

10/25/21

**MINUTES MEETING
Town of Halfmoon Planning Board
October 25, 2021**

Those present at the October 25, 2021 Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
John Higgins
Tom Koval
Rich Berkowitz
Thomas Werner
Mike Ziobrowski

Planning Board Alternates:

Brendan Nielsen-absent
Chuck Lucia

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobný

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi (absent)
Walt Lippman (MJ Engineers)

Chairman Don Roberts opened The Planning Board Meeting at 7:00 pm

Don Roberts: Good evening, I would like to call the meeting to order, have the Board members had a chance to review the minutes from the last meeting?

Rich Berkowitz: I make a motion to approve the minutes.

Mike Ziobrowski: I'll second it.

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

New Business:

21.180 Other One Brewing Company, 1505 Rt. 9 (Glennpeter Plaza) – Change of Use/Tenant & Sign

Randy Lewis: Good evening everybody

Don Roberts: Your name and address and what you plan on doing.

Randy Lewis: My name is Randy Lewis, I live in Clifton Park and my wife Tracy and we're looking to open up a small, small tap room. Where Glennpeter Plaza is and Oh Corn. They'll be moving out in the next two or three weeks so we want to put a small and when I mean small, small capacity, we'll be just brewing beer on premises and selling it for consumption there and then to take out, to take back home alright and close growlers and crows. Pretty much all the rage right now so, we're looking to open that up with in the next couple of months. We're in the process of getting our Brewers tag, our Brewers license.

Don Roberts: How many patrons do you expect to have in there?

Randy Lewis: Well it's about 1400 sq. ft. so I mean I don't think we will max out, I think the max there is about 40 or 50 but we're looking at hopefully we will have a couple of people coming in here and there, we're not really looking to open up a bar, we're not going to have liquor or anything other than the beer that I brew. And we are going to serve probably four or five taps at a time, different beers and we'll rotate them around, we're just looking to have people come in for an hour for beer and take some home and come back. Bring their friends, tell other people about it. Part time, it will be open from Thursday, Thursday from 4 to 9, Friday 4 to 9, Saturday from about Noon to 8 or Noon to 9 and Sunday Noon to 6. No Monday, Tuesday or Wednesdays.

Don Roberts: Any questions by the Board?

Rich Berkowitz: Yea square footage is for manufacturing the beer, brewing versus

Randy Lewis: About 250, it's a small, it's a two barrel system with 2 barrels output, 62 gallons of beer. So it's only going to take 250 sq. ft. that's it.

Rich Berkowitz: So how many tables and how many chairs? Because there is a formula on how you figure out how many people should be in there.

Randy Lewis: Okay, well we're looking at

Rich Berkowitz: I don't know what it is.

10/25/21

Randy Lewis: I don't know what it is either to be honest with you but.

Richard Harris: That would be part of the building permit review so you're going to need a layout plan for when our code enforcement officer needs to come to inspect before you open, that when we will ask for the liquor license for the file and he will be able to talk to you about seating and fire access in there.

Randy Lewis: Right , we're only looking I mean just , we're thinking of just 3 or 4 or 5 tables that's it you know, not a lot.

Mike Ziobrowski: Have you received your state liquor license at this time?

Randy Lewis: Not yet, they do it kind of backwards, so we have to be in there and have everything set up then they come and take a look at it, then that's the final step and then they give you your license.

Mike Ziobrowski: Okay, now for just the distribution component of it, is there and not having an actual bar is there a specific license that you will be looking to achieve?

Randy Lewis: No, no

Mike Ziobrowski: It's just a standard liquor license?

Randy Lewis: It's just a standard liquor license, yea it's a brewer's license, and it's not a liquor license, so we can't sell spirits. We can only sell beer that's brewed there on consumption for consumption there.

Tom Werner: Will there be any entertainment?

Randy Lewis: Uh no, we don't plan on it no, other than the people there.

Rich Berkowitz: How about TV's for football or anything like that?

Randy Lewis: Yea I might put an ATV. There. There's myself and three other people but we're all partners so we don't have workers , we are all pushing retirement so we're gonna , we're looking for something to do.

Tracy Lewis: Has anyone gone to Fidens, it's kind of the same kind of concept, so you go in you have little tasters and then you grab, you fill your growlers and go home with it, so it's like a tasting.

Tom Werner: Sufficient parking onsite for what you would expect for a significant turnout?

Randy Lewis: Yea there is 90 spots there

Tom Werner: 90 spots?

