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**MINUTES MEETING
Town of Halfmoon Planning Board, 2018
August 27, 2018**

Those present at the August 27, 2018 Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
John Higgins
Tom Koval
Richard Berkowitz
Thomas Werner

Planning Board Alternates:

Mike Ziobrowski- absent

Coordinator Building, Planning and Development:

Richard Harris

Planner:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison:

John Wasielewski
Jeremy Connors

Town Engineer / CHA:

Joe Romano

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

Rich Berkowitz made a motion to Approve the August 13, 2018 Planning Board Minutes. John Higgins seconded. Minutes Approved.

Tom Koval recused himself.

Public Hearings:

18.089/18.097

First New York Federal Credit Union, 1533 Rt. 9 - Site Plan & Special Use Permit

Greg Hersbrung: Good evening my name is Greg Hersbrung professional Engineer with Bergman Associates here representing First New York Federal Credit Union. Just give you a brief product overview, First New York is proposing 2250 sq ft bank with a two lane ITM drive-through at 1533 Route 9, a special permit is required for the drive through this site is located just south of Lindsey's Country Store across the street from Key Bank. Site access is provided by 2 full access driveways, plans were submitted to DOT in mid-July, and we are still waiting to hear back from them on the approval of the access points. Parking 17 spaces are required based on the maximum of 5

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employees, 18 spaces are provided. Landscaping existing trees are to be protected on the property, as shown on the landscaping plan, screening is provided at the southeast corner of the site consisting of balsam furs, Frazier fur and white spruce. They are an 8 ft installed height and then at maturity they reach anywhere from 30 to 70 feet tall. Lighting is down lighting with the cutoffs on 22 ft . poles there is no spillage onto adjacent properties , the stormwater is designed to be in accordance with Town standards, its comprised of catch basins and storm pipe that discharges to an infiltration system in the northeast corner of the site. Peak development, peak post development , peak run off rates are less than the existing peak run off rates in the pre development condition. Water service is provided from a public main along route 9 and then there is a proposed onsite sewage disposal system in the south-east corner of the site. Percolation test have been completed, perk rates are in the neighborhood of 5 to 6 inches per minute, so very good soil conditions well suited for a standard septic system. Lastly hours of operation are from 7 am to 8 pm Monday through Friday and 7 am to 3 pm on Saturday. Thank you.

Don Roberts: Would anyone from the public like to speak? (no comments) seeing no one wishes to speak I will close the Public Hearing, just so you are aware I know you said you submitted your plans to DOT you haven't heard back yet, this Board has concerns about the northern access point we prefer to see a right turn out only just so you are aware of that.

Greg Hersbrung: Yes, yep.

Don Roberts: Comments from the Board?

Tom Werner: Just a question I noticed that the County commented in their review that they recommended that consideration be given to a one way traffic through out the whole site and I was wondering what your reaction is to that?

Greg Hersbrung: I think with that access in front, I guess that could be made a one way the only downside to that is exiting the site for people that want to travel south they wouldnt be able with the one way around I dont know that they would be able to exit from that south access drive. Unless you made it one way in front of the building then people that parked in front would have to drive all the way around to get to the parking in front of the building.

John Higgins: I think what they are saying is in front leave it two ways

Greg Hersbrung: Two ways

John Higgins: In other words if you are coming in from the southern entrance you could make a left and use a handicapped parking spots and then exit back through that same exit.

Greg Hersbrung: Yea I think that would be fine for the traffic flow to do that, as long as it its two way in front of the building

Tom Koval: So let me clarify if I understand your going to maintain in and out at the southern end and one way, out at the northern exit?

Greg Hersbrung: Yea, we would be agreeable to that if that's the Boards preference, to make the right turn out of the northern entrance

Tom Koval: Yes

Greg Hersbrung: Right turn only out

Tom Koval: Yes I think that would be the best bet, maintaining it in both directions, the rest of the lot I dont see where that would cause any issues

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John Higgins: Joe, are you agreeable with that?

Joe Romano: Let me clarify this, the southern access will remain full?

Tom Werner: Full access

Joe Romano: And then we will restrict the northern access to right turns out only so nobody will be coming in?

