

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

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

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

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

Director of Planning: Richard Harris  
Planner: Paul Marlow

Town Attorney: Lyn Murphy  
Deputy Town Attorney: Cathy Drobny

Town Board Liaison: John Wasielewski  
Jeremy Connors

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*Vice Chairman Don Roberts opened the Planning Board Meeting at 7:00 pm*

*Tom Ruchlicki made a motion to approve the Minutes from the June 27, 2016 meeting. Marcel Nadeau seconded. Motion Approved.*

**Public Hearing:**

**16.082/16.109**      **Lands of Kilmer and Fronczek, 57 & 59 Ushers Road - Minor Subdivision & Special Use Permit**

**Don Roberts:** is anyone here? Come up and explain what you want to do before we open a public hearing, can I get your name and address please?

**Ed Fronczek:** Ed Fronczek, 17 Robin Lane, Waterford N.Y.

**Mike Kilmer:** 59 Ushers Road, Mechanicville.

**Ed Fronczek:** I own 57. We just want to do a lot line adjustment, give access to the power pole and the sewer man hole. That's the purpose of it. Any questions?

**Don Roberts:** Thats it, ok thank you. Id like to open the Public Hearing, anyone from the public like to speak please come up to the microphone, please state your name and address please.

**Tim Riley:** Good evening Tim Riley, 49 Ushers Road. I've lived at that property all of my life and a lot of the property up there has been subdivided it goes on to different uses, and that's fine that's part of what's happening all across this county, however there's certain things that were part of this request, one of them was I think two sheds had to be moved off the property, is that right? Yea they pushed them over onto my side knocked the fence down and just gave them a shove with the tractor, so it's on my side. Until I went down there just about fifteen minutes ago, had the sheriffs there and they pulled it back, that's number one. The second is in order to get it there they take the soil from their side, now we're talking wetlands here, it's not standing water, but it's certainly not muck and I've lived there all my life and you could never grow, there's nothing there but muck. They've brought in all kinds of fill, they've put down fabric underneath the fill, well you and I, most of us would know that water is going to end up somewhere, and it's gonna end up on my side and I'm not gonna tolerate it. I don't think anybody here would want to see a shed shoved on their land or have water diverted to their side, again if they want to build a home and they want to have their place back there, all well and good I'm a pretty good neighbor all in all, until you start shoving stuff onto my side. Then I've got an issue with it.

**Don Roberts:** That's all been removed now?

**Tim Riley:** They have moved the shed back tonight, the sheriff was there, they pulled the shed back on to their side, but the shed is still on their side but it doesn't answer the filling in of the wetlands and that mediation that's ongoing, I'm sure that's not going to be resolved any time soon.

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

**Tim Riley:** And they did knock the fence down, I do have photos here and honestly, I took these photos the other day, you can see the fences there, but that was nothing to what I arrived at the house tonight and they were literally taking that front end loader and just pushing that thing deliberately onto my side. Thank you very much.

**Don Roberts:** Thank you, Joe could you comment on the water issue at all?

**Joe Romano:** I don't believe that they have submitted any plans, it's just a lot line adjustment so there is no proposed infrastructure or grading proposed for the lot, it's really just a changing of the existing lot line.

**Richard Harris:** I can speak to the shed issue, when Mr. Fronczek first came in and submitted the plans, which showed two sheds on the vacant lot we informed them that they either had to be removed, relocated to somewhere acceptable or applied for a variance cause you can't have accessory structures with no principal structure. We've had a couple discussions and I'll let you respond to the specific comments and it indicated that the sheds were going to be removed, I believe it was your son or step son that was in the end of last week speaking to the building department inquiring about what he would have to do to put them on Mr. Kilmers' property. I believe the building department told him you would have to get a building permit for that. But that's the last we were aware of the shed issue, other than the fact that they would need to be removed prior to final approval of this plan, and removed in a legal manner not pushed onto your property. So I'm not sure, Ed if you want to give an update of why these were moved on his property, but they can't stay on your property either. Yea you go up Ed, go ahead answer, and Ed in regards to the grading like Joe said, that was not part of any application but if he grades the property in an amount greater than one acre that would be subject to the town soil disturbance laws and certainly no property can be re-graded in a manner that changes the manner of, or rate of which water, surface water leaves the property, so we would have to find out from Ed, what went on and then second possibly investigate it from a soil disturbance standpoint.

**Don Roberts:** Can you please explain what happened?

**Ed Fronczek:** First of all this is the first I heard of it. Right now is the first I heard of it, I should have went up there and took a look before I even came here.

**Don Roberts:** You didnt move the sheds yourself?

**Ed Fronczek:** No they were supposed to be dismantled, and as far as I know they were. I had a picture, couple cell phone pictures yesterday showing the thing down with just the roof, so I'll leave here and I'll go right up there, I cant believe that he shoved them on his property, I mean there's a fence line, I'll have to look, I apologize if it is, I believe you, I truly do, Oh no, I cant believe that he did something like that, but I'll go up there right from here and check it out. Wetlands, down in the back below the hill yes, there's where the beavers blocked it up, if they consider that wetlands or if they allow it to be drained, I don't know, but we weren't going to touch that. Other than that I don't know, I mean, I am as shocked to hear this as anybody else, so I'll get down there right now as soon as I leave here, and see what's going on and I do apologize if he disturbed your property in any way.

**Don Roberts:** Ok thank you. Would any one else like to speak? Seeing no one else wants to speak I'll close the public hearing, any comment from the board members? Well in light of what we heard I think we have to have this investigated a little further before we take any action.

**Tom Koval:** Well what they're asking for, am I correct is just a lot line adjustment not site plan or anything, not building permit so we could I imagine vote on the Lot line adjustment and when they come forward for anything else we could ya know, we will have more information on what's happening there on fill, wetlands so on.

**Richard Harris:** Also since this requires a Mylar and signature of the planning board chairman, if you decide to take action tonight you could, the chairman could ensure that whatever those two issues are resolved or addressed prior to final signature by the chairman, It's not considered final approval until the Chairman signs it anyway so we could condition the approval or your could condition the approval on resolution of those two items prior to signature.

**Don Roberts:** Ok, good point thank you. Anyone else?

*Tom Koval made a negative declaration pursuant to SEQR. John Higgins seconded. Motion Approved*

*Tom Koval made motion to approve Kilmer and Fronczek' Lot Line Adjustment & Special Use Application. Contingent on termination or the two issues on the table being the shed and wetlands issues Marcel Nadeau seconded. Motion Approved.*

**Lyn Murphy:** Now is that for both the lot line adjustment and the special use permit request? Just for clarification.

**Don Roberts:** Yes.

### **New Business:**

16.102

### **RCC Enterprises dba Maple Leaf Childcare Inc, 41 Werner Road - Site Plan**

**John Moran:** Hi my name is John Moran, I'm one of the owners and operators of Maple Leaf Childcare, my wife owns it with me Linda. She pretty much runs all the day-to-day operations and I fix things. What we are proposing to do is on 41 Werner Road, we bought it last Spring, our original proposal was to fix up one of the buildings a 5,600 sq ft building, and put an after school program in there, and then come on further possible and get approvals to revamp some of the other buildings. After review with our architect he basically said what are you doing, your gonna bring this down to the studs, your putting all new windows, everything your better off building exactly what you want and the environment you would like for new children so, thats what we've come to you to seek approval

to do that. What we would do is I believe there is four buildings on the property, all of those buildings would be taken down which total 18,000 sq ft, and we are proposing building up to one building up to 15,000 sq ft. It may be a little smaller but we figured go for what we think we may use. And we would like to put about 200 children in there. Doing that we would reduce the parking lot size by about 30 percent, which would take it down to about 65 cars. And the research that we did with what's going on in the town and just people talking to us, we feel there's a real need for it. I mean Halfmoon is growing quite a bit so we're kind of excited about coming to the area and doing a new project. Not too sure what else I can tell you about it. Our operational hours, we would operate from 6:30 in the morning till 6:00 o'clock at night, Monday through Friday. We very seldom have anything going on at night, once in a while there's a Christmas party this and that where it may be 6:30 I mean but we don't operate on weekends we do go in there and do maintenance but it is minimal disturbance to anyone on the weekends or nights.

**Don Roberts:** Can you just talk about the mode of transportation for the students, how they are going to get there?

**John Moran:** Well the transportation most of it will be the parents will drop their children off in the morning and that usually will take place anywhere from 6:30 in the morning, you have some early birds but usually the 8 to 9 O'clock is probably the busier time and then they start getting picked up at 4: 30 pm and that will last until about 6 o'clock at night. There will be a few busses that will transport after school kids from the elementary schools that are in that district but you are only talking one to three busses a day depending on, and they are not fully kids they'll drop off if they are coming from different elementary schools. When we designed the parking here your going up Warner Road what you would do is, I'll call it the south side, you would pull in there would be one lane going in and you would drive up and there would be parking on either side of that and then stop in front of the building a teacher would be there to meet the bus, children would get off they would be brought inside into their classrooms and the bus would continue back out the north side and I believe there's two turning lanes there one with a left back onto Warner Rd or south I should say and the other the needed to go north whatever direction their going and that would also be our traffic flow for our autos.

**Don Roberts:** Ok, thank you. Any questions by the board?

**Rich Berkowitz:** With this size building what is the maximum allowed per NYS regulations?

**John Moran:** Well it's a tricky question. Everything is done by square footage, so we, right now we built a 16,000sq ft building three years ago in the town of Malta on 2.75 acres of land. That is licensed for 212 kids. We have a gymnasium in there, we have a library, we have a lot of extra activities, what happens when you set up a classroom and infant has to have 50 sq ft per child, so you would need a classroom, usually we set up a classroom of 8 children and that would be 400 sq ft so, I mean realistically a 15,000 sq ft building you could put 300 kids in, but thats not what we are looking to do because we want to put the library in some of these other rooms and they cant be licensed. Cafateria, break room, resource rooms, we have mothers nursing rooms, so.