Randy Lewis: Yea which is pretty good, and I even took some photos of Friday night it wasn't even half full, Friday at 5:30 , same with , I took Thursday , Friday, Saturday and Sunday and there is plenty of parking there.

10/25/21

Rich Berkowitz: You have that whole side area that no one knows about.

Richard Harris: Yea that's what I've noticed and its typical of plaza shaped odd like that, where everybody wants to park right in front of where they're going, I mean the irony is when there's gyms and the people want to park right in front but they want to park in the parking lot, you know we have a couple places like that downtown. That whole side lot is like even at peak time, is half empty.

Randy Lewis: Yea it is, there's two side lots too.

Richard Harris: Right, on the other side of Glennpeter, now is the Jewelry store going to stay open for when people are?

Tracy Lewis: No we are going to stay with our normal hours, yea we'll close at 6, that way we can run over and have a beer.

Richard Harris: That will free up spots.

Don Roberts: Now for your sign, you're just going to change out the Oh Corn and put yours in?

Randy Lewis: Yes, same square footage, same everything, that's all we're going to do.

Don Roberts: Okay anyone else?

Rich Berkowitz: I'll make a motion to approve the change of use, tenant and the sign

Mike Ziobrowski: Ill second.

Don Roberts: All in favor aye? (All were in favor) opposed? (None were opposed) Motion carried.

Randy Lewis: Thank you very much.

Don Roberts: Your welcome, good luck. Make sure you advertise Halfmoon alright?

Tracy Lewis: Yes

Don Roberts: Thank you.

Other One Brewing Company (Glennpeter Plaza) – Change of Use/Tenant & Sign

APPROVED. Board approved a Change of Use/Tenant and Sign applications to use space at 1505 Route 9, for a brew pub/tap room and change existing signage to reflect the new business.

21.149/21.169 Noradki Subdivision, 3 Tabor Road – Major Subdivision & Special Use Permit

Luigi Palleschi: Good evening Luigi Palleschi with ABD Engineers, here tonight for the Noradki subdivision. Here representing Lenny Antonozio. He has 30 Acres of land as outlined in red. Under contract with Sharon Noradki. The parcel outlined in blue there's actually three pieces but one 93 acre parcel that's bisected by Tabor Road as well as the railroad tracks along the northern part of the 30 acres that we're

tonight to discuss. We're proposing single family residential subdivision, it's in the light industrial zone. The cul-de-sac is about 1200 linear feet coming off of Tabor road ending in a cul-de-sac. We're proposing 16 single family homes. The lot sizes are meeting the LC-1 Zoning requirements. 40,000 sq. ft. minimums with 150 ft. lot frontage at the building lines. You can see right now this is a conceptual layout sketch for the subdivision, many of the lots are frontage along the new cull de sac road with a few keyhole lots. You saw a plan similar to this a couple months back we had 19 single family lots, what has changed is the lot sizes before we were proposing an R-1 Zoning, which had a 100 ft. lot frontages but now we were at 150 foot. The other thing that we've done so far is a wet land delineation, there are federal wetlands located approximately in the northeasterly portion of the site. So the configuration of the road and lot configuration has been adjusted as well and a few lots were lost from 19 to 16 to accommodate that natural wetland drainage along the lots. There are minor wetland disturbances right around a .10th of an acre as proposed right now, there's public water and sewer available, water is at Tabor Road, that would extend into the cull de sac with a couple of hydrants and then the sanitary sewer system is owned by Saratoga County Sewer district it actually follows the Dwass Kill on the west portion of the site, and we're butting the existing sanitary sewer system so this project would feed into the Saratoga County Sewer system. Storm water is proposed along the Dwass Kill there in the northwest corner of the site. That will certainly comply with the New York State DEC regulations as we'll be over the one acre disturbance and mostly 5 acre of disturbance so a SWPPP document will be required as part of this project. We're here before the Board for conceptual feedback, hoping to move the project forward with some further details, so at this time I'll turn it over to the board for any questions.

Don Roberts: Okay thank you very much. Before we start this application has to be referred to Saratoga County Planning Board, our Town engineer MJ Engineering and the fire district, alright, okay comments by the Board?

Tom Koval: Some of these lots up in the top right corner have some significantly long driveways, and I'll definitely have some concerns about fire, with these, getting into them. One driveway looks like it serves three different houses am I correct there?

