

**MINUTES MEETING  
Town of Halfmoon Planning Board  
April 11, 2016**

Those present at the April 11, 2016 Planning Board meeting were:

Planning Board Members:        John Ouimet – Chairman  
   Don Roberts – Vice Chairman  
   Tom Ruchlicki  
   John Higgins  
   Marcel Nadeau- absent  
   Tom Koval  
   Richard Berkowitz

Planning Board Alternates:     Margaret Sautter  
   Mike Ziobrowski  
   Corie Custer- absent

Director of Planning:            Richard Harris  
Planner:                                Paul Marlow

Town Attorney:                    Lyn Murphy - absent  
Deputy Town Attorney:         Cathy Drobny

Town Board Liaison:             John Wasielewski  
   Jeremy Connors

*Chairman John Ouimet opened the Planning Board Meeting at 7:00 pm*

*Don Roberts made a motion to approve the March 28, 2016 minutes. John Higgins seconded. Minutes Approved.*

**Public Hearing(s):**

**16.019                                Chlopecki Subdivision, 48 McBride Road - Minor Subdivision**

**John Ouimet:** Would any one like the notice read? If not Duane whenever you're ready.

**Duane Rabideau:** Ok, Duane Rabideau from VanGuilder & Associates here representing Ken Chlopecki for a proposed two-lot subdivision located at 48 McBride Road, basically we are proposing to subdivide the original lot 3, that's up on the screen. That was approximately 6.3 acres into two residential lots. Lot 3A is the one to the left which would include all the existing structures and homestead that would be approximately 4.6 acres and Lot B would be for a proposed new single family residence that's on the right hand side, that would be approximately 1.6 acres in size. Both lots have a private well and onsite septic, existing and proposed, both of these proposed parcels meet all the spatial requirements of the AR- Zone. That's our request before the board.

**John Ouimet:** Thank you anyone from the public wish to speak? If not I'll close the public hearing, any questions from the board? Any comments from the board?

*Rich Berkowitz made a Motion to declare a Negative Declaration pursuant to SEQR. Don Roberts seconded. Motion Carried.*

*Rich Berkowitz made a motion to approve the Minor Subdivision of Chlopecki 48 McBride Road, Don Roberts seconded. Motion Approved.*

**16.037 / 16.038      Just for You Salon, 31 Sitterly Road - Change of Use / Tenant & Special Use Permit**

**John Ouimet:** Would anyone like the notice read? If not go ahead.

**Jodi Willett:** My name is Jodi Willett I own and operate Just for You Salon, I would like to modify a pre-existing residence in the C-1 commercial zoning district at 31, Sitterly Road Clifton Park. I would like to turn this property into a shared location for myself to live in personally along with the operation of my small two-operator hair salon business. I will be leasing to own this property and I have the support and permissions needed for town approval from the current owner Alfred Eldridge. The property will provide approximately 1,040 sq ft for my residential purposes and 1,000 sq ft allocated for Just for You Salons space, which includes 400 sq ft of the existing garage area to be converted.

**John Ouimet:** Thank you, anyone from the public wish to speak? Please come up and identify yourself, please use the microphone as this is all being recorded.

**Monica Haite:** My name is Monica Haite we live at 35 Sitterly Road and we were just concerned about customers parking and turning around in the existing driveway without going over the grass area in between. Sitterly Roads pretty busy, probably about 30,000 cars a day going up and down, we've witnessed a lot of accidents so I can imagine customers backing out of the driveway.

**John Ouimet:** Do you care to respond? Thank you.

**Jodi Willett:** I appreciate the special use permit concerns of Mr. and Mrs. Randall Haite at 35 Sitterly Road, the raised issues around the driving, parking and safety of the salons clients use at this location will be resolved by the necessary fencing requested to hold the Haite's property harmless from any traffic damage. The traffic should be minimal as this salon is a humble one and will only have one full and one part time employee on a maximum shift and I don't expect more than the currently allotted 4 - 6 cars at any given time. Just for You's clients will be instructed to park on the existing pavement or the grass in the back yard area at 31 Sitterly Road if need be. Not on the grassy area in between the driveways. If needed the back yard grass parking area will be also fenced in, that will also be fenced in between the two locations to protect the neighbors property along with their children's and pets safety concerns. There is a large paved area at the bottom of the driveway that people can and will be easily able to utilize to turn around so that they can pull out and not back out onto Sitterly road.

**John Ouimet:** Does that address your concerns? Please come up and we have to ask you to share your microphone.

**Monica Haite:** Just as long as the fence doesn't come up too far towards the road cause it's very dangerous.

**John Ouimet:** You all can work together on the fence?

**Jodi Willett:** Sure. Thank you.

**John Ouimet:** Does anyone else from the public wish to speak? If not I'll close the public hearing any questions from the board?

**John Higgins:** As far as the parking in the rear on the grass, that's going to be limited seasonally because obviously in muddy times you're not going to be able to do that, or are you planning on putting some gravel or something there?

**Jodi Willett:** I plan on putting some crushed rock back there at least to start with and then possibly pavement if I need to in the future.

**John Higgins:** Ok, then in the front, it's hard to tell from the picture is there anyway that you could make an area where people would back into to turn around, so they don't have to back out onto Sitterly?

**Jodi Willett:** I plan on definitely having some kind of turnaround situation for my clients to have a throughway to pull out onto Sitterly Road, yea.

**John Higgins:** Ok, thank you.

**John Ouimet:** I think along those same lines, I think it would be important if you would remind your clients not to back out onto Sitterly Road it would be very important, because as you know it is a high traffic road, could be dangerous to everyone.

**Jodi Willett:** Yep.

**John Ouimet:** Any other questions from the board?

**Don Roberts:** Do you plan on having a sign?

**Jodi Willett:** No.

**Don Roberts:** Ok

**Jodi Willett:** No, I'm established for over 20 years now and I really just let my clients know where I'm at.

*Don Roberts made a Motion to declare a Negative Declaration pursuant to SEQR. Tom Ruchlicki seconded. Motion Carried.*

*Don Roberts made a motion to approve the Change of Use/ Tenant / Special Use permit for Just for You Salon, 31 Sitterly Road, Tom Koval seconded. Motion Approved.*

John Ouimet: Thank you very much, appreciates it.

**15.010      Subdivision of Linden Woods (Linden Village PDD, Lands of Craver, Wright and Hughes),  
Dunsbach Rd - Major Subdivision**

**John Ouimet:** Would anyone like the notice read? Mr. Zee are you going to do the presentation?

**Donald Zee:** Yes I am.

**John Ouimet:** Whenever you're ready.

**Donald Zee:** Good Evening my name is Donald Zee, I am the attorney for the applicant, with me this evening is Ivan Zadrahal who is the engineer for the project, Ken Werstad of Creighton Manning Engineering they are the

traffic engineers as well as Scott Reese who is the storm water management drainage engineer for this project. This project has been before this board numerous times or fifty percent of it has been before this board. What this is an application for the subdivision of approximately 77 plus or minus acres the lands that are owned by Halfmoon Holdings LLC Lands of Hughes, Lands of Craver and Lands of Wright. The Lands of Halfmoon Holdings are currently zoned PDD and their balance of the lands are zoned R-1. The PDD zoned properties are approximately 38 plus or minus acres and under the PDD zoning permits up to 48 single family homes on a minimum of 10, 000 sq ft building lots The PDD legislation also requires land preservation areas of at least 21.14 acres, and just for people of the board that would be the area.

**John Ouimet:** Excuse me, could you travel with the microphone that would be very helpful.

**Donald Zee:** The area of the PDD is labeled part A in this area right here. Part, now with regard to the requirements of the PDD the plan that we have presented today it complies with the requirement of the PDD legislation with regard to lot dimensions and the particulars of the restrictions set forth in there. As part of the PDD there were to be public benefits, the public benefits includes constructing a westbound turning lane at the intersection of Dunsbach and Crescent Vischer Ferry Road. Also required there is to be improvements with regard to two culverts along Dunsbach Road to improve the current drainage situation, when our storm water expert comes up we will have him point that out and exactly what kind of work is done there. There was one change in the drawing for the PDD as opposed to what this subdivision now reflects and that is we have moved the curb cut, the roadway curb cut onto Dunsbach Road so it now creates a four way intersection along with Red Maple Lane, which we believe in an improvement, because now we have a four way intersection as opposed to an offset roadway situation. Now as I mentioned earlier the PDD legislation permits up to 48 single family homes, the plan as we have submitted only shows 47, so its one less than permitted under the zoning, the PDD zoning. This project's a little bit unique, not for this town but in the way we are presenting it because under the PDD the SEQR review and the determination under SEQR has already been made for the 47 lots which are part of the PDD property the 39 acres. Now as to section B or part B here that also is approximately 38 acres of land and that consists of land owned by Hughes, Craver and Wright. On the 38 plus or minus acres we are proposing a subdivision into 40 lots however of the 40 lots there are already existing 5 structures, 5 homes so we are proposing in effect 35 new homes and maintaining the 5 buildings that are currently in existence on the property. As to the lands of Hughes there are currently 3 existing residences they will remain, as to the lands of Craver there is one existing residence that will remain and as the lands of Wright there is one home and that is also to remain. The new lots that we are proposing as well as the lots for the existing 5 structures are going to range in size from 20,000 sq ft and we have some very large lots one up to 124,000 sq ft. We meet the requirements of the R-1 zoning of the town. In our application I just wanted to point out that we did have included a letter from NYS DEC's division of Wildlife indicating that there are no endangered species as is the letter from the US Fish and Wildlife there, once again stating that there are no endangered species on this property, we also have a jurisdictional letter with regard to, from the Army Corps. of Engineers with regard to the wetlands, at this point in time I wanted to turn the microphone over to Ken Wersted to talk about the traffic study that had been prepared and submitted to the town.

**John Ouimet:** Thank you.

**Ken Wersted:** Thank you, Ken Wersted from Creighton Manning Engineering Traffic Consultant. We began the project obviously a number of years ago its gone through a number if veterations, it was last before the board, it was before the board in 2013 as a number of apartments and single family homes, its since been revised and reduced since then. We came back in 2014 submitted a traffic study based on just the southern portion the Part A of the project and then as the lands of the northern portion were added in we updated that traffic study and that was prepared earlier in 2015. The trip generation for the combination of both of the properties is approximately 67 trips on the morning and 88 trips in the afternoon, those are distributed out onto Dunsbach Road heading north and south as we looked at the traffic volumes and the impacts to the neighboring intersections, particularly Woodin Road and Dunsbach Road the two site driveway intersections we found that those were all going to operate levels service A &

B's, when you get down to the intersection of Dunsbach Road and Vischer Ferry road , Vischer Ferry Road will service A and the southbound direction of Dunsbach Road would operate at level service F in morning and afternoon peak hours. With the addition of the right turn lane the south bound right turn lane that is proposed at that intersection that will allow people who are waiting to turn left to stop and wait for a break in traffic on Vischer Ferry Road, however people who are turning right to go towards the Northway will have their own lane. With that they'll be able to get through the intersection much quicker. And under those conditions the levels of service would improve from F's to a level service C and E in those cases. We measured the site distance of the two proposed driveways of Linden Village and an earlier version of the site plan the southern driveway was offset from Red Maple, that's been aligned to come in opposite, the site distances for both of the intersections meet or exceed the actual guidelines for the travel speeds out there. So we basically concluded that the project isn't going to have any significant impacts on those intersections to the north, at the intersections to the south with out the improvement there would be an impact, however with the proposed southbound right turn lane that impact would be mitigated. If you guys have any questions or I'll turn it back over to Don.

**John Ouimet:** This is just your presentation at this point then?

**Donald Zee:** Right and we'll come back to answer questions clearly, at this point in time I would have Scott Reese come up and talk about the Storm Water management.

**John Ouimet:** Alright.

**Scott Reese :**Thank you my name is Scott Reese, I'm here to talk about the storm water management for the site, now the map that I have up here is the existing conditions for the site, we have several places where the drainage flows underneath Dunsbach Road existing drainage to this sub area 1 flows under through an 18inch culvert through this location, we have a second location where this drainage flows into a 24 inch line that goes underneath Dunsbach Road at this location.