**Rich Berkowitz:** Do you know the breakdown of ages you want to have?

**John Moran:** We would operate from 6 weeks of age until 12 years, usually around 12 years when kids enter middle school they are pretty much out of our program.

**Rich Berkowitz:** So you don't know how, you don't have like 50 -12 year olds or 10 six week olds, I mean cause it makes a difference on the amount of space you have, it makes a difference on the traffic, it makes a difference on how many school busses are going to be there. Most of these people are going to be coming on 146 turning left or right on Werner road and that part of 146 is the most accessible to Warner road.

**John Moran:** I will turn that part if I can over to my wife and she can explain to you the classrooms and how they will be set up.

**Rich Berkowitz:** I just came in from last time, was there a traffic study or no?

**John Moran:** No, there was not.

**Rich Berkowitz:** Ok, you are going to do one?

**Linda Moran:** Excuse Me?

**Rich Berkowitz:** Are you going to do one?

**Linda Moran:** If you ask us to we will.

**Don Roberts:** State your name for us please.

**Linda Moran:** Linda Moran, I don't have all of this down exact, because we haven't done a floor plan yet for the building and the rooms, but approximately I could tell you what we have at our other center that we are licensed for 216 children, we have 40 school aged kids there. We have 24 infants around 50 or so toddlers, now I have to do the math, and the balance would be Pre School aged children, 3, 4 and 5 years old. But as my husband was saying, its tricky because you could set up a room and it could be 500 sq ft, technically you need 400 for 8 infants in that room but they subtract for the changing area, they subtract for the cribs, they subtract for a lot of things, so the rooms end up being a little bit bigger than that.

**Rich Berkowitz:** Now can you change this yearly based on demand?

**Linda Moran:** No.

**Rich Berkowitz:** Or is this set?

**Linda Moran:** No the room would be licensed for if, say the infant room for 8 children, if they come in and measure it and they will measure it by hand and they will give us a number and that would be it.

**Rich Berkowitz:** So you couldn't, if you had a need for another age group you couldn't convert that to a different age group?

**Linda Moran:** I could possibly if I set it up that way, cause some of the age groups we have bathrooms in them, the classrooms, other ones we don't, um like for instance, infants and toddlers they have to have separate exit door to the outside from their room but the preschool kids do not. We do put them in all of our classrooms but there are certain things that, but I would say the only fluctuation is half a dozen children at times possibly.

**Marcel Nadeau:** The reason I'm asking is this is right in the middle of a residential area and all these cars and busses are gonna go through a residential area.

**Linda Moran:** Right.

**Marcel Nadeau:** Ok.

**Don Roberts:** Anyone else?

**Marcel Nadeau:** How many vehicles would, what did you say at 6:30 in the morning?

**John Moran:** yes

**Marcel Nadeau:** to what time?

**Linda Moran:** About 9.

**Marcel Nadeau:** The question I have is the stacking of the vehicles coming in. How many vehicles at one time are going to be in that area dropping off?

**Linda Moran:** There really isn't that many, maybe three or four, honestly because they come in, they are in for any where from 2 or 3 minutes to 10 minutes depending on the age of the child and the Childs temperament maybe so and its stretched out over basically I would say about a 2 hour period so.

**John Moran:** Excuse me and so the cars won't stack? They will come in and they will park, leave their vehicle, get on the sidewalk, the parents have to physically bring their child in? Sign them into the building? Where the busses in the afternoon will drop them off and then we will walk the children in.

**Marcel Nadeau:** Ok, so what's your number of we'll say 150 - 200 students they are not coming in all in that same time frame.

**John Moran:** No, they don't all show up at 6:30, they'll be spread out usually with in a 2 1/2 - 3 hour window, and out of that say 200 children there are any where from 25 to 35 % of those are families with multiple children, some have three, most of them are 2 in the family.

**Tom Koval:** The one concern I have with how you have the parking laid out, you have a drop off area but there is no blocked off spaces in front of the building, so the kids would have to walk between vehicles to access the front of the building.

**John Moran:** And that's just a concept, what we usually do in front of our building, we do have where the porch comes out there's a big maybe three or four spots that are left open.

**Tom Koval:** So you may lose a few parking spaces.

**John Moran:** Yes, you can get right in there. There's nothing there, but normally that is what we do, I mean like I said this is just a concept and our biggest concern is safety with children and parents as well, I mean we don't want children darting in and out, and actually as you drive in on the left side of the lot we would put that pretty much for all of our employees, we would employ up to 50 teachers in the schooled but they wouldn't all be there at the same time. Probably 25 or so but between full time and part time jobs and they would park on the inside and there would be a sidewalk walking around the outside where the parent would exit their car, get right on the sidewalk and walk on the outside.

**Tom Koval:** Ok, thank you.

**Marcel Nadeau:** Did you say you have a place in Malta? Where is that?

**John Moran:** Yes we do, I have two licensed centers in the town of Malta now, three licensed centers to be honest with you, we have in Parade Ground Village at 10 Hemfeld Pl. which is just before Dine St. route 9, and the other one is just past, up route 9 just past 9P on the right hand side, are you familiar with the Ripe Tomato, the Public House, just beyond those. Right next door to the Public House on the north side.

**Rich Berkowitz:** So are they staying open or are they going to be closing or is this going to be a third site?

**John Moran:** This will actually end up being our sixth location, or seventh location, we have a small school age program that's.

**Linda Moran:** We have been in Malta for 20 years, I just want to add, we have been there a long time, and we've been in business for 28 years.

**Rich Berkowitz:** Ok, so this should be pretty easy to get the other information based on the other six to us. ?

**Linda Moran:** Oh yea.

**Rich Berkowitz:** ok,

**Lyn Murphy:** Just for clarification for the boards edification, what's happened is there was some discussion as to the number of children that they were allowed to have at their prior approval, as part of their prior approval, so when they came back increasing the number of children they were sent to the ZBA who made a determination that, in basing an interpretation of their prior granting of an expansion of pre existing non conforming that the number of children didnt matter, so there here more with a concept to make sure that this board is ok with them going forward with the proposal but they still have to go through site plan and get more engineered drawings etc. the I'll say confusion for lack of a better term is the ZBA made an interpretation that their allowance of the expansion of the pre existing non conforming did not have a number attached to it. Which allows this board to go forward with site plan approval.

**Don Roberts:** Thank you Lyn. Anyone else?

**Tom Ruchlicki:** I would just like to, we talked about a traffic study, my concern would be the traffic flow on Werner Road, like would it be anticipated that 90% of the traffic would be coming not from 146? And the only reason why I ask is because that residential area I would think would be most of the people that are living in that area would utilize your facility.

**John Moran:** I can't honestly answer that.

**Tom Ruchlicki:** That's why I just want to reiterate, I want to know some type of a traffic flow pattern through that area for what it is that you propose.

**John Moran:** I can say we live in the town of Malta, now when we come over we come up that farm family road and we cut through and that is a huge residential area back there, so I would assume we would get an awful lot of clients in that area and some of the new construction going on in town.

**Tom Ruchlicki:** It would just be interesting for me to know a lot of people would come down 146 and enter Warner road there at the intersection of 146.

**John Moran:** Ya know they come out of convenience or reputation, I cant answer that honestly which way, I do know I would like to get a lot of them from back in those neighborhoods and I'm sure a lot of them are going to come from 146 as well, whether they are coming up out of Mechanicville and heading towards the Northway or so.

**Tom Ruchlicki:** Thanks.

**Don Roberts:** Anyone else?

**John Higgins:** I agree with Tom traffic is going to be a major concern, because when we have public hearings regarding the developments that are going on right now on Werner Road a lot of the neighbors came in and that's what they voiced concerns about was traffic, so I think some kind of traffic study would be appropriate.

**Don Roberts:** Ok, thank you John. Anyone else? Ok, well based on what we heard I think a traffic study is in order so Rich could you take steps to.

**Richard Harris:** Yea we will have to under the towns new process for traffic analysis we will have to discuss that with the applicant how that is handled. So once your engineers are ready for more detailed designs which might be right after this meeting, we do need to talk to them about a process established with the town about traffic impact analysis so we go from there, but I will talk to you about it after.

**John Moran:** Ok.

**Marcel Nadeau:** Chairman I think we would want to have a public informational meeting on this as well at some point.

**Don Roberts:** Down the line, yea your right but not at this point, get the traffic study done, we would like to refer it to Clough harbor as well for their comments, right Joe? Ok, so Rich will talk about a traffic study and we are going to refer this to Clough harbor for review and we will take it from there.

**John Moran:** Ok, thank you for your time.

**Don Roberts:** Thank you.

*RCC Enterprises dba Maple Leaf Childcare Inc.'s Site Plan Application was tabled until a traffic study can be performed and it is further reviewed by Clough Harbor.*

## 16.105 Our Place Bar and Grill, 46 Route 146 - Sign

**Michael Caluccio:** Good evening. My name is Michael Caluccio.

**Don Roberts:** How are you doing Michael, do you want to explain what you want to do please.

**Mike Caluccio:** Yes, I'd like to put this new sign replacing the existing sign.

**Don Roberts:** Something like this?

**Mike Caluccio:** Yes, that's it. So there will be one on, it's an existing road sign and there will be one on the building itself as well to give the building a new look as well as just the panels themselves on the road sign and that's it.

**Don Roberts:** And on the roof they are not building a new sign just replacing what was there before?

**Mike Caluccio:** Yea, In fact I'm just going to paint that white even though you can see it very well.

**Don Roberts:** Because with our new ordinance we don't allow signs on the roofs, but this is grand fathered in that's why we need to verify what you want to do.

**Marcel Nadeau:** But if you want to paint it that's ok.

**Mike Caluccio:** Yea if I wanted to do it later would I be able to do it later or no?

**Lyn Murphy:** You'll lose the pre-existing non-conforming if it goes a year with out, you keep saying up to 2 years with out it being used.