Luigi Palleschi: Yea right now as proposed it does, however we can create separate driveways where we could eliminate or reduce the number of shared driveways down to 2, I'm not a fan of shared driveways, I suffer with that daily so, but getting back that far with fire trucks with all of the neighbors vehicles and everything, that would definitely be a concern of mine.

Luigi Palleschi: Yea and the lot lines back there could be adjusted so that we could position the house, right now it's just conceptual, a lot of these lot sizes are much greater than 40,000 sq. ft. so if we need to jockey the houses a little closer to the road so we can certainly look at that as we advance the details.

Tom Koval: What you run into a lot is neighbors, you know your neighbors have a lawn maintenance company come in, their trailers are parked in the driveway, maintaining the driveway, it's a little bit of a nightmare when you try and start sharing the driveway with that many people.

Luigi Palleschi: No that is certainly understood. You know the idea here of sharing a driveway is really to minimize the amount of wetland disturbance crossings

Tom Koval: Right

10/25/21

Luigi Palleschi: So you know we are at a minimum of disturbance now and you know that's something that we can take up with Army Corps if the Board is sort of against shared driveways we can try to eliminate them and work with the Corps on the crossings.

John Higgins: How long is that driveway?

Luigi Palleschi: Probably a couple hundred feet.

Tom Koval: It's got to be all of that I would say

Luigi Palleschi: 150, 3

Tom Koval: I would say you're closing in on a 700 footmark when you get back to that rear house

Richard Harris: There would be State Fire Code requirements for the driveway with bump outs required every certain distance. These would meet fire code correct?

Luigi Palleschi: Oh yea they would have to meet fire code absolutely

Tom Werner: Are you proposing any screening along the proposed warehouse on your entry drive there?

Luigi Palleschi: We haven't really thought about screening at this point, we can certainly add it

Tom Werner: What about along the railroad right of way?

Tom Koval: There is so much, so much conversation about it on the back side and the people that own all of those properties on the back side of it were adamant about screening and burms and everything and I mean yes that warehouse isn't built yet, so if you built this out prior then we don't have to get a million complaints about noise and trucks and everything else.

Tom Werner: The railroad property itself borders along the back of those property lines, you said a single family residential so we can expect children, there should be some sort of security fencing what have you to keep them off the tracks.

Luigi Palleschi: Yea, again it's really going to be up to the individual homeowners as to what they are going to propose for how they are going to enclose their own property.

Rich Berkowitz: Are you going to let the homeowners there is tracks back there , there is industrial building there , across the street you have a transfer station?

Luigi Palleschi: Yea, I mean you know

Marcel Nadeau: Lyn didn't you mention that would be part of the deed possibly?

10/25/21

Lyn Murphy: We have required that in the past as part of the subdivision process that they're be language in the deed that notifies people , we can't make them read the deed so we still continuously bump into people saying how can that be developed, but yes we can definitely do that.

Rich Berkowitz: Do you know how many trains go by that, use that track?

Luigi Palleschi: I do not, not at this time no.

Marcel Nadeau: Too many at this time

Luigi Palleschi: You've got Northern Sites Dr.

Tom Koval: Its ridiculously slow though

Luigi Palleschi: You've got Northern Sites Dr. immediately to the east here with single family homes

Rich Berkowitz: Yea but they're there already and you're not.

Luigi Palleschi: Yea , I mean we were before this Board a couple months back with the residential , I think we asked a question about you know taking the temperature of this Board for whether we would stick with the current zoning of commercial vs. residential you know right now we had 19 lots , now we are down to 16 , 16 is sort of the magic number here to make residential work and if we can't make the 16 residential then we may have to look at the current zoning and go with light industrial , you know so

Rich Berkowitz: I just want you to let potential buyers what is back there.

Luigi Palleschi: Yea, right they would see what's there, you know eventually when the road is in and they are picking their lot

Rich Berkowitz: Hopefully up front.

Tom Koval: When they get rattled out of their beds at midnight yea your right.

Rich Berkowitz: And some people don't mind that if they are coming up from the city but.

Luigi Palleschi: Right

Don Roberts: Okay anyone else? As I said we will refer it to the necessary agencies and we'll get back to you alright, thank you very much

Luigi Palleschi: Alright

Don Roberts: Thank you very much.

Noradki Subdivision – Major Subdivision & Special Use Permit
TABLED/REFERRED TO AGENCIES. Board received a presentation on the proposed 16-lot subdivision, requested additional information and referred it to the necessary agencies and Town Engineer for review.