**John Ouimet:** I think that there's a laser pointer up there can you point it out on the map behind me so that the folks in the audience can see it better. Sorry to make you start over.

**Scott Reese:** Very good, alright we have several locations where ya know drainage flows underneath the road so this is the existing conditions map. So we have an existing 18-inch culvert that goes underneath Dunsbach Road right we have an existing 24 inch line that goes underneath Dunsbach Road here. We have another small area here that has an existing catch basin with a drainage line that goes underneath this location and a small culvert that goes underneath this location along this location. Then we have our main drainage crossing through here, which was an existing 24-inch, that fed into 2 -15 inch lines and deposited on the other side of Dunsbach Road. So if we switched to the proposed map, what we did is that this existing, the first one that went to design point one or the existing 18 inch line is still maintained as a little bit smaller area but does not have any proposed or impervious flowing to that, so the drainage that will be going to this location is not going to exceed in any kind of quantity you know volume at that existing 18inch line. But this 24 inch, what we've done here is that this drainage area increases which encompasses the area that was draining underneath, draining at these two locations that we've received letters on from concerned residents, where it would have normally drained out through this location and this location we have a couple different methods that we are treating in the water, we are having a series of dry swale, where the water's gonna be directed into the dry swale and allowed to infiltrate but then once its allowed to get down to this location will be directed into a swale that will go underneath and into a pipe system underneath the Linden Road Drive that goes into here, and then continue down at this location where it would flow to the 24 inch line. All the drainage, most of the drainage of the homes that we have along through here all drainage towards the roadway and the roadway has a series of catch basins, pipe systems that will direct it to a four bay that's located here and a large infiltration basin at this location. We had this area tested for infiltration, it has a very high infiltration rate where we have very little outflow from this location. So from this point will not exceed what the existing conditions were, and

then of course for these two locations that were here, that catch basin that was here and that pipe that was underneath both of those pipes will be capped. So no flow from this area is going to be flowing through those two pipes that residents were concerned about. So in this location up through here, this drainage area for all of these homes that come through here also be going into a closed piping system that will be delivered all the way over to a large micro pool area which has 2 little small four bays on both sides and a large treatment area here that will have an outfall ya know towards this wetland here. We also, where this proposed little cull de sac here we have a small pocket pond that the water will be treated out-flowed go underneath this culvert and continue towards this one point, now we have this smaller area located through here and how the water will be treated through there is that it will sheet drain onto the roadway follow some of the asphalt swales alongside the wing curb of the road but then veer off into two infiltration trenches, ya know that's, infiltration trenches are like ya know 4 feet deep, filled with crushed stone and so it holds the water quality volume for water to flow in and infiltrate into the ground. Before it would leave the site. And then it would follow the existing swale down alongside the road and into the proposed 24-inch replacement line that was in with the original agreement. So with that, that's, all storm water will be treated for water quality issues and all water quantity where no post development flows would exceed the pre-development flows, and I'll turn it back over to Donald.

**Donald Zee:** I wanted to point out that besides the developed land or the subdivided lots there will be excess lands those lands would be managed and maintained by a homeowners association and as we've done with the Town of Halfmoon in the past prior to submitting the HOA documents to the Attorney Generals Office, we would submit a draft to your towns council for their review and a confirmation that any and all representations that were made here and requirements of the planning board as well as the PDD are complied with in the HOA documents before submitting it to the attorney general. During the course of the past day or so we have received from your planner Mr. Harris some comments or questions that were raised by some neighbors and I would like to take the opportunity to just go over some of those comments and our responses to that. Bring Scott up at the end, for there was a three page letter sent, dated April 8, from a Mr. LaMere or Mrs. LaMere with regard to some concerns they had with the property that they owned as well as lands owned by their aunt who owns and adjacent piece of property, If I may for one second, One of the concerns raised by Mrs. Brown and the LaMeres is with regard to privacy they abut the subdivision that we are proposing and the roadway that we are proposing to install and so the board cant see this if we just show it to the board first this is the land of Brown right here this is Dunsbach road and this is the roadway as new roadway and curb cut that we are proposing and section part B. And what we are proposing we are creating a strip of land that is green space that in width is somewhere between 13 feet at its narrowest and up to 20 feet at the widest portion of time and that runs along the roadway, we propose to keep this area green, try to maintain vegetation that is there right currently, and minimize any disturbance there, this land would be part of the lands owned by the HOA and as indicated by the HOA itself, we would put in restrictions with regard to maintaining the vegetation in this buffer that currently exists along the lands of Brown and where we are proposing the curb cut and the roadway system. In the LaMere letter with regard to privacy and we believe the LaMeres' own this property here, and they were concerned about people exiting the new curb cut and lights going into their front yard, and they wanted some vegetation, we propose to add 5 trees on their property with their permission obviously, but they were looking for some vegetation and on their property their trees, if, I don't know if Mr. and Mrs. LaMere are here and Mrs. Browns here so we can just show them and point it out but we are.

**John Ouimet:** I think, well we need you to finish your presentation and I'll open it up to the public

**Donald Zee:** I just wanted to point it out to them that this isn't where we proposed the vegetation in front 5 trees, this is the buffer area along the roadway and here's the land of Brown and here's the existing single family residence. So we took the letter and we tried to be able to address a response to that.

**John Ouimet:** And I take it from the way you just made that presentation this is the first time that the adjacent landowners have seen this?

**Donald Zee:** That is correct, cause we received this comment today. And then they had a second question with regard to land lot areas between lot 22 and lot 23 there's some vacant space and they want to know if there's any roads anticipated in that area and the answer is no, this is in part area B, they also had a question in regard to whether our project with in part B with the single family homes how many of them are existing residents is cause they talk about lot or house # 32, that is one of the existing homes that is going to remain and its part of our calculation of the 40 lots that I indicated earlier. There was a question with regard to recreational area as I indicated it was part of the PDD section the 38 acres we had to maintain 21 acres of open space and we are in fact putting in a trail in that area and that trail is limited in use to the residents in our proposed subdivision.

**Richard Harris:** I have to correct you on that, the town board in the PDD, the final PDD required the trails to be open to the public.

**Donald Zee:** Ok, then if the town board required them be open to the public, the only thing I would ask is that we would be permitted to put some restrictions because I prefer not having people go in lets say after

**Richard Harris:** It's in the language of the PDD, I went over it with Brenda LaMere last week and pointed that out, it mentions that they have to be public. Can I just add though

**John Ouimet:** Not at this point Rich, I think

**Richard Harris:** I think we glossed over something Mrs. Brown brought up in her email.

**John Ouimet:** go ahead if you can do it quickly.

**Richard Harris:** In her letter she is actually requesting that the large pine trees that are over 100 ft on the south side of her between the proposed Linden Park Road that they be removed actually. If you read her email Brenda LaMere sent on 4/7 she mentions she has a concern with the very large possibly 100 ft pine trees along her southern property line of 300 ft due to the age of soil disruption from the construction, its feared that these trees will fall onto her home and property and she would like them removed.

**John Ouimet:** Any more to your presentation Mr. Zee?

**Donald Zee:** I just want Scott to address her concerns with regards to drainage.

**Scott Reese:** Ok, I am referring to a section of a letter that I received today, but its dated April 8th 2016 for the April 11, 2016 public hearing where they are concerned about, I don't know if this is her letter, but they were concerned about the catch basin, the culvert on Hughes property draining onto lands of LaMere, and as I stated earlier that when we were going to be um, the catch basin at this location, the pipe running underneath it, we were going to seal that up so there would be no drainage underneath that pipe and then so abandonment means actually we are going to seal it.

**John Ouimet:** In the water that's normally collected there is going to be redirected?

**Scott Reese:** It's going to be redirected

**John Ouimet:** Just take a second to point out where that's gonna be redirected to?

**Scott Reese:** Yep certainly, like I mentioned from the existing map a lot of the drainage was going to be in this area that came through so we have one dry swale that comes down that you see in the heavy green area that comes down through that, so a lot of the drainage that is coming through here gets collected through that towards the dry swale,

once it reaches this point its going to make it go down south alongside Dunsbach Road underneath the new Linden Drive then down to the drainage that we have this 24 inch culvert so but with the treatment with the dry swales with the amount of area of infiltration ya know were holding that water quantity ya know volume in there. But then there is a small swale here that will take another small portion of that area and then just have it direct down through here and again the culverts system underneath the road here and then it will continue down to the 24 inch line down there. And then as far as #2 item drainage onto their property at the new intersection of Red Maple Lane and Linden Park Drive ya know within planned drawing CD-1 I think what they were talking about there is another existing line that was right there that handles a very small amount of flow that's the other one that we are also going to be sealing with concrete so there wont be any flow through that pipe.

**John Ouimet:** and the drainage will be redirected again correct?

**Scott Reese:** Correct that's part of that over all one drainage are correct. And then the third item was as long as they were concerned about the flooding ya know on her property and her property is located at 128 Dunsbach Road, and that's what I want to just verify is it the road that's at the end of this culvert or is it the house that's located here cause I think its 127 here, is this 128 here? Or up here? Ok so, as far as a culvert that we are putting underneath there and originally there was a 24 inch line that went into 2 15 inch lines, and then of course we are replacing it with a 24 inch line but the way that we design the storm water modeling is that we made sure that whatever was going into the pipe was going to be equal or to less than what was going into the pipe as existing, because sometimes those two fifteen inch lines kind of restrict the flow a little bit in that pipe and when you put a new 24 inch line ya know more pipe more water could flow through that pipe. So when we did our design as far as holding the water back we just made sure whatever was going in at preconditions was not being exceeded at during post conditions at that time.

**John Ouimet:** Thank you Mr. Zee. Presentation complete?

**Donald Zee:** Yes.

**John Ouimet:** Does anyone from the public wish to speak? Yes mam, just come up, identify yourself, tell us where you live and let us know what your concerns are.

**Kathy Kowski:** I live at 132 Dunsbach , I'm representing my father at 133 Dunsbach and that's adjacent to this whole project. So my biggest problem right now is the drainage because they keep talking about the 24inch main going to 2 - 15 that's a creek that's been there forever and it drains Northwood, it drains the back lands coming from the Northway so its not just a drainage ditch, its a creek and wherever they've got on the top there the drainage holding area that's over an embankment almost that up the top is all low wetlands and we have been flooded by the other developments on the North side, we are very weary of what's going on right here , how are you going to have a drainage when you are over an embankment and the other thing is rubble debris from Northway in that area as fill , so how stable are those couple of houses there? My other problem is encroachment by these new people they all the sudden they don't have permanent markers at the end of their property, or they act stupid and dumb and they come onto your property and chop down your trees and dump debris and toilets on your property and this is the area, has anybody walked that area? I just see the water falling over the hill going down into the creek and the whole thing washing Dunsbach Road away as its done in the past. We've had three closings of Dunsbach Road in the last 30 years because somebody threw something over the embankment and it blocked the creek back and you have people on Cambridge Dr. under water because the water came up to the road, its not, its deep its about 40 feet and it goes back into where Cambridge dr. is and all these homes are, that's a problem. Thank you.

**John Ouimet:** Thank you, Mr. Zee or one of your consultants want to respond?

**Scott Reese:** We did model with a constant flow, ya know so when this was being flowed we knew that this had substantial water going through it so we were aware of that, we also had test holes done and perk tests done ya

know with in this area and the way that were treating and how water is getting there is that the back location is that the back of these homes will pitch back to the lower depression area here but then we also have a series of piping systems that will come out to that location and then also piping system will come up go through an easement through here and go into this system here. What this is, its called a micro pool, so what it is that we don't plan for infiltration because were concerned about the soils and how that was you know so right now were holding the water with in that control structures, as this overflows into a main body of water here and then we have a control orifice that will have an outflow is lower down below the embankment that will have a rip rap lined outlet that will dispense the water flow when its leaving the pipe, we also have an emergency overflow that will be rip rapped , which is , what rip rap means the larger mound of stone to prevent erosion coming over the embankment and so we have that placed as well so as far as that embankment but this is a backed up further away from the embankment and even this is , it looks closer along there because of the larger scale. So does that answer your questions?