**Mike Caluccio:** I can paint it on there correct?

**Lyn Murphy:** We cant tell you what you want to do I'm just telling you.

**Mike Caluccio:** I think I can paint it, but for right now I'm not going to paint it, I'll probably paint it once I figure out ya know if I'm Going to or not. I think this sign right here that's going to be on the front of the building I think that might be enough for right now.

**Lyn Murphy:** So right now you're not asking to replace all of the signage; you're asking to replace the sign on the roadway to this sign?

**Mike Caluccio:** On the roadway correct, with new panels and putting on the new sign on the front of the building.

**Lyn Murphy:** That's what he means, ok.

**Mike Caluccio:** There is one on the roof, its painted it's not a sign that I don't think I can actually put up there.

**Don Roberts:** So you are going to leave that one alone?

**Mike Caluccio:** It's just painted, so I think I'm just gonna paint it white for now.

**Tom Koval:** So you're reducing it from three signs to two signs. In essence

**Mike Caluccio:** Well there are two signs now, there's not a sign on the front of the building right now.

**Tom Koval:** So you're adding a sign to the front of the building

**Mike Caluccio:** I'm adding a sign, its a very thin sign to go on the front of the building, I think when people drive by they tend to look at the building, so I'd like to be able to have them see that and give the front a new look.

**Tom Koval:** is it going to be backlit or is there a light shining on it.

**Mike Caluccio:** There is not going to be a light on it, no. No light, the only light would be the road light thats currently there now.

**Don Roberts:** Any questions?

**John Higgins:** which size sign are we talking about that your putting up? There are two different dimensions I just wanna make sure for the record I wanna make sure we know what size.

**Mike Caluccio:** Right the longer one.

**John Higgins:** So the 96" x 48".

**Mike Caluccio:** That's the longer one that would be on the front of the building, there's a 4 x 8 I think right.

**John Higgins:** The other one is 70" x 46".

**Mink Caluccio:** Right.

**John Higgins:** So that one you are not going to do at this point?

**Mike Caluccio:** No, I'm gonna do the road sign,

**Richard Harris:** The road sign is the 46" x 70".

**Mike Caluccio:** 46 x 70 inch correct,

**Richard Harris:** 24 sq ft.

**Mike Caluccio:** That one I'm gonna replace the panels only, on both sides, and then on the front would be the 96" x 48".

**Don Roberts:** Up on the wall?

**Mike Caluccio:** Right on the wall.

**Tom Koval:** So the one you're replacing the panels on that's going to be internally lit?

**Mike Caluccio:** Correct, It might need a new light, I won't know, you know like a new light bulb, but I won't know until I take the panel off.

**Don Roberts:** Anyone else?

**Marcel Nadeau:** So just for clarification, are we considering that he is removing the peak sign and replacing with the gable end sign, so he is not, he will not come back later?

**Lyn Murphy:** He would have to come back and you would have to say yes or no type of thing.

**Mike Caluccio:** I would have 2 years to paint if I wanted to paint something up on top?

**Lyn Murphy:** No, because what your now applying for is these two signs, not that third sign, so if you want that third sign you have to come back, before this board.

**Mike Caluccio:** oh, ok it will be grand fathered at that point?

**Lyn Murphy:** I can't tell you, I can't give you legal advice, I can only advise this board that it is a pre existing, non conforming use until that expires, and that would expire in 2 years. So they could turn you down because of square footage, I haven't done any math calculations but they couldn't turn you down because of the roofline, which today you would not be allowed to do.

**Mike Caluccio:** Ok, thats fine, in fact I don't think I would want to do anything with this top, I kind of like just the fact there's a new look to it, I mean its nice up on top but in fact id like to take that right off of there if I could, its been there forever and I'm going to look into that as well but not right away, just removing that whole beam we'll call it. It's been there forever, yes I'd like to get approval for the two signs.

*Rich Berkowitz made a motion to approve Our Place Bar and Grills Sign Application. Cory Custer seconded. Motion Approved.*

**16.106**                    **Speedway, 1513 Crescent Road - Sign**

**Terri Meisner:** My name is Terry Meisner from Saxton Sign Corporation and Speedway would like to reface the bottom two faces of their sign. They are going to replace the Duncan Donuts and Godfather Pizza and Blimpys, and they are going to put a Beer Cave sign in and a changeable copy for the Grandfather and Blimpys signs.

**Don Roberts:** Its just gonna say beer?

**Terri Meisner:** Just say Beer Cave.

**Don Roberts:** Beer Cave thats it?

**Terri Meisner:** Thats it.

**Rich Berkowitz:** Are the other businesses still going to be there?

**Terri Meisner:** No

**Rich Berkowitz:** The Duncan Donuts, Blimpys, and Godfathers pizza are leaving?

**Terri Meisner:** I believe so yes.

**Don Roberts:** Any other questions?

*Cory Custer made a motion to approve Our Place Bar and Grills Sign Application. Tom Koval seconded. Motion Approved.*

**16.099**                    **Service Solutions, 931 Hudson River Road - Change of Tenant/Use**

**16.100**                    **Platinum Limousine, 931 Hudson River Road - Change of Tenant/ Use**

**John Fortune:** Hello how are you.

**Don Roberts:** Can I have your name please and address?

**John Fortune:** John Fortune, 23 Luther Road, Saratoga Springs

**Don Roberts:** What do you want to do?

**John Fortune:** What do you mean?

**Don Roberts:** What are you here for?

**John Fortune:** I was told to come here for a change of use for a tenant application.

**Don Roberts:** You are the owner of the property?

**John Fortune:** Yes I am.

**Don Roberts:** ok, currently you have Service Solutions there and Platinum Limousines?

**John Fortune:** Yes, service solutions have been there for seven years, currently existing in that area.

**Don Roberts:** Can you explain a little of what they do?

**John Fortune:** Yea, they are a small construction company if you want to call them that, they do handy man work, if you want your siding clean, put windows in, gutters that type of thing. They basically use it for storage and for equipment for that warehouse. Their employees usually take their vehicles home so there isn't any parking in front of there usually, maybe one truck or so, I guess he runs his business, his employees take their vehicles from their house and go to the job site. No one is in the office and the warehouse is basically for storage, once in a while you might see someone there. Hours of operation, probably 7-5, but like I said there have been times I don't see them at all and its kinda seasonal cause in the wintertime they are slow.

**Don Roberts:** there is no outside storage is there?

**John Fortune:** There's outside storage, there are some storage trailers that are there, they have been there since 82'. We have been renting it to various companies from Total Events; they used to use it for storage of tents for parties, for a warehouse and the property we bought it back in 1974 it was zoned industrial to light industrial. Built our first warehouse in 79' when I graduated high school, shortly after in 83' we built a second warehouse on the same parcel of property and now they are saying that its residential and they have to come here for change of use application.

**Don Roberts:** Thank you for that one now how about Platinum Limousine. What's that?

**John Higgins:** Don I have a few questions about the first one.

**Don Roberts:** Oh, I'm sorry go ahead John.

**John Higgins:** You mentioned several companies have.

**John Fortune:** No, no, see what I intend to do with the property right behind Jack Byrne Ford and Mercury where my shop is, and I perhaps thought one day that back in 74' that I may want to move my shop down to that location cause it was zoned for industrial, and I have two of my trailers that have been there since

**John Higgins:** These are tractor-trailers?

**John Fortune:** Yes, just two tractor-trailers.

**John Higgins:** Are they registered, street legal?

**John Fortune:** No they are just two trailers that are there. You can drive by it and see them there.

**John Higgins:** In an R-1 zone in the town your not allowed.

**John Fortune:** I agree, however back in 1974 when we purchased the property it was light industrial so I believe that we may be grandfather in.

**Lyn Murphy:** This is the first I'm hearing about the vehicles but code did not site them for the vehicles so I am going to assume that they are in compliance with whatever codes' knowledge is of the area. Its my understanding

the reason the applicant is before us is code went down there and became aware of these operations occurring and told him that he needed to come before the board to get and an approval. So we can verify with code tomorrow with regards to the issue of the truck. But obviously he'll have to be in compliance with whatever law applies to him as it relates to outside parking.

**John Fortune:** So what is the question now?

**John Higgins:** Well we asked about outside storage outside the building and you said there might be a truck parked there occasionally, but then you mentioned about the tractor-trailers, which as Lyn mentioned that's, another whole topic that we weren't aware of. We were told that this was just going to be strictly used for inside storage for Service Solutions with no outside storage and minimal storage of vehicles at night or over a weekend.

**Richard Harris:** That's right, that's the application for both Platinum Limousines and Service Solutions on the same parcel. They both historically, as Mr. Fortune mentioned, they used to be zoned for industrial back in the 90's, it was rezoned. Consistently at least from what our records show, 1980 where the older building where Service Solutions is in I believe.

**John Fortune:** That's the newer building.

**Richard Harris:** That's the middle one?

**John Fortune:** That's the middle one.

**Richard Harris:** That was approved by this board

**John Fortune:** Yea, yea.

**Richard Harris:** We have an approved site plan from then, that is was historically been used for storage and one was for Fortune Construction company and the other as you mentioned was for Total Events and other tenants admitted there, so in terms of, although the zoning was rezoned R-1 both buildings are pre existing non conforming uses for storage which you are looking to continue in both of those buildings.

**John Fortune:** I don't seem to follow you; I just want to rent my warehouses for what I built them for, for the zoning that they were zoned for back in 74'.

**Richard Harris:** I said the same thing just a little different

**John Fortune:** Ok

**Richard Harris:** The use has been consistent with storage.

**John Fortune:** With storage yea.

**Richard Harris:** From when they were built and from tenants through the years, today's zoning R-1, if that was a vacant piece of property you would not be able to build that with the zone changes, but I am agreeing with you that our research into the town records, they have historically been used for storage, you need to get a change of tenant approval for those uses.

