

**Town of Halfmoon Planning Board****Meeting Minutes – July 14, 2014**

Those present at the July 14, 2014 Planning Board meeting were:

**Planning Board Members:** John Ouimet – Chairman  
Don Roberts – Vice Chairman  
Rich Berkowitz  
Tom Ruchlicki  
John Higgins

**Planning Board Alternates:** Margaret Sautter  
Robert Partlow

**Director of Planning:** Richard Harris  
**Planner:** Paul Marlow

**Town Attorney:** Lyn Murphy  
**Deputy Town Attorney:** Cathy Drobny

**Town Board Liaison:** John Wasielewski  
Paul Hotaling

**CHA Representative:** Joe Romano

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Mr. Ouimet opened the July 14, 2014 Planning Board Meeting at 7:02 PM and asked for a moment of silence for our colleague and friend Walt Polak, Town Board Member and Planning Board liaison, who passed away. Mr. Ouimet asked the Planning Board Members if they had reviewed the June 23, 2014 Planning Board Minutes. Mr. Roberts made a motion to Approve. Mr. Higgins Seconded. Vote: 7-Aye, 0-Nay. Motion carried.

**Public Hearing:****14.065 PH Oakcliff Bed & Breakfast, 78 Church Hill Road – Special Use Permit**

Mr. Ouimet opened the Public Hearing at 7:02 pm. Mr. Ouimet asked if anyone would like to have the notice read. No one responded. Ms. Susan Ruckdeschel spoke and introduced Mr. John Szemansco, the owner of 78 Church Hill Road, and stated I will be assisting him with inn keeping of the B&B. We propose three rooms be available for the B&B. We are primarily interested in seasonal rental, racing season, fall, possibly spring, though we would like it to be available year round. We will serve breakfast, simple continental breakfast. We live in the house, so it will only be rented when we are in the house. We will be the innkeepers. Off street parking will be provided. By the way it is an historic home. We are allowed to have 3 cars, one car per couple or person that rents the room. And the structure meets all NYS fire and building codes. Mr. Szemansco showed where the parking area will be and pointed to an area behind the garage/barn. Mr. Szemansco stated cars will park out of view of street. Ms. Ruckdeschel stated the rooms will be clustered in one zone of the house. The house is large, a 4500 SF home. Mr. Szemansco pointed out the area of the rooms in the home, bedrooms #1, #2 and #3 and the master bedroom. Ms. Ruckdeschel pointed to the common areas, stating the parlor, dining room and library, common

areas are for all in the B&B, plus outside porches. There will be no access to the kitchen and two private offices or laundry facilities. She explained parking will be behind the carriage house, well off the street. She said the house is on the National Historic Registry, has been since 1998. There is great historical significance of the home and hope people renting rooms will be interested in the history. We intend to show that history off in common rooms with pictures and things. We don't plan a sign, prefer not to. We will have a web presence and use social media but that will be the extent of advertising. Mr. Szemansco said he was asked about a sign at the last meeting and at the entrance to the driveway there is a National Historic Register sign and the way he always describes the house is not by 78 Church Hill Road. It's the yellow house with the barn at the top of the hill and everyone seems to find it that way. We don't want to commercial it by putting up a sign. Ms. Ruckdeschel said she understands concerns about commercialization and bringing property values down, but we've actually researched it and if anyone knows real estate they know they need a crystal ball to know where real estate is going because it's hard to tell. However, from what we found it actual tends to increase property values because owners of B&Bs tend to keep their properties up, which John fully intends to do, and he has done so. He also owns two properties next to this house which he restored, as he did his own home, which was in great disrepair and no longer is. We also understand some concern with regard to traffic, however we are across the street from a church that is very busy and a popular church that already has its own traffic patterns and flows and I don't know how three cars can add much to that. Mr. Szemansco stated that although three rooms will be available for rent, but it will be very rare and probably only through the height of racing season that you will have three rooms filled up, I would be very surprised because we are out of the mainstream. Chairman Ouimet stated Thank you and does anyone from the public wish to speak? Mary Lou Lamb stated I live next door to John and lived there more than 30 years. Church Hill Road is a big part of the Halfmoon Historical District and very important. My husband and others several years ago tried to buy the little Methodist Church on Church Hill Road for the historical society but they were unable to do that. I have questions for John. Will it devalue the home? Of course. Assessment value. Will my assessment increase or decrease? Because I'll have a business next door. Have you filed a dba, doing business as? Is it on the record? Because it will be a business. Will your house be reassessed as a business rather than a home, since you are going to have people there? How will the guests be contained within the boundaries of the home? I live alone and I don't want people wandering around my place or your place. What about parking? Is there room? Will alcohol be allowed, even if you don't serve it? Will people be allowed to bring it in? I think that's a problem. Those questions I'd like, especially, well all those questions. Mr. Roberts asked Ma'am before you stop, can we have your name and address for the record? Mary Lou Lamb, 82 Church Hill Road, next to John. Mr. Szemansco said Thank you Mary Lou. One of the questions sticks out in my mind about the type of people that will frequent the B&B. We will certainly screen them, that's for sure, because we will be in the house when they are there. There has been incidents on Church Hill Road, you should be concerned. I don't know if you're aware, the Harpel's house had been broken into again across the street. All their copper pipes were stolen. It's the second time they've had thefts on the street, as well as your house was broken in about a year or two ago and there were items stolen. I think that was the second time and that had nothing to do with a B&B, so I think those things are just isolated. The B&B, I can't see it would bring that type of a clientele. If anything I had to worry about is the art and antiques that I have in my own personal house that would be stolen, rather than in neighborhoods. I filed all the permits, legally that had to be filed including with the Town and County of Saratoga, who has already approved the parking area and the area where the B&B is for the zoning and I've met all the requirements for that. we will not be selling alcohol on the premises. we will not be serving alcohol on the premises. DBA, we do have a DBA called Literacy Solutions PD Inc., and this will probably fall under that category, but we haven't decided yet since we don't have final approvals for the B&B. But that would be a personal liability issue anyway that would have

nothing that would affect the Town or the neighborhood. With regard to commercialization, I don't think we have a bigger commercialized piece of property than St. Mary's Church, which is a commercial establishment. It's a huge commercial establishment. I counted 150 cars going in and out of that church the other day and what I'm going to do is going to simply, I had more traffic when my two children were running their cars in and out than I expect that the B&B will have. Ms. Ruckdeschel asked Did we address all the questions? OK, any other questions? Chairman Ouimet asked Anyone else from the public wish to speak? Just ask that you give us your name and address for the record. My name is Henrietta O'Grady, 44 Church Hill Road. First of all, I do commend you John for the effort, the work you did on 78 Church Hill for restoring, rehabilitating the building, it's beautiful, it really is. However there is the question of the historic overlay district. We believe that it is a very unique and special area and we would like, what we are concerned about, what I am concerned about really is commercial creep, I really am. What you have requested is for a year round operation for a B&B. But however you explained that you are really seeking to capture the audience for the racing season, so perhaps there could be a compromise, perhaps there is one way of doing it. Perhaps it could be a seasonal business and then it wouldn't be purely commercial. there are some other concerns too. The question of the room for parking spaces. Is there enough room accommodating 4-6 cars in accordance with the Town's regulations for parking? I'm not sure that was laid out, I know you said there was room, but I don't think there were dimensions, and I think that needs to be clarified. Also there, the sight visions for cars exiting out of that residence, next to the barn, on top of the hill, it can be very dangerous. Now, third, what happens to the permit, the special permit, if the owner sells? Does it revert back to the Town, does it go to a new owner? That's another question I have. Mr. Szemansco said it goes with the house. Ms. O'Grady said It goes with the house. So that once the permit is issued it will always stay with it? Lyn Murphy stated It won't always stay with it. If the character of the business were to change, if the name of the business were to change, the owner of the business were to change, we would require them to come back before this Board, because it has to be owner occupied. I guess by its very nature, if he left, the new applicant/new person who lived there would have to come before the Board. Ms. O'Grady said that was my question. I wanted to know that, if the present owner sells, what happens to the permit? Ms. Murphy said If they wanted to continue the business they would have to come before the Board because it has to be owner occupied and this would by its very nature be a change in tenant. Ms. O'Grady said OK, thank you. Anyway, I believe those are my concerns and we hope we can still retain the historical aspect of that district and because of these other additional concerns I would really recommend that the Board consider a seasonal permit and not a year round adventure. Thank you. Mr. Szemansco stated I'd like to address three different things. One is regarding the concern of the neighborhood that there will be other commercial establishments that would be established. According to the way the rules are set up, for the B&B, the occupancy can be no more than 30% of the total square footage of the house. That leaves a lot of house out. For instance, I have two other houses that are on Church Hill Road that would be ineligible for a B&B because by the time you factor in the percentage of the bedroom compared to the percentage of the whole house, it doesn't meet the qualifications, so it would have to be a large house like my house or Oswald's house for that. The second thing is the parking area, the allowance is for, if there are going to be three rooms there's going to be three cars, so there will be no more than that at that unit. And the other thing is that there is plenty of parking for that in front of the barn. The barn is over 30 ft long and if you just had it on that particular area for three cars and allowed for 10 ft spaces that would include the full 30. The last thing that was addressed was seasonal. I think that would be a hardship because that would limit our flexibility on when we wanted to have the B&B. If we just wanted to have it for just racing season or if we wanted to open it up for Christmas, etc., we would be limited to that and we would prefer not to do that. Any other questions or concerns? Chairman Ouimet asked Can you speak a little bit about the sight distance coming out of the driveway? Mr. Szemansco stated the sight distance is great out of my

