

Town of Halfmoon Planning Board

June 13, 2011 Minutes

Those present at the June 13, 2011 Planning Board meeting were:

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

Senior Planner: Jeff Williams
Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaison: Paul Hotaling

CHA Representative: Mike Bianchino

Mr. Watts opened the June 13, 2011 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the May 23, 2011 Planning Board Minutes. Mr. Roberts made a motion to approve the May 23, 2011 Planning Board Minutes. Mr. Ouimet seconded. Motion carried. Mr. Berkowitz abstained due to his absence from the May 23, 2011 Planning Board Meeting.

Public Hearings:

11.052 PH Guyatte/Hicks Lot Line Adjustment, 5 Belleard Lane – Minor Subdivision

Mr. Watts opened the Public Hearing at 7:01 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Jim Guyatte, the applicant, stated the following: I am here tonight representing Mr. Brian Hicks of 5 Belleard Lane and myself. My neighbor, Mr. Hicks, purchased 8-acres of property from Mr. Gary Krause and we are looking to swap 8/10ths of an acre of land which I own behind Mr. Hicks house and Mr. Hicks owns property to the rear of my property. This action would give Mr. Hick's access to his 8.0-acre parcel and this would rectify an encroachment of my shed in his backyard. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the public hearing at 7:02 pm.

Mr. Nadeau made a motion to approve the lot line adjustment for the Guyatte/Hicks minor subdivision application. Mr. Ruchlicki seconded. Motion carried.

11.058 PH Rousseau Subdivision, 76 Route 236 – Minor Subdivision

Mr. Watts opened the Public Hearing at 7:03 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Steve Rousseau, the applicant, stated the following: I currently own 11.5-acres located at 76 Route 236. My proposal is to split the property into 2 parcels.

My proposal is to create a 3.60-acre lot that has an existing duplex on it and to create another 7.73-acre parcel for a proposed single-family home, which would be my personal residence. Both lots will be served by the existing single curb cut with an ingress/egress easement in order to use the shared driveway. I was able to maintain the 150 FT of road frontage for Lot #1 and doubled the size of the minimum requirements for the flaglot for Lot #2. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the public hearing at 7:04 pm. Mr. Nadeau asked about the language for the easement. Mrs. Murphy stated as long as this is shown on the map our purposes are met that this would be in compliance with our zoning. Mr. Higgins stated the new 50 FT of frontage with the access to the rear parcel; according to the map there are extensive wetlands in there and is that why you are not using it? Mr. Rousseau stated the following: That is correct and in the corner of the lot a culvert was placed from the east side of Route 236 to the west side of Route 236, which would dump into the corner of the property. So, as far as getting this driveway on this 50 FT is really getting into some serious wetland issues. I want to stay away from that and do an easement driveway so as not to disturb any of the wetlands. Mrs. Murphy stated the following: If the Town was getting an easement or giving an easement, then we review the language to make sure it has what we need. What would technically happen is if this easement wasn't sufficient, he'd be in a fight with whoever if he ends up selling the property to. As long as it shows that he has the frontage that he is required to have it would be a civil issue between the two parties with regards to the correctness or incorrectness of the easement. Mr. Higgins asked even with the wetlands? Mrs. Murphy stated the following: Even with the wetlands; because you can't encroach on the wetlands and he can't give himself permission to violate what the statutory regulations are with regards to it. But, I can't give him legal advice so I can't review an easement that isn't for us. I do look at them sometimes just to make sure because you have asked me to in the past. But, I can't tell him whether it is proper or improper because we are not a party to it.

Mr. Ouimet made a motion to grant a Negative Declaration to SEQR (State Environmental Quality Review) as this project will not have a significant impact to the environment. Mr. Higgins seconded. Motion carried.

Mr. Ouimet made a motion to approve the Rousseau minor subdivision application. Mr. Higgins seconded. Motion carried.

New Business:

11.061 NB Adirondack Basement Systems, 4 Jones Road – Sign

Mr. Kevin Koval, the applicant, stated the following: I would like to place a freestanding sign at the front of the entrance to the site located on the Vischer Ferry Road side. The sign would fall within what is specified in the Town Code for the size and the sign would not be in the State's right of way. The sign would not block or impede on accessing our parking lot or anything like that. The sign would be 40 SF, two sided, 8 FT high and it would not be lit.

Mr. Roberts made a motion to approve the sign application for Adirondack Basement Systems contingent upon the sign is not placed in the State's right-of-way. Mr. Nadeau seconded. Motion carried.

11.062 NB New Country Porsche, 205 Route 146 – Sign

Mr. Dan Tompkins, of the Environmental Design Partnership, stated the following: New Country Porsche is proposing an interim sign that would be located on the building for maybe a period of about 9 months to a year. As you recall, we received a change of tenant approval and my understanding is

that they closed on the franchise today. So, they will be moving in immediately. I'll be coming in subsequent for a site change application. It would be a little involved in terms of some reconfiguring in the parking but most notably the front façade of the building would be completely changed over. In the meantime, they need some presence and it's going to take a while for the pylon sign to get manufactured as well. That was approved and they do not have that yet. So they are banking on this interim sign that would be a heavy gauge vinyl and it would be tautly put across the existing franchise. The vertical and horizontal lines that you see behind the words "Porsche" and "New Country" mimic the Alucobond that will be on the front of the building. In short, we are asking the Board to treat the background as if it's mimicking the building wall itself and base the sign area on the letters making up Porsche and New Country. Mr. Higgins stated when you were here and this was approved, as I understood it, I thought the existing dealerships were moving out and this was strictly going to be Porsche, is that correct? Mr. Tompkins stated the following: That is the plan. There might be a slight overlap of maybe a week or two. They literally have to occupy to represent Porsche as of tonight. So, they may have to peel off the portal feature. Mr. Higgins asked where is the GM going? Mr. Tompkins stated I'm not sure but it is being sold. Mr. Higgins stated the following: The reason I asked is because they just got three truckloads of new pick-up trucks. That is what prompted this question, because there were no vehicles there before and then last week they got 25 new pick-up trucks there. So, that's my questions, are we going to have to have three dealerships occupying this building all at the same time? Mr. Tompkins stated the following: The answer is no, but there might be a slight overlap for a few days, a week or something like that. I would also like to clarify that as part of the approval, when I was here last month, there was a recognition that you are never going to see a full lot full of Porsches. They are going to occupy a major chunk of that. There is going to be used Porsches, new Porsches and of course the employees and the customers. But it's a Porsche Dealership and by its nature the scope is smaller. So, they may be parking some other cars there because they are not going to want to remove the pavement or anything like that. They may have some Toyota's over there. Mr. Higgins stated I understand but are there going to be three dealerships operating out of this one building? Mr. Tompkins stated no. Mr. Higgins stated you said no except for maybe a week or 30 days for the changeover. Mr. Tompkins stated that is right but there is a logistical problem with immediately trying to change things over. Mr. Higgins stated the following: I understand that and that is why I asked the question. I would like to reiterate my pet peeve of cars that have to be in designated display areas, not on the grass and not on entranceways in and out of the site. Mr. Tompkins stated the following: How have they been doing so far? Because when we had this discussion last month, I was on my cell phone immediately after the meeting and that is the word that I passed on to them and I assume you have been by there. Mr. Higgins stated it doesn't seem that it has dramatically changed. Mr. Tompkins stated okay, then I will pass that on to them. Mr. Roberts asked if the temporary sign would be lit? Mr. Tompkins stated they would not be lit. Mr. Ouimet stated the question I have about the temporary signs; you seemed to indicate earlier in your presentation that the temporary signs would stay up for about 9 months. Mr. Tompkins stated yes, it could be 9 months. Mrs. Murphy stated the following: You're not asking for an approval of a temporary sign, you're asking for a sign approval which consists of what you have talked about. When you change out your sign, you are going to come back and get a new approval for whatever that new sign looks like. Mr. Tompkins stated that is understood. Mrs. Murphy stated so don't think of it as a temporary sign. Mr. Tompkins stated we're calling it an interim sign because we know that we have to come back to the Board and make changes.