**John Fortune:** I guess.

**John Higgins:** What I'm trying to avoid is any confusion down the road, so if there is in fact grandfathered in outside storage and tractor trailers I think it should be in the approval so we know exactly what is grand fathered in so somewhere down the road, so there's two tractor trailers there now?

**John Fortune:** Yea they have been there since

**John Higgins:** Ok, so agreed Lyn that it should be in the approval or not.

**Lyn Murphy:** I don't know why, is it, do you store things in them?

**John Fortune:** Yea from time to time I store Items

**John Higgins:** From his company which is a third company.

**John Fortune:** Well it's my property too.

**Lyn Murphy:** Well ok, so why don't you do the approvals of the two buildings, we will send code down if we find out that he is operating a third business or doing something else that he is not supposed to do then he can come back before you and ask for permission.

**John Fortune:** What am I supposed to not be doing?

**Lyn Murphy:** I think its getting more complicated than it needs to be, your here for these two change of tenants, so we need to proceed with those and then we will send code down to check, I don't want to approve it with not, I mean you have no idea what it is.

**John Fortune:** If you take a look at the area, I mean if you look to the left of me I have a power plant ok and to the right of me I have a guy who stores automobiles, across the street I got a guy that has a garage there ok, I'm not changing anything or coming into a neighborhood and asking for a change or variance.

**Lyn Murphy:** Correct.

**Don Roberts:** Anyone else? Now the limousines, can you explain the limousine operation a bit?

**John Fortune:** Yea, you know when your daughter or husband gets married and they want a limousine service will this guy is owner operated, its been in business, he's up in Clifton park, I am trying to think what road he was on, he was off of rte 9 and he has 2 limousines and like a SUV and what he does is if you want, weddings if someone gets married he is one guy, he stores his vehicles in there and he opens the door takes the cars out and goes to the church or someone's house.

**Don Roberts:** And they are inside the building?

**John Fortune:** they are inside the building and then he will have his own vehicle when he has to perform his services he takes his vehicle drops it off, and there isn't any other employees and his hours of operation it varies. But there is only him and prior to him, who was in there prior to him. umm well let me see going back.

**Don Roberts:** Well were really worried about is what's done now.

**John Fortune:** Ok, but I mean its all staying with in the charectar of what we used it for.

**Don Roberts:** Any questions. A motion?

*Rich Berkowitz made a motion to approve Service Solutions & Platinum Limousines application for Change of Tenant/ Use. Marcel Nadeau seconded. Motion Approved.*

**John Fortune:** Thank you. ,

**Don Roberts:** That wasn't hard was it?

**John Fortune:** Wait, I'm sorry?

**Don Roberts:** That wasn't so hard.

**John Fortune:** No, costly, 500 dollars.

**16.104                    OrthoNY, 1673 Rte 9 - (Healthplex) - Change of Tenant/Use**

*Rich Berkowitz recused himself*

**Steve Burke:** Good Evening, Steve Burke, 1673 Rte 9 Clifton Park, I'm sorry Halfmoon N.Y I've done that every time for twenty years. OrthoNY wishes to take the 3500 sq ft spaces right there in the front entry point of the building there are 13 dedicated parking spaces and a wheel chair ramp and I believe 4 handicapped parking spots. Primarily its physical therapy. Primarily they'll operate Monday through Friday 7:30 in the morning till 7. They have three full time therapists and a receptionist and a medical clerk. All the employees park in the rear and thats a standard all the employees in the building park on the rear parking lot. The use is actually reducing traffic, it was the VA and they saw 70- 80 people a day at least with medical problems, ambulatory problems and all kinds of serious medical issues, this is primarily ACL repairs, self ambulatory moving on their own to the space and returning to their car on their own so. We will be putting in a sign application and the sign application really is gonna require a couple of things, one is their gonna go on top of the existing sign out front and then go in a spot on the building but basically replacing the VA signs that are there now.

**Don Roberts:** And you'll come back for that?

**Steve Burke:** Yea.

**Don Roberts:** Thank you, any questions?

*Marcel Nadeau made a motion to approve OrthoNY application for Change of Tenant/ Use. John Higgins seconded. Motion Approved*

**15.178/15.179                    Ludovici Custom Hot Rodz, 1554 Route 9- Change of Tenant/Use & Sign**

**Beverly Emerick:** I'm Beverly Emerick, 1554 Rte 9, I own the property.

**Christopher Ludovici:** Christopher Ludovici, 1554 Rte 9.

**Don Roberts:** And what do you want to do at the site?

**Christopher Ludovici:** What we are trying to do is trying to get approval for a sign and to open up a custom hot rod chopper shop. What it is it's a pre-assembled product warranted by the companies, any repairs after they go to the company, they don't come back to me. Everything is new, gets assembled, its pre assembled in a factory, take it back apart I re assemble it add something customized maybe a gps, stereo or whatever and no oil or anything no

outside storage very minimal parking on the weekend. One employee is myself right now, maybe later on down the line I can get approved for something else like a 60 x 100 building or whatever in the future we're hoping to put something in for maybe RV storage units in the back maybe 72 storage units in the back but that's way down the line.

**Don Roberts:** You said no outside storage correct.

**Christopher Ludovici:** Yes, no outside storage.

**Don Roberts:** Ok, thank you. Any questions by the board?

**Lyn Murphy:** Before the board starts, I'm sorry did you say your name is Lucas and the building's name is Ludovici or is your last name Ludovici?

**Christopher Ludovici:** My name is Christopher A. Lucas Ludovici.

**Lyn Murphy:** I just wanted to clarify for the record. Thank you.

**Tom Koval:** I've driven by several times and I noticed you saying there's no outside storage but you have several pods, flattened out pods, it seems like you're taking them or renting them or doing whatever, I noticed you have a trailer for moving them around is that another business you're operating out of there?

**Christopher Ludovici:** No I'm not operating that business, what I'm trying to do is put them together and get them out of there, they were delivered there because I had no where to put them at the time, and they are heavy so I had to customize some wheels for them instead of waiting three months and I already moved I think six of them out so I think there's only four of them left on the ground.

**Tom Koval:** Yea it looked like four or five. Now are you selling them are you a dealer for them?

**Christopher Ludovici:** No, I'll be renting them out some day but not from that location.

**Tom Koval:** So they could come back to the site?

**Christopher Ludovici:** They will never come back to the site. All the other ones are already out. And they haven't returned so.

**Tom Koval:** Ok, so are you going to be bringing in more of them in the future to rent out or sell?

**Christopher Ludovici:** No.

**Tom Koval:** So there are just the six of them?

**Christopher Ludovici:** I think there's four or five.

**Tom Koval:** Originally whatever it was.

**Christopher Ludovici:** There was 24 total, but they weren't all there.

**Tom Koval:** Ok so you didn't sell them off that site, you bought the trailer and everything before then

**Christopher Ludovici:** I haven't sold, I don't sell them, what I would do in the future, I would rent them out.

**Tom Koval:** Where are you going to store them when they are not being rented?

**Christopher Ludovici:** I have other properties out of this town.

**Tom Koval:** Ok so they wont be, in no point in time their gonna be on this property?

**Christopher Ludovici:** No, I'm building double town houses up in Glennville.

**Don Roberts:** so once those four units are gone the operation there will cease?

**Christopher Ludovici:** Oh yes, there was never an operation they were just.

**Tom Koval:** they shouldn't be there right now because he is not approved.

**Don Roberts:** They really shouldn't yea.

**Tom Koval:** they should be moved immediately.

**Christopher Ludovici:** yes I've been working on another spot for them, they are not as light as they look ya know so

**Tom Koval:** I'm sure, yea I saw the trailer you have for them so its obviously hefty, so well regardless of everything we should certainly have the condition that nothing gets approved until those are gone.

**Tom Ruchlicki:** Just to clarify you haven't moved them to another location in town right?

**Christopher Ludovici:** No, where they're going they are not going to be in this town.

**Don Roberts:** When do you anticipate those four being removed?

**Christopher Ludovici:** I can move them tonight its not a problem but I just rather put them somewhere where I don't have to keep moving em ya know. If that's the only thing that's holding it up then that's minimal.

**Tom Koval:** Yea thats certainly a concern cause ya know its been brought to our attention more than once over the past few months. What types of cars are you assembling are they race cars, custom cars?

**Christopher Ludovici:** 29, 1929 to 33, 34 coups, willies.

**Tom Koval:** So you are doing hot rods. Are you gonna be, when you re assemble them are you test running them are you firing them up, I mean our concern is the noise.

**Christopher Ludovici:** Yea, no they supply their own motor and it has to have a Cadillac converter put on them, yea they have to be quiet.

**Tom Koval:** Right you put the exhaust on and everything and then you test run em?

**Christopher Ludovici:** No I don't test run em' I just assemble em' set em' out and its theirs, they supply the parts for any motor or transmission.

**Tom Koval:** So you assemble them and a truck picks them up and trailers them out?

**Christopher Ludovici** I'll trailer them out or they'll pick em up.

**Rich Berkowitz:** Ok, you don't start the cars before they

**Christopher Ludovici** if I have to assemble the muffler system it has to have Cadillac converter and everything on them.