Don Roberts: This is just what we wanted, thank you

John Higgins: And no entrance through the northern

Greg Hersbrung: Correct

Don Roberts: Right turn out only

John Higgins: I just want to clarify, thank you

Don Roberts: Anyone else?

Tom Koval: That probably if we could do that like Realty USA down the road has we would require a little bit of curbing to force them to make that a right

Greg Hersbrung: Right we would modify that entrance to force people to make that right

Don Roberts: And Clough Harbor is going to have final review on this anyway so

Tom Koval: Joe do you know how Realty USA if you come out of Realty USA they have that curve where the lane goes out I think that is the only way to really persuade people to do

Don Roberts: And like I said Joe you are going to have final review on this anyhow, anyone else?

Rich Berkowitz made a Negative Declaration Pursuant to SEQR. John Higgins seconded. Motion Carried

Rich Berkowitz: made a Motion to Approve First New York FCU contingent on Clough Harbors final review and agrees to have a right turn only on the northern end. Marcel Nadeau seconded.

Don Roberts: Stating with the condition that the northern entrance is right, well we should still make it part of the record that they agree to have a right turn only.

Rich Berkowitz made a Motion to Approve First New York FCU contingent on Clough Harbors final review and agrees to have a right turn only on the northern end. Marcel Nadeau seconded.

Don Roberts: Thank you.

Greg Hersbrung: Thank you very much

18.138 Halfmoon Self Storage Center PDD Lot Line Adjustment, Route 146 - Minor Subdivision

Don Roberts: Would anyone like the notice read? (no comments)

Jeff Williams: Good evening Jeff Williams, Bruce Tanski Construction, the Halfmoon Storage Center PDD legislation was approved by the Town Board in June of 2018, the site consists of 2 existing parcels with a total

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of 16.87 acres, the proposed PDD itself has two distinct uses one is a flex space use of storage and the other is self storage units. In order to properly place both uses the lot line needs to be adjusted so we are proposing for lot 1 which is on, lot 1 being the flex space storage right now it currently is 8.61 acres after the lot line adjustment it will be 6.93 acres and lot 2 which is on this side which is the self storage units, the existing area is 8.26 acres after the lot line adjustment it will be 9.94 acres.

Don Roberts: That's it?

Jeff Williams: Yea

Don Roberts: Ok, I would like to open the Public Hearing would anyone from the Public like to speak? (no comments) Seeing no one wishes to speak we will close the Public Hearing comments by Board members

Tom Koval: This is just for the lot line adjustment correct?

Jeff Williams: Exactly

Don Roberts: They will be back for site plan review at a future date

Jeff Williams: We are addressing Clough Harbor's comments at this point

Don Roberts: And then we are going to see this again in the future

Jeff Williams: Hopefully soon

Rich Berkowitz made a Motion to Approve Halfmoon Self Storages Lot line adjustment. Marcel Nadeau seconded. Motion Carried.

Jeff Williams: Thank you

Don Roberts: You're welcome

18.139 73 Plant Road Subdivision, 73 Plant Road - Minor Subdivision

Jeff Williams: Good evening Jeff Williams, Bruce Tanski Construction, there is an existing 5.22 acre parcel on Plant road , at 73 Plant road , 73 Plant road currently has an existing single family home with some out buildings on it, the proposal is to create 3 new lots while retaining a lot for the existing house. All proposed vacant lots will be for the construction of single family homes and there will be public water and sewer being provided. The subdivision is as follows , lot 1 which is on the north side of the lot , lot 1 will be 1.78 acres , lot 2 will be 1.37 acres , lot 3 the one with the existing house on it will be 1.1 acres , there will be several outbuildings that will be removed from this lot to stop some encroachments from the subdivision, a pool and also a metal garage in the front and then lot 4 is 0.96 acres , this lot is considered a flag lot because of the width is less than 100 the conforming width, but we have shown that we can place a house back 50 ft from where the lot opens up to a 100 ft width also the existing septic area for the existing houses on this lot will be de-commissioned again all the lots will be hooked up to public water and sewer.