**John Ouimet:** Unfortunately when you speak from your chair it doesn't get recorded so if they understand your question I would like them to repeat the question before giving the answer. Excuse me, could you please repeat the question for the record before you answer. ?

**Scott Reese:** Certainly.

**John Ouimet:** Thank you.

**Scott Reese:** The resident was concerned of what the depth of the lot was.

**John Higgins:** Which lot?

**Scott Reese:** Can I see this? I just want to clarify, so the depth of the lot from the right of way to the back of the lot,

**John Ouimet:** The maps we have do not have numbers on the lots, so you are going to have to be a little more precise on how you identify what your talking about.

**Scott Reese:** Ok, I know but they want to know exactly, so the roads, the house is along the north side Linden Park Dr. that are identified as lots 3, 5, 7 and such are 200feet deep from the right of way.

**John Ouimet:** so you're talking about all the lots on north side of the proposed new road?

**Scott Reese:** Correct?

**John Ouimet:** ok

**Scott Reese:** And with regard to the concerns with regard to debris, junk, anything being thrown over the banks or the rear of the homes obviously the residents there would have be visible to them, they would not want to have it , but we can put in , in the language in the HOA documents in the declaration with regard to having regular inspections of that drainage quarter by that Home Owners Association, that being one of their responsibilities, include in that , in the budget for the HOA that it would be regularly examined and if necessary maintained , I mean debris being removed from that drainage area.

**John Ouimet:** I appreciate what you're saying, but if I understand the resident correctly what debris you may generate but it's what there now correct? There might be something in the ground now is that what your talking about?

**Kathy Kowski:** No its debris from the Northway I just want to know how stable that three lot 1-5 are?

**John Ouimet:** Based on what's already in the ground correct? Have you done your due diligence

**Scott Reese:** Yes we've done due diligence, we've had soil borings done, we've had soil stabilities and we've also looked at because individuals have raised concerns about whether there was any hazardous materials there. We have done all of that analysis, and we are confident that the soils and everything are stable enough for the proposal that we are presenting before this board.

**John Ouimet:** And your confident that you can manage whatever is there now?

**Scott Reese:** That is correct. And I was saying with regard to any debris in the future if the subdivision is approved and the maintenance of that area we can include in the HOA document so that there is a firm there is affirmative responsibility by the Home Owners Association to make sure that stream area gets clogged up to cause flooding problems in the future.

**John Ouimet:** Thank you, anyone else from the public wish to speak? Yes mam come on up.

**Maryann Geleta:** I live a 128 Dunsbach Road and my house, this is what I'm concerned about, is the drainage mainly because my house is the house that has the creek alongside it, and they are gonna be replacing that culvert and my house is about 200 years old and I'm just concerned because, alright I'm up here there's the creek that's been there forever like my cousin Kathy says and it gets pretty big and when Northwood floods and I know you all remember when Northwood flooded all of that goes across into my front yard and behind and wraps around the back of my house, so now that all these houses are here, I know they mentioned their drainage is going to go this way now there's a hill here and a hill here and everything drains this way so it all comes down and goes across the road to my house. So I have a few pictures here of how deep it gets across the road from me, I know you cant see this now but across the road from me is now a sewer house and another new home and the water gets pretty deep there, it gets backed up, so that is coming down do that culvert that is going to be replaced so now we have all of these houses where that I believe because I have more pictures here, cause I live on the bottom of the hill, that little hill on Dunsbach, where I cant get my mail because I will get killed, um and now there's gonna be even more cars there and that's where the water piles up so that is still, I don't understand how the drainage is gonna go back this way when right now it goes my way and comes onto my front and comes around to the back and floods my back yard, so now I've got all of this extra and last winter I didnt go to work one day and this gentleman, I'm not sure of his last name Mr. Ivan was outside looking at where the culvert was going to go and I was outside and he was looking where the culvert was going to go, and I oh the culvert is going to go right here and he said oh I'm sorry but you said this is just garbage, its my front yard and I know there's a ravine there but my house the way its situated has the creek running along side of it and it is, its 200 years old almost and I'm just, I'm very concerned about this, the drainage mainly, I know my sister had mentioned it in her letter also so I was just wondering how the drainage was gonna go back up this way and you've got the ponds and I know you mentioned that the water was going to be treated somehow because I'm very anti pesticide and all of that, now all these new houses are going to have all there junk they put on the lawn and its going to come down and its going to flow into my front and all around the back of my house, so if the creek that's been there for probably thousands of years is gonna have all of this extra brand new house fertilizer and everything coming over my way so that's what I was wondering cause he did mention it was going to be treated somehow, so I was wondering how it was going to be treated? And the traffic, I did a traffic study a few years ago and I'm sure they remember me because Dunsbach and Crescent Road is definitely an F and know there is going to be a right turn lane now to help people turn right but that's not the problem, turning right there's no problem, its turning left or the people on the other side of Dunsbach, I feel bad for them they just sit there forever they are never going to get out, so now that their just going to be 88 new cars in the afternoon there and we have 2 exits and entrances on Dunsbach Road now, and its 40 MPH and I'm on the bottom of this hill right where the new road is gonna go these are those trees that my aunt wants, the big huge pine trees, there's pictures here you guys can look at. I just, I'm just worried because I mean, I've been there forever, my

family's been here forever, we're the ones that are always here saying we're staying here forever and we just get, we're getting pounded. I have a sewer house, it was supposed to be on my front lawn, I had to fight to have it across the road which smells lovely so now I have the sewer and now I'm gonna have this and its just its not the same area anymore and I know we're near the Northway and I'm doomed but ya know I know the signs say preserve America, this is just, we're done. Dunsbach Road is done the traffic up on Crescent Road and Dunsbach is ,is done there's gonna have to be a light there or something but I can give you my pictures here. I'm really not prepared I really don't have anything else except the encroachment ya know it's me and my cousin and my sister across the road and people just dumping stuff all the time, people on Red Maple they dump their garbage in there people in the duplexes out in the woods behind me they dump their stuff there too and they are just gonna see all the woods there, its the last spot left and we always got people back there and guys hunting back there and everything so I just printed out some pictures so you can see how bad the drainage does get across from my house, its not like it just flows down it doesn't it? This is in the winter this is pretty deep and its frozen and it just all comes over on me. So I'm the old red house on 128 where all the water is gonna get dumped that's me so. So here's some pictures of what it looks like and that's about it. I guess I'm still worried about the water being treated, I don't see how they are gonna treat run off waste water and it's coming to me so that's my question.

**John Ouimet:** Thank you, care to respond?

**Scott Reese:** Ok can we go back to the drainage map for the proposed conditions and your concern is of culver that goes underneath this location here that goes over to your home and as you can see in this beige area, this beige area is over 205 acres for drainage ya know like you say this is 87 ya know this area down low here is ya know off of ya know another main road and of course, there is a very and then these are the other sub developments they were talking about before so one it is a very large drainage area , ya know so when during heavy rain storms ya know in periods of time when we have been getting intense rain falls ya know when we get a lot of water in quick time so flooding will happen and when ya know also during the frozen conditions ya know right now a lot of these are all fill sandy soil which have a very high infiltration which allows the water to drain into the ground at a quicker rate but when your talking about a frozen conditions a lot more water will run off ya know and that's where you get a lot of the additional flooding, ya know just so that its not as far as planned for that . But the way that we're designing the development is that we're taking a look at our proposed what we're proposing the impervious areas and how that would contribute to this location so that's the reason for these storm water management areas. Now your concern with the treatment and when I was talking about treatment there's water quality treatment and the water quality treatment is talking about a couple of things which means that ya know from the roadway ya know you get a lot of the small rubber bits you do get a lot of small oils and stuff like that from your vehicles that are on the roadway, ya know you have also ya know the warmer temperatures of the water that's running over the hotter asphalt so and that's during the time of the treatment , you treat 90% of your normal rainfall events which are your smaller rain that we get today ya know its not that big deluge but its a smaller amount of rain and that's why all that water for the one year storm or the 90% of the storm is that it will go into that infiltration trenches and infiltrate into the ground. It will go into those little four bays and it will settle out any like solids or anything ya know into that water. Now as far as pesticides, herbicides anything like that ya know that does ya know stay but there is certain things that do absorb into the ground its supposed to be along that area but if someone does an application and it does rain hard ya know it will ya know follow into ya know the wing curbs and such. At least it will still be into and try to infiltrate or try to stay into some of those spaces, that's what I mean by treatment, it's had just right in the first kind of flush of what's there that's on the top of the surface. And then so ya know as far as what's been going on with the flooding is that we are just trying to keep to the pre development conditions as far as the amount of the run off ya know so if there is a heavy rain fall in the middle of February and ya know there will be flooding like there has been in the past ya know its just because of that's how the soils are and everything else but the way that were trying to control that is control the hundred year storm with in the basins ya know so when we do get those larger storms they'll still be held into those basins and still release it at the same rate as pre conditions. Thank you.

**John Ouimet:** Thank you, Mr. Zee you want to add anything? You don't have to, ok, anyone else from the public wish to speak? Yes sir come on up.

**Jack Henry:** I live on Ponderosa Dr. and listening to the presentation I didnt hear anything when it pertained to traffic that entertained the impact that the traffic is going to have on Ponderosa Dr. Subdivisions like these have an impact on the traffic patterns particularly on Ponderosa Dr. which is a through fare between I-87 and Rte 9 shopping corridor. Due to location of the proposed subdivision the shortest distance between the subdivision and the Rte9 corridor is down Ponderosa Dr. that's an option and Ponderosa Dr. is negatively affected by the volume of the vehicles and the speed of the vehicles passing through Ponderosa Dr. to the shopping corridor. This proposed subdivision will make the situation worse and I didnt hear anything from the traffic engineer that indicated anything about Ponderosa Dr. You need to consider if you would that if Ponderosa has 60 homes on it, the speed and volume analysis that was done by the town supervisor John in January and February of this year indicated that 660 vehicles travel down Ponderosa Dr. each day. During the peak periods between 4 o'clock and 11 o'clock the actual volume and the statistics indicate there's one car a minute going past each house on Ponderosa Dr. now you gotta realize too if you would that not all the 60 cars or one car a minute isn't gonna mean that there's one car and then 60 seconds later there's another car, theirs times when we cant even get out of our driveways because of the stream of cars that are coming down Ponderosa Dr. The study that was taken indicates that while a lot of the cars are traveling at the posted speed limit they are not traveling at a safe speed when they come around the curve by my house and the fact is 1 1/2 % of the vehicles that are coming down Ponderosa Dr. on that curve are exceeding the posted speed limit. The purpose that I had intended when I was speaking here tonight is to memorialize for the record that Ponderosa Dr. has a significant problem with the volume and the speed of the vehicles coming down Ponderosa Dr. and I would hope that the board would consider this when approving this subdivision and I'm hearing rumors of other subdivisions that have been posed to the town board. If this subdivision is approved I would ask that the board consider the recommendation by Mr. Woodin, not of Woodin Dr. but Mr. Woodin of the NYS Dept. of Transportation, he recommend that speed humps not bumps but speed humps be placed on Ponderosa Dr. to control the speed that has the speed and the volume of cars that are traveling on Ponderosa and I made the recommendation after his suggestion to put the speed humps in and as I understand now it's being evaluated by the town of Halfmoon. And I guess in closing what I've seen is that progress in the form of developments and new subdivisions and everything else shouldn't be put in at the expense of the existing neighbors and where we have to accept all of the problems that come with it, if there's going to be expansion in the town and I realize that expansion and progress is a way of life but there's got to be situations that put, that are put in place to compensate for the negative affects of it and traffic seems to be one, I heard nothing about the impact of traffic west of Woodin Rd. and its indisputable that the cars coming from the Northway heading toward the shopping corridor as I call it on Rte 9 come right down Ponderosa Dr. when you realize that there's 60 homes on Ponderosa Dr. if 2 cars per day pass through that its like about 240 trips past the traffic analyzer that was placed there as opposed to 660 that were registered on that there's a lot of traffic on Ponderosa Dr. that is not residents so maybe the solution to this if the board were to approve speed humps is to defray the cost to the speed humps to the town and put it on the developer and I guess if he wants his subdivision in he's got to accept that there are conditions we all have to deal with traffic being one of them and maybe he could pay for it. That's all I have.

