

Town of Halfmoon Planning Board**February 13, 2006 Minutes**

Those present at the February 13, 2006 Planning Board meeting were:

Planning Board Members: Steve Watts – Chairman
Don Roberts – Vice Chairman
Rich Berkowitz
Tom Ruchlicki
John Higgins

Alternate

Planning Board Members: Bob Beck
Jerry Leonard

Senior Planner:
Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Mindy Wormuth
Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the February 13, 2006 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they have reviewed the January 23, 2006 Planning Board Meeting Minutes. Mr. Roberts made a motion to approve the January 23, 2006 Planning Board Meeting Minutes. Mr. Ruchlicki, Mr. Beck and Mr. Leonard abstained due to being absent from the January 23, 2006 meeting. Mr. Higgins seconded. Motion carried.

Public Hearing:**05.126 PH Ellsworth Landing, Mapleridge Ave./Timberwick Dr. – Major Subdivision**

Mr. Watts called the Public Hearing to order at 7:01 pm. Mr. Watts asked if anyone would like to have the Public notice read. The Public stated yes. Mr. Watts read the Public Notice. *Mr. Ivan Zdrahal, of Ivan Zdrahal Associates, PLLC, stated the following:* The Ellsworth Landing project involves approximately 52-acres of land, which is located south of Grooms Road between Ponderosa Drive and Timberwick Drive. 12-acres of land will remain in ownership of the current landowner with the existing greenhouse facility. The remaining parcel of land would be subdivided in accordance with the R-1 Residential Town zoning. They are proposing 37-single-family lots conforming minimum lot sizes of 20,000 SF. The proposed project would be accessible from Ponderosa Drive to Mapleridge Ave. and Timberwick Drive. There would be 1 cul-de-sac. All lots will be accessed by a proposed road system except one lot, which would be

accessed by Breski Lane. Water would be supplied by the Town through existing water mains on Ponderosa Drive and Timberwick Drive. Sanitary sewer system would be connected by gravity. There would be 2 storm water management basins - one at Ponderosa Drive and one on Timberwick Drive. The storm water management areas would comply with DEC and Town requirements. The light green area on the plans indicate part of the proposed lots to be developed and the dark green area on the plans identifies the Land Preservation Area which would be established by deed restrictions for each lot. There will be a "no-cut" zone bordering the existing lots in Woodin Oaks. Mr. Bob Marini will be the developer for the proposed project. *Mr. Marini, of Marini Builders, stated the following:* The proposed homes would be luxury homes with an average square footage of about 3,200 SF. The new homes would be similar in nature to the homes he is currently building in the Farmview development on Harris Road. Mr. Marini showed pictures of the homes that would be built in the proposed Ellsworth Landing development. The homes would be built with side entry garages unless there were constraints that would not allow a side entry to be developed. The homes would have 2 and 3 car-attached garages. There will be a number of deed restrictions to preserve the character of the community. They have a master landscaping plan for the community that would be in addition to the landscaping they would install with the homes. They do install very extensive landscaping packages with each of the homes. The homes will contain a mixture of materials such as; cultured stone, brick, clapboard siding, shake siding, etc. so each home would look different. They will not build 2 of the same homes or 2 of the same color homes next to each other so this would be a very diverse blend of homes and a very nice streetscape. Mr. Watts asked if anyone from the Public wishes to speak and he would appreciate it if the speakers would refrain from asking the same questions that have already been answered. Mr. Anurag Sharma, 33 Fieldstone Drive, submitted a letter to the Planning Board.

(see below attachment pages 3 & 4).

Submitted at 2/13/06
P.B. meet

Ellsworth Landing Project: Woodin Oaks resident's concerns

To whom it may concern

As a resident of the adjoining Wooding Oaks development, I have significant **hydrologic concerns** regarding the slope stability, run-off, flooding and wetlands. These issues affect homes and property at Wooding Oaks and possibly related neighborhoods. Following a brief outline of some of the issues that need to be addressed for a compatible Ellsworth Landing development project:

1. The **main topographic feature** of hydrologic significance to the wetlands in the area is the hill (behind the Manley property) that creates the gradient necessary for ground-water and surface flow to the wetland area behind the Cranna property. **Any vegetation clearing on this topography can result in slope instability, runoff, erosion and flooding problems.**
2. The vegetation on the topographic high is mainly large to mid-sized pine, oak and ash trees that buffer the water flow, reduce surface runoff and maintain the necessary balance with the existing wetlands. Change to this hydrologic balance will significantly alter and increase the present size of the existing wetland areas already noted in the building plan and increase run-off / erosion in this area.
3. At present, melting snow as well as any average rainfall event results in the **low lying areas behind the Manley, Sharma, Cranna and Campanella property to accumulate water with appreciable runoff and groundwater flow** (*see picture on the left from Sharma backyard*). During high levels of rain and snow melt water not only pools in these areas but springs push through the surface. Some of these areas remain wet year round even during dry summers. Therefore, any environmental alteration in this area affecting this runoff will have negative affects on the wetland area hydrology with possible overflows and increase accumulation of water in these properties. At present, these properties are able to sustain the level of water runoff with moderate yard flooding and dry basements.



