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**MEETING MINUTES
Town of Halfmoon Planning Board
December 14, 2015**

Those present at the December 14, 2015 Planning Board meeting were:

Planning Board Members:	John Ouimet – Chairman Don Roberts – Vice Chairman Rich Berkowitz Tom Ruchlicki John Higgins Marcel Nadeau Tom Koval
Planning Board Alternates:	Robert Partlow Margaret Sautter -absent
Director of Planning: Planner:	Richard Harris Paul Marlow
Town Attorney: Deputy Town Attorney:	Lyn Murphy Cathy Drobnny
Town Board Liaison:	John Wasielewski Jeremy Connors

John Ouimet opened the Planning Board Meeting at 7:04 PM

Don Roberts made a motion to approve the November 23, 2015 minutes, seconded by Tom Ruchlicki. Minutes were approved.

Public Hearing: (s)

**15.108 / 15.122 Liebich Lane Flex Building, 3 Liebich Lane - Commercial Site Plan & Minor
Subdivision**

Tom Koval and John Higgins recused themselves. Rob Partlow the alternate sat in.

Gavin Villaume: Environmental Design here with Dean Morotta from Valente group and this project has been in front of the board several times. On the screen you have the conceptual site plan that was originally presented back in August. We received comments from the planning board back in August and continued on with the detailed plans. The detailed preliminary site plans were presented about a month ago at the November 23rd planning board meeting, at that meeting we did address many of the concerns from the board and Clough Harbour who had done extensive review. The project is very simple it is a 52,000 sq ft, one story warehouse office building. We are proposing 146 parking spaces at the front of the facility, and we would have two means of access at Liebich Lane. One would be at the East side of the building, as you can see to the right hand side of that drawing, which is adjacent to another light industrial building that was just recently constructed oh I think about a year ago, it was just completed over the summer and we will be sharing an access drive with that one particular parcel on the right hand side. Moving onto the back of the parcel would be the area for the tractor-trailer deliveries. We would have several

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loading docks at the rear of the building so the grade would come down towards the back of the parcel where we would have a rather extensive storm water management area to the rear with in the green space. The lot size itself is approximately 8.2 acres and as part of our overall projects approval, we would also be seeking a subdivision to subdivide this parcel out from the main rolling hills parcel, which is about 96 acres. We've received several comments from Clough recently we've addressed a modification on our subdivision map to make sure that all the roads fit with in the parcel or within the easements and we have also done some soil testing that they required for the buyer retention areas we completed those this afternoon with all the good weather. So we are here this evening again to present to the Public Hearing and then from what I hear I guess we are going to continue the public hearing onto the next meeting.

John Ouimet: Thank you, anyone from the public wish to speak, please come up. Tell us who you are and where you are from and what you have to say.

Sue Sampanther: I live on Rolling Hills Dr. and I was active last summer when the asphalt plant was proposed for the same location and I'm here on behalf on the neighborhood to say that we generally support the proposed plan as it stands now because its certainly better to have light industrial as opposed to something heavy industrial which was what had previously been proposed. So I just wanted to say that we support the plan, the concern a number of neighbors have raised is concerning the increased traffic that we might see as we continue to build out applications or buildings that have truck traffic. We do see truck traffic occasionally through rolling hills and when we have complained to the town we hear a response that there's not a truck route in the town of Halfmoon to direct the trucks to, so there's nothing to enforce. So I would ask that the board consider as part of this to review, creating a truck route so that there is something enforceable so that if down the route we do have issues with using rolling hills to cut through that there would be something there to enforce because we are a quiet young neighborhood with lots of kids, two busses that pick up and drop off everyday and we would just like you to consider that, and the other question is, is there any public benefit requirement for what's being proposed like there was when the residential section was being built out ?

John Ouimet: Lyn, there is no public benefit right?

Lyn Murphy: The public benefit requirement was satisfied at the time the creation of the entire PDD not as each parcel is developed. So that has been set forth in the legislation which was passed several years ago.

Sue Sampanther: ok

John Ouimet: with respect to the truck route issue its not an issue for this board, it is however something that can be addressed by the town board and two members of the town board the liaisons to the planning board are here in the room tonight and have heard your comments and I assume they will be speaking more to one another about the request that you have made. Thank you. Anyone else wish to speak? Rich I understand there was an issue with this particular public Hearing?

Richard Harris: Yes, because it did not go out in time, it did not go out ten days or longer from the date of this meeting so therefore we need to repost the notice and continue the public hearing at next months meeting.

John Ouimet: Ok at this point and time we are going to open up to questions from the board, leave the public hearing open, any questions from the board? Don, Marcel? No questions at this time? Alright public hearing is going to remain open Gavin until the notice issue can be satisfied, so we will have it back on, on our first meeting which is the 11th.