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

Sign #1:

Location: wall mounted on face of building

Zoning: C-1, Commercial
 Sign Size: 42 SF
 Sided: ☒ one-sided ☐ Two-sided
 Location of Sign: over front entrance
 Lighted: ☐ Internal ☐ Flood
 Planning Board Date(s): 6/13/2011
 Sign #2
 Location: wall mounted on face of building
 Zoning: C-1, Commercial
 Sign Size: 12.46 SF
 Sided: ☒ one-sided ☐ Two-sided
 Location of Sign: over front entrance
 Lighted: ☐ Internal ☐ Flood

Mr. Roberts made a motion to approve the sign application for New Country Porsche. Mr. Berkowitz seconded. Motion carried.

11.063 NB Domino's Pizza, 1683 Route 9 (St. John Plaza) – Change of Tenant & Sign

Mr. Tom Pratico, of Bast Hatfield and the Rexford Group, stated the following: I'm here tonight to discuss putting a new tenant in St. John Plaza. Domino's Pizza will go in an area where we had 2 previous tenants, Hoff's Jewelers and Jackson Hewlett Tax Company who have left the plaza. We have combined the 2 tenant spaces into 1, we cut it not quite in half and we created 1,270 SF for Domino's and the remaining space is vacant. Domino's is strictly a pick-up and delivery operation and there is no inside seating and no inside area to eat. There would be 1 to 2 people inside the building depending on what day of the week it is or what day of the week it is. There would be an average 1 to 5 drivers delivering. The sign would be an interior lit LED box sign made by Domino's National Sign Company. Mr. Higgins asked did you say there would be no seating? Mr. Pratico stated the following: There is no seating or standing. Eighty percent of their business is delivery and the rest is people coming in to pick-up their orders. Mr. Roberts asked would the signage conform with the rest of the plaza. Mr. Pratico stated yes. Mr. Watts stated please ask the applicant to advertise as Domino's of Halfmoon.

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

Sign- Dominos Pizza
 Sign Dimensions: 2' 5" x 9' 4"
 Sided: ☒ one-sided ☐ Two-sided
 Total Area of Proposed sign: 23.5 SF
 Lighted: ☒ Internal ☐ Flood
 Brief Description: The applicant wishes to place a wall-mounted sign over the entrance to the suite that will represent the company logo.

Mr. Roberts made a motion to approve the change of tenant and sign application for Domino's Pizza. Mr. Nadeau seconded. Motion carried.

11.064 NB Sunoco of Halfmoon, 1500 Route 9 – Change of Tenant & Sign

Mr. Rajeev Arora, the applicant, stated the following: This site at 1500 Route 9 is currently a Gulf gas station site, which is called Country Farms and I would like to change it into a Sunoco. I currently own 3 other Sunoco's. I will be re-branding the entire site and any place where it says Cumberland or Gulf

is going to say Sunoco. I will have new graphics to reflect the change in branding. The gas pricing sign would be illuminated. In the morning the sign would have full brightness and at night they would go dim in accordance with the Town standards. Mr. Watts stated your narrative states that you would be open from 6:00 am to 11:00 pm Monday through Friday, 7:00 am to 11:00 pm on Saturday and 7:00 am to 10:00 pm on Sunday and asked if the applicant had plans to operate at more hours than this? Mr. Arora stated the following: Currently no, but down the road once we get a feel of the business, in the summertime we may stay open a little bit longer. If we see that there is a lot of traffic, even at night, then maybe in the near future by next summer we would try to see if it is going to be worth it for the business to operate 24 hours during the summertime. In the wintertime I think I'm going to have the same hours as stated in the narrative. Mr. Watts asked Mrs. Murphy what is the best way to deal with a business being open for additional hours other than the hours they have stated? Mrs. Murphy stated the following: For any site they would have to come back to this Board. I think this Board should be more cognizant of it because they are bordering a residential neighborhood. Anytime the approval is specific to the application; which denotes specific operating hours, they would have to come back in to modify that if they were changing their hours. Mr. Arora stated okay, if I ever plan on doing that in the near future, I would make sure that I come back here to get the Board's approval before I would do any changes on the hours of operation. Mr. Ouimet stated the proposal seems to indicate that the parking lot is going to be seal coated and re-stripped and asked if the parking spaces would be laid out the same way as they currently exist? Mr. Arora stated yes, the parking spaces would be the same exact way that they currently are and we would just be re-stripping those parking spaces. Mr. Ouimet asked are there any issues with the size of the parking spaces? Mrs. Zepko stated no. Mr. Watts asked are the parking spaces currently 10 FT. Mrs. Zepko stated I didn't space them out but they appear to be 10 FT x 20 FT parking spaces. Mr. Ouimet asked are these parking spaces on an approved site plan? Mrs. Zepko stated yes, we have a site plan. Mr. Higgins stated I don't see anywhere on the site plan that said they are 10 FT x 20 FT parking spots. Mr. Watts asked does it show where the handicap parking is located? Mr. Higgins stated yes, there is one handicap parking spot with a ramp that is located on the side of the building. Mr. Watts stated is the store entrance located in the middle of the front of the building? Mr. Arora stated there are two doors in the front of the building. Mr. Ouimet stated so it is not likely it is going to be the door in the center of the building and it's probably going to be the other door located to the right as you are looking at your building? Mr. Arora stated the door in the middle of the building is going to be the one door that we use. Mr. Ouimet stated but there is another door. Mr. Arora stated yes there is a door near the side of the building but we never use that door and they always keep it locked. Mr. Ouimet stated but the door near the side of the building is the closest door to the handicap parking spot. Mr. Arora stated yes. Mr. Watts asked is there any way we could make the handicap parking spot more convenient to the front door? Mr. Arora stated right now there is a step in front of the middle door and currently there is a ramp on the sidewalk near that handicap parking spot that is located at the side of the building. Mrs. Zepko stated the following: Currently there is a ramp connected to the sidewalk that comes right down to the handicap parking space. Otherwise, they would have to move the current curb in front where there is a lip that you step up onto the sidewalk in the front of the building and the ramp is right next to the where the current handicap parking space is located. Mr. Ouimet stated that's interesting because the existing set-up of the building has the second door, which is closer to that ramp in that corner where the handicap parking spot is located. Mr. Arora stated right. Mr. Ouimet stated the following: If you're going to renovate and remove that door, then that parking spot becomes a distance from the door located in the middle of the building. Not all handicap people are in wheelchairs. Mr. Arora stated the following: The two doors are literally within four steps. The way they have the store set-up right now they have the cashiers counter right in the middle of the store. Behind the cashiers counter there is nothing and there is 500 SF of retail space that I'm trying to get a