21.186 Tribley Active adult community PDD, 315 Farm to Market Rd. – PDD Recommendation

Jason Dell: Good evening my name is Jason Dell Im an engineer with Lansing Engineering, here on behalf of the applicant for the Tribley Active Adult Community. We were before the Town Board earlier this month on October 6th where the Town Board referred the project to the Planning Board for you folks to provide a recommendation pertaining to the project. So we are here this evening to introduce the plan to the Board in the hopes for the future of this board providing a positive recommendation back to the Town Board for the project. So the project is located at 315 Farm to Market Road and encompasses a little over 22 acres. The site is located immediately west of the intersection of Moreland drive and Farm to Market Road and the parcel is currently zoned as Agricultural –Residential. The surrounding land uses include the Arlington Heights PDD, both to the south and the west, as well as the Pinebrook PDD to the north and other single family residences on the other side of Farm to Market Road. So for our project the applicant is proposing the development of new PDD, the senior living facility, the senior apartments are not an allowed use per the AR zone so we are requesting of the Town a PDD for this project. So the applicant is proposing the construction of 146 unit independent senior living facility, there will be one large building that will have a 124 units and there will be two smaller 11 unit buildings for the project. There will be two access points into the project, the primary access will be off of Farm to Market Road with the secondary connection over to Seville Rd. The connecting Saville Rd and Farm to Market Road is proposed to be a Town road at this time. Parking for this facility is based upon the applicants experience with similar facilities, we are proposing two parking stalls per unit for the smaller buildings, however the applicant in his experience with Falcon Trace currently he only requires about one stall per unit for the larger building so for a total need of 4 parking is about 168 stalls. We are looking at 168 stalls and we're also proposing additional banked stalls around the outside s so we could achieve with the banked stalls the one stall , excuse me two stalls for every unit on the larger building side if this Board wishes the parking to be provided at that rate. The allowable density we did look at the buildable land for the project if you take out the wetland areas and steeper slopes in excess of 15% we do wind up with about 14.1 acres of useable land, if you look at the PDD code which allows ten units per acre that would be an allowable density of 141 units and for this project we are seeking a small density bonus of 5 additional units as we are proposing 146 units and section 165-59 of the Town Code indicated that the PDD that is designed exclusively to provide housing for senior citizens may be granted a higher density, so we are seeking 5 additional units which equates to about 10.35 units per acre. Water and sewer service will be provided to the project by a connection to the Town of Halfmoon water system as well as the Saratoga County sewer system. The proposed public benefit for the project is the construction of the Town road between Saville Road and Farm to Market Road, that's about 1135 feet of road which at current prices equates to about 850,000 dollars for the construction of a Town road of that length. So we're here tonight to answer any additional questions that the Board may have in hopes of advancing the project.

Don Roberts: Okay thank you Jason, first of all we will refer this to Saratoga County Planning Board, Town Engineer MJ Engineering and the fire district that being said comments by the Board?

Marcel Nadeau: Jason the entrance is that across from Kingsbrook?

Jason Dell: Kingsbrook?

Marcel Nadeau: Yea what is that street?

10/25/21

Jason Dell: It's Moreland

Tom Werner: It's Moreland Drive. It seems like it's a rather large facility looking at Falcon Trace, three stories is there an option to scale the size of that down from three floors to something less

Bruce Tanski: Shook his head no

Tom Werner: There is no option?

Bruce Tanski: Hi Bruce Tanski Clifton Park, sure there is always an option but the costs are a contributing factor here based on my past experience, the building was designed, I'd have to redesign the building and everything else and if anyone looks at Falcon Trace and they drive through there it's not an obstruction per se so I would say it would be very difficult to drop it down to two floors.

Tom Werner: Can you provide a visualization or rendering of this facility from Farm to Market as you drive by it also the Moreland Drive neighborhood across the street, because right now that is farm land.

Bruce Tanski: Im sorry right now what?

Tom Werner: Provide a visualization or computer simulation of the proposed structure as seen from Farm to Market Road.

Bruce Tanski: Yea we could probably do that, what I don't understand though is, you know we spend millions of dollars to put these buildings up and everybody wants to hide them, I don't want to hide my building. Im proud of the building that I built, I don't want to hide it.

Tom Koval: But you're building a multi-family use building in a very agricultural residential area

Bruce Tanski: Right

Tom Koval: Because you like it doesn't mean everybody that bought their houses around you like it.

Bruce Tanski: I understand but

Mike Ziobrowski: I mean personally Bruce, I believe that this is going to tax the roadways the water, sewer that's there off of Farm to Market its going to devalue the properties at Kingsbrook and you know Harvest Bend. I don't know it doesn't fit the makeup of the area.

