

The July 18, 2012 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:00 pm in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Melinda A. Wormuth, Supervisor
Walter F. Polak, Councilman
Paul L. Hotaling, Councilman
Craig A. Hayner, Councilman
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Matthew J. Chauvin, Deputy Attorney
Lynda A. Bryan, Town Clerk

The Town Board Workshop was held in the Board Room at 6:30 pm; no action was taken. Supervisor Wormuth led the Pledge of Allegiance.

PRESENTATION: OUTLOOK RIDGE OF HALFMOON PDD

Lou Lecce: I am Lou Leece, the applicant of the projected PDD application for 144 unit apartment complex; 12 buildings, 12 units per building. It is on Cary Road, it butts Cary Road and the railroad tracks. It is currently zoned, I believe M-1 which allows commercial use. We believe that this is a more restrictive use in the area. The proposal calls for extending the water service down Johnson Road to provide more water to the other part of the town. It will be serviced by sewer which will run under the railroad tracks and connect to the existing sewer line on the other side of the tracks. We are requesting the PDD approval on this application

Supervisor Wormuth: Lou, could you go through and break down for us how many acres are buildable and how many are not and how many units it winds up being

Lou Lecce: It's 27 acres and with the PDD regs, we can get 188 units which is what we are allowed if we use the calculations for a PDD in this location. We asked for 104, I think the developable site, Sean, is the exact acreage developable site of the 27 acres, roughly 20 acres. We are combining two parcels into one big parcel for the 27 acres.

Supervisor Wormuth: The amount of green space left?

Lou Lecce: 7 acres

Supervisor Wormuth: If you were to do a Standard Sub-division of either duplexes or single family homes on the buildable acres there, what would the density look like

Lou Lecce: I have not done that calculation.

Supervisor Wormuth: You definitely need that done before the Planning Board. That is one of the things that they will want to look at. Have you had any preliminary traffic studies done?

Lou Lecce: We have not.

Supervisor Wormuth: and I know that we have not determined what the Public Benefit would be because we haven't gotten that far in the process.

Lou Lecce: We have proposed the extension of the Zim Smith Trail, bringing water to Johnson Road and the sewer extension to the same area on Johnson Road

Councilman Polak: Certainly some of the public is going to benefit from the water, but the main benefit is to get water to your project. The sewer is pretty limited except to your project.

Lou Lecce: the extension is right to our project itself

Councilman Polak: I just wanted to be part of our record going to the Planning Board that the Highway Superintendent, John Pingelski and I, were looking for some more public benefit and looking at alterations for Angle Road with intersections with Smith Road. I just wanted that as a matter of record so that the Planning Board may want to take a look at it as well. No major roundabouts, but just some type of improvements to help the added traffic situation.

Councilman Hotaling: One thing that I had a concern about is the entrance, if you could widen it out or something a little different. I am just afraid that if Emergency vehicles had to get a fire truck or something in there, the way that road is, I do not think that it could swing enough to get in.

Lou Lecce: Like maybe two separate entrances coming off both roads?

Councilman Hotaling: Yes, fire trucks can be a good size

Lou Lecce: OK, we can do that

Councilman Wasielewski: Mr. Lecce, I asked Mr. Lansing at last month's meeting, and I am glad that you are here, so I can get the answer from you, Why apartments and not owner occupied units?

Lou Lecce: As in single family or condo's?

Councilman Wasielewski: Why not owner occupied units? Why apartments? Why is it being presented as apartments?

Lou Lecce: This part of town, I do not think that single families would work. You have the railroad tracks behind you, which is here, which is a traveled railroad bed. I just don't think that this is conducive to single family, because it is also zoned M-1 in the area, so we cannot control what goes on either side of this parcel. Someone

could develop the other side of the parcel for storage units or a commercial building. If it was all zoned R-1, then I would say yes, but because it is a commercial zone

Supervisor Wormuth: It is an M-1 zone, there is a difference between an M-1 and a

Lou Lecce: If this is an M-1 zone, we do not control the other parcels in the vicinity, it is something that I do not think would go.

Councilman Wasielewski: So you think that people would rather rent an apartment next to a railroad than own

Lou Lecce: I believe so

Councilman Wasielewski: OK, fair enough

Councilman Hayner: Where does it exist now as far as the water line? How far are you extending it and how many resident are going to benefit from it?

