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**MINUTES MEETING
Town of Halfmoon Planning Board, 2018
November 13, 2018**

Those present at the November 13, 2018 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

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- absent

Town Engineer / CHA:

Joe Romano- absent

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

Rich Berkowitz made a motion to Approve the October 22, 2018 Planning Board Minutes Tom Koval seconded Minutes Approved.

18.169

Tabor Road LLC. 4-Lot Minor Subdivision

Don Roberts: Would anyone like the notice read? (No comments) go ahead Mike

Mike Bianchino: Thank you Mr. Chairman it is Mike Bianchino Im here representing the applicant Tabor road LLC with me tonight , he was in the back row is John Sobiech he is one of the partners in the LLC and the owner of the property. The parcel is located on the north side of Tabor road its about 1500 feet west of the intersection of Liebich lane and Tabor road, it abuts the western edge of the Northern Site subdivision lots. The existing parcel is

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approximately 5.57 acres in size and has approximately 267 feet of frontage and is currently vacant. The parcel is zoned residential and single family residential housing is a permitted use. The surrounding areas are also zoned AR. The primary use in the surrounding area is single family housing and the site is also located within northern Halfmoon generic environmental impact statement study area. There are no wetlands or streams on the subject parcel the onsite soils are up flow loamy fine sands , which are very deep well drained soils with rapid or very rapid permeability, and there are also some silt loams on the site which are somewhat less well drained, and they do contain some clay. What the applicant is proposing is a minor 4-lot subdivision for construction of single-family housing, the lots will be accessed by a single common driveway located along the western edge of the property, and individual driveways for each of the lots will come off of that coming driveway. The project is proposed to be connected to the existing waterline on Tabor road and there is no sanitary sewer in the area so the applicant is proposing to do onsite wastewater disposal systems. The totals anticipated water and sewer flows for the site are about 1200 gallons a day and the water and sewer systems will be designed and constructed in accordance with all local state and federal requirements, a copy of the plan has been submitted to the water department for their review. The lots will range in size from a little over an acre to for the smallest lot to a little over 2 acres for the largest lot in the back. With public water and onsite, wastewater disposal the minimum lot size in the AR zone is 30,000 sq. ft., which is a little less than three quarters of an acre, so all of the lots exceed the minimum requirement in the zoning district. As recommended in the statement of findings for the generic environmental impact statement, we have proposed a minor subdivision developed with a common driveway with a potential with a right of way if ever needed in the future, based on that the statement of findings indicates that a minor subdivision designed in accordance with the recommendations will not have a significant impact on environment, is not a type 1 action and could be established as a type 2 action in accordance with SEQ. Construction of the project will likely progress in phases so that we limit our total disturbance on the site the property along the common driveway will be the first part of the construction that will be undertaken the area along that side will be cleared and graded, a driveway will be installed that will run from Tabor road all of the way to the back. Following the completion of the driveway and the common waterlines the remainder of the lot construction, lots can be sold and houses can be constructed on those lots. The erosion and sediment control plans that are required for construction on a parcel like this are included in the plans. The proposed private shared driveway will extend approximately 620 feet to that back lot where it will terminate at proposed lot one, that driveway will be designed to accommodate all required emergency vehicles and will meet appropriate fire codes in accordance with the new code. The grades on the parcel slope generally from the southwest to the northeast any stormwater that is not absorbed in the sandy soils, collects in an existing low area, which is basically in the back in the large lot in the rear. Subdivision will be designed it will be in accordance all standard requirements for stormwater management. We're here tonight to answer any questions from the Board or from the public.

Mike Ziobrowski: So I have a question, and you could say that I just didn't really catch this, you're going to go from the bottom and work your way up over the course of construction, on your drawing here?

Mike Bianchino: I think that yea the first phase of construction will be basically installing a driveway that will run to the back first , so we will put the utilities in and the driveway in , complete that work and then the lots will be constructed now there may be one or two lots or single lots that may start as part of that construction but basically we've got to build a driveway to the back so that we can sell the lots as somebody may come in and want the back lots so we will have to have the driveway all the way in.

Mike Ziobrowski: So if no one bought the front lot and no one bought the back lot sold later then they could have 9 months of construction going on behind them, they are not being built at the same time

Mike Bianchino: The houses you mean?

Mike Ziobrowski: You get the benefit of having construction vehicles drive by your house for the next 9 months

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Mike Bianchino: True.

Mike Ziobrowski: That's a matter for SEQR

Tom Werner: Buyer beware.

Mike Ziobrowski: You wouldn't know until you bought the house, until someone else bought the house

Don Roberts: At this time I would ask that anyone wants to speak, please come up and say your name and address have your comment , that being said anyone like to speak?

John Pickett: My name is John Pickett I own the property immediately next door to the east, I have a single family residence on it , I have no objection to the subdivision perse but the concern that I have is there is fill to be placed on the lot closest to Tabor road, this whole area my lot at least the front half of this proposed subdivision sits in a natural bowl there is no surface water run-off, any rain that comes down or snow that comes down percolates into the ground it does not run off. It's not a problem most of the year because its primarily sandy soil so it percolates easily into the ground, however early into the spring when the ground is still frozen if you get heavy rain or heavy snow melt a big pond forms there and doesn't drain away , the lot and the subdivision close to Tabor road is now lower than my lot if that's filled it would be higher than my lot the water is going to run from that onto my lot and I have an at grade entrance into my house in other words my cellar floor is the same elevation as the entrance so if the water pools that high it will run into my house so I have no opposition to the subdivision perse" Im concerned if that front lot is gonna be filled how it might affect the water running off onto my property thank you.

Don Roberts: Thank you, Mike, like to respond to that please?

Mike Bianchino: Sure, the plan would be to obviously if we do bring any fill in here it will be graded in such a way that our plan is to have everything drain down the back to the north to the lower area which is in the back corner, so to Mr. Picketts concern we will certainly not bring enough fill in here where we are backing water up and we'll make sure that the Grading is such that if there is water that ponds here we will give it a way to get by the property and down the property line and it runs all of the way to the back, so there would be no, there will never be enough fill brought in on this edge where we would impact what happens on the adjoining parcel, we wouldn't burm it because what we would do is

Mike Ziobrowski: So Mike you would burm the whole side of the property?

Mike Bianchino: We wouldn't burm it because what we would do is if we fill here, we would create a swale here so that this would run down this way

Mike Ziobrowski: From this way?

Mike Bianchino: yea

Mike Ziobrowski: Ok

Mike Bianchino: so that if what Mr. Pickett is saying is the water ponds here we would make sure that any water that comes this way would end up you know going down to the back.

Don Roberts: You can address Mr. Picket's concerns, would anyone else like to speak? (No comments) seeing no one else wishes to speak we will close the public hearing, comments by the Board members?

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Marcel Nadeau: So Mike with that drainage you're not solving Mr. Pickett's problem you're just keeping your water on your property?

Mike Bianchino: Right.

John Higgins: What kind of an elevation are you going to have to have to go 600 feet to bring that water all of the way to the back of the lot, you need a couple of feet in that swale?

Mike Bianchino: Well the grade in the front is about 360 were about 335 in the back so we've got a good 25 feet of drop from this corner to that corner I think we can do it.

John Higgins: And as far as the water services to the individual lots your planning on individual services, right from the road all of the way back

Mike Bianchino: Correct

John Higgins: And naturally, if it's a common driveway you've mentioned about the 80,000 lb. fire truck and also you'd have to have some kind of easement set up for all of the lots

Mike Bianchino: Right the plan does show an access easement that covers the first , the entire strip there and then it narrows down as we go back but yea we've got it covered with a common driveway

Tom Koval: Has fire looked at this already?