central isle all the way to the back row and then I could have another 500 SF of retail space in there. Mr. Ouimet stated so what you are saying is that with your current business design that it makes no sense to keep that second door open? Mr. Arora stated the following: Exactly, yes, and it was never used anyways because when I took over the site and I went there numerous times, they always had that door locked. So any person who was in a wheelchair had to go to the front door in the middle of the building. They had a big sign that said, "use the front door". Mr. Watts stated we have had some issues with the entrance that is on Grooms Road. Mr. Arora stated the following: Yes, with people trying to make a left hand turn out of the site. While I've been at the site, there were a lot of times that people try to make a left hand turn onto Grooms Road and if they are regular customers, we always tell them that they can't make a left turn onto Grooms Road even though there is a big sign posted there. We would follow those same rules and we would tell everybody if we notice people trying to make a left hand turn out of the site. I would say 90% of the time, if you tell them 1 time that that exit is a no left turn, when they come back to the store they will always take a right or they would go around. If they are our regular people, most of the times they won't make that left hand turn. Once in a blue moon you might find the same person doing the same exact thing no matter how many times you tell them. We were already told to tell people that they can't make a left hand turn onto Grooms Road. Mr. Watts asked Mr. Bianchino if there was anything we could do relative to the reconfiguration of that left hand turn from Grooms Road to discourage that? People tend to make the right off of Route 9 and then swerve in that way and asked if that was a legal turn? Mr. Bianchino stated the curb cut is designed to allow left hand turns out and it is not designed to have left turns in. Mr. Arora stated the following: The way the curb is made if you cut it to the left, you will drive over the curb. Regardless of what we tell people, they are still going to do it. Mr. Watts stated yes, I have seen people do that but I was wondering if there is anything more from an engineering point of view that could be done to discourage that or we just have to live with the behavior or miscreants. Mr. Ouimet asked Mr. Bianchino if he said that the curb cut is designed for left turns out? Mr. Bianchino stated yes and the curb cut is designed for rights in and lefts and rights out. The only restriction on that curb cut is a left turn in from Grooms Road. Mr. Ouimet asked why the sign for no left turns faces the interior of the parking lot? Mr. Bianchino stated that the no left turn sign should be facing Grooms Road. Mr. Berkowitz asked if this ingress/egress was designed prior to the installation of Exit 8A for the Northway? Mr. Bianchino stated he believes so. Mr. Berkowitz asked how old the building was? Mr. Arora stated that he believes that it is thirty years old. Mr. Bianchino stated that to reconfigure that curb cut would be to change it to a right in right out scenario. Mr. Berkowitz asked how do tracker trailer deliveries access the site? Mr. Arora stated they usually enter and exit the site from Route 9. Mr. Watts stated that if that curb cut on Grooms Road was changed to only allow right in and right outs, then patrons would have to exit the site onto Route 9 and take a left at the light onto Grooms Road to go toward the Northway. Mr. Nadeau asked the Board if they thought it would be wise to then send all of the traffic out to Route 9 or is it a lesser of two evils? Mr. Watts stated that one option would be to ask for enhance police enforcement to restrict the left in turns from Grooms Road. I don't know if by human nature we can ever fully ensure that these turns won't happen. Mr. Watts asked if there are residential homes behind the store? Mr. Arora stated yes. Mr. Watts asked Mr. Roberts if he had reviewed the sign application. Mr. Roberts stated that he had. He told Mr. Arora that the sign could not be placed in the R.O.W. Mr. Roberts asked how tall the tallest part of the sign would be. Mr. Arora stated 15 ft at the highest point. The gas price portion would be LED lit and the Sunoco portion would be internally lit. The LED part of the sign is designed to brighten and dim according to the ambient light of day and night. The sign will be almost identical to the Sunoco sign that is on the Sunoco station on Route 146 that was recently built. Mr. Watts asked if all of the signage would be any brighter than what exists at the site now. Mr. Arora stated no, the brightness should be the same.

Mr. Roberts made a motion to approve the change of tenant and sign application for Sunoco of Halfmoon contingent upon the sign is not placed in the State's right-of-way and the applicant is reactionary to the brightness to the LED gas signage at the Board's discretion. Mr. Nadeau seconded. Motion carried.

11.065 NB Saratoga Academy of the Arts & Sciences – 1 Halfmoon Executive Park – Change of Tenant

Mr. Michael Christensen, from the Saratoga Academy of the Arts & Sciences, stated the following: We are proposing to take over a portion of 1 Halfmoon Executive Park Drive. We currently have the lower level of Dr. Morrison's dental office. We are looking at utilizing the property across the parking lot and adding to what we are currently doing. There would be an existing tenant who would still be in the building. Mr. Watts asked how many students would you now have? Mr. Christensen stated the following: Originally we opened with 37 students in the Morrison building to 77 students to 120 students. We would be putting 60 students into this building next year and another 60 students in the Morrison building. So we would have 120 students at this site and we would have 40 students at our other site, which is located in Clifton Park. The following year we would be looking at consolidating the operation all down to the Halfmoon Executive Park. So, between those 2 building within 2 years we would have 200 students there but that would be it's maximum. I would anticipate that this building would have 60 students next year and the following year it would have a maximum of 140 students in this building and 60 students in the Morrison building. Mr. Watts asked what would the grade levels be? Mr. Christensen stated at that point it would be Pre-K through 6th grade. Mr. Watts asked after that would the students go on to other schools? Mr. Christensen stated the following: After 6th grade they would go on to other schools. Not for this site, but we are investigating transitioning to a middle school model in a few years. Mr. Watts asked have you had any issues with the bus drop offs and is everything working with the configuration you currently have? Mr. Christensen stated the following: Yes, that works fine. The last change in the site plan was designed to allow the bus turnarounds and that wouldn't change at all but maybe there might be an additional bus and that would be it. We currently do have 2 buses that come to us because currently the second bus runs students from our current building to our other building for after school care but we are canceling that program. With the increase in students there would be a need for 2 buses, which would be no difference from where we are now. Mr. Watts asked if there would be adequate parking for the additional facility? Mrs. Zepko stated yes, we did review the parking and it does meet our code. Mr. Higgins stated you show a drop off zone and asked if there would be a second drop off zone for the other building? Mr. Christensen stated the following: We haven't anticipated that. I was anticipating having the drop off at the current building and then we could have the older kids walk across. We potentially could do a second drop off. The following year my pre-school would come in and they would be at the one building and all the bus children would be consolidated into this building. So, it would only be an issue for this upcoming school year. Mr. Higgins stated the following: I'm concerned about the safety of the children walking through the parking lot. The plan says "new asphalt pavement" and there's really no way they can walk on sidewalk all the way over to the other building. They would have to walk through the parking lot. Mr. Christensen stated the following: If we were to do one drop off, that would be correct. It wouldn't be an issue to do 2-drop offs. Mr. Higgins stated I'm just asking how it's going to be set-up because the way it looks to me is they have to physically walk through the parking lot to get to the other building. Mr. Christensen stated that is correct unless we require the bus to make 2 stops. Mr. Higgins stated the schools that I'm familiar with always have the drop off zone where the students step on to a sidewalk and don't have to cross travel lanes. Mr. Christensen stated the following: I'm not sure how our lot is configured to see if it would be possible to put one in because we already had to