Lou Lecce: The current water line is at the intersection of Johnson and Tabor Road and the extension of 5000 feet of water. It would serve all of the residents along the way. We provided the map to the town, that I believe you guys have received, outlining the areas

Councilman Hayner: I see the map right here, but it's hard to tell how many residents would actually be affected by it

Lou Lecce: Probably, there was 18

Supervisor Wormuth: We will also ask our Director of Water to comment on this as far as capacity and looping. As there are some areas up there that I know have been looking at looping for an extended period of time, that area on Tabor Road that is under served with water.

Councilman Hayner: They would benefit from this?

Supervisor Wormuth: We will ask that it be part of the project as we move forward, is my guess. I know that it is something that Frank has had in his folder for a very long time.

The one thing that I do want the applicant to be aware of and be on the record for the Planning Board, is we have seen other apartment complexes proposed in this area, and as we moved to public comment either through informational meetings or through actual public hearings, depending on how far those projects have gotten. The people, who live in that area, were not necessarily enthralled with having apartments. So, I just want you to recognize that before we move to far forward, because we think that you will hear that from the public as we have heard it on previous applications.

Lou Lecce: Understood

Councilman Hayner: I have another question. I thought that I heard you say 104 units

Lou Lecce: 144

Councilman Hayner: I just wanted to clarify that.

Supervisor Wormuth: So at this point the Board has the option of asking the applicant to come back with more information, to consider reconfiguring the project to something different, or to move it to the Planning Board, which by law we have to

once the applicant says he is comfortable with where his project is. It is not a matter of do we want to move it to the Planning Board; our law reads that we shall move it to the Planning Board for technical review.

Councilman Polak: I would like to make a motion to move it to the Planning Board. Certainly, they are going to do all of the technical review, they will have input and an ideas from the Planning Board Members as well as the engineers.

Supervisor Wormuth: and I am assuming you would like for that to go with all of the comments that were made here this evening?

Councilman Polak: Correct

RESOLUTION NO. 159

Offered by Councilman Polak, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski Nays: Hayner

RESOLVED, that the Town Board refers the Outlook Ridge of Halfmoon PDD to the Planning Board for technical review with comments.

PUBLIC PRIVILEGE (for discussion of agenda topics) No one came forward

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak: I would like to comment on the Highway Department. You are going to see that there have been letters to the Town Supervisor that have been distributed to the Town Board members on the work that the Highway Department have done in the developments. Just the cooperation the Highway group gives the residents, they are certainly appreciative of it. They start early and work around the units when people are trying to get to work in the morning. They do it like it is a regular day and are really commended by the residents for doing that.

They have done a lot of work in the north end of town at the Coons Crossing intersection, where the road always floods in the spring. They have done massive corrective drainage work there as well as paving the adjoining roads as well. They have addressed the draining issues also. It is not like they haven't been busy and doing very good work and all with safety first. My hats off to the Highway group!

Supervisor Wormuth: Especially with the heat that we have had!

Councilman Hotaling: I would also like to thank the Highway, Parks and Building Maintenance for all working together. The Rec program has been amazing this year with 750 kids. Everybody is working hard and considering the heat affecting them, but they are all pulling together.

Friday Night is Movie Night in the Park. The movie will be Yogi Bear starring Justin Timberlake and will start just about 8:30 at dusk.

Supervisor Wormuth: CDTA will hold a Public Input Meeting at the Clifton Park-Halfmoon Library on Moe Road, tomorrow at 5:30 – 7:30. The public is invited to attend eliminate, restructure, & include CDTA routes up here into this area. We invite anyone who is interested to do that. If you cannot attend the meeting, you can submit comments by mail and it is posted on the web site.

Councilman Hayner: I just wanted to mention that tomorrow night the Town of Halfmoon Ethics Committee will meet right here in the Conference Room. If needed, we can move to the meeting room if there is a lot of people.

DEPARTMENT REPORTS – month of June

1. Town Justice Tollisen

Total # Cases- 321 Total Fees Submitted to Supervisor- \$33,595.00

CORRESPONDENCE

1. Received from the Town Planning Board Resolutions approving the following: Sign Application for Gil's Garage located on Guildboard Road and Regarding the Pingelski Minor Subdivision-Lot Line Adjustment.

Received & Filed

2. Received a letter from Diane C. Anderson, a concerned resident for her concern about the speed limit on Stone Crest Drive. She is requesting a reduced speed limit and a 3-way stop at the corner of Fort Hill and Stone Crest Drive.

Received, Filed, Copy Highway Superintendent regarding the 3-way stop.

Supervisor Wormuth: A Resolution is needed to refer this to the County and to the State for a speed limit reduction.

RESOLUTION NO. 160

Offered by Councilman Polak, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board requests that a speed limit study be performed on Stone Crest Road which is currently 30 mph.