house. A lot of the other houses like Mary Lou's house, it's much more difficult getting in and out. When I go out of my barn I go past my barn and I've got, because I'm at the top of the hill, I have full views to the right and full views to the left and the same thing going out the other driveway. Chairman Ouimet stated So out of both driveways you have good sight distance there? Mr. Szemansco stated Yes, excellent. Chairman Ouimet asked Was there anything else Henrietta that you wanted to, just come up and use the microphone so we can record it. Ms. O'Grady stated If I may say one more additional thing. You were saying that commercially St. Mary's across the road from you is a commercial operation, well I beg to differ with you. That is a religious operation, it doesn't really, it's not really considered commercial. There is a huge difference. Now, when you're coming up from Church Hill, you may have a good sight vision coming out of that driveway, however, people coming up the hill from Waterford or coming from the other direction might have a problem, so the ongoing traffic might be affected by this. That's it. Thank you. Chairman Ouimet asked Rich Harris, do we have a site plan that shows the proposed parking area for this? Mr. Harris stated Yes, sketched on the plan, an area, it's in there in the folder. Behind the barn, and there's overflow on the semi-circular driveway. Chairman Ouimet stated Henrietta, you might want to look at this, it's shown where his parking is. Ms. O'Grady stated I'm familiar with it, thank you. Mr. Harris stated we observed on at least two occasions probably your cars, two or three in the semi-circular area and it's estimated, staff estimated, you could fit five or six there additional. Chairman Ouimet said OK, thank you. Anyone else from the public wish to speak? Identify yourself, tell us your name, where you live. Mr. Steve Plotnik stated I live at 102 Church Hill Road, just down the hill, five houses from John. I just want to address the one issue that's been brought up about the historical district. I think it's a great thing that we have there, the historic district, but I don't think anybody really knows about other than the people that live in Halfmoon. It's not anything that's widely known and this would advertise it and be a great way of having people from the outside world come and spend a night there and understand there is a historical district and make it more widely understood that it's there. So I think it's a very positive development in that sense. Chairman Ouimet stated Thank you. Anyone else wish to speak from the public? If not, I'll close the public hearing and open it up for questions from the Board. Any questions? Mr. Higgins stated I think I asked the applicant at the last meeting. It's going to be three rooms with a maximum of two people per room, correct? Mr. Szemansco stated That is correct. Mr. Higgins stated Now, as far as parking, on the Topics it says that we require two per room. Mr. Harris stated, No, the Topics, actually that's wrong. It is one per guest room and then two for the residence. So it would be five not eight. I apologize for that. Mr. Higgins stated OK. That's why I just wanted to question. So with the five spots there is adequate parking on-site? Mr. Harris stated That's correct, between the location he showed and I'm thinking potential overflow for whatever reason, a friend visiting, two at the same time with yourselves, you have the semi-circular driveway, also, as a backup to his plan. Mr. Higgins stated Thank you. Mr. Roberts stated This may be difficult to answer but what do you anticipate to be the average length of stay for each guest? Mr. Szemansco stated Well, generally from what I've seen, I've done a little work on this this weekend, when you talk racing season, it could be 2 or 3 days max, don't think it's going to go much over. Usually people come in for one day or a weekend, or people who are traveling through. I expect that it's going to be like that, I don't think it's going to be long stays and I'm not particularly interested in long stays. Mr. Roberts stated Thank you. Mr. Berkowitz asked There's no other meals, except for continental breakfast being served? No happy hours? Mr. Szemansco stated No, there's no liquor being served on the premises. I don't want that liability. Mr. Berkowitz asked Is there going to be any outdoor sitting areas, benches, for people to be outside? Mr. Szemansco stated Well they could outside on the porches, but that will be attached and then if they want to walk on the property and walk down the hill they can towards the river. Mr. Berkowitz asked No events occurring in the backyard or tents being set up? Mr. Szemansco stated Not going to do events. I'd like to keep it as simple as possible. Mr. Berkowitz stated OK. Ms. Sautter stated I have to agree with Mr. Plotnik and I thought

that was a really good point. I also, when Henrietta was speaking about it, that I completely agree with you and I thought this is a really nice way for people to know about the area and about the heritage of the area and so I thought that was an excellent point that you made and I had it actually written down to say the same thing. I think it would benefit the area and I can understand your concerns, but I think this a great way to ease into it. I think it's nice, what you're doing. Mr. Szemansco stated Good, thank you. Chairman Ouimet stated I think it may be worthwhile for us to just review the requirements of a B&B under our code. First of all, the property has to be owner occupied, means you have to live in in the property. So if you wanted to use your other two houses, I don't know how you can live in three houses at once. So it's clearly this property or one of the other two. Secondly, the primary use has to remain residential. It's not changing to be commercial because we're permitting you or we may permit you to rent out or lease out three of your bedrooms. Mr. Szemansco stated Correct. Mr. Ouimet stated You can have no more than three guest rooms. Mr. Szemansco stated That's correct. Mr. Ouimet stated So it can be no bigger than what you are proposing. Mr. Szemansco stated Yes. Chairman Ouimet stated It can be smaller, but it could be no bigger. Mr. Szemansco stated Right. Chairman Ouimet stated The only meal that you could serve there is breakfast. That's it, no snacks, no wine and cheese at 4 o'clock or anything of that nature. Mr. Szemansco stated Correct. Chairman Ouimet stated Off street parking, we already talked about. There could be no exterior alterations to the structure that would impact on the residential character of the building. Mr. Szemansco stated Correct. Chairman Ouimet stated In other words, you can't put out crazy things. You can't add to it because of the nature of where it is, in the historic district. And the structure has to meet codes. So what I'm going to ask if this is approved tonight, that you get a certificate of occupancy for this particular purpose for that building from Code Enforcement. Mr. Szemansco stated OK, I will do that. Chairman Ouimet stated Because that is a requirement. Mr. Szemansco stated Yes. Chairman Ouimet asked Any other questions from the Board? Mr. Higgins asked So it doesn't have to be handicapped accessible? Mr. Szemansco stated My understanding is no, when it's five rooms or less. Chairman Ouimet stated Yeah and I think the historic nature sometimes takes it out of the Americans with Disabilities Act. Mr. Higgins stated When you mentioned that, that's why I asked. Thank you. Mr. Roberts stated I'd like to make a motion to declare a negative declaration pursuant to SEQR. Mr. Berkowitz seconded. Chairman Ouimet asked All in favor? Aye (unanimous). Chairman Ouimet stated A negative declaration is declared. Mr. Roberts stated I'd like to make a motion to approve this application as submitted. Mr. Partlow seconded. Chairman Ouimet asked All in favor? Aye (unanimous). Chairman Ouimet stated Thank you and good luck. Mr. Szemansco stated Thank you. Chairman Ouimet stated Welcome to the Town, even though you've been living here for a long time. Mr. Szemansco stated Yes, and hopefully I'll make enough money to landscape it better. Chairman Ouimet stated Very good, Thank you.

**New Business:**

**14.076 NB      Sonis Brothers Inc. (Sunoco), 1500 Route 9 – Change of Tenant/Use**

Chairman Ouimet asked Is anyone was present from Sonis? OK, I will recall this later.

