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**MINUTES MEETING  
Town of Halfmoon Planning Board  
July 25, 2022**

**Those present at the July 25, 2022, Planning Board meeting were:**

**Planning Board Members:**

Don Roberts –Chairman  
Marcel Nadeau- Vice Chairman  
John Higgins  
Tom Koval  
Rich Berkowitz  
Thomas Werner  
Mike Ziobrowski

**Planning Board Alternates:**

Brendan Nielsen- absent  
Chuck Lucia

**Coordinator- Building, Planning and Development:**

Richard Harris

**Senior Planner / Stormwater Management Technician:**

Paul Marlow

**Town Attorney:**

Lyn Murphy

**Deputy Town Attorney:**

Cathy Drobny

**Town Board Liaison(s):**

John Wasielewski  
Eric Catricala

**Town Engineers:**

Joel Bianchi

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

**Don Roberts:** Good evening, I would like to call the meeting to order. Have the Board members had a chance to review the minutes from the last meeting?

**Rich Berkowitz:** I make a motion to approve the minutes.

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**Mike Ziobrowski:** I second.

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

**Public Hearing(s)/ Public Informational Meeting(s):**

**22.095                    King PDD Lot Line Adjustment, 3 & 5 Halfmoon Crossing Blvd- Minor Subdivision**

**Todd Fischer:** Good evening, I didn't know this was the hot place in town to be tonight. Basically, what happened here is when we built Trader Joes, we built the dumpster location over a few feet on the lot next door which is 5 Halfmoon Crossing, so to make this thing clean down the road we are asking for a lot line adjustment of 72 square feet, we're giving up 72 sq ft. on 5 Halfmoon Crossing and giving it to 3 Halfmoon Crossing which is a Trader Joe's property.

**Don Roberts:** Okay at this time we will open the public hearing, would anyone from the public wish to speak? (No comments) Would anyone online wish to speak? (No comments) Okay seeing no one wishes to speak we will close the public hearing, comments by the Board members? (No comments)

**Tom Koval:** I make a negative declaration on SEQR

**Tom Werner:** I second

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

**Tom Koval:** I make a positive approval of the subdivision

**Marcel Nadeau:** I second

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

***King PDD Lot Line Adjustment – Minor Subdivision***

***APPROVED. Board held a Public Hearing and approved the Minor Subdivision (Lot-Line Adjustment) request between 3 and 5 Halfmoon Crossing Blvd.***

**22.009                    Tribley Residential PDD, 315 Farm to Market Rd – PDD Recommendation**

**Don Roberts:** Tom Werner recluses himself and Charlie will sit in. Before we get started Rich, we got a number of letters and emails from the public that we would like to make part of the record right.

**Richard Harris:** Correct, yup and over the last few months since the project was introduced as a residential PDD I periodically emailed in packets and had available at the meetings copies of all the emails and letters we've received regarding the project from residents. I have some hard copies here if any Board members this afternoon I emailed out to everyone those I received since Friday evening, on Friday I emailed those out that I had received over the last couple of months and prior to that I believe March, April I had sent prior emails to the Board but, in total there is , I've got hard copies of about 34 separate emails and letters regarding this project that had been emailed to Board members, again I have hard copies here that will be part of the record for the project.

**Don Roberts:** Anything else to add besides that, or no?

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**Richard Harris:** At this point no.

**Don Roberts:** Okay that being said go ahead Jason

**Jason Dell:** Good evening, Im Jason Dell with Lansing Engineering here on behalf of the applicant for the Tribley Residential PDD. We're here this evening for the public informational meeting with the goal being for this Board to provide a positive recommendation back to the Town Board for the PDD so Ill just give a brief overview of the project, as we have been here quite a few times with this project as well as had an informal informational meeting with the public here in this room back in March. So, this project is located at 315 Farm to Market Road and encompasses approximately 22 acres. The site is located immediately west of the intersection of Moreland Drive, and Farm to Market Road, the parcel is currently zoned as AR- Agricultural Residential. So, our proposal consists of a new PDD for the creation of 42 single family homes. For the project we'll be constructing about 2450 ft of proposed roadway that are intended to be dedicated to the Town. The road and access will come off of Farm to Market Road, it will go to an internal circular road as well as a formal Town Road back to Saville Road. The density of our project is based upon the Town Code. The Town Code has an allowable density of three units per acre so that comes out to about 51 units is the allowable density, however we are proposing 42 single family homes. We also meet the Town of Halfmoon GEIS statement of findings with respect to the open space requirements along Farm to Market Road. Additionally, we are proposing a 30 ft. no cut buffer along the southern boundary of the project. For a public benefit for the project the applicant is proposing to construct a 6,000 sq ft maintenance garage for the Town for use by Town personnel. Water and sewer service will be provided by a connection to Town of Halfmoons system and the Saratoga County sewer district system. Stormwater will be managed in accordance with all requirements, at this point we have addressed MJ's technical comments based upon the concept plan obviously as we go through the subdivision process in the future, and we would have additional technical comments. Last month the Town authorized a traffic study, a gentleman was here and gave a presentation as to the traffic analysis that was done for the project, and at this point we are here to answer any additional conceptual questions that we can and ask that the Board provide a positive recommendation back to the Town Board.

**Don Roberts:** Thank you Jason, okay so as I said this is a public information meeting and we will hear the comments and then it's up to this Board to make a recommendation either positive or negative to the Town Board, nothing will be final at this point. The Town Board will take our recommendation, they'll have meetings about it and if it gets approved by them it will come back to us for site plan approval but we are just in the first stages right now so that being said, Ill open the public information meeting would anyone from the public wish to speak, if so please come up, name, address and any comment you may have.

**Joan Stanek:** My name is Joan Stanik and I live at 43 Saville Row in the Arlington Heights development. There is many people gathered here today and Im sure everybody has different views about the project at Tribley Farms and I want to thank you for allowing me to express my opinions. 66 Pinebrook, 130 twin homes at PAAR Estates, 91 residents at Mott Orchard, 124 apartments at Pruyin Hill and Farm to Market Road, and now we are discussing 42 more homes at the Tribley Farms. That's a total of 453 units at what point do we say enough it is time to stop. Do we need more homes on an already used corridor? These anticipated developments and Im sure there's others that Im not even aware of, will have a mixture of seniors and empty nesters, singles, young families with children. Farm to Market Road will definitely have more traffic, I know traffic studies have been done but I don't think they are accounting for cars, pickup trucks, school busses, busses for the seniors, furniture delivery trucks, UPS trucks, FedEx trucks, mail trucks, construction trucks, and garbage trucks it's all using this one main corridor. I am here today actually questioning the need to change the zoning and the applicants request for a PPD. Farm to Market Road in my opinion cannot accommodate any more building. I believe its time for a moratorium on building until we can see what impact the already approved buildings have on traffic, the environment, and the way of life we like to see preserved in halfmoon, thank you.

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**Don Roberts:** Thank you, yes Sir

**John Orzamanian:** Thanks for hearing me, my name is John Orzamanian and I currently live at 347 Farm to Market Road. I've lived there for 24 years and lived in the Town of Halfmoon all my life. I realize development is good for the Town as tax revenue for the newer homes results in the Town not having to impose property tax on us, however there is a balance between the new development and well being of the current residents and the cost and ability to provide Town services that the new development requires. I mainly want to address the increased traffic that will result from this new development. In the years that I've lived there there have been at least 5 new developments, either on or close to Farm to Market Road itself, this is caused a large increase in traffic which has not come without consequence. Im not sure if the Board is aware, but the current speed limit on Farm to Market Road is 45 miles an hour, and even increases to 55 I believe when you go further toward Mechanicville. This is even higher than on route 9 , okay, 40 miles an hour on route 9 , we're doing 45, have you ever been down that road? Its like a racetrack and Im not kidding, I've seen many accidents in just the past month there was an accident, check with the sheriff, check with the State Troopers, I ran out there, one guy hit another guy in the rear, one going too fast I don't know what it was, whomever it was, whatever it was Im tired of going out there and being the good Samaritan. Thankfully my daughters have graduated from high school and no longer need to take the school bus, however when they had to take the school bus the route insisted, they cross the road, and I had to have that changed because cars would blow by there. I didn't see it just once or twice either; I've complained many times about these things. You know even where I was able to use Farm to Market Road either to walk or to cycle, now I can't, I can't trust the road anymore. Even just going down to Arlington Heights, Im just above them, I don't know what it would be south of them I suppose. And it isn't far but Im afraid to even go that way anymore. You know it's just the speed limits being ignored, there's just you know not enough to accommodate both cars and pedestrians, you know there's all kinds of other issues here, you know and it's my understanding that the Saratoga County is responsible for maintaining road which is County Route 109 Farm to Market Road. They do a horrible job plowing, and I know that isn't your responsibility, or what you're here for, and they do a terrible job moving the shoulder, especially when Im on an incline and I can't even see to get out. I mean come on sometimes we need to use some sense here. You see the driveway you just don't take one pass and say you're done. Another thing I cant understand and Im just throwing it out there and it has nothing to do with this but im going to throw it out there, the Town of Halfmoon has to lift their plows when they get to the end of Anthony Road, a hundred feet down they have to then they go into the development, do we share services, cant we kind of , because my house is right in front of there, I cant rely on the County, I really cant, Im sorry I had to go into that tangent, but I had to. Im sorry, so now the Board is looking to approve the 40 or so in this development resulting in most likely another 80 vehicles two per household, right? During certain times of the day, I've had long waits you know just to get out of my driveway to go to work, in addition traffic gets backed up at the intersection of Route9, Farm to Market Road which we tried to resolve, and this new development would probably make this worse. Besides the car traffic there will also be an increase in trucks, other heavy-duty vehicles to make the development, however these are not the only trucks that are used, like she said Fed Ex and other things, as well as trucks that use that road as a short cut between route 9 and Mechanicville. For the safety of my family and other residents on Farm to Market Road I am voicing my opposition to this project and Im asking the Board to dis approve it, in addition I ask the Board to reach out to the County to get the speed limit on this road reduced and or, increase law enforcement presence, as well as to improve the maintenance of the road itself. Thank you, I appreciate you hearing me.

**Don Roberts:** Thank you Sir.

**John Orzamanian:** And I submit this to the Board.

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

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**Ray Stanek:** My name is Ray Stanek I live at 43 Saville Row along with my wife Joan. It's been stated at several Town meetings with Bruce Tanski and the reps that the paper road connecting Saville Road and Tribley Farms will be developed. The pros and cons of various types of roads have been discussed, it was stated that the road would be of little advantage to the residents of Arlington Heights or Tribley Farms. It would mainly serve as an emergency access road. As a resident of Arlington Heights, I and several of my neighbors prefer no road and no development to be built to adjoin the two developments. However, since the Town is reviewing plans for some type of road, we would insist on a one-way paved road that would be maintained by the Town, and it would be two ways for an emergency. The road would exit from Arlington Heights to Tribley Farms. Thank you.