3. Received from Michael Cavanaugh, a letter thanking the Highway Department for the great work they did repaving Spice Mill Boulevard, and how kind, accommodating, professional and knowledgeable the town workers were. He also voiced a concern with the speed limit in the development, and if it could be reduced.

Received, Filed, Print & Copy to Town Board.

Supervisor Wormuth: Again, a resolution is needed to refer this to the County and to the State for a speed limit reduction.

The State law that prohibits the speed limit from being posted lower than 30 MPH. We are referring those, but typically the answer that we get is no. The only time that we see it be successful for less than 30mph, is in a School Zone. We have looked at our own town roads and asked the Attorney's to do some research on if we post them lower, what can we do within the Local Law? What happens is that it becomes unenforceable by the Law Enforcement Agency. The Sheriff's and the State Police, the tickets issued would get thrown out of court, even if the roads were posted lower, but because the State is the one who allows the lowest and the highest speed limits, the Town Board really cannot regulate that. We will refer them; we will talk about the amount of traffic in there. Our Planning Board does a very good job talking about the growth and development and the reasons for looking at a lower speed limit, but we do find that we are not very successful when it goes below the 30 mph.

RESOLUTION NO. 161

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board requests that a speed limit study be performed on Spice Mill Boulevard which is currently 30 mph.

4. **Received** from NY State Department of Transportation Designation of Restricted Highway, copied a letter for pavement maintenance on Route 146, 1 mile east of the Route 9 intersection at Reference Marker 146-1504-1084, and continuing 3 miles west and ending at Reference Marker 146-1504-1504.

Received, Filed, Copy Highway Superintendent.

5. **Received** from Beth Abramson, the Animal Control Officer, her 2012 report to date.

Received, Filed, Print & Copy to the Town Board & Copies in the Town Clerk's Office

Supervisor Wormuth: We may do a brief summary of this report at the next Town Board Meeting, but the fact that the Board Members are just getting to see it this evening, I think that we will leave that for a department report next month, and perhaps Mr. Wasielewski can do a summary for us then after he has had time to digest it.

RECEIVED

JUL 17 2012

TOWN OF HALEMOON
LYNDA A. BRYAN, TOWN CLERK

JUN '12

TYPE OF ACTIVITY-IN HOURS

dog ral search/pursuit/capture/transport	32.5
rabid wildlife location/observation/dispatch/transport	4.75
wildlife/feral cat nuisance (inc. trap loan and instruction)	15
injured wildlife/pet assistance/transport (inc. DOA)	3.5
owner surrender of pet/transport (inc. abandonment)	4.25
bite cases/quarantine checks	12.75
dangerous dog case preparation	0
neglect case preparation	0
animal in distress call (inc. suspected abuse/neglect)	21.25
livestock death by loose dog investigation	0
park patrol/trail walking Canal Rd	11.5
park patrol/trail walking Town Park	10.25
park patrol/trail walking Zim Smith	9
park patrol/trail walking Champlain Canal	8.5
park patrol/trail walking Waterford Lock	4.5
park patrol/trail walking Lighthouse Park	6.25
ticket preparation and service	5
court appearances/preparation	0
incoming/outgoing calls/email	38.25
preparation and mailing of forms/materials (complaints/rabies info/town ordinance)	10
creation and updating of forms	1
license compliance (delinquent and original)	4.5
lost/found pet DB (inc. web posting and flyer circulation)	5.75
vehicle care and cleaning/sanitizing/restocking	3
general paperwork/filing/copying (inc. Foil requests)	3
community education/outreach	1
staff coordination and update/vehicle transfer	5
continuing education (research/professional publication reading)	6.5
creation of ACO procedures manual	0.5
resident requested complaint meeting	2.5
target practice	0
continuing education (training/schooling) [credits earned]	0
vacation/holiday/sick time used (not active work time)	0

RESOLVED, that the Town Board of the Town of Halfmoon appoints Steffen Buck, as Code Enforcement Department Manager at no additional compensation retroactive to March 1, 2012 through December 31, 2012.

NEW BUSINESS

RESOLUTION NO. 164

Offered by Councilman Hayner, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves and order paid all vouchers for all funds listed on Abstract dated, July 18, 2012 totaling \$516,824.10

RESOLUTION NO. 165

Offered by Councilman Hotaling, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves the minutes of Town Board meeting of, July 5, 2012 as presented.

RESOLUTION NO. 166

Offered by Councilman Polak, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorize Recreation Department Lifeguards, Lifeguard Managers, and Water Safety Instructors to voucher for mileage at a rate established by the IRS when using a personal vehicle for Town Business retroactive to June 25th through July 13th, 2012.