expand the pavement area to the north to have the turnaround in. So, there is no longer any space to put a paved walk area that could connect the 2 buildings. So, you would have to walk across the parking lot regardless to get there. The only way to do it would be to require that Shen does one stop on this side and then another stop at the other building. Mr. Higgins stated the following: Not just Shen but also the parents or whoever is dropping off the students. My only concern is having children walking where people are trying to pull around and pull in and out of parking spaces and everything else. Mr. Ruchlicki stated if you did put a drop lane like you have on this side like over on the other side what would that do for your parking? If you took 2 spaces for your drop zone would that short your parking. Mr. Christensen stated no. Mr. Ruchlicki stated all you really have is a different striped area for the stop zone, isn't it? Mr. Christensen stated right and there is more parking if it is necessary. Mr. Ouimet stated the following: Is there a way that you could designate a walking lane so there would be less of a probability that youngsters would dart out between cars in the parking area as they go from one building to another? This would organize or regulate how you transition from one building to the next. I assume that your class schedule will require transition from one building to the next. Mr. Christensen stated actually, it really wouldn't. Mr. Ouimet asked so you don't transition back and forth? Mr. Christensen stated the following: There is very little transition, if any. This year we would have our grades 1-6 in this building and a section of our pre-school and the kindergarten in the other building. Mr. Ouimet asked so there would be no need to go from one building to the other? Mr. Christensen stated I can't envision a reason for that but maybe on special occasions in which case we would cone off the area or something to allow for transition. Mr. Ouimet stated that's what I was thinking if you had a designated walking area or a lane. Mr. Christensen stated currently what we do is we close off the areas of the parking lot with cones to deny access. Mr. Ouimet asked do you do that now? Mr. Christensen stated yes, we do that now. Mr. Watts asked does that work? Mr. Christensen stated that works wonderful and we did it tonight for our kindergarten graduation. Mr. Watts stated so you're already doing it with the cones and that would continue with this? Mr. Christensen stated if we had a need for children to cross, yes. Mr. Higgins stated I would still kind of like Mr. Ruchlicki's suggestion of having a drop off in front of the new building also. The parents would pull in, pull around, drop the child off and they would go right into the school. So, they may lose 2 parking spaces. Mr. Watts asked have you had any issues with parking now? Mr. Christensen stated not on a regular basis but we do have special events. Our special events are held when business isn't in session. We had a special event tonight off hours and we filled the parking lot. Mr. Watts stated so with this new building you're going to have a couple more teachers. Mr. Christensen stated yes, we are hiring 2 additional teachers and additional aides. Mr. Watts asked what do you think about Mr. Ruchlicki's suggestion to designate another drop off zone? Mr. Christensen stated I think it should be required that we do it. Mr. Higgins stated the stamped drawings would have to show that designated drop off zone.

Mr. Ruchlicki made a motion to approve the change of tenant application for Saratoga Academy of the Arts & Sciences contingent upon the applicant re-striping a school bus drop off area for the "new" site. Mr. Higgins seconded. Motion carried.

11.066 NB Zappone Chrysler Jeep Dodge Ram Inc., 1613 Route 9 – Concept-Commercial Site Plan

Mr. Scott Reese, RLA, PLLC, of Site Design and Planning, stated the following: I'm here tonight for Mr. Jim Zappone for the Chrysler Jeep Dodge Ram Inc. The proposal is to re-develop the former House of Kitchen's site located at 1613 Route 9 to create a Chrysler/Dodge car dealership. The parcel is 2.34-acres and is located in a C-1, Commercial zone. We are proposing automobile sales and services for this facility. We would remove two of the existing buildings. We are proposing a structure that would

be for their showroom for their vehicles and that would connect to an existing building for a 15-bay service area. The existing building is only 9.5 FT from the property line. The commercial setback for a side yard is 15 FT so that's why we are looking to go the Zoning Board of Appeals (ZBA) for a variance for the building setback. The reason why we are connecting and abutting to the building is because the car dealership has a service entrance. The service entrance would go through the building and then would connect to the building and it's part of their general standard showroom. Originally we were proposing 10 FT x 20 FT for the handicap spaces and 10 FT x 20 FT for customer spaces and 9 FT x 20 FT for employee spaces. We also were proposing 8.5 FT x 24 FT stacking areas within this area but we are retracting that since the Town of Halfmoon doesn't have a standard change for a stacking area and the Town's minimum is 9 FT x 20 FT. So, we are modifying our parking and keeping that 9 FT x 20 FT so we would not be asking for a variance of the parking size. Just to clarify; the customer parking, the display parking, and display areas are shown on the map where we would be displaying the vehicles. In the rear there would be storage of additional new cars and used cars that they would bring out to front as needed. So the customer's didn't have to go to the rear of the site the option was to stack these vehicles so we can store them on the site. Mr. Zappone also needs to have a couple of other areas offsite to store additional vehicles and bring out when needed. Stormwater management would be in the rear of the site where there is a stream that runs down along the back. We had a site walk by a wetland's biologist to observe some of the wetland encroachments where a drainage pipe outlets off the site. Mr. Watts stated the following: I think we have two separate and distinct issues; (1) the need for a variance on the site and absent that; (2) the general site issues. I'm going to ask our Town Attorney, Mrs. Murphy, to give us a little information on the zoning issue and how we perceive that and then secondly, we could just send you off to the ZBA and not get into the site plan issues. But, I think it is better, seeing that we are all here, to address whatever concerns the Planning Board may or may not have relative to the site issues so that you could consider those if you do go to the ZBA. I think this is a more efficient way to do it so that is how I'm going to proceed. Mrs. Murphy stated the following: The reason why Mr. Watts is saying "if you go to the ZBA" is because I don't know if that building is pre-existing, non-conforming which would require you to go to the ZBA for an expansion of it or if they went and got a variance at the time that building was constructed and if so, I don't know what that variance says. So, there may already be a variance for the site that says you can build within that setback line or they may not. I just don't know so I'm asking the Board's indulgence to research that and find that answer for you. Mr. Watts asked the Board if anyone had any questions relative to the site issues? Mr. Roberts stated on your plan it says that you have 20% greenspace and I'm not seeing that so, could you please explain that. Mr. Reese stated the following: There is 20% greenspace that is within the property boundaries. There is 20% greenspace provided with the majority in the rear of the site where the stormwater management area is located. In relation to the size of the property, 80% is impervious and 20% is the greenspace on the site. Mr. Berkowitz asked are you including the bio-retention basin and an overflow basin? Mr. Reese stated correct. Mr. Berkowitz stated I don't think you can. Mr. Williams stated yes, that can be considered greenspace. Mr. Higgins stated the following: If you look at the Town recommendations along Route 9, it is for quality greenspace along the road frontage. Also, the recommendations were for parking whenever possible in the back of the buildings and not to have everything right up along Route 9. In my personal opinion, it seems like you're trying to cram a little bit too much onto the site. You were talking about off-site storage of vehicles and asked how are you going to deliver vehicles to this site? Mr. Reese stated the following: Regarding the greenspace in the front of the building on Route 9; there is already pavement with a small island and then more pavement. We are proposing an access out to the front of entry area. So, besides that greenspace, that would be an improvement from what is currently there now. Mr. Watts asked what is there now? Mr. Reese stated there is pavement, 2 islands and the rest is stone and pavement. Mr. Watts asked is that appropriate to do in the State's