4. Furthermore, the cumulative effect of this hydrology will reflect on the drainage stream, flowing directly into the Mohawk River, will likely experience higher levels of water flow affecting the wetlands in areas beyond the scope of the prospective building project and adjacent properties.

Finally, I would like to add that wetlands do not exist on their own. Rather, they are a result of the adjacent hydrogeology and often indicate a sensitive balance of geology, topography and vegetation. Over and over again, developments have gone through drastic effects by not recognizing the buffering importance of wetlands for flood mitigation. Disturbing this critical environmental balance will effect the wetlands, runoff, erosion and flooding and will alter the properties and affect the quality of life for many at Woodin Oaks.

I sincerely hope that the above description raises this hydrologic issue as an important concern for the alteration of the hydrologic balance currently in existence at many homes in the Woodin Oaks neighborhood and a necessary action will be taken towards modifying the proposed development.

Sincerely,



Anurag Sharma

Resident, 23 Fieldstone Drive, Woodin Oaks, Town of Halfmoon

Feb 13, 2006

Mr. Sharma stated the following: His property is adjacent to the proposed project. He has concern with the hydrology as there is a hill near Fieldstone Drive where the water naturally drains and there is an existing flooding problem. He feels that any vegetation that is cleared may result in slope instability, runoff, erosion and further flooding problems in his backyard and neighboring properties. He does appreciate that the wetlands have been preserved but it may create serious flooding and the storm water management basins would not be sufficient. Mr. Zdrahal stated he understood Mr. Sharma's concern and they will address this issue with a grading plan for this particular area. Mr. Jim Laswell, 15 Fieldstone Drive, asked if they could explain the storm water management and when a development is being built can excess water be diverted into the storm water system or would the water be absorbed wherever it flows. Mr. Zdrahal stated the following: The storm water management areas are designed in accordance with DEC regulations and the detention basins would collect the storm water run-off from the roads. This storm water is detained for a certain amount of time and then the water is gradually released into a drainage corridor. They have to document to the Town that pre-construction run-off will match post-construction run-off. Mr. Laswell asked if the dark green area was the only wetland area in this project. Mr. Zdrahal stated yes. Mr. Laswell asked who developed these regulations, the State or the County. Mr. Bianchino stated that the new DEC regulations were adopted in either 2003 or 2004 and were just modified slightly but are still very similar to the storm water management area regulations that have been in effect since the 1980's. Mr. Laswell stated that forested areas usually contain some wetlands and if a forested area is removed, what types of things occur? Mr. Sharma stated he is geologist by profession and he is also a professor at RPI and one of the things they reiterate over and over again is that wetlands are a real disaster when you start building on them because you cannot predict how much water these wetlands actually bring in. Mr. Laswell asked if the forested areas were removed for new construction, would the storm water go into the storm water management system, which is designed to help protect wetlands from becoming over wet? Mr. Zdrahal stated the system is designed to avoid impacts to the wetlands. Mr. Laswell asked how this process gets approved. Mr. Zdrahal stated the approval process is done by the Town, the Town Engineers, and by DEC with a storm water management plan, which will be specific for this project in regard to the storm water management practices. Mr. Laswell asked how wetlands are determined and can they dry up if you do not build on them. Mr. Watts asked Mr. Zdrahal how wetlands are delineated. *Mr. Zdrahal stated the following:* The wetlands are delineated by the jurisdiction and determination of the Army Corp of Engineers as well as the DEC. They have to protect the hydrology of the existing wetlands and they cannot cut the water that flows into the wetlands otherwise that would cause an impact. *Mr. Watts stated the following:* The applicant will provide the plan, the Town Engineer's will review the plan, and the Planning Board will give whatever approvals they give which is why the Board holds Public Hearings to hear what the public's concerns are. When the permits are issued by County Sewer District, the Water District, Army Corp of Engineers, DEC, ENCON, and the State Department of Health, then he will sign and stamp the plans for approval. Mr. Zdrahal and Mr. Bianchino have stated they will be looking at the wetland issues and the hydrology issues and they will design a plan that would address any problems. These issues have to be addressed in accordance with State and Federal law and by Town Codes. Mr. Laswell asked when the people would find out about this information. Mr. Watts stated the following: He is not able to tell Mr. Laswell or the people when this information would be available. At the current time this plan is in the conceptual stages. Mr. Laswell asked if this information would be brought out in a Public Hearing. Mr. Watts stated no, only if there was a substantial change. Mr. Laswell asked when and how the plan changed from the original proposal of 17 or 18 lots to 37 lots and could this number