Richard Harris: We didn't receive any comments from them, I mean they do have to meet the building code requirements for being able to handle a vehicle over 80,000 pounds , and they've got the turnaround at the end

Don Roberts: But they were given the opportunity to respond right?

Richard Harris: I believe we sent it to them I'll check

Tom Koval: We know my opposition on common driveways; I do have concerns about that drainage, right John it's a long distance for that to get rid of that water.

John Higgins: And who would be responsible for maintaining swale and everything else, ya know as each

Tom Koval: What happens afterwards if this doesn't work, and this gentleman's house is getting flooded, who's on the hook for this, and we are going to be taking all of the heat?

Mike Bianchino: As with anybody if you do something, if we do something on our property that impacts somebody else, you know but that's not the intent the intent is that we would take whatever drainage we've got here and take it to the back just the way it does now and it's not our intention to build a large berm here that would somehow create water going onto their property.

Tom Koval: How much do they intend to raise that ground up, obviously, you're not going to build a wall

Mike Bianchino: I mean the schematic really doesn't show the grading at this point but when the house is designed and we get it in there they'll look at that and I imagine it'll come up 3 or 4 feet where the house it maybe 5 feet where

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the house is back in here but that can be sloped off so that it drains to the edge and then again along the back , the site naturally drains this way already it's not like we've got to do a whole lot to get it to drain

Tom Werner: Mike you mentioned there is a approximately 25 ft. difference in elevation between the front corner and the back corner

Mike Bianchino: From the front corner all of the way to the back corner

Tom Werner: But the great amount of that drop is in the last lot it's only about 5 ft. from the front to the back of the third lot if Im reading the contours, you've got a 355 elevation back there

Mike Bianchino: 363 out at the road

Tom Werner: Out at the road but your 358, 355

Tom Koval: Yea there's not much elevation change for the first three lots it's all in the back so to create a swale effectively

John Higgins: Can I ask Mr. Pickett when you get that build -up of water in your front yard does it drain in that direction?

John Pickett: It's not actually in my front yard, it's in my back yard

John Higgins: Oh in your back yard

John Pickett: I get a fairly good sized pond back there probably $\frac{1}{4}$ or $\frac{1}{2}$ an acre even have ducks and geese in there in the spring, it only occurs at the end of the winter if the ground is still frozen and we get a heavy precipitation

John Higgins: And it doesn't drain in any direction it just stays there?

John Pickett: It just stays there until it percolates into the ground, there is no drainage at all and the proposed lot that is closest to the road is considerably higher or lower than the middle two lots so it will not drain from that first lot backwards away from the road, and you know it's of no concern to me unless they fill that lot so that it's higher than mine so the water runs from that lot onto mine.

Tom Koval: Which they are going to have to

John Higgins: That's what we are questioning right now, thank you.

John Pickett: Ok

Mike Bianchino: And again, we don't argue that we will have to bring some fill into that front lot but we're not going to bring in the fill in such a way that it is going to drain onto Mr. Pickett's property

John Higgins: How are you going to stop it?

Don Roberts: So Mike, are you saying that is not going to be higher than Mr. Pickett's lot.

Tom Koval: The water that used to sit there has got to go somewhere and there is not enough

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Mike Bianchino: Let me put it this way the grade at the property line as it exists right now is it higher than Mr. Picketts, at your property line at your western property line, if he is higher, what I'm saying is the lot, the grading at the property line is not going to change we will be lower at the property line than Mr. Picketts lot so his lot will drain continue to drain just the way it does now we will pick that drainage up and put it to the rear if we have to put a structure in we will put a structure in.

Don Roberts: Before we go any further here I think we should have a site visit, a committee go out and do a site visit just to see what's going on out there, Tom, Marcel ok Tom Koval, Marcel they will be a committee they will go out and look at it and then we will get a better idea of what's going on, alright, ok

Mike Bianchino: Sure

Tom Koval: One more question where is the hydrant right now?

Mike Bianchino: The hydrant is across the street, the end of the line used to be there it has just recently been extended it crosses the road and runs down that way.

Don Roberts: Ok, so Rich so we will set up a site visit with Tom Koval, Marcel, and Mike, all right thank you.

Mike Bianchino: Ok thanks

Tabor Road LLC 4-Lot Subdivision, PUBLIC HEARING HELD/TABLED. Board held a Public Hearing and tabled the request pending a site visit by a committee of the Board.

New Business:

18.181 CM School of Fine Arts, 1505 Route 9 (Glennpeter Plaza) – Sign

Collette McCombe: Good evening my name is Collette McCombe and I am the school director for CM Fine Arts, we have actually been there, this is our 10th year in that location and all of my staff is still the same About 7 years back we , ok so we are a music and arts school, we do music and dance, art and acting, and by the way hi Rich, if you could tell Rene that I said hello and if Mr. Harris were here Im pretty sure, oh you are here I think I taught someone in your family piano too, but we do music, dance, art, acting preschool through seniors, we just added barroom dance and musical theater for adults, so 7 years back I started a scholarship program for high risk kids we had a teenager come to us who needed help with staying in school they were failing because of family situation so I started a scholarship fund and we completely sponsor them over a dozen have come and all of them have successfully graduated because of our programs, but a few months back we were greatly affected by the layoffs with Global Foundries and a third of my school had to stop lessons because they lost their jobs and because of that there was no longer any money in the scholarship fund, a 16 year boy came who needed sponsorship and we were not able to take care of him and it pretty much broke my heart so I realized we needed to make some improvements to draw in more students one of those things to do so would be to update the look of our sign since the old signs were not really very visible they were dark so these ones the background is white and it actually is all the colors of the rainbow, our statement is painting the world a brighter shade of beautiful one student at a time and you can see how these signs reflect that. So I just need with your approval for that to be ok.

Don Roberts: So you did a swap out with the old signs and put the new signs in?

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Collette McCombe: They literally the same sign scraped off with the color.

Don Roberts: Ok thank you

Richard Harris: Don I just want to add what you may not be aware of that the sign on Guideboard road the middle one there we never had any record of the prior one being approved but we have record of the other two so that's the main reason why we had you come in for this

Collette McCombe: Oh, ok because they called and said that I was good and then they called back and said that I was not good, ok that makes sense.

Richard Harris: Yea that stuff happens but that's one of the reasons why when there is a change in tenant and I know you weren't but that's what our inspector picked up on that suddenly a new sign showed up and we had initially thought it changed tenants too which I know it's not, and so when we did our research we discovered that sign had never gotten approval so that's one of the main reasons too, ok

Collette McCombe: Ok, thank you so much for explaining it to me.

Don Roberts: So I think she's in, the signs all meet our code and we are ok there.

Richard Harris: We checked the totals on the plaza because this is one of the plazas that are getting close to its limit I've got the numbers in the packet but they're still within their maximum for that zoning district and the square footage of the building so they are fine square footage wise.

Tom Koval: I make a motion to approve

Don Roberts: Can I have a second?

John Higgins: I'll second it

Don Roberts: All in favor (all were in favor) opposes? (None were opposed) Motion carried, your all set

Collette McCombe: Thank you so much please tell people about us to help us grow our program for the scholarship

Don Roberts: Ok and when you advertise you're in Halfmoon alright

Collette McCombe: I'm sorry

Don Roberts: When you advertise that you're in the Town of Halfmoon

Collette McCombe: I don't have to put Clifton Park, I can put Halfmoon?

Don Roberts: This is the Halfmoon Planning Board not Clifton Park, Halfmoon

Collette McCombe: Alright, thank you very much sir

CM School of Fine Arts APPROVED. Board approved three (3) signs, including replacement panels for the existing wall-mounted sign (Rt.9 facade) and plaza sign, and a wall-mounted sign on the southern facade.

