

**MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF HALFMOON,
BEACON HOMES, LLC, ABELE BUILDERS, INC, AND BRUCE TANSKI
CONSTRUCTION & DEVELOPMENT COMPANY, LLC REGARDING HIGHWAY
IMPROVEMENTS IN THE TOWN OF HALFMOON**

This binding Memorandum of Agreement, by and between the Town of Halfmoon (the "Town"), Beacon Homes, LLC, Abele Builders, Inc., collectively referenced as the "Developers") and Bruce Tanski Construction & Development Company, LLC ("BTCDC") (the Developers and the Town and BTCDC being sometimes collectively referred to herein as the "Parties"), made this ____ day of August 2017, relative to the implementation of the proposed transportation improvements. These transportation improvements are described more fully in the attached **Exhibits A, B & C** prepared by CME and by VHB, transportation consultants retained by the Developers and BTCDC. The purpose of this Memorandum of Agreement is to set forth the basic understandings of the Parties regarding the terms and conditions of the implementation of the transportation improvements and the funding for such transportation improvements, and the rights, duties and liabilities of the Parties attendant thereto. This Memorandum of Agreement is intended to be binding upon the parties hereto.

"Fair Share" Improvements for Swatling Falls, Glen Meadows and Falcon Trace

By way of background, the Town has approved three PDDs located in the Town known as Swatling Falls (associated with Beacon Homes, LLC), Glen Meadows (associated with Abele Builders, Inc.) and Falcon Trace (associated with BTCDC) (collectively, the "Existing Projects"). Please see Exhibit F for a list of tax map parcels comprising the Existing Projects. All of the documentation associated with the Existing Projects can be found at the Town Offices. Each of the PDD approvals contained language committing the Developers and BTCDC to participate in their "Fair Share" of transportation improvements (as set forth in **Exhibit A**). At the time the Fair Share projects involved, and it is re-affirmed that same continues to involve, the installation of a new traffic signal at the intersection of NYS Route 146 and Upper Newtown Road (the "Phase 1a Transportation Improvement"). The details associated with the proposed new traffic signal are set forth in **Exhibit A**. At this time the Swatling Falls, Glen Meadows and Falcon Trace projects are fully approved and under development. The extent of the completion of the Existing Projects is set forth in **Exhibit E**. (Exhibit E also indicates how those lots with building permits in the Existing Projects have affected the threshold contained in Exhibit C). As is set forth in more detail below, BTCDC shall pay its one-third (1/3) share of the construction of the Phase 1a Transportation Improvement which payment shall fully discharge its Fair Share responsibilities under the Falcon Trace PDD Legislation and this Agreement and all SEQRA documents. The remaining two-thirds (2/3) share shall be equally paid by the Developers.

Stephenson Ridge, Betts Farm and Creekview Estates

Beacon Homes, LLC and Abele Builders, Inc., have submitted PDD applications to the Town seeking approval of additional residential projects known as Stephenson Ridge, Betts Farm and Creekview Estates (the "Additional Projects"). The tax map parcels containing these projects

are set forth in Exhibit F. The projects have been under review for years and will contribute traffic to the roadways in the same area of the Town, i.e. Upper Newtown Road, NYS Route 146 and NYS Route 236 as described more fully in **Exhibits A, B and C**. This MOA commits Beacon Homes, LLC and Abele Builders, Inc., if they proceed with their Projects after having received all necessary approvals from the Town, Saratoga County and NYS Department of Transportation, to also implement the phase 1b transportation improvements set forth in **Exhibit B** (the "Phase 1b Transportation Improvements"). The need for the Phase 1b Transportation Improvements will be documented in the SEQRA determinations to be made for each of the projects. As stated above, the need for the Phase 1a Transportation Improvement was already covered in the existing SEQRA determinations and/or PDD approvals associated with the Swatling Falls, Glen Meadows and Falcon Trace projects.