change again. Mr. Watts stated any changes would require resubmission of plans and Planning Board approval. Mr. Laswell asked what the impacts would be in surrounding areas with bugs and rodents if a forested area is removed. Mr. Bianchino stated that generally wildlife would find other areas to go. Mr. Laswell asked if there are other restrictions that prohibit the developer to remove trees. Mr. Watts stated the following: There is a no-cut buffer that would be required around the parameters of property but within the confines of the property the developer would be able to remove trees as they see fit. Many of the builders try to maintain as much of the vegetation and trees as they possibly can. *Mr. Marini stated the following:* They try to leave as many trees as possible because this is what the people who purchase these homes want. They remove trees to build the house, to put driveways in and any other tree that is affected by the grading plan that is on the site. So, they keep the tree cutting to a minimum, they remove what they have to remove and they leave what they can. Mr. Mark Cranna, 21 Fieldstone Drive, asked why wouldn't there be a second Public Hearing if there were questions raised at this hearing that would require an update. *Mrs. Murphy stated the following:* The Public Hearing process is an effort for the Town Board and Planning Board to listen to the concerns as addressed by the residents of the Town. If concerns are raised, then this Board has a long history of addressing the concerns in a manner that satisfies the concerns as raised by the neighbors. She is not saying that every specific resident is going to be satisfied because, as you will hear, different residents will have different concerns. The statute does not require that there be two Public Hearings. This Board will address the concerns raised by the public by working with the applicant to make sure that these needs are addressed. Mr. Cranna asked how the public would be updated on the resolutions through the wetland areas and the concerns with hydrology. *Mrs. Murphy stated the following:* The wetland issues are DEC issues which are State issues and are not governed by this Board. This Board does not have the authority to govern wetland issues. The Board does use the tools that have been provided to them by New York State in order to ensure the public safety health and welfare of the citizens. Mr. Cranna asked where the people would go for information to find out the resolutions to their concerns. Mr. Watts stated the Planning Board meeting minutes are posted on the Town's website and when the applicant comes back before this Board with their next submission, the Planning Board agenda's are also posted on the Town's website. Mr. Cranna asked if the public is invited to the Planning Board meeting when the project comes back before this Board. Mr. Watts stated the following: The Planning Board meetings are public meetings. If there were significant changes to the project, the Board would hold another Public Informational Meeting or Public Hearing if the Board deems appropriate. Mr. Cranna stated there is a major hill located near proposed lots 16 & 18 of the proposed subdivision and asked if the applicant would be removing this hill. Mr. Zdrahal stated they would have to look at the site and see if it needs to be addressed. Mr. Watts stated that as the design process changes the applicant would be back before the Planning Board. Mr. Cranna asked if the residents have any recourse if water does build up on their property as a result of this subdivision. *Mrs. Murphy stated the following:* That would be a private dispute between the landowner that would not involve the Town and she advises Mr. Cranna to seek personal counsel for such disputes. Unfortunately, she is not permitted by the ethical constraints to advise Mr. Cranna personally. Mr. Cranna asked if the Town would be out of the picture at that point. *Mrs. Murphy stated the following:* If he were to contact the Planning Board, that would be something that the Town's Code Enforcement would enforce. For example, if you determined that the applicant was not in compliance with the site plan that they proposed and therefore, water is draining onto your property, Code Enforcement would address this issue. If it were not a site plan issue, then this would be a property dispute between private individuals. Mr. Cranna asked if these wetlands