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18.178 Lightning in the Woods, 41 Outlook Drive South- Home Occupation

Mike Ziobrowski recused himself.

Barb Moore: Hello Im Barb Moore I started a business over the summer Lightning in the Woods with my son here, we basically make crafts , we electrocute the wood and it comes out with a lightning pattern in the wood. We do use saws we're using reclaimed fencing wood to make our products so we had a complaint from our neighbor directly next to us in the neighborhood that the noise from the saw was and the sander were waking up his children from naptime, he never addressed it to me, had he addressed it to me I would have just , I would have worked it out with him or whatever but he just went right to the Planning Department and had the complaint and then addressed me after he had done all of that. We don't have, it's an at home business we don't have any customers, we don't have any employees it's just my son and I and my husband helps out, we don't have any signage we sell everything at antique off of exit 8, we really have no disturbance other than his children woke up from a nap from the saws and we don't, we at the time were just building our product and stuff and building up inventory of everything and once that happened it really died down because now we are just in the process of selling the items that we have, but that's why Im here because we had a noise complaint about it.

Don Roberts: Now do you store things outside or all inside or what?

Barb Moore: We had fencing outside because we had been removing the nails from the fencing and he had complained it was a mess in my driveway and that he also complained that my lawn wasn't mowed because it was a little taller , the lawn wasn't that bad , he mows his lawn three times a week my children do my lawn and im trying to teach them responsibility so he had also made a complaint about the lawn not being maintained, my basketball hoop was broken because the kids had broken the back board so it has a hole in it so he made complaints of that nature too.

Don Roberts: Ok, comments by the Board? We will need a Public Hearing on this anyway so..

Marcel Nadeau: So where were you doing the grinding and the cutting, where is that being done?

Barb Moore: It was just in my garage with a circular saw

Rich Berkowitz: I make a motion to have a public hearing at our next meeting which is

Don Roberts: November 26

Rich Berkowitz: November 26

Marcel Nadeau: I'll second

Don Roberts: All in favor? (All were in favor) opposed? (None were opposed) Motion carried. So we will see you back here November 26th for a public hearing.

Barb Moore: Ok, thank you

Don Roberts: Thank you.

Lightning in the Woods, PUBLIC HEARING SET. Board set a Public Hearing for November 26, 2018 for a home-based woodworking

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business.

18.155 Dukes Grove Pole Barn & Shed, 486 Hudson River Road – Site Plan

Duane Rabideau: Duane Rabideau from VanGuilder and Associates representing the applicant Don Neddo before the Board for 2 Site Plan revisions at the Dukes Grove event center, located at 486 Hudson River roads. The first revision to the site would include a bocce ball court that is under construction right now right here, it basically it's a bocce ball court and they will have a pavilion type of structure roof constructed over the court, at this point in time that the court is in and some of the piers for the roof are up, that's where it stands now the other revision is an existing 8 x 12 building right in this area right here. It's a wood framed building it's in back of the existing pavilion cluster, this building is the bridal dressing room for catered weddings that occur at the site, and basically those are the two revisions that's our proposal before the Board tonight.

Don Roberts: Ok, thank you Duane, questions by the Board?

John Higgins: Are there engineered drawings for the larger building? And for both buildings?

Duane Rabideau: The one the 8 x 12 one that's existing at this point in time

John Higgins: It doesn't make any difference if it's existing, how long has it been there and was that on the original site plan?

Duane Rabideau: That was not on the original site plan that's why we are here tonight

John Higgins: So it was built without a permit?

Duane Rabideau: That's correct

John Higgins: So building that size requires stamped drawings.

Duane Rabideau: There may be but at this point in time I am not aware of it.

John Higgins: Ok how about the other building?

Duane Rabideau: I believe that I saw some plans for it whether it was engineered or not that came to the attention of the building department so they are going to take care of that

Paul Marlow: Yea, the applicant is going to have to work with the Building Department and pull the proper permits and provide the proper paperwork, the Building department will let them know what they need.

John Higgins: Ok

Don Roberts: Also Duane we can't act on this tonight, Saratoga County has to review this as well as the fire district, ok, anyone else? Ok so they will let you know when you can be back on again alright.

Duane Rabideau: Ok

Don Roberts: Ok, thank you.

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Duke's Grove Pole Barn & Shed, TABLED/REFERRED TO AGENCIES. Board received a presentation for a 2,880 SF pole barn/bocce court and 96 SF shed and referred the project to the various agencies and the Town Engineer (CHA) for technical review.

18.184 Halfmoon Healthcare Campus PDD Amendment, Rt. 146- PDD Amendment
Recommendation

Cathy Drobny recused herself.

Kevin Dailey: Chairman Roberts, members of the Board my name is Kevin Dailey Im here representing the Halfmoon Healthcare Campus PDD, an application has been made to the Town Board to amend the PDD to allow an additional use which would be for senior housing on the campus, and per the requirements of the PDD ordinance that has been set over here for our recommendation. Now I haven't been here in a while I see a couple of new faces, see some old faces and people that were other places before but now they are here so some of you are not familiar with the campus but basically get you oriented, it certainly will be nice to have some monitors out here that you can see but on the wall behind you is a map of the 81 acre campus which is on route 146 on the south side, some of you are very familiar with the project we have been there several times in 2008 the PDD was approved its been extended several times since then we have been here for site plan approval for a memory care facility which was not built they could not get it financed. And going back before that some of you may recall that we've talked to hospitals in the area we've talked to every major health care facility in the area you may recall that sometime ago in 2012 St. Peters announced that they were coming here to the site and never came, didn't have the money and we are as owners of the property looking for something that will basically jumpstart the project bring some activity into the Town, and also activity that would be related to the ultimate healthcare mission of the site. In terms of the size the pdd local law specifies that we have available 573,000 sq. ft. and we have faithful to the Town in terms of the uses, we have set aside 225,000 sq. ft. for the a major medical facility, the legislation specifies a 104,000 for a memory care facility which leaves about 240,00 sq. ft. un-accounted for and we would like to use that square footage for senior care , senior living facilities, we expect some level of care, independent living and other various gradations that go along with senior housing in terms of the level of care. Some of them rising to the requirement of a department of health certificate. We do not know at this point exactly what we will be doing there in terms of level of care because a study has to be done for the housing needs in the community. In conversations with the Supervisor I understand that there is waiting list now for senior housing in the Town, we would like to fill that need, and having senior housing here would be a spur and also related to our ultimate goal of providing health care facilities in the Town. When you look at the Capital District, the hospitals are all in the central cities and what we have here in the community is urgent care facilities which are fine they are great but I think that we would like to all see something a little bit more in our community in the future, going forward on that is what we ultimately hope to provide here. Some of you are very familiar with the project and we will be if in fact the Town Board does vote to change the pdd and acknowledge this use we will be back here before this board for a site plan approval, and I would also mention that all site plan approvals here do need to go back to the Town Board for further approval there so there is a lot of checks and balances but we are here tonight seeking your recommendation back to the Town Board for this proposed new use. Could I answer any questions?

Don Roberts: Any questions by the Board

John Higgins: When you were here last time I expressed as well as a few other Board members concerns about traffic and access out onto 146, the drawing Im looking at right now shows two driveways out to or roads out to 146, we expressed concerns way back when you said you would address them when you came back with any future additions to that one building, I don't see anything here and Im just mentioning it when and if you do come back for site plan that's going to be one of the things I think several of the Board members are going to be definitely concerned about.