Supervisor Wormuth: The ending date is stated as July 13, 2012, which is not the end of the Rec. program, but the end of our swimming program.

RESOLUTION NO. 167

Offered by Councilman Polak, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board acknowledges the Town Clerk's Certificate of Non-filing and authorize the expenditure of the funds from the Capital Reserve Fund for the replacement of the roof of the Town owned building located at 1 Halfmoon Town Plaza.

Supervisor Wormuth: For clarification purposes, this is the former Town Hall, currently the Justice Building.

RESOLUTION NO. 168

Offered by Councilman Wasielewski, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes changing Badertscher Drive name to Enterprise Avenue subject to review and approval of Town Attorney.

Supervisor Wormuth: Again, this is to clarify that this road has been referred to as Enterprise Avenue since back in the 80’s, but a deed was never filed with the County in order to change it. All of the people and residents that exist along the road use Enterprise Drive. The Post Office and County EMS recognizes it. This just gets the paperwork up to date.

RESOLUTION NO. 169

Offered by Councilman Hotaling, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

Whereas, Saratoga County Civil Service Office has conducted an analysis of the tasks and duties of positions in the Town of Halfmoon Planning Department, and

Whereas, Jeffrey R. Williams meets the training, education and all other qualifications for the position of Director of Planning,

Therefore Be It Resolved, that the Town Board of the Town of Halfmoon reclassifies the Senior Planner position as the Director of Planning, and

Be It Further Resolved, that the Town Board of the Town of Halfmoon appoints Jeffrey R. Williams on a provisional, non-competitive, promotional basis to the position of Director of Planning, at Grade 9, Step 6 and salary of \$58,569 effective July 14, 2012.

RESOLUTION NO. 170

Offered by Councilman Wasielewski, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorize the Supervisor to make Creation of Appropriations.

A resolution is needed to create the following budget amendment of appropriations and revenues in the Special Revenue Fund for engineering fees for on site quality inspections. These funds are developer’s monies held in escrow by the Town in a regular checking account and used for the payment of costs for that particular project. This resolution is necessary to comply with proper accounting procedures as set forth by NYS Department of Audit and Control.

Debit: Estimated Revenues25-510
 \$11,392.55
 Subsidiary: 25-4-2189 Home and Community Services \$11,392.55
Credit: Appropriations 25-960
 \$11,392.55
 Subsidiary: 25-5-1440.40 Engineering Contractors Inspection \$11,392.55

Information Only: The above was derived from the following breakdown of charges to be paid on the July Abstract for engineering and related fees:

NAME	AMOUNT
Rolling Hills Subd Ph III-Insp	\$11,392.55
TOTAL	\$11,392.55

PUBLIC PRIVILEGE (for discussion of non-agenda items)

John Pingelski: Highway Superintendent, I would like to add all of Canal Road which is 40 MPH to be lowered to 30 MPH

Supervisor Wormuth: That would take a motion by the Board. If you could write up a narrative paragraph on that, the Planning Department could help you format that as to how they usually do it and they can submit it with the documentation.

RESOLUTION NO. 171

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board requests that a speed limit study be performed on Canal Road which is currently a 40 MPH speed limit to be reduced to 30 MPH.

Joseph Christopher: 96 Werner Road

My name is Joe Christopher and I reside at 96 Werner rd. At Monday's planning board meeting, a few statements rang loud and clear revealing the nature for the development of 95 Werner Rd. Residents have questioned why some developers seem fixated on building apartments and other multi-family monstrosities almost exclusively in our town. Last Monday, we learned what we already know: It's not about quality—it's not about pride—it's about the money. Developers have taken advantage of this town to build the most dense and inexpensive housing possible. All of which is supposedly in keeping with the existing multi-family homes and trailer parks that they believe define Halfmoon. I would like to point out the Toll Brother's development, Dater Woods, Timberwick II, and the many other communities of nice homes that occupy the majority of the landscape of Halfmoon and the area surrounding the Anna's Place proposal. I would like to point out my house, at 96 Werner, in which I subcontracted myself and reside. I am offended by any comments that degrade the character of the residents of Halfmoon. However, the groups that should be most offended are the town's government and planning board, who have publicly had their noses rubbed in the fact that their current practices and under-regulation has perpetuated substandard development. This under-regulation has attracted those who are out to build as much as they can for as little as possible. The speed at which projects have been proposed for the parcel at 95 Werner Rd. underscores this practice. Initially, this proposal consisted of 160+ apartment units. At a town meeting, a board member asked if the density could be reduced. The developer said a reduction would make it impossible to make money. After tremendous scrutiny from town residents it miraculously became viable with +/- 135. When the public outrage continued, it was tabled. And now, the proposal has been reduced to 38 units in the form of duplexes as a subdivision of rentals that does not PDD. This is a game of "let's see what we can get away with." This exploitation needs to stop now. This project needs to be eliminated and zoning needs to be tightened. I do not believe that the current zoning laws intended to protect this type of development.