**Rich Berkowitz:** you have to test that prior to

**Christopher Ludovici** It's not my obligation to test their product.

**Tom Koval:** so you're strictly an assembler for another company that's selling these or are you selling them?

**Christopher Ludovici** I'm gonna buy them wholesale and sell them retail.

**Tom Koval:** So its gonna be a car lot

**Christopher Ludovici:** Nothing outside, one at a time.

**Tom Koval:** Still you're a retail automobile dealer, your buying them wholesale and selling them retail.

**Christopher Ludovici** Fabrication, not automobile

**Tom Koval:** Your selling automobiles retail though.

**Christopher Ludovici** it's more of a fabrication because I'm not supplying the motor or transmission I'm only supplying the frame so it s not

**Tom Koval:** Right, but a dealer is Mackey Auto up the road, they are buying a car they are retailing that car to a person so

**Christopher Ludovici** Its not considered a motor vehicle if I'm not supplying the motor and transmission.

**Tom Koval:** So you're just selling the rolling chassis?

**Christopher Ludovici** that's it

**Tom Koval:** ok, that's what I was trying to get at are you selling it.

**Marcel Nadeau:** You don't supply a title for the vehicles

**Christopher Ludovici** The what?

**Marcel Nadeau:** You don't supply a title for the vehicle?

**Christopher Ludovici** Umm it's a rolling chassis and the company I get it from supplies it to them.

**Marcel Nadeau:** Who is the company?

**Christopher Ludovici:** there is numerous ones, one is Broadville, all steel body no fiberglass.

**Tom Ruchlicki:** Does New York State requires you to have a retail license to do this business?

**Christopher Ludovici** I'm sure I probably would have to have one.

**Tom Koval:** Ok so then you're a retail car dealer?

**Christopher Ludovici** Its not going to be a car dealer, its fabrication.

**Tom Koval:** If New York State requires you to have a retail car dealer license to do these then you're a retail car dealer, I'm sorry.

**Christopher Ludovici** the thing is I don't I don't supply the motor the transmission it's not an automobile so it has none in it,

**Tom Koval:** It doesn't matter it's the letter of the law your retail car dealer because New York states requiring you to get a retail car license.

**Christopher Ludovici** I don't think they will cause its a fabrication business, I'm fabricating a product put together and they are putting it on their self, their getting their own title they have to put it on their self.

**Tom Koval:** But you have to run it through the books when you re sell to a third party.

**Christopher Ludovici** Its just like if you were buying a bar of soap

**Tom Koval:** Do you have to file with the DMV or any of that?

**Christopher Ludovici** I don't have to do any of that, because it's their title, it's their vehicle and

**Tom Koval:** So the customer is purchasing this car from the manufacturer

**Christopher Ludovici** They have it shipped to me, they have their paperwork, I assemble it and give it back.

**Tom Koval:** You're just assembling a customer's vehicle you're not purchasing the vehicle.

**Christopher Ludovici** Its not mine, it will never be mine.

**Tom Ruchlicki:** And there's no title at that time?

**Christopher Ludovici** I never see a title

**Tom Ruchlicki:** when he gets it, it's a rolling chassis and a body and there's no title, the person that purchases that fabrication if you will, will then have to go through the steps of motor vehicle titling it.

**Marcel Nadeau:** He is an assembler.

**Tom Ruchlicki:** Exactly

**Rich Berkowitz:** You're not putting the motor in, someone else is putting the motor in?

**Christopher Ludovici:** If they want me to put a motor in I could but I'm not gonna sit there and test it or nothing. It's not my responsibility it's their product. Ya know, I don't want to get involved in any of that

**Tom Koval:** So at some point in time are you gonna purchase one of these and resell it yourself, its always going to be a direct customer purchase, you assemble it the customers paying you to assemble it?

**Christopher Ludovici:** That's it.

**Tom Koval:** who is paying you to assemble it, the customer or the company/

**Christopher Ludovici:** the customer buys it from the company and I just put it together.

**Tom Koval:** but is the company paying you to put it together or is the customer paying you to put it together?

**Christopher Ludovici:** the customer is paying me, not the company.

**John Higgins:** then you're going to have to get a license from New York State for a repair license.

**Christopher Ludovici:** its not gonna be, its gonna be fabrication.

**John Higgins:** Yea but something's missing here,

**Christopher Ludovici:** it's not a repair facility, I'm not gonna repair anything. Nothing olds coming in, new is going out, and that's it it's just putting like ya know

**Tom Koval:** It's manufacturing.

**Christopher Ludovici:** its fabrication manufacturing.

**Tom Koval:** Is it zoned manufacturing or commercial?

**John Higgins:** No, no.

**Tom Koval:** The property is not zoned manufacturing.

**Christopher Ludovici:** Its light, light fabrication actually. Its not manufacturing, its light fabrication.

**Tom Koval:** It's still manufacturing your putting together a product.

**Christopher Ludovici:** Light fabrication of a pre assembled product. That building was a business for almost 30 years with out any

**Don Roberts:** We're not getting anywhere fast here I think there is a lot of confusion here I think I'd like to have a committee go out and look at this site and get some more information. Tom do you want to be on the committee?

**Tom Koval:** I certainly would like to be on the committee, I would also like to request more information about the companies your getting these cars from, these kits. However you want to call it.

**Christopher Ludovici:** You want all my secrets.

**Tom Koval:** I'm not going into the car building business I have enough headaches.

**Christopher Ludovici:** I know but.

**Tom Ruchlicki:** What is the building you're putting that in, what size is the building?

**Christopher Ludovici:** It's probably 30' to 35' ft by 40', 40' to 42' yea.

**Beverly Emerick:** It's across from Wal-Mart where you've seen it.

**Christopher Ludovici:** If I do one a month I'm happy.

**Tom Koval:** Yea we are familiar with it. How many vehicles you looking at doing at a time? One, two?

**Christopher Ludovici:** I am going to do one vehicle at a time.

**Tom Koval:** No paint shop?

**Christopher Ludovici:** I may paint.

**John Higgins:** If you paint then you need a down draft booth.

**Christopher Ludovici:** I have all that, I have a 20,000-dollar machine, its got ancy system on it and everything.

**John Higgins:** We can look at that when we are out there.

**Don Roberts:** I suggest ok, Tom and, the two Toms and John Higgins. Get a committee go out and so Rich can you set something up? Ok.

**Richard Harris:** I think it would be better is you all looked at his actual use of the property some of you guys seem to know a lot more than myself about this, yourself included so we have got to try and pin that down and see if its even allowed as auto repair part of C-1 or sales part.

**Tom Ruchlicki:** I think if it becomes a manufacturing type of a business its not allowed.

**Tom Koval:** I'm pretty sure this was, if we get on DMV's site it's probably pretty well defined what you're allowed to do under what type of licensing and what's required for licensing.

**Christopher Ludovici:** We got a fabrication car dealer right next door with out any license or permits or anything.

**Tom Ruchlicki:** where's that?

**Christopher Ludovici:** And the lady who owns the property is part of the appeals board. Figure that one out.

**Tom Ruchlicki:** Where next-door? I'm not familiar with it.

**Christopher Ludovici:** If you want to get technical, right next-door, he is running a mechanics shop in the back and he is selling cars out in the front everyday. He has been doing it for months and months and months and the person owns the property is on the appeals board.

**Tom Koval:** Always feel free to come and call to report it.

**Christopher Ludovici:** Oh I know I told the inspectors a long time ago ya know when you guys were all hard on storage unit box that came that wasn't even assembled, we didnt even know what we were going to do with the things at first, we didnt want them there the pods, but.

**Don Roberts:** Ok, well I guess we have a committee Rich, Tom Koval, Tom Ruchlicki and John Higgins can you set something up? Thank you very much, thank you.

**Christopher Ludovici:** Thank you.

*Ludovici Custom Hot Rodz Change of Tenant/ Use and Sign Application was tabled until a committee of board members can do a site visit. Committee members will be Richard Harris, Tom Koval, Tom Ruchlicki, and John Higgins.*

### **16.107 Halfmoon Village PDD Amendment, 2 Beach Road - PDD Amendment Recommendation**

**John Montage:** Good evening everyone and I appreciate you letting us come back before you tonight to talk a little bit about what we have been doing the past few years. As you know we were before the town board last week.

**Don Roberts:** Can I have your name for the record?

**John Montage:** I'm John Montagne, With Greenman/Pedersen Engineers, and with me tonight is Gayle Krause. Paul do I need to get the screen to, it will come up. Many of you have this presentation, its very similar to the one I did for the Town Board, I just shortened it a little bit because I know the clerk gave you all copies of what we gave to the town board. What we came to the town board with last week is an amendment request for the Halfmoon village and yacht club PDD. I introduced the presentation identifying that the PDD was adopted originally April 2012, 244 Units was proposed it had 565 bedrooms, there 465 parking spaces which equated to about 1.9 spaces per unit. That project was a much different kind of project it was condominiums with large parking garages below for all of the cars in that building. Linked together there were 6 primary structures of that those structures were made up of individual units clustered together. And then in July of 2014 we came back before the town really to look for modifications and ownership options on that property. The condominium market had totally fallen apart and even though we had our PDD approval there was just no way to get financing for condominiums at the time, that market is still very flat and the only option that we had to keep moving the project forward was to apply for apartments. At that time we really didnt have a detailed concept plan, I had shown a simple one to the board, the board had made the comment rightfully so that they needed more detail and so over the past 2 years we have worked aggressively to pull together a new investment team we have taken a hard look at all the project costs really looking to devise a marketable program. We are doing our best to retain all the primary public benefit components and that is an area actually that wee talking to both this board and the town board about to try to get some kind of resolution on what the cost would be associated with that, that our team really knows how much investment they are gonna have for public benefits. The new project is 244 units but it's in 25 smaller structures. They're 2 story structures no more 5 story over parking and 4 story over parking. The bedroom count has been dropped from 565 to 498 thats about a 12 % reduction in bedrooms. We also looked at parking; one of the things that Clough Harbor had commented on the previous one is to make sure that we had enough parking on the site so that if people didnt use their garage s there wasn't going to be a parking issue and so we looked very hard at that. We have 663 parking spaces, which equates to about 2.7 spaces per unit that includes both driveways and alternate parking elsewhere on the site. The building is a lower 2-story profile set back from the rivers edge a little bit more than previous was, and definitely no dredging and boat slips this time. So real quick this was the concept in 2014 it was just a quick rough concept, it really tried to just follow the road alignment from the previous study, built the buildings in areas these are 10 and 12 unit buildings. Clubhouse was close to the river, again just to get a flavor for what could be done here. And then the architecture 2014 was the traditional great house architecture had been around that time. Now we feel we have a much better plan, we have thought this through very carefully, the buildings are all 10 unit buildings but there are 2 styles, one style which is the longer unit like this one here are townhouse styles where the units are side by side and