Don Roberts: At this time we will open the Public Hearing would anyone from the public like to speak? (no comments) seeing no one wishes to speak we will close the public hearing , comments by the Board members?

John Higgins: Jeff on lot number 4 being that its kind of a curve there do you have any idea where you are planning on putting the curb cut for the driveway?

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Jeff Williams: It hasn't been looked at but there is an existing curb cut right down in here I know there is a barn which is not part of our property that we are talking about , this site distance seems to be okay anyway so with the existing

John Higgins: Im just going off the drawing, ok, ok thank you.

Don Roberts: Anyone else?

Rich Berkowitz made a Negative Declaration Pursuant to SEQR. Marcel Nadeau seconded. Motion Carried

Rich Berkowitz made a Motion to Approve the Plant Road Subdivision application. Marcel Nadeau seconded. Motion Carried

Jeff Williams: Thanks so much

Don Roberts: You're welcome

New Business:

18.144 Graybar Electric, 2 Werner Road - Sign

Craig Trippin: Good evening my name is Craig Trippin with GPI, the package we recently submitted for the sign application in addition to the forms for the plans you've got up on the screen there to give you guys a narrative that kind of went through the process that we stepped through to get to the code requirements for the signs that we are proposing. The PDD language for this doesn't really speak too much to signage requirements what we did is we referred back to the zoning code for the light industrial commercial and the narrative goes through how we evaluated this but, kind of in a nut shell what it comes down to is that the code says you can have 200 up to an aggregate of 250 sq ft of signage plus 3 sq ft for every 1000 sq ft of the building size up to 50,000. So using that formula that tells us that we would be allowed up to about 372 sq ft of signage and with what we are proposing we are actually at about 245 so in comparison to the light industrial commercial code we are below that. What's on your screen right now that's the monument sign that we are talking about and that would be located out at the road on the north side of the entrance off of Werner, as you can see it's a 5x5 total sign size it's 2 sided , each of the panels are 3 ft x 5 ft so we are talking 15 sq ft on each side, this sign is internally illuminated so it doesn't have ground level lighting or anything like that it's a LED panel internal illumination. The other signs, do you have the other sheets up there? Ok so this is the sign we are talking about putting on the western facade of the building the side that faces Werner, this is actually the largest sign, this one has the reversed channel lettering with the internal illumination on that so that's backlit basically creates that kind of halo affect against the building facade. And then the other two signs are on, this is just giving you the letter information on it but those are essentially on the south side of the building on the awnings over the counter entrance and the will call entrance and their not lit their just basic lettering for people going into the building to know what door their heading towards. Im happy to answer any questions if there are any.

Don Roberts: now the monument sign that sign will be completely on private property not on the right of way right?

Craig Trippin: Correct

Don Roberts: Ok, any other questions?

Tom Koval: That's going on 146 or on Werner?

Craig Trippin: On Werner it's on the north side of where the entrance for the facility is located , for right now it's a construction entrance but just on the north side of that.

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Tom Koval: Alright thank you.

Tom Koval made a Motion to Approve Graybar Electric's Sign application. John Higgins seconded. Motion Carried.

Craig Trippin: Thank you very much.

18.141 Koehler Industrial Design Storage Building, 131 Round Lake Avenue - Site Plan

Mark Jacobson: How do you do, Mark Jacobson Insight Northeast on behalf of Craig Koehler, Koehler Industrial Design just a quick overview, Koehler Industrial Design LLC which is going to construct a 5,000 sq ft building, in what we are going to call 131 rear of the property, the site improvements are all located in the Town of Halfmoon and no construction is planned in the Town of Stillwater. Ballpark there is 2.7 acres total on the site with about 4/10 of an acre impervious that are being added inclusive of 5,000 sq ft building. We are adding in that number is 5 parking spaces and along those bottom of the existing parcel and the top of our parcel as we look at that we are going to be increasing the size of the driveway access from 13 feet to 20 feet its an emergency vehicle access requirement type of thing, the building will not be providing climate controls, it wont have an office, it wont have water and sewer or access to it. Pretty straight forward actually, if the Board has any questions I would be happy to take them on?

Don Roberts: Any questions by the Board?

John Higgins: Did you say the building is not going to have any water or sewer?