Gavin Vilalume: Ok, Thank you.

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John Ouimet: Would anyone like the notice read? (No comments).

Jeff Williams: Bruce Tanski Construction and Development, I am here tonight with Bruce Tanski the owner of a commercial parcel that lies West to the Sunoco Station on rte 146 this parcel is 3.56 acres we wish to subdivide it into three separate parcels, like I said its currently zoned commercial it has public water available, we are in the midst of, we have obtained a sewer permit for the proposed sewer for the Sunoco station which would also be and has been studied to serve the three parcels that are being asked to be subdivided tonight. We are only waiting for an easement from the Pingelski family in order to procure that line. Like I said 3.56-acre parcel, we wish to subdivide it into three parcels, the first parcel, it will be 1.08 acres. The second parcel, which is the middle parcel, would be 1.05 acres and the third parcel closest to the Sunoco station would be 1.5 acres. That is our proposal tonight.

John Ouimet: Anyone from the public wish to speak?

Jerry Baker: I am a resident of 88 Fellows road, I would like to know what entrances are going to be here or is it just going to be the one out of the Sunoco.

Jeff Williams: Well at this time we are subdividing so we have to bring these parcels in for site plan review in front of this board when we have a use coming in but our thought is at this point the one closest to Sunoco we would like to share that most Western access point the Sunoco uses for that one and possible another curb cut that would serve the other two that are more West.

John Ouimet: But basically you're not that far along in your design as far as access to 146

Jeff Williams: right we are asking to subdivide parcels out just so we can market them three different uses I guess at this point.

Jerry Baker: So in other words you are still talking to putting another entrance up towards that corner? It's going to go onto 146. The issue before was always through the rock cuts there is no visibility, you are still going to have a problem there then, its gonna create another delay right there of cars pulling out. Its bad enough there now the Sunoco and the other end of Sunoco and now you are talking about putting another entrance there.

Jeff Williams: Once again we are asking to subdivide the property so we have to bring this in front of the board for site plan review when that comes time. So that would be looked at, I'm not even sure if that's the way its going to come into the board at this point, I'm just kind of thinking out loud and ahead of myself but once again.

John Ouimet: So you just want to create the lots, correct?

Jeff Williams: Yes

John Ouimet: Anyone else from the public wish to speak? (No comment) Once again Rich Harris do we have an issue with notice on this particular.

Richard Harris: Yes like the other notice this did not go out 10 days or longer from tonights meeting therefore we have to keep the public hearing open and we will re- notice the adjacent properties to the January 11th meeting.

John Ouimet: So before we do that, does anybody from the board wish to speak?

Marcel Nadeau: I have a question on two things, Mr. Baker we would be looking at that entrance once that comes in as a site plan, the other question I have is these lots are filled is that correct?

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Bruce Tanski: Clifton Park, Number one I don't see why that's important at this time, all we are looking for is subdivision on the lots, but in answer to your question the front of the lots were filled quick but not in the building line.

Marcel Nadeau: My question is because when we issued, should we approve the lots, the town is these are approved buildable lots and I'm saying for whatever reason something came back and they couldn't be built on, we have now completed a buildable lot to you,

Bruce Tanski: But as long as we meet the town zoning we should be able to get the lots subdivided whether they're buildable or not should be a discussion for the engineers.

Lyn Murphy: So the applicant is acknowledging that even if this board should they decide to grant the subdivision they are not in any way, shape or form telling you it is buildable as we sit here today just that the set backs meet. So if you do core sampling as a condition of site plan, you may not be able to and you acknowledge that?

Bruce Tanski: Correct. but the lots were not filled , we just filled along the road .

Lyn Murphy: If the question comes up in the future you are aware that its something that you are going to have to deal with in order to go forward with any development.

Bruce Tanski: Correct, and DOT was aware of it also because we had to get a permit from them.

Tom Koval: Am I correct though that is we approve these as building lots, to be an approved building lot don't they have to meet criteria of being able to be built on? And if they in fact was significant amount of fill brought in from the Falcon Trace, I believe that's where it came from at the time, I could be wrong there, If that was all brought in and we do approve this as a building lot its technically not an approvable building lot until something can be built on it.

Bruce Tanski: I don't understand why we are having this conversation number one, I just said that the lots were not filled they were filled along the road we got a DOT permit to put that fill in, where the fill came from should be of no consequence to this board number one and number two the lots were not filled for the second time, just along the road.

Lyn Murphy: So basically a subdivision approval allows for the changing of the lot lines, it does not say that it is buildable for commercial site plan development there is a lot of other steps that have to go forward and the applicant is acknowledging that.

Bruce Tan ski: Correct.