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Kevin Daily: Absolutely John I anticipated that you might mention that tonight we've had some good conversations in the past, we are aware of the traffic concerns and if you look at the drawing you might remember John that the main entrance was up at the top of the drawing which was up at the western side which was when we first acquired the property that was the only location we could get into the site without disturbing wet lands and without disturbing an archeologically sensitive area, since that time and through the course of our ownership we have received a permit from the Corps of Engineers to fill some wetlands and you could see those wetlands on the map they have now been filled and then you'll also see a crossed hatch area which is the archeological sensitive site, we think probably back in the site up until back in the 1950's or 60's there may have been a house there and sometimes the archeological sites get to be a little bit large, it depends on how far the refuse from the old houses back in the 19th century were taken out but we did further studies and working with office of Parks and Recreation we were able to shrink that site considerably, so that being the case we were able to move the main driveway farther east which is where you can see it now in the drawing. Which allows us to, it saves a lot of blacktop and allows us to serve us centrally, but you are absolutely right we did promise this Board that once we got passed the first structure we would build another entrance, and at this point we haven't built any structures so we are aware that when we come back in for site plan for a second facility there, a second facility there, and a second entrance is necessary and we will be faithful to that. I would also add that hopefully when we get back here for the site plan one of the things that John you spearheaded were questions relative to parking and size of the buildings and ultimate traffic flow, now I will go back and remind the Board that when we looked at the memory care facility none of the residents in the memory care facility would be driving, they don't have cars and as a result we were able to get some pretty good square footage approved for that building but with a very limited amount of parking and a very limited amount of traffic trips so that was good from that perspective senior housing probably doesn't generate as much traffic or as much parking as a Doctor's office will, but we will come back with the study from Creighton Manning on each of the proposed used that we proposed to do here for this Board and this Board will consider that as part of the site plan review and hopefully approve.

John Higgins: And also in the past 10 years the traffic on 146 has increased dramatically which is something we're definitely concerned about.

Kevin Daily: We are very aware of that and as I understand it when you do a traffic study these numbers are already in the base system I think maybe Tom you might be aware of that so at full build out we needed to add a signal and turn lanes on route 146, we may find that those improvements will be necessary sooner than what we anticipated back in 2012 and in 2014 and 15 when we were here last.

John Higgins: And obviously that's all going to require DOT approval.

Kevin Daily: Yes, yea for a curb cut

John Higgins: And a light if necessary

Kevin Daily: If necessary, yea we are aware of all of those things obviously the Town is aware of them and...

John Higgins: I just wanted to make sure you remembered

Kevin Daily: I had a feeling you would remind me, coming over here this evening.

John Higgins: Thank you

Kevin Daily: Good to see you again

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Rich Berkowitz: Kevin I just have a couple of questions, the new housing , the two new units for the independent senior housing that has 110 beds each?

Kevin Daily: Yes

Rich Berkowitz: Your counting one bedroom and two bedrooms?

Kevin Daily: Yes counting one bedroom and two bedrooms, yes some will be ones and some will be doubles

Rich Berkowitz: And the percent for the memory care loss center and the independent living, how many are going to be memory care and how many are going to be independent living?

Kevin Daily: Memory care we were looking 123 beds I believe for that and I believe that's what the site plan approval

Rich Berkowitz: Are you combining the independent living and the memory care or is that going to be separate?

Kevin Daily: No we, if you look at the, we intend, the two buildings, the building that is immediately behind the memory care facility which we are showing there and that is not, their building that is up in the far right hand corner that is what we would be anticipating as the memory care facility, that is not the configuration by the way that received the site plan approval.

Rich Berkowitz: Ok that is not a combined independent and memory care?

Kevin Daily: No we are not combining it, in back of that would be where we would plan to put the first of the

Rich Berkowitz: To the left, right up top?

Kevin Daily: Right and both of those lots we can build on without further Army Corps of Engineers permitting, for a second building we have to go back and get a , not a nationwide permit but an individual permit from ACOE to proceed.

Rich Berkowitz: So you're going to have about a total of 350 beds?

Kevin Daily: Hopefully yes, and that still leaves probably about slightly less than half for medical facilities.

Rich Berkowitz: Now when you're counting beds are you counting people or beds, bedrooms?

Kevin Daily: I think we're counting one per

Rich Berkowitz: No, there is a difference

Kevin Daily: I may be answering this improperly, I think we are counting one person per bed, I could be wrong on that though, but not too far off

Rich Berkowitz: What you might want to do is consider it units and not beds

Kevin Daily: Ok, tonight we're here just for the concept

Rich Berkowitz: No I understand

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Kevin Daily: But when we come back we'll have a much more comprehensive plan, all of those answers provided

Rich Berkowitz: And your trying to pattern this after Coburg Village or...

Kevin Daily: Very similar, very similar now Coburg Village you have to be

Rich Berkowitz: Right they don't have the memory assisted

Kevin Daily: No and we're also trying to provide some living quarters for people who may not be quite as well off as the people who live at Coburg so there's a tremendous need across the economic strata but I think there is sort of an in between area that is not being served and we find in Halfmoon a lot of people in this community are aging in place and some of them may not be able to afford to go to a place like Coburg.

Rich Berkowitz: Ok

Don Roberts: Anyone else?

Mike Ziobrowski: I have one question as I read through here it states that the public benefit is the additional future community benefits, so my question is what is the public benefit if your stating that its additional future community benefits.

Lynn Murphy: It's my understanding that this is something that is still being negotiated between the Town Board and the applicant he is going to give you a half hour story about the benefit of having a health community near you , which is a 100 % accurate but I know that they are still talking about the public benefit what it is going to be at the final buildout, I mean common sense tells you that the benefits of having housing for our seniors , healthcare close by a memory care facility , so they are going back and forth on that.

Kevin Daily: Michael that's one of the reasons the legislation provides that we have to go back to the Town Board as a final stop on each aspect of this so the Town Board members did ask about that when we were visiting with them a couple of weeks ago.

Mike Ziobrowski: Ok

Don Roberts: You'll iron that out with the Town Board

Kevin Daily: Yes

Don Roberts: Now a public information meeting is optional in this case but in my opinion unless you guys disagree the changes are very minor so I would not recommend one but it's up to the Board.

Rich Berkowitz: Plus your Town Board has to have a public hearing anyway if Im correct

Kevin Daily: That's correct

Don Roberts: Ok, so at this time I guess we need a motion on a recommendation back to the Town Board.

Rich Berkowitz: I'll make a motion to make a positive recommendation on the preliminary plans for the project.

Tom Werner: Ill second that

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Don Roberts: All in favor (everyone was in favor) Opposed (no one was opposed) Motion carried. Good Luck Kevin.

Kevin Daily: Thank you Mr. Chairman, thank you members of the Board, I hope to see you soon for site plan approval.

Don Roberts: Thank you.

Halfmoon Healthcare Campus PDD Amendment POSITIVE RECOMMENDATION. Board issued a Positive Recommendation for a PDD amendment to add independent living facilities and senior living residential units as allowed uses.

18.183 Fiorello Pharmaceuticals, Inc., 1675 Route 9 (J.S. Watkins Plaza)

Scott Earl: Good evening my name is Scott Earl Im the landlord at Watkins Plaza, 1675 route 9. We had a tenant close a business Among Angels and we are proposing tonight to replace that tenant with Pharmaceutical, FP Wellness.

Don Roberts: Now this is by prescription only right?

Scott Earl: Yes, this is a medical marijuana facility by prescription only, it has a New York State Pharmacist involved, it is governed by the NYS Health Department, and they have security in place and take all the necessary precautions. There are four licensed facilities as of this January and Saratoga County has been blessed with one of them so

Don Roberts: The hours of operation?