**Don Roberts:** Thank you Sir, Rich regarding the connector road what can you comment on that?

**Richard Harris:** Yup, sure I did speak to the Town Highway Superintendent and he is requesting that the road be public and that it be a two way full access road not limited to just emergency vehicles, we also sent it to Clifton Park Halfmoon Fire Department who responded back that they agree that the connector road should be a full access two way road, this im reading from his email, Im sure you are well aware there have been residents in Arlington Heights for the last few years with concerns that there is only one way in and out of their development, this would solve that issue in regards to that issue. I know that the Town has for years for the plans for Arlington Heights shown a right of way to the Town for purposes of making a full connection, it's my understanding looking at the record on the Arlington Heights Phase II project that the intent was always to have it as a Town Road, two-way access.

**Don Roberts:** The plan for Arlington Heights showed a full access, right?

**Richard Harris:** It was the same right of way with the rest of Arlington Heights.

**Don Roberts:** Joel what's your thought on this?

**Joel Bianchi:** I think Rich has covered everything that I would have. Arlington Heights always planned for that connection, a sub road, its good planning. This applicant is merely carrying out our vision to get connectivity. To do it one way I see no real benefit to it, from a country standpoint I couldn't see why people in this development would want to travel a thousand more feet to get somewhere. I see no method, or no understanding to make this a one-way. From a life safety, it rectifies an issue with the existing subdivision by providing a second means of access, it provides this one a second means of access, it's a requirement of the fire code; so providing a one-way means of access, I see no benefit to it. It's a consistent thing the Town has tried to do, with Mott Orchard they required a full access because there was a stub in the adjacent subdivision. We're continuing to follow that process and carrying out the vision of the Town *\*\*\*this portion of tape is inaudible\*\*\**

**Don Roberts:** Thank you, so you're in agreement with the two-way road?

**Joel Bianchi:** Yes

**Don Roberts:** Okay thanks, so we have the Town engineer, the fire department, and the Town Highway Superintendent all proposing two-way access.

**Richard Harris:** Yea and I mean I've had a number of years experience planning in different Towns and the more access points people have whether its residents, whether its deliveries, whether its emergency access the less one choke point happens for traffic, and once our traffic engineer that we hired did the analysis and he made a statement in his study that he did not believe residents of Tribley, the proposed Tribley would utilize Arlington Heights roads however particularly

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residents of Saville would be more likely to use Tribley I actually mapped it out distance wise and I'd like to put this up here just so everybody sees it in black and white. So, I took a look at the proposed house closest to the connection to Arlington Heights, so here's Saville, and Arlington Heights here's proposed Tribley, this house is closest to the connection. I measured two different times just to verify, this yellow path which would get the person from Tribley out if they wanted to go west, southwest onto Farm to Market to get to Route 9 its approximately 1600 linear feet to go from here with one stop sign to here, that same person if they used that same connection to go through Saville, Gladstone back out there is four stop signs and 2800 linear feet to go through there, now if you were to make this one way, a delivery person comes into Tribley and now they got to go to Arlington Heights, lets say Saville, it would be prohibited from going if you made this one way they would have to go back out through Tribley come up through all of Arlington Heights to get back here and then back out, you could look at it as 4 trips. There's a connection here that same delivery person goes through Tribley once and goes to Saville and does his delivery and goes through Arlington Heights once, you could call those two trips, one through Tribley, one through Arlington Heights. If you were to make that one way you just added more traffic to Farm to Market and doubled his or her route through both developments. I think this is an important visual for the Board to understand, they are traveling almost a half mile and four stop signs to get to a spot that has one stop sign and about a quarter of a mile. Just to give you an idea, this puts into perspective what our traffic consultant stated regarding the unlikelihood if this is two way, could someone go here? Sure they could, public road I could go on I could drive through Saville right today, these people can if this happens but the likelihood is they might try it once or they might go visit people they know are here but in terms of using it as any type of cut through to get west is not quite double the distance but quite long so once I saw it from the traffic consultant I think this kind of enlightens it a little bit, its sound planning to provide people more outlets and deliveries are the highest obvious use that will reduce trips and traffic and gas usage and everything else, and peoples houses. People that live right here if we were to make this one way in, they will get that delivery person will go twice by their house versus just once if they were to go through. That's my perspective on it.

**Don Roberts:** Okay thank you Rich: Yes, Mam

**Patti Donovan:** My name is Pat Donovan; I live at 9 Saville. I have to disagree with what you just said, first of all put the map back up please, first of all if you put this road in your coming from Saville into this new project, I would suggest you have stop sign as soon as you crest that road, these are going to be families, there's no doubt in my mind that there's going to be kids in the road there's going to be cars parked on the street

**Richard Harris:** Right here?

**Patti Donovan:** No come in down the road from Saville and into Tribley, boom stop sign

**Richard Harris:** Oh, Im sorry I was , this was intended to be just one route through but yea there would be a stop sign here also, correct

**Patti Donovan:** And then you come all the way around dodging kids, dodging cars I would suggest you go very slowly, another stop sign before you take the right to go out to, yea another stop sign right there, I would suggest you have one there and then you take a right and you've got another stop sign, so you have three stop signs and you have three stop signs in the other direction, what you have different is

**Richard Harris:** You would have five in that direction then, from this person traveling there, if you were to add one here you would have 1, 2,3,4,5

**Patti Donovan:** We're talking about people traveling on Saville when they are leaving Saville they have three stop signs, they come around to the first, around to that one, that one, that one

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**Richard Harris:** Right

**Patti Donovan:** What they're not dodging in Saville is cars in the road, kids in the road, kids on bikes, dogs chasing the kids that's the difference between that sign coming through Saville where there is very rarely a car parked on the street and then making your turn and then going out into Farm to Market it's a lot easier of a way out , I wouldn't go through Tribley if I was in phase II, I certainly wouldn't dodge the bullets of what's going to be going on in that development in order to get out to Farm to Market to save myself a thousand feet.

**Richard Harris:** If you were to actually go this way out to head east it's about double, you'd probably be up in the 3200 linear feet.

**Patti Donovan:** I would still come out the other way, I can't imagine anyone else wants to dodge kids and cars in the road, so I don't think, I don't see any advantage and it even said in the traffic report last month that there was no benefit for us to go into Tribley.

**Richard Harris:** Oh, Im sorry my discussion was people from Tribley going into Saville

**Patti Donovan:** Right and there is no benefit for them either to come in

**Richard Harris:** Correct.

**Patti Donovan:** So , there you go and last on for the apartment complex that Mr. Tanski is proposing and it's a proposal, its an emergency exit with a gate, and then Scott Earl for his project over on 146 proposed an emergency road with a gate so what is the difference between our development and these people saying the same thing and its not like there isn't roads in the Town of Halfmoon that have emergency exits with gates on them, this isn't a new concept, for the Town of Halfmoon

**Richard Harris:** We are trying to do things better than the past, I went through three days after a snowstorm and every single emergency access that wasn't a Town road, I think there was 7 or 8 had a food of snow on it were not maintained both the private and the public and they were gated

**Patti Donavan:** Are they HOA 's? Do they have HOA 'S?

**Richard Harris:** Some did some did not, I got stuck at one of them with my car

**Patti Donovan:** Because we have landscaping that take care of our roads

**Richard Harris:** Some were Town owned and some were developer owned, private, a mobile home park was one of them

**Tom Koval:** It's the HOA 's problem, so you're stuck there in the snow in an emergency, it's your problem

**Patti Donovan:** it is right the HOA plows our development, so they will have one more thing to plow, that's all it's not heavy lifting

**Richard Harris:** The HOA, the Town plows your development

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**Patti Donovan:** The road yea but if you're going to tell us that's not our road because we want an emergency gate on it and then we would have to do it then that would be something that we would have to take up with our landscaper and our HOA.

**John Higgins:** There is no HOA proposed for Tribley

**Patti Donovan:** For Tribley right, I understand that.

**Don Roberts:** Okay thank you, yes Sir

**Lindsay Hough:** Hi my name is Lindsey Hough, I live at 31 Saville Row I appreciate the time that we're given and the consideration that all of you folks put into keeping our Town safe and keeping it moving and keeping it modern and still keeping as beautiful as we hope to keep it. I have three issues to discuss with respect to the Tribley PDD. They're all related to the fact that in my opinion, and the opinion of my neighbors there's too many homes there Farm to market road is already too congested, you've heard more about that than I'm going to say but I would like to start by speaking about the traffic study because when we understood your process we understood a traffic study would be done and we had the understanding from discussions in this room that the specific PDD's that were on the paper and being studied, that it would be part of the traffic study. It's now my understanding that the traffic study consisted of using Highway safety data and capital growth rates and we've already heard just off the cuff from Mr. Stanek there is an over 400 units that are being planned, so I would submit to you that is you want to build something you don't have a traffic study that is going to give us any idea 5 years from now who's going to be on that road because it's already too busy, so my first objection is don't im not an expert on this, im not an engineer but if Capital Region Highway Safety Data were used they don't know there's 500 units on the way up to Farm to Market

**Richard Harris:** They actually do, in the fall they ask me for Data on proposed and pending projects and approved and that is the basis for the numbers that the traffic engineers utilize annually.

**Lindsay Hough:** So, what's the number 5 years from now a conservative number?

**Richard Harris:** I have a spreadsheet two pages long I don't know off the top of my head, but that information was provided to them as part of the study, and it's incorporated into the growth rate and that's how they get that, so it was considered.

**Lindsay Hough:** So, they didn't use highway safety data for the Capital Region?

**Richard Harris:** They absolutely used it and that take in, well safety data you mean accidents?

**Lindsay Hough:** No I'm saying transportation and safety department data, the census data

**Richard Harris:** Well Capital District Regional Planning Commission, yes annually I provide them spreadsheets of projects under construction, meaning they might have a few houses left to those pending and proposed.

**Lindsay Hough:** Okay so I can't speak any more specifically than that but it's already crowded, people do drive too fast on it there are too many cars on it and if we have 500 more it's hard for me to believe that the planning is continuing as it is. The second item is that the Tribley PDD is proposed to be synergistic with Arlington Heights, now Arlington Heights has 26 homes on 12 acres, we have a very generous greenspace and in addition to that the present proposal was for 42 homes on 13.8 acres and the only other open space that you have proposed along the road doesn't have any specification

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for any kind of recreational use, open space is green spaces which your own Town Code has suggested would be a really good idea to put into our future growth here so that's one of my problems is there is already too many homes and now Arlington Heights has a smallest lot of 11,000 sq ft. and the present proposal will have an 8,000 minimum for the square footage. So finally, there's the possibility here of making this unit if it must be built of making it more compatible with what's next to it. Making it more desirable to live there and adding some public utilized walkways or other open spaces, you could do that by taking two of the acres that you're putting into lots. You could make the 8,000 sq ft. a minimum of 10,000 which would be much more compatible with the ones next door and you could do that easily with happy neighbors and happy people buying these homes and not build more than 36 homes there so that's my two cents where many of us would prefer to not have anything built there but please do it with some thinking about climate and density and traffic and do it responsibly, thank you.

