required and for a building this size, you would need about 200. So, we asked them "what are you going to do about that"? They said for this kind of use of a facility; we actually have case studies of projects that we've built along the east coast. They said they would give us all the case studies and show you exactly what has been approved and built elsewhere and it works. I told them okay and asked them to get us that information and if they do have any kind of a parking study for this kind of a facility, get us that also because we need to submit that to the Town. So, we're in the process of doing that and we will get that to the Town's engineer. In direct answer to Mr. Higgins question, we have an area where we can put some landbanked parking spaces. We have enough parking spaces for this particular kind of facility even with the visitors but we could add landbanked parking spaces for the future if it is ever needed for any reason. Mr. Ruchlicki stated the following: You mentioned that this proposal would bring 75 potential jobs to the area. Would the staff that you are looking at to employ there; are they going to come from another facility or are some of the 75 jobs that you are talking about be local residents to the area? Do we have those type of people who do that type of work in the area or are they going to come from another facility? Mr. Hopeck stated the following: If you're asking if we have that type of staff and positions in this area, the answer is yes. What we do is we bring on an operator and there are established operators that actually run these type of facilities and they will do all the hiring and bring all the specialty people

from kitchen staff up to clinicians, doctors, senior administrators and probably more than half of the positions are upper level type positions. We expect all local employees because there is no reason to hire elsewhere. These are all positions that could be easily filled in the Capital District. Mr. Ruchlicki stated the following: Did you mention that there are two physicians that are proposing and backing this project? I was just wonder if that staff was coming from another facility. Mr. Dailey stated the following: We believe that probably 3 to 5 senior administrative people might come from elsewhere. I can be 98% sure that every other position would be hired locally. Mr. Ruchlicki stated I figured that the upper level people would probably be from out of town or from another facility but I wanted to know if we were going to see a potential for people from the this area getting hired to work here. Mr. Dailey stated the following: The answer is absolutely yes. Another thing that I wanted to comment on is that we have taken a look at the 2010 census figures in terms of our Southern Saratoga County community and we got a lot older in the last 10 years. If it were 10 years ago, we wouldn't even have been talking about this kind of facility but times have changed and our community has changed and sadly these are the kind of facilities that we need that we don't have as part of our community infrastructure so now's the time. Mr. Hopeck stated the following: Regarding Mr. Higgins question; prior to us getting to this point with images of the facility and the site plan, we have done an extensive market analysis and demographic surveys and everything that we have done, have been a part of or commissioned is showing a very strong demand in this area. I hate to say it but the aging population is getting greater and greater and the need for memory care assisted living and special needs assisted living has outpaced the available facilities. There is a surprising strong need in this area that the reports came back to and that was enough. Obviously we have to go through financing and everything else. We needed those demographic studies and the market feasibility study in order to take it to the next step and they came back very strong and supported the project. Mr. Higgins stated the following: Yes, I'm aware of that because a friend of mine had to put his mother into a facility in Glen Falls because he couldn't find anything around here so I do understand that. I'm concerned that somewhere down the road if it changes, I just wanted to make sure that there was sufficient area for parking, which obviously there is. Mr. Hopeck stated the following: Again, Mr. Dailey has reiterated that. We have looked at landbanking and there are other areas that we could landbank adequate parking to get up to a certain ratio if needed. Mr. Berkowitz asked what level of critical care would be there? Mr. Hopeck stated I can't answer that in detail. Mr. Dailey stated we will have the professionals here at a later date that can answer that question. Mr. Berkowitz stated the following: At a certain point they won't be able to live there any longer. It would depend on what point the owners want to go to and I don't know what the State requirements are. Mr. Hopeck stated that is correct and I can't provide you with a true definition right now but at a certain point we will bring an operator in who is an expert or a doctor that can answer all technically related and health related questions. Mr. Bianchino stated we have a PDD that has been approved for this land. Mr. Dailey stated yes, for the 81-acres. Mr. Bianchino stated now we're going to have two PDD's and is the overall density and square footage of the two PDD's together going be equal to or less than the existing approved PDD? Mr. Dailey stated the following: No, it will exceed. That was one of the reasons that it was suggested to basically do a second PDD, which supercedes a portion of the first PDD. I had a conversation with Chairman Watts five years ago and when we originally laid out this project, we were always looking at how much square footage we had verses how much buildable area or uplands. This site does have a lot of wetlands on it and it has a lot of NYSDEC wetlands that have 100 FT buffer zones. So, those areas were out in terms of development. We looked at how big we could build our buildings and that was always measured against how many parking spots we needed and we came up with 467,200 SF for the 81-acres and that was where the line was drawn and that's as much as we could have. In this particular instance, we eliminated a 16,000 SF



building that we had there and we were able to put this 100,000 SF building in because we need far fewer parking spaces and sometimes the "Development Gods", smile upon you and we did well with having the NYSDEC and the archeologist go back and take a second look that actually created a bigger footprint for our building on this particular lot. So, it all worked out for us on Lot #7 but we are actually asking for a 100,000 new SF over and above what we had before but it's only because the parking requirements are so much less. Mr. Bianchino stated the following: The reason why I asked the question is because as a new PDD application, we have to go through the State Environmental Quality Review Act (SEQRA) process and we can't now have a new application with more square footage. So, we can refer some of the analysis that was done previously but now we have more square footage. I don't know how much you presented to the Town Board at this point but we would need a narrative and the Environmental Assessment Form (EAF) for the new PDD because now that is what we are looking at. Part of the referral that the Planning Board does for the Town Board is to go through that SEQRA process for that PDD application. I think Mr. Watt's point was; is there enough information submitted so far for us to start that process because I know the Town Board identified themselves as the lead agency at the meeting, which means we now have to send out the SEQRA notices and I'm not sure if we have enough information to do that. Mr. Dailey stated the archeology and the endangered species have been done and we wouldn't have to do those again but there are certain things that you might want to take a second look at and decide if in fact that you need more from us, which we would be happy to furnish. Mr. Bianchino stated at this point what have you provided to the Town Board for the new PDD because we haven't seen it yet? Mr. Dailey stated the following: I have a copy of the application that we submitted to the Town Board, which I would be happy to give you. Please take a look and let us know what else you might want us to do. Mr. Bianchino stated okay. Mr. Polak stated I think by referring this to the Town Board and to Mr. Bianchino it would give them a chance to get things started. Mr. Watts stated yes, my point is to make it as efficient as possible because obviously it is a worthwhile project and it would provide great employment and a tax base. Mr. Polak stated the following: One thing this type of facility does help is the traffic impact. It's sad to say but once you drive in there, you're not driving out. The people who would be brought there will not be driving their vehicles in and out. So that cuts down on a lot of the concerns on traffic. Mr. Roberts stated this hits close to home for me because my dad is in an Alzheimer facility right now and I agree with Mr. Dailey that this is a much-needed facility in our Town. Mr. Dailey stated they are presently working on one of these facilities in Fishkill. Mr. Hopeck stated we presently have two other facilities under development; one in New Windsor and another one that we're looking at in the Town of Middleton. Mr. Dailey stated the following: Relative to the reports; Originally, Creighton-Manning did the traffic study and I read it again about a week ago. I think with the amount of traffic that would be generated by this additional square footage; I think we probably still fall under the parameters where we probably wouldn't have to do anything extensively new but I'll leave that up to the Board to decide.

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

Mr. Ruchlicki made a motion to adjourn the December 10, 2012 Planning Board Meeting at 8:39 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,  
Milly Pascuzzi  
Planning Board Secretary