Scott Earl: The hours of operation MaryBeth please

Don Roberts: You've got to use the microphone please

Mary Beth Slevin: The proposed hours of operation are 10 in the morning till 8 at night; it's to accommodate the needs of folks for the prescriptions that will be 7 days a week.

Scott Earl: It will be the hours mirror that of the former tenant. The parking requirement is almost identical to the former tenant, parking is sensitive in the plaza and we are all well aware of that.

Don Roberts: There is no walk-ins right?

Scott Earl: There are no walk-ins it's always by appointment.

Don Roberts: Ok, thank you, questions by the Board?

Rich Berkowitz: Will they be doing any other compounding of non-cannabis pharmaceuticals?

Scott Earl: No

Rich Berkowitz: Ok

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John Higgins: And when you say no walk-ins so it's by appointment, I just want to clarify, so the people will be coming by appointment only and they will be scheduled appropriately one at a time or whatever

Scott Earl: The inside design is counseling, they receive counseling as well as a prescription fill by a pharmacist, so first thing they have to have is a doctor's prescription.

Rich Berkowitz: I was thinking also about parking, obviously if you have four or five people coming at the same time but obviously the operators of the facility will know to minimize that so there isn't a parking problem

Scott Earl: Absolutely we've discussed with them and in their lease as well that employee parking is not in front of the building but in the two remote lots that are available, we have an employee designated parking lot, to the west of the plaza and then we also have the adjoining lot that we share with Aldi's shares with us for overflow.

Rich Berkowitz: And also if I'm correct all of these prescriptions are electronically prescribed is as per , so it just cuts down on the parking , everything is done by appointment, because the doctor will prescribe this electronically through a prescription you'll call the customer and they will come in?

Mary Beth Slevin: The client can call for their own appointment they don't have to

Rich Berkowitz: But the pharmacist will call the client and say your prescription is ready, they'll come in for counseling and picking up the prescription and the prescription is electronically received by the pharmacy so they can control how many people are coming in and out at one time?

Mary Beth Slevin: That's correct

Rich Berkowitz: Ok so that basically resolves the parking problem

Scott Earl: Exactly

Don Roberts: Ok, and also now the sign you're just replacing the former sign with the sign with the new logo?

Scott Earl: That's correct, you have the sign before you now, it's a one piece sign illuminated back lit and it matches every other sign in that plaza.

Don Roberts: Anyone else?

Tom Koval: I make a motion to approve the Change of tenant and I make a motion to approve the change of the sign

Don Roberts: Ok we have a motion to approve the change of use/tenant and sign can I have a second?

Rich Berkowitz: Ill second

Don Roberts: All in favor? (All were in favor) Opposed (none were opposed) Motion Carried.

Scott Earl: Thank you.

Fiorello Pharmaceuticals, Inc.,/FP Wellness, APPROVED. Board approved the use of approximately 1,917 SF for a retail dispensary for cannabis, as permitted, regulated and governed by the State of New York, and related signage.

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Old Business:

18.177 Chatpata Pak-Indian Cuisine, 1683 Route 9 (St John Plaza) , 32 Linden Dr. – Major Subdivision

Darla Dolezao: My name is Darla Dolezao representing Rays Sign Company in Schenectady; we're applying for a permit for channel letters on a raceway with a reverse panel underneath. The previous tenant was Kabob Masala and their square footage is pretty much identical to ours.

Don Roberts: Any questions from the Board? (no questions)

Tom Koval: Made a motion to approve

Rich Berkowitz: Ill second

Don Roberts: All in favor (all were in favor) Opposed (none were opposed) Motion Carried

Darla Dolezao: Thank you.

Chatpata Pak-Indian Cuisine, APPROVED. Board approved a replacement wall-mounted sign for a new restaurant.

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

Donald Roberts: We had a public hearing at the last meeting. People commented this is not a public hearing tonight so no one will be allowed to speak; however, we did have a committee go out. Will the committee give a report please?

Tom Koval: Yes, Tom and I visited the site I believe it was last Wednesday and took a good look at conditions to the site and the buffering between the neighbors at both the north and south, east really didn't have any issues, the west is already heavily buffered. To the north, the properties are new properties that have very little vegetation existing between this and their homes or between their homes I did make suggestion to possibly build a three foot berm on the northwest corner of the property where there's a large opening. You can see it in the pictures that they provided us, and then replant or transplant some of the trees from the southern border where the driveways getting installed to that, put on that berm to try to add some additional buffering simply to block the neighbors view a little bit on this property.

Tom Werner: I think you've covered it and I think Mr. Griner was more than willing to work to achieve some of this buffering and to help with his neighbors, I understand correctly.

Donald Roberts: And you also agreed to reestablish what you inadvertently damaged before right ?

David Griner: Yeah, correct.

Donald Roberts: Ok.

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Marcel Nadeau: Tom, what type of buffering you said the neighbors in their current area. What do they have pertaining to the houses next to them? Previously, there's no buffering.

Tom Koval: No, wide open. The only real vegetation that's existing here is the stuff that's currently on his property between those houses so the most of the development is wide open. I didn't really see many trees at all, and it's Fall so most of the leaves were gone when we went out there and most of the vegetation, the weeds have died off, but there is a substantial amount of growth between those news houses and his house that he's building in the proposed lot, so, summertime will green up. I feel as though that filling that one major gap looks like it's probably 40' long, with a little berm you can throw in some of those small evergreens on from the other side of your property would really...it would be enhanced....your view and their view.

Marcel Nadeau: So, you're saying he has more vegetation than any of the other houses do.

Tom Koval: Absolutely.

Donald Roberts: Ok. So Mr. Griner

Marcel Nadeau: I don't see why we're require him.....I mean if he wants to do it on his own I think it's fine but I don't see an issue of requiring him to do any more buffering.

Tom Koval: No, and I really suggested it merely to do something to appease the neighbors. I didn't feel as though I could require you to do that.

David Griner: Yeah

Donald Roberts: But you're willing to follow our Committee's recommendation and do the buffering as stated?

David Griner: Yeah, I mean, obviously, ya know, if I don't have to I wouldn't want to, ya know, I guess I will do it if it's mandatory, just at this moment right now building a house and having everything with the cost, if I can get somebody in there to transplant the trees then it won't be too much cost at this point, and when I'm building the next house, if I do that down the line I don't mind doing that, but at this time just money wise..

Tom Koval: I would suggest at the next house

David Griner: Yeah

David Griner: I don't where it's going to change anything with the house you currently are building it's not going to block anything. So, when the time comes to build the next house, that's when I would think that would be the correct time to do it, you'll have the equipment in there moving dirt, bring in fill so it's easy and very inexpensive to have them spend a couple hours to build that berm and move your trees over even with a backhoe.

Tom Werner: My understanding is you'd have to remove some of those trees along the south side for the driveway for the second lot.

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David Griner: Yeah and I could then, I guess, take them at that point and move them over there. That wouldn't be a problem.

Tom Koval: Pop them out and put them in a new spot.

David Griner: Yeah.

Tom Koval: Everybody'd be happy.

Donald Roberts: And then as we said before, you're gonna replace what you did before also. The damage before, also the damage before.

David Griner: Correct. Yeah, yeah, yeah....absolutely.

Donald Roberts: And I think if you do all this, I think I'd be a good sign of trying to be a good neighbor. Ya know.

David Griner: Of course, yeah.

Donald Roberts: Alright, ok. Anyone else?

Lyn Murphy: Just so the applicant is aware and depending on timing how all of this works, there may be a time where you have to put up an escrow just to ensure that this stuff gets done, because we're not gonna let you proceed unless we have something that we can hold you accountable to say you have to put this buffering in.

David Griner: Yeah, that's fine.

Richard Harris: Don, could I add received letters

Donald Roberts: Oh, I'm sorry Rich, yep; we did receive two more letters.