they have an upstairs and a downstairs and all of the loading for the units is all on one side. So there's no parking all the way around the unit. As most of the other great projects in the capital district have. This gives us a lot more green space on either side of the building. The other style is this style here that you see and this is these are the traditional flats but again the architecture is different than most other complexes. The loading on this one is actually just on this side and this side. So we have two sides that don't have any garages at all. I'm gonna show you a little. The only thing that we did is that we really looked long and hard for a good architectural firm and this company out of Texas does this type of development all around the country. What we like about the architecture is that it has a much more of a residential feel to it. You can see in this rendering here the garage is on the ends, on the side. The important things to note here is that on all of the flat style houses there's actually one unit in each of those buildings and there's 10 units in each building. But one unit in each one of those buildings has a two-car garage. It's a nice touch for this area, and it just speaks to the fact that we are looking to do a high end product here. Mainly because what the site demands in order to get the returns that you would need to build this. So this is actually this product built in Sussex County Delaware. Project has just been finished recently. I mainly brought this picture to show anybody so if there's any body raveling to Delaware you could go take a look at it. I would like to do it someday. Its been built, its a tried and true product and it has been built successfully, it definitely has a nice architectural style to it we believe and we believe it will be very marketable. And so to that end thats what the proposal it so what that means now is we have to look at the PDD language. So on the PDD language I just identified the main sections that everybody should hopefully get a chance to take look at. I did have copies of all that language given to both boards in the hopes you get a chance really read through it see where the edits were, but ill just go through them really quick. Obviously the preliminary development plans set that was approved, as part of the original PDD has to be totally updated. A first draft of that plans set was provided to both boards so that you could get an idea how the engineering's coming together on it. We are not doing the board slips or the docking or dredging anymore so we are proposing to change that name to just the Halfmoon Village PDD. During this process we also had an alter survey update done for the project so that description in that section of the ordinance will need s to be updated to identify the new title and alter information. In section 769 development section most of the other edits happen in there. In that section there's a discussion about public benefit implementation timing that was one of the things that both boards really wanted to know, when we were going to put things in place. Our new development team is also very interested in that. They believe that they will be able to build this out in three years and they want to do it as one project one phase. So they want to start and build all the way through and so they put timelines, suggested timelines in the public benefits section that identify that for discussion with both boards to try to nail that down and firm that up as part of this review. As I mentioned we are changing the architecture so the next section talks about that .we have a club house now will actually have four units in it again its just a two story structure and its at the center of the site we need to identify the removing the dredging and boat slips so that language we've put in there and obviously the difference here is that these units actually have garages that are right in the building right at the same level as the living units just like you would in a residential structure so its no longer parking under units its parking with in the structures. We have updated the stormwater management plan, obviously that will have to go to for review Clough would review that. We also done an updated flood study for this, we hired a company that specializes in flood studies Elton Knapp is the fellas name so we've got that to provide to the board too as we go through the process, either now or when we do site plan maybe at the same time we can work through that

As I mentioned before there is a section on public benefits, the development team has taken a hard look at the previous list of benefits and the list is still the same, they are still looking at that, the next slide actually talks about that a little bit so I will flip to that in a second, and the same with the recreation fees, so let me flip to that. The original public benefits are the items here are a park, the dry sewer, I will get this thing steady yet. Local road improvements, and park and recreation fees. These three first ones were the main ones in the original PDD. I will mention that in when we met with the town board last week, but actually looking for a cash contribution to put towards other parkland. Feeling that the need for this park down here has changed over time and the existing recreational facilities in the town could really benefit from the additional revenue coming in. So thats one of the things I'm bringing up to you to think about, we would like your opinion on that too, and hopefully get the consensus of both boards on park or no park, fee or no fee or how to do that. The second one is the dry sewer from the intersection of Beach and Canal road and that will go to the onsite pump station for the future sewer extension that will remain exactly the same. The third section is local roadway improvement and contributions. Back in 2012

when this was done the roadway improvements at the time were envisioned as topping sections of both Canal road and Dunsbach road, but at that time no real dollar value was put to any of that. So when we started working with the new investment partners that we had they said we have to nail this down this cannot be as arbitrary as it seems to be right now. And so we took a look at what the cost might be back then for all of that work compared to what it might cost today and then compared it also to the fact that that apartment project we are looking at is about a 30 million dollar project and the condominium project with the boat slips and everything else was more like 70 million dollar project. And there's some economies here that we have to address in order to make the project feasible. So the development team has put together a proposal to the town of 215,000 that was the proposal that was put forth last week to the town board. The town board has asked us to meet with the highway super and to really give a hard look at that and really see if there's any flexibility on that. I will tell you that since the meeting last week presented that to that, to the investment partners for them to consider and their definitely going to meet with the highway super and with you all and try and work through it and come up with a resolution on that. And then the last thing was if we were going to build the park typically park and recreation fees and parkland at the same time are ya know when you look at subdivisions you don't usually do both. Back when the project was a bigger project it was a lot easier too say ok we will do both but now we are looking for some relief on that. Or the development partners are looking for some relief on that and their proposing to retain a park and recreation fee about 500 dollars per year. And so that's out there. The other ones that are important to note though is that the project still is dedicated to building 3 miles of sewer with the ability for the 75 to 80 residential properties to tie in. I will be presenting a little bit of an update at when we I'm assuming our next step here would be the public information meeting we have had here in the past. We have met with Saratoga county sewer and they're fine with us doing the tie ins but they have said that they will not allow us to just install the taps unless the residents are very sincere and go to them and actually put in an application to tie in. What they don't want is they don't want 75 to 80 taps along this line that never get used to become a maintenance problem for them. So that's something that on a case by case basis as we are in construction a resident along there is they are interested needs to go meet with the county and negotiate what they are doing to switch over from a septic system to that. National Grid has already extended quite a ways down beach road now, thanks to the Hodorowski project that was put in and we will now be taking that natural gas line all the way from there down the rest of the way to our site, and the nice thing about that is that over time we found out more about how national grid works and as long as your property is with in a certain distance of the new gas line they will extend to you and then the next property they will extend and so what this is allowing now I think in that whole area of town is the ability for more people too get onto natural gas. And then again were looking at adaptive reuse of a property that years ago it had a lot of camps on it and had a restaurant on it and right now the only thing that's generating any revenue there is the grove operation and the taxes that are paid are based on that. You know a new adaptive reuse on this will improve the tax base for the county obviously not a direct to the town cause its not a town tax but it is for the residents in the county. And so I wrapped up last week in summary just saying that we are looking at 244 high end apartment units of this architectural style, they are clustered together in 24, 10 unit structures there's also a pool, excuse me a club house will have a pool and a gathering yard and a deck around it and that building itself actually has four units in it. The dredging and associated above slips have been removed and then the list here is the public benefits that we still plan to provide and work with both boards to really come up with what that means from a dollar stand point so that we can build it back into the performer for the project. The partners are very very interested in moving this forward they've invested quite a bit as you can see in the revised engineered drawings they really want to see if they can get this thing going either in the fall or early spring and they are really dedicated to make this happen and so I appreciate you letting me introduce this to you. And Ill just open it up for questions.

**Don Roberts:** Ok thank you John, any comments by the board?

**Rich Berkowitz:** I have a few questions. In the original project you were add fill to raise the level of the land to build on is that gonna happen here?

**John Montagne:** Yea any project like this will have fill because you've got to get the land to a level where it's out of the flood plane.

**Rich Berkowitz:** Now how much fill do you have to use?

**John Montagne:** We are averaging some areas are cuts on the site and the other areas are anywhere from 5 to 6 feet.

**Rich Berkowitz:** And if you're not going to dredge where are you going to get their fill.

**John Montagne:** It will be imported we have a calculation for that.

**Rich Berkowitz:** And how many truck loads is that?

**John Montagne:** I cant give you an exact on that right now cause we will have to get through the rest of the engineering I want to say, I want to say we were looking at I think we were looking at about 20 to 30,000 cu yds of material.

**Rich Berkowitz:** How much does a truck hold?

**John Montagne:** A truck is about 10 to 20 yards depending on whether you use a two axel or

**Rich Berkowitz:** So you're talking over a 1000 trucks.

**John Montagne:** Over a long period, yea but its a three year build out so in one of the summaries that I gave there is a summary on that so.

**Rich Berkowitz:** ok another thing I picked up on, on the old project you had how many parking spots? You have 198 more parking spots in the new project and 67 less bedrooms. So why are you building more parking spots when you have less bedrooms?

**John Montagne:** Because the comment from the board the last time and actually the way the industry looks that people wind up having a garage in their unit and they use it to store their furniture and other things and they don't actually use it to store their car in there. And then they have company that comes and guests that come and they wind up parking on the sides of the roads and I think you've seen that in other developments around here, we have the room to do it with out making the site look too crowded and so we are trying to address two needs one is the request of the planning board last time and I think it came from Clough Harbor specifically to make sure that we had at least two spaces per unit that could be used including the garage and then additional spaces for visitors and a second car.

**Rich Berkowitz:** Ok and with the same number of units your all-new traffic study said your going to have more trips per unit, more trips per hour than you had previously.

**John Montagne:** Just because we have less bedrooms doesn't mean we have less occupants. We have, what we are looking at doing we have

**Rich Berkowitz:** What difference does the bedrooms make then?

**John Montagne:** well we have one-bedroom units now.

**Rich Berkowitz:** I understand that but why bring up, what's, to me that doesn't make a difference how many bedrooms you have it's the quantity, the amount of people, the amount of cars coming in and out, its the traffic.

**John Montagne:** right and that hasn't changed, we are not saying that it has.

**Rich Berkowitz:** Well it hasn't changed you've increased the traffic from the previous study.

**John Montagne:** we have increased the traffic from the previous site, we have not updated the traffic study from 2014, and it's still a 244 unit

**Rich Berkowitz:** I'm still looking at previous forecasts of 2009 study to a new trip generation forecast that says plus 23 plus 54 plus 17 for the peak hours.