Mark Jacobson: that is correct

John Higgins: So it is strictly a storage building?

Mark Jacobson: Strictly cold storage

John Higgins: Ok

Tom Werner: What's the facade made material on the building

Richard Harris: It should be in your packets.

Mark Jacobson: Perhaps I could have the owner come and speak to that point, sorry folks I'm pinch hitting on this one so that one I dont know about

John Higgins: Don, are we going to address the outside storage at the same time or is that a different application?

Don Roberts: This is going to be referred to Clough Harbor so

John Higgins: Ok

Don Roberts: Just so you know we have a bunch of referrals on this so we can't take action tonight, your aware of that right?

Mark Jacobson: Yes

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Don Roberts: It has to be referred to Clough Harbor Associates , fire department, Saratoga County Planning Board, Town of Stillwater, Mechanicville so we have a bunch of referrals we've got to do before we can take any action on this anyways, any other questions or no?

Marcel Nadeau: It states you are storing crated items, what are the crated items?

Craig Koehler: Craig Koehler, Koehler Industrial Design, the crated items and trade show and event materials, truss, decking that sort of thing

Marcel Nadeau: So no hazardous materials

Craig Koehler: No hazardous materials no

Marcel Nadeau: The boat and RV storage is that annual or can somebody leave for 6, 7, 8 years?

Craig Koehler: Well it's a month to month lease so if it turns out to be 8 years I imagine it could.

Marcel Nadeau: Im just envisioning you know boats that nobody wants anymore or something it's a good place to leave it as a cemetery

Craig Koehler: I would be concerned as well it would be the last thing I would want we, its pretty neat and organized right now I think if we had somebody that just wanted to deposit something like that we would ask them to discontinue.

Marcel Nadeau: Ok.

Tom Koval: They would be paying rent so.

Rich Berkowitz: Is this visible from the road?

Craig Koehler: Its not very visible because its behind , if you refer back to the other plan the other building that I have on the front is 14,000 sq ft then you've got the Anthony kill running through there its heavily wooded along that creek , so its really set back right near the rail line.

John Higgins: You have what an 8 ft high fence there now? You can see the containers and your sign from the road I just went by there the other day so the containers obviously stick up above your fence so I think that was one of your questions is the fence going to be made higher so you cant see it all or is it going to remain the same height?

Craig Koehler: Well that fence is actually on the existing parcel, on top of the concrete so what we are looking at with this new site plan is an adjacent parcel and down on the bottom, to the right of the building in what is now grass fields is where the boats and RV's would be stored, right in that area so that would be approximately 8 or 9 feet lower than the top of that fence that fence is up on the concrete and goes up from there

John Higgins: Can you show us where the containers are now?

Craig Koehler: The containers are right here.

John Higgins: And they are going to remain correct?

Craig Koehler: No

John Higgins: No?

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Craig Koehler: Nope, once we, if we do if we get this building in place then we return those and stop policing them

John Higgins: Oh ok, that's what's in there now.

Craig Koehler: Yea an in the corner of this building here , right here is also is currently where we are storing everything, our former building was 20,000 sq ft this is only 14 so we've been air conditioning and heating crated items to which is not economical so thats why we are looking to do this.

Don Roberts: Ok then I guesses we will refer this to all the agencies I mentioned before and then we'll get back to you.

Craig Koehler: Ok

Don Roberts: Ok thank you

Craig Trippin: Thank you.

The Board tabled Koehler Industrials application to refer it to other agencies, Clough Harbor Associates, fire department, Saratoga County Planning Board, Town of Stillwater, and the City of Mechanicville.

18.142 Griner Subdivision (Lot Line Adjustment & 2 lots), 32 Linden Park Drive - Major Subdivision

The applicant failed to appear before the Board.

Don Roberts: I guess we will come back to them at the end

18.143 Fred's Tents-Offsite Display, 2 Brookwood Road - Change of Tenant/Use

John Higgins recused himself.

