

## **Town of Halfmoon Planning Board**

### **Meeting Minutes – February 25, 2013**

Those present at the February 25, 2013 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:** Roy Casper

**Town Attorney:** Lyn Murphy  
**Deputy Town Attorney:** Matt Chauvin

**Town Board Liaisons:** Walt Polak

**CHA Representative:** Mike Bianchino

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Mr. Watts opened the February 25, 2013 Planning Board Meeting at 7:00 pm.

#### **Public Hearing:**

##### **06.185 PH Princeton Heights, Princeton Street – Major Subdivision**

Mr. Watts opened the Public Hearing at 7:09 pm. Mr. Watts asked if anyone would like to have the public notice read. Mr. Watts read the public hearing notice for the Princeton Heights major subdivision. Mr. Jason Dell, of Lansing Engineering, stated the following: I'm here tonight on behalf of the applicant, Mr. Peter Belmonte, for the Princeton Heights Residential Subdivision. The project site is located at the terminus of Princeton Street as well as located on the south side of Manchester Drive. The parcel is approximately 39.2-acres and is predominantly brushy and wooded areas. The proposed project consists of subdividing the parcel into 51 single-family lots in accordance with the Town of Halfmoon zoning in the R-1 (Residential) district which requires a 20,000 SF minimum lot size. The average lot size that we're proposing for the project is approximately 26,818 SF, so that is significantly larger than the 20,000 SF minimum. The largest lot size that we're proposing is located along the northern portion of the property that is 65,597 SF and that is also significantly larger than the 20,000 SF minimum. The smallest lot size is just above the 20,000 SF minimum. There would be two means of access for the proposed project. The first access would come off of Manchester Drive and that road would traverse south to a cul-de-sac. The second means of access would be provided by Princeton Street. The project proposes to connect to the Town of Halfmoon municipal water system as well as to the existing sanitary sewer system and the gravity connection would be made out to Manchester Drive. Stormwater would be managed on-site in accordance with the New York State standards. The conceptual plans have been submitted to CHA for their review and we have received comments on those plans. Those

plans have subsequently been revised and resubmitted to both the Board as well as CHA. I would like to just briefly bring up and touch upon several significant concerns that the Board had at the last meeting. The Board had requested some vegetated screening between the existing residents along Princeton Street and Lots #2 and #51. On the revised plan we are showing a vegetated screening line along there that we would work out details with CHA with the size, species and orientation of the trees. Additionally, the Board had concerns with several of the lots having an inadequate buildable area with the associated wetlands that were on that lot and we subsequently submitted a plan that shows the lots and the building area as well as the wetlands. It does show that we have significant building areas even on the lots that have the wetland areas. Finally, the Board has had significant concerns pertaining to traffic, the existing roads and the road infrastructure. Mr. Mark Nadolny from Creighton-Manning Engineering is here tonight to explain the studies that they have done and the information that they've compiled to put to rest those concerns. Mr. Nadolny stated the following: We conducted the original traffic impact study for this development that was submitted in February of 2007 and it was subsequently updated based on the revised site plan and also based on some of the concerns the Town had with the one access point to Princeton Street. The developer went back and took a look and proposed that second access point to Manchester Drive, which subsequently changed our distribution of traffic and we reevaluated the impacts that it was going to have on some of the area roadways. The supplemental traffic study was submitted in October 2012. In addition, the site changed slightly where it went from approximately 47-units and our study was done for 52-units and I believe Mr. Dell has stated that the proposal is now for 51-units. So, there was a slight increase from the original traffic study that was conducted back in 2007. Looking at this site with the 52-units, we wanted to determine how much traffic these 52-units would generate. We looked at the ITE (Institute of Transportation Engineers) trip generation handbook, which is the industry standard for trip generation, and a development of single-family homes for 52-units would generate approximately 47 trips during the morning peak hour and 58 trips during the pm peak hour. So that's 1 hour for the worst case situation that these homes would generate. Just to give you a sense of background; there is approximately 166-units existing within the North Wood Development and those are generating 30 to 40% less than what the estimate for single-family homes would generate, which indicates that if these homes generate similar to the homes that you all live in, our numbers are conservative. We actually distributed more traffic than what is currently being experienced out there. So, we're confident that the amount of traffic that we're assigning to the area roadways is conservative based on what's actually going on there right now. Based on the new development; we redistributed traffic to Princeton St. and about 55% of that traffic will go to Princeton St. The other 45% would go to Manchester Drive and then access out to Dunsbach Road over to Woodin Road and Grooms Road. The way we look at impacts is based on the amount of delay people experience when they approach an intersection. The original study looked at 5 intersections; Grooms Road and Woodin Road, Woodin Road and Manchester Drive, Manchester Drive and Newcastle Road, Cambridge Ave. and Dunsbach Road and Woodin Road and Stone Quarry Road. The evaluation indicated that there would be an indiscernible amount of delay increase associated with this development because there is not a lot of traffic existing within this development. So, with addition of 52 homes and the traffic associated with that, of course you are going to see an increase in traffic. The amount of delay that you are going to experience is not going to increase from 10 seconds to a minute; it's going to go from 10 seconds to maybe 12 seconds. So, it's going to be about a 1 to 2 second increase in delay. We took another look at that evaluation because of the two separate access points, and again, the amount of delay increase that you're going to experience is fairly negligible. The second thing that we looked at for the new site plan was the sight distance at the Manchester Drive access point. The sight distance is the

distance that a person can look left and right in order to exit the development and also in order to make a complete stop in case someone pulled out in front of you. The sight distance at this development was reviewed based on guidelines from AASHTO (American Association of State Highway and Transportation Officials), which is our industry standard. The sight distance indicates that there is adequate sight distance looking left from the Manchester Drive access point, but looking right is limited by some existing bushes and those bushes are right on the corner and it really limits your sight lines. We believe that those bushes are located within the Town right-of-way and that's something that we're going to have to survey and confirm and see if we can relocate, if those bushes can be relocated, and then adequate sight distance would be provided in all directions exiting the Manchester Drive access point. The other access point would just be coming to the existing Princeton St. roadway, which has good sight distance. The last evaluation that we looked at was a noise analysis. The original study looked at 10 different receptor points within this area and what happened is that we sent someone out in the field and what they do is they take an average measurement of noise in this area and the dominant source of noise is, as you all know, the Northway. The amount of traffic that's going to be generated by this development would not supercede that dominant source of noise and the evaluation in summary indicates that the decibel increase associated with this development would be approximately 1-decibel of noise. The human ear can only discern approximately 2 to 3 decibels of increase. The amount of noise would be pretty much indiscernible to the human ear associated from the traffic generated by this development. We also looked at some of the geometry of the roads within the development and all the roads are posted at a 30 mph based on AASHTO. Criteria for local roads should have a 20 to 30 mph speed limit with 2 lanes of traffic that provides at least a 10 FT travel lane in each direction and in some cases even a 9 FT travel lane is considered adequate. All the roads within the North Wood subdivision have at least 20 FT roadway pavement with some having slightly more and there are also some shoulders. Based on the criteria of the roads out there, they are of adequate width to accommodate local traffic. In addition, the Capital District Transportation Committee (CDTC), which is the local Metropolitan Planning Organization (MPO) in the area, indicates that local streets that have a traffic volume below 200 vehicles per hour are generally considered by residents as possessing desirable neighborhood amenities with minimum physical danger, congestion, noise, vibration, dust and air pollution. So, that 200 vehicle per hour threshold on a street is kind of that nice medium for a local roadway. The current traffic out there and the additional traffic from this proposed development would not come close to that 200 vehicle that CDTC has indicated is a good and desirable neighborhood conditions for local and residential streets. That is kind of a summary of the traffic evaluation that we did. Mr. Dell stated we are here tonight to answer any questions the Board and public may have and to advance the project forward as the Board sees fit. Mr. Watts asked if anyone from the public wished to speak. Mr. Doug Cohen, 7 Princeton Ave. stated the following: I live in the house directly across from proposed roadway B. At the last meeting Mr. Belmonte said that people have to take responsibility for their privacy and that's why I'm here. Regarding the traffic study; the numbers are great if you're not the house the roadway is pointed at. Your numbers said that approximately 55% would go to Princeton St. and if we look at your peak time of 58 cars per hour and you take 55% of that that, is approximately 31 cars. You didn't say which entrance on Princeton St. you would expect that to go to. So, for arguments sake, I'll split that in half. That means during peak time approximately 17 cars are coming directly at my house. I did appreciate in the Town meeting notes that Mr. Belmonte said that he would work with us. I do have a concern and I have a young child that plays on the front lawn and now I will have approximately 17 cars per hour pointing at my house looking into my house. So, I'm here less about the overall traffic because I know everyone else will deal with that but there is going to be significant traffic and people staring

directly into my house and that is something that obviously concerns me having lived there for approximately 10 years. Mr. Todd Haar, 2 Manchester Drive, stated the following: I have a couple of questions on the traffic study. Where was the meter placed on Manchester Drive when you did the count? Mr. Nadolny pointed out on the plans where the meter was placed and stated that it was placed just south of Adsit Lane. Mr. Ouimet asked is that the only one that was placed on Adsit Lane. Mr. Nadolny stated yes. Mr. Haar stated the following: I believe it was placed just west of Adsit Lane. The reason why I questioned that is because living on the corner, basically he missed 50% of the count on Manchester Drive. There are 13 homes on Adsit Lane and I never got counted in the study from that counter. If the Town doesn't have precedents on how the traffic studies are done, it makes it difficult for me to dispute it. I'm just wondering if there are any guidelines that the Town has and is he allowed to put his traffic study anywhere he wants? He put it 4 driveways before his new entranceway. If that's acceptable, then I will have to take it at face value. There are 13 homes on Adsit Lane and 4 more here for a total of 17 and there are 17 homes from Adsit Lane to roughly the halfway point on Manchester Drive where people go in either direction on Manchester Drive. Maybe that doesn't affect the traffic study but that was just something that I was curious about. Mr. Nadolny stated the following: The reason for installing the traffic tubes across the road was not necessarily to get the amount of traffic traveling on Manchester Drive. We did that with the traffic count where someone actually sat at these intersections and counted them, it was to get the speed along Manchester Drive and the reason why it was placed here was because there wasn't a whole lot of places to actually bolt the tubes into the ground. So, we picked here because we didn't want to get traffic turning onto Adsit Lane, which would give you some false readings. If we placed the tubes in another location, we would get vehicles slowing down to turn onto Adsit Lane. By placing it here there is really no reason for people to make the right turn to come this way on Manchester Drive and similarly to make the left turn. So, by placing the tube here we were hoping to get the traffic traveling at the operating speed that was continuing on Manchester Drive and that was the reason why it was placed where it was placed. It was not to count the number of cars. It was mostly to get the speeds from people exiting this stop sign coming around this corner and that was the reason for the Automatic Traffic Device (ATR). Mr. Haar stated the following: I guess I find that a little hard to believe that they wanted to eliminate half of the traffic that goes by my driveway. If they were looking for a place to bolt down that counter, there is a stop sign on Manchester Drive that's parallel to the end of my driveway and they could have bolted it there just as easy. I understand from the engineering standpoint what you're saying and thank you for that. Regarding water and sewer; you're saying that you're going to try to come off of Manchester Drive only at this point. Your drawing is showing the hookups on Princeton. Is that correct? Am I seeing that correctly? I understand that a 60 FT right-of-way has been added on also to the south side of this and has been requested by CHA, is that correct? I see a majority of this traffic probably heading out this way and towards Manchester. Everything that people are going to want to buy is in that direction during the weekends anyways. I don't see people coming from here going up and making a right, going up making a left, making a right, a left to Dunsbach/Woodin. I see if you just cover this top part up, you got a perfect flow of traffic right over a single right hand turn and you're up to Woodin. So, I would think that there is going to be a much higher level of traffic on Manchester than you are going to see on Princeton. That's my own personal opinion. Mr. Bill LaBarge, 1 Princeton St., stated the following: We have been there for about 25-years and my primary concern is this: When we first moved in to Princeton there were 2 houses and then the person who owned all the property did a clear cut of the hardwoods in that area that you're looking at now and the sound levels went up significantly. The representation that the sound level will only go up 1-decibel is absurd. The sound level has increased amazingly since they cut down the hardwoods and they are going to clear cut more to