Richard Harris: Yeah, we received an email since the last meeting from Luke Michael's from the Michael's Group and also from the resident of 58 Linden Park Drive you've been provided copies of these in your packet so

Donald Roberts: You make that part of the record.

Richard Harris: Yep, we will make part of the record there were letters and photo's provided to each Board member.

Richard Harris - Griner Subdivision

From: Luke Michaels <luke@michaelsgroup.com>
To: "rharris@townofhalfmoon.org" <rharris@townofhalfmoon.org>
Date: 11/9/2018 12:44 PM
Subject: Griner Subdivision

Rich,

As the builder for lots on the southern section of Linden Woods Residential we have a vested interest in all of the future planning and subdividing of lands within the community. Please see comments below regarding the Griner Subdivision, and the plan that has been submitted proposing lot 2.

1. The rear (northern most section) of lots 11-14 has a section carved out as restricted property which is to protect the drainage pattern. If a new blacktop driveway were to be built along the north side of those lots, efforts should be considered to not add any additional drainage water to this area as it was not originally planned to accept surface run off from an impervious surface like a driveway
2. If a new driveway were to run along the northern side of lots 11-14, tree buffering should be considered to limit headlights coming through the back sides of those homes.
3. Does the lot intend to install a new driveway on the entire proposed lot all the way to Linden Park Drive?
4. Are the water and sewer connections made out at Linden Park Drive and ran all the way to the new lot? Any disturbance of lands for utility install should be returned to a finished landscape condition.
5. With increased traffic on driveways to the rear, should landscaping buffer be considered on both sides of the driveway between lots 10 and 11?
6. Given the proximity of other homes in the area, as much existing vegetation should be kept as possible

Thank you,
Luke Michaels
Michaels Group Homes

Richard Harris - 58 Linden park drive

From: [REDACTED]
To: <rharris@townofhalfmoon-ny.gov>
Date: 11/8/2018 9:33 AM
Subject: 58 Linden park drive
CC: [REDACTED]
Attachments: Letter Planning Department of Town of Halfmoon.docx; photo - dinning.pdf; Photo-View from living room.pdf; Proposed siteplan.pdf; Modified copy of photo - dinning.pdf

Hi Richard,
How are you?

I'm the owner of 58 Linden Park Drive. We met on last month's planning board meeting. I wonder how the site visit goes and will this matter be discussed on next meeting on Nov. 13th? Please see attached letter from us, and some pictures.

They also touched and cleaned up our property, as what they did for 60 Linden Park Drive. We didn't realize it until our survey is done. They need put money into escrow and plant when grow season comes. Could you please facilitate this for us or do you know what we should do?

Thank you,
Blair

Dear Planning Department of Town of Halfmoon,

We own and primarily reside at 58 Linden Park Drive, Clifton Park, NY 12065. I attended the hearing on planning board meeting in October, 2018.

As I mentioned on the board meeting, the house at 30 Linden Park Drive under construction (sorry I can't remember its exact street number), but the one building next to our backyard, has all back windows and a sunroom facing the rear of our property.

During the meeting, the guy who owns 30 Linden Park Drive, stated that only the side window faces to our house, which is not the fact. The side window faces the street, between 60 and 58 Linden Park Drive and the side of our property. (please see mark on Proposed site plan) Due to his house is not parallel to 60, 58 and 56 Linden Park Drive, the whole back windows and a sunroom are facing the rear of our property, including Dining, Living/great room, Bedroom (where our parents live from Spring to summer) in first floor, master bedroom, master bath & my daughter's room on second floor, as well as a sunroom on first floor, which are almost all our rooms (approximately 3500 square foot except garage and a guest room), are completely losing privacy. I attached photo that taken in living/great room which shows this fact. I will be happy to provide a full floorplan if you need.

Secondly, we completed the survey. And I think they might not meet the 30 feet set back rule, or minimally beyond on the 30 feet distance like 33 feet. It is not my property; so I cannot hire a person to do the survey. But this causes two concerns: 1) the level of noise: we can hear every single sound of nail gun ongoing everyday whenever they are doing work, including Saturday and Sunday, and sometimes music. As such, it is reasonable to expect the increased level of noise it'll cause after people move in, no matter who the owner is. 2) Since it is so close to the border. There are restricted tree lines, which trees may be aged trees. Chances are highly increased that fallen sticks from the trees, may cause damage on their property, as it is so close to these old high trees. We don't take obligation on any of such damage because it is their intention to build the house to close to the old trees. We hope this can be in written agreement or filed in town, no matter who the owner is.

Plus we noticed our property beyond our trees are cleaned up, same thing as what happened at 60 Linden Park Drive. We hope the same treatment as they agreed with 60 Linden Park Drive.

Further on, he proposed to subdivide the lot, which when we purchased our property, was 1 lot of land. If this proposal passed, in future, there will be 2 houses closely behind us, no matter who the owner is, the noise level will be doubled and we loss privacy to 2 families. We are definitely opposed to this subdivision. But understand town cannot stop this. Therefore, not only mentally loss in privacy aspect, we also loss the resale value due the 2 houses sit closely to our backyard.

I can't image how our lives will be, as right now, we can't open the curtain and we live in shade. You can see how close it to our property in the picture. This is the house of our lives, and where my 2- year old daughter will grow up. It means a lot to us. Instead of people who saying they'll only live for 5 years.

We understand they didn't do the measurement when they dig the foundation, and the majority of construction has completed. We don't want to make their live hard. As such, in good faith, we hope:

- 1) Owner of 30 Linden Park Drive to build a non-gap tree line of evergreen, with minimum height of 5-6 feet. This will not compensate our loss on resale and possible shade issue, as 2 houses will

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eventually close to the rear of our property, which is also South to our property, especially they are building big house. But will give us a buffer of noise and privacy.

- 2) A written agreement or a file in town's record, that it is not our obligation for the damage on 31 Linden Park Drive, and possible 2nd house, cause by the trees in the restricted zone, no matter who the owner is.
- 3) Put money into escrow and plant back for what they removed from our property.

I also attached a site plan to explain in case you haven't done a site view for above involved properties.

Thank you for your patience.

Bohan Wang





These leaves will gone in any day, and they'll see through my dining.

Outside my living is a sunroom, just to explain so you won't get confused.

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Donald Roberts: Great, thank you Rich. Anyone else? I need a motion and negative

Tom Koval: I make a Negative Declaration Pursuant to SEQR

Donald Roberts: Ok we have a motion for a negative declaration on SEQR, can I have a second?

Mike Ziobrowski: I'll second.

Donald Roberts: All in favor. (All were in favor) Opposed (None were opposed) Motion Carried

Tom Koval: I make a motion to approve the subdivision

Marcel Nadeau: I'll second

Donald Roberts: All in favor (All were in favor) Opposed (None were opposed) with the conditions about the buffer

Marcel Nadeau: I'll second

Donald Roberts: Motion carried

Griner Subdivision (2 Lot Subdivision & Lot Line Adjustment) APPROVED. Board approved the subdivision and lot line adjustment with conditions related to landscaped buffering along the northern property line.

18.093 Klapija Duplex, 281 Grooms Road – Special Use Permit

Jason Dell: Good evening, my name's Jason Dell I'm an Engineer with Lansing Engineering here on behalf of the applicant for the 281 Grooms Road Duplex project. We were last before this board back in September where the Board sent along a positive recommendation to the Zoning Board, the proposed project will require a Special Use Permit from this Board and it also required a zoning variance from the Zoning Board we did receive the zoning variance last week for the project or for the proposed duplex so we are here this evening to move the Special Use Permit along the applicant is looking to raise the existing house that's out there as it has been condemned by the Town and construct a duplex in its place now the proposed duplex will connect to the existing sewer as well as water out there. So we're here this evening to request that this Board schedule a Public Hearing for the Special Use Permit for the duplex.