would show up on the chain of title and the maps and deeds that would be filed with the Town. Mrs. Murphy stated yes. Mr. Cranna asked if a neighbor was to be building, clearing, or filling in any of these wetland areas, would they be out of compliance. Mrs. Murphy stated they would be out of compliance with DEC or the Army Corp of Engineers. Mr. Watts stated that any complaints or non-compliance issues that are brought to the Planning Board or Code Enforcement after a subdivision approval, a site visit would be made and the applicant would have to correct the situation. Mr. Cranna asked if the residents would be able to get a copy of the maps that were handed out to the Planning Board this evening. Mr. Watts stated yes these maps could be made available to the public. *Mr. Robert Cutler, 25 Oakleaf Drive, stated the following:* He believes there are multiple issues with the proposed project. Has there been studies performed on traffic impact, the municipal water supply, sewage disposal, storm drains, solid waste disposal, emergency services, schools and wetland damage? *Mr. Zdrahal stated the following:* A traffic study has been prepared which addresses traffic impacts for the 37-lot subdivision by Creighton-Manning, Saratoga County Sewer District has confirmed that they have the capacity to accept the flows from this project, there is adequate water supply in the Town and the Shenendehowa School District can accommodate the growth. Drainage would be improved to eliminate erosion and they will be addressing the storm water management plan to satisfy the Town and State requirements. Mr. Cutler asked if anyone had seen the results of the traffic study and are these studies made public and what was the traffic study based on 18 homes versus 37 homes. Mr. Zdrahal stated the traffic study that was done by Creighton-Manning was for the 37 homes. Mr. Bianchino stated that Creighton-Manning's traffic study is dated November 11, 2005. Mr. Zdrahal stated the traffic study was done at each of the intersections and it was identified that the level of service would be acceptable to the impact. Mr. Cutler stated that there would be an additional 90+ cars per day going through this neighborhood on Ponderosa Drive and Mapleridge Avenue not counting trucks, garbage trucks, and delivery trucks. Mr. Watts asked if the traffic study has been submitted to CHA. Mr. Bianchino stated that CHA did review the traffic study and in CHA's January 16, 2006 comment letter they did not award comment on something that was not related to the questions that were being asked. Mr. Cutler stated the existing community has many kids and the impacts need to be taken seriously because these homes cannot be unbuilt. *Mr. Watts stated the following:* This Public Hearing is being held so that the concerns and issues can be made part of the record. The Board regularly and routinely looks at the traffic studies and if the Board does not accept what is in the traffic study, the Town's Engineers will review the traffic study and will come up with recommendations. The Planning Board can answer procedural questions but they cannot answer what the outcome of this proposed project will be. CHA has the traffic study for this project and it is being reviewed. If the applicant comes back to the Board with significant changes to the project, the Board would then make the decision on whether to send notification that a new Public Informational Meeting or Public Hearing would be held. Ms. Chris Reivik, 37 Siena Drive, asked what would the average price of the proposed houses be. Mr. Marini stated between \$400,000 and \$600,000. Ms. Reivik asked where the construction entrance would be located. Mr. Marini stated he was unsure at this time. Ms. Reivik stated she also had concern with the traffic. Ms. Reivik asked if Breski Lane would be a possibility for a third entrance to the proposed development. *Mr. Bianchino stated the following:* When Timberwick was approved with a stub road to this property; he does not recall a discussion about a third point of access. There was a discussion about access to this property from Timberwick and he recalls that this property had a curb cut or a stub street that was left from Ponderosa. *Mr. Jim Pelc, 27 Oakleaf Drive, stated the following:* He had a petition from 92 homeowners who do not want the added traffic to come through Mapleridge Ave. The major