**Don Roberts:** Thank you Sir.

**Mary Zeccolo:** My name is Mary Zeccolo I live at 3 Savile Row with my husband Stan. I am here today because I'm so concerned lately, two years ago my husband and I were on our way to Mass up at Corpus Christi and we were horrified to see a car across the road with a truck sitting on top of it. The two people who were in the car in the front seat were both killed they were a beautiful young married couple from New York city, they came up here for a wedding and that was the end of that, and somebody loves them and is so heartbroken over their death that they constantly upgrade this memorial to them on a little hill there where they died. Now there's a memorial on Route 9 to someone who just died, I don't know who it was, last week my husband and I were going down to get ice cream we went the back way down Farm to Market and there is a memorial at the corner of Farm to Market and Pruyn Hill, so someone obviously died there and I don't know who it was and I don't know how many people but this is like , its getting to be ridiculous all of these people are dying and the reason they are dying is, I mean I know you people want to advance Halfmoon but you cant advance Halfmoon at the cost of peoples lives and I just feel like this is what's happening, people are dying because there is not enough care given to what is obvious, there is too much traffic everywhere, everywhere you go. We were going over back from the market the other day and my husband almost got hit by a guy who came right at him, its just constant and I know I sound like a broken wheel but Im just stating how I feel, I think that there are going to be deaths on Farm to Market Road I hope Im not proved right but I think I will be.

**Don Roberts:** Thank you, anyone else?

**Stan Zeccolo:** Well, you just heard from my wife

**Don Roberts:** Your name for the record Sir

**Stan Zeccolo:** My name is Stanford Zeccolo, I live at 3 Saville Row, and I prepared a statement here that I will give to Mr. Harris upon my conclusion. My wife and I live at the above address 3 Saville Row, we have lived there for 8 years, and I will not address the substantially increased traffic on Farm to Market Road because that's not my area of expertise. I've been a licensed professional engineer since 1971, I have a master's in engineering degree from Rensselaer Polytechnic Institute with a specialty in environmental sciences and water resources. Most of my work experiences was in dam safety, flood control, and protection of waters. Since April of 2020 as a retiree and a homeowner I have been appointed to be the overseer of the two stormwater detention ponds that are owned by Arlington Heights Homeowners Association, before the transition of Arlington Heights Home Owners Association in 2020 the ponds were owned by the developer, Belmonte Builders constructed in circa 2010 they received absolutely no maintenance by Belmonte, nor was there any oversight by the Town to enforce compliance. The stormwater management plan adopted by the Town for Arlington Heights subdivision specifically contained requirements for example a maintenance and operations log, annual inspections, etc. etc. These facilities were totally ignored by the Town and the developer. Since April 2020 with the

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transition of these ponds to the Home Owners Association we have conducted routine inspections, performed maintenance of the spillways and the embankments and spent considerable amount of money. The stormwater discharge from our ponds traverses about a ½ of mile across homeowners' common property, a fourteen-acre section. It traverses about a half a mile before it discharges into a New York State DEC classified stream, the stream is un-named but this is a class -C stream just north of our subdivision that begins in the Pine Brooks Hills Subdivision, I have a little attached map that you can refer too, I know this gets a little confusing. I placed a red line on my map alongside the blue line that defines the designation of the stream. As shown on the map it crosses three of our privately owned lots before continuing west through our common fourteen-acre parcel. The point that Im truing to make is that the discharge from our ponds has a half mile to traverse through undeveloped woodlands before affecting the class -C stream and neighboring property, this distance is critical in helping to diminish the effects of heavy storm discharge and roadway contaminates. This is not the case but the discharge from the proposed retention pond on the Tribley subdivision it will have an immediate effect on the class C stream and its neighboring private property. The design of the stormwater plan its collection system and storm water detention pond for the Tribley parcel will have to be carefully engineered and constructed so that it will not cause us flooding damage to private property. Its common practice not to increase storm flows into neighboring property due to runoff of new construction. Also, any contaminates from road drainage should not be in conflict with the class\_C standard specified by New York State DEC. The outlet structures and embankment of the proposed Tribley detention pond will have to be properly maintained. This will be necessary and critical because of its close proximity to the lots on Pinebrook, and the lots on Arlington Heights subdivision. Any failure of the outlets or embankments of the new detention pond would cause serious erosion damage to the stream banks and have a deleterious effect on the classified streams. The Towns responsibility to provide a safe environment for its residents will now be tested by this design, construction, and maintenance of the Tribley stormwater detention pond.

**Don Roberts:** Okay Thank you Sir, Jason would you please comment on your stormwater plan?

**Jason Dell:** As part of the subdivision review process, when we get there, a detailed stormwater pollution prevention plan will be developed which outlines the pre-development conditions, post development conditions, run off reduction volumes, green infrastructure measures that will be needed all in accordance with the NYS DEC requirement. That stormwater plan in conjunction with the project plans will be thoroughly vetted by MJ Engineering as we go through the process and I would welcome the gentleman that just spoke to review those when they are here at the Town on file and he can take a look at that and go through all of it and use his expertise and provide a comment or suggestions where applicable, but we would welcome that additional review as I said MJ they put us through our paces on other projects and this will be no different.

**Don Roberts:** Thank you, and Joel you will be reviewing this so, okay thank you.

**Mike Ziobrowski:** And Jason you will be reviewing the SWPPP plan during the course of construction until it's turned over?

**Jason Dell:** We will be doing weekly Swppp inspections that get sent to Paul and if there is issues Paul contacts me immediately.

**Mike Ziobrowski:** Alright thank you.

**Don Roberts:** Thank you, Sir you're up, sorry for the delay your up, thanks for waiting

**Dan Ziarno:** Good evening my name is Dan Ziarno, my wife Barbara and I live at 41 Gladstone Circle in Arlington Heights. The road now looks like is going to be a Town road connecting two communities is really going to be connecting

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two very different communities that gives the appearance that they are one community. The Tribley Residential community is targeted towards first time homebuyers which I assume will be families with young children and also seniors that are economically priced homes so I assume that they will be ranch style houses with perhaps two-story homes there and its not an HOA contrast that with the connecting community Arlington Heights, which is larger ranch style homes, virtually all senior citizens and it is an HOA maintenance free. So, there are significant differences between the two which will become very obvious once that road is connecting the two of them. Mr. Tanski builds very nice homes , I don't think anybody debates that one bit my concern is what happens when Mr. Tanski sells that house and the new owner closes on it puts the key in the door and then can do whatever they want to do to that house or in their community. So, since it's not going to be an HOA in the Tribley Residential this is probably what we could expect to see as people are driving through our community on that connecting road into that other community. Perhaps cars without plates on blocks in the driveway, or on the street. Campers , trailers, boats in the driveways, stockade fences which divide the communities, sheds in the back yards, signs on the front lawn and the political environment we have right now I bet you there is going to be signs on the front lawn perhaps very divisive. Advertising signs might be there, satellite dishes on the sides of homes, TV antennas, cloths lines, above ground pools, kennels for animals, pets, even purple doors on pink houses would be a possibility now that's an exaggeration but without any control owners can pretty much do what they want to do which what you may also see there is what I've seen down at Harvest Bend, you see a lot of homes with beautiful lawns there nicely mowed taken care of them fertilized, the house next door has 12 inch high grass, hasn't been mowed , cut at all nobody is taking care of it. That could also happen when you don't have an HOA, you won't see any of that happen at Arlington Heights because we have an HOA there, which I thought was going to be an HOA where we never have a connecting community to us that wasn't abiding by those same rules and regulations that we have in our community. That's over, but what you will see in Arlington Heights is its unique character, you see sidewalks and curbs, your going to see old fashioned street lamps in the community, all ranch style houses you'll see plenty of greenspace also, you'll see plenty of trees in both private yards and the common areas, and you may see some children there, mostly those are grandchildren visiting their grandparents there, they are not living in the community so we don't have an awful lot of noise although we are getting more and more children from across the road Moreland Drive riding their bikes on our streets, they've got the electric scooters, skateboards they are out there pretty frequently and I imagine we are going to see more and more of that in our community as well. Basically, we have a very quiet peaceful community with very little traffic, and I think that is about to change as we've heard from some of the concerns from the other residents as well. My wife and I have lived in not HOA communities before, we think they are great if you have a young family is that is what you want, I think they are fantastic we had the basketball hoops we had the trampolines in the back yards we had the above ground pools we had all that stuff but we are in a different phase of our lives right now we have moved beyond that and we searched and searched for a community that would give us what we wanted in our retirement years, that was a quiet peaceful beautiful community, and that's what Peter Belmonte Built for us, we opted for that community because we like the structure, we want to be able to protect the integrity of the community and the homes in there, we want a quiet peaceful community and we've done an awful lot my wife and I have been there fourteen years this community has done an awful lot to maintain what Peter Belmonte set forth with his maintenance free community there, we have an architectural review committee so your not getting any of the wild colors and things that don't belong on the lawns and all that type of thing, we have a landscape committee that beautifies the front entrance, the common areas of our community. We have a group services committee that helps owners in our community with sealing a driveway with getting windows cleaned things of that sort that you would do in a senior community. We also have a finance committee that makes sure that we can afford all of these lovely things that we were supposed to be getting all along. We've gotten for 14 years we'll continue to receive but right now looks like our perception of a complete HOA beautifully maintained community is going to change quite a bit because of that connecting road. It would be hard to differentiate what we've strived to keep for so long versus what the new community is going to look like. I think the bottom line is that this Tribley Residential project although its probably going to be beautiful initially its not consistent with the nature and the character of the development that it trying to attach itself to. And I know it was mentioned before the emergency access road only that it looks like it's not going to happen, I think it was mentioned you found a better way to do it. well, a better way from what the planning

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Board feel may not be the better way than what the residents feel, we don't feel that's a better way that's going to help improve things for us, we've been 14 years without the emergency access road. There was an emergency there was a road behind 37 Gladstone that was empty for years and years, and years no one ever asked to put a road in there before and then Peter Belmonte built a house on that but my concern is that we are going to change the character of what we've come to know and love in Arlington Heights and that's a shame because that's why we moved here, that's why so many people in this room moved into Arlington Heights and that's going to be gone. Certainly not because of what Mr. Tanski did but what happens when he is done and what the people who live there do and those properties that don't have rules or regulations like we do. So I would encourage perhaps the Board to reconsider and suggest that perhaps that we look once again at making that a secondary emergency access road I know was proposed because someone else had mentioned the Dawson Senior Project so its being considered for that of course it was in the proposal anyhow, whatever method is used to make that a secondary only, emergency only I would like that to be considered for the connecting road between Arlington Heights and Tribley Residential, thank you,

**Don Roberts:** Thank you.

**Mike Morand:** Good afternoon my name is Mike Morand I live in the Town of Halfmoon came here in 1963 I live in Arlington Heights. I have a couple of things here to go along with Mr. Zercola mentioned and Mr. Dewhurst had sent a question in a while ago to the Planning Board, Mr. Dewhurst can't be here he is ill, so I asked him if , or he asked me if I'd ask this question. It is proposed that the storm water management area be operated, and Im talking about the Tribley Project, it is proposed that the stormwater management area be operated and maintained by the owner, is that correct?

**Don Roberts:** Jason, Jason got to go up to the mic please

**Jason Dell:** It's proposed to be dedicated to the Town

**Don Roberts:** Dedicated to the Town, thank you Jason

**Mike Morand:** So, the Town will be the owner when that's complete?

**Jason Dell:** Yes

**Mike Morand:** Thank you, you know listening to everybody and you know the Town wants everything to blend in and have synergy and you know I think single family homes should blend in and looking at the size of the area it looks to me like there is a lot more homes on that area that I would like to see personally and to go along with what Mr. Hough said, regarding open space, the Town has three definitions of open space and I hope that the project meets those definitions per Town code. Open space, common open space, and permanent open space. Im talking about that 4.42 acres in the front there that's mostly wetland and you can't do anything with it. Take a look at that please, preferably less than 36 homes if that's possible, I think that would blend in a little bit more with the surrounding area both sides of the road, Arlington Heights, and the development across the street. The traffic report can somebody report can somebody, I caught part of the meeting where they reported the traffic report, was that done only one day and a few hours in one day? Does anybody know that?