Fred Tracey: Fred, Linda Tracey, Fred's Tents, 420 Hudson River Road. Basically I have a two part question for the Board , the first question being is we have a particular tent line that we want to, we dont have enough property to do it at 420 , we have reached out to our neighbors , CGM Construction which will be at the corner of 2 Brookwood and Hudson River road to do a , to set up this product for educational and training for our customers, what our proposed date is October 1st , put them up the week of October 1st , have the customers come in the week of October 8th and then take them down the 15th an 16th obviously depending on the weather and safety for our employees we are looking probably at the first two or three days of that week of the 15th to get the stuff done.

Don Roberts: We were thinking of giving you the whole month of October to give yourself some leeway in case something comes up.

Fred Tracey: I dont need the whole month, when I talked to Rich I apologize the google image doesnt have the bike path that goes to the little park down there and I didnt reach out to dig safe there so the tents will be recessed back with this updated drawing, we moved them back a little bit further from the corner which makes a little bit more sense

Tom Koval: I think we would feel better if we made it until October 30th so we dont have to be a thorn in your side if something happens and you can't get it down.

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Don Roberts: It can't hurt ya

Fred Tracey: So that's what we are asking, the people at CGM were very kind to work with us on that so that's what we are asking for.

Don Roberts: Ok now also please make sure the tents are on 4 & 32; please make sure they are set back on private property not on the right of way just make sure.

Fred Tracey: The right of way on the bike path?

Don Roberts: Well yea, right?

Tom Koval: Yea the bike path is Town land so you can't have them there

Fred Tracey: Yea so the bike path swings in here and sort of drops here, if you look at the map Linda's got pretty much everything is back up in this area, ok

Don Roberts: Just so there are no problems that's all

Fred Tracey: I updated it; after we talked I printed another one and brought them back

Don Roberts: Ok good, alright, any questions by the Board?

Tom Koval made a Motion to Approve Fred's Tents off Site Display temporary application, from October 1-31. Marcel Nadeau seconded. Motion Carried.

Fred Tracey: So my second question was, thank you first of all, second would be we have been there four years this is going to come up I was wondering if there was any way we could do the same thing, pay the fees and either Rich Harris or the equivalent can we submit that to them?

Tom Koval: We do this similar situation with all the firework tents throughout the Town and they have to come before us every year for approval annually and its basically that insures us that any issues that come up the first time that we can address them on your second approval.

Fred Tracey: Ok and I didnt say before you approved it this is not open to the public this is not a public event it's a private event.

Tom Koval: Are you asking for a blanket approval for every time?

Fred Tracey: It's a funny, it's a different request to the Board so its not written into the code I dont want to get into a display its not a display its more educational.

Lynn Murphy: So basically what happens is because your on Mr. Marchone's property he has an approved site plan and on his approved site plan he can only do certain things so its really his site plan that has to be modified every time you do this, when you do it this year if you decide your going to do it the same time period every year if the Board is satisfied they could say after 2 years that we could make it approved for this time period at this site, they work with you but they just have to make sure that A it works the first year and B get Mr. Marchone's consent to make this an ongoing lot adjustment.

Fred Tracey: There area a lot of parties they have to be happy with us, he has to work with us you know we do a lot of stuff for the government and if we've got to do it short notice then we need to do it, the problem is that we have to move it out of Halfmoon, so I own property in other Towns that we can get into, the proximity of where the plant is it works for us we dont know that if we need to come back and do a follow up or if its just a

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one on one with Rich or you want me to come and present how it went as a wrap up, because if a disaster or things happen with a rapid deployment stuff that we do sometimes we have to act quickly and I'm not asking you to make a decision just that's what we are up against sometimes and to be able to do it still in Halfmoon would be great, and it may be one every 4 years I'm not going to do it more than once a year but you know that's where I'm at so but thank you for the first question I guess.

Don Roberts: Well let's see how it goes ya know, let's see how it goes this time and if there is no problem then we would be all set probably right?

Fred Tracey: Alright, thank you

Don Roberts: You're welcome

Old Business:

18.123 DiSiena Garden Center, 1470A Route 9 - Change of Tenant/Use

David DiSiena: David DiSiena 1478 Route 9 DiSiena Garden Center.

Don Roberts: Before we start Sir we had a committee go out and look at this could we have a little report on the site visit, can the committee take the time to tell us what you found if you could.