Donald Roberts: Questions by the Board. Ok, we need a Public Hearing Date.

Marcel Nadeau: I'll make a motion to set a Public Hearing.

Donald Roberts: For November 26.

Marcel Nadeau: November 26th

Donald Roberts: Ok, Can I have a second.

Tom Werner: I'll second.

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Donald Roberts: Tom, second. All in favor (all were in favor) Opposed (none were opposed) Motion Carried. See you on the 26th Jason

Jason Dell: Thank you.

Klapija Duplex, 281 Grooms Road - Special Use Permit PUBLIC HEARING SET. Board set a Public Hearing for November 26, 2018 for a proposed duplex.

17.194 Route 9 Self Storage , 1751 Rt. 9 Rear – Site Plan

Lynn Murphy recused herself.

Jason Dell: Jason Dell an Engineer with Lansing Engineering here on behalf of the applicant for the Route 9 self-storage project, this project was previously approved by the Planning Board back in May one of the requirement or conditions to that approval was for the applicant to obtain grading easements from the neighbors to the east as well as to the south of the property. In working through those easements and in discussions with the adjacent landowners and DEC they have agreed or agreed to in principal as opposed to grading back the entire hill that's located along the eastern and southern side of the project that they would in turn remove this entire hill in this area and leave in its place a small approximately 8 ft. burm between the properties. We did get a written email from Mr. Belmonte that he does support the grading revision, Rich has received a verbal from the Johnsons to the grading revision and the applicant is still currently with Mrs. Kulkuski over on the eastern side , so we are here this evening just to update the Board on this minor, on this grading change, I can't call it a minor grading change, and to ask that the Board refers it to Clough for review in the hopes of moving this modification forward.

Don Roberts: Paul this has to go back to the Saratoga Planning Board as well

Jason Dell: Understood

Don Roberts: Ok

Tom Koval: Jason once this hill is all taken out are they going to continue with trees or anything now that hill was the block?

Jason Dell: there is still a block , this is about an 8 foot High burm around the side, there are still trees along the southern side here you can see on the site plan we still do have trees on the top of that burm

Tom Koval: You're not putting any trees on top of that burm?

Jason Dell: On this side, at this time we are not proposing any trees, the applicant wouldn't be opposed to putting trees along there if deemed necessary, I would also like to add that the land owner to the east is looking at right now a possible connection through to the existing road out there so those trees could be impacted by that plan. However we don't know the extent of that yet as we haven't seen it.

Tom Koval: How far is the neighbor's property homes? do you have any idea?

Jason Dell: I do not have any idea at this time; I can certainly get that for you for the next meeting

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Tom Koval: I'll just take a look on I don't want to hold you up too much but I do have some concerns, lights spillage and everything else, people have to look hard to find the self-storage unit, we may have to have some more buffering off of that burn just to eliminate that

Jason Dell: I do know on the eastern side here this is the big sand pit back here so I don't believe, but over in here is where you get over towards cemetery road over in here right in here there is nothing in there right now, and Mr. Belmonte's lot is completely vacant

Tom Koval: There is nothing really close enough to really be affected

John Higgins: Now also you have building height at 19' 4''?

Jason Dell: That's correct

John Higgins: Are they anticipating putting in any kind of solar panels on top cause we are seeing that all over now with the self-storage units are putting solar panels which again raise the height of the building by a couple of feet so

Jason Dell: Mr. Casale has not brought that up to me at all as something he is looking to do here everything else remains exactly the same as was previously approved, just the grading on the

John Higgins: But if they do plan on doing that that could also affect the site from the neighbors so that's the reason I ask that.

Don Roberts: Anyone else?

Tom Werner: Yea I was just going to ask what was going on with the fire department originally wanted a second access if at all possible and then we talked about if and when the north parcels developed to the north that would be a time to possible provide that emergency access is my understanding correct on that?

Jason Dell: We did discuss it and we did talk about the potential for a secondary access up there I believe if we worked through that in that right now there is a large retaining wall right there, there is an existing easement further to the west and the applicant had indicated at the time that he can't just offer up a carte blanche easement to anybody to the north without knowing what's going in up there so at that time you know that requirement for an easement was done away with so this plan doesn't change any of that it's just strictly a change to the grading on the eastern and southern side

Tom Werner: The easement if it came about would be in the town of Clifton Park? Isn't the town line close in there?

Jason Dell: The Town of Clifton Park line comes straight through here

Tom Werner: Correct, so you said to the west of that so that would put it in the Town of Clifton Park

Jason Dell: There is an existing easement over here correct?

Tom Werner: Ok

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Don Roberts: Ok so at this time we refer to Clough Harbor for review and Saratoga County Planning Board right Rich, thank you Jason

Route 9 Self Storage, TABLED/REFERRED TO AGENCIES. Board received a presentation to revise the proposed grading and referred the plan to various agencies and the Town Engineer (CHA) for technical review.

16.151 / 16.152 Lawrence Circle Commercial Development, Rt. 146 / Old Rt. 146 Lawrence Circle – Site Plan

Jason Dell: Hello again Jason Dell engineer with Lansing Engineering here on behalf of the applicant for the 146 Marketplace project, we are excited to be back before the Board this evening for this project, we've been working on this project, the applicant has been working on obtaining these properties for some time now so we are happy to be back before the Board with the project. So for everybody's reference the project site is located along the northern side of route 146 we've got old route 146 and we've got Cemetery road, all these properties in here there is a total of 19 properties that the applicant has been able to secure for a total acreage of about 20.79 acres as an overall project site now that acreage also takes into account a small area of the existing old route 146 right away that could potentially as the project moves forward be relinquished as access into the facility is improved. So all of the lots within the project area are zoned as part of the C_1 commercial zone and for the project the applicant is looking to construct an overall 9 buildings that range in size from about 55,000 sq. ft. down to a 2,400 sq. ft. bank and we've got a mixture of retail uses, commercial office uses, restaurant uses as well as the potential for fast food restaurant in there as well. So one of the biggest parts of this project and that would take the most input from the Town as well as working with DOT is going to be the reconfiguring of the intersection of route 146 and old route 146 for the project we would look to re-route old 146 in the project to an intersection and improve the intersection of 146 with a straight on shot down as well as improving the light at 146, the applicant is open to working with DOT and providing at this intersection whatever the DOT is going to look for here, be it restriping, additional turn lanes, light improvements basically whatever we work through with the traffic engineers, with DOT improving that intersection and providing a safe entrance into the project. So the project will connect into the existing water system that's in the area it is a water main along 146 as well as Cemetery road we will also be connecting to the public sewer that is out in the area. Storm water will be managed onsite in accordance with all State requirements; I don't see any stormwater management basins on here as we would be proposing most of the stormwater to be located beneath the parking areas. We are proposing vegetative screening along the northern side of the project between our project and the Englewood PDD the townhomes up there we would be looking to do a vegetative berm in this area thus minimizing any visual impacts the project may have as well as cutting down on any light spillage off of the property, one item that I didn't touch upon with access was that there is the existing Lawrence Circle that's out there right now it's a Town road, we will be working with the Town Board and asking the Town to relinquish that right of way as that would be included into this project as well so we are here tonight to re-introduce the project to you folks, hopefully get some good feedback that we can incorporate into the plan as we will be taking that feedback to the traffic engineers, revising our traffic report accordingly and starting the ball rolling with that DOT review as well as hope full CHA review if we get referred there this evening.

Don Roberts: Ok thank you Jason, comments by the Board?