concern of these 92 homeowners is with traffic. Mr. Zdrahal mentioned that the traffic study was performed from Timberwick Drive and Grooms Road and Ponderosa Drive and Grooms Road. However, Mr. Zdrahal left out 2 more major intersections that will impact the traffic; Mapleridge Avenue (which connects to Grooms Road) and there is a back entrance from Timberwick Drive that comes off of Woodin Road. Grooms Road is always backed up with rush hour traffic. This development will be used for a shortcut to avoid the traffic backed up on Grooms Road. Also, speed is a major issue coming down Mapleridge Avenue and Ponderosa Drive. Ponderosa has a major speeding problem at the current time. The people that currently reside in the Mapleridge and Timberwick developments asked that the Town study the traffic because they are very concerned about it. Mr. Watts stated as he said earlier, the traffic issues are very closely looked at in any of the projects in the Town. Mr. Ben Potiker, 2A Ponderosa Drive, he believes Ponderosa Drive will become a major shortcut for the people who live in the Timberwick development and he also has a concern with the traffic. Mr. Watts stated that Mr. Williams has a copy of the traffic study in the Planning Department at the Town Hall for anyone who wishes to look at it. *Mr. Justin Spraker, 20 Ponderosa Drive, stated the following:* Currently his backyard is a wetland. The current volume of run-off that he gets is constant. His main concern is with the increased volume of housing and what it is going to do to his backyard and 21 Ponderosa Drive as they have incurred considerable expense in trying to decrease this run-off and he can only imagine what is going to happen after this development is put in. Is there a current plan in place to compensate for this increase volume of water run-off? Mr. Zdrahal stated that Mr. Spraker's property is located next to 3 large culverts and as he has indicated before storm water management will address the flow of the water and it will be documented. Mr. Watts stated that DEC and the Army Corp of Engineers regulations do not permit more drainage to impact an area than before the project started. Mr. Spraker stated that assuming that more houses are built with more drainage and more septic he believes more water would drain downhill. Mr. Watts stated no, there cannot be more water coming off the site after development and the new development may in fact improve the drainage. *Mr. Bianchino stated the following:* The increase in run-off as a result of the impervious areas that are added create a higher rate of flow because the water will run to the point of discharge faster. Mr. Zdrahal's analysis shows what the existing conditions are, then he analyzes what the increase in flow will be and he sizes in accordance with DEC regulations the detention basins. This basically gives the water a place to go so that some of the water gets dissipated back into the wetland areas, which is where it is suppose to go because they can't cut the water off from the wetlands, which is an Army Corp regulation. Also, the basins will be designed so that they release water at a rate that is equal to or less than the rate of the water that is released now. This is the basic premise of DEC's storm water management regulations. Also, in this regulation there is a requirement for quality treatment and this is also accommodated in the storm water management basins. Mr. Spraker asked how would this issue be addressed if this plan does not work as planned and more water run-off comes to his backyard. *Mrs. Murphy stated the following:* If the developer were not in compliance with the site plan then this would be an issue that Code Enforcement would look at. If somehow DEC or the Army Corp of Engineers were incorrect in their analysis, then that is who they would deal with. If it were an issue that is not based on a failure to comply with the site plan, then they would want to hire private counsel because it is going to be a property dispute between two owners. For example, if they have a neighbor who violates the restrictive language in the deed and cuts into the 30 FT buffer, this may be something that they could deal with individually and also something that the Town could do because of the violation of the site plan. From an engineering standpoint the regulations require that there be no more run-off and that this site

plan be in compliance with the regulations. *Ms. Pam Zettergren, 15 Ponderosa Drive, stated the following:* She has lived at this address for 17 years. When Fieldstone Drive was built, she ended up with 3 FT of water in her basement. Mr. Brian Hurysz, 4 Timberwick Drive, asked how long would it take to complete the proposed project. Mr. Zdrahal stated approximately 2 years. Mr. Hurysz asked what the hours of construction would be for this project and he is also concerned with the traffic patterns. Mr. Marini stated they do not work on Sundays and Monday through Saturday they generally work from 7:00am to 5:00pm, however, the subcontractors rarely show up on Saturdays. Mr. Zdrahal stated that there would be a stop sign located at the intersection on Timberwick. Mr. Ed Guevara, 22 Ponderosa Drive, asked when the construction would begin on the proposed project. *Mr. Marini stated the following:* He did not know the timing of the approval of this project, but depending on the time of year when the approvals are obtained they will start development shortly thereafter. If the approvals come in the wintertime and it is not conducive for development, they will wait until the summer so there could be a 6-month lag from when the project is approved. Mr. Guevara asked if any members of the Town were a resident of the Mapleridge or Timberwick developments. Mr. Watts stated that both he and Mr. Beck live in the Mapleridge development. Ms. Sue Manning, 4 Breski Lane, stated that it was her understanding that Breski Lane was a private road and asked if one of the proposed lots would come out onto Breski Lane. Mr. Watts asked Mr. Bianchino if all of Breski Lane was a Town road or is part of this a private road. Mr. Bianchino stated he believes the Town right-of-way only goes back so far and from the map he cannot tell how far that is. Mr. Watts stated they would check the Town ownership on Breski Lane. *Mr. Gary Meier, 16 Oakleaf Drive, stated the following:* His home is located at one of the high points in the Mapleridge development so he is not affected by the drainage or water run-off. Would the storm water management be similar to a pond like the one next to the Hannaford store in Clifton Park? Mr. Zdrahal stated he was not familiar with the Hannaford system but there would be typical storm water basins that follow the guidelines by the DEC. The water will enter into the basin and a pool of water will flow from a shallow basin to another pool of water and out. Mr. Meier stated it could be something similar to the Hannaford basin but he is guessing much bigger because 52-acres would drain into two of these basins. Mr. Bianchino stated for clarification, the Hannaford basin was constructed using the old regulations not the new regulations so it would be a little different. Mr. Meier stated he is concerned with standing water and insects and the West Nile Virus. Also, he has concerns with waterfowl, such as ducks and associated residue from the birds like you see next to Hannaford and Twin Lakes. He has concerns with the traffic and child safety issues with a large open body of water at either end of this proposed development. How and when can the public view the Army Corp of Engineers study regarding the wetlands. Mr. Bianchino asked Mr. Zdrahal if he had submitted the delineation report to the Town? Mr. Zdrahal stated he would submit this report to the Town. Mr. Meier asked who they could talk to at the Town to see these reports. Mr. Bianchino stated the Planning Office. Mr. Watts stated they should check with the Planning Department to see if they had received it. *Mr. Meier stated the following:* He had concerns with what will happen after the builder has completed the project and there may or may not be water issues with regards to the people living on Fieldstone and also Ponderosa. It sounds like it would be a neighbor versus neighbor issue that has to contend with something that was not done properly with the existing houses. It does not make sense to impact 2 established neighborhoods with access for 37 other properties; why don't they go straight up to Grooms Road with no impact to these 2 existing neighborhoods. *Mr. Mark Chandler, 7 Timberwick Drive, stated the following:* He moved in to his home only two months ago and is also concerned with the traffic. He also has concerns in regards to elevation. He lives on a flag lot and his driveway attaches to