**Richard Harris:** I would have to get back to you, I don't remember exactly

**Mike Morand:** From what I caught it was done only one day in a few hours in one day.

**Richard Harris:** Well, the whole study isn't based on that they also used ITE standards for single family homes

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**Don Roberts:** Joel can you answer that?

**Joel Bianchi:** I have to look, they usually do an AM peak, 7-9am and a PM peak between 4-6pm.

**Mike Morand:** Right, I saw the cameras on the sign, on the magnetic things on the signposts

**Joel Bianchi:** *\*\*\*this portion of tape is inaudible\*\*\**

**Mike Morand:** Okay, and lastly if you know with all of these developments Paar Estates, Mott Orchard, Dawson Senior enter, Pinebrook Hills, 115 Farm to Market Road Development that's not even you know not even off the ground yet the Town should consider changing the name from Farm to Market Road which it used to be from the farm to the market, I suggest changing it to highway to hell.

**Don Roberts:** Thank you, Sir

**Phil Wolfe:** My name is Phil Wolfe and I'm the current president of the Arlington Heights Home Owners Association, thank you for scheduling the public meeting tonight. When I started working at GE a number of decades ago, I had a boss who would constantly remind everybody about always considering the big picture when making decisions. This isn't being adhered to by the engineering company that completed the recent traffic study for Tribley. The study area supposedly was determined based on a review of the surrounding roadway network. But it only included three of the four intersections in the limited area selected, the intersection of Wheatfield Way, Pinebrook Hills and Farm to Market should also have been considered. Wheatfield Way contains 66 home sites plus there is an additional 20 home sites in the connected Dutch Lane Estates. The 86 total households of both Wheatfield Way and Dutch Lane will enter and exit via Farm to Market versus weaving through the streets of Rolling Hills. 35% of Wheatfield and 80% of Dutch Lane homesites are either owner occupied or under construction so their effect on Farm to Market should have been included in the study. In addition, logically the limited area study should have been expanded, in addition other Farm to Market in process new projects such as Mott Orchard PDD with 91 home sites. I was going to leave this point out but I'll say it, the traffic study only examines traffic flow patterns between Chantry Boulevard and Cary Road during two time periods in one day, Thursday May 5<sup>th</sup>, 2022. The study quoted a growth rate guesstimate but did not provide either the source or the data where that came from, I think that's been explained. Further specific analysis was provided in a letter dated July 24<sup>th</sup>, 2022, from Arlington Heights residents Ted Dewhurst, which all of you should have received a copy or should please take time to read the letter thoroughly. A month or so ago I attended a Planning Board meeting, and a solar project was being publicly discussed, some residents noticed that the proposed project was coming close to their homes, was not compatible with the nearby area the Planning Board rejected the project that evening. A similar situation exists with a currently proposed Tribley project the stated market for the Tribley PDD is quite different than those of the surrounding areas of homes. A development with a high housing density such as proposed for the Tribley project is inconsistent with the housing in this region of Halfmoon. The Tribley minimum lot size is proposed to be 8450 sq ft the minimum lot size needs to be 10,000 sq. ft. making the smallest lot sizes comparable to the smaller lots in the surrounding communities. In looking at the conceptual lay out of the proposed Tribley PDD considering the permanent open space common open space and roads the community as a whole would be better served at the Tribley PDD had a 36-home maximum instead of 42. The 4.42-acre open space along Farm to Market is not buildable, per the Town code common open space should equal 10% of gross development area, it should be developed and maintained as common open space. Common open space is designed and intended for private or public use or enjoyment of the space. The space may contain such complimentary structures or improvements as are necessary and appropriate for the benefit and enjoyment of the space. The Tribley parcel is plus or minus 22.02 acres requiring 2.2 acres of common open space the space should be developed as described in the Town Code and contain items such as playground area and walking or jogging trails. Having such a common open space would

be a much desirable amenity for the residents and in general desirable public benefit. The space of 4.42 acres should not be counted to meet the 10% requirement but should be classified as permanent open space and protected by deed restriction the Town Code common open space at 10 % or 2.2 acres needs to be developed on a separate useable area within the Tribley project. Comparatively 149-acre Howland Park has 96 family homes and 66 % common open space, the 89.2 PAAR project will have 132 units and 46 % project green space, the Mott Orchard PDD will have 91 home sites and will include an internal public trail system that will be connected to Howland Park. Letters and emails have been forwarded to the Planning Board and Town Board expressing concern about the effectiveness and upkeep of the Tribley stormwater pollution prevention plan. The current Tribley land elevation as published is approximately 15 feet higher than the Saville Row area, development of the proposed Tribley PDD will not result in much change to the difference of elevation and Tribley will remain up hill to that section of Arlington Heights. The Tribley SWPPP plan must ensure that stormwater does not drain down the hill into Arlington Heights stormwater system and detention basins or through any of the Arlington Heights lots. The Arlington Heights HOA monitors the water level in the stormwater detention basins on a monthly basis and annually pays substantial money to rid the basins of trees, brush to ensure that the system continues to operate in the manner intended. Tribley PDD will not have an HOA, will the operation of maintenance be monitored and performed by the current owner or the Town of Halfmoon. Just heard the Town of Halfmoon is going to assume ownership, I was going to say this needs to be specified in very definitive language in the reports. That point is interesting because the Town absolutely refused to have anything to do with our detention basins in Arlington Heights, and we've applied many times, Peter Belmonte applied many times and basically, they said take care of it yourself which we have done. I don't believe there was any communication from the Arlington Heights residents that said thank you Planning Board for requiring the public street between Arlington Heights and Tribley. All we wanted was a limited access route for emergency vehicles not a public street. A public street will bring additional unnecessary traffic, visitors, and activity. There would be more traffic especially during the extended 2028 construction and sale period from construction related vehicles and curiosity seekers to view the new for sale properties. We've been told and traffic study mentioned it twice due to the layout of Arlington Heights streets and you just mentioned, there would not be any benefit for Tribley residents to transfer Saville Road and so forth to reach Farm to Market. Therefore, the new road between Saville Row and Tribley PDD can be designated as an emergency access road with appropriate signage in Tribley. If that isn't possible then the road should be a one-way emergency access road from Saville Row to Tribley PDD with appropriate signage. You've received numerous emails and letters from Arlington Heights and nearby residents I hope you've taken time to read and think about them. You've listened to Arlington Heights and nearby residents I hope you've heard what they are saying. I have a proposed big picture outcome, maximum of 36 Tribley home sites, Tribley common space that is actually useable by the residents. A one-way Saville Row to Tribley emergency vehicle use street with a strategically placed speed bump or mound that would act as a storm water flow deterrent redirector. The Town would still get their new garage and less traffic would be generated onto Farm to Market. Even with a one-way street emergency, the emergency vehicles the snowplows can still travel both ways even if it is designated one way or public traffic, thank you.

**Don Roberts:** Thank you Sir. Anyone else wish to speak?

**John Orzamanian:** John Orzamanian 347 Farm to Market Road. Like you said there should be some kind of consideration in, okay so we have this big residential area going in right, what segregates that from Arlington Heights? Nothing there's a road there, so these people have a homeowner's association, so people from Tribley are able to use it, while they maintain it at their expense, is that true?

**Don Roberts:** The Town will maintain the road, it will be a Town road.

**John Orzamanian:** Im not talking about the road but the development Arlington Heights.

**Tom Koval:** Their houses?

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**John Orzamanian:** No, you're misunderstanding me, sidewalks, and everything else, do they maintain that or does the Town maintain that?

**Tom Koval:** They maintain the sidewalks, Town maintains the road.

**John Orzamanian:** So, I guess what im saying is there's nothing to segregate Tribley people to separate Tribley people residents from going through to walk into their area, right, they can do it if they're peaceful, whatever but what if something happens, who's on the hook for it the homeowner's association. So, you also need to consider that as well in my opinion. Thank you very much

**Rich Berkowitz:** What if somebody parked on the street and walked through their sidewalks?

**John Orzamanian:** What if excuse me?

**Rich Berkowitz:** Somebody from outside their area walked, parked their car wherever and walked on their sidewalks it's the same situation.

**John Orzamanian:** Is it though?

**Rich Berkowitz:** It is because you have an outside person walking on their private sidewalk

**John Orzamanian:** Right so shouldn't I mean someone

**Rich Berkowitz:** Are we going to outlaw people from walking on a sidewalk are we gonna

**John Orzamanian:** No I'm not saying that, see now

**Lyn Murphy:** Let's not let this get out of control

**Don Robeerts:** Yea we're getting off topic here okay

**Lyn Murphy:** Bottom line is those sidewalks that were put in against the recommendation of this Board they are in a public right of way if it was a bike lane they could walk right through it as well, so

**John Orzamanian:** Im not trying to get anybody riled up here

**Don Roberts:** Well, you succeeded

**John Orzamanian:** Again, that's a pretty smart comment

**Don Roberts:** Thank you I've heard smart comments here myself tonight but Im biting my tongue all night and Im getting this close to stopping biting my tongue so please go ahead.

**John Orzamanian:** Im sorry Sir but I have been nothing but very, very nice to everybody here I have treated everybody with respect I think, Im looking for answers and I don't need to be spoken that way as well,

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**Don Roberts:** You got your answer

**John Overmanning:** Thank you so much appreciate it, please don't clap for that, that's my self respect so doesn't clap for that, that's me defending myself, please, I'm sorry for that, I'm sorry for that I really am.

**Don Roberts:** No, that's okay, that's okay go ahead.

**John Overmanning:** But please consider these things and that's all I have to say thank you very much.

**Don Roberts:** Thank you, yes M'am

**Sharon Curley:** Sharon Curly, 3 Chantry Blvd. how does it work that with the stormwater, how did we get stuck having to pay all of this money and maintenance on the stormwater? Like is it just a request or is it the lottery or how did we get stuck with all of this?

**Lyn Murphy:** That was at the request of the developer, that's why he created an HOA so that they could maintain the sidewalks that the Town didn't want, the lighting that the Town honestly becomes a maintenance issue for us even with the plows going through, so it was Mr. Belmonte's decision to take ownership of the stormwater and to maintain it.

**Don Roberts:** Im sorry this lady has the floor please Sir.

**Sharon Curley:** What he has to say is probably important, I thought I understood from a previous meeting with you Richard and Kevin and about the curbs where you guys didn't maintain that and we were stuck with those too, even though they are damaged by the Town but that it was in the beginning said that we would, you guys did not want to accept the stormwater, not that he never requested it but you guys did not want to accept our stormwaters.

**Lyn Murphy:** We don't accept stormwater management if there is an HOA, he proposed an HOA so

**Sharon Curley:** Oh because of the HOA, okay so does that mean if Tribley is going to be taken over by the Town and maintained by the Town if some of our houses get flooded the Town will take care of the expense?