Lyn Murphy: The site plan subdivision process requires that it meet the size requirements but your not in any way shape or form telling this applicant that he can definitely build on it because there could be wetlands there could be, you don't typically on a subdivision look at all of those issues, you look at those issues when and if it comes to the point when they are developing. Up to the board obviously.

Bruce Tanski: Thank you.

John Ouimet: Well we are getting many steps ahead of ourselves here, any other questions?

Jerry Baker: Id like to clarify that for Mr. Tanksi. I've lived over there 35 years and before Mr. Tanski bought that property from Mr. Filo , Franky Pelo owned it and Mr. Filo bought it and he had property where the Sunoco is and part way out there all filled in with sand because that was a low area.

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John Ouimet: Thank you, I think at this point the public hearing will have to remain open based on the notice requirements that were not met. And we will revisit this issue on the 11th of January. Thank you.

Bruce Tanski: Ok.

No decision was made due to the notices not being out on time, so the public hearing for Tanski Commercial Subdivision on Rte 146 will be held open until the January 11th 2016 meeting.

New Business:

15.173 Lands of Baker Lot #1, 88 Fellows Road - Minor Subdivision

Jeff Williams: Bruce Tanski Construction. During the Fellows road PDD one of the attributes of the development was to remove the Y intersections, the East and West Y intersections of Fellows Road as it met Rte 146 and to bring Route 146 further East where it connects today near the towns highway garage, part of that restructuring of the Fellows road also created the need for us to extend the existing driveway of Mr. Gerry Baker of 88 Fellows Road in order for him to connect to the new road. So when that driveway was extended it was inadvertently place so that it straddled the boundary of lot one of Tanksi. So in order to fix that lot line encroachment of Mr. Bakers existing driveway we are proposing to annex 1,161 feet of lot 1 and give that land to Mr. Baker this would put his driveway completely on his property along with approximately a 4 ft shoulder on the side of it.

John Ouimet: Any questions from the board? (No comments) If not we are going to have to set a public hearing for our next meeting.

Tom Ruchlicki made a motion to set a public hearing. On January 11, 2016. John Higgins seconded. Motion carried.

15.173 Rolling Hills - Water Tower Subdivision, 16 & 18 Ridgewood Dr - Minor Subdivision

John Higgins and Tom Koval recused themselves. Rob Partlow stood in as alternate.

Dean Morotta: With the R. J. Valente Companies, what we are proposing to do is, we have a piece of vacant land which was left over from the rolling hills project Phase III. We would like to annex a piece, a triangle piece that you can see highlighted, and there it is, over to Mr. Wilkins. He is at 118 Ridgewood and then the front portion that's on Ridgewood dr. would be annexed over to the water dept. of Halfmoon. Pretty cut and dry.

John Ouimet: So what we are talking about here is that triangular piece that you propose to give to 16 Ridgewood Dr.

Dean Morotta: That is correct.

John Ouimet: Any questions from the board?

Richard Harris: I just want to add that the larger piece here 35,000 sq ft would be conveyed to the town of Halfmoon.

John Ouimet: But this triangular piece, which is the subject of what's before us tonight.

Dean Morotta: Its both, thats one piece of property.

John Ouimet: So it's a subdivision of this one odd shaped lot?

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Dean Morotta: That's correct Sir.

John Ouimet: It's the triangular piece that you want to annex to lot 118?

Dean Morotta: That is correct, and on the lower portion would go to the water tower portion would go to the town of Halfmoon.

John Ouimet: Now the owner of 118

Dean Morotta: I have an agreement with the owner of 118

John Ouimet: He is willing to accept it?

Dean Morotta: Yes, with open arms.

Tom Ruchlicki made a motion to set a public hearing. on January 11, 2016. John Higgins seconded. Motion carried.

15.164 CaNine to Five, 1534 Route 9 - Sign

John Ouimet: this is an application for a sign panel change basically, you want to take the whole sign and swap it out?

Amy pollard: Both Sides yes

John Ouimet: Right but the entire one.

Amy pollard: Yes

John Ouimet: Don have you had a chance to take a look at the proposal?

Don Roberts: yes I did, it conformed.

John Ouimet: Any issue with the height of the sign Don?

Don Roberts: It was fifteen feet I believe

Amy Pollard: Yes it was. It's pre-existing.

Don Roberts: Its pre-existing it was there for years when the old car dealership was there. Back then it was underneath the ordinance with it then, now it just meets it. So since it's already there, I don't think we should ask them to take it down and put a smaller one up, it's already there and it meets the requirements

Don Roberts made a motion to approve CaNine to Five's sign application. Marcel Nadeau seconded. Motion approved.

15.172 Jean Paduanno- Teal - CPA dba Accounting For All, 5 Corporate Drive

Joseph Able: Able Builders, we are just here hoping to get a sign approval. I have some photos on usb drive. So if you take a look at the bottom sign there the little one that is 6 inches by 64 inches we are just adding another one to that, its going to say Accounting For all, which is the dba for Teal - Paduanno.