Tom Werner: Yea Paul Marlow and I met with the gentleman, and he explained that he has a tent there on site small, I would say relatively small tent that's there, he explained what he expects to do, he is going to be doing Christmas trees possibly at Christmas time, Halloween time the pumpkins and that type of thing also he is intending to do or applying to do pool supplies, chlorine and I think that's been all checked through I wasn't quite sure we had a chance to talk to the gentleman about doing screening, possibly doing screen repairs?

David DiSiena: No we didn't talk about that, that Friday at all

Tom Werner: Is that still something in your business plan?

David DiSiena: Yea that's basically someone brings in a window screen and we just repair it onsite, you know there is no glass no nothing it's just a table and we just put new screen in it

Tom Werner: I believe you mentioned you had 15 parking spaces roughly

David DiSiena: There is approximately 15 parking spaces yes

Tom Werner: Which seems to be adequate

Don Roberts: Is that it?

Tom Werner: That's about it, Paul anything else?

Don Roberts: Now your right on route 9 there, we are concerned about, how do I say this, we want to make sure it doesn't become unsightly if you know what I mean, you'll keep it neat, keep it looking good right?

David DiSiena: Oh Yes, it's a brand new tent I mean it's clean it's...

Don Roberts: I mean the site there with all the different uses your going to have there we don't want any..

Tom Koval: Are we approving the tent that he's got up, because he never came in front of us?

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David DiSiena: That tent was basically the same one that was on site before with R & K

Tom Koval: But is it on the site plan?

David DiSiena: There was a aerial photograph on google that showed the tent on the other side of the driveway but I dont rent or lease the other side of the driveway so I had to put it inside the....

Tom Koval: Ok, so it's been moved the site plan has been changed

David DiSiena: Yes, yes well yes in a sense the tent used to be here and now its here inside the fence, it's inside this white fence

Richard Harris: Tom your point we , before when this application was submitted we searched records for this and old approvals there really wasn't a good site plan showing anything close to what was there in the last 5 years, so with these types of things generally you know unless its a significant like he is putting up a building.

Tom Koval: Are they bollarding it in?

Richard Harris: Yea I kind of I mean he moved it over there has been a couple of other businesses that do that, we usually make them get a building permit for that a couple of times I run it by Don , they tend to come down in the Winter you know when they are for products that are seasonal at an approved business , and the history predates much of how we treated things ok.

Tom Koval: I was just making sure we weren't skipping a step that was going to bite us later, I think Id be more comfortable as we've done with so many other businesses lately making this a trial period , approving you through the end of the year with this usage and then if we see that it works out through your seasonal , your Christmas trees an everything with out any problems you have the possibility of getting it again next year and making it a permanent thing, its kind of an unknown for us how this is going to affect traffic your increasing the type of business thats on the site so

David DiSiena: It will be removed by Halloween; we won't use that for Christmas at all

Tom Koval: Ok

David DiSiena: It's not capable of carrying a snow load

Tom Koval: But, I'm giving you the December 31st date just in case you did need it for the holidays Im giving you some lead way, and then we could look at it again next year and say it worked fine we have no problem go ahead and do it but we have done that with several other applications for other businesses in Town lately just so we can verify that it all can work out and it is one of our most visible parts of Town so...

David DiSiena: Sure I'll come back in April next year to get it approved earlier in the season

Tom Koval: Come back earlier in case it takes a little bit , come back in March and ask for it , ya know whenever you are anticipating your going to want it give us enough time to get it on the agenda in case its busy or something

David DiSiena: Ok, no problem

Don Roberts: Anyone else?

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Tom Koval made a Motion to conditionally Approve DiSiena Garden Centers Change of Use/Tenant until December 31, 2018. Tom Werner seconded. Motion Carried.

David DiSiena: Thank you

Don Roberts: You're welcome

18.129 / 18.130 **Pal's Early Childhood Care and Learning Center, 13 Executive Park Drive - Change of Use/Tenant & Sign**

Erica Cozzolino: Hi Erica Cozzolino for Pal's Early Childhood Care and learning center, 13 Executive Park Drive Clifton Park NY. I don't know if you guys got the new...