**John Ouimet:** Thank you, I know the highway superintendent is in the back of the room listening to what you had to say and I'm sure he'll take your comments into consideration. Mr. Werstad is there anything that you can add from a traffic-engineering standpoint with respect to Ponderosa Dr. and the impact of your proposed subdivision on Ponderosa Dr.?

**Ken Wersted:** Yea it sounds like there has already has been some study of Ponderosa Dr. to date, particularly the counter that has been put out there, which sounds like it measured volume and speeds. I haven't heard and I'm sure there's some anecdotal or observational information that says how many people are actually coming through and living in the neighborhood versus coming through from Woodin Rd. and actually going up to Grooms Rd. That might be and extension of that study to see how many people actually come through and cut through the entire

neighborhood rather than come into the houses that are obviously there. I know there's a couple other neighborhoods that feed into Ponderosa as an option, so that could be adding to that volume, it's not necessarily an option so that could be adding to that volume that's not necessarily associated with just the 60 houses on there. When we looked at the traffic study we looked at those pm peak hours, am's and pm's particularly where because a lot of these residents are going to be working full time they are going to be commuting just like everybody else during those peak periods so we anticipate a lot of our traffic to go up Wooden Rd and turn to the left and turn toward Grooms Rd and the Northway the rest of it heading south toward Vischer Ferry Rd. and back towards either the Northway or Rte 9 and so with that particular cut through on Ponderosa I wouldn't expect a lot of this site developments traffic to use that, certainly there isn't anything preventing it from happening there's no gate or anything on Ponderosa Dr. there's no ya know anything specifically that would restrict people so it's quite possible someone from this development or the Northway could use these roads to cut through and connect between the Northway and Rte 9, but overall the project itself has been decreased substantially from the 2013 proposal it's been reduced by 60% so now we are looking at much lower traffic volumes so with that I don't anticipate a lot of traffic to be using Ponderosa Dr. as a cut through.

**John Ouimet:** Thank you, anyone else from the public wish to speak? Sir.

**John Leer:** From Cambridge Ave. in Northwood, the water as I see, I don't know if they addressed what leaches into up towards Dover in what looks like the Northern part of the land, some of it was addressed it's just so swampy it even undermines I think the peoples yards and the road there, your getting it from almost two different directions, two or three years ago and we've probably gone over this before the road buckled in the freeze and then thaw and then the whole road was pretty much wiped out, it hasn't been addressed, there's no road in there yet, there's no point in putting a new one in, there's always going to be a lot of bumps crevices now, but that was one of the problems we had. Over all I liked the presentation about the water the 24inch main should do the trick but I think on the first section that we build, Mr. Belmonte was building, I think they bonded the water section if I'm not, I might be incorrect, it was a bond for water a little bit, in case something does go wrong down the future, ten or fifteen years from now.

**Richard Harris:** Yea, you mean the maintenance of the road of Manchester?

**John Leer:** Yea, they did the road, you could also do water ya know.

**Richard Harris:** Yea, well we, the town does at the time in the future when the roads and infrastructure including water are ready to be dedicated the town does require a letter of credit or bond that the town holds for a certain number of months or years until the town is satisfied to take over ownership, but there was in terms of Manchester Dr. a requirement that hasn't been done much before if at all in town that the condition of Manchester would be evaluated and this is just the road prior to construction that was just done, video taken, photos, several of us walked it to determine if any damage occurs during construction and Mr. Belmonte would be responsible for fixing that. But in terms of water the only bond would be at a future date when the towns ready to take over the water line we would require a bond to ensure for a certain number of months or years after that, that the waterline is working properly before we would release that bond.

**John Leer:** Are we also talking the wastewater here run off in particular?

**Richard Harris:** I am not aware of any bond we would take for that, or that was taken for that.

**John Leer:** that's really what I really wanted to address in case something goes wrong?

**Richard Harris:** Storm water?

**John Leer:** Yes, in case there's more water here and there's a ton of water back there and we've taken away the trees pretty much, we don't know where its gonna, it can only be a forecast, its may or may not develop that way.

**Richard Harris:** Related to that the town in addition as part of, we call it a maintenance bond, it does cover any lands that the town takes over in a project, in this case though I believe most of the storm water areas would be privately owned by the HOA is that correct? With an easement to the towns if something goes wrong the town can get in there in an emergency situation and clean it out and that type of thing, but we do try to cover that as best we can prior to dedication to roads and infrastructure a bond but that doesn't last forever, we do have to turn it over or back to the applicant if the town is satisfied with the function of it, we don't keep it forever.

**John Leer:** Ok, but the HOA is not gonna, it can't cover these people who do not live in the development, I did have one small traffic concern, I'm not go into traffic too much I just, I think I asked the board, I may not have, from Dunsbach, Westcrescent Rd to Exit 8, we should match the 30 MPH which is on the other side of the road for the other people, there is just too many cars there now, we have the post office, McDonalds, too many businesses there, we should match the other side. That's all I have to say.

**John Ouimet:** Thank you very much, any one else from the public wish to speak? Yes mam, come on up.

**Stephanie Nolet:** 3 Cambridge Avenue, and I've heard a couple people say tonight they felt kind of unprepared and I'm right there with them, shame on us for not being at more meetings lately but I had no idea that this was doubling in size, the last time that we heard about Linden Village when it was an approved as a PDD it was all of those tiny little cottage houses and Marini was keeping all of the green space and I mean it wasn't fantastic but it was as good as we could of hoped for in that area I guess, and now its doubled in size and I really think if people realize what a difference this was you'd have more people here tonight, lets see cause I just made notes as I was sitting here thinking , so like I said with the Marini Homes this second portion is taking proportionally so many more , so much more of the woods. So much more of the green space and I know many of you know I live in Northwood so we are dealing with Belmonte right now in Princeton Heights and we were promised there wouldn't be clear cutting now you can see the Northway, Its clear-cut I don't know what little bushes he thinks he left but its very clear-cut and we have people whose front yards are fifteen feet ripped up their driveway is gone because they are trying to bring the utilities back to this area, so another question I have is that gonna happen to other folks , whether its people in the back half of Cambridge Ave and Suffolk to now bring utilities this way or Dunsbach I have no idea how that stuff works but where are they getting the utilities from cause I never thought to ask that for Princeton Heights because I just assumed that they're not gonna rip up peoples yards , and they are.. So I'm really nervous about that, and basically whose the builder, because if Marini was here and he is talking about he is very proud of his project, Belmonte was here he was proud of his homes, well now we've seen what Belmonte does, I'm not sure what Marini was planning on doing but is this still Marini, I just don't understand how its now two different projects being presented to us still as Linden Village because I really believe that if it had been Linden Village and oh here's a brand new subdivision being thrown in you would have had all of Northwood here and most of Dunsbach , instead of just this small group we have.

**John Ouimet:** Thank you, anyone else wishes to speak? Yes mam, come on up.

**Beth Robtroy:** 8 Princeton Avenue I'm one of those lawns that is being torn up by fifteen feet which nobody told us that was going to happen, in fact this past weekend we were stuck in there because they actually hit the gas line so we couldn't get out of the house nor did they offer to put us up anywhere, so those things are happening, I did have the same question who is the builder, what company is the Builder, can somebody answer that?

**John Ouimet:** Mr. Zee?

**Donald Zee:** Currently we do not have a contract with any builder, they don't want to speak until we have an approval, we have been speaking to Marini, we have been speaking to Michaels Group and a few other builders.

**John Ouimet:** Thank you.

**Beth Robtroy:** So if when a builder appears can we make sure that we have another discussion if all of us folks that live in the area, is that something that can be done, or is all the decisions made right now?

**John Ouimet:** Counsel?

**Cathy Drobny:** I don't have an answer on that right now, I will do research on it.

**Beth Robtroy:** Ok, so if you do research, after you do the research your gonna let everybody know your findings and what do we do if we don't agree with your findings and want to appeal it? Cause I think there needs to be a little more education of what's going on in the area.

**Donald Zee:** If I may as a practical matter I've done a little bit of real estate over the years and I don't believe there is any case law or local law that tells a property owner who they can or cannot sell their property to, I think if you would take the concept that this young lady is raising about who is going to be the builder or the ultimate person building here then its conceivable that are we going to ask every resident here who they are going to sell their home to and I don't think the law allows that to occur.

**John Ouimet:** Thank you Mr. Zee but I think we will take our council from the town attorney.

**Beth Robtroy:** Just with the Princeton Heights, Belmonte at least showed his face and listened to what people had to say especially ones who were being affected like me. So some of the items got to be put in a document so hopefully we can hold them to some of the things he said he was gonna do, and that's all I have to say.

**John Ouimet:** Mr. Zee.

**Donald Zee:** We would have no objections as part of the requirements that if this project is approved then prior to any pre-construction meeting or at the pre-construction meeting that the residents be invited because at the time of the pre-construction meeting, that's being when the infrastructure going to be installed the builder is going to be there and if the residents have specific concerns we have no objections talking about it at that point in time setting up as a pre amble to the pre-construction meeting having 2 parts having the builder meet with neighbors.

**John Ouimet:** Thank you, anyone else from the public like to speak? Yes mam come on up.

**Pam Craver:** Our property is adjacent to this whole development and Jason Hughes property, and my concern right now is we have had a lot of privacy for the last 30 years and I'd like to maintain that and I've spoken to Ivan with regards to it. On Elliot's side of our property, we do not have, its nice and open there right now and there are a few fur trees, I would not consider that a privacy border and so I would rather have a natural border go across the back of our property where these homes are going to be and Ivan did explain to us where these homes are going to be there was going to be a certain amount of land that's going to be preserved for the water drainage that's going through is that correct? And my concern is, where that drainage is going is that gonna be basically where Elliot's driveway is right now?

**Ivan Zhadril:** I am the engineer on this project the Craver residence is right here and what I was explaining to Mr. & Mrs. Craver is that we have is the green area here it is part of a protected area where we will preserve existing vegetation in here and also any drainage improvements which are proposed as far as the storm water management

located in here, this will be preserved and cannot be modified in the future by any action of the property owner in this area here.

**John Ouimet:** Ivan are there collecting ponds proposed for that area?

**Ivan Zhadral:** No there's a spot I believe that we have here its called a dry swale which has sandy soil so is like a swale with like a little (?) just catch the surface run off and allow for infiltration.

**John Ouimet:** so you are not proposing any blocking trees or vegetation of any height for that area?

**Ivan Zhadral:** No

**John Ouimet:** Does that answer your question mam?

**Pam Craver:** Ok, so right now where Elliot has his fur trees is actually sort of a property line am I correct? On our side its low and water usually always lays in that particular area so that's why I'm concerned first of all about the water that's going through and whether that drainage Ivan plans on putting in is on the other side of the trees on Elliot's property and then my concern with where Elliot's trees are now their nicely spaced but there's no privacy, we have never had a problem with Mahathee and Elliot its always been nice but when we have 10 or 12 more people moving in, in the back we're gonna lose our privacy and we usually do everything in our back yard so we really would like to see some kind of a natural border there.

**John Ouimet:** Ok, thank you, anyone else from the public wish to speak? Yes come on up.

**Margaret Sautter:** 30 Cambridge Avenue, I just have a couple questions could we go back to the other map, oh yea that ones good and focus out, is Princeton Heights showing on this map? I believe the answer is no. Is that it above there? That's the portion of it there so yea when he zooms out wasn't clear so what were looking at is the remainder of the Hoffman property right there? This big piece is all un owned right now by Hoffman correct?

**Donald Zee:** The answer is yes.

**Margaret Sautter:** So my question is do we have any stub streets or paper streets in, if you want to go back now to the other, that is gonna give access to that area? Anything planned?

**Donald Zee:** There is no planned stub roads going to the Hoffman property.

**Margaret Sautter:** At this point.

**Donald Zee:** We have no plans in; it's a different zone we don't see the ability to get to the Hoffman property because there is wetlands and other areas of concern from an environmental stance.