**Lyn Murphy:** A, Im not going to speak to you in hypotheticals

**Sharon Curley:** Okay

**Lyn Murphy:** B, Im not going to give you legal advice, which because Im not allowed to my job is to advise this Board, if there is an issue if it comes up you heard from the engineer, they are going to do it to standards, you heard from MJ they are going to review it so Im hopeful that will lessen your concerns about that occurring.

**Sharon Curley:** And when do we think the stormwater plan will be available? A month a week, 6 months?

**Jason Dell:** The stormwater pollution prevention plan will be provided when and if we get back to this Board during the subdivision review process it will be provided with the most likely our very first submission back, we will have that design in hand.

**Sharon Curley:** Can I show you a picture? You've heard all of the numbers and I just when I first saw this Im not an engineer, Im not an artist, okay so you look at this and it looks fine right, it's beautiful its spaced out there is green there is

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trees and then you have Saville there, but its since you guys didn't get my letter yet its kind of an eye trick because it makes Saville look tiny.

**Richard Harris:** Just for the record, your letter was emailed today to all the members and I believe hard copies are in here.

**Sharon Curley:** Okay, okay so just looking at black and white here's a google map, so this looks fine but when you see it in this sense there is Saville with their little 24 houses and we have to picture 42 in this little spot, with roads and pools and sheds and driveways, that's where the visual hit me, do you know what I mean do you want to see it.

**Richard Berkowitz:** It's not that little spot, it's this spot here.

**Sharon Curley:** It's a little bigger

**Mike Ziobrowski:** It's more than half of it.

**Sharon Curley:** It's a little bigger but, put in the road and take off the wetlands, take off, and.

**Richard Berkowitz:** That's a misrepresentation.

**Sharon Curley:** Do you see how it just looks like oh my gosh?

**Richard Berkowitz:** They fit more into a smaller space, which is what everyone's been saying.

**Sharon Curley:** Right, but I just like, and you can see it good there too, I just like this one initially it's just it's not to scale

**Richard Harris:** It is to scale

**Sharon Curley:** Tribley is way bigger than Saville

**Richard Harris:** This is to scale

**Rich Berkowitz:** Yea it is to scale

**Sharon Curley:** That Tribley is way bigger than Saville?

**Rich Berkowitz:** Yes, it is

**Richard Harris:** Yes, it is, you can see it up here

**Sharon Curley:** Okay, so that's that, I would also love to see less houses, I think that's going to solve the stormwater fears, several problems, and like I said its you know not an HOA and that's okay whatever but if they start if they have pools, because he said he was going to allow pools, I just can't envision it.

**Richard Harris:** They're allowed in the Town. I mean pools are allowed

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**Sharon Curley:** I know its just going to be such a contrast, I just feel there is so much other land for it that's all, thank you.

**Don Roberts:** Thank you, anyone else, yes Sir, please say your name again for the record

**Phil Wolf:** Phil Wolfe 19 Saville Row, the original PDD for Arlington Heights included the Town taking over the retention basins, the Town did accept the turnover, so Arlington Heights ended up basically because they are an HOA, I read the original PDD if you want to read it Ill sit down with you.

**Lyn Murphy:** Sir, I wrote it, so I know.

**Phil Wolf:** Fine but Im saying that because we're a homeowner's association we get penalized have to pay the money we do and somebody that isn't a homeowners association retention basin gets taken over by the Town maintenance and everything, we pay a lot of money for the maintenance and upkeep, that's my only point.

**Don Roberts:** Yes Sir

**Greg Efner:** Hi Im Greg Effner I live at 21 Saville Row, and I've lived here about 6 months. I've lived several places across the United States, Scottsdale Arizona, Washington DC all great places, South Carolina. In September my wife and I decided that we wanted to be back home, we were both from this area. Chris was born in Watervliet, I was born Albany and the Town of Halfmoon had a lot of interest for me because my family was here in the late 1600's, its beautiful, I lived here 12 years ago, and I used to enjoy riding my bicycle on Farm to Market Road and driving my car there. It's just a beautiful place to live, Im sure you guys are aware of that. If you've been to Arlington Heights, have most of you been there, visited the property it's a pretty nice place and it made even nicer by the fantastic neighbors. I just can't begin to tell you about the stories they tell me about their lives, how they retired to this beautiful place how they sought to invest their financial future in the houses that they have in this property. If you take a look around your shoulder and you look at that picture of Arlington Heights and the other development its so obvious that there are two different things going on there and Im not sure, I haven't been here long enough to find out what the Town philosophy is about growth and open areas and that kind of thing I kind of thought that it would be a great opportunity for a Town like that to excel in a distinguished way. A little bit for everything, everyone. For the retirees who are in their 70's and maybe have ten years left if they're lucky. You know hopefully I know you guys are, you must be caring individuals or you wouldn't work on a Town Board, you have to be a little bit involved, and a little bit concerned about the people and I ask you just to look across the room and think about us I think we are all good citizens in Arlington Heights at least from what I've seen so far, and just try to look at some of the issues that we've addressed from our perspective, put yourself in our situation. I live right across the street from the road that is going in or that is being proposed, I have a neighbor across the street that is away for a few months down in Florida and his basement ended up with three inches of water in it because his sub pump didn't keep up. You know and I really feel for that guy and his property backs up to the hill that goes up to the proposed property, these are the kind of things that I have to think about, I think gee what's going to happen, who's going to control the water. I asked, I went to a meeting a couple of months ago and it was addressed and I was told that we're going to have a good plan to make sure the water doesn't get hung up as it comes down the hill, you know, I haven't seen any plan, I haven't heard any plan being completed but I guess I'd as that before you make a considerate decision about the future make sure that you take a good look at those plans and that we're not surprised by some kind of problem. All Im asking is that we get a fair chance that's all, it's not that, it's a great neighborhood and I think Halfmoon is better off because of it and maybe a few more neighborhoods like that. I also think that I think personally that we're not doing a great favor to future families by making them squeeze in right next to each other just because maybe they cant quite afford the kind of luxuries that we've been able to afford doesn't mean that they should have to live in a ghetto for crying out loud, anyway thanks a lot for your time I know Im kind of just all over the place but its important.

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**Don Roberts:** Thank you, anyone else please, okay, we received a lot of comments from the room here now we will try online, anyone online wish to speak, I apologize ahead of time this might get confusing so.

**Richard Harris:** If anyone would like to speak online do so now.

**Lyn Murphy:** Just so you know both of them have a fail-safe system so that if one of them goes down we have somebody else monitoring it to make sure everyone is heard.

**Don Roberts:** Sir Can you please hold that until we get done with this, its confusing enough thank you. Okay Sir you have something to say please come up again.

**Lindsay Hough:** It's Lindsay Hough at 31 Saville Row. One issue that I had written to the Board before and Im not going to spend a lot of time on it again because I got some pretty good answers, but the no cut zone that has been referred to in the PDD's actually a wetland that is on the eastern border of Saville Row, it's the western border of the Tribley farm. I raise the issue because several surveys have drawn more than one different border for that wetland and when I contacted the Army Corps of Engineers, they told me this land had not been delineated as Federal wetlands because they never looked at it. I was assured by Lansing and Mr. Harris that because the road will cross the water they have to be there because the road if anything is built will hit the lands. Im only raising the issue now because since more than one surveying company has delineated more than one border for these wetlands, I've been assured that the Army Corps of Engineers will make a delineation about where that wetlands is on that border and the question from Mr. Dewhurst and me is could you please if you do approve this PDD emphasize and designate that borders will be marked with permanent locaters so that there's no ambiguity about where that wetland is because that could be a lot more than 30 feet depending on what the Army Corps of Engineers decides that's just a request. The question is does the Tribley PDD have any deed restrictions related to permissions? So, for example if one of the new residents wants a purple door does he apply to Mr. Tanski who is going to decide in terms of deed restrictions that purple doors are okay, is that part of the application?

**Don Roberts:** Has that been determined yet? You might be too early on here, but any restrictions planned Bruce Tanski, right?

**Bruce Tanski:** I don't have a problem putting deed restrictions in the deeds as far as wetlands, we have had to do this in the past

**Lindsay Hough:** How about sheds that was my question, purple does?

**Bruce Tanski:** There is no deed restrictions on that.

**Don Roberts:** Okay thank you, alright

**Lindsay Hough:** Thank you.

**Don Roberts:** Okay at this time we will close the public hearing and just want to remind everybody at this point it's very preliminary this is just a recommendation to the Town Board whether to proceed with the application actually so there is nothing final being done here tonight at all. So, don't get all worried about that, there is going to be plenty of review going on we appreciate all of your comments, we close the public hearing, comments by the Board members?

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**Tom Koval:** I have a few comments, first off as far as the density of the project Im not crazy about the number of houses so I mean that goes with out, Im not crazy about the public benefit, that being said, the two way street Im all for it and I find it offensive that Arlington Heights would want it so they can use it but the other development cant use it, I heard so many offensive comments tonight from people that inadvertently Im sure your all good people but you've called out so many things about peoples choices of what they do on their own property, the colors of their door and I understand it doesn't fit in with your burg your nice neighborhood, every one of you know I've been in there, you have a very nice place, this isn't your place, this isn't your property, this is someone else's property and if they can afford only that small house in the United States of America they should be able to do what ever they want within reason to their own house as long as its not breaking the law. That would be like you coming down and telling me I can't put a political sign up in front of my house, I can't have a for sale sign, who in God's name gives you the right to tell what everybody in the Town can do because its next door to you. That's obscene.

**\*\*\*Inaudible speaking from the audience\*\*\***

**Tom Koval:** Absolutely and so do the people who are going to be looking to buy it, absolutely.

**Lyn Murphy:** We're not doing that

**\*\*\*speaking from the audience\*\*\*** can do whatever they want we just don't want to connect.

**Tom Koval:** But you just don't want them next door to you.

**Don Roberts:** But Sir, but the Town officials are feeling that it is more important that it is connected for safety reasons.

**Lyn Murphy:** For the public input, everybody heard what you guys said, you guys made some great points that will be reviewed as this process goes on, there is really no need to yell back and forth it does not get on the record and it is hot enough in here.

**Tom Koval:** And I did not interrupt anyone else in here.

**Don Roberts:** Thank you Tom anyone else have comments from the Board?

**John Higgins:** I do, I was on the GEIS committee for years, I was part of the group that developed that 20% quality greenspace, now my question is if the owner is going to maintain ownership of that we don't want to see down the road that it gets abandoned and then it becomes a burden on the Town, I understand that there is not a homeowners association involved with this development but again we have to have some method to guarantee that it doesn't get abandoned and revert back to the Town, because that is not the intent of the Geis, any suggestions?

**Bruce Tanski:** No disrespect John but I think my tract record speaks for itself, let me finish, I've never abandoned anything I try to do the best job that I could and I will continue to do that, the open space will be maintained, and if its not maintained Im sure that the Town Board, or not the Town Board, the Building Department will make that happen so Im proud of who I am, Im proud of what I do, the open space will be maintained.

**John Higgins:** Bruce Im not questioning that at all, but you and I are getting to be old men and we can't control what happens down the road and I was just looking to make some provision for down the road, thank you.

**Marcel Nadeau:** Jason I would like to see a comparison of a conventional subdivision

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**Don Roberts:** Im sorry M'am the public hearing is over. Im sorry.

**Marcel Nadeau:** I would like to see a comparison of a conventional subdivision compared to the PDD, is that something you can put together.