Timberwick Dr. His driveway will be removed to allow for the new road. He stated that a creek runs behind the house and there is an elevation difference of about 10 feet from his house to where the new road will run. Mr. Zdrahal stated that the grade difference between the new road and the house would only be about 5 feet. Mr. Chandler stated that he does not have a problem with 5 feet, but the plans that he saw had the road at 254ft to 256 ft in elevation and the elevation of his front door at 246ft to 247ft in elevation. Mr. Zdrahal stated again that it would only be a grade difference of about 5ft. Mr. Chandler stated that he could not see a problem with 5ft, but he would have a problem with 10 ft. Mr. Chandler stated that his second concern was with the water runoff. He stated that if the road is elevated that his property could take on more water. He remembers that the initial site plan had a cul-de-sac instead of the connection to Timberwick Dr. He understands that this connection was added for emergency services. He asked if it would preserve the wetlands near his property and eliminate the elevation concerns to reconsider the cul-de-sac. Joe Campanella, 19 Fieldstone Dr. stated that he also had concerns with the runoff and wetlands. He asked who verifies the rate of the runoff, and if that was Mr. Zdrahal. Mr. Bianchino stated that Mr. Zdrahal would do a report based on the existing conditions using standard guidelines that have been approved by numerous engineering agencies. Mr. Campanella asked who checks Mr. Zdrahal's work. Mr. Bianchino stated that Clough Harbor Associates would review the work on behalf of the Town. Mr. Campanella stated that the area in his neighborhood is virtually a swamp until the end of June and ducks and other wildlife reside in that area and that it would adversely affect the neighborhood and potentially flood his neighbors basements to build there and that he wanted to go on record as stating so. *Madeline Janis, corner of Breski Lane and Woodin Rd. stated the following:* She had concerns with the traffic. She had to go to her cardiologist in the morning and that evidently there was an accident on the Northway. She could not get out onto Crescent Rd. and she had to turn around and go up Stone Quarry Rd. and come out on Rte.9. She believes that the area is already over-impacted with traffic. She asked where the driveway that is going to connect to Breski Lane is going to come out and she believes that that is private property. Mr. Watts asked Mrs. Janis if she had been present for the earlier conversation regarding this issue with what part of Breski Lane is owned by the Town. Mrs. Janis stated that she did not hear the answer. Mr. Watts stated that the question was raised and would be reviewed. Mr. Watts asked if anyone else would like to speak. Denise Gottung, 46 Ponderosa Dr, had concerns with the traffic speed. She stated that she had to run in front of a car as her daughter was getting off of the school bus and a car was traveling at about 35 MPH and was on his cell phone and he had to come to a screeching halt which prevented her from being hit. She stated that there is incredible traffic and she feels that stop signs could help. Mrs. Gottung stated that a four-way stop on Ponderosa Drive would slow down that traffic. Mr. Zdrahal stated that he feels that there could be a potential stop sign there. Mr. Watts stated that there are several Town Board members present who would also convey speeding concerns to the Town Supervisor. Mr. Watts asked if anyone else from the public would like to speak. No one responded. Mr. Watts closed the Public Hearing at 8:30 pm. Mr. Watts asked if the Board had any questions. Mr. Ruchlicki asked Mrs. Pam Zettergren, 15 Ponderosa Dr., how she had dealt with her problem with her basement flooding. Mrs. Zettergren stated that she called the Fire Dept. to pump out the water and she uses her sump pump and puts things on pallets to keep things dry. Mr. Ruchlicki asked if it was an annual event. She stated that it has gotten better. Mr. Watts asked if the problem was exasperated when the culvert was backed up on Woodin Rd. Mrs. Zettergren stated that the culvert overflowing worsened the problem. Mr. Watts stated that the Town now maintains that culvert and that drainage is not good in that area. He stated that the Town tries to engineer these areas so that these types of incidents do not occur

but that nature sometimes doesn't cooperate. He stated that the Town does make sure that builders are complying with the plans. Mrs. Zettergren stated that she had not had a problem for 8 years but as more development occurred she started to have more problems. She asked how close the new road would be to her house. Mr. Zdrahal stated that he had tried to contact her to address that issue and can speak with her about that. Mr. Watts stated that Mr. Zdrahal would be reviewing all of the concerns.