Bruce Tanski: Well I don't think it's going to tax the roadways because these are seniors a lot of people that I have in my current buildings a lot

Mike Ziobrowski: Well I'll tell my dad who's a senior that he doesn't , he drives, just as much as I do , I go to work and I come back

Bruce Tanski: But I have a lot of people that don't drive

10/25/21

Mike Ziobrowski: Just as much as I do, I go to work and I come back

Bruce Tanski: No, I understand that but I have a lot of people that don't drive

Mike Ziobrowski: He goes to the golf course, he goes to more places than I do in a day

Bruce Tanski: We can provide the visualization for you no problem.

Tom Werner: And I think we are going to need a traffic impact study and maybe at some point a balloon test.

Richard Harris: You want the Town to conduct an independent traffic study outside of the applicants.

Tom Werner: Yes

John Higgins: How are you going to govern 55 and above?

Bruce Tanski: Just like when they come in now they have to give us, by law they have to give us their identification and that's how we do it.

John Higgins: Okay so you are going to limit, no overnight visitors that are under 55, grandchildren, children things like that?

Bruce Tanski: Well you can't tell a senior that they can't have their grandson or granddaughter that they can't come to visit them, that wouldn't be right, but we in our , we don't allow younger adults to stay only a couple days it's in our lease.

John Higgins: Okay so there are restrictions.

Bruce Tanski: Yes, yes Sir there are.

John Higgins: Okay thank you.

Rich Berkowitz: Now is this like a Coburg Village type of place with the restaurants, dining facilities, swimming pool, and exercise?

Bruce Tanski: No, no no

Rich Berkowitz: So it's more of a Falcon Trace apartment type living?

Bruce Tanski: Exactly

Tom Koval: So it's an apartment complex for people over 55?

10/25/21

Bruce Tanski: Its senior living, it has a community room, it has an exercise room, some apartment complexes have it some don't.

Tom Koval: Right, well if you're looking for our, my opinion on it I don't like it in this area and Im probably not going to like it as I see more pictures of it.

Don Roberts: Okay, were not going to take any action anyway tonight, I mean it's got to go to referrals

Tom Koval: Before he spends a lot of money

Don Roberts: Well he knows the drill so but also we're going to base on the comments we're going to ask for an independent traffic study by the Town anyways so that's going to take some time.

Mike Ziobrowski: And personally my opinion is for the density and the small area it's gonna tax the area and put too much demands on the roadway and the infrastructures, both water and sewer.

Tom Koval: It just doesn't fit, doesn't fit the neighborhood.

Don Roberts: Anyone else?

Marcel Nadeau: Bruce did you look at the property as an individual subdivision?

Bruce Tanski: It can sustain me think up to 42 homes if we do the cluster situation that the Town has adopted

Mike Ziobrowski: The cluster situation I think works a lot better.

Bruce Tanski: Well it probably does, that's a decision I have to make.

Don Roberts: Okay so referral to the agencies, get a traffic study done and we will get back to you Bruce alright.

Bruce Tanski: Thank you very much, thanks for your time.

Jason Dell: Thank you

Mike Ziobrowski: Thank you Jason

***Tribley Active Adult Community PDD – PDD Recommendation
TABLED/REFERRED TO AGENCIES. Board received a presentation on the proposed Planned Development District to allow the construction of a 146-unit senior living facility. The Board requested additional information and referred it to the necessary agencies and Town Engineer for review.***

Old Business:

21.145 35 Woodin Road Subdivision, 35 Woodin Rd. – Minor Subdivision

Christopher Longo: Good evening Christopher Longo Empire Engineering , here representing the applicant and the owner for this application for a two lot subdivision along Woodin road, The last time we were here in front of the Board was just last meeting two weeks ago and there was a commentary about the required setback for a dwelling in that we were proposing a duplex dwelling for lot #2 so we went back to the drawing board for the interpretation and we've arrived at , instead of proposing a two family duplex dwelling , we've altered the plan to propose a single family dwelling which affects the required frontage for a road frontage that would be necessary along Woodin road so for a single family house that would be 100 feet so this being interpreted as a flag lot we would set that front set back 50 feet off of the point at which the property obtained a 100 foot width, so that's the change to the plan. It puts the proposed single family dwelling about 87 feet off of the right of way off Woodin Road as we've discussed previously there is an existing driveway, asphalt driveway that does enter this portion of the lot now that would be utilized, and there is just a small portion that would be necessary to extend to finish a driveway to a single family home. So if there's any questions.