Don Roberts: Halfmoon New York, just so you know

Erica Cozzolino: Sorry, Halfmoon, I don't know if you guys got the new approval or not if it was sent over do you guys need a copy?

Rich Berkowitz: Of the application you mean?

Erica Cozzolino: Well, I'm sorry application, there was a , she updated the amount of parking spaces

Don Roberts: We haven't seen that

Erica Cozzolino: I just got it emailed to me today; do you guys want a copy of it?

Lynn Murphy: So we really don't want to be reviewing an application here.

Erica Cozzolino: Well it's the same application it's just showing that there is , the first time we came we had 28 parking spots , it was with the intent that we were going to try and get extra play area for the kids so what it shows is that there is 38 parking spots now because we are not going to ask for that anymore because you guys weren't comfortable with the 28 parking spots.

Rich Berkowitz: Can you explain that again?

Don Roberts: Our big concern is the number of student you are going to have there. or children. M'am our big concern is the number of children you are going to have there, that's our big concern.

Erica Cozzolino: In the building?

Don Roberts: Yes

Erica Cozzolino: But it was due to like all of the

Don Roberts: How many children is she proposing?

Erica Cozzolino: She still wants the 112

Richard Harris: So we are at 112 because last time there was discussion of 125, to 150

Erica Cozzolino: No, no there was confusion, we always had 112 it was 22 years ago when she opened it was 112 so we just want to go back to what we had.

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Rich Berkowitz: So there will never be an increase from 112 to 125

Erica Cozzolino: No we can't base on you know how many we can have in the building

Don Roberts: Well that makes it easier; ok any questions by the Board?

Rich Berkowitz: Now how did you get the extra 10 parking spots?

Erica Cozzolino: We the first time we have a parking area that's right next to the school we were going to try to propose it later on to have extra black top area but we're not using it so we are just going to use it for parking too so that we have more parking space

Rich Berkowitz: Will employee parking be there?

Erica Cozzolino: Yea I mean we can do it either way; it could still be for staff or for parents but...

Rich Berkowitz: It might be better for employee parking.

Erica Cozzolino: It would make more sense so that the front end can be for them and since we are only going to have about 10 full time employees those ten spots make sense.

Rich Berkowitz: Where is the handicapped spot, oh I see it

Erica Cozzolino: Yup they were right in the front of the building

Rich Berkowitz: It looks more on the west side

Erica Cozzolino: If I can remember correctly there is signs on either side of the front door way that have for handicapped, unless Mother Theresa's put something up that wasn't supposed to be there but I do know that there were two signs.

John Higgins: Being that we are so late in the season would it be a problem to try the site with a lower number initially for this year and then you can come back next year if everything goes ok and we don't have any problems like we've had previously

Erica Cozzolino: I think that the concern is that the need is there she doesn't want to limit herself to how many people we can enroll

Rich Berkowitz: Well if your need becomes more imminent then you can always come back within that year as long as everything is working properly

Erica Cozzolino: Right so you mean like for October to December?

Rich Berkowitz: Say you fill it up 70 kids right away and that works out until December then you have an influx of kids in January, or you anticipate an influx of children in January?

Erica Cozzolino: It's just hard to know when you are going to get that influx it's all going to be dependent on it, I mean I understand that the concern before was the complaints from the neighbors but it wasn't from our building.

Rich Berkowitz: We are talking about traffic not neighbors

Erica Cozzolino: Just traffic coming in and out?

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Rich Berkowitz: Yea

Erica Cozzolino: But there is also only one school now where as several years ago when there was that much traffic there were the two Pals' side by side so you've only got the one building now

Don Roberts: What I would say is if we approved this for 112 right now tonight and then we had the same problem we had before how would you correct it? Then you're stuck, and we're stuck, Im not trying to be mean here but we had a problem there before

Erica Cozzolino: I know but it wasn't our building it was the building next to us that was having the traffic flow problem, we didnt have the traffic

Don Roberts: But it was still the same situation

Richard Berkowitz: And there has been increases in traffic in that whole area because there is more businesses that are located in that park now then were there before, different businesses with more intense uses, you see thats the problem that we have to address

Erica Cozzolino: I mean was there a problem when Mother Theresa was in there with that flow? I mean its just us going in and Mother Theresa is out, it's still going to be, they had more busses and staff

John Higgins: They were only approved for 64 students your asking for almost double that number thats what we have to address if your agreeing to 64 which is what was there before I dont think the Board will have a problem with that, you're asking us to double that number again as Don said once we approve it at that number then this..