make this happen. Is there anyone on the Board that has walked through the woods at high peak times around 5:00/6:00 in the morning or 4:00/5:00 in the evening? I walk in the woods everyday; there are deer, there are fox, there are wild turkeys and it's an absolutely gorgeous place to be. If Belmonte really wants to make his name, he could make it into Belmonte's Park and have something like Kinns Road, which would be a lot nicer. That being said, I know he can't make money that way but please before you approve this, go up into the woods and walk where these houses will be at rush hour and hear the sound because you have to shout to talk to one another. If you cut those trees down, you're changing the quality of life for the people in the existing development and you're changing it significantly. Ms. Deb Jones, 10 Manchester Drive, stated the following: I live at 10 Manchester, which evidently would be the other entrance to this and it would dump out across the street from my house. This is Janice and our houses would be at the entrance together. That is my one concern, the intersection of Woodin and Grooms. That's a horrible intersection now with the little bit of traffic that we have and adding all of these homes would just make that tremendously worse. If you get stuck at that traffic light, and it's a very short light you sit there for 5 minutes now. If a bus is there picking up a kid, you'll be there for 15 minutes. Going forward I think that intersection will be a real mess. Ms. Janice Hartley, 12 Manchester Drive, stated the following: My major concern is the amount of traffic in my living room at any hour of the day or night. Another concern I have is with the amount of traffic. We have plenty of people within the neighborhood, plenty of children, people who are constantly walking their dogs, people walking for exercise and fitness and sometimes you have to look over your shoulder for cars coming up behind you but most of the times, not really. Our neighborhood is very community oriented and a lot of us know each other, I'm really afraid regarding the amount of traffic and cutting down on the amount of outside activities going on. Lighting in the development with all the excess traffic: street lighting, sidewalks and things like that. Right now we walk on the road and that's okay to continue but not with the magnitude of traffic that might be coming in through there. Mr. John Dobis, 6 Princeton, stated the following: (Mr. Dobis showed the Board where his home was located on the map, which is now the proposed corner of a new turn.) I've lived on Princeton for 14-years and I'm an original inhabitant there. I did a basic google map search of the 2 houses in the North Wood Development that are the furthest apart from each other. I picked the southeastern side, 29 Cambridge Ave., and on the northwestern side, 23 Manchester Drive and I did a drive between those 2 houses. That's the first map that you're looking at. It is eight-tenths of a mile between the 2 furthest homes in our development. Then what I did on the second page for you to consider is I went to our Town Planning Board map with all the parcels on it and I looked at how many homes were within those parcels and I was able to come up with, and I think that the gentleman who did the traffic study kind of reaffirms this; that there is 150 single-family homes, not blank pieces of land, 150 homes within eight-tenths of a mile. So, my next step was to go through the rest of Halfmoon and I even went into Clifton Park to see if there is any other part of Halfmoon or Clifton Park that's this densely populated. I was not able to find anything even remotely as densely populated as this particular area. To me, to add 50 more homes to this community is a big stretch. It's a stretch and a big strain and you can see from the turnout today what people's interest levels are in it. For my family and me personally, I go from the side of a dead end street to the corner of a major thoroughfare essentially. The negative impact is great and would take a long time to adjust. So, I'd give that consideration too as to looking at the overall density of this particular area and whether we need one home in this area let alone 51 homes. Mr. Edward Johnson, 25 Manchester Drive, stated the following: I don't think the person who has done this survey has ever been at Woodin Road going towards Groom Roads between 3:30 and 6:30 pm because you can't even get out of our development now. So, you add more homes to it and you are going to have a real disaster area there because it is going to be impossible for mobility. We'll

have to go the other way around to get out because we won't be able to get out through Manchester Drive anymore. Also, if you're coming from Manchester Drive with your sewer and you're going to tie into the existing sewer system, which right now is going to go down probably to the pumping station on Grooms Road that can't handle it now. I've seen cars and trucks in there trying to make repairs. It's a problem now and what's it going to be when you add another 51 homes into this? Mr. Jerry Newell, 2 Manchester Drive, stated the following: Right now I have a buffer zone with trees facing Woodin Road. From what I just heard, it seems like they say it's the right-of-way. Is someone going to come to me and say that I'm going to have to move what I have there to keep the noise down? The median mall there is Town property from what I understand. Over the years I have maintained it, I put up the new sign that's there and I've done all the work to keep our development looking as it is today. It's a community where everybody pretty much knows everybody and I feel that this disruption here, the extra traffic and the fact that I'm right there at the stop sign, is going to be unbearable. I feel that what these other gentleman and woman have said has a lot of merit and you should take that into consideration. Ms. Kathy Kowsky, 132 Dunsbach Road, stated the following: I live at 132 Dunsbach Road but I have interest in 134 and 133 Dunsbach. It is part of a family farm. The property at 133 Dunsbach is abutted by Cambridge Drive and it goes into North Wood. Right now, starting at 5:00 am you can start counting the cars coming out of Cambridge and they do not stop at the stop sign and we have had numerous near misses and a couple of not near misses. What the problem is going to be is the case study he's showing that does not show as many cars coming out of North Wood because North Wood is an older development and I think there are a lot of retired people. They don't get up early in the morning to go out. But if you have 51 new homes and the homes are going to be average priced, you're going to find that there will be young couples with kids. You're going to have at least 2 or 3 cars per family and it is going to be a nightmare. Some of you know the area and Dunsbach Road has a large culvert between 128 and 132 Dunsbach. If that culvert is blocked, you get about 30 FT of water up against the road, it moves the road and most of this nice area will be a reservoir. It has happened numerous times in the past for different reasons. They've replaced the culvert and it has happened again. In this case they are dismissing too much about the wetlands. There is a lot of water. That area is clay over shale with water sitting on top and most everybody that lives in North Wood knows that because when you dig down, you find water real fast. I'm upset about the additional traffic because as cars come out of Cambridge, they go down towards Exit 8 and I get the headlights in my house all the time. But the thing is, the topography of that land. That land was pretty much family land years ago. I don't know if you have walked that land because there is a lot of ups and a lot of downs. There is a lot of water that has to come out through there and some of that water actually comes out from the other side of the Northway because the Northway cut through the family farm and it was landlocked. There is a lot about this area that a lot of people don't realize but just because it's there does not mean you have to build on everything. The other thing is the fact that the clear-cutting that the one gentleman had mentioned. I have a waterfall in my front yard because I have water that comes from that side of the road and comes down through my front yard. When I first moved in 30 years ago, I used to open my windows and listen to the waterfall at night. When they did that clear-cutting, there was the sound of cars coming from the Northway and it resounds down through the ravine that is between my house and my cousin's house to the point where you get blasted if you open your windows at night and during the day it is unbelievable. So, I would invite people to take a walk out there. When you're out walking you can't even talk to your walking partner because of the sound of the Northway. This area is going to take down the buffer and that buffer is what's saving the sound from the rest of us right now. Mr. John Lear, 4 Cambridge Ave., stated the following: The traffic study doesn't address that light at Grooms Road. You can't make a left hand

turn, and we all know that, specifically at rush hour. The proposal I have is that we need a 3-way stop at the entrance to North Wood. Cars come off of the interstate and they're still going 55 sometimes and our reaction time is nil when you're pulling out left. I go all the way to the right on Manchester and I still have a hard time. We need every foot of distance to protect yourself from cars that come around that curve. As was mentioned, with the small trees, it is a very dangerous intersection. I'd also advise you to make the boulevard officially one-way. I know there is a little two-way traffic but it should be one-way. I believe on Manchester at the stop sign heading east, half the people disregard it and cruise through it. Now if we're going to have construction traffic, heavy trucks and loads, you're going to have to remove that stop sign so they're not stopping, they're not gearing up, gearing down, let them roll on and get them out of there. That's one of my proposals. You need to have a restricted path for all your construction vehicles. I would try to get them off of Princeton. Princeton has the most children in our development with wall-to-wall children and that's where you're going to be running all these vehicles through. I don't live there but we walk the dog everyday and that's the nicest place to walk and we see the children out there. The heavy vehicle noise is going to contribute to a lot of people wanting to move from our area. Another proposal; I would like to have everything done Monday through Friday but I know that's not feasible, but no heavy construction on Sunday. We hear construction going on at Stone Quarry because we can hear the booming with dynamite and whatever they are doing there even on Saturday. I can even hear construction there on Sunday from North Wood to give you an idea on how sound propagates in the area. A question that one of my neighbors has asked; are we going to lose water pressure? Can anybody answer that? We don't know. Another questions that I have having lived in Waterford that had a similar situation where you're building these houses up on a high plateau. Water always flows down. You're clearing the watershed. Are people at the base of Newcastle, who always have water in their basements, going to get more water? What can you address? We have all of this drainage. Are we going to have a reserve fund from the builder for like 10 or 15 years after he's built for future problems that we're going to have? I've seen this happen in Hawaii when I was there. With all the new construction, you'll find out 10 or 15 years later when you have a heavy rain that you have a problem. Mr. Phil Cortese stated the following: I live on the corner of Newcastle and Princeton so everybody coming around into Princeton is going to go past my house. The last time I was at one of these meetings there was concern about the width of the roads in the old development for emergency vehicles. I can tell you right now if somebody is having a party and they have cars parked on Newcastle Road, there is no way an emergency vehicle can get past there. In the past summer I counted at least 3 drainage sewer covers that had to get replaced or repaired because they are falling apart now. What's going to happen when all of these trucks are driving on those old roads that are starting to age and crumble? They have to clear all of this out and remove it and it's not going to be done in 5 minutes or 5 days; it's going to be a while. I'd like to know how long it's going to take for them to do that. Also, a while ago there was a plan to have an access road over by the golf driving range for the construction and that seems to have disappeared. Once again, my concern is are these roads going to be able to handle all of this traffic because I don't want to hear trucks going past my house Saturday morning at 6:00 when I'm trying to get my 1 or 2 hours of extra sleep that day. Also, my kids and my neighbors kids all play there because it is a dead end and it makes it a safe place. I feel comfortable letting my daughter go out on her bike and ride up and down that street and she doesn't go anywhere else in the neighborhood without my wife or me. There is really no benefit to us that are already here for this. I don't see a park, I don't see anything that's going to say "hey, we're going to disrupt your life, but we are going to give you something for it". I don't see anything here at all that shows that. Not only is it going to be a major disruption while you're clearing it, and building it, but I also think that it's going to be a continued disruption for the people

that already live here especially if an emergency vehicle has to get through there, or if the sewage system isn't work properly, or if all of the grates are sinking into the ground. So, I just think that if we're going to add all this extra traffic, it's going to ruin all the roads that are already there that we're living on. Are you guys going to come in and build that back up? What's going to happen there? Is the infrastructure going to take care of all this mess that's going to happen while they're bringing in these logging trucks and while they're bringing in all this stuff? That's my biggest concern. Ms. Maris Coburn stated the following: I live on the corner of Oxford and Newcastle, which is directly across from Princeton. They have really addressed a lot of my concerns but I also hear you talk about a 30 mph speed limit in our development. You would kill yourself driving 30 mph in our development. Have you walked or driven through there? Because you couldn't. It's 20-22 mph tops because you have to look for kids, it's hilly, it's windy, and there's blind curves. That's all I have to say about the rest of traffic. Mr. Haar stated the following: This is a statement for the engineering firm. Where the proposal is coming out on Manchester, we don't have storm drains at all along Manchester and Adsit. 8 Manchester has one drain in their yard that goes directly under Manchester and then exits right out to the stream. This is one of the reasons why this individual moved out of his home because there is water that occurs, and the Town has been up on occasion. It comes down and goes across the road and then you end up with about a 50 or 60 FT long (the complete width of the road) sheet of ice. Mr. John Pingelski, the Town's Highway Superintendent, was here tonight and he will confirm that because they came down about 3-years ago, and in a nice, very easy, cost effective way, they redid the edge of the road. If you put this project in without any storm drains, is that going to create another issue along here? Could something be done? Could this be pitched towards the stream so if any stormwater comes off of that it would come back over into the streambed and on out as a natural way without storm drains? But I would hate to see that happen. Again, there is one individual that I talked to today who is 87 years old and I showed her what was going on. She couldn't be here tonight. She does walk her dog around there. It's a minor thing but still the sheet of ice shouldn't be there in the first place. The Town did come up every morning and salt it, which they did for almost 2 years. Could that be addressed by simply sloping the road and your access road away from Manchester? Mr. John Gironda, 6 Suffolk Lane, stated the following: I don't have a specific question but there have been a lot of questions about the drainage, which is very important. So, could you guys give us an overview of where the rainwater and snow melt currently drains? I know there's a system of creeks in the back and some are in the middle of the woods and some are right near homes, mine being one of them. So, could you explain how rain and snow melt filters now and any changes that are going to happen with the construction because those streams are sand? There are no rocks and there's no method to keep erosion from happening and those streams erode very easily near our house and they are just going to keep on getting wider and wider. Mr. Dell stated the following: As part of the project a very detailed Stormwater Pollution Prevention Plan (SWPPP) will be prepared and submitted to CHA for review, which will provide a very detailed analysis of both the existing conditions, stormwater runoff, drainage patterns as well as the proposed conditions of runoff and drainage patterns. Right now we obviously have the wetland channels located in the northern part of the project, which I think is the concerned area. That's part of the detailed analysis that's done. There is a very detailed stormwater model that's done for both the existing conditions as well as proposed conditions. That is in accordance with the New York State Department of Environmental Conservation (NYSDEC) standards and will be scrutinized by CHA such that the post-development flows after the project is constructed will not be any greater than the existing conditions. That is accomplished through the use of these large stormwater management basins. All the water from the impervious surfaces in the project will be directed to the road drainage system and will then be directed into the stormwater management basin, which