This item was tabled for the applicant to research issues that were raised at the Public Hearing.

Old Business:

04.235 OB Adam's Pointe PDD, Johnson Road – Major Subdivision/PDD/GEIS

Mr. Ivan Zdrahal, of Ivan Zdrahal Associates, PLLC, stated that the Adam's Point PDD is a proposal for 20 lots with a minimum lot size of 15,000 SF off of Johnson Rd. Public water and sewer would be utilized. He also stated that there is a proposal for a public access trail. Mr. Watts asked if anyone from the Board had any questions. No one responded.

Mr. Roberts made a motion to set a Public Hearing for the February 27, 2006 Planning Board Meeting. Mr. Ruchlicki seconded. Motion carried

05.200 OB Spinuzza Subdivision, Guideboard Road – Major Subdivision

Mr. Ivan Zdrahal, of Ivan Zdrahal Associates, PLLC, presented a 60 lot major subdivision on 73 acres of land. The previous proposal used Locust Lane as an access to the site. Additional property was obtained which allowed access to the site from Guideboard Rd. There will be a ROW to Locust Lane for utility services. Mr. Higgins stated that there were some concerns with traffic on Harris Rd. and Guideboard Rd. and the increased units will increase the traffic. Mr. Higgins also was concerned with the intersection of Guideboard Rd. and Harris Rd. and asked if a traffic study had been performed. Mr. Zdrahal stated that Creighton-Manning is doing the traffic study and he will address the intersection concerns with the Town Engineer. Mr. Roberts stated that with Farmview Estates subdivision there was a per lot fee to help with traffic concerns and he believes that there should be a fee for this subdivision as well. Mr. Zdrahal stated that he does intend to include a per lot traffic fee. Mr. Berkowitz asked if there were any planned trails for this area. Mr. Zdrahal stated that he would look into this question. Mr. Watts asked Mr. Williams if this plan had been sent to the Saratoga County Planning Board. Mr. Williams stated yes. This item was tabled and referred to CHA for review.

06.106 OB Prestige Motor Car Co., 1660 Route 9 – Change of Tenant & Sign

Mr. Ianiello is representing Sunday Verillo for Prestige Motor Car Co. for a Change of Tenant & Sign application located at 1660 Route 9. Mr. Watts asked Mr. Ianiello what the proposed use was of the property. Mr. Ianiello stated that it was going to be new car sales. Mr. Roberts asked if used car sales would be incidental to new car sales. Mr. Ianiello stated that used car sales would be incidental to new car sales. Mr. Watts asked if Mr. Ianiello could ensure that the tenants would comply with the site plan and the number of cars allowed on the lot. Mr. Ianiello stated yes. Mrs. Murphy stated that the restrictions that were applied to Otto Mitsubishi still apply to this tenant and that the sale of used cars would be incidental to the sales of new cars. Mr. Roberts asked if the sign was going to be replaced with the new name. Mr. Ianiello stated yes.

Mr. Roberts made a motion to approve the change of tenant and sign applications for Prestige Motor Car Co. contingent upon all aspects of the site plan are adhered to and that there will be no exposed neon on the signage. Mr. Berkowitz seconded. Motion carried.

New Business:**06.111 NB Abella Tile, 1712 Route 9 – Sign**

Mr. Mark Rizzo, Marshall Sign Corp., and Mr. Steve Walsh, owner of Abella Tile, were present to represent the sign application for Abella Tile. Mr. Rizzo is proposing a 64 square inch sign that would be mounted on the building and internally lit.

Mr. Roberts made a motion to approve the sign application for Abella Tile contingent upon there is no neon on the signage. Mr. Beck seconded. Motion carried.