right-off-way? Mr. Roberts stated no it is not. Mr. Watts stated no, can they make it green? Mr. Roberts stated no, it is not their property and that can't do anything in the State's right-of-way without permission. Mr. Watts stated that is what I meant, but if there is already gravel there now, can they make that green? Mr. Roberts stated they would have to get a permit to do anything out there. Mr. Reese stated so we would have to get a commercial permit for the driveway access and we would show them this plan. Mr. Roberts stated right, and they may or may not allow the greenspace. Mr. Reese stated as far as what that is, the other factor is that everything is pushed back from what is already existing there. Mr. Higgins asked how are you going to have truck deliveries? Mr. Reese stated this access is allowed for the turning of a truck at this location. I have a turn radius on my other plan showing where the trucks would be unloaded. They would have room to back the larger trucks out. I also spoke to the fire department as far as getting their emergency vehicles in and their wish was making sure they could get a truck in, around and out. The fire department does have the plans, but what they thought they needed was a 30 FT inside radius for turning and that's what we provided to go around this particular site. So, as far as the fire truck access, they don't have to come in, turn around and back around. They can come in, come through, turn around and then exit the site. Mr. Ouimet asked where are the handicap parking spaces going to be designated? Mr. Reese stated the following: We are proposing 4 handicap parking spaces. The striped area is the unloading isle and there would be one on each side of the unloading isle. Mr. Ouimet asked are the handicap parking spaces shown on the plans? Mr. Reese stated there just listed that we are providing 4 handicap spaces but they are not listed as "HC" or a handicap sign. Mr. Ouimet asked where is the service area located? Mr. Reese stated the service area is the back. Mr. Ouimet stated if I was handicapped and I brought my car to be serviced, what would I do? Mr. Reese stated the following: I would imagine that they would go in to talk to a representative and then they would take their car to the back to be serviced because this is the main service entrance. You would be able to see your car being driven in to the service area. Mr. Zappone stated the service entrance is part of the showroom. Mr. Ouimet asked so is there a drive-in service entrance? Mr. Reese stated yes and showed the Board where the drive-in was to the service area. Mr. Ouimet asked when service is completed; does the customer then enter into the service area to pick up their car inside? Mr. Zappone stated the car would be brought around to the front where they would have access to and from the front door. Mr. Reese showed the Board the access that goes back into the service center. Mr. Ouimet stated so, some of those front parking places would have to be reserved for this activity to take place and asked is this correct? Mr. Reese stated the following: For the customers, correct. The car storage is all in the back. Mr. Ouimet asked when you say "car storage", do you mean the cars for sale? Mr. Reese stated no, for the service center. For example: If they have 15 bays, they need 3 spaces per bay. So, when the customer comes in to have their car serviced, the facility will take the car and drive it through into the bays in the back. When they have additional cars, more cars than the bays that they have, there are 3 areas for parking the vehicles that are going to serviced. Mr. Ouimet stated the following: Would the service bay area be a drive through into the front and then they would exit the back or some where along the side of the building? Or would you enter and exit through the front? Mr. Reese stated the following: This is where the customer would drop off and receive their car. In the back there is going to be a couple bays that the service employees can take the cars out and park in the areas in the back labeled storage. Mr. Ouimet stated so you're not going to be able to drive into the service area? Mr. Reese stated no, the customer would not be able to drive in. Mr. Ouimet stated so, this long service building and the existing structure would be proposed as the service area and it would have overhead doors facing the storage parking. Mr. Reese stated I think they are going to have 3 overhead doors and I will have to verify that, for them to access out. Mr. Ouimet stated the following: I would have to say that my initial reaction looking at this is that you're trying to maximize space at the expense of having a cluttered facility. In other words, I think you are trying to put too much into too small of an area.

That's the way it looks to me right now and I know this is not final and all this other stuff. I think that if we move this onto the ZBA, they would have to get a variance. I think it would be fair if we passed our comments on to the ZBA about the site so if they allow them to constrict the site and allow them to put more on a smaller area, they need to know that this Board is somewhat concerned or at least I am somewhat concerned about all the stuff that's going in here. The greenspace is not clear. I think with all of these parking areas there is some issue as to whether or not, or at least I can't see it yet, you could take a tractor-trailer load of cars and maneuver it around this site and still have a working site where people are coming and going. Workers are coming and going, they're servicing cars and their moving cars here, there, and everywhere. Mr. Higgins stated the following: You can't. The tractor-trailers would have to be after hours. Mr. Reese stated I did overlay turning radiuses for car carriers to make sure that they can pull in, come in and turn out and this is our design intention. This area from the back of the new building forward is like the public location. There are the vehicle displays that are going to be sold, there is customer parking, there is another area for the display vehicles as well as a lot right in the showroom. Everything from the back on is the business end. This is just where they are going to be storing some of the cars that eventually they will be bringing out towards the front. Also, this is for the service vehicles that the service employees would be parking. That's why the stacking because these cars are just going to be handled by the employees. Regarding the greenspace, yes we're using as much as we can of this site. It is a 2.3-acre site but as far as the zoning is allowed, we're providing 20% of greenspace. In addition to what I've not done, but I easily can do, is that all these striped islands can also be turned into greenspace except for the handicap parking area. One of our intentions is, and of course with the new stormwater regulations you have to try to infiltrate as much as you can. So, instead of having things going from one end to the other we're going to take advantage of the soils and try to infiltrate into the soil along these areas. The bio-retention area and everything else is part of the new green technologies for stormwater but we're also going to try to put it into the ground underneath. Mr. Berkowitz stated the following: What do you mean that you're going to try? There is a farm right behind you and you also have residences to the left of you and residences to the right of you. Mr. Reese stated as far as this site, there is a nice hedgerow of vegetation and there is a commercial operation. Mr. Berkowitz stated I can see that and behind you there is an apartment building. Mr. Reese stated yes there is an apartment building and an ambulance center. Mr. Berkowitz stated yes there are apartments there because I'm looking at it on satellite right now and that's abutting the property and asked how far away is it? Mr. Reese stated I don't have a scale to say exactly how far it is. Mr. Berkowitz stated the following: Right now that area is buffered with woods that you're going to cut down. So, are you planning to buffer that area? It seems to me that you are just going to have a car terminal there. Mr. Reese stated that area is for employee parking. Mr. Berkowitz stated the following: Right now, to me, the whole site looks like a car terminal. We're trying to make Route 9 look nicer but it seems like you don't care about the appearance as long as you have as many cars as possible on that lot. Mr. Reese stated the following: As far as the appearance and everything else, I think what we're trying to improve it. Even though this is the New York State Department of Transportation (NYSDOT) area and all this is pavement. Mr. Berkowitz stated what I'm trying to say is what it appears to be when you drive by and what we're trying to do on Route 9 in the future. Mr. Higgins asked where is your 15 FT buffer zone on the north side? Mr. Reese stated that 15 FT buffer is for the building setback but there is no building there now. Mr. Higgins asked how close to the property line are you're putting the asphalt? Mr. Reese stated it was my understanding that there is no setback for parking. Mr. Berkowitz stated we understand what you can do but you also have the responsibility to make it look nice. Mr. Higgins stated the following: The 20% greenspace is a minimum. A lot of people who come to this Board have an excess of 30% to 40% greenspace along Route 9. As I started to say earlier, you have all this storage area in the middle and if you're going to be storing cars off-site, why do you need that many? If you have a customer