**John Montagne:** Correct. Correct in 2014 that's the difference when you went and you use trip generation for apartments as opposed to trip generation or condominiums. That's the number.

**Rich Berkowitz:** So that's more trip generations with an apartment.

**John Montagne:** That's what the trip generation data says.

**Rich Berkowitz:** So the traffic will not stay the same it will increase.

**John Montagne:** It will stay the same from what we presented in 2014.

**Rich Berkowitz:** But 2014 was based on condos or apartments?

**John Montagne:** It was based on apartments, we changed to apartments.

**Rich Berkowitz:** Ok so that hasn't changed, here it's very deceiving on your statistics right here.

**John Montagne:** Were still a part of it, I'm just identifying that in the original plan everything was larger units they were all 2 and 3 bedroom units so you could figure that you'd have bigger families in them however we have a lot more single family units now where you have a single bedroom in it for an empty nester or an individual person that wants to live in an apartment. That's what apartment's demands are, and so that's what we've accommodated and the result of that are less bedrooms. Still the same number of occupancy. Still 244 units so when you look at trip generation data for apartments its 244 apartment units regardless of the bedrooms.

**Rich Berkowitz:** ok now when this was originally proposed to this board it was mainly due, you were trying to advertise it for 55 and over if I remember correctly?

**John Montagne:** We said that a big portion of it would be either empty nesters or professionals with out a lot of children.

**Rich Berkowitz:** So is this going to be advertised the same way?

**John Montagne:** It will be, the rents for these units will be, you're looking at higher end rents, Your looking at probably 2,000 a unit a monthly rents here not a 1,000.00. Your not looking at a 1.00 a sq ft your looking at 2.00 a sq ft just because the quality of construction so this is not going to be a first time homebuyer moving in here to raise a family.

**Rich Berkowitz:** Also the infrastructure costs a lot more than a normal apartment set up.

**John Montagne:** I missed that could you repeat that?

**Rich Berkowitz:** The infrastructure costs for this project are a lot more than a normal apartment set up that we have seen before because of where it is.

**John Montagne:** Yes it's a unique location.

**Rich Berkowitz:** Has the fire dept and safety service looked at this, ambulance corps?

**John Montagne:** We haven't brought it to them yet because we wanted to make sure that we talked to this board and the other board and make sure that your ok with it. We have done a circulation study on it for the fire circulation you know I figured that's one of the next steps we'd have; we figured that Clough harbor would be looking at it shortly and fire dept and, emergency services.

**Rich Berkowitz:** and even though it's a very nice project it's been before us twice before with the same exact density.

**John Montagne:** Density, yes.

**Rich Berkowitz:** and it's been rejected twice by us with the same exact density.

**John Montagne:** I do understand that I ya know understand this boards position on that, I wish that wasn't the case because I think we do have a really good project, I think one of the reasons that we're before the board now and this board and the other board to talk about public benefits is that you know quite frankly in order to make something like this work here this is what the performer suggested needs to have.

**Rich Berkowitz:** But the public benefits have decreased since we've last seen it.

**John Montagne:** Public benefits are proposed to potentially decrease, we never, the biggest problem on the last analysis was that we never really established a dollar amount to that so we talked about the 5 areas, the main 3 areas actually, we talked about the off site sewer also but that was not included as of public benefit, we talked about the natural gas extension, again not included as a public benefit.

**Rich Berkowitz:** Well you have to get that either way.

**John Montagne:** But we would have to do that either way yes, but point being that they do have indirect public benefits and you know we are, quite frankly building apartments at a lot less than we are building condominiums on a market that condominiums are not coming back here any time soon its just its a fact. You know every other developer in the area that has had condominiums has come back and a lot of them have requested changes to apartments too so, we are doing the best we can, we really are, trust me the last thing we want to do is come back with hat in hand and try to negotiate that.

**Rich Berkowitz:** ok

**Marcel Nadeau:** Looking at the entrance one main entrance, what is that is that emergency exits on the backside?

**John Montagne:** Can I flip back? I'm just gonna flip back to that slide.

**Marcel Nadeau:** I guess looking at it, it grates to only one entrance.

**John Montagne:** So if you'll recall in the original design the town park is on the side here and this becomes a heavy duty entrance drive here and then this walkway that came down is also a heavy duty entrance and this becomes an emergency service access to get back into the site. It's the same design that we had in the condominium

project. The difference now on this design now instead of having one single that goes through it comes in and you can go this way or you can go this way, there's a lot of internal loops to make sure that nobody can get dead ended in here like you could on the previous condominium design. The radiuses that have all been set up in here are all designed so that fire trucks can circulate all the way through as well as emergency services. As I was saying to you before to there are just a few things to point out. This large open space here, ya know the buildings used to come right out to this point here we pushed them back. The circulation internally still gives us our internal green spaces that we were looking to have; this is the large tree that on the site that we intend to maintain. A lot of other trees especially on the peripheral we were looking to do the same thing. Save as much existing vegetation as we can.

**Marcel Nadeau:** And originally you were gonna have a couple of phases and is this going to be same?

**John Montagne:** No, as I was saying to you before the legislation I was asked to leave in there two phases, but the developers plan on starting and just going right through and finishing it. The reason why they said two phases is that they have financing with different banks and they may need two different banks, if they need two different banks there was some discussion about whether or not they would, the banks would need to be somehow differentiated on what part was one and what was another. So we've got to work that through during the rest of this review process.

**Marcel Nadeau:** So this is only one phase.

**John Montagne:** He told me this was only going to be one phase we're going to start and work our way through.

**John Higgins:** So the total site is going to be owned by one company?

**John Montagne:** Absolutely

**John Higgins:** you're not breaking it up at all.

**John Montagne:** No there's no sale, the only actually, the only subdivisions that would have happened on here is if the town and it still may, is if the town takes the park we'll have to subdivide out the park and then the sewer pump station itself which will be located up in here, there will be a little piece of that has to be dedicated, thats right up in here.

**John Higgins:** you're showing two docks but obviously they're not there.

**John Montagne:** those are not docks, remember what we had talked about before have a canoe and kayak launch for the town park, thats one its a floating canoe and kayak launch, and the other one is a fishing observations pier that was in the original design, not for boat docking. Neither are for boat docking, actually you couldn't on the one because it's too shallow there that's the area that gets really shallow in the river.

**John Higgins:** And as far as you took into consideration flooding because that was a major concern on the first design.

**John Montagne:** That's why I made mention that we hired Elton Knapp's company, which is a flood analysis company, that's what they do; I gave you all copies of that. And they have completed their study and thats all in here already for your findings.

**John Higgins:** Is their findings similar to what was found previously?

**John Montagne:** Actually they took a different approach to this. What they do is they do flood analysis studies for state agencies for private companies everything and went out and took a look at this site and looked at the FEMA

flood maps. Most FEMA flood maps identify that the flood zone itself, I'm going to get the terminology wrong so when Clough looks at it they can look at Elton's study but there is the flood way and the flood plane and the floodway is designed to that when the army corps does those analysis they predict what the river would do in a one foot rise and that's where they set their elevation and when Elton looked at the data for this he noticed that at no point had they got up to a foot, they were below a foot. And he theorized that because the river is so wide and flat in this area and has such a large volume that they probably could never get to that so they arbitrarily set it at that. So he went back and he did his bathymetric survey across the river, this time he actually went out and had a surveyor do survey cuts all the way through the river all the way to the Colonie side. And then he had an engineering firm that he works with all the time and they did the analysis. His conclusion actually was that we could fill the entire property from shore to shore, the amount that we need to get it up out of the flood plane and still not impact the flood way at all to the river. And so that's, I'm not the engineer on that, I, that's why this time I wanted to make sure we had somebody that really did this, and the development team did so again that's one of those studies I'd like, obviously Clough Harbor whoever else to review right away just so that they can let you know what their findings are, and if they concur I think we are in really good shape.

**John Higgins:** So this project won't cause any increase in the Mohawk River.

**John Montagne:** None.

**John Higgins:** Will increase on the Mohawk River cause flooding on your property?

**John Montagne:** No, that's why we are filling. If we fill to the level that we need to on this site, based on the grading that we have, we will not need flood insurance. There will be a map amendment that's submitted to FEMA that area will be brought out of the flood plane.

**Rich Berkowitz:** So this property will not need flood insurance?

**John Montagne:** This property will not need flood insurance.

**Don Roberts:** Rich you got something?

**Richard Harris:** I just have a question about traffic analysis from 2009, in that analysis it discussed pending improvements due to other projects one in which I believe was Linden Village at the time, Linden Woods now. Did Ed consider what Linden Village was proposing at the time which was a light at Dunsbach and Crescent which is, was not approved as part of Linden Woods just a month ago, how does that impact traffic impacts on that intersection? You may not know that question.