The terms of this Memorandum of Agreement ("MOA") are as follows:

1. Purpose of Memorandum of Agreement. The purpose of this Memorandum of Agreement is to document the agreement between and amongst the parties and the Town with regard to the payment by BTCDC and the Developers of their respective shares of the Phase 1a Transportation Improvement to be undertaken by the Developers and BTCDC and the payment by the Developers of their respective shares of the Phase 1b Transportation Improvement to be undertaken by the Developers so as to address each Developer's and BTCDC's respective Fair Share of the transportation improvements associated with traffic projected to result from the Existing and the Additional Projects and to set forth BTCDC's one-time payment obligation with respect to the Phase 1a Transportation Improvement. All of the foregoing paragraphs are incorporated herein with full force and effect.
2. Installation of the traffic signal at Upper Newtown Road. BTCDC shall pay the amount set forth in Section 9. The Developers, at their own cost and expense, will construct and perform necessary inspections of the Phase 1a Transportation Improvement as set forth in **Exhibit A**. The Developers will not commence construction of the Phase 1a Transportation Improvement until all required approvals are obtained by the Developers from the entities having jurisdiction over all roads involved in the improvements, including but not limited to the NYS Department of Transportation (NYSDOT), Saratoga County Department of Public Works (County DPW) and/or the Town, of the plans and specifications for the Phase 1a Transportation Improvement and not until the thresholds set forth in **Exhibit C** have been reached.
3. Design and Estimates for the Cost of Phase 1a and Phase 1b Transportation Improvements. BTCDC and the Developers have worked with the NYSDOT to provide a full set of plans and specifications for construction of the Phase 1a and Phase 1b Transportation Improvement and a preliminary cost estimate of \$1,061,000 has been developed for the construction of said Phase 1a and Phase 1b Transportation Improvements. If the NYSDOT, the County DPW or the Town requires any changes, the Developers will change such plans and specifications in accordance with any commercially reasonable requirements (provided same are consistent with the intent and scope of the **Exhibit A** attached hereto) and promptly resubmit them to the NYSDOT, the County DPW and the

Town for review. It shall be understood that in the event of any disagreement between NYSDOT, the County DPW or the Town, it shall be the decision of the NYSDOT that takes precedence with respect to the design and installation of the Phase 1a and Phase 1b Transportation Improvements. Upon approval of the plans and specifications for the Phase 1a Transportation Improvement, BTCDC and each Developer shall contribute one-third of the preliminary cost estimate which shall be held in a dedicated escrow account by the Town. The Developers shall have at least one year after receiving final design approval and procurement of all necessary easements/access to public rights of way and the reaching of the thresholds in **Exhibit C** to install the Phase 1a Transportation Improvement. The Phase 1a Transportation Improvement may be further delayed due to the pace of development or the direction of NYSDOT relating to the timing of the design and construction of the Phase 1b and Phase 2 Transportation Improvements along NYS Route 146/NYS Route 236 and the time period to reach the triggering threshold in **Exhibit C**. The preliminary cost estimate has assumed a construction commencement date of December 2017. The preliminary cost estimate will be adjusted for inflation utilizing the Consumer Price Index (CPI) to arrive at a Final Cost Estimate as follows: The preliminary cost estimate shall be multiplied by a fraction, the numerator of which is the CPI for the month in which commencement of construction of the improvements begins and the denominator of which is the CPI for the month in which the commencement of construction of the improvements was assumed to begin, i.e. 2017. CPI shall mean the Consumer Price Index, Northeast Urban, All Items Base Period 1982-1984.

4. Installation of the Phase 1b Transportation Improvements along NYS Route 146/NYS Route 236. The Phase 1b Transportation Improvements are set forth in **Exhibit B** (these improvements are exclusive of the Phase 1a Transportation Improvements). The Phase 1b Transportation Improvements include the construction of a southbound left-turn lane on NYS Route 146 at Upper Newtown Road. Beacon Homes, LLC and Abele Builders, Inc., will construct, at their own cost and expense the Phase 1b Transportation Improvements on the schedule set forth in **Exhibit C**. This obligation as to the Phase 1b Transportation Improvements only arises if the Stephenson Ridge, Betts Farm and Creekview Estates Projects (the Additional Projects) are approved. Neither Beacon Homes, LLC nor Abele Builders, Inc., will be obligated to undertake the Phase 1b Transportation Improvements if the Additional Projects are not approved. The costs of the Phase 1b Transportation Improvements will be allocated among Beacon Homes, LLC and Abele Builders, Inc., based upon the number of building lots approved by the Town. The final design of the Phase 1b Transportation Improvements must be submitted to NYSDOT and the Town, as well as County DPW if County DPW's approval is necessary, within one year of the approval of the first of the Additional Projects to be approved (i.e. either Stephenson Ridge, Betts Farm or Creekview Estates) and both parties acknowledge and agree that the Phase 1b Transportation Improvements shall occur at the same time as the Phase 1a Transportation Improvements.
5. Upon approval of the final design for the Phase 1b Transportation Improvements and in accordance with the schedule set forth in **Exhibit C**. Each of the Developers will contribute their fair share, allocated on a per residential lot basis, towards the cost of the Phase 1b