**14.077 NB      Halfmoon Heights Mobile Home Park, 60 Cemetery Road – Addition to Site Plan**

Mr. Joe Dannible from the Environmental Design Partnership stated the following: I'm Joe Dannible, from EDP, and I'm here on behalf of Garden Homes and their application to amend the mobile home park they recently purchased in the Town of Halfmoon on Cemetery Road. The park itself is formerly known as the Turf Mobile Home Community, now named the Halfmoon Heights Mobile Home Park. The applicant purchased this property in January this year and since this time has made some renovations to the park to help bring that park back into code compliance. Couple of the additional features they want to do to help increase the community living, help make it a better

area for the residents is: One, they want to put a 2400 SF maintenance barn that will house some of the maintenance equipment used at the facility, such as plow vehicles, possibly a back hoe on site, possibly some of the materials ancillary to the onsite wastewater treatment system. That will be located just off the edge of an existing road near the existing wastewater treatment area. Another addition to the facility they want to make is a gravel parking area to house certain things such as boats, RVs, trailers, miscellaneous items that are right now scattered throughout the roadways and scattered throughout the property. Essentially they want to make an organizational plan, put in this parking area, get people to park those extra vehicles off the roadways and in between the mobile homes and put them in an organized area. That's generally what we're looking for with the application. A few of the site stats about that, the park itself is roughly 126 acres, there's approximately 400 units in the mobile home park. Again, we're just looking to put in the gravel parking area and the storage building. I passed out to the Board a representative picture or photo of the building that will be constructed onsite. Only slight difference there will be four doors along the front and then just passed doors on either end. With that tonight we're looking to move the application along. It is pretty straight forward. If we can get an approval tonight or a recommendation or refer it to the reviewing engineer, it would be greatly appreciated. Thank you. Chairman Ouimet said Thank you, Joe. One of the major questions that was raised at the pre-meeting tonight was the parking area. It's a parking area for 60 somethings, right? Vehicles, could be trailers, could be boats, could be cars, could be whatever. Are there rules or regulations that are going to govern what can be parked there? I don't want to consider creating a lot where you just park junk. Mr. Dannible referred to Mr. Tom O'Brien, from Garden Homes, he could speak to what will be available. Chairman Ouimet asked If you could come up and use the microphone? Tom O'Brien said I'm the regional manager for Garden Homes. In our rules and regulations for the park we don't allow RVs or boats or utility trailers on the site themselves. So we're trying to create an area where we can move those items to somewhere else and store them within the area, make sure they're secure, whatever, so the site of each home will look much nicer. Those areas there you cannot bring something else in from another person and store it, it has to be tenants within the park, and that's within our rules. Chairman Ouimet said Is this area you're proposing to create, are you going to rent the spaces? Mr. O'Brien said No, not at all. Chairman Ouimet said It's unrestricted? So if one tenant wanted to park five vehicles? Mr. O'Brien said No, that wouldn't be allowed. We're hoping to clean up each individual manufactured home site by eliminating, if someone has an RV or a popup camper or something, to store that within the park, to make it more convenient for them, instead of having to go outside and pay somewhere to store it. Chairman Ouimet said No, I understand what you want to do. It's a question of how are you doing it. I'm just having difficulty figuring it out. If somebody has three or four things they need to store. Mr. O'Brien said I've never had that problem where they have three or four things, it's usually one or two. Mr. Roberts asked Are you going to limit that. Are you going to limit how many one person can? Mr. O'Brien said If you want to put that as part of the approval, I'll limit it, yeah, but the point is it's normally a utility trailer. It's usually one item from my experience and I manage 20 different mobile home parks. So, we try to do this in every park we have and we try to make it more convenient for the tenant and to make each site look better. Chairman Ouimet asked Is it limited to registered or licensed vehicles? Mr. O'Brien said Yes, everything within the park has to be registered, or we tow it out. Chairman Ouimet asked That's in your rules now? Mr. O'Brien said Yes, it is. That's been in our rules. Chairman Ouimet asked Are you proposing to fence this area? Mr. O'Brien said I'm proposing to fence it and to put lighting up. Chairman Ouimet asked And limit the access to it? Mr. O'Brien said Yes. Mr. Partlow asked Where would the access point be? Mr. O'Brien said It would be near the Cheryl's Lodge and the basketball court. There's an access that goes down through to the back where the sewer plant is, where we're proposing to put up the storage building. Right now there is a chain link fence on each side and we're proposing to put a gate across and then to fence in the area where we're going to park and put lighting in there as

well for security. Mr. Higgins said So there's 400 sites and you're going to have approximately 60 spaces. So is it first, come first serve? Mr. O'Brien said Yes and if it's full or someone has another item they're going to have to bring it outside the park and store it somewhere else at their own expense. Mr. Roberts said So there will be no more storage by the homes? Mr. O'Brien said No, correct. Mr. Partlow asked Can this lot be seen from any of the major roadways, like Route 9? Mr. O'Brien said No, not at all. Mr. Dannible said The location of where we're proposing to put the parking area for a year, here's the wastewater fields, here's where the storage building will go, putting in the parking area will go in this clearing right here. Cemetery Road is here, Route 9 and Northway over here. So there's quite a distance from any of the adjacent roadways. Mr. Higgins said I know the question was asked also at the pre-meeting, as far as you know, everything else on the site is up to code and there's no violations? Mr. O'Brien said As far as I know. The Town went through, they had to go through to inspect all the lots. We got an OK from the Town that everything met code after correcting any violations, OK, because I wanted to make sure we had everything corrected prior to this meeting. Mr. Higgins said OK. And the existing wastewater treatment plant is now functioning? Mr. O'Brien said It has been functioning, yes. Mr. Partlow asked Will you require the homes on the front to move their products, their vehicles to that parking lot? I know along Cemetery Road area, will you require them to move them to that lot? Mr. O'Brien said I will require everybody in the park to move their items there. Mr. Higgins said Because there is that one huge trailer that's been parked there for years, that does the baseball lining or trails. Mr. O'Brien said We have a number of problems within and we're trying to clean it up. That's basically why we're trying to provide an area where they can bring it that's not on their site, and every site we're looking to clean up. Chairman Ouimet asked Rich, this is going to need County Referral, correct? Mr. Harris said Yes, that's correct and it's tentatively scheduled for their meeting this Thursday. Chairman Ouimet said So we can table it and await County Referral and put it back on for the next meeting? Mr. Harris said That's correct. I would request though, because you mentioned a couple things that we're unaware of, we don't have any type of lighting shown on the plans or a fence indicated, so we were under the impression there was no fence or lighting. Mr. O'Brien said There is a fence that goes from the back side of Sue Lane that goes down and it goes by the basketball court. All I'm doing is putting a gate across. There is a gate now, but it is a piece of cable. Mr. Harris said Oh, so you're not fencing around the parking? OK, I misunderstood, I apologize. Mr. O'Brien said And the lighting, that's something I wanted to do in the future. That's something I haven't proposed at this point, but some people have brought it up, the tenants, for security reasons, they'd like to see lighting. Mr. Harris said I don't know if this Board wants to review that in terms of on a revised plan or if you want them indicated in terms of down lighting or something like that. I don't know how much it could impact neighbors where it is. Chairman Ouimet said I guess my question is, will you be doing that in conjunction with this project? Mr. O'Brien said No. The lighting, No. The gate, Yes. Chairman Ouimet said I think whatever you're going to do in conjunction with this project we need to see and I think that has to be in the package that goes to the County, unless it's already been referred. Mr. Harris said We already referred it, but we can verbally indicate those things to them. If they need more info, they would table it and hear it again, or do it outside the meeting through their MOU with us. So I'm not so much concerned about that. But if they are going to make, if this Board wants those added to the site plan, whether it's the gate and/or lighting, I'd like to know that now and you could revise the plan and we can mention that to the County. Chairman Ouimet said Well the gate is already proposed, right? You're going to do the gate as part of this? Mr. O'Brien said I plan to, but the lighting was something I was thinking down the road that, because tenants have brought that up of late. So, I will do what you request. OK, if you want to, we put the whole package together again for you, it's up to you, OK. Chairman Ouimet said I would rather you not put a package together again, because if this one's already been referred to the County, we would have to wait for the new package and then re-refer it and then we're weeks down the line. Mr. O'Brien said You