will have outlet controls within a concrete structure that will limit the flows during the various storm events, from your very minor 1-year storm event, all the way up to, and including, the 100-year storm event which will be detained within these stormwater basins. So, you will not see any additional off-site drainage and certainly no off-site drainage problems associated this project as we will be collecting all the proposed impervious surfaces within the closed stormwater system to these basins and then off-site. So, you may have some drainage from your woods and your lawn areas on the backside that will flow off the property. However, everything else would be collected and maintained on-site such that your post development flows are equal to your existing condition flows right now. Mr. Bianchino stated that is the way the regulations are written by the NYSDEC and those are regulations that these guys follow; the peak storm rates should not exceed and should be less than or equal to what currently runs off the site. Mr. Gironda asked are you going to come out and measure the stream now so you know what the flow rate is now? Mr. Dell stated the following: Typically we do not come out and measure stream rates, as they're different from day to day. We do it based upon the computer programming as well as the established NYSDEC methods of quantifying both the existing conditions and proposed conditions. Mr. Gironda asked so we shouldn't expect any increase in the flow rates, right? Mr. Dell stated correct. Mr. Berkowitz asked have you been out there yet? Mr. Dell stated I have not been there recently, no. Mr. Berkowitz stated so when you are out there, we could have another public hearing or public informational meeting based on this. Mr. Dell stated I don't understand what the question is. Mr. Berkowitz stated you're not giving us an answer on what the water is like on that site because you have not been out there. Mr. Dell asked are you asking me what the water is doing right now? Mr. Berkowitz stated yes and where it's flowing. Mr. Dell stated the following: There is a creek channel along the south side of the property where water flows off as well as on the north side where we got the wetland channel. Mr. Berkowitz stated but you have not been out there yet. Mr. Dell stated no, we base this upon our survey information that we use that has the detailed elevation associated with it. Mr. Berkowitz asked did you do the survey? Mr. Dell stated no, that was done by VanGuilder and Associates. Mr. Berkowitz asked when was this? Mr. Dell stated I do not know the exact date of the survey. Mr. Higgins stated it says 1991. Mr. Dell stated if the topography needs updating, we will certainly have it updated. Mr. Peter Belmonte, of Belmonte Builders, stated the following: I think there are a number of things. One is, Mr. Dell is only one member of Lansing Engineering firm and Mr. Scott Lansing is the principal of the firm. Mr. Lansing has been on the site on multiple occasions. The second thing is the date on the topographical survey I can't specifically speak for but this has been a wooded site all along. So, the contours themselves and the likelihood of having them changed are minimal. Do they need to be confirmed? Absolutely. The key here is that we are going to design to all the regulations presented to us by the NYSDEC and under the guidance of CHA, which is the Town's engineer, to make sure that we're conforming with those regulations. We're not avoiding anything. It's just the phase of the project that we're in right now where we are looking for approval then move into the detailed engineering phase and then CHA will review all the detailed engineering as a result of the various regulations that we have to comply to. So, we need to keep the questions directed towards the stage of the process that we're in right now. Mr. Dell is new to the project and Mr. Lansing has been the administrator of the project all along. Mrs. Cathy LaBarge, 1 Princeton St., stated the following: I have a letter from my new neighbors who live at 3 Princeton St. and their names are Victoria and James Shear and they were not able to be here tonight so they asked me to read a letter for them. Mrs. LaBarge read the letter from Mr. & Mrs. Shear – (see below):

VICTORIA SHEAR  
3 Princeton Ave  
518-322-5030

February 25, 2013 Re: Princeton Heights proposal

Dear Board,

My name is Victoria Shear and my husband James, daughter Chelsea Mancusi and I moved to 3 Princeton Ave in July of 2012. After over a year of searching we found the perfect home to fit our needs: quiet, dead end, low traffic. My husband works nights so we searched almost in vain for a home with low morning traffic. I have an older disabled daughter that is frequently at our home so I also needed light traffic in the event she wander beyond our driveway. We found the ideal location at 3 Princeton, had fun during our community yard sale some of our neighbors brought up the proposed development somewhere beyond our street. At that point I wasn't too worried, thinking maybe 10 homes, not too bad. When I received information about the actual number of homes and the plans to have the entry to these 51 homes practically outside my door I felt absolutely sick to my stomach. I feel as though our quality of life and peace of mind will be shattered. Can our roads handle an additional 50-100 cars each day? Absolutely not! It is often hairy traveling on New Castle with one car coming toward you I cannot begin to fathom the congestion this will cause in our small neighborhood. My daughter and I have respiratory concerns that will only be aggravated by the coming and going not only of personal vehicles, but of buses and construction vehicles. I am sick because I feel as though we are stuck in a home we ~~would~~ never have purchased. I oppose this proposal whole heartedly! Victoria Shear

Mrs. LaBarge stated the following: I just wanted to make a couple of other comments because, as I said, we've been here before and we've done this before. I feel like some of us have been opposing the building of our woods for many years. My husband and I have lived in our home for 25-years. I know something is going to happen. We all know that something is going to happen. We would just really like to minimize the impact on our quality of life. When we were driving here today I said to my husband "I don't know how the Board can sit here week after week and listen to groups like this just whine and whine and whine". I have to tell you that you've been very responsive, you've listed to all of the concerns that we've had over these many years about a development in the North Wood development and we've been able to ward it off. Again, I know it's not going to last forever. I believe my husband and I are going to be moving in a couple of years partly because I can't stand the noise of the Northway. We have a camp up on Lake Champlain and it is quiet. So, where would you like to live? Would you like to live in North Wood where you get the constant roar of the Northway or across the street from Lake Champlain where it's beautifully quiet? I'm going to miss our neighborhood because we love it. Regarding the 30 mph speed limit. Very few people can go 30 mph in our neighbor as someone else said. We intentionally drive slower because we know that people are walking their dogs and that kids are out playing. Most of us drive around 20 mph. We do get the occasional person who has no respect. I want to comment about the water problem because I remember when my husband and I first moved here. There were only a few homes and there were none of these wonderful neighbors that we have now and this was just all gorgeous woods and some of you have grown up there and you know. The thought of clear-cutting this is just terribly painful to us. Again, I know it's going to happen but I'm sure you understand how painful this is for people. I just want to encourage the Board, if you could, and I know you're not going to come out and walk through our woods, but if you could, I think that would really be great. Please drive our streets. I know this came up at one of the last Town meetings where we were discussing this and we asked you to please go and drive our streets so that you know what we're talking about. Some of the streets have been made wider over the years with the new construction on Princeton. Our Street was made wider and we lost half of our front lawn. But as they clear-cut the woods, we also got a tremendous amount of additional water some of which came into our basement. I think people brought up a lot of good points about the water flow. I think the one good thing about this is if they do clear-cut the woods, North Wood would finally be mosquito free. Mr. Watts stated the following: I would like to thank Mrs. LaBarge for her kind words. This Planning Board is comprised of people who live in the Town of Halfmoon as well. Many of us have been here for a number of years and we try to balance what's in our ordinances and do our best for whatever is going on in the Town; be it recreational activities or development, or whatever. We just don't rubber stamp what developers come in and ask for. I believe this project started out with over 150 units of duplexes. I can remember some discussions back then with the developer about that project. So, we try and we appreciate the people who know that. To the person who was speaking earlier about the noise from that recent development; I live in Maple Ridge and that is noisy. Let me tell you, there have been discussions with the developer particularly regarding why you need to work at 7:00 in the morning. So some of the things that people find bothersome, we're on the same roads, we live in the Town, we care about the Town and we do our best for the Town and that's true for every Planning Board member here. Again, thank you for your kind words. Ms. Stephenie Nolet, 3 Cambridge Ave., stated the following: Luckily most of my neighbors have covered what my 4-page letter said. I moved in North Wood in June 2009 and married my husband who has lived here his entire life and he was born in the house that we live in. I used to kind of pick on him because he would always talk about being Halfmoon proud and we'd joke about people who live in Clifton Park and I've realized that there really is something to that. Halfmoon is very different than Clifton Park. I didn't even realize

that anything was going on until all of sudden you drive around and it just seems like there are neighborhoods going up everywhere. I understand that is not our land and you have every right to build on your land, but I beg you to take into consideration how your actions will affect the people and the wildlife already living here. The Comprehensive Plan of our Town talks about creating a Town that will be a lifelong community; a place where people, like my husband, will come to live and never leave. If we keep developing as we are, it's my opinion that we will be creating the type of community that discourages people from being lifelong community members. Who would want to live in a place where it takes 30 minutes to travel 1 mile because the old roads can't handle the volume of traffic, like Sitterly Road and Woodin Road. There's hardly any greenspace besides the planned park, the woods that are left are being developed, and there are new homes and apartments going up everywhere you look. The people who live in Halfmoon live here because they love where they live. Please take into consideration the comments and concerns of those who live here when deciding on how to move forward with this proposed development. Mr. John Ferraro stated the following: I live at 6 Manchester Drive with my wife. I have been a resident of Halfmoon for 14 years and I have been in the North Wood development for a little over 2 years. I live at 6 Manchester, which is right by the corner of Adsit and many of my neighbors have spoken about all of mine and my wife's concerns, one of which they haven't mentioned is backing out of our driveways. Since we have short lots and driveways in the front, we have no options of having circular drives or anything of that nature or even turnarounds. Many times backing out of the driveway people have been coming from the direction where the proposed subdivision will enter Manchester and they almost got clipped because they were going too fast. So, that is a concern for not only myself, but also my neighbors across the street from me who also have short driveways like I do. I question the traffic study in that we have 50 some homes and I think someone else brought it up that generally there are at least 2 cars if not more per home, especially in the style of what Mr. Belmonte builds. The turnaround time of cars at 47 trips, I just don't buy it because it seems like there would be over 50 percent of the people exiting on Manchester because it's closest to the Northway (I-87) and it is close to all the other infrastructures of the Town. So, I would think that we'd probably more like 75% going over Manchester to exit to Woodin. If you multiply that by 2 cars a day, since most people have 2 members of the family working and they both go to work in the morning and they come home at night, that's a lot of cars. Our neighborhood has the narrow streets of 20 FT. They mention that there are shoulders, but there really aren't any shoulders on these roads. Most people are walking on the roads. There is mud on the side of the roads so; people will tend to walk on the road because there are no sidewalks. Ms. Beth Robtoy stated the following: I live at 8 Princeton St. and on the plans shows that it is #6. Some of my concerns are when the traffic comes down Princeton St. and might turn onto this road; I'll be getting headlights right in my living room. So, I want to see if we could get some vegetation there as well. My neighbor might want something like that on his side also. Regarding the noise issue. I think you talked about the noise as only decibels from cars and traffic and not from clear-cutting the land and the highway. I don't know if there could be a buffer, like they do in some of the other towns, from the highway to the houses and it should be a long buffer for noise. Also, I imagine that all the new homes are going to have at least 2 cars. I have 4 cars as I have 2 teenagers but one doesn't drive yet. I alone personally drive 2 cars. My teenagers are also in sports constantly every season. So, we're back and forth and back and forth. It's not just going out in the morning and then coming home after work especially with all of the newer homes. It is 4 and 5 times a day. So, that traffic study is off completely. I have a concern with the wetlands. It doesn't seem that they are just going to mow them over. They are not even talking about saving them. So, I would like to see that cared for and I liked the point that one of the folks brought up; that there doesn't seem to be any benefit for us like a little park or something like that or even a

big park. So, that is something that I would like to see addressed. The water pressure is also a real concern and the wind; I get a lot of wind at my house and that's when the trees are still here. So, my concern is the wind because I get a lot of wind that comes and the snow drifts. Also, on our road right now we have the drainage and that gets full of water and there's a big hole so, that's only going to get worse. So, I would like to see if I could get something for my house personally. I do see the vegetation line and I would like to know how much it's going to be. Is it going to be 4 little bushes? I don't want 4 little bushes and I would appreciate something nicer, bigger and more defined. I would like to work with you to do that. Mr. Ted Craver stated the following: I live at 111 Dunsbach Road. Regarding the traffic study; I would like to know how it's going to affect Dunsbach and Crescent because you can't get out there now from 6:30 am until 9:00 am and then 4:00 pm to maybe 7:00 pm to try to get back in. That just isn't going to happen. Can anybody give me an idea on what you can do with it? Mr. Nadolny stated the following: Based on the evaluation and the distribution, it looks like approximately 25 to 30 trips in the afternoon would head southbound or come from the southbound on Dunsbach from Crescent and in the morning about 20. So, that would be the increase going in that direction from this development because obviously some are going towards Grooms. Mr. Watts asked 20 trips from when to when? Mr. Nadolny stated it would be 20 trips in the morning, which would be the morning peak hour. Mr. Watts stated the following: Please clarify for the audience re the 20 trips. Is it 20 trips in the morning or 20 trips in the peak hour? Mr. Nadolny stated the following: 20 trips in peak hour. So, if you look at a day or 24 hours, this development will generate X number of trips during each hour of the day. So, when everyone is discussing that, this development is going to generate more than 47 trips in the morning and yes it will generate more than 47 trips in the morning but not during the 1 critical hour. It will generate trips on either side of that hour so, the total development may generate say 100 trips, but those 100 trips would be spread out over the course of maybe 3 hours. So, as traffic engineers, we look at the worst hour and that worst hour is going to be on the order of 47 trips in the morning and 58 trips in the afternoon. So, yes the trip generation would be based on a curve. In the morning it will spike and then it will come down and in the afternoon it will spike and over the course of those spikes the worse case is what we look at because you want to design for that worse case. The peak hour in the morning is typically 7:30 am to 8:30 am and in the afternoon it's typically 4:30 pm to 5:30 pm and 5:00 pm and 6:00 pm depending on the distribution of traffic and we look at those worse case peak hours. So, in the morning going south, and coming north on Dunsbach towards Crescent, it is approximately 20 trips in morning during the peak hour and in the afternoon I believe you said it was about 25 in pm. Mr. Craver asked is that 20 more trips? Mr. Nadolny stated that is correct. Mr. Craver asked are you referring to the 20 trips that are there now and do you account for that? Mr. Nadolny stated yes we do. Mr. Ouimet stated when you estimate the number of trips in the peak hours, do you do that based on a textbook formula or do you do that based on sitting there and actually counting cars? Mr. Nadolny stated the following: The estimation is based on similar developments all across the country. So, there are hundreds and hundreds of developments that engineers have gone out and counted for developments like this; single-family homes. So, say there are 100 points on a graph. What we look at is the average number of trips each of those developments have generated. A development of about 50 homes would generate about 50 cars in the afternoon and that's based on hundreds of data points all across the country. Looking at this development, we actually know that this development is generating less traffic than the average across the State, but we use the higher trip generation number. So, its kind of a textbook like Mr. Ouimet said and it's called the ITE Trip Generation Handbook. It's kind of like our bible for any kind of development that you can think of; an airport, single-family homes, apartments, and retail development. Engineers go out and count driveways at all of these types of developments and get average counts at all of these types of land