Don Roberts: Okay, comments by the Board?

Rich Berkowitz: So lot #1 is going to be a duplex supposedly?

Christopher Longo: Lot #1 is an existing duplex

Rich Berkowitz: Okay so we are talking about lot #2 okay

Tom Koval: I make a motion to set a public hearing for November 8th.

Tom Werner: Ill second that.

Don Roberts: All in favor aye? (All were in favor) opposed? (None were opposed) Motion carried, see you November 8th.

Christopher Longo: Thank you.

*Tribley Active Adult Community PDD– PDD Recommendation
TABLED/REFERRED TO AGENCIES. Board received a presentation on the proposed Planned Development District to allow the construction of a 146-unit senior living facility. The Board requested additional information and referred it to the necessary agencies and Town Engineer for review.*

21.102 Earl – NPPM Temporary Storage/Use, 1867 Route 9 – Site Plan

Tom Werner recused himself, Charlie Lucia will sit in.

Jason Dell: Good evening Jason Dell with Lansing engineering here on behalf of the applicant for the NPPM Industrial temporary use. We were before the Board about a month or so ago, where it was referred to MJ for review as well as to the County for Review and we are back this evening with an update and to discuss the project further. As the Board is aware we have submitted the concept and we are currently working on the overall plan for the NPPM however the applicant has the immediate need for the storage of the clean dumpsters. I would like to re- iterate the fact that he is no longer proposing the glass processing operation on this facility, so that is off the table. Since the last meeting we did have a meeting

Richard Harris: Jason I just want to clarify because I've got a question, it's off the table for this application and for the full build out larger development plan correct?

Jason Dell: That's correct, so since last meeting we did have a meeting onsite to discuss it , we did prepare an updated and temporary stormwater erosion sediment control plan that's up on the screen right now, we did supply several threatened and endangered species reports that were done both recently as well as in the past for previous iterations of the project , neither of which identified any threatened or endangered species out there and we've also received a sign off from SHPO for the property. So we're back this evening to further the discussion to approve the temporary use.

Don Roberts: Now we received a number of emails from residents and each Board member has copies and we will make that part of the record as well, so that being said comments from the Board.

John Higgins: Yea, what are the hours of operation?

Jason Dell: I believe Mr. Brady at the last meeting indicated that typical in the morning I believe he said it was from 7 and they're back in the evening I think he said between 3 and 4, so it's not a 24 hour operation.

Tom Koval: Didn't we request some kind of TOPOS last time, just to see the difference in elevation between Arlington Heights and this site?

Jason Dell: We did, you folks did for the overall project, we indicated that we were going to be providing a 3D analysis which shows the TOPO in relation to Arlington Heights, yes that will be for the overall project this here is significantly away from, and at the lower end of the hill from Arlington Heights.

John Higgins: I question the hours of operation because the present operation on route 9 they start at like 5, 4 or 5 in the morning, so you're telling us that no trucks at all are going to go to this site before 7 o'clock in the morning?

Jason Dell: I believe it's already on record in the meeting minutes.

John Higgins: I know that's what they what they said Im questioning it because if they have an order for dumpster and they need to have one delivered, I guess I speculate that they're just going to go and pick one up because they need to, they're not going to have a driver sit there for three or four hours before they can go and pick one up.

Jason Dell: I understand

John Higgins: So I just want to make sure that it's on the record that if it is approved that no trucks can access this site before 7 am in the morning.

Jason Dell: Understood and I believe that's what he already stated and, he is a direct representative of the applicant.

John Higgins: Okay I just wanted to reiterate thank you.

Tom Koval: So what was the timeline on this?

Don Roberts: We're going to establish this, even temporary use we are going to establish that tonight if we go forward, we can establish that.

Tom Koval: That's what I'm asking like what are we thinking, I mean 6 months, 8 months?

Rich Berkowitz: Timeline

Jason Dell: I think we've at the last meeting you mentioned about a year to get through approvals because we are actively working on the engineering as we've been working on the engineering we've also commissioned an additional geotechnical study so they'll be out there actually beginning of November doing some drilling in and about the site, to just take a look at the sub surface area, so we had hoped to have the engineering drawings in the next couple of weeks, however that is going to be delayed until after we get that geo-technical analysis back and were having that done in anticipation of MJ's review and asking us to look at some of the various slopes that were left there from the previous mining activities. So we are getting out ahead of that now looking at those soils looking at the safe slope set-backs that a geo-technical engineer would require. So I believe we had discussed last time that about a year would be appropriate to get through the approval process and I think that that would be acceptable

Tom Koval: So Jason these would all be clean dumpsters they are getting back, as clean as a dumpster can be, they're not going to have any stored materials overnight in a box?