Transportation Improvements. The installation, construction and inspection of the Phase 1b Transportation Improvements will be undertaken by the Developers. The anticipated cost of the Phase 1b Transportation Improvements is currently \$1,500.00 per lot plus an additional \$500.00 per lot contribution, which will be attributed as Beacon Homes, LLC and Abele Builders, Inc. public benefit towards the Stephenson Ridge, Betts Farm and Creekview Estate PDDs. Once approved, the design of the Phase 1b Transportation Improvements shall be called the "Approved Plans and Specifications"). The Approved Plans and Specifications shall be final and shall not be changed by the Developers without prior written approval of NYSDOT, and once approved, shall be deemed incorporated herein by reference. The payments toward the Phase 1b Transportation Improvements, including the public benefit portion, (i.e. total of \$2,000.00 per lot) will be paid by the Developers into the escrow account held by the Town upon application for the building permits. In the event the 350 lot threshold set forth in Exhibit C is exceeded, then funds equal to \$2,000.00 per approved lot for which no building permit has then been issued shall be placed in the escrow account held by the Town within 60 days after the exceedance and the Developers shall proceed to undertake the Phase 1b Transportation Improvements as set forth herein. No further payments of \$2,000.00 per lot will be required for any of the remaining lots because the funds will have been provided when the threshold was exceeded as set forth above and in Exhibit C. The parties agree to abide by the recommendations of NYSDOT regarding the threshold number of units should that number change in the future.

6. As set forth above the final cost estimate for the Phase 1a and 1b Transportation Improvements shall be the preliminary cost estimate adjusted by the CPI as described in paragraph 3 above.
7. Developers Access to publicly owned Rights of Way. It is understood that the Developers cannot perform their obligations under this MOA unless and until the appropriate approvals and access to the necessary publicly owned Rights of Way have been granted by the NYSDOT, the County DPW and/or the Town. The installation of the Phase 1a and 1b Transportation Improvements shall be subject to all of the typical requirements of such projects and such requirements are described more fully and set forth in **Exhibit C**. The NYSDOT, the Town and County DPW to the extent each has jurisdiction over the Phase 1b Transportation Improvements, shall have the right to inspect the construction to ensure that construction is being completed in accordance with the Approved Plans and Specifications and will be completed in accordance with all requirements for work in publicly owned Rights of Way, i.e. NYS Route 146, NYS Route 236 and Upper Newtown Road.
8. Acceptance of Phase 1b Transportation Improvements. Upon completion of construction of the Phase 1b Transportation Improvements in accordance with the design plans shown on **Exhibit B** as shown on the Approved Plans and Specifications, the Town shall indicate in writing that Beacon Homes, LLC and Abele Builders, Inc., have discharged their Fair Share responsibilities under this MOA.
9. BTCDC Payment of One-Third of Traffic Light Costs. Within sixty (60) days after the

execution by all parties of this Agreement and the Town Board's passage of a resolution authorizing same, BTCDC shall deposit in a dedicated Town escrow account the sum of \$83,000 which represents one-third (1/3) of the preliminary cost estimate for the preparation of the plans for as well as the construction costs for, the Phase 1a Transportation Improvement. Beacon Homes, LLC and Abele Builders, Inc., shall each deposit \$83,000 in the escrow account for a total of \$249,000. The Developers shall each contribute one-half (1/2) of any increase in cost that is identified for the Phase 1a Traffic Improvement as a result of the development of the Final Cost Estimate within 60 days of the acceptance of the Final Cost Estimate by the Town. Notwithstanding anything to the contrary, upon payment of \$83,000, BTCDC shall be considered by the Town and the Developers to have discharged its Fair Share responsibilities and obligations under this Memorandum of Agreement, the Falcon Trace PDD legislation and SEQRA requirements and shall therefore have no other obligations and/or responsibilities including, without limitation, to pay for any increase in cost that is identified in the Final Cost Estimate for the aforesaid Phase 1a Transportation Improvement. So as to protect against inflation, the Town shall invest same in an interest-bearing account.