tell me how you want to do it. Mr. Dannible said If in a year we want to come back and put lights on and come back before the Board (inaudible). Chairman Ouimet said If you were going to do that, add things that aren't already depicted here and not already part of the proposal you put before us tonight, you would have to come back for modification, for a site plan change, OK? Mr. O'Brien said OK. Ms. Murphy asked So the gate is not on there? Mr. O'Brien said There is a cable across. Ms. Murphy said But that's not what you're going to keep? Mr. O'Brien said I wanted to put a nice, you know, gate in there that would move back and forth, that more of a security. Ms. Murphy said And I think you're saying you can just verbally advise the County of that but Joe should put it on the plans so that it's documented, correct? Mr. Harris said Yes, because I think we're having also the fire department look at that, knowing it has to go the County and I'd like the fire department to look at that, also, the gate and what that does for access. Are you going to revise the plans? Chairman Ouimet said So those kinds of revisions, you're going to have to get to Rich fairly quickly, so they can be considered by the County, because if they're not we're going to have to send a whole new referral. Mr. O'Brien said We can have them to him this week. Mr. Harris said That will work, if prior to Wednesday I can get that information, I'm confident we can talk to the County about it, and if it's a major issue for some reason, they'll table it and they may want to see the plan. But my experience has been, as long as they know the information, I don't think it's necessary for their review. Mr. Berkowitz asked Have you had any security issues in any other facilities that you own? Nothing? Noone ever goes back there and. Mr. O'Brien said No, I haven't. I can't speak for it that we've had any problems. I mean most of the places that I have other RV areas like what I'm proposing, there's no gates, there's no lights or anything. I have no problems as far as any people breaking into it, it's just more of a courtesy for us to move the stuff off the property and make everything look nicer. Mr. Berkowitz said OK. Chairman Ouimet said OK. I think what we'll do is table your application for tonight. It's been referred to the County. We'll put you on for our next meeting, which is what Rich, August? Mr. Harris said 28<sup>th</sup> of July. Mr. Ouimet said Hopefully we'll get a response from the County, we'll get a response from the fire district, and we'll be able to vote. Mr. O'Brien said OK. So as far as the building goes, we're OK with the building, we just have these questions. Chairman Ouimet said We haven't voted on anything yet, we still have to wait for the County Referral. Mr. O'Brien said OK. But are there any questions pertaining to the building? Chairman Ouimet said I didn't hear any. Did the Board have any questions on the building? No? Mr. O'Brien said OK, thank you very much, appreciate all your help. Chairman Ouimet said OK, thank you. Chairman Ouimet asked Is anyone from Sonis Brothers here? No? I guess not. OK, we'll move on to the next item on the agenda.

#### **14.078 NB      CGM Construction, Inc., 2 Brookwood Road – Change of Use**

Mr. Chris Marchand, the applicant, stated the following: Good evening everyone. My name is Chris Marchand, from CGM Construction. I was here over a year ago in the Spring of last year, we received approval for an equipment storage garage at 2 Brookwood Road. We completed the building in the summer of last year and were issued a certificate of occupancy. I'm here tonight because we would like to use a portion of the building for an office area to accompany the business. I completed a Change of Use application. That seemed to be the closest form that fit what we're trying to do, but I don't think it's entirely accurate. We're not looking to change the use of the building. It's going to be predominantly still an equipment storage garage, just have a small office area dedicated to our own business for a place that I can use for accounting, bookwork, paperwork, a receptionist, very small limited operation. So that's what I'm looking for tonight, to receive approval for a small office area within that building. Chairman Ouimet asked Are you proposing any construction of showrooms of any nature? Mr. Marchand said No. Chairman Ouimet asked You're not building any displays or anything where you would have customers come in? Mr. Marchand said No displays. Chairman Ouimet said So it's just a small office for how many staff? Mr. Marchand said Probably three or four part-time at the most and they all won't be there at the



same time, me being one of them, if I do some work there after hours, when the work day is over, I want to do some paperwork there. Have a receptionist that works there during the day but very limited staff. Chairman Ouimet asked Paul, have you taken a look at the parking situation down there? Mr. Marlow said Yes, we have taken a look at the parking situation over there. As far as what is there now, on the previous approved site plan, there was allotted ten spots, but there is obviously much more room there to expand that parking lot if need be. With this additional use, being that the office is more intense than the warehousing use, you are technically required by code to have seven more spaces than you do have now. I know we got a comment from the fire department just this afternoon. Their only issue was whether or not the gravel was adequately able to handle a 75,000 pound fire truck. But again that is on an existing site plan. There is obviously plenty of room to expand, it's just whether the Board chooses to ask you to expand or not. Chairman Ouimet asked Any questions from the Board? Mr. Higgins asked You have sanitary facilities within the building? Mr. Marchand said We're going to do some. None right now. Mr. Higgins, OK so you're going to put them in? Mr. Marchand said When I was here last year we had talked about doing a bathroom and I presented on the site plan at that time a septic system. So obviously if we wanted to convert a portion to an office we would have a working bathroom with a septic system. Mr. Higgins asked And is it Town water or is it? Mr. Marchand said It's Town water, the water main runs right in front of the building. Mr. Higgins asked Now, would they need to have a designated handicapped spot? Chairman Ouimet said I do not believe so John. They're not inviting the public to come into the building for any reason. Right, it's all commercial, plus an office, which is ancillary to your commercial operation, correct? Mr. Marchand said Correct. Chairman Ouimet said I don't believe so. Mr. Higgins said So the receptionist would be strictly for phone reception? Chairman Ouimet said Not unless they had a handicapped employee. Mr. Higgins said Right, well that's why I didn't know what the requirements were. Those were the only questions I had. Chairman Ouimet asked What about the issue of the parking area? If you have to construct a larger parking area, it seems to me that the fire department comments just came, I mean we already approved the building and the parking area that was already constructed for that building. I can't make you go and reinforce it so to speak, if it can't hold? Mr. Marchand said There's no questions at all about the suitability of the crusher run sub base that we have there. We've had tractor trailers actually that take a wrong turn, coming off of 4 and 32 and turning around in our parking lot, not that we want them there. We've caught people in the past coming right in and turning around, never any issues. More than adequate, and we can land bank parking if we need to. I'm not sure how the calculation determines 17 spaces or what equation comes up with 17 spots, but if we needed that we could land bank. There's adequate room down there to do so. Chairman Ouimet said Yeah, I'm not so sure either. Paul, you're talking about three part time employees using the office? Mr. Harris said The application had said four part time employees. It's based on the square footage, so because you're carving some area within the existing building you lose the need for a couple spots, but you gain the need based on 1 per 200 SF of the new area. So the net, basically for the entire site, a strict calculation under the code would be 17 spaces. But your gravel area there that's existing, appears to be significantly more than ten 10 by 20 spaces. Mr. Marchand said Correct. Mr. Harris asked What would you estimate you could fit right now, cars parked on 10 by 20 spaces, if it was to be lined or paved? Mr. Marchand said If it was to be lined, I would say probably 15 to 20 vehicles, if we needed to. Mr. Harris said I thought upwards of 20, didn't want to say that. Mr. Marchand said You're trying to help me out, and I appreciate it, but I would say, I'm not looking to block all the doors of the building. If we needed to we could park in front of the overhead doors, we could certainly gain more places and be above that 20 range. But I think if we're just looking at still keeping access into the overhead doors of the building, not limiting circulation in and out of the building, we still would have 15 to 20 spaces. Chairman Ouimet said Then it should be adequate. Mr. Harris said, Yes, because it's not geared towards a typical office where it might be a doctor or lawyer, someone that has visitors every 15 minutes or

half hour. They have four part time employees, I don't know if they're all there at the same time? Mr. Marchand said No. Mr. Harris said So, two to three maybe you have a visitor once in a while, but I don't think the additional seven spots, the way you explained it in your narrative, is necessarily required. Chairman Ouimet said So basically you're talking about part time employees in off hours going in, weekends and nighttime, after normal construction hours. Mr. Marchand said Right, the receptionist would be there during normal business hours, that's one. There's myself. Chairman Ouimet said So the question is, really, do you think any of the part time people, at least one or two others will be there all the time, and I'm not getting that sense from you. Mr. Marchand said Not generally speaking, I can't say never. I mean there are times we have to get together and discuss operations at the office. I can't say never. I don't want to say never, that we'll all be there together. But generally speaking, I'm there after hours trying to catch up on paperwork when the normal working day is over. Chairman Ouimet said OK, any other questions from the Board? Mr. Roberts said John, I see no issues here, I make a motion to approve. Mr. Berkowitz said Second. Chairman Ouimet said All in favor? Aye – approved. Mr. Marchand said Thank you. Chairman Ouimet said Thank you.

**14.079 NB      Law Office of Alice M. Breeding, Esq., PLLC, 21 Executive Park Drive – Sign**

Ms. Alice M. Breeding, Esq., the applicant, stated the following: I am Alice Breeding. I am the owner and sole employee of the Law Office of Alice M. Breeding, Esq., LLC. About a month ago I was here and got approval for a tenant use for my law office and now I'm looking for approval for a very small sign, more akin to a plaza insert than anything else, on the property. Chairman Ouimet said Thank you. Don, have you had a chance to take a look at it. Mr. Roberts said Yes I did and just as the lady said, it's just a small insert. Meets our code and make a motion to approve. Mr. Partlow said Second. Chairman Ouimet said All in favor? Aye. Approved, thank you.