**John Ouimet:** You're not proposing a cul de sac.

**Donald Zee:** In that area no.

**John Ouimet:** On the drawing we have there's a cull de sac

**John Higgins:** It has an easement, a 30-foot wide easement off the cull de sac going right over the Hoffman property.

**Donald Zee:** That's for sanitary sewer, it's for sewer purposes only.

**John Higgins:** Ok, so there's not going to be any maintenance road or anything?

**Donald Zee:** No

**John Ouimet:** Ok do we have any more questions for the developer?

**Margaret Sautter:** What are the distance between the two access points on Dunsbach and what is the distance from the northern access to Woodin, if you want to address those and also the emergency access via Hatter Road was eliminated so that was along with the stump road and the paper road, and you've said there are no other? And I clarify so her easement and I just wanted Mrs. Craver to know this cause she's talking about privacy and privacy and your saying its kind of a swale that your giving her and it appears that your not going to be planting trees, its nice that you keep saying that its a green area, its a green area and what's there but I assume that there's no trees there, there will be no trees, I just want to clarify that, cause that's what it keeps seeming to me.

**John Ouimet:** I think that he already did, he said that there will not be any vegetation of any height in that area.

**Margaret Sautter:** Ok, thank you.

**John Ouimet:** Anyone else from the public wish to speak? Yes mam, come on up.

**Judy Gawinski:** I live in Northwood, but I'm here today cause I got a notice in my mail and I noticed that my moms last name is on it and she lives at 109 Dunsbach Rd, Judith Wright, and I just have concerns, a couple concerns one, the family has limited knowledge on this project, my mom has had several strokes in the past couple of years so and I know things have been signed probably with in the two years and the power of attorney from my mother was not present so I would like to welcome a more formal meeting with all involved so I can make sure my mom is being taken care of and not being taken advantage of second , I was wondering what was happening with the driveway and whose going to be responsible for maintaining the driveway and how she would be entering and exiting her house.? 109 Dunsbach Road. Currently, she's the one all the way in the back, so from my understanding is that she wont have access to her current driveway, its not going to be there any longer.

**John Ouimet;** Mr. Zee

**Ivan Zhadral:** What is this here is the right property, which is this property here, at present time it is a landlocked piece of property and is accessed by the private driveway which serves the Craver property here and the Wright property, this by agreement, by signed agreement with Wright this easement of the common driveway will be abandoned and they will be provided with the land which will allow the frontage of Wright property under proposed town road for two lots, actually, one lot one will be to cover existing house and garage and , there will be one vacant lot which the Wright family would like to have to build a house on it , I believe Jason wants to build a house thee in this area here by agreement we will construct a driveway from the proposed town road to the existing house and by agreement we'll provide water and sewer services to serve each of the proposed lots.

**Judy Gawinski:** And then who is responsible for the plowing and maintaining?

**Ivan Zhadral:** It would be Wright responsibility; it's your driveway.

**Judy Gawinski:** That's what I'm worried of cause that, I don't know if she's in complete understanding, Ok, I just want to have it noted that I would like to have a formal meeting to go over any documents that might have been signed in the past two years cause she is unable to articulate anything at the moment. (Inaudible) He's not the power

of attorney though so her power of attorney if she signed anything within 2 years should have been there. I just want to make sure everything's taken care of and everything.

**John Ouimet:** I'm a little unclear are you do you hold the power of attorney for your mother?

**Judy Gawinski:** I hold joint power of attorney with my sister and neither one of us were there when any of the documents were signed, like I said I'm here today because I got a notice in my mailbox so.

**John Ouimet:** Mr. Zee is there anyway you can facilitate you bringing the parties together on this issue?

**Donald Zee:** Sure, we will help them.

**John Ouimet:** Mr. Zee is the attorney for the developer.

**Donald Zee:** Just have her write down her contact information and I'll call her.

**John Ouimet:** Does that address your concerns?

**Judy Gawinski:** My biggest concern is that my mom is being taken advantage of and I'm a little worried I don't think they understand that their going to be responsible for the upkeep of the driveway.

**John Ouimet:** I think the best that this board can do is to get the parties to talk to one another. , Thank you both, appreciate it. would anyone else from the public wish to speak? Yes sir, you already spoke but I'll give you a couple of minutes to come back up.

**John Leer:** 4 Cambridge avenue, actually I was hoping the builder would be here there again I'm gonna go with a earlier project about public benefits, I've noticed that our tennis courts here in Halfmoon are quite dilapidated now, my hope if we get some families out there a place to go in our own three or four developments here maybe a project between the town and the developer if you could find a little space, we have got to get these kids out, we have so many in our development now its like we have a little boom of children they need a place to go I know what it was like I grew up in Northwood there was nothing absolutely nothing I used to bike to Waterford to play baseball. You cant do anything with out a car, all the baseball fields are nice here in Halfmoon but they are all in one place, you gotta be driven there, so I propose that we put a few tennis courts in all the new developments that we have the town could partner with the corporation that does decide if they do decide to build here. There are a lot of hills I noticed that the kid in me notices that they would be great for sledding like in Country Knolls there's a nice slope it tapers off at the end so they wont get run over by a car, that's what I was gonna ask the builder. I know we just basically have the designers here and proponents, that's all I have to say.

**John Ouimet:** Thank you, any one else wish to speak, I think what I'm gonna do at this point and time, I'm sorry Ken go ahead.

**Ken Wersted:** I was gonna, I looked up some information to Margaret's questions, the distance between the two site driveways is about 560 feet and the distance from the northern driveway up to Woodin Road is about 1800 feet approximately.

**John Ouimet:** Yes sir come on up.

**Ted Craver:** 111 Dunsbach, a while back someone said that the cull de sac was going to be taken our? Did I understand that right?

**Donald Zee:** No, at some point in time there was a discussion about where the cull de sac was shown going to Hatter Lane extending there but that was taken out, but we did not extend the cull de sac with a private road going down to Hatter, that's the only modification.

**Ted Craver:** ok thank you.

**John Ouimet:** Ok thank you, does anyone else from the public wish to speak? Well I think I'm not gonna close the public hearing at this point, I think what I'm gonna do is put this on for our next meeting in two weeks hopefully this will give the folks another chance to come in and say what they want to say, hear what they need to hear. I'm gonna however ask the board if they have any questions or comments.

**Don Roberts:** Yes, I do John, I've got a question for our town engineer. Joe we have heard a lot of concerns about drainage tonight, do you think this proposal includes adequate drainage control or do you think additional improvements are needed?

**Joe Romano:** When we review a project all the every project is held to the same standard which you know we are guided by the NYS DEC Storm water regulations, which include a pretty hefty design manual for storm water design practices as its been stated by the applicant we review storm water run off for the 1, 10 and 100 year storm events, and any new project in the town can not exceed runoff from the pre existing condition from post development. And in the process of our review we have done a number of detailed technical reviews of both the storm water management board and the storm water prevention plan. We feel that from a storm water standpoint that this project is adequate when in their impacts.

**Don Roberts:** Ok, thank you.

**John Ouimet:** anyone else.

**John Higgins.** You mentioned about swales in from of the Brown properties, now are those swales existing or are they going to be improved upon cause your talking about the drainage going north at that point.

**Joe Romano:** If you would assist me with the Brown property.

**John Higgins:** ok no I'm talking about the upper one.

**Joe Romano:** These two, what we are doing is that my understanding is the residents want to keep it as existing as so there's no plan to disturb as far as grading new swales through this area cause right in this location it does go down ya know it is a steeper decline at this location to that culvert so all our controls and all our proposed controls in our piping are right up through here before we outlet to this location here so as far as this, this is going to continue to be the existing drainage.

**John Higgins:** Is that on private property? Or is that in the right of way?

**Joe Romano:** As far as the right goes it is in the right of way.

**John Higgins:** ok so at that point the town will be responsible for maintaining that section other than that your maintaining maintenance for the entire storm water

**Joe Romano:** the homeowners association will be the ones maintaining the storm water management areas.

**John Higgins:** Ok so they will be taken care of making sure they don't get filled up with silt and stuff like that.

**Donald Zee:** Yes in the SWIP there is a maintenance and operation information and how those should be maintained.

**John Higgins:** Ok then the upper storm water management area we talked about an overflow, so you must anticipate that at sometime in the future that your gonna get a storm that's gonna overflow that, where does it go when it overflows?

**Donald Zee:** Ok you know when your doing the storm water management like we mentioned before that we designed to retain and release the 100 year storm but in cases where there is like the frozen conditions that you get massive amount of water at one time what your supposed to design is that the top of the water elevation during a 100 year storm should have one foot of free board before it would overflow so basically you have that additional room, now when those extreme conditions where there is excess or ya know lets just say that something does get plugged or what ever that , that overflow is just going to be a rip rap area that goes down the embankment at this location right here.

**John Higgins:** So when we get one of the 3 hundred year storms we've had in the last two years ok, I have another question regarding the right turn lane that you propose to build, how long is that right turn lane?

**Donald Zee:** I think it's at least two or three cars long, I don't have the dimension, I think its part of the plans that were submitted at some point.

**John Ouimet:** You know along those lines is there a standard for the design of a left hand turn lane?

**Donald Zee:** It pretty much varies with the amount of traffic, if you have a lot of traffic but there isn't a lot of left turns then you can get away with shorter left turn lane, if you've got a lot of left turners.

**John Ouimet:** See its not the left hand turners I'm worried about it the right hand turners, because if the right hand turner cant turn right, its gonna stack it up and if its more than three cars deep you cant access a three car turn lane to turn left.

**Donald Zee:** Correct, they would just stack in on Dunsbach Lane, until the first couple of cars go through.

**John Ouimet:** So the turn lane becomes useless at that point?

**Donald Zee:** No it still becomes useful for the first car that's in that lane.

**John Ouimet:** But if its designed too short is what I'm saying.

**Donald Zee:** If its too short, if you've got too many cars in the left lane then that blocks access to the right turn lane

**John Ouimet:** No I understand that, that's my problem, because once you do that, your stacking all the cars up on Dunsbach.

**Donald Zee:** Correct yup.

**John Ouimet:** So, ok alright, thanks for agreeing with me, it's not exactly what I was looking for, I was looking for a solution, is the solution to make the turn lane longer?

**Donald Zee:** I think its as its proposed its long enough to accommodate that situation where.

**John Ouimet:** Can I ask you based on what you're making that conclusion?

**Donald Zee:** Based on how much traffic comes up to that intersection and how quickly they can get out.

**John Ouimet:** So basically what your saying is based on your site analysis it's not likely that, that turn lane will be blocked.

**Donald Zee:** Correct, based on the traffic volumes that are out there the projections from the project, the vehicles that want to turn right should have access to that right turn lane.

**John Ouimet:** Should have, operative word.

**Donald Zee:** If you have everybody in this audience leave all at the same time they are all gonna get stuck at the intersection out here so its partly based on how much traffic leaves too, similar to the drainage you could have a hundred and fifty year storm.

**John Ouimet:** I know we had a couple of those last year.

**Donald Zee:** So, certainly it's going to accommodate most of the situations but potentially there are other situations that are larger than that.

**John Ouimet:** Ok, Thank you.

**Tom Ruchlicki:** Does the percentage of right hand turns versus left hand turns determine the length of the turning lane.

**Donald Zee:** Partially, if there's very little left hand turners, very high right hand turners, then that amount of traffic that would be left would be factored into how long that left turn should be.

**Tom Ruchlicki:** Do you have those figures?

**Donald Zee:** I could calculate them, I don't have them off the top of my head.

**Tom Ruchlicki:** But you have them?

**Donald Zee:** Yes, they are part of the traffic study, in terms of the amount of left turners that are coming up to Crescent Vischer Ferry Road, how many right turns, majority of the traffic is coming down to there and turning right towards the Northway.

**Tom Ruchlicki:** And how long does that turning lane have to be before it infringes one of the residents on that right hand side of Dunsbach? How long is it gonna be before it impinges, there is a woman that lives in the white house right up against the road.