06.112 NB Shops of Halfmoon, Route 9 and Route 146 (Star Plaza) – Concept-Commercial Site Plan

Mr. Jason Dell, of Lansing Engineering, proposed a commercial site plan for the area located between Old Rte. 146, Rte. 146, and Rte. 9 where Star Plaza, some residential homes, and auto repair shop, Snyder's Restaurant, Kobe Japanese Restaurant, and Key Bank currently exist. *Mr. Dell stated the following:* The entrance for the bank will be moved to the north side of the building for the drive through. East of the Key Bank will be a pharmacy of about 14,560 sq ft. Two restaurant pads with a combined area of 14,760 sq ft are proposed and will front Rte. 146. Mr. Dell stated that there is the intension of moving some of the existing Star Plaza tenants to the new plaza along Old Rte. 146. There is a proposed landscape sign on the corner at the intersection of Rte. 9 and Rte. 146. From Rte. 9 there will be 2 existing curb cuts at Key Bank and Snyder's Restaurant and a boulevard entrance between the intersections of Old Rte. 146 and Rte. 9 and Rte. 146 and Rte. 9. Two entrances are also proposed for Old Rte. 146. There are no proposed entrances to Rte 146. DOT has the land listed as a ROW with no access. The buildings would utilize municipal water and sewer. There is 20% proposed green space. An onsite subsurface detention basin is proposed for storm water. There are 461 parking spaces provided for the site. Creighton Manning has been contacted to perform a traffic study. Mr. Higgins stated that it would be a great improvement for that area. Mr. Higgins asked if it would be possible to widen Old Rte. 146. Mr. Tanski responded that he could have the engineers take a look at that prospect. Mr. Berkowitz also believes that the proposal would greatly improve the site. He is also concerned with traffic, especially on Rte. 9 at the bank entrance. Mr. Tanski stated that would be a right turn in only for bank customers. Mr. Berkowitz stated that there should be signage to designate that entrance for bank customers only. Mr. Watts stated that he feels that this plan would be an improvement to the area. Mr. Watts asked what percentage of traffic would use the Rte.9 entrance and what percentage would use the Old Rte. 146 entrance. Mr. Tanski stated that it should be 50/50.

This item was tabled and referred to CHA for review.

06.113 NB Pal's After School & Summer Camp, 282 Grooms Road – Addition to Site Plan

Mr. Tom Andress, of ABD Engineering, and Ms. Marge Russell presented an addition to the site plan for Pal's After School & Summer Camp. Mr. Andress stated that the proposal was to add a 4000 SF gymnasium to the rear of the building over an existing parking area reducing the number of parking spots from 73 to 59. He stated that there are approximately 200 students that attend the school after school and in the summer with no intention of an increase in attendance. Mr. Andress stated that in the future if additional parking was needed it could be added in the current area that is used as an outdoor play area. Mr. Watts asked if there would be any outside businesses holding classes there. Mrs. Russell stated that Torry's Tae Kwon Do

does hold private lessons there after the business has closed, but the space is not rented. Mr. Watts stated that the original approval would have to be looked at to see if that is a problem. Mr. Watts asked what the height of the addition is. Mr. Andress stated that the addition would start at the bottom of the roofline of the existing building.

Mr. Roberts made a motion to approve the addition to site plan application for Pal's After School and Summer Camp contingent upon the gymnasium addition will be used exclusively by Pal's and a site plan will be provided showing a future parking area for the gymnasium addition. Mr. Beck seconded. Motion carried.

06.114 NB R. VanDusen Electric Co., 1050 Elizabeth Street – Change of Tenant

Mr. John Garry, representing Mechanicville Warehouse Cooperation, proposed a change of tenant for a portion of a 55,000 SF warehouse. Mr. Garry stated that the building would be used for an electrician business, some storage, and repairing snowmobiles for personal use.

Mr. Berkowitz made a motion to approve the change of tenant application for R. VanDusen Electric Co. Mr. Ruchlicki seconded. Motion carried.

06.115 NB Kitware, 28 Corporate Drive – Change of Tenant

Mr. Tom Andress, of ABD Engineering, proposed the change of tenant to utilize a 4,500 SF area that is being vacated. Mr. Andress stated that there would be an additional 15 employees and there already exists ample parking.

Mr. Higgins made a motion to approve the change of tenant application for Kitware. Mr. Beck seconded. Motion carried.

06.111 NB Super Suppers, 1603 Route 9 (Town Centre) - Sign

Mr. Michael Harrington, the applicant, proposed a 2ft by 6ft internally lit sign that would be mounted on the building.

Mr. Roberts made a motion to approve the sign application for Super Suppers. Mr. Berkowitz seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the February 13, 2006 Planning Board meeting at 9:34 pm. Mr. Higgins seconded. Motion carried.

Respectfully submitted,

Milly Pascuzzi, Planning Board Secretary
Jeff Williams, Senior Planner
Lindsay Zepko, Planner