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John Ouimet: is it going to replace the image Professional Engineering?

Joseph Able: No it is going to go just below it.

John Ouimet: Is there going to be room, maybe cut the hedges a little bit?

John Able: Yea they might be a little high yea.

John Ouimet: Don have you had a change to look at this sign?

Don Roberts: Yes I did and it meets the ordinance.

Don Roberts made a motion to approve Jean Paduanno - Teals sign application. Marcel Nadeau seconded. Motion approved.

15.160 Land of Charles Hoffman, 382 & 384 Farm to Market Rd - Minor Subdivision & Site Plan Amendment

Gavin Villaume: With Environmental Design representing Charles Hoffman. This is a lot line adjustment between two lots that are owned by Mr. Hoffman. He owns an eight acre parcel with an existing residence on it in the middle of this map showing, it has access that actually comes from the back of the apartment complex, what he would like to do is bring out an additional driveway out onto farm to market road so that way this property will have its own access out to farm to market road, and the existing driveway will be utilized for a secondary home which is also existing that fronts right directly on farm to market road. So its really just doing a lot line adjustment between the two lots in order to give a little bit more property to the existing residents and also facilitate the construction of another driveway out onto farm to market road. We've met with county highway dept. Ted Serbalik and he looked at the driveway and was ok with the additional driveway with the way that it was shown here. I've also had the opportunity to speak with Mike Valentine from county planning he said that they would be reviewing it at their next meeting. So I think that's about it.

John Ouimet: Any questions from the board?

John Higgins: The existing driveway is going to be abandoned?

Gavin Villaume: the existing driveway right here at the top would be utilized for just this building. See the existing driveway comes in through here goes all the way out to here so the existing driveway will be I guess segmented right at this location and a new section of driveway would come out to farm to market road. Mostly all of this is a new driveway for this existing home; they share the driveway now essentially so they would no longer share a driveway.

John Higgins: Ok so there is going to be two curb cuts. Ok and is the upper part or the Eastern part the new driveway are they going to have an easement across that property.

Gavin Villaume: no because with that new subdivision our new subdivision line is going to go right in between those two driveways.

John Higgins: Ok, I wasn't sure there a lot on this drawing that's why I was going to ask, there is going to be a subdivision so there is going to be a flag lot basically.

Tom Ruchlicki: Gavin, you said the county looked at the driveway,

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Gavin Villaume: Yep I met out in the field with Ted Serbalik and looked at site distance was all good, drainage, everything looked all good. Its going to take a lot of grading obviously to get that driveway in there, you are probably familiar with the area, the terrain is a little drastic through there but we can have some reasonable grades, no different than the driveways that are in there now.

Don Roberts: This is not a flag lot, because you have frontage on rte 9.

Gavin Villaume: Yes technically you are right we actually do have frontage on rte 9 for the parcel so it's just another access point.

Don Roberts: Is the driveway from the apartments going to be abandoned?

Gavin Villaume: I'm not sure he probably will keep that, since he owns the apartment project

John Ouimet: Any other questions. ? (No comments)

Don Roberts made a motion to set a Public Hearing on January 11, 2016. Marcel Nadeau seconded. Public Hearing set.

15.154 / 15.168 421 Halfmoon Flex Park, 421 Rte 146 - Minor Subdivision & Site Plan Ammendment.

Jason Dell: I'm an Engineer with Lansing Engineering here on behalf of the applicant for the 421 Flex Park Minor Subdivision & Site Plan Amendment. The flex park project was originally approved back in march of 2015 and was subsequently signed back in September and as part of the project we need to do a lot consolidation as well as a lot line adjustment for that consolidation to move forward. For the project the two larger lots along the side here as well as along the front of route 146 need to be consolidated with approximately 1.9 acres located to the east of these two parcels. The lot line adjustment area is approximately 1.9 acres that we are talking about for this action. So we are here tonight to request that we move forward with that and schedule a public hearing for that.

John Ouiment: any questions from the board?

John Higgins: I'm not familiar exactly where this is on 146, you talk of some existing houses, is there a house coming down?

Jason Dell: There is one that already came down it was right here, and at 4 enterprise where prestige currently operates is right here and Enterprise Avenue is right along here and Parkford is right up here, so its right here.

John Higgins: Ok so this is additional parking for Prestige?

Jason Dell: No this is for the 421 Flex Park project that was before the board earlier this year

John Higgins: Ok, so this is next to prestige?

Jason Dell: Correct.

John Higgins: I just wanted clarification, thank you.

John Ouimet: Any other questions? (No comments)

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John Higgins made a motion to set a Public Hearing on January 11, 2016. Marcel Nadeau seconded. Public Hearing set. They will also be expecting to hear from the County by the 11th.