**Donald Zee:** It doesn't go any further than the Mama's Express property line.

**Tom Ruchlicki:** How close is her house to that property line?

**Donald Zee:** I'd say it's about twice as far away,

**Tom Ruchlicki:** So, it's 100 ft 200 ft.?

**Donald Zee:** So, the turn lane is 80feet and her house is about 160 - 200 feet away.

**Tom Ruchlicki:** ok, so you can fit about four or five cars in 100 feet?

**Donald Zee:** About 8 cars

**John Higgins:** So you could make the turning lane longer if you wanted to?

**Donald Zee:** I don't know if there is enough right of way to make it longer, the right of way obviously narrows as you get further north of Mamas Express.

**Donald Zee:** Sure

**John Higgins:** And also the drainage along Dunsbach Road is that above ground or underground? How does it get to those culverts going under Dunsbach road?

**Donald Zee:** Ok, for the main flow here, if you want to go to the proposed drainage map one more, ok, for this drainage area here, everything that's from here back here is going to be overland, this area that drain here adhere is going to be going underneath the culvert system underneath this access point here, its gonna go into a driveway culvert down here to an open swale to here to another driveway culvert down here into an open swale through another driveway culvert and then into this area into this swale.

**John Higgins:** How deep are those culverts going to be?

**Donald Zee:** Well those culverts that are along here are the existing culverts that are there in the driveways. What's their elevation how deep are they?

**John Higgins:** I mean are you going to have to dig deeper culverts to get those 24inch lines across the road?

**Donald Zee:** Oh your talking about the 24 inch line that's up here, and basically what we're doing is we provided a cross section of the proposed culvert that's at this location you know showing where the existing one was and where the proposed one is going to be located. Do you have information on that Ivan?

**Ivan Zhadral:** the question is how deep are the culverts?

**John Higgins:** Yea how deep are the culverts now and how deep are they going to be?

**Ivan Zhadral:** Well the one we're replacing as a public benefit and is right here will be located in the same elevation roughly 15ft below the crown of the road.

**John Higgins:** so that's above ground going under the road?

**Ivan Zhadral:** Correct, from the crown, from the top of the road down to probably roughly 15 feet.

**John Higgins:** And how about on the southern end?

**Ivan Zhadral:** Where?

**John Higgins:** Is their replacement going on in the southern I can't find it?

**Ivan Zhadral:** We don't have any replacement there.

**John Higgins:** Looking at all the area in the pink on the map we have here, plus the storm water retention areas and everything else your gonna have a considerable amount of land that's going to be under the jurisdiction of the homeowners association just to maintain all of that and to maintain the trail and everything else, I mean I hope your planning on having a full time person or two on this homeowners association cause that's what its gonna take to maintain everything that your telling us, that is going to be under the jurisdiction of the homeowners association. Its just a comment on my end but you know a lot of this normally would come under the town jurisdiction but because of the fact that your keeping it under the home owners association its gonna be a lot of area plus a lot of facilities that are going to have to be maintained and its just in my personal opinion.

**Donald Zee:** We understand that and as I indicated we've had I've been involved in numerous other projects which are as large or larger than this and what we've done is with regard to the home owners association documents and the responsibility of the HOA and we will set forth what the responsibilities are in the declaration and the bylaws and prior to submission to the Attorney Generals office we will forward that on to your attorney. In addition to that what we've done in creating the budget for the HOA we ask our engineers to look at and calculate the estimated cost to maintain and spec etc. the storm water management area and we would submit it to your engineer as well for their review to make sure what we believe and what our engineer believes is necessary for proper maintenance and inspection of those areas are in the budget and the funds are set aside by the homeowners and that would be reviewed by your engineer and signed off on before we submit to the Attorney Generals office as well.

**John Higgins:** Not just maintenance, future repairs and rebuilding cause this is a system that's gonna go on for a number of years.

**Donald Zee:** There's a reserve in the budget as well besides the regular annual maintenance. John that's all I have.

**John Ouimet:** Thank you John, Tom do you have anything?

**Tom Ruchlicki:** Yea I have a problem with the intersection being directly across from each other like that and I'd like to have you explain to me why that's safe other than a staggered situation, like originally existed ya know, the only reason why I say that is because you don't have a traffic control device there you have a stop sign on either one of the development roads and that thoroughfare Dunsbach and apparently those two people that stop across from each other every time they will both decide to go at the same time and there's gonna be a problem there I can point out several other intersections around town and around Clifton park area that exist and are the same way and everyone of them is an issue. Its just human nature I don't understand it I cant describe why it happens but apparently it always will happen unless you put a traffic light there you are going to have problems with out a staggered intersection. It's just my opinion but I can show you other places that it exists and it's not right.

**Donald Zee:** I would disagree that it's not right, the purpose of it is to consolidate your conflict points.

**Tom Ruchlicki:** I understand that but that's where the problem lies, your sitting there and you want to make a left hand turn and I want to make a left hand turn, we're both watching traffic on the main thoroughfare moving at 40 mph or better when you decide to go that same vacancy that exists that you think your going to pull out into that person on the opposite side of the intersection is going to do the same thing, every time.

**Donald Zee:** If you are in a staggered situation cant those cars do the same thing?

**Tom Ruchlicki:** No they won't because if the stagger is wide enough you will come out to the road and you'll look both ways and you'll pull out into the traffic if you are making a right or crossing traffic to make a left the same thing from the other side the staggered side whether they are 200 foot apart 500 foot apart 300 foot it doesn't matter you still have an option where your coming out to a road and you don't have to worry about anybody on the other side of you, the other side of that road and you'll pull out and make a left hand turn and you'll pull out and go into the flow of traffic and make a right if you stagger it , if you don't and you don't put a traffic control device there you will have problems right in the middle of that road , every time.

**Donald Zee:** If I may, I believe the town subdivision regulations in with regard to regulations to building town roads the town code specifically says the preferred method is to have the roadways designed in this fashion.

**Tom Ruchlicki:** And I think the intention was it would be similar to a four way stop, you got two secondaries coming out of a stop sign to a main thoroughfare if it was a secondary road that had, if it was a four way stop you wouldn't have the problem that I'm talking about.

**Donald Zee:** What we will do is review it with your planning and technical staff.

**Tom Ruchlicki:** I just wanted to bring it to your attention that's all.

**Donald Zee:** Understood, understood thank you.

**John Ouimet:** Thanks Tom, Mr. Zee I've got a couple questions for ya, homeowners association your talking about, your talking about one homeowners association for parts A and B or one for each part.

**Donald Zee:** I would anticipate one homeowners association.

**John Ouimet:** for the entire project?

**Donald Zee:** Correct.

**John Ouimet:** Now how long to what, lets see if I can phrase this question so you can understand it, how many units will have to be sold before the homeowners association takes responsibility for the project?

**Donald Zee:** Homeowners association will take responsibility from closing number 1, at that point in time it will be sponsor controlled and the sponsor will most likely be the builder or builders there.

**John Ouimet:** The sponsors will be the homeowners association until what level of sales?

**Donald Zee:** Normally, most of the homeowners associations that I've had it's a minimum of 50% or 5 years whichever ever comes first.

**John Ouimet:** It depends on who the builder is, there are certain builders that want to control the homeowners association until all the units are transferred and as I indicated we haven't had that situation for example some of the people have indicated Marini, I've done maybe 10 of his homeowners associations he wants control until all the units are sold.

**John Ouimet:** I understand that, that's why I asked the question.

**Donald Zee:** And I think groups like the Michaels and other builders they want 51% or 5 years whichever one comes first.

**John Ouimet:** Any other questions?

**Mike Ziobrowski:** John one thing just for the record I just want to confirm that the new proposal has been reviewed by the West Crescent Fire Dist. and the Clifton Park Halfmoon Emergency Corps. As well as the town Water and Highway Dept.

**Richard Harris:** It has been reviewed by them in the past, given some of the concerns brought up tonight it warrants resending to them, they've seen prior versions of this, I did talk to West Crescent Fire Chief as recently as a week ago and he did not have concerns with the revised plan but I think it warrants getting one more round prior to the final consideration.

**John Ouimet:** Rich in that regard after the minutes are prepared from this meeting, even if they are in draft form could you share the portion on this subdivision discussion with the Fire Chiefs, and the Emergency Corps. As well?

**Richard Harris:** Sure, the draft minutes of this meeting, prior to the next meeting your saying?

**John Ouimet:** Michael does that meet your concerns?

**Mike Ziobrowski:** Yes it does, thank you Rich.

**John Ouimet:** Tom any issues, Ok, thank you very much, we are going to put this on for our next meeting, there will not be a general notice sent around again, because the notice this meeting was not closed it was left open this will be on in 2 weeks at our next meeting if you know of anyone who may of wanted to come who didnt come I would ask you to encourage them to come to the next meeting, I'm not saying there will be a vote at the next meeting but there very well could be. Ok thank you all. I think at this point in time I'm going to take a ten-minute break.

*The Board decided to continue the public hearing at the April 25, 2016 meeting.*

### **New Business:**

#### **16.039      Amendment to Lot 4 Falcon Trace, 175 & 177 Route 236 - Commercial site plan**

**Jeff Williams:** Bruce Tanski Construction and Development I'm here with the applicant Mr. Bruce Tanski Lot 4 A of Falcon Trace Commercial has 2 - 3,000 sq ft existing office buildings during the construction and placement of the asphalt pavement of the commercial building sites a rash decision was made, we put a 1,300 sq ft asphalt pad off of Falcon Trace Dr. onto Lot 4A at the time this was to alleviate some of the construction congestion that was going on with the building across from us on Lot 4B, it's the dentist office, the applicant is now asking the board to consider allowing us to use this area to designate as a 6 - 9ft x 20ft long term employee parking for the two existing commercial buildings located at 175 and 177 route 236. Currently there are 23 parking spaces in the rear of these buildings including 2 handicapped parking spaces the proposed 6 parking spaces would bring a total of 29 parking spaces for the site.

**John Ouimet:** Thank you, any questions from the board?

**Tom Koval:** Yes I have a few questions, originally when the buildings were approved it showed land bank parking spots and a rash decision was made to ignore the site plan and put them somewhere else is that what happened?

**Jeff Williams:** Well, on the approved site plan there is a land bank area for 8 more parking spaces in the rear of the site, I think the pad was placed down just to take construction traffic off the route at the time but as things progressed they started utilizing it for the commercial site. So there is still land banked parking also along with it, its not either or I guess.

**Tom Koval:** The lay out of the parking spots I feel produces a very unsafe backing issue into a roadway, there's no clean site distance there, if you have cars parked along side and your trying to back out your looking through car windows to see if there is another car coming, I personally think that you should stick with the original site plan if you need additional parking for this put it where it was approved and remove these unsafe parking spots. This wasn't approved, it was just done at spur of the moment, so I have a hard time digesting that its done and we have to accept it now.

**Bruce Tanski:** Nobody's asking you to accept it, if we have to we will amend the site plan, this is, the reason why we abandoned the other site it was real close to the wetlands it would have been, and we put this in there to help compensate for the construction that was going on and if we had done the parking inside by the second building we wouldn't have accomplished anything, now its there it seems to work out, and it is a private road and it doesn't have a lot of traffic on it.

**Tom Koval:** Right but its still, being a private road doesn't make it a safe condition, there's still traffic on it and your still backing out into traffic so I don't feel its a safe condition and I don't feel its a proper place to have it, if it had come before us for approval as a site plan I personally I wouldn't have approved it, you can, I would feel better if you came with an updated site plan showing these parking spots in a more reasonable area off the roadway.

**Bruce Tanski:** Again, there are wetland constraints we couldn't make it any deeper than what it was we were confined because it was wetlands around that whole corridor.

**Tom Koval:** Well wasn't it approved originally was it approved in wetlands originally?

**Bruce Tanski:** Yes it was, but again we put those in again because of all traffic and congestion and construction was going on

**Tom Koval:** Your saying yes it was approved to be put in wetlands originally?

**Bruce Tanski:** No, it's next to the wetlands, and there's a steep slope.

**Tom Koval:** Ok, so there's no reason we can't, you can't still do it other than you have to build up the slope to Accommodate them.

**Bruce Tanski:** Correct.

**Tom Koval:** Ok, so I don't think it's being unreasonable to ask him to be moved out of an unsafe condition and be put where they were originally approved.