Property owners who have been paying taxes on their land for years have the right to sell it to whoever they choose for whatever they choose. However, aren't any other developers interested? Is development in Halfmoon restricted to deals like this or nothing? I would bet that property owners could get a better deal from projects created with better intentions.

Things will change in Halfmoon because the people demand it. The residents of this town count on their elected officials to act in their best interest. That is the job of an elected official. The fact that I have to write this letter and so many residents feel that their concerns are being ignored indicates disconnect. The town government and planning board argue that the laws that have allowed this type of building have been on the books long before they became involved in town government; this defense only serves to show that town officials have sat idly by as projects like Anna's Place have decreased the quality of life for the residents of Halfmoon. Now, after tremendous public pressure, the town seems to realize that the residents are demanding change. I would even bet that Halfmoon officials are as hopeful as the residents that the town engineers stop the Anna's Place proposal. Change is inevitable and that change will be policy or people--it's up to Halfmoon's politicians to decide which it will be.

Deanna Stephenson: 7 Cindy Lane, I have three things tonight. In regards to the Outlook Ridge of Halfmoon PDD, I just want to comment that in the Comprehensive Plan when this was talked about before in the north end of Halfmoon, I think that it was echoed, the people up there want single family not apartments, and that was years ago. So that is my comment on that.

#2, I have a question about a Resolution passed, I believe in March regarding Mr. Tanski and Falcon Trace with the sewer. I believe that he was put on temporary hold for the sewer, has that happened yet or is still on temporary

Attorney Murphy: It is my understanding that he has transferred and is now on the Saratoga County Sewer District #1, but I would have to look into it and see.

Deanna Stephenson: OK, thank you. #3 in regards to Anna's Place, it is difficult to continue to talk about this however, what Joe said rings true, as Elected Officials you are the Voice of the People, you are elected by the people to be the voice of the people, and the voice of these people sitting here, that is why you are where you are, we expect you to do that. I am not saying that developers don't have the right to develop land, I am not saying that at all, but in a diligent and appropriate manner.

The fact that this has come back again, in the respect that it came back again, and the fact that the developer came in front of the residents, and the comments that he made at the Planning Board Meeting, were insulting. They should have been insulting to you, and they were insulting to the people that were sitting there, I want that on record. What he said, was just ridiculous. The fact that he said; “It was just a money thing” that rings true, how unfortunate. We should be developing the land here to make it better for everybody that lives here. That is why we hear talk of public benefit and what is the best for the people that live here, the people that you represent.

I also want to say at this point, that I am going to throw something out there, we stayed away from this topic for a bit, but I’m putting it out there because we need to discuss it and on the hopes that you will take it into consideration. I am going to put this out and hope that you will consider a moratorium on development in the Town of Halfmoon. Just to take a step back. We shouldn’t be combatting each other; I don’t feel that we are working together. I still don’t feel that. I still feel that you are listening and you are giving comments back, but we are not moving forward. I hope that you will represent the people. I am going to put it out there, please think about it, and please consider it. Thank you.

Hannah Christopher: 96 Werner Road,

Hannah Christopher
July 18, 2012

Although the Town of Halfmoon possesses many positive qualities, zoning is not one of them and it needs to be ^{changed} tightened ASAP! I am opposed to the current and past project located at 95 Werner Rd. titled Anna's Place II which consists of 38 units/19 duplexes. I moved here three years ago with my husband, who is a lifetime resident. Although I did not grow up here, I quickly became proud to live in this beautiful town. However, the landscape is rapidly changing as numerous apartments and duplexes are appearing or trying to appear in very odd locations. Instead of being built in more costly commercial areas with sidewalks, bus-lines, and other infrastructure that lends itself to these types of dwellings, builders have created a lucrative trade of taking advantage of Halfmoon's lax laws and practices to build apartments and duplexes in areas intended for single family homes. Much damage has already been done and unfortunately has become a permanent part of the town's landscape. It is absolutely absurd to use these mistakes to set precedence for continuing this unrestricted, under-regulated, poorly managed growth. Single family neighborhoods are the fabric that defines this town and that fabric needs to be preserved. At first, I was confused as to why developers would propose to build apartments and duplexes in such bizarre locations, but soon figured out that it is, indeed, just a money thing. I STRONGLY believe that just because a builder claims there is a demand for apartments or duplexes does not mean that we should compromise OUR