uses and the land use for a single-family home has hundreds and hundreds of data points associated with it across the country. So, all that estimation that we did was just not picked out of the sky. It's based on hard numbers that is the engineering standard that will be reviewed by CHA. That's how we come up with the estimation. We have a real level of confidence with that number based on how many trips this existing development is generating. This existing development has 166 homes and its generating about 100 trips during that 1 peak hour in the morning. So, if you think about it, it's actually generating less than 1 vehicle per house. Mr. Watts stated the following: Are there more people from the audience who wish to speak? I'm trying to think of the best way to move this. I'm not sure if the best way is to let everybody from the audience have their say and then I would like to hear the applicant respond to the various general inquiries and then have the Planning Board members ask their questions. Mr. Ouimet stated I know that I have questions, but I would recommend that you let the public and whomever hasn't spoken who needs to speak, speak now and then before the developer and the developer's representatives respond, have the Planning Board asked the questions that they have so the developer and the engineers respond to both. Mr. Craver stated the following: Our roads are questionable at best to take that kind of traffic and to take that kind of weight. Mr. Nadolny stated the following: The amount of traffic that this is going to generate is not excessive where it's going to degrade the existing roads. I would say the roads through the North Wood development are in fair condition, but they are not in excellent condition. There is one part of Cambridge that has been newly paved, but in general they're in fair condition. The amount of traffic that we are talking about here is not going to exacerbate a condition that is currently out there. It's consistent with other local residential homes. Mr. Tom Frament stated the following: I live on Dunsbach Road. Something that hasn't been brought up tonight that's on a lot of people's minds; this is one development. We understand your traffic studies. What about the other developments going down Dunsbach further? I disagree with the traffic 100%. This is only one step that they're trying to give to us here and the other one has been on the market for a while. I live in Springbrook Trailer Park and I cannot get out of my road in the morning on Dunsbach/Crescent Road. It will not happen. I'm a fireman and I cannot get out to go to a fire and now you're going to add to all of this traffic. Most of the traffic that's coming off Dunsbach is going down to Crescent Road to go to the Northway because everybody is going south. They're not going to go north then south. Think of all of the development that has happened on Dunsbach Road with this. You are putting a lot of traffic on a road that cannot take it. Think hard. I have no problem with growth in the Town of Halfmoon, but I do have a problem with the developers who want to come in and do this. Let them fix our infrastructure so our roads can handle it so we can get out of our homes to do what we've done our whole life in the Town of Halfmoon. Mr. Haar, 2 Manchester Drive, stated the following: I just want to say that I have seen some of Mr. Belmonte's projects and he builds super nice stuff. From where I'm sitting, I'm going to see more traffic than anybody else in this entire room. I wish I had the rights to a tollbooth. I just recently went over to Farm to Market Road and looked at Mr. Belmonte's homes in Arlington Heights. Is this a similar project appearance wise? Mr. Belmonte doesn't strip-mine everything, I have not seen that and I assure you, I don't want the traffic either. I spent the last 30 years in the country. I can't handle the traffic that's there now, but I had to move there for my own personal reasons. Mr. Belmonte does build nice stuff so, get out and see what he does build. Mr. Larry Koniowka, 15 Newcastle Road, stated the following: If this happens, what's the time frame for completion? How long will we have to deal with cement trucks, lumber trucks and everything? Mr. Belmonte stated the following: Based on a traditional timeline of a new home community, I would have to guess, at best, we won't start construction for 18 to 24 months. We have a number of both State and Federal Regulatory reviews to go through, all of which take a fair amount of time. So, it would be some period of time before we would start. Actual construction obviously is very

dependent on the economy. If the economy continues to recover in a vibrant way, 51 homes would be consumed in approximately a 4-year period of time. Mr. Koniowka asked what is the price range of the homes? Mr. Belmonte stated the following: We have not focused on a particular price range and that is obviously going to depend on when we come to construction. Right now we're going through relatively rapidly escalation in costs of a material phase in the economy, but our target would be in the mid \$300,000 price range. Mr. Koniowka stated the following: You keep saying that there are 2 exit points out of there but actually there is really 3 because 2 dump onto Princeton Ave. Is the second one that dumps onto Princeton Ave. between the 2 houses necessary? Mr. Belmonte stated the following: Right now there is one that exits onto Manchester and one exits onto Princeton. We're not counting those individually. We are counting Princeton Ave. as one and Manchester as one. Mr. Koniowka stated the following: Is that one necessary? Why do you have to go through 2 peoples house to build a road? Mr. Belmonte stated right now that's the way the road system has been proposed. Mr. Koniowka stated the following: It's just a proposal and maybe it can be changed so these people won't have lights going into their houses. I know it's a small portion of land and maybe you can donate it or something so that a park bench could be put on there for people who are walking their dogs or people out exercising. It doesn't make any sense to disrupt people that have a shed on the edge of their houses and now it's going to be on the edge of the road. They have to change their yards just because a road has to go through there. Mr. Belmonte stated the following: Understand one thing, all the connections that we are making are in existing right-of-ways. So, we are not introducing any new right-of-ways to Princeton Avenue. The T-shape intersection is something that we inherited as part of the piece of land. Could they be modified? Anything is possible. Has it been considered to date? No, it hasn't. We certainly could explore if the Board directed us to. I'm not sure how the net impact would help, but we could consider it if the Board so instructed us to. Mr. Koniowka stated the following: What is the fate of the hill that is by Newcastle Road? Is that hill going to exist or are you going to be tearing the hill down by the McNulty's and the Montgomery's where you were trying to build the T section. Mr. Belmonte stated the following: We contacted most homeowners along Newcastle as we were exploring our options for a second form of entrance. But, what we're showing on this map is the grading limits and we do not intend on doing any massive excavation outside of those limits. Mr. Koniowka asked will that hill still remain? Mr. Belmonte stated if you're speaking of this hill in this immediate area where I see the dense contours, the answer is yes. Mr. Koniowka asked what is the fate of that creek that goes from Woodin Road right on through Newcastle Road? Mr. Belmonte stated the following: I'm not sure of the location of any creek and what the specific creek is, is irrelevant because we're not modifying or altering the water flow. As was explained earlier, we're under a very heavy set of regulations as far as controlling the after construction discharge, which is the amount of water which would leave the site after the site is fully built to be no greater than what its existing conditions are. Mr. Koniowka stated the following: Regarding your comment at your last presentation you talked about people being weekend cowboys. I don't see anyone in North Wood being weekend cowboys trying to clear their land. I see a lot of people tending to their property and yes I do see lumber trucks coming in who are cutting down trees that are dangerous but nobody is out there being weekend cowboys. Mr. Belmonte stated the following: Well, let's put my comment in context. Also, I think we had one of the women earlier speaking about when she had moved into the second house on Princeton Avenue and how this section of Princeton Heights was fully vegetated at that point in time. At this point in time, there is zero vegetation. So, somebody has intentionally identified where their property lines were and they clear-cut 100% of their property. A policy that my company will not adhere to, we do not clear-cut entire parcels of land, but yet in the context of that statement we were talking about the need to reestablish buffers and I was pointing out the fact that buffers must be of very little concern

because the homeowners that abutted us decided to clear every tree on their property. Mr. Kaniowka stated that was one homeowner. Mr. Belmonte stated the following: No, I can count them on the aerial photography, which is 4 at a minimum, and those are all of our abutting homeowners. I understand the desire to have a large open space as I raised 2 young children and I knew what the value was of having plenty of space for them to play. But, I also wouldn't do it where I know that someday my adjoining property owner will also want to clear-cut their parcel of land. So, my practice is to always leave a vegetated buffer in between the 2 parcels so I control part of the vegetation knowing and asking my neighbor to control a portion of their vegetation, creating some treed escarpment along my property. These homeowners, and I believe they were prior homeowners, had elected to do something different than that and clear right to their property line. That was the context of that statement. A gentleman from the public stated it was a builder who did that. Mr. Belmonte stated the following: Okay, so it was a builder, but it was done on behalf of somebody else. It's not something that we caused. Mr. Kaniowka stated the following: The first proposal in 2006 was proposed to be a gated community. The people here know about that. This is a much smaller parcel and you sold off some of the land to Linden Village. Are you working in conjunction with Marini Builders, Linden Village and Hoffman's because you talk about possible future development in the minutes? What is the future development that you're foreseeing. Mr. Belmonte stated the following: To clarify a few things; I know my memory is not good, but I don't recall proposing a gated community especially due to the challenges that brings with having public roads that are not allowed to have gated communities, but potentially in the right context we were talking about the condo village or possibly the duplex village that we were proposing as part of that community at that time. I believe we were proposing 250 residences in total at that time and that effort was done in a joint venture where Hoffman's and ourselves were going to join forces and we were going to make a connection to the existing cul-de-sac and I apologize that I don't remember the name of it, and we were also working with Hoffman regarding all of his land to the south of our parcel. After that last Planning Board meeting or public hearing, Hoffman and myself had gotten together and concluded that his interest and my interest were not in the same and that, based on the public's input, he felt that he was better off joining forces with somebody else and going down closer toward Exit 8. This is the only parcel of land we own. This is the only thing that we are proposing and the only parcel that we're interested in and we have no cooperative relationships with any other of the proposed subdivisions that are on the various planning stages that I've heard about. Mr. Kaniowka stated so, the future development that you said in your minutes is that there is nothing proposed after this or in that area from you? Mr. Belmonte asked are those minutes from 2006? Mr. Kaniowka stated no, from a month ago. Mr. Belmonte stated this is the only proposed development. Mr. Kaniowka stated in those minutes it said there we plans for future development. Mr. Bianchino stated I think he is talking about the right-of-way and the Planning Board requested that right-of-way. Mr. Belmonte stated the following: For this future right-of-way we have no proposal to develop. It's Halfmoon's intention as part of good planning whereas future development happens as it will happen over time on adjacent parcels of land that they can create inner connection amongst communities to keep the traffic off the main roads, especially pedestrian traffic. That's what I believe that request was based on, but there are no plans for it. Mr. Watts stated the following: I know some of you haven't been to too many of the meetings and some of you have been to a lot of them. Some people have asked some very good questions about how does this relate to other projects in the area and that is the role of the Planning Board to look at. We have scrutinized very closely some of those previously named projects. Many of those projects have been diminished greatly in size. Many of those projects have different proposed access points. Nothing has been approved. This Planning Board has raised many questions, as has the public. The public speaks and the Planning



Board listens and some things are good, some we agree with and that's just the nature of the business. Sometimes the Planning Board even disagree amongst ourselves. It's not like everything is always together. I see more changes coming down the road and I don't know where those are going to go. We work with the builders and developers to try to have them be reasonable and we have certain authorities that we can exercise and certain authorities that we can't. That's how we operate, but we have the very same concerns. I heard Mr. Ouimet speaking about the proposals for traffic on Dunsbach, the roundabout, the different concepts that were floated and those have changed markedly. Where they end up, I don't know yet, but they're certainly not where they were. Relative to you speaking to Mr. Belmonte about some of the drainage issues I understand the answer relative to "well, we have to meet State guidelines". Also, I know Mr. Belmonte is going to have to consider what the Planning Board is going to say just like Mr. Zdrahal did over with the development that Marini put in to help resolve some of the drainage issues for people who live on Ponderosa. We may ask for things like that. We're not going to say "oh okay, you're meeting the State guidelines". No, it's not going to happen that way. If people can do things that are reasonable; you can't redesign the world either and drive a project out because of costs, but we will ask them to look at things. I heard some good points made about drainage issues. That's coming down the road and this is just a meeting to get the input from the public and to see how the developer answers the questions and then the Planning Board is going to have some questions. I just wanted to let you know that it is a moving process. This project started with 150 duplex units a while ago and now we're at 51 single-family homes. So, we work on it. Have some faith in us because we have faith in our residents and we're doing our best. Mrs. Maris Coburn, Newcastle Road, stated the following: One thing to consider is that we are seeing a trend and people are having more difficulty getting up to Exit 8A to get on the Northway because of the bottleneck. People are coming out to the back of the community and going down to get on Crescent Road and to get onto Exit 8. So, I think that while we're going to get a lot of traffic going out Manchester, we're also going to start to see that build because people are actually cutting through the development now. The traffic will also be coming directly to the side of our house, which light goes into our bedrooms windows because we are right at the end of Princeton. So, give some consideration to blocking that. Mr. Kevin Koniowka stated the following: I live at 114 Woodin Road. I'm presently in the process of purchasing my parents home from their estate and I have a lot of concerns. Traffic flow is a nightmare any way you look at it on Dunsbach and Vischer-Ferry. Stone Quarry is my only saving grace to get home when I come from Latham and on Stone Quarry there is also a development going in there and that will also be a nightmare. What about school? No one brought that up. Shenendehowa is huge. Can they handle more kids? You're talking about 170 homes just in this one project. How many other projects are going on? Mr. Watts stated the proposal is for 51 single-family homes. Mr. Koniowka stated the following: What about our kids? What about sidewalks so we can walk our dogs? Are you going to make them put sidewalks in? I'd love to see sidewalks on Woodin Road. I wouldn't want to walk down that road let alone with a dog. There are so many problems in this area that need to be addressed before you put more homes in. Why is there only access for this one project on Woodin Road and Dunsbach? I'm already sitting in traffic for a half-hour just to get out of my driveway to go to work everyday. It's a nightmare. Obviously, things need to be addressed and I know you're doing the best you. I'm not complaining. Mr. John Ferraro stated the following: I live at 6 Manchester Drive. I have a couple of quick questions that were brought up. In the traffic study did anyone do a study for weekend traffic? Mr. Nadolny stated no, the am and pm peak hour for a residential development is the worst-case traffic generator for single-family homes. Mr. Ferraro stated do you look at how many children and what their schedules are for sports or anything like that on the weekends? Mr. Nadolny stated the following: If you look at the way a development like this