15.161 / 15.162 Metabolic Meltdown LLC, 1466 Route 9 - Change of Tenant / Use & Signs.

John Ouimet: Rich and Paul have you looked at the parking requirements for this particular tenant?

Paul Marlow: Yes we did there are 25 approximately lined spaces in front and in the rear there is what appears to be space for about another 20 - 25 and we did find on a previously approved site plan that there were 20 land banked spaces in the back, so all that taken into consideration 60 - 70 cars can fit on that lot at any given time.

John Ouimet: Can you tell us a little bit about your operation?

Matt Phelps: I'm the owner of Metabolic Meltdown. I run a group-training program for adults. It's an adult fitness program. we do strength-training, cardio, core work. Its 45-minute work out, its all group training based. So we run our classes on the hour so we get people in and out of there and its basically just you know a good adult fitness program.

John Ouimet: How many classes at one time?

Matt Phelps: At one time? Just one class at one time.

John Ouimet: So its one class one instructor, or you use multiple instructors?

Matt Phelps: One class one instructor on the hour through out the day.

John Ouimet: And maximum number of participants in a class?

Matt Phelps: Honestly like 20 - 30 is our max but it would take a while for us to get to that point I think.

John Ouimet: Now are you currently operating in different locations?

Matt Phelps: Yes sir we are in Green Island right now we just moved there in June, we've don't pretty well there and now we are looking to come up north a little bit.

John Ouimet: So are you going to close the Green Island location operation and move to Halfmoon?

Matt Phelps: No we are going to keep that and we are expanding and trying to reach the community up here.

John Ouimet: Any other questions from the board.

Tom Ruchlicki: Are there going to be any locker room facilities any showering facilities put in for this.

Matt Phelps: No, not to my knowledge no.

Tom Ruchlicki: So there won't be any carry over of people between the classes.

Matt Phelps: No.

John Ouimet: Any other questions? Don.

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Don Roberts made a motion to approve Metabolic Meltdowns change of Tenant as presented. Marcel Nadeau seconded. Motion Carried.

John Ouimet: Do we have a sign request her Rich? Don.

Richard Harris: Yes we have to vote on the sign separately.

Matt Phelps: ok

Don Roberts: They are just going to replace what was there before, just put a sign on the building and on the monument sign out front, they are going to replace what was there in the past?

John Ouimet: Just a panel swap out?

Matt Phelps: Yes.

Don Roberts made a motion to approve Metabolic Meltdowns sign application. Rich Berkowitz seconded. Motion Approved.

John Ouimet: Welcome to Halfmoon, I hope you do well.

Matt Phelps: Thank you.

15.163 Misty Morning Art Studio, 1471 Route 9 - Change of Tenant/ Use

*Lyn Murphy and Tom Koval recused themselves.
Rob Partlow sat in as alternate.*

Michael Klimkevicz: Owner of 1471 Route 9 Crescent Commons, I am speaking on behalf of the owners of the business Mr. and Mrs. Dr. Phillips, Mary Phillips who is going to be the proprietor. They are running an art studio. The art studio is open on Wednesday and Thursday nights from 2:00 - 9:00 pm. They have 2-4 students per period. That's it.

John Ouimet: So its just two nights a week?

Michael Klimkevicz: That's it.

John Ouimet: Two nights a week, four people.

Michael Klimkevicz: That's correct.

John Ouimet: Four plus the instructors. Ok, signs?

Michael Kmimkevicz: No

John Ouimet: Any questions from the board

Don Roberts made a motion to approve Misty Morning Art Studios' Change of Tenant / Use application. Rich Berkowitz seconded. Motion Approved.

15.165 / 15.167 Cumboto Properties LLC, 1503 Route 9 - Change of Tenant / Use & Sign

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Jose Theoktisto: I am requesting a new business, which is going to be a restaurant of Venezuelan food. We want to put it on the former subway place that was in Glenn. Peters Plaza. We are going to serve specialty fast food that is healthy and made out of corn and therefore is gluten free so it is an option that is not available here in the town and we are excited to be approved by this council here.

John Ouimet: What would be your hours of operation and how big an operation is it as far as tables and customers.

Jose Theoktisto: It's a small operation we are initially expecting to operate to serve breakfast, lunch and dinner. So initially we say it was going to operate between 7:00 am - 9:00 pm it might be a little shorter the time, we estimate our peak hours will be the breakfast time between 6:30 - 9:00 am and Lunch 11:30 - 2:00pm and Dinner time around 5: 30 - 7:30pm.

John Ouimet: Are you proposing a sit down restaurant format or take out or both?