**14.081 NB      The Cell Phone Connection, Inc., 1603 Route 9, Suite 5B (Towne Center Plaza) – Change of Tenant & Sign**

Mr. Lester Harpp, the applicant, stated the following: My name is Lester Harpp, I'm here with Jeff and Brody Harpp. We're the owners of The Cell Phone Connection. We were previously located in the Clifton Park Center Mall and are looking for a tenant change and sign change at the Towne Center Plaza, 1603 Rt. 9, as you stated, Space 5-B in Halfmoon. Mr. Higgins asked Is the address 1603. Mr. Harpp said According to here, 1603 Rt. 9. Mr. Higgins said We're just trying to make sure our paperwork is correct. Chairman Ouimet asked How many employees and what are your hours of operation? Mr. Harpp stated Three employees and our hours of operation will be 10 to 6, Monday through Friday and 10 to 2 on Saturday. Chairman Ouimet said No Sunday hours? Mr. Harpp said No Sunday hours. Chairman Ouimet said Paul, have you taken a look at the parking requirements in this plaza. Mr. Marlow said We have taken a look at the parking lot. There does seem to be adequate parking in the space there. This is a very similar use to the past tenant, so it is not a larger impact on the parking requirement. Chairman Ouimet said It is a similar or even a little lighter than the past tenant. Mr. Marlow said It's just about the same. Chairman Ouimet said Any other questions from the Board? Mr. Berkowitz said I make a motion to approve the change of tenant? Mr. Partlow Seconded. Chairman Ouimet said All in favor? Aye. Change of tenant is approved. The sign, what are you going to do with the sign. Mr. Harpp said They are insert signs, so we will be just putting an insert there and think you have a picture of what we intend. Chairman Ouimet asked Don, have you taken a look at the proposed sign. Mr. Roberts said Yes I have. Are they going to be lit. Mr. Harpp said The signs are lit from inside. There's a marquee on the front there, if you noticed, which is lit at night. Mr. Roberts asked It's the same kind of lighting as before, right? Mr. Harpp said It's the same thing, yes. Mr. Roberts made a motion to approve.

Mr. Higgins Seconded. Chairman Ouimet said All in favor? Aye. Sign is approved as well. Thank you. Welcome to Halfmoon. Mr. Harpp said Thank you.

**14.082 NB      Bright Horizons Colonie Seniors, 1673 Route 9 (Healthplex) – Change of Tenant & Sign**

Mr. Berkowitz recused himself. Mr. Dean Taylor from RE/MAX stated the following: My name is Dean Taylor, I'm a licensed NYS real estate agent with RE/MAX Park Place. I live at 9 Vineyard Circle, Clifton Park. I'm here with Kristen Vivian and she's the program director for Bright Horizons. Ms. Vivian said Good Evening. Bright Horizons is a senior day service program. We currently operate three locations, two within the Town of Colonie and one within the Town of Guilderland. Our primary purpose is to assist caregivers with their caregiving needs for seniors by providing a day program where seniors primarily with cognitive impairments are able to come and be engaged in programming. Our hours of operation are from 8 to 5 and we provide breakfast, lunch and an afternoon snack. Chairman Ouimet said And it's five days a week or six? Ms. Vivian said Monday through Friday, Yes. Chairman Ouimet asked Any questions from the Board. Chairman Ouimet stated At the pre-meeting there was a question as to whether or not you needed a license from the state to operate an adult day care program. Ms. Vivian said We are over sought. The social day programming level of care is not licensed, but we are over sighted by NYS Office for the Aging and currently Albany County Department of Aging. Chairman Ouimet said That's interesting, in Saratoga County. Ms. Vivian said And we are working toward being over sought by Saratoga County as well. Most of our business is in Albany County. Chairman Ouimet said Right now, are you currently moving at all up here? Ms. Vivian said We are and that's really in response to caregiver need and over a year ago we were approached by some Southern Saratoga County agencies expressing a need for our services and that's why we began to look in this area. Chairman Ouimet said Now, the clients that you serve, they're brought to you and dropped off? Ms. Vivian said Yes. Primarily depending on the person and their daily schedule or if a caregiver is working or not. Our drop offs tend to be anywhere from shortly after 8:00 until 9:30-10:00. So it's very sporadic, people coming in gradually throughout the morning, and the same would be true for pick up time. Most people are picked up at the convenience of their caregiver essentially, usually, starting 3:00 until the 5:00 hour if they happen to be a working caregiver. Mr. Roberts asked How many people did you say you will be serving? Ms. Vivian said Generally at each of our sites, we serve between 15 and 25 members a day. Mr. Higgins asked Now, you're going to be building a kitchen to make the meals or are the meals brought in? Ms. Vivian said In the space currently there is a kitchenette. We're updating that slightly, but there's no operational stove or anything like that in the kitchen. We are looking to partner with Meals on Wheels for meal service for the lunch. Our breakfast we do provide onsite but it's generally cold cereal or toast, or things like that. Mr. Higgins said Thank you. Ms. Vivian said You're welcome. Chairman Ouimet asked Rich, have you taken a look at the parking situation at that facility. Mr. Harris said Yes, we have. Under a strict application of the formula in the code, 13 parking spaces would be required. Given the explanation by the applicant in their narrative, they estimate a need due to largely drop-off and pick-up, four to five parking spaces on average. Staff, not only last year but also more recently during this application, and last year during the prior application, the rear parking lot appears to be half empty at peak times. There are 155 lined parking spaces. Clearly this application is less intense of a use and less demand for parking than the dance center that occupied the space previously. We have no known parking complaints or violations or notices from the Building Department. Chairman Ouimet asked Have you taken a look at the handicapped parking situation, especially where this entrance might be located? Mr. Harris said I can't say I have, in advance of tonight. Chairman Ouimet said You might have an issue there. Ms. Vivian said Our plan is to use the veteran's primary entrance and I would assume that currently already have some handicapped spots. Chairman Ouimet asked Dean, are you familiar with that at all? Mr. Taylor said Yes. I can't

speaking to how many spaces they're going to need, but they're going to be dropped off. So you don't have any handicapped workers? Ms. Vivian said No. Chairman Ouimet said My concern is there needs to be access to at least one. Mr. Taylor said Right at the entrance where Dr. Berkowitz is, there's two spaces there and there's two spaces at the other one. Chairman Ouimet asked How does that match up, I can't visualize the entrance in relation to where those spots are. Mr. Taylor said Oh, they're right outside the entrance doors, right where the typical parking spaces are, and because most of the facility is that fitness center there are very few people there that are handicapped, I know there are some but. Mr. Higgins asked which entrance will you be using primarily? Mr. Taylor said I would call it the west entrance. Ms. Vivian said Where the Veteran's Association Primary Care facility currently exists. That's the one closest to Route 9, yes, yes. We don't take up parking spaces for a lengthy period of time. It's primarily walking in and then departing. Chairman Ouimet said I just wanted to make sure you had one. Any other questions from the Board? Any motion? Mr. Roberts said Motion to approve change of tenant. Mr. Partlow Seconded. Chairman Ouimet said All in favor? Aye. Sign. Don, have you had a chance to look at the sign. Mr. Roberts said All you're going to do is replace a panel that's already there, right? Ms. Vivian said Correct. We're slated to occupy half of the current panel that exists. Apparently there's another business that will occupy the second half of the panel and it is back lit, as it currently is. Mr. Roberts said It meets the code. I make a motion to approve. Mr. Ruchlicki Seconded. Chairman Ouimet said All in favor? Aye. Sign is approved as well. Welcome to Halfmoon. Ms. Vivian said Thank you.

**14.084 NB      Contemporary Athlete, Inc., 1613 Route 9 – Change of Use/Tenant**

Dean Taylor, back at you again here. This time I have here Dave Bender, who is the owner and sole employee of Contemporary Athlete. A little bit of a background here. Contemporary Athlete is an athletic training facility and it is primarily one on one and everything is scheduled. The typical, what he is doing he limits his classes to ten people maximum. The reason for that is because you have certain levels of progress and he can't just have five people extra show up to class and bring the class down. You actually have to register for the classes as well as the one on one training. He feels that even with an overlap he's never going to occupy more than 15 spaces. In the future, he will be looking to put on another instructor that will not affect the amount of people showing up. For him, as he grows his business, he will be extending his hours. He currently doesn't have people coming in until the afternoon. He will extend them further in the morning until further at night. But I believe that you were going to keep your hours no later than 10:00 in the evening and no sooner than 8:00? Mr. Bender said Correct and I start at 5:00-5:30 AM. Chairman Ouimet asked 5:30 in the morning? Mr. Bender said Correct. Chairman Ouimet said Talk to me a little bit about how you are going to stagger or are you going to stagger your classes? Mr. Bender said Right now I have about a 15 minute overlap, so most people are getting there as one class is winding up, the other class is essentially leaving. Chairman Ouimet asked Now are there shower facilities in the building? Or are there going to be shower facilities? Mr. Taylor said There will be one shower facility. He doesn't have a lot of people that use it. At his current facility, you don't have a shower, correct? Mr. Bender said Correct. Mr. Taylor said But this one will have a shower. Chairman Ouimet asked But you don't have to wait for 10 people or 15 people to rotate through one shower, I assume? Mr. Taylor said Well, what happens is less than 10% of the people shower. They just grab their stuff and get out. Chairman Ouimet said Because there's not a wealth of parking associated with this particular structure. So we are concerned about how the classes are scheduled and the potential for conflicts in the parking areas. Mr. Taylor said That's one of the things what attracted me to Mr. Bender, because he is currently in a building up in Clifton Park and there is rarely, there's a handful of people there and when he has his classes you have 10 people, and it was in my opinion a perfect use. Chairman Ouimet said One other question that was raised at the pre-meeting when we were talking about this particular site. Are you planning a sign on the