generates traffic, the worst case is morning (am) and afternoon (pm) sometime between 7:00 to 9:00 in the morning and 4:00 pm to 6:00 pm on a weekday. The midday on a Saturday is the typical peak on the weekend, but it's typically less than the morning am peak and the evening pm peak during the weekday. So, if we can determine that adequate operations are provided during those worst case peak hours, then an adequate operation will be provided on the weekend because there is less traffic. Mr. Ferraro stated would we have to FOIL (Freedom of Information Law) the traffic study or is that made available to us? Mrs. Murphy stated the following: I'm not sure that we have a copy of it available. If it is available to us, you can FOIL it. I'm not sure how many copies of it we have in Planning as we sit here today. So, timing wise it would be good for you to call first before you would be able to go through it. Mr. Watts stated you might want to go through it because you might not need all of it and you can ask for a copy of specific pages that you want. Mrs. Murphy stated it also gets expensive to copy the entire traffic study. Mr. Ferraro stated there were gentlemen here that were talking about the buffer area and it was brought up about how an area was clear-cut at some point. Some of these lots come into that buffer zone. Would the owners of those lots, once they take possession, be prohibited from clearing any of that? Mr. Belmonte stated the following: All sites will have deed restrictions on them restricting them from clearing without Town or our approval. Mr. John Lear, 4 Cambridge Ave., stated the following: I have some comments about the traffic that Mr. Nadolny had worked up. How many cars do you have ahead of you when you go to make your left or right when you depart our area? Generally, none. That pretty much sums up the local traffic for us. So, the difference between none is going to be one or two ahead of you as you leave North Wood. Statistically that's very abstract. The real problem is Exit 8A. It's going to kill growth in our little area. The State is going to have to make changes there, as I don't think that is a local thing we control. They need to get a new entrance ramp going north to alleviate some of the traffic. Perhaps we won't be able to make a left hand turn at certain hours as you go on Exit 8A in the future because it's putting a halt to everything. I have a comment for Mr. Belmonte. On Princeton, I think it's Town land or whether it's Belmonte's or not, please don't put an access toward your development in there. I know you've got the right-of-way but I'd rather see a house there rather than yet another road. As I said, that's where most of our children live. Mr. Larry Koniowka was up here and talked to you about it. It's that same parcel of land. If we can do without a road with the same amount of houses, if you can pull that off, that's fine. We do have a school system to support. This is actually our tax base and these houses will add to that a little bit and help us all out. I know you build fine houses. We want a win-win situation here. Those of us who have lived here for 40 or 50 years, we always knew that there would be houses here and I think that these would be fine houses. Ms. Kathy O'Neil, 10 Newcastle Rd., stated my only statement is that there was supposed to be a letter read at this meeting from 30 Cambridge. Mr. Watts read the letter from Mrs. Margaret Sautter. (See letter submitted by Margaret Sautter, 30 Cambridge Ave. – see below)

February 15, 2013

**A PUBLIC HEARING is scheduled for Monday, February 25, 2013**

Dear neighbors,

Some of you may or may not be aware that the Princeton Heights Major Sub Division project has recently been reintroduced at the Town of Halfmoon Planning Board. Anyone can access the Planning Board meeting minutes via [www.townofhalfmoon.org](http://www.townofhalfmoon.org). The last public hearing was held Oct. 9, 2007. The Northwoods/Oak Brook communities spoke out against the project because of the density, water and runoff issues, increased traffic on our winding and narrow roads, as well as environmental, wildlife and noise concerns for all our neighbors. I think we all did a tremendous job voicing our concerns and as I read over the notes from the public hearing I am proud to have you as my neighbors and friends.

The Town Planning Board meetings which the "New" Princeton Heights Project is discussed are September 24, 2012 and January 28, 2013. There are **2** major differences between the 2007 project and the new project. The density of homes has **increased** from 47 to 51 single family homes on a 39.5 single parcel owned by Belmonte Builders and there is now a secondary access point that comes out onto Manchester; Mr. McLagan's property. I urge everyone to go to the meeting informed and please speak out if you feel you have anything to say. The Board has been very supportive of our current community and I think they feel our concerns are legitimate. I have reviewed the entire project and have read the revised Traffic Study and I have some major concerns. I will be voicing my concerns via a letter to be read before the Board that evening because I will be out of town all week and it is impossible for me to return before Tuesday the 26th. Thank you in advance for your support.

Margaret Sautter  
30 Cambridge Ave.  
Halfmoon

Mr. Watts closed the Public Hearing at 9:15 pm. Mr. Higgins stated at the previous meeting I asked you about wetland delineations. Mr. Dell stated in the most recent submission we supplied you with a map, which shows the wetlands in relation to the lot boundaries and the building envelopes. Mr. Higgins asked was that the L2? Mr. Dell stated yes. Mr. Higgins stated the following: In the future, could we possibly get some kind of readable elevations so we know what kind of distances that we're dealing with. As far the sewage, are any of these houses going to have an ejector pump to get out to the main line or are you going to do the whole thing on gravity. Mr. Dell stated at this time we anticipate doing the whole thing gravity. Mr. Higgins stated the following: Okay, it mystifies me but that's fine. Also, the exit going out onto Manchester, as far as I can tell it looks like a fairly good elevation change from the property line down to Manchester. One of the gentlemen mentioned about runoff. How are you planning on handling the runoff there to get it back up to the stormwater management area? Mr. Dell stated we will certainly work with Mr. Bianchino from CHA in working through that issue. Mr. Higgins stated the following: As far as the water pressure in that area, have you talked to Mr. Frank Tironi to see if he has any concerns. Are you going to have to put a booster or a tank or anything in that area? Mr. Dell stated we will have that discussion with Mr. Tironi to see if there are any existing water pressure issues in the area. As part of working through the design phase of the project, we will construct a water pressure diagram and a pressure system analysis that will accompany a very detailed water report that will go to the Town's engineer and we will include Mr. Tironi on that discussion and any improvements necessary we'll certainly work through. Mr. Higgins stated the following: Another thing that was mentioned several times were sidewalks. I would like to make a side note that a development like this with the newer homes; I think sidewalks would be nice to allow the residents and some of the neighboring residents to be able to walk safely. Mr. Watts asked when somebody was asking about sidewalks, were they talking about sidewalks in the new development or in the old development. The public responded old. Mr. Watts stated they were talking about sidewalks in the old development too. Mr. Ruchlicki asked on either side of that detention area 1 there are 2 circles cross-hashed on the upper side and one on the bottom, what do they depict? Mr. Dell stated the following: Those were identified in the archeological report as archeological avoidance areas. So, those are shown on the map in those circles that are to be avoided. Mr. Berkowitz asked in regards to the traffic study; was any future development taken into account as far as Linden Village and on the other side of Crescent. Mr. Nadolny stated the following: Yes, other development was taken into account in the original study, which I believe was done in 2007. Linden Village came after the fact. So, I believe Linden Village actually had this traffic in it because it came after the original one. Mr. Berkowitz asked which traffic study was presented tonight, the one with Linden Village or without? Mr. Nadolny stated the following: The original traffic study that was done 2007 had no impacts based on what was known at the time. I believe the proposed development was going to generate 4 trips more than what was done before. A quantitative evaluation was done. We didn't go back and reevaluate every intersection because of other developments as none of the intersections were close to having a threshold of warranting a signal. So, we didn't feel the need to go back and address Linden Village. I do know Linden Village has changed over time and the access had gone from accessing solely to Crescent then to Dunsbach. Now I believe they're going back toward Crescent again. So, depending on where that access is, there would be more impact associated in this area, but I believe the majority of the traffic associated with Linden Village is going to go to the south to Exit 8. The majority of that traffic would not be coming up Dunsbach to go to Exit 8A. While this did not specifically have Linden Village in it, the Linden Village study did have this traffic in it with regard to the Crescent and

Dunsbach intersection and that was one of the questions raised earlier. That was evaluated as part of Linden Village and right now that is being reviewed by the Town and the State because that is a State road. That is also continuing to be reviewed by CHA. Mr. Berkowitz asked are you aware that there are little league fields down on Woodin Road? Mr. Nadolny stated no, I was not aware of the little league fields. Mr. Berkowitz stated okay, because that will take up some traffic on Woodin Road during peak traffic times. Mr. Nadolny stated the following: Okay. We did count Woodin Road so; it would have captured the traffic. How new are the little league fields? Mr. Berkowitz stated those fields have been there for years, but it depends on what time of the year that you did your traffic study. Mr. Nadolny stated the following: That's true. I would have to take a look to see when we counted and see if it would have been in-season. I will have to do some research on that. Mr. Berkowitz stated if it was done during the school year, there are also going to be school buses in that area. Mr. Nadolny stated the following: Correct. I'll take a look. We always try to do the counts during the school year obviously to capture the school bus traffic. If memory serves me right, there are mentions of school buses within the report, that would mean that we must have done it while school was in session. I just don't know if it coincided with the little league season. I will have to take a look at that. Mr. Nadeau stated regarding the traffic; could you get us an accident report on the accidents that have been happening at Woodin Road on both ends? Mr. Nadolny stated the following: We could request accidents. We would have to go to the State and I'm guessing that could take anywhere from 2 to 4 weeks. So, you're talking about Woodin Road all the way through. Mr. Nadeau stated yes, to both ends. Mr. Nadolny stated okay. Mr. Roberts stated the following: Based on the comments that we've heard tonight and I know this is a problem, I'd like to see a traffic study done at Woodin Road and Grooms Road and the impact of this development on that intersection. Mr. Nadolny stated the original study does have that evaluation and that is in the 2007 study, which our current study feedback is on top of it. Mr. Roberts asked do you have those numbers here? Mr. Nadolny stated yes I do. Mr. Watts asked Mr. Bianchino where is CHA and your traffic people in terms of evaluating what has been presented to date? Mr. Bianchino stated the following: I do believe that back in November we did look at this study. I have a couple of letters and the studies were mentioned. I will have to go back and check. I think we went through it and we were comfortable with the findings. Of course with the questions that were raised tonight, I will go back just to make sure that those things have been addressed. Mr. Roberts stated I think we should look at that because again, it is bad. Mr. Nadolny stated in the morning the average delay was about 16 seconds at that intersection. Mr. Roberts stated the following: I really have to disagree with that. I'm sorry, but I agree with the audience because I've been there and that cannot be true. Mr. Nadolny stated the following: I can assure you that we definitely had someone out there counting that intersection at the worse times. We can take a look to see if things have changed. Typically if we see excessive delays, whoever is counting that intersection would note that and I didn't get any of those notes. I have been out here and I have driven through there and I didn't get any notes coming back from the person that counted saying, "look, we've got a mile worth of queue here, we need to do something". So, we don't just go out there and count. We do make observations; we count pedestrians, bicycles, heavy vehicles, school buses and we make as many observations as possible. If it has gotten worse, we can definitely take a look at that and we definitely will if you feel that it is worse than what was counted. Mr. Roberts stated I would like that, thank you. Mr. Nadeau stated the following: I have a question on the noise test that was taken. What time of the year was that taken? Mr. Nadolny stated the following: The noise test was done at the end of January and the beginning of February. So, that would be the worst case with all the leaves off the trees. It was done in the morning and in the afternoon during the peak hours. I know there was a comment about the morning rush on the Northway and I believe the noise report indicated that the morning