**Bruce Tanski:** Well the unsafe conditions is your opinion is your opinion is yours not mine so lets do a different site plan and bring it in front of the board.

**Tom Koval:** Absolutely.

**Bruce Tanski:** Ok

**John Ouimet:** Before you go off and do a different site plan any other questions from the board?

**John Higgins:** How do the people who park their cars walk to the buildings, on the road? There's no sidewalk or anything? So you have to walk on the road over and then go into the, walk through the parking lot and then into the building?

**Bruce Tanski:** Correct. We could put a sidewalk there that wouldn't be a problem.

**John Higgins:** I tend to agree with Tom, I don't think its a safe condition, I would prefer to see the spots put where the land bank is on the original site plan.

**Don Roberts:** Now based on what I'm hearing, I tend to agree also, we don't want to create an unsafe situation, if there is any way around it I think we should look at it.

**John Ouimet:** Anyone else?

**Mike Ziobrowski:** I guess the only thing I can add is their tenants that are currently using the building, I think if something was amended and we had to put new parking spaces in place that maybe threes some accommodations to allow these existing spots to occur during that time period. That's all I have.

**Tom Ruchlicki:** We're not looking at tenants right now.

**Mike Ziobrowski:** Understood

**John Ouimet:** So you heard from the board Bruce do you want to take this off for tonight and come back with an amended proposal or what would you like to do?

**Bruce Tanski:** I will talk to my attorney and I will let you know.

**John Ouimet:** So we'll take this off tonight.

**Jeff Williams:** John can I just ask a question, cause we have an approved site plan with original land bank parking would we have to come back to the board to utilize that land bank parking or do we just go back and put it in per site plan approval put the land bank in as permanent parking per the site plan.

**John Ouimet:** I don't know as if that would satisfy the concerns of the board, you heard it from three different members that they have concerns.

**Bruce Tanski:** No I think what he is saying is if we put the land bank parking in that was approved and take the other out do we have to come back to the board.

**John Ouimet:** No I understand what he is saying, the question is would that solution you proposed satisfy the concerns posed by three board members.

**Bruce Tanski:** No, we would take the other parking out.

**Don Roberts:** Yea he would get rid of the unsafe situation John.

**Rich Berkowitz:** You would make it conform to the original site.

**Bruce Tanski:** Right, would we have to come back to the board?

**John Ouimet:** No.

**Bruce Tanski:** That's what we wanted to know, that's probably what we'll do.

**John Ouimet:** But I also think that whatever you choose to do is going to affect our decisions on the next three items on the agenda. It's a cant win situation. (Laughs)

**Bruce Tanski:** All due respect Battaglia and Associates when I first came here and I mentioned those in the original so it's really two, I had mentioned them in the original plan for them to come into one of the buildings.

**John Ouimet:** But as far as I knew that was not approved before they moved in all right.

**Richard Harris:** Bruce I looked at all the minutes and you never mentioned any of the names of these people, you mentioned a senator, and a private investigator.

**Bruce Tanski:** and an accountant

**Richard Harris:** That narrows it down.

**John Ouimet:** Is the accountant Battaglia?

**Bruce Tanski:** Yes he has been my accountant for 20 years. That what was we mentioned so. Your absolutely right but its 2 instead of 3.

**John Ouimet:** Well my understanding is these three tenants are already in place now?

**Bruce Tanski:** Correct.

**John Ouimet:** So let us consider whether or not.

**Bruce Tanski:** If I may too because this has always been a pet peeve of mine, maybe we can change the language down the road I know you've got an attorney here and instead of doing a change of tenant I mean why do we have to come in front of the board to do a change of tenant when your not really changing a tenant?

**John Ouimet:** Well actually you are because you've got a vacant building and basically you're going from vacant to a tenant so it's a change of tenant.

**Bruce Tanski:** So and if we let you know who the tenant is initially then we don't have to correct.

**John Ouimet:** I would leave that up to council to determine whether or not it's in the spirit of ordinance

**Cathy Drobny:** I believe that if you came in with a site plan and you said this is going to be the tenant and he is occupying this space that's one thing but when you build a building three offices or four offices and you can't just say ok so I wanted an accountant, let me go find an accountant, you need to specify the tenants.

**Don Roberts:** Don't forget Bruce if you put tenants in with out approval then you got code enforcement on your back too, I mean they can issue appearance tickets so just do it this way, do it the right way, ya know.

**Tom Koval:** You don't want to make it difficult for your tenants either I mean legally.

**Bruce Tanski:** All I can say is I'm sorry I screwed up.

**Tom Koval:** You've been in this game a long time you should know these things.

**Richard Harris:** John, John can I just clarify some things, this board has approved site plans vacant land with a new building with a tenant named, with the actual name of the tenant because, the critical thing for this board is usually parking and number of employees you might have a dentist that has 2 stations in a building and wants a lot of office area or storage or you might have a dentist with 10 stations and 4 dentists working with them, but I think we had this conversation the point is they know the employee demand visitors parking that might go either beyond or below what the code requires , you've approved buildings with named tenants at the same time and not made them come back on a separate application .

**John Ouimet:** Right but that wasn't the case here.

**Richard Harris:** No, it wasn't but what Bruce is asking is if you have the named tenant and you know the employees and the square footage and if it involves stations and stuff like that.

**John Ouimet:** I think our point has been well taken, we don't need to beat a dead horse. Any more than we already did.

**John Higgins:** John are we tabling the other, are we going to vote on it?

**John Ouimet:** No we are not voting.

**John Higgins:** The applicant is withdrawing the application?

**John Ouimet:** Has the applicant? No the applicant withdrew the application above.

**John Higgins:** That's what I'm talking about, yes. I didnt hear him say that, that's why I was asking.

**Bruce Tanski:** We're going to make the change.

**John Higgins:** You're withdrawing the application above?

**Bruce Tanski:** Yes.

**John Higgins:** I just want it for the record.

**John Ouimet:** Thanks John I appreciate it.

*The application for Amendment to lot 4 Falcon Trace was withdrawn. They are going to utilize the original approved application for parking.*

**16.040**            **PDM Management, LLC. 175 Route 236 - Change of Tenant/Use**

**Jeff Williams:** This company occupies half of 175 Rte 236 that's the building closest to Falcon Trace Dr. this company is a financial consultant of that brokers commercial real estate deals for developers. The company has 3 full time employees and has working hours of 6 am to 6 pm Monday through Friday it's closed Saturday and

Sunday. The owner of the company states there may be one visitation per day, and a lot of their work is off site in other offices.

**John Ouimet:** Thank you, any questions from the board? Is there a sign Jeff?

**Jeff Williams:** There is no sign proposed at this time.

**John Ouimet:** No sign.

*Rich Berkowitz made a motion to approve PDM Management, LLC. 175 Route 236 - Change of Tenant/Use. Don Roberts seconded. Motion Approved.*

**16.042            Battaglia & Associates PLLC.175, Rte 236 - Change of Tenant/ Use**

**Jeff Williams:** Bruce Tanski Construction and Development. This change of tenant, this company is the other half of the 3,000 sq ft office building at 175 Rte 236, the company performs accounting and tax services. It has two full time, two part time and one additional employee for the tax season. There are periodic client visitations by appointment; each visitation can take up to a half hour to two hours. Working hours are 9 am to 6pm Monday through Friday and 9am to 5pm on Saturday, closed Sunday.

**John Ouimet:** Does that fully occupy the building?

**Jeff Williams:** That does.

**John Ouimet:** Any questions from the board?

**Don Roberts:** Now there will be no signs at all here?

**Jeff Williams:** No signs.

**John Ouimet:** Are the signs internal to the building is that what it is?

**Jeff Williams:** Yea, I don't know if there are any signs in there.

**Bruce Tanski:** No signs at all.

**John Ouimet:** No signs at all.

*Don Roberts made a motion to approve Battaglia & Associates PLLC.175, Rte 236 - Change of Tenant/ Use. Rich Berkowitz seconded. Motion Approved.*

**16.041            Low VA Rates, 177 Rte 236 - Change of Tenant**

**Jeff Williams:** Bruce Tanski Construction and Development. This company occupies the entire 3,000 sq ft office building at 177 Rte 236. The company has fifteen employees working hours are 9 am to 8pm Monday through Thursday, 9 am, 3pm on Fridays and 9am to 1pm Saturday, they are closed Sunday. This company markets and manages VA mortgages. All the work is preformed over the phone or by the computer with no visitation by their clients.

**John Ouimet:** No signs?

**Jeff Williams:** No signs.

**Bruce Tanski:** Excuse me, there is a sign it says VA in red its on the door.

**John Ouimet:** Internally?

**Bruce Tanski:** Yes, you can see it from the outside though.

**John Ouimet:** I think that's all right, that's fine.

**Bruce Tanski:** Pardon me?

**John Ouimet:** That's fine, that's ok, and that's ok.

**Richard Harris:** Is it a sticker or something on the door?

**Bruce Tanski:** Yea

**Richard Harris:** That's fine.

**John Ouimet:** Any questions from the board?

**John Higgins:** Are we ok with the additional land bank parking spaces are we ok, because I see here 30 spaces required, there were 29 originally so with the 8 additional we are above the required.

**Richard Harris:** Correct, that's correct.

**John Higgins:** Ok, just want it for the record.

**Jeff Williams:** Thank you.

**John Ouimet:** Any other questions?

*Rich Berkowitz made a motion to approve Low VA Rates, 177 Rte 236 - Change of Tenant. Tom Koval seconded. Motion Approved.*

**16.048            Stewarts Shops, 214 Guideboard Rd - Sign**

**Chuck Marshall:** I'm from Stewart Shops, in less than similar fashion we made a rash decision and only counted one side of our sign. So instead of 62.7 sq ft the freestanding sign is technically 125.4 sq ft. That freestanding sign is proposed for the corner of the property at the intersection Guideboard Rd and Rte 236. In addition to that sign we propose 2 building signs of 17 sq ft each. One facing Guideboard Rd and one facing Rte 236, where both are proposed as entrances and technically fronts to the building.

**John Ouimet:** My understanding is your proposing a 15 ft height sign?

**Chuck Marshall:** Correct.

**John Ouimet:** And the sign on your current shop is how high? I don't believe its 15 ft.

**Chuck Marshall:** I think it's probably in the 12 ya know the 12 genre.

**John Ouimet:** Don Roberts have you had an opportunity to look at the proposal?

**Don Roberts:** Yes John and you echo my sentiments exactly here, we don't go 15 ft. usually, uses like this we like to stick at 12. I think the current on is actually less than 12 right now at Guideboard, a little bit less.

**Chuck Marshall:** Ill defer to Mr. Romano on this, I don't have a problem with 12, but the only concern I would have is that Stewarts Shop portion is 5 ft and the other portion is 2 ft 10 inches which makes it total sq ft of sign 8 ft, so if you go to 12 ft sign you only have 4 underneath is that acceptable?

**John Higgins:** Where is that going to be located on the site?

**Chuck Marshall:** It's on the corner adjacent to the lands that we are dedicating to Saratoga County.

**John Higgins:** So is that going to affect site distances around the corner?

**Chuck Marshall:** Yes that's why I was directing my comment to Joe for because it's a right turn movements only should be affected so really shouldn't affect site distance because anyone else that's at the intersection, they are making a left only Guideboard road would be a signalized intersection and couldn't go without the light.

**John Ouimet:** Joe, take a look?

**Chuck Marshall:** If you go, I don't know if the site plan is available on the slide

**Richard Harris:** Yes it's in your package, second page in your packet. It's in the upper right hand corner.

**John Ouimet:** Don you're our sign guy, you good?

**Don Roberts:** I think it works, like 12 ft yea I think it would be good. How does the board feel?

**Tom Koval:** I feel it's definitely not a problem lowering it down to 12 ft it's at least 60 ft back from that intersection so seeing underneath it, not going to be an issue, threes no turn lanes adjacent to it.