building, or on a monument, or what are you planning on doing? Mr. Taylor said Yes and yes. The problem has been that on the site plan we did not get approval for a sign and we are struggling. Chairman Ouimet said I don't think you asked for one, but. Mr. Taylor said Correct, certainly not pointing fingers. No, that was an oversight. And what happens is we are struggling with where to put the sign and how to put the sign. Mr. Bender has agreed that he will come back for a sign permit once we have that nailed down and approved. Chairman Ouimet said So you don't know where you're going to put the monument sign? Mr. Taylor said We don't know because we are trying to find a location that's suitable and we'll be back in front of the Planning Board for that. Chairman Ouimet said OK, so there's no sign that's part of this application? Mr. Taylor said That's correct. But there will be. Chairman Ouimet said But you know you have to come back. Mr. Taylor said Yes. Mr. Berkowitz asked When do you anticipate a date of completion of the building. Mr. Taylor said October 1<sup>st</sup> is the date we are shooting at. Chairman Ouimet said Now this use isn't 100% of the building, correct? Mr. Taylor said This is 4400 SF out of 9000 SF, almost half. Chairman Ouimet asked What are you proposing for the other half? Mr. Taylor said I don't have anybody yet, but we are fully aware we can keep a very small showroom with the rest of the area being some type of storage for that ancillary use to the showroom. We're looking at, and we're talking with tenants. Such as home improvement type tenants, that would have a showroom and then a crew go out and install. We are also talking to people who actually make product onsite and then would want to show a place to sell some of that, even though they do most of their business as wholesaling. Chairman Ouimet said All I would ask you to keep in the back of your mind is that parking conflicts. Mr. Taylor said Absolutely. Chairman Ouimet asked Any other questions from the Board? Ms. Sautter said I just have a quick question here. Days of operation here, you say, on our sheet it shows until 8:00, but you did say until 10:00. And I also question that you have one full employee, one full time, I'm assuming that's you. You're telling me you're going to work 15 hours every day with 15 minute breaks and work out and do that 5 days a week. Mr. Bender said I just started taking Sundays off. I've been in business for almost two years now. So I start Monday through Friday I'm there at 5 AM, I work until 8, usually wrap up, clean up, out by 8:30 PM. Saturdays I'm in at 7:30, I'm out at 1. Ms. Sautter said So it's 8 PM not 10, earlier tonight you said 10, OK. Mr. Taylor said I wanted to make sure that he had, I didn't want to mislead the Board. He's currently open until 10, but he would hope to get another instructor and expand his hours. That's what I wanted you guys to know that he would be wanting to go at some point until 10. He doesn't want to be restricted to 8. Mr. Berkowitz said So you want to change the hours to 10 PM then on the application. Mr. Taylor and Mr. Bender said Yes. Chairman Ouimet asked Can I have a motion? Mr. Berkowitz said I'll make a motion to approve. Second by Mr. Partlow. Chairman Ouimet said All in favor? Aye. Welcome to Halfmoon. Mr. Taylor and Mr. Bender said Thank you.

**14.086 NB      Mikol Subdivision, Hogan Lane – Minor Subdivision**

Mr. Jeff Williams from Bruce Tanski Construction & Development stated the following: Jeff Williams, representing Doug and Denise Mikol. Doug and Denise Mikol wish to subdivide a parcel off an existing 2.5 acre parcel that they own off of Hogan Lane. The parcel would be for their daughter and husband. The parcel itself is zoned R-1 Residential. It is adjacent to the parcel Doug and Denise live in, which fronts off of Guideboard Road. The parcel itself would be served by public water by extending water from Domenica Drive and also be served by sewer by hooking up to a 3 inch force main that's across the road. The parcel will be 20,044 SF. It meets all minimum lot requirements for a single family home served with public water and public sewer. Chairman Ouimet asked Any questions from the Board? Looks pretty straight forward to me. Now this is going to require County referral Rich? Mr. Marlow stated Correct. It should be in line this week to do. We can schedule a Public Hearing for the 11<sup>th</sup>, that would be the earliest we could do. Chairman Ouimet said August 11<sup>th</sup>? Mr. Marlow said Yes. Mr. Berkowitz said Here it says the County Referral isn't until August 21<sup>st</sup>. Mr. Marlow said We've since talked to the County.

Chairman Ouimet said they've moved it up. Mr. Berkowitz said I'll make that motion to schedule a Public Hearing on August 11<sup>th</sup>. Chairman Ouimet said We will have to wait for the County to review, so we'll schedule the Public Hearing, hopefully the review will be in. We'll schedule it for the August 11<sup>th</sup> meeting. Have a second on Rich's motion? Mr. Ruchlicki Second. Mr. Ouimet All in favor? Aye. Thank you. Mr. Williams said Thank you.

**Old Business:**

**14.042 OB      Jack Byrne Ford, 1003 Hudson River Road – Addition to Site Plan & Sign(s)**

Chairman Ouimet said Just want to say thanks, Walt, for your email, appreciate it. Mr. Walt Lippmann from McDonald Engineering stated the following: Good evening. Walt Lippman, from McDonald Engineering, representing Jack Byrne Ford, 1003 Hudson River Road. Also with me tonight is Bryan Lamansky, from Bette and Cring, Construction Manager. I can't remember the exact date, but I think about a month or so ago we did have a site visit with the Planning Board committee. We went over some concerns with the Planning Committee. The drawing that you have in front of addresses, and we also submitted a little to CHA and to the Town Planning Board, to address all technical questions and comments and also from the Planning Board committee, which we have addressed here in the plans. Mr. Higgins asked Do we have copies of the newest site plan? Chairman Ouimet asked Is that what you handed out at the pre-meeting, the new site plan. Mr. Lamansky said That was an updated elevation. Mr. Lippman said There should have been one attached to the letter. Chairman Ouimet said I thought I saw one that had the buffers, the landscaped buffers that you were proposing. Mr. Lippman said Yes. I've got some with me tonight Rich, if that would help, as well. But they should have been attached to this letter that we sent in to the Town. Chairman Ouimet said I think we looked at it at the pre-meeting and managed to misplace it. Mr. Harris said Why don't you hand out the revised version. Chairman Ouimet said You want to just walk us through the changes that have been made since the original site visit. Mr. Lippman said What we've done here is, part of the addition is we received a variance for the 15 foot front yard setback. Due to that we delineated this to a one way north bound only. So there's going to be a one way sign as you enter from the south and if you're coming here there will be a Do Not Enter sign going south bound. Also, for traffic circulation, when we were out there the entrance off of 4 and 32 was currently a 62 foot wide curb cut. That is going to be reduced down to 30 feet, which is the current DOT standard. As I showed it, there's a hatch. That is now, which is existing pavement, that will now be removed and top soiled and seeded. Also, one comment that was from I believe the County and also the Town was to prevent cut throughs through the property. There's an existing entrance right across on South Main Street, we're proposing to close that off. It will be all inventory, will be lined up through here. Customers will have to use the northern most entrance on South Main. This one on the south side will be removed. For parking purposes we originally showed three handicapped, we are required to have three handicapped spots. One to be van accessible. The van accessible and one of the handicapped spots will remain in the front of the building and we propose to put one on the back of the building which is near the parts entrance. So there will be two for the showroom area and one for the parts. To address the greenspace we incorporated a few areas for that. We included an 18 inch landscaping strip around the south and east side of the building. We propose to do some lawn and some landscaping towards the north side around the existing metal facility. Then also to help delineate the parking from South Main Street, we're also proposing two raised islands, to kind of configure the parking into the back of the parcel there. One of the comments was the existing DOT utilities within their right of way. There's one light post, which is Jack Byrne's. There's two additional light posts. However, they're NYSEG poles. So we're proposing, we're in the process of going through DOT, a use and occupancy permit to include that utility pole in that permit so we don't have to take it down. One comment that came from one of the committee members was to show a table of