10. Compliance. The Developers shall comply with all existing and future federal, state and municipal laws, ordinances and regulations applicable to the work to be performed by the Developers pursuant to this MOA.
11. Insurance. The Developers or their contractors will carry public liability, property damage and workers' compensation insurance and shall save harmless the NYSDOT, the Town and the County where applicable, from all claims, demands and causes of action arising from any act or omission of the Developers, their agents, employees, or contractors in the execution of their work pursuant to the terms of this MOA. Certificates of said policy shall be delivered to the NYSDOT, the Town and the County DPW by the Developers prior to commencement of the installation of any of the Phase I Transportation Improvements.
12. Costs. Except as otherwise set forth herein, the Parties will bear their respective costs incurred in connection with the actions and agreements contemplated hereby. These costs include, without limitation, negotiating, drafting, and executing of any documents required in order to effect the same. The Town and Developers recognize that the long term study prepared by CME shows that there will be a need for Phase 2 Transportation Improvements (see **Exhibit D**). The Phase 2 Transportation Improvements include the extension of a two-way left-turn median on NYS Route 146 between Upper Newtown Road and NYS Route 236, construction of a northbound left-turn lane on NYS Route 236 at NYS Route 146, and replacement of the existing traffic signal to accommodate the roadway modifications. In the event the per lot payments made pursuant to Section 5 hereof, exceed the amount necessary for the Phase 1b Transportation Improvements, the Town shall have the right to apply such excess to the cost of the Phase 2 Transportation Improvements; however, the cost of the Phase 2 Transportation Improvements will not otherwise be the responsibility of the Additional Projects.
13. Effectiveness. The Parties hereto agree and understand that the MOA must be approved

by the Town Board of the Town of Halfmoon and signed by the Town Supervisor and the Developers and BTCDC to be effective. The ability of the Developers to undertake the Phase 1 Transportation Improvements is dependent upon the approval of the design by other agencies such as DOT, the Town and County DPW, and the approval of the Additional Projects, as well as any other conditions that must be satisfied. Moreover, the timing of the Phase 1 Transportation Improvements is based upon the threshold as set forth in **Exhibit C**.

14. Other Contingencies. This MOA and the parties' obligations hereunder are expressly contingent upon the following:
 - a. Final and non-appealable site plan/subdivision approval (as well as PDD approval where applicable) for the Stephenson Ridge, Betts Farm and Creekview Estates Projects by the Town of Halfmoon Town Board and Town of Halfmoon Planning Board. In the event that same are not approved, the Developers shall not be obligated to perform the Phase 1 Transportation Improvements;
 - b. All approvals required by the Town, County, and State of New York, including without limitation, the NYS Department of Transportation, and Saratoga County, including without limitation the County DPW, are required for construction of the Phase 1 Transportation Improvements.
15. Assignment. The rights set forth in this MOA shall not be assigned without the consent of the parties hereto, such consent may not be unreasonably withheld.
16. Successors and Assigns. The MOA is binding upon successors and assigns to the projects described herein and shall be a requirement upon any future developer purchasing the properties involved in the Existing or Additional Projects.
17. Counterparts. This MOA may be executed in several counterparts by facsimile or original signature, each of which shall be deemed to be an original but all of which shall constitute one and the same instrument.
18. Modification. This MOA may only be modified by an amendment, in writing, signed by both Parties.
19. NYS Department of Transportation: A letter was received from NYSDOT on June 29, 2017 (see letter attached as **Exhibit G**) indicating that they have no objection to the threshold of 350 residential units as set forth in the VHB memorandum dated May 10, 2017 attached as **Exhibit C**. It is acknowledged by the Town and the NYSDOT that as development continues to progress towards the thresholds there may be some adverse public comment regarding the traffic in the study area. The MOA will be provided to NYSDOT after it has been approved and signed.

(Signature Page Follows)

Exhibit A

FILE NAME: N:\Projects\2014\114-097 Upper Newtown Road\Road\114-097_Concept_Figure.dgn
DATE/TIME: 5/2/2016 10:05:00 AM
USER: jason



PHASE 1 TRANSPORTATION
MITIGATION CONCEPT
TRAFFIC SIGNAL
UPPER NEWTOWN ROAD EVALUATION
TOWN OF HALFMOON, NY

	
PROJECT: 114-097	DATE: 5/2016
FIGURE: EXHIBIT A	

Exhibit B

Phase 1B consisting of the Rte. 146/upper Newtown Road traffic improvements.