neighborhoods to please their pockets. If this demand truly exists, developers need to build apartments in areas where they are meant to be built. Enough is enough. This type of development is a mere stepping stone to acquiring the American Dream~ owning a single family home. This dream has not changed and Halfmoon's laws, residents, builders, and politicians must encourage permanent residents. This is one of the fastest growing towns in Saratoga County and we can afford to be selective. If Marini, Toll Brothers, and Rosewood can build attractive, quality single family homes in Halfmoon, then I will continue to welcome them. For too long, this town has been in a position to set higher expectations and nothing has been done. Let us demand changes in zoning (more acres per duplex, stop PDD's, etc.) and send developers who want to fill country roads with a legacy of cheap unattractive duplexes and apartments packing. This type of activity does not occur where I grew up. If what I see being approved in Halfmoon was proposed in my hometown (or in most of our neighboring towns), it would be laughed out of the town hall and the planning board. I hope my forever town of Halfmoon makes a change now before it is too late. Enough is enough. This Halfmoon resident demands a change in zoning now--and it's not about the money.

Therese Assalian: 4 Hendrick Hudson Way, Just listening to what was said, reminded me of when I sat on the Open Space Committee briefly. I was pregnant and was there until the time when the Open Space Committee was finalized. During that process there was a lot of education on my part as far as what the town plans and the perspective comprehensive plan and some of the history with the northern Halfmoon GEIS. There was discussion at some Future Halfmoon meetings about how some of this material was taken and perhaps it could be updated. I feel like if there was a plan that outlined where certain types of projects can fit into, and it wouldn't be this wild, vast development which is what we are seeing now. The developers are going to ask for where they can get it. If you say per the Comprehensive Plan, this is commercial or this is the area that is for apartment complexes, where the areas are identified. I don't see if it does exist, it needs to be updated. I don't see how we can move forward as a community with things being not communicated and in fact being outdated.

So I think that the moratorium really needs to happen because it is my understanding that the Clifton Park Town Officials, when they were going through this and said let's look at the parcels that are left to be built upon, what would a complete build out look like? I wonder if anybody here has asked that question.

What would a complete build out look like in Halfmoon? What could happen, worst case scenario, which is basically where we are heading, let's face it. So Clifton Park did that and did not like what they saw as far as what that looked like, and they set about implementing restrictions if you will. So for example, now you do not see developers leave western Clifton Park- Rexford area, you are seeing sub-divisions; you are seeing a lot of effort in their Open Space Program. They are doing a wonderful job. They have an Open Space Coordinator. I remember when I was on the Open Space Committee, there is so much that can be done if the will is there to back the conservation easement. For those who do not know what that is, it is essentially a farmer, or somebody with a large parcel of land that agrees in exchange for an amount of money, however it comes; they give up the development rights. That is one avenue. So I think that the frustration level that you guys are hearing is because, I mean, I have been living here for 12 years, and I remember when we first moved in to Twin Lakes Apartments for 6 months, and I remember there was no place to go out to dinner. There was Grecian Gardens and one other restaurant and like TGI Fridays and that was it. So we have all seen the changes, those of you who are long timers have seen the growth. And let's face it; it is not all that pretty. Some of these apartments are downright ugly. I could just go and go, so I will stop, but I will say I think that the frustration level is rising, people do not feel that you guys are listening. I hope that you guys are thinking about checking the growth and what it will look like and I hope that you are not happy with the direction that we are going in.

I hope that one of you will step up and ask for a moratorium. I would like to see how everyone votes so we know how you guys stand and Future Halfmoon will be keeping track of all your voting records and the Town Board voting records on the website for everyone to see. So you guys are the voice for all of us, it's your job. So I ask you to hopefully we can work together.