**Jason Dell:** We can put something like that together we are here with the 42 number 42 lots, yea

**Don Roberts:** Because again, this property as Tom said owned by the individual it's zoned to be a conventional subdivision area, so to say it can't be done, it can be done.

**Jason Dell:** A conventional subdivision certainly could be done, however we are proposing a PDD

**Marcel Nadeau:** I understand that, but the point is as far as the neighbors not wanting this it can be a conventional subdivision.

**Tom Koval:** They're asking us to approve, to move forward with a PDD, so we can go the other way too

**John Higgins:** Did they ever do a breakdown of conventional subdivision? I thought that was requested way back then.

**Jason Dell:** I do not recall that request.

**John Higgins:** Okay thank you.

**Don Roberts:** Anyone else?

**Charlie Lucia:** Just real quick too I just want to encourage everybody that spoke tonight however you feel when you leave here you did the right thing, you said what was on your mind and remember this is just an initial hand off to the Town you have the next step when the Town meets on this same thing, go and voice your opinions and say the things that you want to there, Im not sure they will be happy to see you there but none the less your doing what's right and trying to influence the outcome.

**Marcel Nadeau:** just out of curiosity on people who bought into Arlington, did anyone ever look at the complete plan before they purchased property?

**Lyn Murphy:** We're not asking that.

**Don Roberts:** Marcel hold all the comments over okay, thank you, thank you. Well at this point we will be waiting for a conventional subdivision plan we will not be taking any action tonight.

**Jason Dell:** Just for clarity purposes the purpose of the conventional plan would be for to prove, I guess, we'll certainly provide it, its just one of those things where we are proposing a PDD

**Lyn Murphy:** You just heard several Board members express a concern about the number of homes being proposed and want to see what it would be like if they didn't recommend the PDD how many homes would it be.

**Jason Dell:** Understood.

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**Don Roberts:** Okay

**Jason Dell:** Yes

**Don Roberts:** So, thank you if you can get that to us then we will get back to you. And thank everyone for coming and commenting.

*Tribley Residential PDD– PDD Recommendation*

**TABLED.** *Board held a Public Information Meeting, tabled the application, and requested additional information from the applicant.*

**New Business:**

**22.110**                    **Verizon Wireless Co-Location, 15 Rt. 236 – Site Plan (22.110)**

**Donald Roberts:** Go ahead. Go ahead, sir.

**Robert Wilson:** My name is Robert Wilson here on behalf of Verizon Wireless and American Tower Corporation. I work for Period Network Services LLC, and we are located at 6615 Towpath Road in East Syracuse, New York.

**Donald Roberts:** And what are you proposing?

**Robert Wilson:** So, just wanted one thing to clarify here, the agenda states this is a Verizon co-location, just so everyone understands, Verizon has already installed at this site, and this project is basically just to upgrade existing equipment that's already installed at the site.

**Donald Roberts:** So, there will be no change in height of the cell tower, right?

**Robert Wilson:** No changes to the tower itself, no. There's gonna be no changes to the equipment on the ground. You're looking at page C-201 right now with the drawings. You'll see Verizon has equipment at the 88- and 95-foot elevations on the tower. There's gonna be no change to the equipment at the 88' elevation. The proposed project is to add 3 new antennae on the existing mounts at the 95' elevation on the tower. Yup. A couple of things I want to point out. These proposed antennas are approximately 3' in length. The antenna's that they're going to be mounted next to, the existing antenna's that are there are approximately 8' in length. So, these proposed antennas are less than half the size of the existing antenna's that are already installed, and the existing antennas and equipment on the tower is painted brown to blend in with the fake tree aesthetics of the tower. This tower's what we call a mono-pines, fake tree. These proposed antennas will also be painted brown to blend in. One last thing this application does qualify as an eligible facilities request. Pursuant to Section 6409 of the Federal Spectrum Act and FCC Rules and information on that is included in Exhibit B & C of the application.

**Donald Roberts:** That's it?

**Robert Wilson:** That's about it. Let me know if you have any questions.

**Donald Roberts:** Questions by the Board?

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**Richard Berkowicz:** I make a motion to have a neg dec on SEQR.

**Tom Koval:** I'll second.

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

**Richard Berkowicz:** I make a motion to approve the co-location.

**Tom Koval:** I'll second.

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, all set good luck.

**Robert Wilson:** Thank you.

**Richard Harris:** Sorry about that Rob.

**Robert Wilson:** Yup. No problem. Thank you.

*Verizon Wireless Co-Location – Site Plan*

**APPROVED.** Board approved the request for new co-location equipment at the existing tower at 15 Route 236.

**22.106**                    **M & C Electrical Solutions, 13 Morris Lane – Sign**

*M and C Electrical Solutions – Sign*

**REMOVED.** This application was removed at the applicant's request

**22.103**                    **Elite Contracting, Building 8, Unit A, 40 Farm to Market Rd. – Change of Use/Tenant**

**Tamara Sullivan:** Hi, Tamara Sullivan for Bruce Tanski Construction, so we have three change of tenants tonight for 40 Farm to Market Road. The first one is Elite Contracting. They're a roofing business and they would like to utilize one-unit 1500 sq. ft. to store their equipment and supplies

**Don Roberts:** On all of these no outside storage, correct?

**Tamara Sullivan:** Correct, no outside storage and no disposal of waste.

**Don Roberts:** Okay, questions by the Board?

**Rich Berkowitz:** I make a motion to approve the change of tenant

**Marcel Nadeau:** Ill second

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

**Tamara Sullivan:** Thank you.

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*Elite Contracting, Building 8, Unit A, 40 Farm to Market Rd – Change of Use/Tenant (22.103)*

*APPROVED. Board approved the request to use 1,500 SF for storage of supplies related to their roofing business.*

**22.104                    Authentic Imaging, Building 8 Unit C, 40 Farm to Market Rd. – Change of Use/Tenant**

**Tamara Sullivan:** The next one is Authentic Imaging, and they are a graphics business they also would like to utilize one space, 1500 sq. ft. and its for their printing and computer supplies and equipment.

**Don Roberts:** Questions by the Board?

**John Higgins:** Hold on are they going to be using it for storage, or operating a business out of it, you said computers and graphic equipment?

**Tamara Sullivan:** He told me he was going to be just storing their supplies, they have a storefront, and they have an actual retail business.

**John Higgins:** I just want to make sure

**Tamara Sullivan:** Sure

**Rich Berkowitz:** I make a motion to approve

**Mike Ziobrowski:** I second

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

*Authentic Imaging, Building 8, Unit B, 40 Farm to Market Rd – Change of Use/Tenant (22.104)*

*APPROVED. Board approved the request to use 1,500 SF for storage of supplies related to their graphics business.*

**22.105                    Sleep in Heavenly Peace, Building 8, Unit C, 40 Farm to Market Rd. – Change of Use/Tenant**

**Tamara Sullivan:** And the last one is Sleep in Heavenly Peace, they are a charitable organization they build beds for children in need they would like to utilize 2 spaces, 3,000 sq ft and again that’s just for their material and supplies and as well as with the other spaces, no disposing of waste and no outside storage.

**Don Roberts:** Now there has been some concern that all of these sites are supposed to be storage only we don’t want to see any office start coming in here.

**Tamara Sullivan:** Yup we have had to speak with a couple of tenants and code enforcement and actually looked at every single storage unit recently and to my knowledge they were fine with that.

**Richard Harris:** Yea, I mean some Board members at the pre-meeting expressed concern about the office space that we recently we reviewed with you, walked the site, some range from a desk with one person apparently keeping track of inventory, and things coming and going others enclosed space. I think from here out its pretty ordinary and customary in Town a lot of warehouse spaces I’ve seen do have a small office or shipping and receiving, and for these tenants if you could clarify to the Board members if you believe they will have either an office or a desk or is it pure store supplies, a

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person comes in and leaves. Just so we are clear, I have a few examples in Town they've got to prove their warehouse is not at your site, then constructed a small office not necessarily to meet with clients but for shipping and receiving that type of billing that type of stuff, so if you could clarify on these tenants if you believe that's going to happen, I think it would help Board understanding.

**Tamara Sullivan:** I can definitely do that going forward that's not information that I have for these tenants because I did not ask them that, but we can also make it clear to them that they're not allowed to have a, not allowed to build an office in there.

**Richard Harris:** I don't want to speak for Tom, but I think the thought is bringing customers in meeting, I don't know if your objection was one person at a desk doing bills

**Tom Koval:** I just don't want it to get out of hand where the next thing you know there is three desks, and the people are running their little company out of it.

**Tamara Sullivan:** And like I said there we did have a tenant that we had to speak with and it's hard to police all of them all of the time, but if it's brought to my attention then I deal with it right away.

**Tom Koval:** Now this one we're talking about Sleep in Heavenly Peace, they're not going to be building beds, sawing the lumber and all of that because it becomes a fire hazard if you don't have the right dust collection and all of that stuff

**Tamara Sullivan:** Yea, no I completely get that we actually specifically spoke with them about that, they are not going to be building on site.

**John Higgins:** No fabrication at all on site?

**Tamara Sullivan:** No

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

**Don Roberts:** Any other comments on Sleep in Heavenly Peace?

**Tom Koval:** Ill make a motion to approve

**Marcel Nadeau:** Ill second

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

**Tamara Sullivan:** Thank you.

**Don Roberts:** You're welcome.

*Sleep in Heavenly Peace, Building 8, Unit C, 40 Farm to Market Rd – Change of Use/Tenant (22.105)*  
**APPROVED. Board approved the request to use 3,000 SF for storage of supplies related to their charity organization.**

**22.082**                    **Lands of Noradki South, 3 Tabor Road – Minor Subdivision (22.082)**

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**Pat Jarosz:** Hello, my name's Pat Jarosz. I work for Van Guilders Associates and I'm here tonight on behalf of Bruce Tanski. The applicant is proposing to subdivide 3 Tabor Road and existing 92.54-acre lot. The portion to be broken off is a land hooked 31.54-acre parcel located on the south side of Tabor Road from the remaining 61 acres on the north side of the road. All lot boundaries are existing and will remain unchanged in their current configuration. The lot is to be served in the future by public water and sewer. It is proposed as a vacant lot and is zoned at light commercial industrial, and the applicant and the owner are aware that any future development of the lot will need Planning Board approval at that time. Thank you.

**Donald Roberts:** Questions by the Board?

**Tom Koval:** I make a motion to set a Public Hearing August 22.

**Marcel Nadeau:** Ill second it.

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, see you August 22<sup>nd</sup>.