Jason Dell: That's correct, and Rich and Paul were at the meeting and they can attest to the fact that they were clean dumpsters.

Richard Harris: I believe Mr. Earl indicated during the visit that they are cleaned prior coming to the site, that they don't perform any cleaning at the property.

Tom Koval: So the storage for any runoff is far off enough away from any wetlands? I've read so much from the neighbors and so many engineers

Don Roberts: Now what might help here Joel could you give a brief summary of your review, this might help clarify matters a bit.

Joel Bianchine: Yea sure so, we all met onsite some four weeks ago and we identified some of the technical issues that we would expect to see, they submitted us with, our view gave a history of the application as well as the property, they do have an active SWPPP they have do have a valid permit from the State, under the State storm water system. What they are proposing to do now is I'd say a minor operation, they meet the current permit requirements, we reviewed it and they addressed all of our comments so we have no issue relative to stormwater but what they are doing is part of this application on the site. The biggest operation they are really doing right now is remediating what is possibly an unstable slope, that we all saw out in the field that day, you know the applicant was hesitant to touch it because of the attention that the property has gotten, and we said if you do it with an engineering approach bundled with your SWPPP we would have no

10/25/21

issue with it we have done that and again they have met all the requirements that the State has and if the Board was so inclined to improve it, they could go out tomorrow.

Richard Harris: In that area that you are talking about was right up in here.

Joel Bianchine: Correct

Don Roberts: So at this time you have no outstanding issues with this application, okay thank you Joel, anyone else from the Board?

Tom Koval: I'll make a motion to declare a negative dec with SEQR

Rich Berkowitz: Ill second

Don Roberts: Okay we have a motion and a second to declare a negative declaration for SEQR all in favor aye? (All were in favor) opposed? (None were opposed) Motion carried

Tom Koval: And I'll make a motion to approve the temporary use with a 12 month expiration date for the storage of the dumpsters.

Rich Berkowitz: Ill second

Marcel Nadeau: What date are we using to start?

Tom Koval: Today

Richard Harris: So it will be the 25th of October 2022

Don Roberts: 25th of October

Tom Koval: Unless you want to use November 1st as the date? Do you want to use November 1st 2022.

Jason Dell: Sure

Don Roberts: That will make it easier, temporary till November 1st 2022. Okay we have a motion and a second, all in favor aye? (All were in favor) opposed? (None were opposed) Motion carried

Jason Dell: Thank you.

Earl – NPPM Temporary Storage/Use– Site Plan

APPROVED. Board approved the Site Plan for the temporary storage of dumpsters and containers for one year, with an expiration of November 1, 2022.

21.173 Summit at Halfmoon Senior Living Facility, 1620 Route 9 – Site Plan

Jason Dell: Good evening again, Jason Dell, engineer with Lansing Engineering here on behalf of the applicant for the Summit at Halfmoon Senior living facility. We were last before the Town Board for this

project back in June of this year, where the Board did approve the amendment to the Boyajin PDD to allow for the use for this property, so we are back before you folks this evening for the site plan end of things. If you recall the PDD modification consisted of amending the existing Boyajin PDD to allow for the development of Multi Family Senior and it also included the additional property located at 29 Sitterly road into the Boyajan PDD', so that's all been approved at this point in time. So the project proposes the construction of 110 unit senior living facility, to access into this facility our proposed, there's a boulevard entrance coming off of Sitterly Road, as well as the current existing access that's located on the northern portion of the property that extends back to the Wilscott facility behind it. Summit Senior living currently operates 5 similar facilities in the capital district, so the proposed number of parking that were showing on this site is concurrent with what they currently need and have as a public benefit for this project if you recall they were providing 500 per unit to the Town for general purposes, as well as 500 for park land contribution and 2 pickle ball courts at the senior facility. Water and sewer will be provided to the facility by a connection to the Saratoga County Sewer District system as well as the Town of Halfmoon water system and stormwater will be managed onsite in accordance with all requirements. So since the last time we were before this Board as well as the Town Board we did make one modification to the entrance over on Sitterly road and that was based upon the traffic consultant meeting with the neighbors and immediately across the street and they had asked us if we could just simply shift our access about 15 to 20 feet further to the west so our driveways wouldn't line up with theirs so we did accommodate that shift, we did move the access over about 20 feet to accommodate that request. We have also received and addressed all of MJ's comments to date pertaining to the technical aspects of the project so we have completed that and we are currently working with the Saratoga County Sewer district on the sewer connection down to Corporate and Sitterly so we are here this evening to update the Board and advance the project however the Board sees fit at this point. Okay thank you Jason. Comments by the Board?