Rich Berkowitz: Well we've come up with another idea

John Higgins: Go ahead I'm sorry

Rich Berkowitz: Where Erica possibly if we give you a temporary approval like we've done with some other businesses give you temporary approval for one year for 112 students and that doesnt work out you have to come before us within one year and we might have to restrict you on the number of students so if you cant handle...

Erica Cozzolino: I would like to be able to show that it would work, I mean I know you guys got the complaint several years ago but it was I mean like I've said I've been there for almost 11 years and I dont know like I've never saw, like there was the concern too during the peak time but we never really have more than 10 to 11 parents coming at one time so I think in and out of ours

Rich Berkowitz: But if you're confident how you can control this?

Erica Cozzolino: I, yes I am

Rich Berkowitz: So you have nothing to lose if we give you 112 temporarily for one year then you come back before us and if it works out and you run this properly thats great you have a permanent solution

Erica Cozzolino: Right

Don Roberts: I think that's the fairest way to go for all parties here

Erica Cozzolino: I think so and if it's not then all of you guys get to say I told you so and I dont like that

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Rich Berkowitz: We dont like doing that

Don Roberts: We dont want to do that

Erica Cozzolino: I dont want you to do that either but yes I am very confident

Don Roberts: You know what we want to do here we want to do a temporary basis for 112, if it works then your all set, if it doesnt work we reduce it

Marcel Nadeau: Who really determines if it doesnt work?

Don Roberts: Well we'll be hearing about it for one thing and we will also have a committee go out and look at it.

Richard Harris: Code enforcements in there very often for fire inspections their annual once a year so they're in that park quite a bit, I can't say that they are there every week but if we get complaints we will know about it

Erica Cozzolino: We also have our own licensers that come in and have to inspect quarterly and stop in with out us knowing and they would address it as well

Rich Berkowitz: How do we get those reports?

Erica Cozzolino: I could give them to you, I mean you could ask for them their actually on our OCFS website any violations that were incurred.

Rich Berkowitz: That's it

Don Roberts: Ok, that work?

Rich Berkowitz made a Motion to conditionally Approve Pal's Early Childhood's Change of Tenant/Use for one year temporary with a maximum of 112 students. Tom Koval seconded. Motion Carried.

Don Roberts: And one other thing the fire department would like you to put your number right?

Richard Harris: Yea the fire department requested that on your sign to put your building number, you know your address on there it is something they would like to see for all businesses but I think the emphasis is child care , important for them to quickly know what number their at.

Erica Cozzolino: You mean like 13

Richard Harris: Yea the street address number, yea

Erica Cozzolino: Oh ok ok

Richard Harris: 13 the number 13

Erica Cozzolino: On the building itself?

Richard Harris: On the sign?

Erica Cozzolino: On the sign, ok

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Don Roberts: We haven't acted on the signs yet but we are going to now

Rich Berkowitz: Do you have a picture of the sign?

Rich Berkowitz: The sign meets all of your approvals?

Richard Harris: Yea it's an existing sign structure.

Rich Berkowitz made a Motion to Approve Pal's Early Childhood's Sign application with the necessary address on the sign Tom Koval seconded. Motion Carried.

Erica Cozzolino: To add the address on the sign?

Erica Cozzolino: Thank you

Don Roberts: You're in Halfmoon

Erica Cozzolino: Halfmoon, sorry

Don Roberts: Good Luck

Erica Cozzolino: Thank you.

Don Roberts: Going back to **Griner Subdivision Lot Line Adjustment & 2 lots , 32 Linden Park Drive - Major Subdivision** ? (not present)

Rich Berkowitz made a Motion to Adjourn the Planning Board Meeting at 7:45pm. John Higgins seconded. Meeting Adjourned.