**Pat Jarosz:** Thank you.

*Lands of Noradki South, 3 Tabor Road – Minor Subdivision (22.082)*

**PUBLIC HEARING SET. Board set a Public Hearing for August 22, 2022, for a proposed Minor Subdivision.**

**22.099                    One Four Six Marketplace PDD, Rt. 146 & Old 146 – PDD Recommendation**

**Jason Dell:** Good evening. Jason Dell Engineer with Lansing Engineering here on behalf of the applicant for the 146 Marketplace. We're excited to be before the Board this evening with this project and our goal for this evening is to introduce this new PDD before the Board in the hopes of eventually working towards a positive recommendation back to the Town Board for the project. So, the 146 Marketplace project seeks to create a unique, multifaceted development along, one of the main entrances into the Town of Halfmoon. The applicants are looking to develop a resort style community with walkable shops, markets, restaurants, fitness facilities, office, and courtyards, all within a residential setting. So, in order to develop this type of project, a new PDD is proposed for the project. So, the project site itself encompasses quite a few lots as well as a portion of the old Route 146 right-of-way. The aforementioned lots will all be consolidated along with the, a portion of that previous right-of-way to encompass the project site and so the project site is a total area of about 20.79 acres and all of those parcels are currently zoned as part of the C-1 zoning district. So, for the project, the applicant is looking to construct 10 buildings on the project site with a total footprint of a little over 151,000 sq. ft. as well as associated parking and appurtenances. Additionally, as part of the project a little bit further up Cemetery Road there are 3 townhouses also proposed on a lot along there. So, the project will include a mix of different building sizes and uses as far as a commercial retail and restaurant component, there is a total of about 82,900 sq. ft. of space available as well as 328 luxury apartments. The applicant has a similar development to this project over on Starbuck Island if any of you folks are familiar with that project, it's a very nice community that the applicant has completed already. So, for this project it does provide a transitional development and traditional use from the commercial Route 146 corridor. We've got Lowe's, we've got Route 146, we're gonna have this mixed development with commercial retail restaurants as well as apartment uses transitioning into townhomes and then single family with the East Pointe project. Access into the project will be via a reworked intersection with Old Route 146 and Route 146. We're gonna look to improve the traffic condition over there by teeing up that intersection up to an internal traffic circle and then a rerouted Old Route 146, over to that circle as well as it is extending a leg up to Cemetery Road. This

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evening Alana Moran from VHB is here and after Chuck Pafundi, we'll turn it over to her to give a summary on that traffic study and the correspondence that we've had with DOT to date. Parking for the proposed development has been developed in accordance with the Town of Halfmoon zoning code. We are required for the overall development for about 1,087 stalls and we're providing 1,145 parking stalls. That'd be both surficial parking around the perimeter of the project as well as the buildings that have the apartments will all have sub-building parking underneath the building subsurface. For a Public Benefit for the project there will be the significant traffic improvements associated with Route 146 as well as we're committed to work with DOT if there are any additional improvements or timing that can be done with the existing intersections on Route 9. So, we have had an initial kickoff meeting with the Department of Health, or excuse me, the Department of Transportation. They conceptually agreed with what we had on paper and Alana can get more into that when she comes up. The Public Benefit for the addition to the traffic improvements, the applicant is going to set an allowed area at the point of Plant Road and 146 to provide a welcome to Halfmoon sign so that will be a component of the project. Additionally, the applicants are offering \$500 per unit to the Town of Halfmoon for the General Fund for the Public Benefit. And I forgot to mention the overall dollar value of the traffic improvements at 146 the applicant has estimated those improvements and the reworking of that intersection to be in the neighborhood of \$2.5M. So, with that I will turn it over to Chuck Pafundi from the applicants' group to explain the building program for the commercial component of the project.

**Chuck Pafundi:** Hello everyone Chuck Pafundi, head of real estate development at Luizzi. Part of the submission that we did to the Town Board as well was a tenant focus and a commercial outlook plan, that I won't go through the entire thing due to the length of the meeting but if you have a chance to review it, it goes into depth to our tenant focus more of a boutique style tenant focus that we believe would compete very strongly against Clifton Park and the Route 9 Corridor. Luizzi Company is keeping it short we are a four-division umbrella, we have a highway division, property management division, commercial building division, and a union concrete division. Our company and our owner Peter takes very great pride in all of his properties, drives through them weekly. Class A structures, Class A architecture and from a commercial standpoint we try to focus on bringing in businesses that will serve the community and our residents well as an extension of an already high concentration of amenities. If the Board has any questions later on, I'll kick it off short here and pass it off to VHB.

**Alana Morand:** Good evening, Alana Morand with VHB. As Jason mentioned, we completed the traffic evaluation for this proposed project. Since Jason already introduced the project as far as those components and this the access itself, I'm going to jump a little bit into like what we did for the study and try to keep it relatively high level. So, the study evaluated seven different intersections, so it was Route 9 and Route 146, Route 9 with Old Route 146. Old Route 146 with Cemetery Road, Old Route 146 with The Shops of Halfmoon driveway, Route 146, Old Route 146 and Chaucer Place, Route 146 with Old Plant Road both on the westside and the eastside of where that comes in. We also looked at roadway traffic volumes on Route 9, Route 146, Old Route 146, and Cemetery Road for purposes of kind of volume comparisons and speed studies. Data was collected at those study area intersections during the a.m. peak periods from seven to nine a. m. and then again during the peak period from four to six p.m. at the end of April and early May. So, that was our data collection period. Based upon the data of the a.m. peak is from seven thirty to eight thirty in the morning and the p.m. peak is from four fifteen to five fifteen in the evening. It's expected at this point that the project would be fully constructed and occupied in 2025. So, we took those existing traffic volumes from 2022 and built them up to a 2025 no build condition. So, what's it going to look like in the future without the project? We used a growth rate provided by the Capital District Transportation Committee and their model that they use, which was resulting in one-half percent per year So, we grew those volumes by one-half percent per year for three years and we also contacted at the Town of Clifton Park and spoke with Rich about any other specific developments that needed to be included to also expand on those no build traffic volumes. There were no specific studies from either community to include in this particular study area. So, it was expected that all of the growth kind of occurring would occur within that at one-half percent per year for three years. The next step was looking at the

trip generation for the proposed project using ITE methodologies. The a.m. peak hours resulted in about two hundred and fifty trips similarly the p.m. peak hours resulted in about two hundred and forty trips during those peak hours. The trips were distributed throughout the network and then we did the analysis. So, the level of service and capacity analysis basically showed that things are looking decent right so levels of service kind of B, C except for the intersection of 9 and 146 which just kind of is what it is. It's big it's built out and there's a lot going on there. The other location that showed that there were some potential problems that would come forth in the future was the intersection of Old Route 146 with 146 opposite Chaucer Place. I know this is one that the Board has talked about before, especially with the way that skews and comes in. So, one of the benefits of this particular project is that intersection is going to be re-aligned. So, it's going to be a typical four leg intersection. In addition to the realignment, we're recommending an additional west bound through lane at that location and then on the north bound approach to provide a right turn lane. So, with those improvements to that intersection, we're looking at much better operations we are on the order of level of service C instead of the F that we were looking at before. Sight distances were measured on Cemetery Place, or Cemetery Road, where there's going to be the full access intersection and once you cut down a tree that's out there, things look good there. And then as Jason had also mentioned, we sat down with the DOT and talked through the project. I think you all know that this has been one of those locations that's been talked about for a lot of years and has had several things kind of come up. They definitely kind of liked this particular project. It was a kind of a bit better mix. They also were definitely open to the realignment of Old Route 146 and kind of fixing and cleaning up some of the things that are going on, on 146 and that area. They'll have the opportunity to comment on the study. We'll go through our typical process with DOT but at this point with them, they have that initial look see as to how things are going on. That's it so.

**Don Roberts:** I'm not sure who should answer this question but in the pre-meeting the concern came up and I agree with it, that this new alignment you're gonna be closing part of Old 146, right?

**Alana Morand:** Yes, that's that leg there

**Don Roberts:** And to me, I don't think it's fair to the existing Barber Shop there, to realign that access to make it more difficult to get into their site.

**Scott Earl:** I would agree a hundred percent. Scott Earl developer of that site. I would agree a hundred percent. When you look at, let's start with the intersection of Old 146 and the biggest discussion was about the chicken joint that just got built. What do we call it, Popeye's? You got Chick Filet you got, ya know, that chicken joint the one with all the cars. But the, that's, we'll go back to here okay, I went by today. Today we had our engineering firm surveyors go out and lay this out. Everyone is free to go there tomorrow and see the stakes that are there. Hypothetical stakes have been laid out including the circle, so that we're not just relying on this map. We're actually looking at a piece of ground in what we're talking about. So right here is the entrance to the Shops of Halfmoon that pertains to the Chicken joint, Popeye's. Okay, that access also allows Billy's Barbershop. We're proposing to deed Old 146 the excess property to the current developer of Billy's Barbershop. There's absolutely nothing to say that while Old 146 is closed that a driveway, a direct driveway can't come right into the back of Billy's Barbershop. Also, the access road to the main plant you see the side road that dumps out into Billy's Barbershop. So, I want to talk about a Barber Shop for a minute. There's a lot of focus and I know Billy, he's a great person. How many of you go to a destination Barber Shop? You know the Barber you want your hair cut by that person. All of us. That's where we go. You're driving down the road on a Sunday afternoon "oh look honey a Barber Shop. Let's stop and get a haircut". Doesn't happen. Everyone knows where Billy is. Getting into Billy's you come off 146 into Billy's. Also, the other property right in front, you can go all the way around the building. If anything, this improves Billy's current overloaded back parking lot, because that property would deed over to the other developer across the street. Billy's would have to travel 83 feet from the chicken joint to Billy's direct on Old

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146 or a new driveway and also into the Shops of Halfmoon into Billy's as is currently done. If there's a line of cars right here, right now, which how many of us have seen, forty, fifty cars waiting for that red light. You can't get to Billy's Barber Shop. You just can't get there you gotta wait until the light changes, all the cars in front of you take off, then you can make a right going in. Here you can go into Popeyes make a left like you do now into Billy's, or go into the circle and make a right, right straight down to Billy. Direct access and no impeded access on 146. Hope that answers your question.

**Don Roberts:** So, you think it's going to be easier to get into Billy's?

**Scott Earl:** I would say it's going to be easier and add probably 30 parking spaces.

**Tom Koval:** Scott I just had a question. I'm looking at the conceptual, and I understand very early. You have all these businesses and restaurants, and each building looks like you have something. I don't see any loading zones. Where are all of these trucks going to drop their goods for these? Because you know that businesses get deliveries daily.

**Scott Earl:** And dumpsters.

**Tom Koval:** And dumpsters, I don't see anything called out any easy route for those.

**Chuck Pafundi:** So right now, as part it for dumpster locations and trash, what will you see in some metropolitan areas in like a complex like this would be dedicated suites. So, we would take four thousand square feet, five thousand square feet, you'd work an architectural garage door in the mix maybe sixteen-foot height. Something that has clear ceiling height to work with trash trucks. We have a good partner on this project to figure that out.

**Don Roberts:** Who's gonna be a trash holder?

**Tom Koval:** County.

**Chuck Pafundi:** And then what we will do is all that trash will be contained indoors, right you have a high-end mechanical system with air movement and all the tenants would locate their trash and everything in a shared space that would be part of their can charges for common space. Loading and unloading what we've done before is we've done hatched areas. When we get more into the details of curb layouts and final site plans, conceptual with Lansing, we would look at maybe bumping out the curb for a load, unload zone or hatch striping. That's what we've done at some of our other retail locations.

**Tom Koval:** There's a lot of retail. You can load in the morning but now you're mixing in all this residential with it. Those people aren't going to come out and move their car in the middle of the night.

**Chuck Pafundi:** Absolutely

**Tom Koval:** Or first thing in the morning

**Chuck Pafundi:** And what we've tried to do here and it's really not representative on this plan unless you kind of read into the details, but a large amount of the parking for the residential is going to be underground. So, we did try to detach the residential parking with the commercial parking and also the retail. We do not have a large concentration of first floor retail as you'll see, and that's because we feel that's a failure when it comes to parking

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layout and mixing of uses, so we've tried to detach those areas and give dedicated parking and they'll also be signage throughout the site that kind of lays that out for everybody.