**John Montagne:** I think that if you go back to the 2009 study and by all means if you want I'll bring Mike our traffic engineer here for the public information meeting so I'm not speaking out of turn. In 2009 in what had been asked for was to do a cumulative impact analysis for all of these potential projects that were before the board and Linden Village was a big one in there. When we did our analysis the biggest problem that we had was actually trying to get from Dunsbach road back onto Vischer Ferry road because of the through traffic that comes through Vischer Ferry during peak periods coming off the North way. Linden Village has a little different thing because they have to make left turn movements and they were trying to get out onto it because they have a right in right out situation to get to the highway. So the impacts to our project weren't impacting the level of service at that intersection because of the direction we were going in alright. So now that Linden Village isn't there there's a whole change in the dynamics of traffic anyway but the biggest push back that everybody's getting here is the State DOT does not want to put a signal there unless they absolutely absolutely have to because they want that traffic on Vischer Ferry to continue to flow through and the side streets can back up, they don't care how long people wait there and that's just the reality of that. Now the traffic study the one thing that's important to note on there and I don't I probably can't find a copy of that, the trips that are in there and I know there's an increase in trips if you look at

them more than 50% of that is actually entering and going back to the project site at the pm which is the highest number. So if you look at the new trip generation forecast it says that in the, well first we'll do the a.m., there's an additional total trips of 23 trips in the a.m. 6 of those trips are entering so if you take 23 and you take 6 out of that there are 17 that are exiting but those trips are exiting and they can go in four different directions. Its not like all 17 of those additional trips are all going to the Dunsbach and Vischer Ferry intersection that you are referring to. They can go anyway and actually there's a fifth way if they wanted to they could go to Clifton Park underneath the twin bridges. In the p.m. the increase is more its 54 and thats because more people come back at the same time at the end of the day, but if you notice its 38 of them are returning trips and for us if your coming off of the Northway at exit 8, your gonna go down and your gonna make a right and a right. So you wouldn't be waiting for the signals and you wouldn't be tying up traffic, that's the key. Exiting at that site at that time there's only 16 and those 16 can go in five different directions.

**Richard Harris:** What about the left turn from Dunsbach onto Crescent?

**John Montagne:** The left turn movement going on in the morning is the one movement thats a difficult movement and what happens with DOT is if you look at DOT' analysis is they would not warrant, we would love to put a signal there but they wont warrant a signal for the few trips that we have.

**Richard Harris:** But did your 2009 study consider Linden with out a light?

**John Montagne:** It considered Linden with out a light yes, it considered both. Right, right.

**Don Roberts:** One concern I have thinking about traffic, coming north on p.m., coming north on Rte 9 on the bridge going over the Mohawk on Rte 9 right now that backs up pretty bad making the left at the light and your gonna have that too because they are going to be making a left there too go down what is it Beach road there right, have you addressed that at all?

**John Montagne:** Well you know I make that movement everyday almost and instead of making that left there I go up to Stone Quarry road and I cut across so yea. But thats what I mean is that, the hard thing to understand in traffic studies is that unless you are increasing the trip generation at any given time by 100 vehicles or more, trip generation engineering doesn't really look at that as an impact alright and we're down in the 23 and 6 and whatever else. Total trips though are over the hundred but those total trips are not all going to the same area so you do a distribution and so when that distribution is done, even in the worse case distribution which is probably the Dunsbach and Vischer Ferry we are still well under that threshold so there's nothing that warrants from our project by itself a traffic light there.

**Richard Harris:** I'm not abdicating a dig, the 2009 analysis

**John Montagne:** Whether it took in account with out it? See we had to look at both with and without Linden Village and we had to look at the cumulative effect but we also had to look at it and say what if they never build it, ya know cause one of the things at the time we said is that we would contribute to a signal if Linden Village was going to do a signal cause there were three or four projects and everybody had contributed at that time the cost wouldn't have been that much. But one reason or another push back from DOT being the biggest one with out the warrants and the proximity of the intersection or the interchange at 8 they don't want to see it there. Now I think

**Richard Harris:** (garbled) with this project if Linden goes through

**John Montagne:** I highly doubt it. I highly doubt that. I mean that if, see Linden is a different project than it was back then too, Linden Village was much different back then it had all kinds of stuff in it, it wasn't just residential. Yea so,

**Marcel Nadeau:** Can you refresh me on the traffic improvements what was going to be done with the roads?

**John Montagne:** On the public benefits side of things?

**Marcel Nadeau:** yea I guess my concern is we actually upgrading that area or are we just contributing too the road system which could be used in another area of town is my question?

**John Montagne:** Well the way that we have posed the contribution that we would make, because here's how we looked at it, we found out first of all that the highway super was thinking about paving Dunsbach Rd this year and we said all due respect we are trying to come in and we've got a sewer line to do and we are going to have truck traffic and is there any way we can convince you not to do that now, see what goes on and see if we can go for our approval and then pave it next year so we thought rather than try and predict exactly when we would be done a better way to do that would be to earmark money for those two particular road sections that we are going to upgrade. Now the semantics of how to do that yet we still have to work out with the town board and this board and with the highway super actually, the intent being that that benefit is for those roads. We also said and I mentioned this at the town board and I mentioned this to this board when we first went through this is that the as we go through construction we plan on video taping both roads before we go through with the highway super and then maintaining those roads from pot holes and edge wear outs and things like that during construction. And we've got three years that we are gonna be driving on the roads and fair enough we should make sure that they don't deteriorate. So we are doing that in addition to what ever the contribution is that we are looking to do here and so the theory that we are having here is that, at the end of that time frame if the towns already got some money set aside for Dunsbach rd and has other things that they want to do we'll put that money towards that pool so that you can accomplish what you want to accomplish. And we'll do that in a certain time frame, so instead of saying we'll do it at the end of the last CO we'll do it ya know I think we proposed in here either draw the last CO or with in three years. And then obviously if the towns wants to ask us to do something different than that then we are open to discussion on that too.

**Marcel Nadeau:** Well knowing the status of those roads down there, they are difficult roads I would be inclined to say we need to use it on that project and not another project. But that's just my opinion.

**John Montagne:** My preference obviously is that we would like it used there because thats going to benefit people who live what we're building. And people that are there that are going to occupy it.

**Tom Ruchlicki:** Correct. That's what I'm saying.

**John Montagne:** I don't know how you do that yet but we are gonna figure that out.

**John Higgins:** I have a couple other questions that I didnt get a chance to ask you. What is the green space percentage now versus when you had the taller buildings?

**John Montagne:** Our green space has gone down but it is still above 50 % of the site before it was about 64% we are about 53 % right now, PDD code requires about 10 I think most of the other projects in the town are much less than that 50% but we still have a significant amount of green space here.

**John Higgins:** And regarding the clubhouse what was the rationale between or regarding putting 4 residential units in there, I mean.

**John Montagne:** There is an exact building like this in a project in Glennville, Humphries associates partners were the ones that designed those also so you can go over and actually take a look at that.

**John Higgins:** Oh, I'm just thinking about the tenants complaining about noise or music.

**John Montagne:** Actually the one reason for it is there is a demand for extended stay, Global Foundries is a perfect example where people come here and they are stationed here for six months so the company will rent the building out and they'll have their people stay there for 6 months 8 months what ever and ya know the development team looked at that and said 4 units here that would be ideal for that.

**John Higgins:** I thought just the opposite that, ok I was just wondering. The other thing, you're not going to do any dredging on the lagoon on the backside?

**John Montagne:** No, No actually in the original proposal there was never any dredging on the lagoon, the only thing that we were looking at was an equalization pipe between the lagoon and the river.

**John Higgins:** Those weren't the only questions I had at this point.

**Don Roberts:** Anyone else? Ok well with that being said I think we need fire dept. review we will refer it to Clough harbor for their review. And I'm thinking after Clough harbor gives our comments to you and you respond back then maybe schedule a public information meeting down the line.

**John Montagne:** Do you think it would be beneficial to do the public information meeting while we are doing this so that if there is anything that comes out of that we can address it at the same time?

**Don Roberts:** I think I'd rather get Joes comments first.

**Tom Ruchlicki:** Yea we'd rather have answers for the public in case something came up

**Don Roberts:** I mean there are a lot of changes here and I mean you were here for the other public informational meeting so you know what happens, so I'm expecting the same again so we might as well have some good answers for them anyways you know.

**John Montagne:** Ok

**Richard Harris:** So just to be clear before they would come back, just one round of review which would be Clough get their response ok.

**Don Roberts:** I would think you know. And plus I mean with the what summer its July and August I'm thinking the Public information meeting I mean with vacations and all have it right after labor day or something, have it after vacations are over ya know, give people a chance to comment, if they feel it necessary cause we are going to want expanded notification anyway.

**Richard Harris:** ok so what are we looking at?

**Rich Berkowitz:** September 12th.

**Richard Harris:** Their response, if Clough has revisions or questions and they respond, come back for that presentation after their response to the first round. ( garbled)

**Don Roberts:** All right, would that work for you Joe?

**John Montagne:** What you allowed us to do last time when Mike was orchestrating it, you allowed us to coordinate directly with Clough go through the reports with them sit and meet and discuss things, and can we do that instead of exchanging letters.

**Don Roberts:** That makes it that works.

**John Montagne:** Right it makes it nice our offices are across the street. It just makes it a lot easier to get the answers that we need.

**Don Roberts:** I just don't think it would be fair to the public to have a public informational meeting before everything is ya know ironed out as best as we can and there maybe some other issues once we have the meeting but still, at least get what we can done.

**Marcel Nadeau:** Clough may find something that we are not aware of, and we would not know that if it were a public hearing.

**Don Roberts:** And something could come up at the meeting that we don't know about too so. But I really think we should have the public hearing after, after Labor Day is what I'm thinking to be fair to everybody.

**Richard Harris:** But if they go through review lets say with in the next two weeks come back with a revised plan and then, I'm just throwing out dates, say August, if they agree to all the changes, or do you want me to just go and set the public info now?

**Don Roberts:** I don't think we should, I don't think we should cause we don't know what we are going to find.

**John Montagne:** Well I think that would be great before the public information meeting if Clough has comments and you all have comments too we could get together one more time and talk through what ever that is before the public information meeting. I mean I think we are all going to present.

**Don Roberts:** I think that is going to be the best for everybody. All right?

**John Montagne:** Ok.

**Don Roberts:** Anything else?

**John Montagne:** I appreciate all the time you gave me.

**Don Roberts:** Thank you.

*The board has tabled Halfmoon Village PDD Amendment Application until Clough Harbor has had a chance to review and give recommendations to John Montagne from Greenman/ Pedersen Engineering Firm. They will decide on a date for an expanded notice Public Hearing after these meetings are had.*

*Tom Ruchlicki made a motion to adjourn the meeting at 8:48p.m. John Higgins seconded. Motion Approved.*