greenspace. Originally I showed existing was less than 1% and with the proposed we're up to 3%. Parking spaces, we show the layout of the inventory in the back both in the northwest corner and the northeast corner, and designated parts and employee parking on the east. Service and drop-off parking are on the west, and showroom parking on the south. Chairman Ouimet asked Is there some discussion with DOT about narrowing the driveway? Mr. Lippman said We did. It was originally 62 feet and in talking with them we are going to reduce it down to 30, which is their current standard and we are going to be in this hatch area, removing all that existing pavement and placing topsoil and seed. Chairman Ouimet said Now that was a comment that was raised by the County Planning Board, as well, correct? Has this been reviewed by the fire company? As far as getting around the building. Mr. Harris said It has not been reviewed by the fire district, No. Chairman Ouimet said John, you were on the committee that went and viewed the site. You've heard the presentation by the applicant's representatives. Have they addressed the comments that were raised by the committee? Mr. Higgins said Yes, John, I believe they did. We spent some time at the site. I just have one question. I didn't notice it before. You have a fuel tank on the back side by the parts area. Is that a buried tank or an above ground tank? Mr. Lamansky said It's an existing above ground tank that's there. It's basically for fuel to fuel up the vehicles. Mr. Higgins stated I know it's an existing but being the amount of changes that are going on site, I think I for one would like to make sure the fire department doesn't have a problem with a fuel tank right there. What is it like a 275 gallon tank? Mr. Lamansky said About that I believe. I can get the exact specs on it. Mr. Higgins said In all honesty I never noticed it before, looking at this, otherwise I would have raised it before. The metal building in the back, what is that going to be used for. I don't think that question was raised either. Mr. Lamansky said I believe it is used for storage of vehicles and basically old antique cars and things like that. Mr. Higgins said Oh, so there's not going to be any services going on. Mr. Lamansky said No, there's no services whatsoever. I believe they're putting furniture out there or just miscellaneous storage for the site. Mr. Higgins said OK, it's storage, OK. But yes John we discussed the addition, the traffic flows, the amount of vehicles that were stored in various locations, which the applicant did re-do. There's 162 in the large area, 84 in the other area. We asked him to give us those numbers. As far as I can see, they've eliminated any infringements on South Main Street. They were able to pull everything back entirely on the applicant's property. So as far as I can see it looks like everything that we discussed at the committee meeting was addressed, but Tom and Margaret were also there, so. Mr. Ruchlicki said They covered everything and anything I had asked and you guys answered it that day we were there. So I think everything else is fine. Chairman Ouimet said Margaret, you OK? Ms. Sautter said I kind of felt the same way, yes. They were very well prepared and everything was pretty much set when we got there. Chairman Ouimet said I would just like to thank you for going back and doing a major revision based upon comments you received from this Board, as well as the County. Mr. Higgins said Yeah, the fuel tank, I think the fire department should be aware of that and just make sure they don't have any problems with accessibility to the site. Mr. Lamansky said If I may, is the fire department or the fire marshal part of the Building Department, and would that not be reviewed under that permit application? Mr. Harris said No, the fire district in that area is the Hillcrest Fire District, not the Building Inspector for the Town. The Building Inspector for the Town is the Fire Chief for the Clifton Park Fire District. We have four districts in Town. Mr. Lamansky said I thought I had tried asking about Hillcrest and where to go and I thought they had directed me back, but. Chairman Ouimet said The real problem that I have is that this is the first time I've heard of issues with the fuel tank. And I'm hesitant to call for a motion on SEQR without having an answer to that. Mr. Higgins said I apologize. I never noticed it until tonight, otherwise I would have brought it up. Ms. Murphy asked How long has the fuel tank been there. Mr. Lamansky said There was an underground tank at one point, they had removed that and they put the above ground tank. When did they have the stuff in the back, do you remember, when they had remediated the back, when they did this area back

here? I would venture to say it's been there for five or six years. Mr. Murphy asked Is it on the plans John, is that where you saw it? Mr. Higgins said Yes, it's on the plans. Ms. Murphy said Alright, so the County was aware of it. Their Emergency Services Department looks at it before they do their review. So it's been reviewed from that standpoint if that's the Board's concern. Chairman Ouimet asked How does the rest of the Board feel? Mr. Roberts said I don't have an issue with it. Mr. Ruchlicki said I would assume if they had an underground tank and they removed it and they put the new tank there where it is and it's currently on this drawing, the County had to have seen it, as well. Mr. Higgins asked Can we make it contingent, the approval contingent upon the Hillcrest Fire also signing off on it? Ms. Murphy said If the Board chose to make a neg dec pursuant to SEQR from an environmental standpoint and then went forward with your approval of the site, that approval could be conditioned upon the applicant agreeing to any modifications set forth through Hillcrest in their review. But the SEQR, the environmental part, can't be conditioned on anything. But I think your concerns are more public safety response. Mr. Higgins said Exactly, yes. Chairman Ouimet said OK. Can I have a motion on SEQR? Mr. Roberts said I make a motion to declare a negative declaration for SEQR. Seconded by Mr. Higgins. Chairman Ouimet asked All in favor? Aye. Mr. Roberts said I make a motion to approve the application contingent on the question of the gas tank being resolved by the fire district. Chairman Ouimet said No, I don't think so Don. I think the question for the fire district is to review the site plan, especially with the changes and modifications that were presented. The tank I think we already resolved the issue by saying that the County Emergency Services, as part of the County review, has already looked at the gas tank. The issue is that the Hillcrest Fire District, which is the appropriate fire district, has not reviewed the site plan, as finalized here. As far as movement around the site, as to whether or not it impinges or infringes on their ability to put out a fire should one occur. Mr. Berkowitz said Just by cleaning this up, won't that make it safer? Chairman Ouimet said I think we have, but I don't know if we want their approval, I just want them to review it. If we make it contingent on Hillcrest Fire Company reviewing the site plan, they're not the Planning Board, we're the Planning Board, we've seen the site. But as part of our operation we make sure emergency services, including the fire district that has to service the building, sees it. Ms. Murphy said So it's not necessarily contingent, it's just we're forwarding the plans to them for their view so that if they have to respond to an emergency they know what they're dealing with. Chairman Ouimet said Yes. Is that OK? Mr. Berkowitz Seconded. Chairman Ouimet asked All in favor? Aye. OK. Sign. I think there is a sign application as well, correct. Mr. Roberts said There are four signs. Mr. Bryan Lamansky said Basically it is the four signs in the front that we had talked about. There is the dealer name, the Ford logo here, the service sign. The one that was in question was the Ford logo on the entrance tower. The issue came up that it was above the height of the soffit in the front, or the parapet, the roofline. So what we've done we've re-drafted the elevation and we actually indicated a dotted line to show where the top of that fascia is to indicate that the sign is to be mounted below that. Chairman Ouimet said Don, have you reviewed it? Mr. Roberts said It works good to me. I make a motion to approve. Mr. Higgins Seconded. Chairman Ouimet said All in favor? Aye. The signs are approved as well. Thank you very much for your hard work on this. Mr. Lamansky said Thank you very much for all your time, I appreciate it. Mr. Lippman said Thank you Board.

#### **14.037 OB      Crossfit, 11C Solar Drive – Change of Use**

I'm Dean Taylor. I'm here with Ian Hogan, one of the owners of Crossfit and we are represented by Tom Andress of ABD Engineers. I brought him along to handle the ratios and answers about the parking. Mr. Higgins asked Who is the owner of the building. Mr. Taylor said The owner of the building is NPH, LLC, which is basically Architecture Glass and Mirror, that stands for Neil Haverly. And also I need to tell the Board that we received a use variance at the last meeting from the Zoning Board of Appeals. Chairman Ouimet said OK. Can you tell us a little bit about how this Crossfit program runs, how it operates? It's not the typical gym, if I recall correctly. Mr. Ian Hogan