that wants to test drive a car that is in the middle area, you would have to move at least 2 cars. Mr. Reese stated the following: I think the intention is that he's going to have cars available; the makes and models available would be in areas where you can pull out of. It's the additional ones that he may have inside as far as a different color or anything along those lines. Mr. Watts stated the following: I think what Mr. Higgins and Mr. Berkowitz are saying is that this is a very crowded site and a good hunk of that is being utilized as a car storage area. You mentioned that they are looking at off-site storage and do you have any places in mind on where they are? Mr. Reese stated there are locations where Mr. Zappone has in mind where he's going to be storing these facilities. As far as the amount of vehicles with the business, how many that he factors is a business that he's going to be dealing with is more than what this site holds. So, that's why the importance of an off-site area for storage of the other vehicles. Mr. Zappone stated the following: I have double locations in Clifton Park; one is located by North Star Chevrolet and another one is located at the auction on Route 146. Rest assured, I understand what you are saying about it looking like car dealership and we will do what you need us to do. If you need us to lessen the cars, we will have to make that decision of whether it works for us or not. We're not looking to make it look like a circus atmosphere or a car depot. We will work with what you are looking to work with. I can assure you that anytime you drive by one of my stores, there are soldiers; it's lined up, it cleans and it's neat. Anytime you want to drive by the store we own now or any of the stores that I owned previously, that's the way I run the operation. I do understand that you want to make it look the way you want it to look. Let us know what it is that you want and if it works for us, great we'll do the best we can to make it work. Mr. Watts stated the following: That's good. We're kind of caught in a little dilemma here because we've got the zoning issue and then we felt in fairness that we wanted to bring up to you the issues that we're perceiving. Absent the zoning issue, which Mrs. Murphy is going to get an answer for you on, and at this point I think we pretty much have covered the concerns relative to the crowded nature of the lot and possible solutions. We could have someone over there saying "well, we meet your zoning requirements and we feel we're okay and that's what we need as a business plan", and then we would say "okay we will refer it to CHA and let them review it" or we could have the person saying "you brought up some good points, let me go back and think about it" and then they may come back at the next meeting and say "okay, we've taken 26 of the spots that we had for car storage and we will put them over there and now we've added this and that". I don't want to send it to CHA, but I think from a practical point of view and a cost point of view in terms of the engineering costs, escrows and all that, the most efficient thing to do is to have Mrs. Murphy get the opinion on what you have to do for the zoning variance because that would have an affect on the plan. We will let you do your research and then you get back to us and say "okay, here we are" and then once we have that, then this would give you some time after tonight's meeting. That's why I wanted to do them both at once because I thought it would be unfair to just say go to the ZBA and then the ZBA says okay and then you come back and then we start over again. We are trying to save you some time too. In the next couple of weeks think about what you've heard from the Planning Board relative to what our concerns are with the nature and crowding of the lot. Understanding that you are kind of new with dealing with us for this stuff. We have educated some of the applicants to say in the interest of everybody, don't come in and put the maximum amount of things on, or more than the maximum, that you need in terms of working a compromise. So, it works better for everybody to be kind of reasonable with the submissions. Mr. Nadeau asked is this a new car franchise? Mr. Reese stated it is Chrysler Jeep and Dodge with new and used cars. Mr. Nadeau asked what is the percentage of new cars verses used cars? Mr. Reese stated it would be 3 to 1 new to used. Mr. Ruchlicki stated the following: The property line along the residences on the north side says something there about a lighted fence post. Would it be possible to put a fence along there to create some type of separation between the parking lot because you really don't have anything there as far as a buffer. Mr. Reese stated also what I could do is that I could show the locations of where

those apartment buildings are and then what we can do as far as a buffer, a fence or anything along those lines. Mr. Ruchlicki stated also keep in mind that with all of the parking that you do have, in the wintertime you are going to lose some of that because of the way the site is laid out I don't see what you could possibly do with snow removal. Mr. Reese stated we thought about that as far as with small snow amounts we figured we could push that back but anything that is larger, the owner is prepared to have that taken off site. Mr. Ruchlicki stated this past winter was an exceptional winter and we haven't had one in a long time and I think a lot of things have cropped up over the years that when we were in a mild situation, nobody really paid too much attention to until this year. I just wanted to make sure that we didn't lose sight of that. Mr. Reese stated we discussed that and we said if there is an excess amount of snow, he's going to take it off site. Mr. Higgins stated Mr. Berkowitz also brought up the point about a working farm in the rear and asked where does the drainage go from the retention basin and the overflow basin? Mr. Reese stated the following: Currently there is a Class "C" stream that runs down behind the site that is not more than 30 FT off of the property. It continues on the back behind all of these sites and drains down further south along Route 9. So, it doesn't drain into the farmland. Actually part of that farmland drains into this ditch as well and it just continues down to the south. Mr. Higgins stated did you say that stream was classified? Mr. Reese stated yes, it is a Class "C" stream, per the New York State Department of Environmental Conservation (NYSDEC). Mr. Roberts stated I'm not sure if this has been mentioned before but I think it should; on the subject of the car carriers, under no circumstances would we allow car carriers to unload on Route 9. Mr. Watts stated Route 9 is a dangerous road so we are trying to be careful. Mr. Reese stated our intention is to unload the vehicles in the rear of the site. Mr. Higgins stated the following: So they would have to unload at night. I have a CDL and there is no way that you are going to be able to get in there with a tractor-trailer, unload, backup and get back out. Is the site complete the way we are looking at it? Mr. Reese stated I'm not a surveyor but this is what was surveyed out. Mr. Watts asked Mr. Bianchino if he had any suggestions or thoughts at this point? Mr. Bianchino stated the only thing that we were looking at here was because the parcel to the rear is residential; it requires a 100 FT transitional or 50 FT with the fence and the stream. Mr. Watts asked what about the apartment complex to the north? Mr. Bianchino stated that is zoned C-1 Commercial and the piece to the east is zoned residential. Mr. Watts stated is the DeVoe parcel that is in the rear zoned R-1 Residential or A-R Agricultural Residential? Mrs. Zepko stated it is zoned R-1 Residential. Mr. Watts asked so what bearing does that have on the application? Mrs. Zepko stated the following: It's called a transition zone so whenever a commercial, manufacturing or a light industrial parcel is next to a residential parcel, our code requires a 100 FT transition zone, which means they can't have anything within that 100 FT and/or 50 FT transition with a 6 FT opaque fence. So, one or the other would need to be met. So clearly they have some issues with that rear yard right now when you look at it. Mr. Reese stated it seems like we could put a fence in there. Mrs. Zepko stated right now that would go right through the bio-retention pond area and you can't have anything in that transition zone. Mr. Reese stated so, for verification; you cannot have stormwater storage in the transition zone? Mrs. Zepko stated no you cannot. Mr. Reese stated from my understanding what I'm feeling from the Board is that one area would have to be buffered, the density and anything along those lines. You would like to see a little more greenspace and a little bit softer. Also, you are concerned about how our operations would take place on the site. Mr. Watts stated yes and your hours of operation and delivery times.