Jose Theoktisto: It is both, it is a counter operation so people go and ask for whatever they want and at the counter they can sit if they want, there are going to be tables around for 15- 17 people and they can also take out the food. Employees will probably be two or three at a time no really large operation, but everything is going to be made from scratch.

John Ouimet: Liquor license?

Jose Theoktisto: No

John Ouimet: Paul, Rich have you had an opportunity to look at the parking situation at that plaza?

Paul Marlow: We have and in actuality this is similar use to the tenant prior to them so the parking demand will not increase, will not change; we don't have any parking issues as of this point.

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

Don Roberts: John I have just one question, your application said 7 am you just mentioned 6:30 did you want to amend that to 6:30 in the morning starting. It's not a problem if you plan on opening at 6:30 your application should reflect that.

Jose Theoktisto: Yea let's put 6:30, that's fine.

Don Roberts: Thank you.

John Ouimet: Any other questions? (No comments)

Marcel Nadeau made a motion to approve Cumboto Properties Change of Tenant/ Use. John Higgins seconded. Motion Approved.

John Ouimet: Sign Don?

Don Roberts: Yes John, once again they are just going to replace what was there before and it meets the town ordinance for both signs.

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John Ouimet: Welcome to Halfmoon.

Jose Theoktisto: Thank you.

Don Roberts made a motion to approve Comboto Properties Sign application. Rich Berkowitz seconded. Motion Approved

15.176 Princeton Heights, Princeton Ave - Major Subdivision Renewal

Jason Dell: Engineer with Lansing Engineering, here on behalf of the applicant for the Princeton Heights Subdivision. The project was originally approved back in June of this past year and was signed by Mr. Ouimet on July 23rd 2015. Tonight we are here to request a re approval of the project. The project plans have not changed other than an addressing change that was required by national grid, the lot configuration, the number of lots, sewer, storm grading, drainage everything remaining is the same other than just the addressing issue. We are here tonight to request a re approval of the plans.

John Ouimet: Can you be a little more specific as to why this is back here tonight?

Jason Dell: The plans as I mentioned were signed by you back on July 23rd and we have exceeded the 62 days by which they need to be filed at the county so we are here to request the re-approval for the re signing so we can get them filed.

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

Lyn Murphy: We will also need a motion in regards to lead agency.

John Ouimet: the only other open question is expanded notice or not expanded notice, this had been around for a while, there's not anything new, there are no changes as far as we know, its just a re review.

Don Roberts: Just do the same as we have right.

John Ouimet: Same as last time was expanded I think.

Don Roberts: oh wow, well maybe not then. What do you think?

John Ouimet: Well what's the sense of the board, how does the board feel about it?

Don Roberts: Lyn do we have any lee way on this or what?

Lyn Murphy: There is no legal requirement that you expand your notice, you had done so in the past and luckily the people who aren't interested in the project do have a good network so your giving them a month to hear about it. Let me just say it flat out, there's no legal requirement that you do an expanded notice.

Don Roberts: So we are not leaving ourselves open if we don't do it this time right?

Rich Berkowitz: This is just for an address change isn't it?

Lyn Murphy: This is because they didnt file the subdivision with in 62 days so the approval has expired. So there are no changes except for that address change.

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Rich Berkowitz: I'm fine with the regular notice.

Marcel Nadeau made a motion to set a Public Hearing for January 25th 2016. Rich Berkowitz seconded. Standard notices will be sent out.

Don Roberts made a motion for lead agency, Tom Ruchlicki seconded. Lead Agency Status Accepted.

15.174 Rafferty Minor Subdivision , Hudson River Road - Minor Subdivision Renewal.

Duane Rabideau: From Van Guildler and Assoc. here for Charles Rafferty for Just like Jasons project, re approval of a three-lot subdivision that was approved July 13, 2015 basically there are no changes since the last approval and we are here because we missed the sixty-two day filing requirement for the approval.

John Ouimet: Sounds familiar, are you going to do a lead agency on this one as well.

Duane Rabideau: No

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

Don Roberts made a motion to set a Public Hearing at the January 25th 2015 meeting. John Higgins seconded it. Motion Approved.

15.149 Greg and Gary Mincher, Harris Road - Minor Subdivision

Fred Metzger: Land surveyor here this evening for Mr. Eric Tanski for the proposed subdivision of Greg and Gary Mincher.

John Higgins: Just a question, whose property is it, is it Minchers property or its not.

Fred Metzger: Its Minchers property, I do as you see in the application there is a contract in there thats been signed.

Richard Harris: You supplied a copy of the contract though right?