Larry Koniowka: 15 New Castle Road, I have read this letter & have tweaked it a couple of times

I'D LIKE TO START OUT BY SAYING THAT I AM A LIFE LONG RESIDENT OF HALFMOON (OR AS SOME SEEM TO CALL IT CLIFTON PARK). I PRIDE MYSELF ON BEING A PRIVATE INDIVIDUAL, AND I COMMEND THOSE WHO WISH TO SERVE THE PUBLIC. OVER 40 PLUS YEARS I'VE SEEN A LOT OF GROWTH HAPPEN RIGHT BEFORE MY VERY EYES, SOME GOOD, SOME NOT SO BAD AND SOME QUITE INDIFFERENT. LATELY WITH WHAT WE'VE BEEN EXPERIENCING, I AM LEFT WITH MIXED FEELINGS. FOR WHEN I HEAR TERMS LIKE "SMART GROWTH" WITH A HIDDEN "EMINENT DOMAIN" SPRINKLED ON TOP, I GET A LITTLE NERVOUS. TO ME THERE'S NOTHING SMART ABOUT SOME OF THE TYPES OF GROWTH BEING PROPOSED IN OUR TOWN AS OF LATE. I DON'T SEE WHERE THE TOWN IS GOING TO BENEFIT FROM THIS TYPE OF GROWTH. IT SEEMS TO ME THAT CERTAIN DEVELOPERS HAVE NO PROBLEM DESTROYING THE CURRENT NEIGHBORHOODS OR THE LANDS OF CURRENT HOMEOWNERS JUST TO PAVE A WAY FOR THEIR SO CALLED "NEW AND IMPROVED" NEIGHBORHOOD OR AGENDA. I FOR ONE PERSONALLY I DO NOT WANT TO SEE OUR TOWN TURN INTO A CITY LIKE ALBANY, SCHENECTADY, TROY OR THE NEW OVERGROWN CLIFTON PARK.

AT THE MAY 29TH PLANNING BOARD MEETING THAT I ATTENDED I NOTICED THAT THE LAWYER SPEAKING ON BEHALF OF THE LINDEN VILLAGE PROJECT OBVIOUSLY SEEMED TO HAVE NO INTEREST IN THIS AREA, FOR HE COULD NOT AT ANYTIME CALL THE NAME OF THE ROAD THAT HE WOULD LIKE TO SEE EFFECTED BY THIS PROJECT BY ITS' RIGHT NAME. DUNSBACH ROAD IS THE NAME OF THE ROAD. DUNSBACH FERRY ROAD (AS HE KEPT REFERING TO) IS IN LATHAM. AS FOR ALL THE STATISTICS HE WAS TRYING TO IMPRESS THE BOARD WITH, HE SEEMED TO ME TO BE OBLIVIOUS TO THE INTELIGENCE OF THE PUBLIC AND OF THE PLANNING BOARD, FOR WE ALL KNOW THAT NUMBERS CAN BE PLAYED WITH AND EXPLANATIONS CAN BE TWEKKED TO SUBSTANCIATE ANY CLAIM OR TO BACK UP ANY SAID STATISTICS. AS DUMBED DOWN AS HE MAY THINK WE ARE, WE ARE WELL AWARE THAT ANOTHER PROJECT WAS SLOWED DOWN A FEW YEARS BACK AND IS PROBABLY PERCHED AND READY TO POUNCE WITH THEIR PROPOSAL WHEN THE TIME IS RIGHT. WE ALL KNOW PROJECTS JUST DON'T GO AWAY, THEY RESURFACE LATER ON, USUALLY UNDER ANOTHER NAME, WITH A FEW TWEAKS AND USUALLY WHEN THE PUBLIC IS NOT PAYING ATTENTION.

THE ROUND ABOUT THAT IS BEING PROPOSED ON DUNSBACH ROAD BY THIS CERTAIN DEVELOPER, TO ENHANCE THEIR PROJECT, IS INSANE. IT'S TIME FOR SOMEONE TO REALIZE THAT ALL PROBLEMS AND/OR SITUATIONS CAN'T BE FIXED BY A ROUND ABOUT. ESPECIALLY IF IT COULD INVOLVE TAKING LAND AWAY FROM HOME OWNERS AND/OR BUSINESSES BY WAY OF EMINENT DOMAIN. (JUST A SIDE THOUGHT, I WAS WONDERING, "SINCE WHEN DID EMINENT DOMAIN COME TO BE USED AS A TOOL FOR DEVELOPER'S DESIRE TO RESHAPE AND/OR TAKE LAND FROM CURRENT HOMEOWNERS TO SATISFY THEIR NEEDS AND THEN PROMINATELY POINT THE FINGER AT OTHERS AS BEING THE ONES DOING SO). THIS PRACTICE NEEDS TO STOP.