FILE NAME: N:\Projects\114-097 Upper Newtown Road\Drawings\114-097_Concept_Figure_B.dgn
DATE/TIME: 5/24/2016
USER: dbar



PHASE 1 TRANSPORTATION
MITIGATION CONCEPT
LEFT-TURN LANE
UPPER NEWTOWN ROAD EVALUATION
TOWN OF HALFMOON, NY



PROJECT: 114-097 DATE: 5/2016 FIGURE: EXHIBIT B

Exhibit C

Creighton Manning memo explaining the planning and timing of Phase 1A and Phase 1B traffic improvements.



To: Lou Lecce
Chris Abele
Teresa Bakner

Date: May 10, 2017

Memorandum

Project #: 25926.00

From: Wendy Holsberger
Alanna Moran

Re: Upper Newtown Road
Development Thresholds for Phase 1 Mitigation

A traffic memorandum completed by Creighton Manning (CM) and dated June 3, 2016 identified a unit threshold of 272 units on Upper Newtown Road prior to implementation of Phase 1 mitigation for inclusion in a Memorandum of Understanding (MOA) between the Town of Halfmoon and three private developers. The 272-unit threshold was determined based on the March 5, 2015 corridor evaluation completed for the 2019 design year, which included a total of 305 residential units associated with the Swatling Falls, Glen Meadows, Stephenson Ridge, and Creekview Estates development projects that all have access to Upper Newtown Road. At the time of the study completion there were 33 residential units constructed on Upper Newtown Road resulting in the 272 remaining units and subsequent threshold. It is noted that NYSDOT approval would be required for construction of the Phase 1 mitigation even with reaching the 272-unit threshold.

The traffic evaluation prepared by CM evaluated the anticipated operations in the Upper Newtown Road corridor by 2019 with the additional traffic associated with 14 development projects in the northeast portion of the Town of Halfmoon. Since completion of the traffic evaluation an additional 102 units with access to Upper Newtown Road have been constructed (Glen Meadows and Swatling Falls). Over this time-period, while additional units have been constructed, no fee mechanism has been in place to collect fees to contribute towards the Phase 1 mitigation. Based on the lack of current funding and increased overall cost anticipated with construction (pedestrian accommodations, increased length of left-turn lane storage, design of taper to accommodate Phase 2 widening on NY Route 146) additional analyses have been completed to determine the feasibility of increasing the 272-unit threshold.

Since the current proposals for Creekview Estates and Stephenson Ridge have been modified to PDD applications with more units, there is potential for the number of residential units directly accessing Upper Newtown Road to increase from the 305 units evaluated in the March 5, 2015 traffic evaluation to 457 units. A level of service evaluation was completed to determine to what extent the unit threshold could be increased before the left-turn lane and traffic signal was installed. The evaluation revealed that an increase to a 350-unit threshold resulted in the Upper Newtown Road westbound approach operating at a level of service (LOS) F during both peak hours with approximately 96 seconds of delay during the AM peak hour and 113 seconds of delay during the PM peak hour. Although level of service F conditions will be experienced on the Upper Newtown Road intersection approach during the peak hours, the approach volume to capacity (v/c) ratio remains less than one (0.975) indicating that capacity exists on this approach to support the volumes. (Note that the LOS on the Upper Newtown Road approach was a LOS F at the 272-unit threshold with average vehicle delays of 66 seconds during the AM peak hour and 74 seconds during the PM peak hour.)

Based on a review of the detailed traffic analysis completed for the study area, it is requested that the unit threshold be increased so that the Phase 1 mitigation project is constructed when 350 additional residential units (102 of which have already been constructed since the March 2015 traffic study was completed) with access to Upper Newtown Road have been granted a Certificate of Occupancy (CO). These units would be associated with any combination of CO's associated with homes completed as part of Swatling Falls, Glen Meadows, Stephenson Ridge, or Creekview Estates projects.