Fred Metzger: Yes, I supplied a copy of the contract. Fred Metzger here on behalf of Mr. Tanski regarding the proposed four lot subdivision of Greg and Gary Mincher. The existing parcel is roughly 12 acres located in R-1 Zone and what Eric is looking to do is cut three approximately one acre lots out for single family residences, on of them on Harris Road the other two have their frontage on Middletown road but we are also proposing to do the traffic and speed of Middletown Road and plus the drop there is considerable versus Harris Road as we have a small shared driveway for lot one and two which will access over on Harris Road just to alleviate any traffic problems that they may have with those. As you can see each of the three lots meets all the minimum requirements for the R-1 Zone. We have existing water and gas in the area that each lot will tie into and they will all be with proposed septic systems for each of them. And that's about it, any questions.

Marcel Nadeau: Municipal water runs down that road or not?

Fred Metzger: Yes, it's on both but obviously they will both use, tap in at Harris to make it easier.

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Marcel Nadeau: The existing house is that on County water?

Fred Metzger: Yes that's on County water.

Marcel Nadeau: There's no well?

Fred Metzger: there was a well but I believe, I don't know if they got rid of it but Mr. Mincher said they did tie into the town water when I went through.

Marcel Nadeau: And the triangular lot across the streets going to remain with lot four.

Fred Metzger: Correct, that s why the small adjustment was that I left a twenty foot swath in there which I didnt have at the beginning and we needed to be able to attach to the other side so I adjusted the lots over there, so that way it still has this piece to be able to tie to the remaining portion.

John Ouimet: Any other questions? (No comments)

Marcel Nadeau made a motion to set a Public Hearing on January 25, 2016 for Greg and Gary Mincher Minor Subdivision. Rich Berkowitz seconded. Motion Approved.

Old Business:

15.148 Empire Ambulance Service, 9 Corporate Dr. - Change of Tenant/ Use

Steve Retzlaff: I am the president and CEO of Empire Ambulance Service. I was asked here tonight by the building owner Ed Able to answer some questions regarding use and occupancy of 9 Corporate Dr. I can fill you in to this point of what's transpired since last week I know there was some questions in the original request about our radio frequencies and interference in the County radio system and this past week I received and email, it was forwarded to me from Ed Able and it was sent to him by Mr. Harris requesting that someone contact the County 911 System. I believe it was a Mr. Pasquerelle, so I immediately notified our radio technician and they attempted to reach Mr. Pasquerelle. Several phone call along with emails went unanswered and we were unable to contact anyone from the 911 system so at this point, I understand an email that Mr. Harris sent he requested that the County sign off on the occupancy of 9 Corporate Dr. due to the radio frequencies that will be in there. So we were unable at this point to contact anyone from the communications center at Saratoga County, I would ask if anyone has contact with any of them that perhaps they could contact me and I would be happy to put them together with our radio people to get their questions answered and their issues addressed.

John Ouimet: Do you know who your radio provider is?

Mike Aquino: I'm the COO of Empire Ambulance Service our radio person is John Maddalla from Business Radio Communications, he is the individual that attempted to contact Mr. Pasquerelle at the County.

John Ouimett: That has been unsuccessful to date correct?

Mike Aquino: To date it's been unsuccessful yes.

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John Ouimet: Rich can we broker this conversation between the Empire Ambulance Group and the 911 coordinator?

Rich Harris: Yes, you want me to set that up between yourselves and the County?

Mike Aquino: Yes just so that there is some contact made, probably the easiest way would be to contact us directly at corporate dr. and I just wanted to also say with the radios that they do currently operate their frequency the uhf frequency with in the county right now, County Waste actually uses those radios, they operate in Clifton park, Tri City Ambulette which used to be in Clifton park operated on that same frequency. I know the Gideon Putnam Hotel operates on it and the Renaissance in Saratoga also operates on it as well as the School District of Waterford, the bus garage and the communications with the radio. It's on a UHF frequency, which doesn't interfere at all with The County. The County is on an 800 system.

John Ouimet: We just want to be absolutely certain,

Mike Aquino: And I understand that so that was our attempt to make sure that the radio technician contacted the county and we were hoping that the county would be able to after speaking with him and addressing his concerns that to be able to either call or write a letter and say we spoke with the folk, everything seems to be ok, they currently operate now and it is not an issue.

John Ouimet: Its about a two minute conversation, Unfortunately now we have to push this off till our next meeting, if you would do what ever you can to broker the conversation make sure it takes place between now and January 11, th.

Empire Ambulance Service Change of Tenant / Use was tabled until the January 11th 2015 meeting to wait for contact between the County and the Ambulance Co. about any possible emergency radio frequency interference.

13.044 / 13.045 Regency Park Planned Development District, Route 9 PDD.

Don Roberts recused himself. Robert Partlow sat in as alternate.