Marcel Nadeau: Jason on that buffering you mentioned adjacent how is it that you're not running buffering linking the two together?

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Jason Dell: I'm Sorry?

Marcel Nadeau: The buffering that you talked about ,yes keep coming now why don't you have more buffering you've got an openness here , keep coming right there ,

Jason Dell: This here

Marcel Nadeau: No down yea right there, why is that not buffered?

Jason Dell: That's an access road right now and it's to continue that access road up into this project over here, so that will provide them with the secondary means to come out and down through.

John Higgins: There is also an entrance behind the major retail all of the way to the east is that going to be a two way in and out?

Jason Dell: That will ultimately be up to DOT, what we are proposing right now is a right in as well as a left in so it will be a full in on the rear side here, we are also proposing a right in in this section here and preliminary talks with the engineer we may want to provide a right in as well as a right out here so these entrances here obviously we would work with DOT on them right now we are proposing them to better allow for internal circulation with in the project.

John Higgins: Ok and going back in memory I thought Bruce had an easement on some parking on the east side of his building that was approved? Now according to this drawing you're eliminating that?

Jason Dell: Im unaware of an easement

John Higgins: You might want to check into it

Marcel Nadeau: John I thought the part the easement was for at the time wasn't the school there and they were allowing them to park?

John Higgins: That's right and that's why Im saying you might want to check into that because I believe there was oh maybe a dozen parking spaces along that eastern side of Bruce's building

Jason Dell: You're talking about right in here

John Higgins: Yea, yep you might want to check into that you might have a tenant and not even know it.

Marcel Nadeau: And which units would be the fast food units?

Jason Dell: Right now we set up this site plan and again this , each one of these entities would have to come back in for site plan approval as we move forward but right now we are showing the fast food in the rear area here and the reason for that is that it allows the most room for a queuing for the drive through , if you see they would be able to que off of the Town road if need be all of the way back to here come around we've got a dedicated lane for that as well as two drive through lanes over here so as we have all seen the Clifton Park Halfmoon area the way drive throughs can back up , we did think ahead here and really provide a lot of room for any type of queuing that wouldn't impact traffic

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Marcel Nadeau: You're only considering one fast food?

Jason Dell: At this time yes there is a fast food here and then we are proposing a sit down restaurant in the front here.

Tom Werner: All of this infrastructure would be put in in one initial phase including reconfiguration of the intersection as opposed to

Jason Dell: Yes the reconfigure of the intersection would all have to be done in one phase because if we, im sorry my pointer is not working right here, but if we did do this here and come straight out here then this initial would all have to be done at the same time yes

Rich Berkowitz: Jason would that fast food restaurant butting those homes back there you might want to see what the prevailing winds are like because if you have odors coming from the fast food like Burger King does you can smell Burger King half a mile away

Jason Dell: Interesting I'll take a look

Rich Berkowitz: If someone lives there Im sure they don't want to be smelling hamburgers or chicken or whatever they are going to have there.

Tom Werner: Rerouting the old 146 through the development is likely to cut off the perception that that's a short cut up to Route so that's going to probably result in a change of traffic patterns at route 9 and fire road and old route 146, increase the left turns at 9 ad 146 so I think that entire triangle of intersections is going to have to be looked at with the magnitude of this type of development there is no question that this is significant

Jason Dell: Understood

Rich Berkowitz: Also the same with Plant road

Jason Dell: Yes, yea I do know that that is part of our current study area right now but I will ask the traffic engineers about Fire road and Old 146 as well.

Marcel Nadeau: Where do you think the majority of traffic is going to come from? Other than from all over

Scott Earl: Scott Earl the proposed landlord, I have got to remember who I am half the time, most of the traffic should come from the east depending on the tenants grab , the one fast food will draw probably regionally so we will have a traffic study to incorporate that as well so that's the reason for the double drive through lanes the largest impact of traffic we feel will be interrupting traffic from traveling west bound on Saturday mornings at peak period and we have asked that our traffic study encompass Saturday morning traffic not just Monday through Friday when people are going to work at peak periods, Saturday is a big shopping day in the area and that's when the cars are out on the street honestly.

Marcel Nadeau: What about Cemetery road have you considered what kind of traffic?

Scott Earl: Cemetery roads current traffic flow is south bound with a right turn onto Old 146 we see a lot of them crossing Route 9 half of them make heading south on Route 9, we don't anticipate an

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interruption there we will probably pick up 20 % of the traffic entering the plaza for various reasons and whether they choose to re exit if they are going northbound out on cemetery that's logical but if they've got some other shopping to do they may exit one or the other exits.

Marcel Nadeau: are you going to use it as a thoroughfare coming out onto route 9

Scott Earl: Yes it will be designed to Town Road Specs and everything so replacing old 146 with a road that is of Town road specs obviously

Mike Ziobrowski: Are you going to have advertisement for the restaurants on the Northway so people it will pick that traffic to exit 9 all of the way down

Scott Earl: That's a long process; we don't have any sign boards or applications

Mike Ziobrowski: So thoughts are if the majority is actually coming from the east you could have the majority truly coming from the west

Scott Earl: For one particular instance yes, for example sit down restaurant Del Monicos steak house where do they come from, all over, so if we were to propose a similar tenant in one of those front buildings they are going to come from all over but only at dinner time, Del Monicos doesn't even open until 4:00 o'clock, so we will contribute that part to the traffic study as well,

John Higgins: Scott on the 10,500sq ft. retains office are you showing only front access no rear access?

Scott Earl: Front access, rear access would be side walk, wheelchair accessible ADA standards, fire doors in the rear

John Higgins: Just strictly fire doors

Scott Earl: strictly fire doors

John Higgins: Or maybe getting access to garbage, sprinkler system, mechanical.

Scott Earl: Yea, getting access to garbage, sprinkler system, mechanical.

John Higgins: Ok the only thing is obviously for our inventory everything is going to have to come through the front doors ok

Scott Earl: That's correct

Marcel Nadeau: How is this going to influence traffic going through Lowe's Have you researched that at all?

Scott Earl: Have you seen the traffic through Lowe's I would love it I own the plazas on the other end I'd love to eliminate half of them

Marcel Nadeau: That's my question, when you're coming out through Lowe's area that's a tricky spot as well and then it all comes out to Route 9

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Scott Earl: Honestly Lowe's I call it a slip lane it's probably not the correct terminology but they avoid northbound they avoid Raymore and Flannigan and Burger Kings you hardly see a car making a right heading toward Mechanicville everybody goes through Lowe's everybody and then the next jerk is to the right everything is to the right most of the cars that come out of there 60% go to the right in there all of the time hardly anyone goes straight this will impact that straight bound volume so this will add to the straight bound flow but the right hand flow of anything will probably interrupt some of that east bound traffic

Rich Berkowitz: The traffic coming from your plaza will go through Lowe's to Route 9, oh yea

Tom Werner: With the connection to Cemetery road there I can see traffic coming through your plaza, old 146 so are you going to be discouraging that or encouraging, so that will be a Town road all the way to Cemetery

Scott Earl: The entire infrastructure inside the plaza will be built to Town road specs.

Don Roberts: Anyone else? We will refer this to Clough Harbor for Review, Saratoga county planning board and the fire districts. Thank you guys.

Scott Earl: thank you

One-Four-Six Marketplace (fmr. Lawrence Circle Commercial Development), 112,500 SF of mixed retail/commercial development in nine (9) buildings on approx. 20.47 acres on Rt. 146 and Old Rt. 146

Mike Ziobrowski: I make a motion to adjourn the meeting.

Don Roberts: I need a second

Tom Koval: I second.

Don Roberts: Meeting Adjourned.