This item was tabled for the Town Attorney to review pre-existing conditions of the site and to allow the applicant to react to the Board's initial concerns.

11.067 NB Gil's Garage Inc., 217 Guideboard Road (Country Dollar Plaza) – Addition to Site Plan

Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated the following: We are representing Mr. Mike Brewster who is the owner of Gil's Garage Inc. for a site plan review. This site is located at the Country Dollar Plaza at 217 Guideboard Road. The proposal is to convert the former Wolberg Electric Supply building at the Plaza into an auto repair facility. Changes to the building would be minimal in nature. The applicant would be adding a 14 FT wide drive-through door on the east side of the building and another one on the west side of the building. Also, they would be adding 3 wall-mounted lights; one in the front of the building and one over each of the doors. Changes to the interior building would be the addition of 8 floor model lifts in the building. Also, they would have a customer waiting room service area. They are anticipating 6 employees and their hours of operation would be 7:00 am to 7:00 pm Monday through Saturday. This facility would be used for minor vehicle repair where someone would drop their car off in the morning and pick it up in the evening. Any major repairs for vehicles would be done at their Burnt Hills location. No cars would be stored days on end waiting for parts at the site. They are proposing 8 parking spaces along the east side of the building for employee parking and 8 parking spaces along the front of the building for customer parking. There are also 28 parking spaces for car parking, cars being dropped off and things of that nature. They are also proposing 15 landbanked parking spaces. At this point in time no new pavement would be added to the site. With this configuration we would be removing 8 parking spaces in two different locations, and 2 light poles and this would give the site better traffic flow. Also, they would be adding a dumpster enclosure for 2 dumpsters, one for regular garbage and the other one is for recycling cardboard. All other recyclable waste such as motor oil, other petroleum products, tires, etc. will be stored inside the building and picked up by a qualified company. The signage for this site is still being looked at but they are thinking of adding a monument sign out by the entrance, like the bank sign that is there now. Also, they may have more signage on the side and front of building. All the signage would be designed to meet Town standards. I know that Planning Boards, in general, have issues with car facilities, maintenance shops and things of that nature, but if anyone has seen the Gil's Garage operation located in Burnt Hills, as large as that it; it is well maintained and that should alleviate any concerns as far as the type of business they run. Mr. Berkowitz stated this location is a pretty high profile area and currently the front of the building is all glass and asked is that going to stay that way? Mr. Rabideau stated the following: I'm not sure exactly how much they would be changing the building, but I think a lot of it is staying the same. I know they will definitely spruce it up and it is somewhat in disrepair at this time. Mr. Berkowitz asked how the building would look from the road. Mr. Paul Danei, the applicant, stated the following: We are going to change the paint scheme just a bit in a professional manner. We are not going to make it totally something that would just blatantly be seen. It's going to be subdued but yet there are pillars in the front and you really can't see the pillars because they are painted the same color and we're going to accent that. As far as the glass in the front, that's going to remain the same. The front of the building is going to remain the same. There are not going to be any changes. If there were going to be any changes, it would be inside where we might put some kind of reflective coating or maybe some blinds to block the sun and there might be a waiting room in that general vicinity. Mr. Berkowitz asked is it going to look mirrored? Mr. Danei stated the following: No, nothing like that at all. It would have more of a sunscreen or more like a shade blind. In the front of the building when you walk in, we're going to change that. We're going to make it a 6 FT x 10 FT foyer that would be well lit. The two front entrance doors will always remain open. You can walk in and be out of the rain and out of the elements. You can fill out whatever paperwork you need to and there would be a drop slot in there. The next set of doors that enter the building will always be locked. It would have high security and high lighting. Mr. Berkowitz asked so

the front part of the building is mainly going to be a reception waiting area and are you going to put a wall in to hide the bays? Mr. Danei stated that is correct and when you look at the building, you will see no change. Mr. Berkowitz asked when you are driving by the site what would you see in those front windows, would you see bays of cars or are you going to see a waiting room with a wall separating it and the bays in the back. Mr. Chris Marchione, the contractor for the project, stated the following: When you look at the front of the building, after you come in the foyer; that is going to be a waiting room. So yes, there will be a wall behind that glass and the waiting room, so you wouldn't be looking into garage. Mr. Higgins asked would the glass in the front be full of signs or anything like that? Mr. Danei stated the following: No, that would detract from the look that we want to have. We don't want it to appear like a repair shop. Mr. Higgins stated the following: I'm very familiar with your present location and I agree that you run a top-notch service there. I think what we were a little concerned about is that you're too successful and your other location has a lot of vehicles parked there overnight and for days on end. That is why we're asking some questions about what the site is going to look like. On the side you have some 9 FT x 20 FT parking spaces but if customers are going to be parking their cars there and people are going to be going in and out, what is your justification for not putting 10 FT x 20 FT parking spaces there? Mr. Rabideau stated I guess we were told that 9 FT x 20 FT would work. Mr. Higgins stated the following: That is for employee parking and for parking spaces that basically wouldn't get a lot of use. You only have the 8 parking spaces across the front. If somebody were dropping their car off after hours, would they park it in front or on the side? Mr. Rabideau stated we expect most of the cars to be parked on the side and if those need to be 10 FT x 20 FT we can make them 10 FT x 20 FT. Mr. Higgins stated I'm just asking how the operation is going to run. Mr. Danei stated the following: The front is pretty much going to be a loading spot and if someone drops their vehicle off in the evening they would be parking it there. If someone brings in a vehicle for service, they will walk in and leave it there and our employees are going to take it from there and move it to the side location. We are going to try to keep the front free and clear all the time and that is why we got rid of the handicap parking in those 8 spots; we eliminated that completely. We want a straight shot to the building and we don't want a lot of cars in between. The only cars that would be parked there during the day would be the people who are waiting for the car. We might park a car there so people can walk out to get in their car and that would be a temporary holding area for those vehicles. Mr. Higgins stated the following: Under normal operating circumstances and I know it is very hard to give us an estimate but approximately how many of those spaces do you assume would be filled overnight on a normal work week? Your present site is extremely congested as I have said and that's because you are very successful. We just want to make sure that the site doesn't look like a car storage area. As Mr. Berkowitz said it is a very prominent spot. Also, you're not going to be running any kind of a used car sales or a used car display out of this location. Mr. Danei stated no, we're not; not at this time anyway. Mr. Watts stated not at this time; so you understand in order to do that you would have to come back before this Board. Mr. Danei stated the following: That's correct. Our sole business is auto repair. Mr. Watts stated so you don't have any plans to do it? Mr. Danei stated absolutely not. Mr. Watts stated not to say that you couldn't. Mr. Danei stated there is no car sales, no body shop, no wrecks, no vehicles that would be parked outside that would be damaged and can't be moved. That's not the facility for what we are looking to do. Mr. Watts stated because it seems that over on Route 50 there are an awful lot of cars over there. Mr. Danei stated that's where our heavy-duty equipment is and that's where the bulk of our heavy repair is. It's repair that is kept overnight and engine rebuilds. Mr. Watts asked so if somebody comes to the Guideboard Road location, you would say that that has to go over to Route 50? Mr. Danei stated that is correct. Mr. Watts stated what if somebody tows a car in there and you realize that it's not for light service? Mr. Danei stated if it's not conducive to what we are doing there, we have our own tow trucks and flatbeds. Mr. Watt stated so cars might go from one site to the other site where it might be there for 3