100 Great Oaks Boulevard
Suite 118
Albany, NY 12203-7924
P 518.389.3600

MEMORANDUM



ENGINEERS
PLANNERS
SURVEYORS

Date: June 3, 2016

To: Lou Lecce, Chris Abele, Bruce Tanski, Teresa Bakner

From: Wendy Holsberger, Alanna Moran

Project: Upper Newtown Road – Halfmoon, NY; CM project #114-097

Re: Development thresholds for phase 1 mitigation

During a May 18, 2016 meeting with the Town of Halfmoon, NYSDOT, the developers, and other Town and developer representatives a plan for developer mitigation responsibilities was agreed upon. The core of the plan requires the developers of Swatling Falls, Glen Meadows, and Falcon Trace to design and install a traffic signal at the NY Route 146/Upper Newtown Road intersection. The developers of Stephenson Ridge, Betts Farm, and Creekview Estates are tasked with designing and constructing a southbound left-turn lane on NY Route 146 at Upper Newtown Road. At the request of NYSDOT, the two identified improvements, both identified as phase 1 mitigation, at the NY Route 146/Upper Newtown Road intersection will be constructed simultaneously. This memorandum defines the development threshold which triggers the construction of the phase 1 mitigation.

The traffic evaluation prepared by Creighton Manning (CM) dated March 5, 2015 evaluated the anticipated operations in the Upper Newtown Road corridor by 2019 with the additional traffic associated with 14 development projects in the northeast portion of the Town of Halfmoon. The evaluation showed that by 2019 with the current intersection geometry and controls, the Upper Newtown Road approach to NY Route 146 will operate at level of service F during both the AM and PM peak hours. Review of the intersection operations indicates that the PM peak hour is the worst-case scenario. With installation of the traffic signal and construction of the left-turn lane, the intersection will operate at overall LOS A during the PM peak hour with the westbound Upper Newtown Road intersection approach operating at LOS D.

Based on a review of the detailed traffic analysis completed for the study area, it is recommended that the phase 1 mitigation project be constructed when 272 additional residential units with access to Upper Newtown Road have been granted a Certificate of Occupancy (CO). These units would be associated with any combination of CO associated with homes completed as part of Swatling Falls, Glen Meadows, Stephenson Ridge, or Creekview Estates projects. The 272 unit threshold was based upon the threshold evaluation completed for the 2019 design year, which included a total of 305 residential units associated with the Swatling Falls, Glen Meadows, Stephenson Ridge, and Creekview Estates development projects. At the time of the study completion there were 33 residential units constructed on Upper Newtown Road resulting in the 272 remaining units.

Exhibit E

**Lots currently issued Building Permits within Swatling Falls and Glen Meadows that
reduce the 350 threshold:**

Swatling Falls 74 lots of a total of 94 lots.

Glen Meadows 70 lots of a total of 126 lots.

Exhibit F

List of tax map parcels comprising the individual projects covered by the MOA.

Abele Builders, Inc. Projects:

Glen Meadows:

273.11-2-1
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Betts Farm:

273.-2-7.112

273.-1-79

Beacon Homes LLC/ Swatling Falls:

273.11-1-1

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273.11-1-93.2
273.11-1-93.3
273.11-1-93.4
273.11-1-99.1
273.11-1-99.2
273.11-1-99.21
273.11-1-99.22

Stephenson Ridge:

273.-1-21.11

Creekview Estates:

273-1-71.13

Bruce Tanski Construction & Development Company, LLC:

Falcon Trace PDD:

273.-1-94

273.-1-88

273.-1.51.112

273.-1-81.11

273.-1-81.12

273.-1-95

Exhibit G



Department of
Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

SAM ZHOU, P.E.
Regional Director

June 29, 2017

Ms. Wendy Holsberger, PE, PTOE
VHB
100 Great Oaks Boulevard
Suite 118
Albany, N.Y. 12203

Re: Route 146 @ Upper Newtown Road
Town of Halfmoon
Saratoga County


Dear Ms. Holsberger:

We have reviewed the memorandum submitted with your May 30, 2017 letter regarding the thresholds for Phase 1 mitigation (left-turn lanes on Route 146 and installation of a traffic signal) at the Route 146/Upper Newtown Road intersection.

It does not appear that the increase in thresholds from 272-units to 350-units would have a significant impact on the adjacent state highway system and we have no objection to revising the threshold for Phase 1 mitigation to 350-units.

If you have any questions or would like to discuss this further, please contact Lorinda Tennyson at 457-5283.

Sincerely,


Mark A. Pyskadlo
Acting Regional Traffic Engineer

cc: P. Korowajczyk, Acting Saratoga County Resident Engineer
M. Haggerty, Region One Construction

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