was not as bad because the Northway wasn't traveling as fast because there was so much congestion on the Northway, but in the pm it was worse because people can do 65 mph and that's where the noise comes from, not from the idling cars, but from people who are actually zipping along the Northway. Again, it was done in January and February without the leaves on the trees, which would be worst case in this situation. Mr. Nadeau asked also, did you say it would only be 1 decibel higher after the development? Mr. Nadolny stated the following: Yes that is correct. I'm not an expert in the noise. Someone else in our company did the noise evaluation and it takes into account not only the existing traffic, but it also takes into account the cutting of the area of the trees that Mr. Belmonte is proposing. It also takes into account him building the homes. If you look at the development, the homes are built in a line across the road. Those homes or solid structures actually provide buffers that are almost a wall, if you will, even though you are taking out some trees, they're creating buffers between the existing homes and the noise waves that try to pass through are actually bouncing back to the Northway as a result of those new homes. So, it takes into account those factors. That's what I've been told and again I'm not an expert in noise. Mr. Nadeau asked I don't have to believe you though, do I? Mr. Nadolny stated no you don't have to. Mr. Ouimet stated the following: The first thing I want to say is that I live in the neighborhood. I live on Siena Drive and I listen to the Northway every night and it helps me sleep and I have a lot of buildings between me and the Northway. So, I don't see how a line of houses are going to cut down any appreciable noise and the 2 decibels is ludicrous. Come on, give me a break. To stand there right now and listen to the noise it's more than 2 decibels. Mr. Nadolny stated the following: I will have the person that is the noise expert in our office come back and discuss noise. I can't get into the specifics of the noise. Mr. Ouimet stated the following: I'm not asking you to, I'm just making a comment. I think that tonight was a public hearing to give the developer and his professional engineers an opportunity to explain this project to the public. I don't think that was very well done tonight. I think we have engineering questions that were not answerable. To say, "well we're just looking for preliminary approval and then we're going to do all our engineering studies", I think that deprives the public of the ability to understand the project. For you to come out here today 6 years after you did the traffic study to tell people what the impacts are going to be tomorrow and 2 years from now when Mr. Belmonte starts construction and 6 years down the line when everything is fully built out, is absolutely ludicrous. How do you do that? For 18 years I have lived on Siena Drive and for 18 years I traveled to southern Albany County to work and I never went to Exit 8A because I could never get down from Exit 8A to Exit 8. I wasn't going north because I didn't have any reason to go north. So, if I have to go south, I'm going out my development to Woodin Road to Dunsbach Road, over to Crescent, on Exit 8 and out. I know that people have said that they experienced a lot of delay at the intersection of Dunsbach and Crescent. I never did, but that doesn't mean you haven't. If I had to wait 5, 10 or 15 seconds, sure it feels like a lifetime in the morning because you're half asleep. But, it is what it is and if you add more traffic to that intersection, you're going to add more delay. Does it become appreciable? I don't know because I have to go read a manual from some guy at the University of Chicago to see if it meets the National Standards or not. I'd rather have you up here telling me you had somebody standing on the corner counting and listening to cars. I want to know what's going on there now and not what the manual says can be tolerated on the intersection. I understand that that's how traffic studies are done, but that's not really helpful to me and I don't think it was helpful to anybody here listening to the way you presented it. Maybe you don't have any other way to do it. I don't know. I think if you're going to present a traffic study and your findings, you have to tell us how you did it. How did you do the traffic study? When did you go out, how long were you there, what's the methodology that you use if you have to put something on the road. Do you have an individual standing there counting cars? What intersections did you looked at?. Which ones you

didn't look at, and why didn't you look at them? It's also my understanding that Creighton-Manning is doing the traffic studies for the Stone Quarry projects and there are 2 there now. There are 2 proposals for apartments there. I think you guys did the traffic study on Linden Village and you've done this study for Mr. Belmonte on Princeton. Don't you talk in your office about the 4 impacts because you're impacting on the same roads? I just have real problems with the traffic study. I understand how they're done, I've been to enough seminars to know that that's an acceptable standard nationwide, but those of us who live in the area see something other than what a manual tells us we're supposed to see. Mr. Nadolny stated the following: Like you said, we do the study based on the standards and it's the technical way to do a traffic study and it has been reviewed by the Town and the Town engineer and if we were doing something wrong, the Town engineer would come back and ask us for more questions, that's the process. Mr. Ouimet stated and I assume that if the Town engineer sees that you're doing something wrong, they will tell you. Mr. Nadolny stated I hope they would. Mr. Ouimet stated but it gets back to my original point; your traffic study was done in 2007 and here we are in 2013 and you're talking about a project that is 2 years away. Come on! Mr. Nadolny stated the following: Our company has done traffic studies for over 40 years and we've been continuing to do them over the last 10 years. (Mr. Nadolny pointed out a graph to the Board and public). When we did this traffic study back 2006 that's when we did most of our counts, the traffic was higher. The counts that we're seeing now are on the levels of 2004 and 2005 counts. That's why we felt we didn't need to go back and recount them because of historical things that we've done in the last 5 or 6 years. In some cases, we are lower than what we were back in 2006 and 2007. So, that's why we didn't feel the need to go back out and count them because of the economy and traffic has been slightly depressed all over the country. The change in the development was not substantial enough to where we felt the need to go back out and recount the intersections. Mr. Watts stated the following: Relative to traffic studies: I've dealt with Mr. Nadolny for years. We look at the studies and you kind of hear the same concerns and complaints of the Planning Board regularly and routinely. I'm sure Halfmoon is not unique. I just don't know the answers to this, but I do know that there are 7 individuals sitting here with many of the same concerns relative to what the traffic studies say. If that engineering was all just factual and statistically and perfect, we wouldn't even look at it because some computer would spit out okay and no. We're not computers. So, appreciate the concerns that we have and that you've heard from the people. I went through and drove that development on every street today looking around. Unfortunately, I drive through Grooms and Woodin Road everyday and the number of accidents and the rudeness of the public and the way people drive is awful. I can't address the jerks that are out there texting or talking or whatever they're doing on the phone. I can't tell you how many times that this Town has gone to the police agencies saying "please do something here", "will you get some people out there" and that's all we can do. Whether it's Planning or the Supervisors Office, we're on that all the time. Mr. Ouimet stated the following: I don't want to say too much more about the traffic study, but I would like to say that this proposal started being much larger than what it is tonight. One of the pluses that we've been able to achieve over the number of years, meetings, and working with the engineers and with the developer is to get the number of units in this proposal down. Now it's a third of what it used to be because they originally proposed 170+ units and now it's 51 single-family homes. That's a plus, but the bottom line still is; you're interposing a new development on pre-existing community. Can that community absorb what you're putting there and are you enhancing their way of life with your new community? If you can answer all of those issues in the affirmative to some degree because you can't recreate something that has been there for 20 to 25 years, but you have to be developing something that doesn't adversely impact on what's already there. Does 51-units fit in this area? I'm not so sure that it does. I think that is way too large; but that's just me. I don't know what everybody else feels on

the Board, but I'm not so sure that the public got a lot of answers tonight. We have had a lot of questions from the public and we got a sense of where they're coming from, but some of their questions were legitimate, in my opinion, and they don't really get answers. What I would suggest is that when the developer and the developer's representatives put together a response, we may want to think about having another public informational meeting to bring the public back up to speed as to some of the things that they didn't hear tonight that they wanted to hear. Mr. Watts stated the following: The Board has asked questions and the public has spoke. I'll follow my format that I said earlier, if somebody already asked the questions that you want to ask, don't ask them yourself. So, we all have said it and have said it well. I think it all depends on what we get back for a response from the developer. If there is something that's any different, we will make a determination as a Board on what we would do next. Do we hold another public hearing or do we just make a decision based upon what we've got? I think the ball is in their court and that's as it should be after a public hearing. You've heard the concerns and let's see what they come back with. Whether that takes a week, a month or 6 months, I don't know. At this point, do we have a consensus from the Board with that philosophical point of view? The public stated: Regarding the letter that Mr. Watts read from Mrs. Sautter; that's not the letter that we got in our mailboxes. Mrs. Murphy stated the following: I just asked our Planner, Mr. Roy Casper, that question because I was reading ahead of the Chairman and that is the letter that Mrs. Sautter gave to the Planner when she came to the Planning Department. Obviously, if she wants to submit something else in writing, that's perfectly acceptable and her concerns will be addressed. That letter is what Mrs. Sautter handed to the Planner when she physically came to the Planning Department. Mr. Higgins stated #8 shows 2 driveways and asked are you intending that to be a duplex? Mr. Dell stated no that is just an error on the map. Mr. Higgins stated okay. Mr. Berkowitz asked has anyone checked with Saratoga County Sewer about the sewer hookup and it's capacity on Grooms Road? Mr. Dell stated the following: I do know that preliminary discussions with Saratoga County Sewer District #1 (SCSD#1) indicated that they have ample capacity. The Grooms Road pump station has recently been upgraded to have substantial extra capacity. Mr. Bianchino stated the following: We have had a couple of meetings with all the developers in this area with the SDSD#1 about the sewer down there. What I recall about the bulk of this was that they were comfortable that it would be okay, as the pump station had been upgraded as Mr. Dell just mentioned. The issue that we had was that there was a small section of line before you get to Grooms Road that has a capacity issue and there are plans in place to resolve that issue.

This item was tabled awaiting responses from the developer, project engineer and the traffic engineer regarding the public's concerns.

**New Business:**

**13.024 NB      Garden Time, Inc., 1467 Route 9 – Addition to Site Plan**

Mr. Roger Keating, of Chazen Companies, stated the following: I'm here tonight on behalf of Garden Time, Inc. and Mr. Fred Trolestra, who is also here tonight, to present the site plan amendment for their seasonal operation that is located along Route 9 and at the intersection of Stone Quarry Road. Garden Time, Inc. currently occupies the front portion of the site and the project site is approximately 7-acres in size. Previously the Hair Hut Salon was located at this site before Garden Time came in about a year and a half ago. Over the past year and a half Garden Time has experienced some success at this property and now they're looking to expand upon their business at this location in Halfmoon. Mr. Trolestra is proposing to add anywhere from 2 to 3 new positions at the site. The new site plan is focusing on expanding their outdoor sales and display areas along the project site on Route 9 and leaving the rear portions of the project site



undeveloped. Again, the site is approximately 7-acres in size and the front portion of the site is where his expansion of the sales operation is proposed where the remaining 3.5-acres, plus or minus, at the rear of the property, would remain undeveloped. I would like to walk through their vision for the new display areas. The front portion along the intersection of Stone Quarry Road and Route 9 is the location where they are looking to clear some of the existing vegetation and create newly landscaped areas for the display of sheds. I have also provided some pictures of what that means. Mr. Trolestra is looking to do some natural stone walkways in and around the units and to provide landscaping around those units to try to create a vision for customers when they come to the site to kind of get a feeling for what it may look like when the merchandise is at their home or in their yard. The existing display would remain relatively the same with the exception that one of the things that has come up is that they wanted to have a clear delineation from where customers would park on the site verses where the display areas would be. So, Mr. Trolestra is proposing to pave the center portion of the site just in and around the entranceways and delineate the parking spaces so that there is clear delineation between where the areas are for display and where areas would be for the customers to park to get out of their cars to look at the product. In the northern portion of the site they are really looking to capture and utilize an area where they can do some selective clearing so that they can keep a lot of the larger trees intact. The reason why he wants to present it in that way is that they sell a lot of products that are sun sensitive and they want to utilize those areas for the shading that it provides. So, they would selectively clear the site for some of the undergrowth under some of the larger trees and keep a lot of the vegetation there so that they can get that shading affect. I've taken some photos of those areas and you can see that there are some mature trees, but then there also are some areas of undergrowth. The overall goal is to display units here so that they are representative of how someone could see it at their property. So, what Mr. Trolestra really wants to do is to provide walkways in and around a lot of these units, landscape those areas, provide some irrigation to help protect that landscaping investment in and around those units. Lastly, Mr. Trolestra is looking to keep the accesses where they are today. He has had some of his customers indicate that they would like to see the sign a little bit closer to the entrance just to help delineate where the entrance is. A lot of people in Town are familiar with the old Hair Hut site which had 2 curb cuts and sometimes people will drive past it and think that they can turn into where the old curb cut was, but we've taken that one away when we did the original approval with the New York State Department of Transportation (NYSDOT). They have experienced some success here at this site and also at their other Wilton facility and with the expansion at their Wilton facility, it has provided them an opportunity to change the way that their deliveries work at these sites. Where before a tractor-trailer may have to come to the site to deliver a unit, now they're able to utilize their Wilton facility to have the product delivered there and then use their smaller fleet of vehicles of flatbed trucks, etc. to bring product down to this facility. That's is just a general overview of what Mr. Trolestra is looking to do here. He has a proposal right now for 150-units available for display and sale. It's a mixture of different types of units and some of those are lawn chairs, play sets, sheds, gazebos and chicken coops. Mr. Fred Trolestra, the applicant, stated the following: I think Mr. Keating has covered it very well and I'm here to answer any questions that the Board might have. Mr. Nadeau asked is the site currently in compliance? Mr. Trolestra stated yes. Mrs. Murphy stated the following: It is my understanding that mature growth trees were recently cut down and you were cited. I don't know if you have received the citations yet, but they were saying that over a foot in diameter trees have been removed from the site since you were last cited. So, that's obviously going to be an issue. Mr. Trolestra stated I'm not aware of any citation. Mrs. Murphy stated you must be aware that the trees were cut down. Mr. Trolestra stated yes, National Grid took those down. Mrs. Murphy stated our Code Enforcement Officer said that the trees were taken in the southwest corner of the site at