or 4 days. Mr. Danei stated the following: That's correct. We can't afford to do that anyway because we need to have this business constantly turning. The other location is suited better for storage. Mr. Nadeau stated regarding the entrance to the lot; everybody bottlenecks in that entrance and is there anyway that you could possibly stripe a lineage of some sort to direct the people out as well as in to your site? Mr. Rabideau stated I'm open to suggestions because I almost got hit coming in to the site because cars were stacking. Mr. Nadeau stated the following: Right, everybody is trying to go out at the same time and I think some type of a striping of some sort to guide cars through there would be helpful. You also have traffic coming from the bank as well. Mr. Rabideau stated I know and they can't go through there very fast. Mr. Nadeau stated I know and if you have customers trying to come into your lot and then there are people coming out too. Mr. Rabideau stated I'm not sure of the general traffic pattern and how many people actually use this but I imagine some do to avoid the intersection. Mr. Watts stated the following: What is supposed to have happened relative to cars cutting through from Guideboard Road to Hayner and back and forth? Does anybody know what was supposed to happen back there with cars cutting through to go to Hayner? Mr. Peter Vasilakos, owner of the plaza, stated a few people still cut through there but we could put up bollards if you want us to. Mr. Watts stated that's a possibility and to be honest with you, if I'm at the Trustco and I want to get to Route 9, I'll go out through that way. Mr. Williams stated they also have deliveries to the back part of the plaza. Mr. Watts stated the following: We will have to refer this to CHA and one issue I would like Mr. Bianchino to look at is the general lighting in the parking lot because it seems kind of dark there. Also, are we going to limit the amount of cars that can be at Gil's because the rest of the parking lot can get very busy? What is the load of the cars for the business so we don't a situation when Tae Kwon Do and Salty's are busy? Mr. Rabideau stated the following: We have a situation where we do have 15 parking spaces landbanked. If it becomes an issue, I guess we would be entitled to construct those. Mr. Watts stated the following: Or we could make it an issue by agreeing to talk about the number of total parking spaces allotted to Gil's but I wouldn't know how we would do that. It's a busy plaza and I'm sure Trustco doesn't want cars overflowing into their parking. Mr. Williams stated the following: The west side of that building is for cars that would be serviced and stored there. That area is separated from the main plaza parking lot by those buildings. Mr. Roberts asked how many cars do they expect there at one time? Mr. Danei stated to be honest I hope we are packed solid, but I just don't know. Mr. Roberts stated but you see our concern, right? Mr. Danei stated absolutely but I don't want to limit our business. Mrs. Murphy stated the following: We have limited, at prior sites, the amount of parking spots designated for cars that are being serviced on site based on the constraints of the site itself. So, you can surely designate an appropriate area and an appropriate number and I think that is why we are having CHA look it. Mr. Danei stated the following: If the west side is available to be extended, would that incur a limit? Because no one is going to be parking on the west side or the Route 9 side of the building that is separated from the rest of the plaza. I guess what I'm saying is nobody would come around from Salty's and park in that area. Mr. Watts stated the following: I was more concerned about based upon what I have seen up at Route 50, but you have alleviated some of the concerns. I just didn't want you spilling over into the parking where the Tae Kwon Do is and Trustco. Mr. Danei stated the following: That was not our design. Our design is to make our parking on the Route 9 side just so we wouldn't have a problem with the rest of the plaza. Trust me; we want this facility to be much better looking than you do. Mr. Rabideau stated right now between employee parking, customer parking, a parking area and landbanking we have about 59 spaces available and you really only have 8 less and I don't know what your turnover on that is. Mr. Williams stated there are 59 spaces and I think we require 30 spaces from your total, plus the landbanked spaces. Mrs. Murphy stated I don't think it is a question of code; it is a question of realistically limiting them parking at one of these other sites. Mr. Williams stated the west side of the site could have "Gil's Parking only" and the parking in the front for the "customers only". Mr. Berkowitz

asked would you be storing any tow trucks or flatbeds there? Mr. Danei stated not at this location but we would at our Route 50 location. Mr. Berkowitz stated you could call them down if you need them. Mr. Danei stated that's correct. Mr. Watts stated at this point we will refer this to CHA for review of the parking, the lighting, the whole circulation issue, the Hayner Heights issue and the buffering.

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

11.068 NB Kosowsky Subdivision, 30 Werner Road – Minor Subdivision

Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated the following: I am here tonight representing Philip Kosowsky in his request to create a 2-lot subdivision. The parcel is located on the westerly side of Werner Road at 30 Werner Road. The applicant is proposing to separate the 2-acre parcel into 2 lots. The first parcel would be 0.79-acre lot with the existing single-family house and a swimming pool. The rear lot would be a 1.21-acre flaglot for a proposed duplex. This parcel would be set-up to have a common ingress/egress for the existing driveway that is there now. The plan shows a shed and a doghouse to be removed, which have already been removed. Public water and public sewer would service both parcels. The sewer and water for the proposed duplex would run through an utility easement. The wetlands have been delineated and there is no disturbance. Mr. Higgins asked is the road frontage 20 FT or 40 FT? Mr. Rabideau stated 20 FT and there is an ingress/egress easement of approximately 40 FT.

Mr. Roberts made a motion to set a public hearing for the June 27, 2011 Planning Board meeting. Mr. Nadeau seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the June 13, 2011 Planning Board Meeting at 8:59 pm. Mr. Higgins seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Board Secretary