I, FOR ONE, WOULD LIKE TO URGE THE TOWN BOARD, THE PLANNING BOARD, THE ZONING BOARD AND ANY OTHER COMMITTEE BOARD TO BE DILIGENT AND FIRM ABOUT NOT LETTING OUR QUAINT LITTLE TOWN FROM BECOMING ANOTHER OVERGROWN AND OVER POPULATED AREA. JUST TO BE CLEAR, I AM NOT OPPOSE TO GROWTH OR TO CHANGE, FOR BOTH ARE INEVITABLE. SO, WHEN YOU SPEAK OF SMART GROWTH, YOU MUST INCLUDE EVERYONE INTO THE EQUATION, FOR WE ALL HAVE A LOT AT STAKE.

Supervisor Wormuth: Just for clarification purposes, there is no action before this board, nor is this Board involved in any action relative to eminent domain or the taking of anyone's property for development purposes. The only eminent domain that is currently being done in town is through the Saratoga County Sewer District down on Routes 4 & 32, in order to allow a sewer line to be installed. But if an eminent domain process was to be started in this town, it would have to be done by this Board, and there is currently no action before this Board even requesting that be done, nor has this Board discussed doing that for development purposes. I just want to clarify that.

Brenda LaMere: 124 Dunsbach Road, I did not plan on speaking tonight but, you guys have been very good. Eminent domain, I understand that, but regarding Linden Village, I am still confused. If they plan on widening the road, that is going to be taking 10 feet off of people's property. It may not be called eminent domain, there may be another word for it, and I really have a problem with that. I am really concerned with property being taken for the benefit of the development. Unless they are fine with it, if they get money for it and they are happy with it, that's fine, that's their business

Supervisor Wormuth: Again, an eminent domain proceeding would have to be carried on by this Board. The developer could not initiate that, and there is nothing before us to do that. I will say that some people believe that the property that they have maintained or what their front lawn is exists to the edge of the pavement, which is not always the case. It is so many feet from the center line of the road and we do recognize that there are impacts on people as roads get widened. Sometimes roads do get widened and people do lose property that they have had use of before, but it is not property that they own. It doesn't mean that we are going to allow it and just because the developer proposes to widen a road and do a roundabout, doesn't mean it is going to happen.

Brenda LaMere: OK, there is something for the highway department; you are here to supply people from the center line. The town has rights, or the town owns, I think that's something that needs to be clarified for the property owners. I never know, does the town have rights or does the town own it? I believe we pay taxes right up to the road. So I think we need to define whether the town owns it

Attorney Murphy: You do not pay taxes up to the road. We do not interfere with your use of it even though technically, we have a right; like you put up a fence that somehow obstructs highway ability to plow the roads, they could take it down without contacting you or consulting you. They don't do that but we actually have an obligation to maintain that area

Brenda LaMere: so when the road gets widened and then that person loses another 10 feet

Attorney Murphy: No, it doesn't go like that because it is from the middle line of the road, and the middle line of the road isn't going to change.

Supervisor Wormuth: So if the road widens, the center line of the road doesn't change.

Attorney Murphy: Correct, so it is always

Councilman Polak: But if they had any questions on that, they can come to the Tax Office and they will show the parcel that they are paying tax on. It will actually

Brenda LaMere: I don't care, I was just wondering

Bruce Rischert: 18 Willowbrook Terrace, I wanted to say that Stewart's did a nice job with the building on Route 146, landscaping, the privacy fence, and the new building. I think that you did a really good job. I think that should be a nice template for other businesses in this area.

There is an eye sore on Route 146, a little bit embarrassing. I had my parents take Exit 10 and come around my house. It is a sanitation truck for sale in the Rite-Aid parking lot. So I do not know if Rite-Aid is selling the sanitation truck

Supervisor Wormuth: I've seen a blue Blazer there for sale recently

Bruce Rischert: You go right past there; can you sell used cars there?

Supervisor Wormuth: By New York State Department of Motor Vehicles They are allowed to have 1 un registered vehicle for sale, but NYS DMV does regulate the number of vehicles people can sell on an unregistered car lot on an annual basis.

Bruce Rischert: Like commercial property

Supervisor Wormuth: We can look into that with our Code Enforcement Office

Bruce Rischert: I think it is a good idea to think about that moratorium. We really need to step back and let's all get together and make the right decisions here. Thanks again.

Supervisor Wormuth: The only other thing that I would like to say is Thank you for the compliments on Stewart's. The Planning Department and the Town Board worked very hard on that. But just so you know, we do have a group of residents who are very unhappy with the way that Stewart's looks. We can't please everybody all of the time, but we are trying, thank you.

There being no further business to discuss or resolve, on a motion by Councilman Polak and seconded by Councilman Hotaling, the meeting was adjourned at 7:55 pm.

Respectfully Submitted,

Lynda A. Bryan
Town Clerk