the intersection of Stone Quarry Road and Route 9 and that violation tickets have been issued to the owner in regards to the new violation. So, you are the owner, right? Mr. Trolestra stated no. Mrs. Murphy stated so maybe your landlord has the violation. Mr. Trolestra asked when were they issued? Mrs. Murphy stated they were issued either Thursday or Friday. Mr. Trolestra stated okay. Mrs. Murphy stated so, that's going to be a problem. Mr. Watts asked what trees were cut by National Grid and when? Mr. Trolestra stated I'd say that the trees were taken out about 3 or 4 weeks ago. Mr. Berkowitz asked why would they take down a whole tree? Mr. Trolestra stated because of the infringement and possible infraction on the right-of-way. Mr. Watts asked were those pine trees? Mr. Trolestra stated there were pine trees and some other hardwoods there. Mr. Watts asked are those trees still laying there on the property? Mr. Trolestra stated yes, it's all lying there because I haven't had a chance to pick them up. Mr. Watts stated were those trees cut by National Grid? Mr. Trolestra stated that is correct. Mr. Watts stated they weren't aware of that when they went up and looked. Mr. Trolestra asked who wasn't aware of what? Mr. Watts stated Code Enforcement drove by and they saw a bunch of trees down. Mr. Trolestra stated I had gotten the word that the trees were down and I immediately called the Town and said "not it". Mr. Watts stated I wasn't aware of that; we'll have to look into that. Mr. Trolestra stated I think I conveyed that to Ms. Zepko. Mrs. Murphy stated Ms. Zepko is definitely not relaying that as being accurate and I wasn't there so I don't know who said what, but Ms. Zepko had grave concerns, which she was very very vocal about with regards to what she said you're cutting. So, I don't know what your conversation was with Ms. Zepko and she isn't hear to further explain it, but she did contact me directly as the Town Attorney with concerns with regards to the outstanding violation. Mr. Trolestra stated well, the "you're cutting" is not accurate. Mrs. Murphy stated I'm just telling you what I was told. Mr. Trolestra stated well, I'm just saying that it wasn't Garden Time, it was Grid. Mrs. Murphy stated we will check into that and that is easy to verify. Mr. Trolestra stated and that was about 3 or 4 weeks ago. Mr. Watts stated I took a ride by there today and there is a big hunk of pine tree down. Mr. Trolestra stated the following: Right. I think what it is, again, they saw what we saw is that evasive vine is jumping from those trees and they are still in the guide wires. Mr. Watts stated well, that is easy enough to resolve. Mrs. Murphy stated yes, we can find that out very easily. Mr. Nadeau stated so to answer my question, is the site in compliance? Mrs. Murphy stated the following: I'm being told by our staff that the site is not in compliance. This is the first time I'm hearing that this may be a National Grid issue. The non-compliance was this additional cutting. He did come into compliance when he was initially cited and several tickets were issued. Mr. Nadeau stated the following: Who was cited? Was it Mr. Trolestra or the owner of the property? Mrs. Murphy stated the following: The owner of the property gets cited, but it's Mr. Trolestra's site. They did come into compliance with some issues in regards to extra cutting and we did not make them replant pending the outcome of this application. Plus there was some pavement that wasn't where it was supposed to be and some signage. All of that was corrected and we received a note from Code Enforcement that said that the site was in compliance. So, at that point in time, this process went forward. Mr. Trolestra stated just for the record, I'm not knowing that we're not in compliance. Mr. Watts stated the following: I can understand the confusion and that's why I'm moving forward. That's as much as I could deal with relative to that, as the Planning Board Chairman. We'll find out. Mr. Ouimet asked do we know what the site looks like now as apposed to what you're proposing so we could see where you're expanding? Mr. Keating stated yes, the mapping that I provided the Board does have the existing conditions on there. Mr. Ouimet asked is the only thing that is on the site right now is the office? Mr. Trolestra stated I guess I don't understand the questions. Mr. Ouimet stated the following: I would like to know what your site looks like right now as apposed to what you're proposing here with all of these different configurations and the layouts that you have for these new paths and new features.

What's there now so I know what you're expanding to and what you're proposing to add? Mr. Keating stated the following: What we have provided here is a survey of the built conditions. So, not necessarily the units that are for sale, but the limits of where the gravel areas where the permanent structures are located on the site. For instance, he has a shed or a gazebo out there. We didn't locate that shed or gazebo because it might not be there tomorrow because those are all products that he has for sale and they get moved around quite often. So, what you see there is the built condition of the surface improvements that are out there today. With the expansion, we color-coded some of these areas on the map to kind of give a feel for where some of the disturbance or the clearing would be to provide new product display areas. So, that's what you're seeing on this color feature here. The larger area in the back is the area that is going to remain undeveloped and then selectively identifying the various areas; for instance, up in the front where there would be more clearing to install more landscaping, but then in the brown area in the back would be more selective clearing to create pathways to the display units on either side of the pathway. Just to give you a sense, I hope that better answers your question. Mr. Ouimet stated the following: It did to an extent. In the proposed area that is shaded in a mauve color, is there anything in there now? Mr. Keating stated the only thing that might be out there is a few play sets. Mr. Ouimet asked would that be in the white area? Mr. Keating stated yes, the white area. Mr. Ouimet asked so the colored area is your proposed expansion area, correct? Mr. Keating stated the area that we would be looking to do the shaded display, correct. Mr. Ouimet stated and right now you don't have anything in there? Mr. Keating stated no. Mr. Ouimet stated so you would need to clear it to install these features that you're proposing here? Mr. Trolestra stated as the pictures depict, we are looking to take out the underbrush and keep the mature trees. Mr. Ouimet asked and you think that you could do that by just taking out the underbrush and be able to locate all these sized sheds, gazebos, play sets, and other things without touching the trees? Mr. Trolestra stated mature trees. Mr. Ouimet asked what is your definition of a mature tree? Mr. Trolestra stated mature trees that are greater than 40-years old. Mr. Ouimet stated the following: Forty years old? How are we going to determine what tree is 40-years old and which tree is 39.5-years old? Mr. Trolestra stated or we can go out there and do a caliber check. Mr. Ouimet stated I don't think that was a crazy question, I was just trying to figure out what you're going to take out. Mr. Trolestra stated we are going to take out trees that would be most likely 4-inches and less. Mr. Ouimet stated so, if we were to go along with your proposal and say that you could not remove a tree larger than 4-inches, do you still think that you could get all of those sheds and other articles in there? Mr. Trolestra stated yes, we do it everyday. Mr. Watts stated the following: In your previous approval, how many units of sheds, gazebos or play sets were allowed on that site? Mr. Trolestra stated the following: On the previous approval there was 57-units arbitrarily chosen to be 10 FT x 16 FT because there were issues or concerns by the Board who wanted to try to identify what this was going to look like. So, we populated that last plan or the previous plan a year and a half ago with 57-units. Mr. Watts stated right, which grew. Mr. Trolestra stated which we are proposing to grow. Mr. Watts stated the following: What I'm saying is that we wound up with more on the site than we had approved and then they were removed to get the site back in compliance. Let's say we approved in total what you're asking, how many units would be on the site? Mr. Trolestra stated if we looked at the square footage of 57-units at 10 FT x 16 FT, we didn't exceed that area back in the spring when there was an apparent problem. Mrs. Murphy stated the following: It was not an apparent problem, legally you were approved for 57-units and you had over 120-units on it. So, it was not an apparent problem, it was a violation. Just so we're clear, what you're asking for now is to not be limited by the amount of units and you want to be able to have a certain amount of square footage occupied. Mr. Trolestra stated the following: No, I'm not asking for that. I'm now coming back saying that we need to grow the number of units and I can't

pin it down to square footage. Mrs. Murphy asked could you pin it down to the number of units? Mr. Trolestra stated I did on the proposed plans. Mr. Watts stated which is 150-units? Mr. Trolestra stated yes, 150-units. Mr. Watts stated so; do you want to go from 57-units to 150-units? Mr. Trolestra stated the following: Yes. We operate 3 other locations and I don't know if you're familiar with us at all, but we are in the Town of Queensbury, Rutland, Vermont and recently in Wilton. Currently in Queensbury there are a couple hundred units on 2-acres. In Wilton there are approximately 250-units on 4-acres. In Rutland there are 150-units on 1.5-acres. I'm proposing 150-units on approximately 3.5-acres here. That is less than half the landmass that is there. I need that kind of number to expand my business. I have a question for the Board. Why does one go to Lowe's? Mr. Watts stated because I need a screwdriver. Mr. Trolestra stated the following: You would go to Lowe's because of the selection and I'm about selection. This is my catalog and it's the catalog that I use for all my locations, but I need to represent size, style and color features. If I was a 300-car lot retail car operation like KIA, I couldn't sell 50. I couldn't do with 50 there; I would need 300. Mr. Watts stated the following: Okay, I got your number thing. Are you going to have an office? Mr. Trolestra stated currently there is an office there. Mr. Watts asked was that approved for that site? Mr. Trolestra stated that is correct. Mr. Watts asked was that for your original proposal? Mr. Trolestra stated the following: Yes, and that's the one we're using. Now we are proposing a unit that we have outfitted to show people what we can do with those, if you would like to do one of those yourself. We'd like to use that one as a temporary office as well. Mr. Watts stated so you are proposing in this site plan to have an office located someplace, is that correct? Mr. Trolestra stated that is correct. Mr. Watts stated okay, if that's what you're proposing, it's not temporary; it's a proposal. Mr. Trolestra stated well, we're still going to maintain the old Hair Hut and that's the current office. Mr. Watts stated the following: Okay, I'm just trying to clarify where it fits in here. So, are you going to put a new office in? Mr. Trolestra stated the following: We're going to put an additional office in and the beauty about our product is that we can outfit it and we can strike it back down and it is for sale. The unit that I'm proposing as an office that has been contrived as an office is a unit for sale. Not the red Hair Hut. Another building. Mr. Ouimet asked which of those buildings would you actually conduct business out of? Mr. Trolestra stated the following: Our business is kind of unique. We conduct our business out in the parking lot. We answer phones in the red building, which is the old Hair Hut. Mr. Ouimet stated the following: Okay. If you're going to conduct business in the parking lot or if you conduct business in this product that you have outfitted as an office, then I think you need to have handicap parking spaces in front of that building, because it's an office. You are using it as an office even though you can tear it down and sell it. If you conduct business over in these proposed "G" buildings, which are over on the south side, I think you might need a handicap parking space there too because us handicap people need to get into the "office" or where transactions are occurring. Mr. Trolestra stated the following: Okay. We currently have handicap parking spaces. Mr. Ouimet stated the following: Yes, but you don't use the building as an office is the problem that I have. If you put a handicap spot on Stone Quarry Road, then you know you got a handicap spot. Mr. Trolestra stated the following: We use this building as our office where the handicap spots are. If you go visit me on Friday, that's where you will park and that's where you'll find us. Mr. Watts asked are those marked handicap spots with a sign? Mr. Trolestra stated yes, there is a sign there. Mr. Watts asked how many do you have? Mr. Trolestra stated currently, I think one and that was for the old proposal. Mr. Ouimet stated you sell products on display by display, correct? Mr. Trolestra stated that is correct. Mr. Ouimet stated and you also sell products through a catalog, correct? Mr. Trolestra stated the following: Not really, no. Our catalog represents what you can find. Mr. Ouimet stated okay, so everything that you display is in your catalog? Mr. Trolestra stated oh, no. Mr. Ouimet asked do you have many more things on display? Mr.

Trolestra stated no, I have the opportunity to display much more than what is shown either on the ground or in my catalog. Mr. Ouimet stated the following: Okay. Where do you store your inventory? If you have a display of an 8 FT x 8 FT shed or a 12 FT x 12 FT shed and I go to your facility and I say I want a 12 FT x 12 FT shed or an 8 FT x 8 FT shed and you say these are the choices they have, and I say okay I like that one. Do you take that one out and deliver that to my house? Mr. Trolestra stated if you like it. Mr. Ouimet stated okay, so let's say I like it, so you take that one out of there and you deliver it to my house, do you put another shed in place of the shed I took? Mr. Trolestra stated typically yes. Mr. Ouimet stated so you have no off-site storage of any products and it's all there, correct? Mr. Trolestra stated the following: At our Wilton location we have designated it as our primary drop lot for the product coming in. So, in case you didn't like the green shed that you spotted in Halfmoon, I would get you a red one. The shed would come into Wilton and then we make arrangements to deliver it to you. Mr. Ouimet stated the following: I'm totally confused. Are these products there for display purposes or are they there to display and maintain your inventory? Mr. Trolestra stated the following: These units are available for purchase. I'm not a museum. Mr. Ouimet stated in other words you're not asking us to approve a display area where you can display whatever you sell. Mr. Trolestra stated it is one in the same. Mr. Ouimet stated not in my mind it isn't. Mr. Trolestra stated then we have to clarify that because what I do is, I bring this product in to display for you to get your idea of wanting that unit. Mr. Ouimet stated yes, but what we have here is a situation in theory that in any give season, you could sell 250-units that you have had at one time or another on your site in Halfmoon, right? Mr. Trolestra stated I hope it's more than that. Mr. Ouimet stated oh, I hope not because I can't even get my arms around this number here. Mr. Trolestra stated they rotate out. Mr. Ouimet stated so; at any given point in time there would never be more than 150. Mr. Trolestra stated no, I need 150-units out there. Mr. Ouimet stated the following: At any point in time would you exceed the number by 1 unit in a season? It's an easy question; yes or no? Mr. Trolestra stated no. Mr. Ouimet stated so; any time someone would go there and you have 151-units, you would be out of compliance or for whatever we approve. Mr. Trolestra stated yes, that's a problem so that's why the 57 wasn't working for us. Mr. Ouimet stated but I don't understand how 150 would work for you with the way your business runs. Mr. Trolestra stated as you had mentioned, if you chose that green one, it is going to ship to you. Mr. Ouimet stated right and then you would replace it with a similar unit. Mr. Trolestra stated that is correct. Mr. Ouimet stated so; the number would still be 150. Mr. Trolestra stated that is correct. Mr. Ouimet stated you would never exceed 150. Mr. Trolestra stated it shouldn't. Mr. Ouimet stated not shouldn't, either it does or it doesn't. Mr. Watts stated the following: These are the agreements that we're going to reach because we did have some issues in the past when you exceeded the number. So, we deal with history. Mr. Trolestra stated and again, we didn't exceed the amount of square footage at that point because some units are 4 FT x 4 FT. Mr. Higgins stated that wasn't what was approved. Mr. Nadeau stated you can't use square footage. Mr. Higgins stated the following: When you came before this Board originally, I discussed that I was very familiar with your Queensbury operation and I specifically asked you exactly how many sheds were going to be on this site. We talked about it extensively and you agreed that the maximum number of sheds that were going to be on this site was 57. Then very shortly after that you were way out of compliance plus all the play areas that were never even discussed when you came before this Board initially. When you came initially, it was strictly sheds. Mr. Trolestra stated we were formerly up at old Rainbow location operating with sheds, this Board approved that with play sets. Mr. Higgins stated Rainbow was a different applicant. Mr. Trolestra stated the following: No, that was us and we moved from that location down to the Hair Hut. If you read the minutes, it has play sets in it. Mr. Nadeau stated there was another Rainbow place up on Route 9 near the mattress place. Mr. Trolestra stated so; there seems to be a little