**Tom Koval:** Thanks

**Rich Berkowitz:** Now you spoke about five of the seven intersections you studied. Did the two intersections you left out are Old Plant Road, east and west. Now east probably isn't going to be affected that much, but west is going to be affected a lot. You already have a lot of cut through traffic going from 146 down to 9 as a short cut. You have continued development on Plant Road and there's a long wait to get from Plant Road onto 146 where a lot of people use the suicide lane, including myself. You could wait about twenty, thirty cars before you get out of there, and there's been no discussion that I heard from you on that intersection, and I was just wondering why, I want to know what the

**Scott Earl:** So, all of this was discussed in a previous proposal

**Rich Berkowitz:** Well not in front of us

**Scott Earl:** Presentation to the Board in meetings that we've held. We're trying to acquire the house behind Stewarts.

**Rich Berkowitz:** That would be great because it would line everything up

**Scott Earl:** Tom was there, we met with DOT, John was there informal meeting we met with DOT and discussed a circle. DOT prefers a traffic circle right out in back of Stewarts

**Rich Berkowitz:** That would be great that would solve all your problems.

**Scott Earl:** That would be great, there is one thing that stops it, that house that exists behind Stewarts, we have two real estate contracts on that house, coincidentally both are from me, one that I made a proposal with the son of the owner, the second one, my real estate person undenounced to me made the girl called the daughter, where they don't speak to each other and the mother is in an institution timing out, and the two each have their own lawyer and all they are doing is arguing.

**Rich Berkowitz:** Yea but that doesn't solve the problem

**Scott Earl:** It doesn't solve the problem. While we're sitting here waiting to fix the intersection of Plant Road you've got a pocket of money from the last developer. We're putting money on top of that, buying the house, demoing the house coming right out to 146. This Town does not believe in eminent domain, this is a strong case for it, to fix traffic, because Plant Road is an issue.

**Rich Berkowitz:** It's a big issue

**Scott Earl:** I don't see the impact of this development creating any more impact on Plant Road

**Rich Berkowitz:** It will because what's gonna happen

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**Scott Earl:** I see the new development that's going in today creating more problems and I'll agree with the waiting period.

**Rich Berkowitz:** Scott what's going to happen with your residents, they're not going to go through 146 and 9 to get to the Northway they are gonna to go down Plant Road and they are gonna go right to Exit 8A. I see it happen every day. They are not going to go to Exit 9

**Scott Earl:** These people are going to come out of here and not go to Exit 9 they are going to go all the way down Plant Road out to Route 9 and across Grooms Road?

**Richard Berkowitz:** Yes, it's faster that way, or its faster going down Route 9 to Exit 7 than it is to get to 9 and going all the way down

**Scott Earl:** So, the concept that we talked about was the closure of this road

**Rich Berkowitz:** I do it every Friday.

**Scott Earl:** The concept that we talked about was the closure of this road. Why not move forward now and close that road? Make it a dead end right here. There's a dead end at Di Siena's house. The old white house

**Rich Berkowitz:** I'm all for that.

**Scott Earl:** Close the road. That solves the problem of the people that are being offended on Plant Road. It solves the problem of the people coming out of Plant Road waiting twenty or thirty minutes for that intersection. Thae current intersection of the red light. Would DOT approve another circle here? That's a great idea but would they approve it? When we asked that, they said it was too short of a jump, to 9 and 146. That 9 and 146 would have a major bearing on any development at this intersection.

**Rich Berkowitz:** You still have a thousand cars coming out

**Scott Earl:** That's where we are, oh there is a lot of cars

**Rich Berkowitz:** No Im talking about coming out of your development, there's going to be a thousand cars coming in and out of there during the day.

**Scott Earl:** There's probably a thousand now.

**Rich Berkowitz:** Well, I know

**Scott Earl:** Tom goes there with a trailer

**Rich Berkowitz:** But you're adding a thousand more cars to that intersection.

**Scott Earl:** A thousand cars?

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**Rich Berkowitz:** Well, there is a thousand parking spaces, right? I assume they're gonna be used. This is gonna become a destination for the Capital District with the restaurants, Luxury home. This is a destination what you're gonna make it and I'm sure it's going to be beautiful

**Scott Earl:** It's absolutely beautiful

**Rich Berkowitz:** It will be, but that makes it a destination for this area. So, you're gonna to have people coming down, up from Albany, down from Saratoga to go here. They will, if you build what you say your gonna build, with the restaurants and the shopping.

**Scott Earl:** Well, I'm here because we want to build it, yes.

**Rich Berkowitz:** I know that this will be a destination that's gonna increase traffic.

**Scott Earl:** It'll be absolutely beautiful in the Town of Halfmoon.

**Tom Werner:** It was mentioned earlier that this is very similar to another development that's, is that open?

**Scott Earl:** Starbuck Island in Green Island. Yes.

**Tom Werner:** Whereabouts is that?

**Scott Earl:** Green Island. Just before the bridge going over to Troy.

**Tom Werner:** In terms of square feet and parking and all that, how does that traffic coming out of there that you can make real counts?

**Scott Earl:** It comes out to a controlled intersection, makes a right, and goes over the bridge, the reigning bridge. It's basically in the center island between Green Island and Troy. It used to be the old King Fuels. It's a reclaim brownfield site. \$27 million was put into it, cleaning the ground, getting rid of all the oil, the old oil tanks, the piping out to the river and now it sits on the edge of the Hudson River. It's absolutely beautiful. It, not because I live there, but I gotta tell you, it's probably one of the most beautiful projects, and it won several awards this year, for a reclamation project. If you look at some old crappy piece of land and said oh my God, what are we gonna do with this devastated hunk of mess, Pete Luizzi and his crew did an outstanding job fixing that, and that mess, and there are two other reclamation projects going on the north end of Green Island currently as well that fix the old Ford Motor Plant that's loaded with all the chemicals we're all afraid of.

**Mike Ziobrowski:** Is it possible for us to see the big picture traffic study that was done so we can have an understanding of how it went from an F to a C? Some of us might be kind of interested in that.

**Scott Earl:** Oh, yeah.

**Mike Ziobrowski:** and understand.

**Scott Earl:** Absolutely.

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**Mike Ziobrowski:** They said, they claimed it's an F now and it's going to a C with this traffic study. I'm kind of interested in how that

**Scott Earl:** Getting that improvement and the handling of the traffic.

**Mike Ziobrowski:** Yeah. So, how's it, ya know, fully surrounding areas being impacted. I'd really love to see the study. If we could just get a glimpse of it.

**Scott Early:** Absolutely.

**Mike Ziobrowski:** That'd be great.

**Donald Roberts:** Hey, before I forget, we got to refer this to the, our Town Engineer, MJ, Saratoga County Planning Board, and the Fire Department. Right?

**Scott Earl:** And Arlington Heights.

**Marcel Nadeau:** On the eastern portion, that's, that'd be grass only to the site? Scott?

**Scott Earl:** I'm sorry.

**Marcel Nadeau:** The entrance

**Scott Earl:** Right turn in, coming from the east to the west would be a dead, dead right turn. Which, basically, there is now, but we would formally improve that. Correct, right now it's a shoulder right turn improvement by the public. So, we'd actually, what DOT had asked us to widen that intersection.

**Tom Werner:** There's some informal pass that goes from the signal at Old 146.

**Scott Earl:** An informal pass.

**Tom Werner:** Through Lowe's drive over to Route 9. That's very popular for people as an alternate. Have you taken that into consideration?

**Scott Earl:** Yeah, I wanted to put cement blocks right across the road because I own all the property on the west side of it and, yes, it's traveled by 15,000 cars a day.

**Tom Werner:** Easily.

**Scott Earl:** At high rates of speed, ignoring the stop sign. I could go on like the folks from Arlington Heights. And there was no provision for the Town to takeover the road, which there should be a provision for that road to become part of the Town. I'm stuck maintaining it. I've spent hundreds of thousands of dollars, have an agreement between Burke, next door, Aldi's, Loew's, and myself to maintain that. Well, I've maintained it. Potholes, a foot, and a half deep. At one point I refused to even plow it in the winter.

**Richard Berkowitz:** Where we talking about? That little cut through

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**Scott Earl:** Aldi's. When you saw me out there directing traffic when Aldi's had a grand opening because my tenants were screaming. Everybody was parking on our site because they don't have enough parking there. But that road is mine. I've fixed it, paved it

**Richard Berkowitz:** I know it well. I'm on that road about

**Scott Earl:** Which way do you go, then? Do you this way or do you go that way?

**Richard Berkowitz:** I'm in Burke's building, so I see it every day.

**Scott Earl:** Well, you must be retired, you're driving around a lot.

**Richard Berkowitz:** I do house calls Scott.

**Scott Earl:** Yeah, but we spend a lot of money there on the plaza. We're going through a façade update, we're doing the new roof on there, its \$300,000. So, but that traffic is a nightmare there and that's a shoulder right turn too off Route 9. You want to talk about, I've seen accidents on that shoulder trying to make the right into the plaza.

**Richard Berkowitz:** I give you credit, it is a well-maintained plaza.

**Scott Earl:** Well maintained. Trying, very hard there.

**Richard Berkowitz:** It is.

**John Higgins:** What has DOT said about the realignment with Plant Road? Are they in favor of it?

**Scott Earl:** DOT was in favor, not aligning it with Plant Road.

**John Higgins:** No, no

**Scott Earl:** They were more in favor when we presented Plant Road coming out behind Stewart's, and with that double, they suggested a double roundabout. We were in favor of that. Ya know, in fact I think we pledged \$2.5 million to that roundabout to help pay for it. If you remember, we pledged money on Sitterly and 9 and that accelerated that project. It was like number 17 on their list. They would never would have got to it, but they accelerated it and that's worked out well.

**John Higgins:** So, DOT is in favor of doing something with that intersection?

**Scott Earl:** As long as you're in favor of helping they pay for it and that's why it was provided the money. That seems to be the click. They've got a lot of projects planned, but not a lot of money to get them done. And you can see where they're spending the money and when you raise your hand and say, hey, can you move this one to the top. Sure, if you want to help pay for it.

**Tom Werner:** 9 and 146 is just starting out. That's a \$7M project.

**Scott Early:** And what are we doing. I mean, what we are doing. We've worked on some wiring and the wiring's been shot for 15 years.

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**Tom Werner:** I don't know what they're doing.

**Scott Earl:** Exactly. None of us know what they're doing in that

**Tom Werner:** It desperately needs two lanes eastbound.

**Scott Earl:** Two turning lanes.

**Donald Roberts:** Yeah. Ok. So, we gotta refer to the agencies I mentioned and then we'll get back to you. Alright?

**Scott Earl:** Yes sir.

**Donald Roberts:** Thank you very much.

***One Four Six Marketplace PDD – PDD Recommendation***

***TABLED. Board received a presentation for a mixed use retail/residential PDD, tabled the application and referred it to various agencies for review.***

**Mike Ziobrowski:** I'd like to adjourn the meeting.

**John Higgins:** Second.

**Don Roberts:** All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, thank you good night,