Rich Berkowitz: Jason where is the second entrance?

Jason Dell: There is the entrance on Sitterly

Rich Berkowitz: Yea I see that and what road is that?

Jason Dell: This is the existing access it goes back to Wilscott it's an access onto Route 9 right here

Rich Berkowitz: By Boyajin?

Jason Dell: Yes

Rich Berkowitz: Right behind the eye doctor?

Jason Dell: Yes

Lyn Murphy: So this PDD is an amendment to the Boyajin PDD so that is right there

Rich Berkowitz: Okay

Jason Dell: Paul were you able to hear back from the County on that?

10/25/21

Paul Marlow: Yep, you're okay they had no problems.

John Higgins: The applicant understands they are going to have to limit the truck parking on that access road because I know there has been a problem in the past the Town has gone out there because the wells got overflows there a lot, occasionally.

Jason Dell: Yes whatever has to be done it will be , their property now and that access now runs through their property now and there will be an easement to the back however this will be the applicants property.

Don Roberts: Okay, anyone else?

Tom Koval: All my concerns have been addressed. Which was mostly drainage.

Tom Koval: Did we ever close the traffic situation? I know we were hoping to get some counts on Sitterly but that's not possible with the Bridge closed right now, it wouldn't be an accurate count.

Don Roberts: Yea you can't get an accurate

Tom Werner: So is there still a latent concern regarding traffic at this intersection in and out of Sitterly?

Jason Dell: The traffic that was generated by this facility was very low, the a.m. peak was 22 and the p.m. peak was 29 trips so it's a very senior, in their estimate and what the ITE guidance showed was that senior is a very low generator of traffic.

Tom Werner: Okay so you did look at that/

Jason Dell: That's correct.

Don Roberts: Joel you have any comments on this?

Joel Bianchine: We have done a couple reviews going back and forth with Lansing and I think their lightest response probably substantially addresses our comments, really the only big hurdle that we've encountered ownership of the water- main with Frank Tironi, we sorted that out

Jason Dell: That's great

Joel Bianchine: And now we are going out to Sitterly Road beyond that there is nothing to prevent us from completing our review in the next couple weeks so I think if the Board is so inclined they will probably be ready for approval in the next couple of weeks.

Lyn Murphy: Joel, you specifically you looked at the ability of emergency vehicles to get in and out and around the site correct?

Joel Bianchine: Yes we commented on the fire code issues relative to, because the building is over 30 feet in height, we require aerial apparatus access on at least one side of the building, I believe you show it on both the north and south side of the building

10/25/21

Jason Dell: We do have that, we also provided a turning template for a fire truck going around the site.

Joel Bianchine: So we give some lean in comments on that ultimately it's up to the jurisdiction fire inspector to say that's good , but we do comment on that and they had addressed those through the submission we provided last week I believe.

Lyn Murphy: Alright I would ask that the Board should they choose to move this evening as it relates to this project make it contingent upon the fire departments sign off.

Don Roberts: Okay

Rich Berkowitz: I'll make a motion to send the Town Board a positive recommendation

Lyn Murphy: The PDD is already

Don Roberts: The PDD's done this is just an approval

Lyn Murphy: Yea approval for the site plan which you don't have to act on tonight if you have additional concerns

Rich Berkowitz: No one really does

Don Roberts: No, other than the fire district

Rich Berkowitz: I'll make a motion to approval for the site plan pending fire department approval.

Marcel Nadeau: Ill second

Don Roberts: All in favor aye? (All were in favor) opposed? (None were opposed) Motion carried

Jason Dell: Thank you

Don Roberts: Welcome

Summit at Halfmoon Senior Living Facility – Site Plan

APPROVED. Board approved the Site Plan for the proposed 110-unit senior living facility conditioned on review by the fire department and Town Engineer.

Mike Ziobrowski: I make a motion to adjourn the meeting

John Higgins: Ill second it.

Don Roberts: All in favor aye? (All were in favor) opposed? (None were opposed) Motion carried, good night.

10/25/21