**John Ouimet:** There's a pretty clear line of site there also.

**Chuck Marshall:** I'm fine with 12 and I'm fine with the location I just want to make sure everyone else is.

**John Ouimet:** Joe, anything, you ok?

**Joe Romano:** Based on the proposed location it doesn't appear to have an impact.

**John Ouimet:** So the proposed location will just have to stay there, you wont be able to move it.

**Chuck Marshall:** I'll just lower it.

*Don Roberts made a motion to approve the Sign application for Stewarts Shops, 214 Guideboard Rd. Tom Koval seconded. Motion Approved contingent on the sign being 12ft instead of the proposed 15 ft.*

*The total height of the sign cannot exceed 12 feet from ground to top.*

**16.054      ParkView Family Dentistry, 173 Rte 236 - Sign**

**John Ouimet:** Sorry you had to wait so long.

**Petra Enzien:** That's fine, mine seems simple compared to others but. I'm looking for approval for the proposed sign for my dental office.

**John Ouimet:** I'm sorry we need your name.

**Petra Enzien:** Oh, I though I said Dr. Enzien, I'm sorry, There are some errors in it however in efforts to get a pictorial, the sign company made a few mistakes in the picture, its Parkview one word and Halfmoon obviously one word as well.

**John Ouimet:** Don, have you had an opportunity to look at the request?

**Don Roberts:** Yes I have, and its 8 ft high and it meets the code.

**Petra Enzien:** Oh the other request that I have too is its changed slightly from where its pictured on the original site plan, it was shown closer to the Falcon Trace sign that's at the corner of the northwest corner of the building and we are requesting putting it toward the corner of the northwest corner of the building and we are requesting putting it towards the middle of the building within the easement.

**John Ouimet:** Sign location an issue Rich?

**Richard Harris:** What do you mean when you say easement?

**Petra Enzien:** Set back from the road I guess threes a set back.

**Richard Harris:** (garbled)

**Don Roberts:** as long as it's on private property yea.

**Petra Enzien:** It's where the temporary sign is currently.

**John Ouimet:** No problem right?

**Don Roberts:** no

**John Ouimet:** Thank you very much appreciate it, sorry you had to wait so long.

*Don Roberts made a motion to approve the Sign application for Parkview Family Dentistry, 173 Rte 236. Rich Berkowitz seconded. Motion Approved.*

**16.047/16051      Catskill Hudson Bank, 1684 Rte 9 - Change of Use/Tenant and Sign**

**John Ouimet:** I'm going to make a general apology to everybody, instead of apologize to everybody individually

**Carl Wheeler:** From A.J. Signs, and we are here for Catskill Hudson Bank. Basically we're looking for a wall sign, that one is going over, there have been several signs up there before and many holes and we want a solid sign to cover the holes. The other ones were proposing are non lit signs on the side facing the plaza and the other side of the building.

**John Ouimet:** Don?

**Don Roberts:** You are just replacing what was there before?

**Carl Wheeler:** Yes, and we are doing a face change on a monument sign.

*Don Roberts made a motion to approve Catskill Hudson Bank, 1684 Rte 9 - Change of Use/Tenant and Sign. John Higgins seconded. Motion Approved.*

**16.049/16.050     Shannon Barr Agency, 1595 Rte- Change of Use/Tenant and Sign**

**Shannon Barr:** I'm opening a state Farm Agency at 1595 Route 9 it's where Recognize is currently. Well I'll have two employees our office hours are from 9 to 5 Monday through Wednesday, Thursday 9 to 6, Friday 9 to 5, Saturday 9 to Noon. I'll have seven parking spaces total, one out front 6 in the back and then there's overflow parking in front of Adirondack Tae Kwon Do, and behind Kevin Hedley's office so there's plenty of parking. I think our peak hours, I really can't tell if it's going to be like noontime when people are running in or what, but I don't anticipate more than three additional cars to the employee's cars.

**John Ouimet:** Any questions from the board? Don?

**Don Roberts:** Now for the sign, we are just replacing what was there before?

**Shannon Barr:** Yes, exactly.

*Don Roberts made a motion to approve, Shannon Barr Agency, 1595 Rte- Change of Use/Tenant and Sign. John Higgins seconded. Motion Approved.*

**16.053             Halfmoon Motors, 1627 Rte 9 Change of Use / Tenant**

**D.W. Chichester:** It's a change of tenant request for 1627 Rte 9, the Dan Cummings property, we are Halfmoon Motors Sales and Service. It is consistent with the past-approved plan. Working hours are 7 am to 9pm, there will be 4 full time employees 3 part time employees. There are 76 parking spaces with one handicapped.

**John Ouimet:** Any questions from the board?

**John Higgins:** I think part of the site is lined, but part of it's not, is that correct Dan?

**Dan Cummings:** Yea the front is lined.

**John Higgins:** Ok, just obviously because the rear isn't lined try and maintain the lay out that's gonna be approved tonight, thank you.

**Rich Berkowitz:** Also do you accept deliveries by car carriers?

**D.W. Chichester:** No, no I realize that's an issue.

**Rich Berkowitz:** Ok, thank you.

**John Ouimet:** Any other questions?

*Rich Berkowitz made a motion to approve, Halfmoon Motors, 1627 Rte 9 Change of Use / Tenant*

*John Higgins seconded. Motion Approved.*

**John Ouimet:** Now is there a sign for this property?

**D.W. Chichester:** There will be, we will come back and do it. Thank you very much.

**16.036**            **Lussier Commercial Site Plan, 1385 Vischer Ferry Road - Commercial Site Plan**

**Duane Rabideau;** From VanGuilder and Associates representing Bill Lussier for renewal of his commercial Site Plan located at 1385 Vischer Ferry Road. There are going to be no changes to the approved plan, Bill did receive word from his architect Mark Burgeron that the building plans are nearly complete, and he would be able to start, he would be able to pull a building permit within the month and Bill expects to start construction ASAP.

**John Ouimet:** I don't think you want us to put that in the resolution do you?

**Duane Rabideau:** No, no just I know everyone wants to get this project going and just kind of an update, yes but Bill wants to get moving now.

**John Ouimet:** This project has been around a while, so there's no changes being proposed what so ever, correct?

**Duane Rabideau:** That is correct.

**John Ouimet:** Any questions from the board?

*Rich Berkowitz made a motion to approve the Application for Lussier Commercial Site Plan, 1385 Vischer Ferry Road - Commercial Site Plan Tom Ruchlicki seconded. Motion Approved.*

**16.056**            **United Rentals, Inc. (Bast Hatfield) , 1399 Vischer Ferry Road - Change of Use/Tenant**

*John Higgins and Mike Ziobroski recused themselves.*

**Chris Bast:** I'm representing Kings Crossing and Bast Hatfield, basically we're using the lower yard for equipment and materials, storage. Our next door tenant, United Rentals would like to expand into that area which we have basically under utilized we were going to ask if he can expand his lower yard into our current lower yard and we are just going to move our stuff elsewhere on our site.

**John Ouimet:** Thank you, any questions from the board? (No comments)

*Tom Koval made a motion to approve the Application for United Rentals Inc., 1399 Vischer Ferry Road - Change of Use/Tenant. Tom Ruchlicki seconded. Motion Approved.*

**Old Business:****16.004      Northeast Controls, 3 Enterprise Dr. - (Halfmoon Light Industrial Park/NYSEG PDD- Site Plan**

**Tom Address:** ABD Engineers.

**John Ouimet:** Boy he hasn't been here in a while, you've been missed.

**Tom Address:** Every once in a while we make it back down here.

**John Ouimet:** Sorry It's 9:30.

**Tom Address:** Its alright I was out there listening to I Tunes or whatever so, this is a proposal we had a couple months ago for 11,000 sq ft expansion, we did this original project in 95' I think it was so its 20 something years, more than 20 years that they have been in this building, just have a need to have some more warehouse area, a little bit of expansion of some of their technical areas into this portion also, they have another facility out in Rochester and Buffalo but this is the main corporate office where they do most of their engineering and obviously a lot of the assembly of the control for the house.

**John Ouimet:** Rich have you heard from the fire chief?

**Paul Marlow:** I spoke with the fire chief today, his only comment was that he requested that the through driveway that goes out to enterprise be as wide after the construction of the addition as it is today. So he was worried that you would lose a little of the driveway with the addition, but from what he thought he interpreted from the map, it looks like you guys are gonna pick up a little bit on the other side?

**Tom Address:** We are actually on the other side. , Its not going to work of course its too far. Well were close. Its about 28 feet at that shortest point so, it is actually still wider than an access drive through that area. We just didnt, and that's, and both of those are still significantly above the 2 feet.

**John Ouimet:** Any questions from the board? (No comments)

*John Higgins made a motion to approve the Application Northeast Controls, 3 Enterprise Dr. - (Halfmoon Light Industrial Park/NYSEG PDD- Site Plan contingent of the driveway width being 28' minimum. Tom Ruchlicki seconded. Motion Approved.*

**16.024/ 16.061      PAAR Estates - Leggett Minor Subdivision, 33 Farm to Market Rd. - Minor Subdivision**

*Don Roberts recused himself.*

**Jeff Williams:** BruceTanski Construction and Development. We have a proposed subdivision its kinda two fold, the first one is kind of a house cleaning the Leggett Farm LLC. they own approximately 91 acre parcel on Farm to Market Road in the town of Halfmoon, we wish to subdivide this parcel into two parcels, the parcel that we are talking about is bisected by Farm to Market Road and is directly related to PAAR Estates PDD Mr. Tanski is under contract to purchase the northern section of this parcel and the Leggett Farm LLC. will retain the southern portion of this land. After the subdivision of the northern portion will be an 83.46-acre parcel this will be the site for PAAR Est. PDD. and will be further subdivided to provide the twin town homes sites and the executive golf course and open space. The southern portion will be on approximately 8-acre parcel that lies between Farm to Market

Road and Route 146, this parcel will be retained by the current owner Leggett Farm LLC. So the second part of it to further subdivide the northern part of this parcel as to the PAAR Estates of Halfmoon PDD, as stated we wish to further subdivide this parcel, the proposed subdivision consists of creating 65 twin town home parcels for a total of 130 units. The lots range from 12,000 sq ft to 50,000 sq ft the subdivision will also create the road network and its related right of way. The storm water management areas along with the executive golf course and open space is to be retained by the to be created by LLC of PAAR Estates. We are also proposing to create 2 phases for the project for 29 twin town homes in the first phase and the 36 lots in the second phases and if I can see right, I think right in here is the phasing. So it's basically the upper T is phase II and then the rest of this is phase I. And we're asking for consideration for setting public hearing.

**John Ouimet:** Any questions from the board?

**John Higgins:** Have you finished your review it says here that your gonna let us know?

**Joe Romano:** We have gone through a couple of rounds of technical review and I believe we received a set of technical plans Friday.

**Jeff Williams:** Yea we responded to you March 28th with an April 6th letter.

**Joe Romano:** We are close to getting through our technical review within the next week or two we will have a letter.

**John Higgins:** And what's the status for the storm water? Not storm water, sewage? An easement that has to go through the southern piece for the sewage.

**Jeff Williams:** There is there's an easement that would go from Farm to Market Road to across the Leggett Farm or the property that they are retaining to trunk line on 146. That easement will be created as part of the final project.

**John Higgins:** John don't we typically require that the easement at least be in place before we approve it or can we approve it contingent upon the easement?

**John Ouimet:** John since we do have to have a public hearing I think, unless there's objection, I'll set the public hearing for 4 weeks from tonight.

**John Higgins:** That's fine.

**John Ouimet:** Between now and then I'm sure all the necessary background materials can be garnered, put together or whatever has to be done, can be done.

**Jeff Williams:** For four weeks that is?

**John Ouimet;** Yea

**Jeff Williams:** I mean we were hoping to put the 25th but that's fine.

**John Ouimet:** Yea me too, but not happening, I'm sorry.

**Richard Harris:** John when you did the notification for the PDD town board you did expanded notice it wasn't a lot it was like 28 and five so I just want to do the same thing.

**Jeff Williams:** That's the first meeting in May I take it?

**John Ouimet:** Correct.

*Tom Koval made a motion to set a public hearing on May 9, 2016 for PAAR Estates - Leggett minor Subdivision. John Higgins seconded. Public Hearing Set. No expanded notice.*

*Tom Ruchlicki made a motion to adjourn the meeting at 9:40 pm Rich Berkowitz seconded. Meeting Adjourned*