confusion on who we are, but that's what we did. Mr. Watts stated I know there has been a lot of confusion and we're trying to get this resolved. Mr. Keating stated there obviously was some confusion. Mr. Watts stated we have questions and this whole thing is a little hard for us visualize. Mr. Polak stated you have to get rid of the word "shed" and use "unit" because they are all different. Mr. Watts stated well, that's what I thought we did before with 57 units because I thought there were the play sets and sheds. Mr. Trolestra stated we are proposing 150-units now and it's a mix of units. Mr. Nadeau stated we're not approving square footage areas here; we are approving a specific amount or number. Mr. Watts stated or a specific number within designated areas. Mr. Nadeau stated talk about confusion; I don't want him to get confused thinking its square footage because he can put as much as he wants in there. If we say 140, 145 or 150; that will be the number that needs to stay on that lot. Mr. Trolestra stated and that's how we look at it. Mr. Watts stated there were some issues at the site relative to stormwater management. Is that correct with disturbances and was that part of some of the issues that we've had or not? Mr. Bianchino stated the following: I remember that there was a discussion of clearing back into the wetland area in the rear. But, I don't remember the discussions on stormwater management. Maybe that was a concern that Ms. Zepko had. Mr. Watts stated the following: What I want to do is to move this along. I'd like to have a committee of 2 or 3 people go out to the site with Mr. Trolestra and an engineer because I can see the visualization issues that are going on here and with the issues that we had in the past. I just want to get this right. I'm going to refer this to CHA for their review and then I would like to have 2 or 3 people say that they are willing to be on the committee. Mr. Roberts stated the following: When this application first came in, I was concerned because this is one of the first sites you see when you come into Town from the south and more trees were cleared there than I anticipated. I think with 150-units there it's going to look unsightly and I think it is too many units to put on that site. Mr. Higgins and Mr. Nadeau both stated that they agreed with Mr. Roberts. Mr. Polak asked what does that green area designate? Mr. Keating stated that's going to be the outdoor display area. Mr. Polak asked is that going to go right out to Stone Quarry Road and Route 9 because you're going to see all of that right out there in that intersection? Mr. Keating stated he's proposing to keep the units back. Mr. Higgins stated if you look at the drawing they're shown right out to the corner. Mr. Ruchlicki stated the following: They do come right out to the corner and I expect all of that to be cleared. From what I've seen there already and what I think I see there; if I'm looking at your pictures right and I go by there frequently, I won't say that I go by there everyday, but when you look at the picture that you have with the car in it, that car is on Stone Quarry Road and that power pole that is on that corner, all the wires come to that power pole and from the other way across the top of Stone Quarry. If there is one set of wires that runs across the front of your property, lengthwise with Route 9, I don't really know if it does that. I think it crosses the road and comes back over to a pole on the north corner of that property, unless it goes all the way across the top. What I've seen there and the action that I've seen there relative to whether or not the power company has cut any trees or not, they might have cut something down on the north corner of the property. But, the action that I see that happens or is about to happen in the south corner as well as this mauve color area or brown area that you're talking about; if you take all 4-inch trees out of that area, there will only be like 4 trees left in that corner on the north corner because the biggest tree that was there that we're talking about the power company cut down. I don't really see how it is that the power company would go there and clear cut everything across the front of the property because it was in their right-of-way; maybe 1 tree in the north corner that I've seen in the last 2 weeks. The scrub that is in there, like you showed us 1 picture with this big vine growing up the side of that tree, in my opinion, I have the same vine on my property and I own quite a bit of property. That's just pure negligence. If you had cut that off 4-years ago when you got there or whenever you started

to clear the area, that vine would of died and fell out of the tree, but that's a personal opinion. The fact of the matter is, I think what you're proposing to clear; you might just as well take it all down because you just about have it that way now. Mrs. Murphy stated that's not an approval to take it all down. Mr. Trolestra stated no, we don't want to do that. Mr. Ruchlicki stated the following: I was just making my comment. The fact of the matter is; I guess from my standpoint from what I see there; you have already cleared a big enough area and it is already in my opinion, bigger than we anticipated from the first approval until now. Mr. Trolestra stated we are now here because we have 18-months of experience and we would like to expand on our business. There is nearly 8-acres there and we would like to expand the number of units to be able to satisfy what we feel we need as a number to successfully conduct business. To clarify here, there are a lot of old growth trees still available in there. Mr. Ruchlicki stated it's just a matter of opinion. Mr. Trolestra stated the following: I would love to have you come by as a part of this. This is what we had requested last year; is to get a workshop of individuals to come and go over this, but we had been advised to come to the Board. So, that's why we are here. Mr. Polak stated the following: I just want to make sure that the committee goes to look at it with an engineer and our Planner. I received a couple calls about our Master Plan and the vision we had for an entrance to our community. I don't want to see these things right up to the property line, I don't want to see all the greenery cut out of there because when you come up Route 9 and look at that site, all you would see is all those sheds. Mr. Trolestra stated the following: I'm glad I can answer that. What we are trying to create, in which I feel we can do, is that entryway. We had talked to Mr. Watts about this a number of years ago. By the way, we've only been there for 18 months. Mr. Ruchlicki stated the following: It seems like you've been there a lot longer than that. That must be because when I drive by there, its what I see and maybe I don't particularly care for the way it's been handled, but that's my opinion. Mr. Trolestra stated right now my issue is that I want to make it look better. Mr. Ruchlicki stated the following: The issue I probably have with it is that I think you should have been here to ask us to do this long before I see what I see happening there now. It seems like it has just been growing and flowering and growing and flowering and we never approved any of it. This is only from what I see from the road. Mr. Trolestra stated the following: What we are proposing and what's on your plans there; those pictures are what we are trying to make of this gateway to the Town. We wanted to put a gazebo, and there is one shown there in that southwest corner, so that we could portray this product and show this area off. We have infrastructure in the ground to get this irrigated. I think this is pretty much one in the same because the goal is the same. If I don't show this product well, it's not going to sell. It's not like a car. Mr. Higgins stated the following: Why don't you just leave it as a park then? There are nice bunch of trees and things there and don't put in a gazebo or 25 sheds that you have shown there. Mr. Trolestra stated because I think we can integrate those as the pictures show to make things look integrated and make it a win-win situation. Mr. Higgins stated my personal feeling is that it is way-way too much for this site. Mr. Trolestra stated I guess I need to know what we can do to help you understand that. Mr. Watts stated the following: This is going around and around. We've heard your statements and you've heard our statements. I'm going to establish a committee of Mr. Roberts, Mr. Higgins and Mr. Ruchlicki to meet with you and your representatives. Also, we'd have Mr. Bianchino and Mr. Casper go to the meeting. I'm also referring the plan to Mr. Bianchino just to take a look at it from an engineering point of view, any wetland issues or anything that might be there. So, we will get that clarified and they'll be in touch with our Town Planners who will set up an appointment for these people to all meet at the site. Mr. Trolestra asked when do you think that might be? Mr. Watts stated soon. Mr. Trolestra stated if we get that meeting together, what do you think would be the next step from there so I have an idea? Mr. Watts stated we are going to look and see what they come back with and what their thought process is as they might say this

is terrible and this is the worst thing. Until they meet, I can't pre-judge that. Mr. Ouimet asked could we ask the applicant to give us a definition of "unit" in his own mind because in the future I don't want controversy as to what a "unit" constitutes. Could the applicant give us his definition of what he wants a unit to be, that way we'll better understand what 150 "units" are. Mr. Trolestra stated a unit is going to equal such and such and such and such and that's what you want? Mr. Ouimet stated the following: I don't want to come back here and have you tell us that we're now selling duplex offices and that's one unit. I don't want that. I want you to define what a unit is. Mr. Trolestra stated I understand that and I don't want to come back. Mr. Ouimet stated well, you define what you think a unit is and if we agree with you, that's what a unit is and then we'll go from there.

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

**13.025 NB Freyer Law LLC, 1593 Route 9 (Kevin Hedley) – Change of Tenant**

Mr. Kevin Hedley, of Veyeper Realty, stated the following: The proposed new tenant is a law firm with one lawyer and one employee. Three parking spaces would be required. Their hours of operation would be 9:00 am to 5:00 am. No changes would be needed to the interior of the tenant space. Mr. Higgins asked which building would they be moving into? Mr. Hedley stated the new building with the accounting firm. Mr. Watts asked if the proposed Freyer Law LLC firm is going to have a sign. Mr. Hedley stated yes, the applicant is going to apply for the sign application separately and she knows that she has to do that. Mr. Watts stated the following: Okay. Wish the applicant good luck and ask them to advertise that they are located in the Town of Halfmoon. Mr. Hedley stated I will convey that information to the applicant.

Mr. Nadeau made a motion to approve the change of tenant application for Freyer Law LLC. Mr. Higgins seconded. Motion carried.

**13.026 NB Clifton Park Podiatry, 1673 Route 9 (Healthplex) – Sign**

Mr. Berkowitz recused himself from this item. Mr. Greg Dawhare, of Nick Sign Company, stated the following: This proposal is to change out a couple of sign panels for Clifton Park Podiatry on the existing freestanding sign located at the Healthplex at 1673 Route 9. Mr. Roberts stated the following: I looked at this and there is no increase in the square footage of the plaza signage. They would just be replacing the Back in Balance tenant panels with Clifton Park Podiatry. All specifications for the sign conforms to Town Code.

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

**Location:** on existing free-standing sign

**Zoning:** C-1, Commercial

**Sign Size:** 2' x 8'

**Sided:** ☐ one-sided ☒ Two-sided

**Location of Sign:** at Route 9 entrance to site

**Lighted:** ☒ Internal ☐ Flood

Mr. Roberts made a motion to approve the sign application for Clifton Park Podiatry. Mr. Nadeau seconded. Motion carried.



**13.027 NB      Christopher J. & Phyllis Abele Subdivision, Lower Newtown Road – Minor Subdivision/Special Use Permit**

Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated the following: I'm here tonight representing Pastor Duke Hergatt on his proposed 4-lot subdivision and for a special use permit. The parcel is located on the easterly line of the Clifton Temple Baptist Church. The proposal is to create 4-lots in this configuration. For Lot #1 we are proposing a duplex, which we are going to be asking for a special use permit for a duplex in the R-1 (Residential) zone. Lot #2, Lot #3 and Lot #4 will have the keyhole configuration. We have set it up so that the three drives would come out from the 3 single-family houses into one curb cut onto Lower Newtown Road. The proposed duplex would also have a driveway. There is adequate sight distance for both east and west. Each of the sites would have on-site water and on-site sewer. Mr. Ouimet asked how long are those driveways? Mr. Rabideau stated probably 700 FT. Mr. Ouimet asked Mr. Bianchino if that required special construction standards? Mr. Bianchino stated the following: We typically do require that the driveways are adequate to support fire apparatus and enough room for two vehicles to pass by in both directions. Mr. Nadeau asked what is the character of the neighborhood as far as other duplexes in the area? Mr. Rabideau stated the following: There are other duplexes in the area and I believe there are a couple duplexes east of this site. There's vegetation along one area so we are minimizing streetscape disturbance and the church complex is located next door. So, you can kind of see this building from the church. There is a house in another area but directly across the street there is a ravine so no one is going to be building there. Mr. Nadeau asked are there more single-families than duplexes in the area. Mr. Rabideau stated yes.

Mr. Ouimet made a motion to set a public hearing for the minor subdivision application and for the special use permit application for the proposed duplex for the March 11, 2013 Planning Board meeting. Mr. Nadeau seconded. Motion carried.

Mr. Nadeau made a motion to adjourn the February 25, 2013 Planning Board Meeting at 10:25 pm. Mr. Ruchlicki seconded. Motion carried.

Respectfully submitted,  
Milly Pascuzzi  
Planning Board Secretary