Jeff Williams: Bruce Tanski Construction and Development, I'm here tonight to start the discussion all over again with Regency Park PDD. This parcel lies between Stewarts Shop on Route 9 the Northern part of town and the Sysco Food Distribution Warehouse. Its a 71.8 acre parcel and it is currently Zoned light industrial commercial. This proposed PDD has been kicking around with the town for at least for two almost three years and then the original proposal consisted of the multi use buildings. Commercial on the bottom floors and with apartments on the second and third floors of the multi use buildings along with luxury apartments and senior single-family housing. We have gone through several discussions with the town and several different layouts for this PDD, I think the last time the board looked at this, and I'm guessing it was last winter, we were showing one of the multi use apartments, the larger one our multi use buildings and light industrial along with the senior single families. Today what we did December second we went back to our town board and reopened discussion with the town board where we are at this point, the changes that have happened to get everybody on the same plane. So what we proposed at the town board meeting was, and once again this board has seen neither both of these components. Two multi use buildings, one I have represented here is a larger one, and the second one the smaller one is basically half of what the building looks like. Those multi use buildings are, they have 10,800 sq ft of commercial space on the first floor of the larger building and 4,250 sq ft of commercial space on the first floor of the smaller one. Along with that there is 42 apartments on the second and third floor of the larger building and 20 apartments on the second and third floor of the smaller building for a total of 62 apartments. These multi use buildings will have parking that will comply with the towns standards, our site plans shows

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these buildings fronting along route 9 commercial parking would basically be in the front of these buildings with the residential parking in the rear of them, along with that combined there's 36 indoor garage units for the residential uses. On the second part of this proposal is the rest of it the 64 acres that's in the rear of this parcel basically would be just retaining the underlying zoning of light industrial commercial uses. What we've shown on this site plan is not what we are proposing to build or what it may not even be layer out as but it just shows a maximum of potential of what could happen on those light industrial area. What we are showing is a six building its 90,200 sq ft of office uses along with 360, 800 sq ft of warehouse use. So that would basically be the same zoning as it is today. We all know that commercial uses are slowly migrating North along Route 9 but it has not reached this site in any way and in order to promote this area for the commercial uses Mr. Tanski is proposing to first build these attractive buildings, that have a kind of urban design, they have several different exterior surfaces that kind of break it up and make it very attractive along with that he is offering the tenants, the commercial tenants on the bottom floor a year free lease in order for them to get their business growing and get their feet planted , and that's what he is proposing for the public benefit for the PDD at this point. We are still in the recommendation phase with the planning board as we've been referred to the planning board meeting and we are still here today so that's where we are headed. I think we are asking maybe to have Clough Harbor take another look at this for us. Thank you.

John Ouimet: Any questions from the board?

John Higgins: So Jeff the area to the rear that's light industrial that would not be any apartments or anything like that no residential or anything like that?

Jeff Williams: No it's completely proposed at commercial light industrial use as it is today.

Tom Ruchlicki: This is part of the GEIS correct?

Jeff Williams: It is.

John Ouimet: What are the total numbers of apartments that are proposed Jeff?

Jeff Williams: I believe there is 62, 42 on the large one and 20 in smaller building.

John Ouimet: And they are going to be on the second and third floors?

Jeff Williams: Yes they are.

John Ouimet: And how many commercial spaces.

Jeff Williams: I can give you sq footage but I think there is 1,2,3,4,5,6

John Ouimet: In other words it might not be carved up exactly as that drawing depicts?

Jeff Williams: Maybe a use could come in and take up two spaces depending on what it is, but I'm looking at 14 storefronts on the larger building, I'm guessing that. The larger building has 10,800 sq ft of commercial space in it.

John Higgins: Would there be any way to put more parking behind the buildings and less parking along route 9, because I know part of the GEIS was trying to keep that corridor as attractive as possible.

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Jeff Williams: We could look at that, the one thing is that we do have a screen that's in the rear of these buildings that we have to kind of stay away from that slope so I don't know how much more that parking will expand in the rear, also as you know commercial spaces love to have parking in the front to show that they are busy and people are in there.

John Higgins: Yes I understand but I was thinking more that employee parking things like that could be at the rear and then just maybe one line of parking in the front to give you a little bit more green space a little more attractive shrubbery, things like that.

Jeff Williams: We will take a look at that.

John Higgins: Thank you.

John Ouimet: Do you anticipate bringing in a lot of fill to the front of that lot?

Jeff Williams: At this point I don't have much grade, I know my engineer, Lansing Engineering has done significant grading. I think they have preliminary grading plans that we can share with Clough Harbour and certainly get a comment back on that, I just don't know how much fill or if it's cut and fill.

John Ouimet: I think at this point and time we just make a referral to Clough to do a review. Any other questions from the board. Rob anything?

Regency Park PDD was tabled and it was recommended they refer grading issues to Clough Harbor.

Tom Ruchlicki made a motion to adjourn the meeting. John Higgins seconded. Meeting Adjourned.