said Essentially with Crossfit, the difference is it is kind of like group personal training. So we run very specific classes. Everything is programmed. Classes can essentially be capped. We rarely, we don't really go over 15. Sometimes we go up to a maximum of 20. The classes, therefore, it's not essentially like a fitness center, like you would think a gym with tons of machines and thousands of people in it. It is essentially a group training class. Chairman Ouimet asked Are there showers, locker rooms, things of that nature? Mr. Hogan said Yes. There are changing rooms. We have bathrooms and showers, as well. We essentially just have two at our facility right now. Chairman Ouimet said Now, can the members come in to the facility any time they want or are they only there for scheduled classes. Mr. Hogan said We do have scheduled classes. There are also personal training sessions, but it is a one on one basis and that's few and far between. Chairman Ouimet said But that's all scheduled, that's not walk-in training so to speak? Mr. Hogan said Yes. Our classes generally are going to be 5:30 – 7:30, 10:30 AM and then essentially we are going to have the 4:30, 5:30, 6:30 PM classes. Chairman Ouimet All these crazy questions deal with parking conflicts, so we are just trying to get them all out in front. Mr. Hogan said Oh yeah, thank you, appreciate it. Chairman Ouimet said So if this is not a typical gym, then we shouldn't look at it like we would look at a typical athletic facility that has a lot of traffic in and out. Mr. Hogan said No, it's very calculated, the amount of traffic that comes in and out. Chairman Ouimet said Rich, have you looked at the parking situation at the building and how does it stack up? Mr. Harris said Yes. It's a 30,000 SF building that's there right now. The last approved site plan has 65 parking spaces overall approved. 41 paved, 24 land banked. At the time of AGM's approval, AGM Glass, utilizes 20,000 of the 30,000 SF. There were 10 spaces of the 65 allocated for AGM. Leaving 55 for potential future tenants. When you look at their narrative, the capping of their classes at 20 people, two full time staff, the requirement would be, based on their explanation, 22 spaces with 55 available. Based on, again, their narrative, their peak operations are at night when the shared tenant, AGM, is closed, approximately 4:30. Most of their classes are after 5:30. We don't know of any existing problems with the site. I visited that area and that lot a number of times over the last year for projects during the daytime. I did not notice any existing parking concern during daytime hours or any violations or anything from the Code Enforcement Department regarding parking issues or violations. Mr. Roberts asked Your peak hours are 5:30 to 7:30 PM, but what are your actual total hours? Mr. Hogan said Total hours typically are Monday through Friday. Our earliest class is 5:30 AM. So I'm just going to go ahead and say it will be 5:30 AM until about 8:00, 9:00 when we all end up leaving. Monday through Friday. Then Saturday, we only have two classes in the mornings, so it's a 9:00 AM and 10:00 AM class. And then on Sunday we also have open gym hours 9:00 and 10:00. Mr. Roberts asked And then during the daytime you still have those limited number of spaces? Mr. Hogan said Yeah, there's going to be very few people. There's not going to be a ton of people on the weekends past like 10 AM. Chairman Ouimet asked Your operation is already in the Town of Halfmoon, correct? Mr. Hogan said Oh yes. We're currently in the front of Pai's Tae Kwon Do, right on Route 9. Chairman Ouimet asked We haven't had any parking issues there, have we, Rich? Mr. Harris said No, not at the current site, no. Chairman Ouimet said And that is a smaller area than what we're looking at now? Mr. Harris said Correct. I think part of their needs for larger space and on the existing site plan, it was before my time, the allocation of the site plan was the parking spaces in front of the building, I can't tell you the number, you guys would know better than me, were for Crossfit and then the remaining were for the Tae Kwon Do. Mr. Hogan said Yes, that's correct. Chairman Ouimet asked Any questions from the Board? Mr. Higgins said Just want to make sure the applicant understands that there has been parking problems around that Solar Drive area previously and some of the other businesses did complain to the Town. Now this is not recently, but within the last several years, so just got to make sure that you limit your class sizes and your overlap so that you don't have people parking on the road, OK? Parking has to be within parking onsite. I just wanted to bring that up to you. Mr. Hogan said Absolutely. We actually enjoyed the very slow growth and we liked the one on one kind of feeling.

So we're not planning to, we're not going to be packing the place with hundreds and thousands of people. Mr. Higgins said OK, thank you. Mr. Berkowitz said I'm just noticing the email address. Do you offer massages there also? Do you have separate rooms. Mr. Hogan said Yes. I'm actually a massage therapist, yes. So we have rooms that will be built right in there. Mr. Berkowitz said So that's all part of the business plan? Mr. Hogan said Yes. I essentially am working doubly I guess, as a massage therapist as well. Chairman Ouimet asked Any other questions? May I have a motion? Mr. Berkowitz said I'll make a motion to approve the change? Mr. Partlow Seconded. Chairman Ouimet asked All in favor? Aye. Change of Tenant/Change of Use is approved. Thank you. I'd welcome you to Halfmoon but you're already here, so welcome to your new facility. There is no sign, correct, before you leave? Mr. Taylor said We'll be back for that. Chairman Ouimet said Alright, thank you.

**13.044****&****13.045 OB      Regency Park Planned Development District, Route 9 – PDD Recommendation**

Mr. Roberts recused himself from this item. Mr. Jeff Williams from Bruce Tanski Construction & Development stated the following: Jeff Williams, from Bruce Tanski Construction and Development. I'm here with Mr. Bruce Tanski, who is the principal behind the proposed development. I'm also here with Frank Tironi, Sr., of Tironi One Realty, who is going to help us market the residential portion of our project, hopefully. Regency Park Planned Development District. We were here, before this Board, March 2014. Nothing has really changed site layout-wise or number-wise, counts, and stuff like that. But we did get referred to Clough Harbour and received a June 11<sup>th</sup> comment letter. Lansing Engineers, our engineers, have responded to that letter with a June 19<sup>th</sup> letter and subsequently. Chairman Ouimet said Before you go too far, Jeff, I don't think all the comments have been responded to as of yet. Is that correct, Joe? Mr. Romano said We issued a second letter regarding traffic. Mr. Williams said Well, I was just getting there. Just subsequently we received a June 24<sup>th</sup> Clough Harbour letter that was on the traffic study and we are working at this point to respond to this letter. I believe, talking with Lansing and with Creighton Manning, that that letter will be given to Clough Harbour mid this week. So I think they'll have time to respond to that letter. I get into a little bit more about traffic when we get through my presentation a little bit. But as I continue, the project is located in the Town of Halfmoon, it's on upper Route 9, it's between the Stewarts, which is above Farm to Market, Kinns Road, Route 9 intersection and the Sysco food distributor. It is zoned light industrial commercial. The property is 71.8 acres. The site layout basically has three components to it. On the north side of the parcel, by the way the parcel is bisected by a National Grid powerline easement. So on the north side of that easement we are proposing light industrial commercial uses. Right now we are currently showing four different site pads on this. The light industrial portion of the property does compare to what the underlying zoning is called. With that in mind, we are just showing a potential maximum build out here. It's not exactly what's going to be built here. It's just showing what we can potentially maximize on this site. As each individual users come in, we'll bring that to the Board for site plan review and go from here. The second part of the proposal is a commercial mixed building, and that consists of 10,800 SF of commercial. Retail space is on the bottom and also included is 42 apartments on the second and third floor. Out of those 42 apartments, 24 will be one bedroom and 18 will be two bedrooms. Included in this building, which I believe is a very attractive building, it's going to help the northern gateway into the Town, I think as development increases up there. Within the center portion of this building will be a community room, which will serve the third and last portion of the project, which is the creation of 51 single family, modular homes. The single family modular homes will be, basically, the modular homes are stick, are very similar to construction in stick built. They are anchored to a permanent foundation. And then each

one of these modular homes will be between 1200 to 1700 SF. They will have 3 bedrooms and all other living spaces will be on the first floor. The idea here is to create a senior community living area that will allow a maintenance free living. It will also be placed on one common ground, so it is all leased area. I know Mr. Tanski has stood up here before and kind of explained how he is working out a formula to keep these affordable. It is sort of to a point where each sale would only be allowed to increase by 10% for the first two sales and it would be capped after that. Basically, the highlights from the changes you saw from March to now. All roads are to be private, the stormwater will be maintained onsite. Water will be provided by extending the line at Kennedy Lane in a northernward place to up to Route 9. Sewer will be provided by extending the existing sewer line that's on Liebich Lane, the road that serves Sysco. We have provided an area of outdoor seating area for the proposed community room, which is shown up in this area here. We've also included an outdoor recreation area with a gazebo and picnic tables, which is basically off of Road C here. We did perform a traffic study. I don't think there was any major impacts identified there through what Clough Harbour has responded back to us. One of things is that we have to look at the timing of the signal on Kinns, Farm to Market and Route 9. Other comments that may tweak the site plan a little bit are just, they're trying help us, or suggesting that we consolidate some of these driveway access points and there was one alignment here that they were hoping to I think straighten out for truck traffic. Once again I think we're at the point for looking for a recommendation back to the Town Board for this proposed project. In closing, we feel the proposed project provides a unique option for senior housing that targets the active retiree, that's looking for the comfort of owning his own home without being tied down to the extra burdens of maintaining property, all the while allowing potential commercial growth in this part of the Town. Thank you. Chairman Ouimet said Thanks, Jeff. A couple questions. We discussed at the pre-meeting the fact that we've seen a couple of different versions of your proposal. One is an initial concept review. And then there was another proposal that still had apartments. Then it went to commercial. So there's about three different variations, I guess? Mr. Williams said Yeah. We've been in in front of the Planning Board for about 15 months. I think we started out with the apartments. Chairman Ouimet said The question that was raised at the pre-meeting by the Board, was, has the Town Board seen this version, that you're asking us to send an opinion to them on. Mr. Williams said Officially, as a group, I don't think they have, individually, I know, I've shown. Chairman Ouimet said So this is not the version that they referred to us for? Mr. Williams said No, they saw the original with the luxury apartments and the mixed use building, and the modular homes. Chairman Ouimet said But if I remember correctly, the first one had a significant number of apartments. Mr. Williams said Yes. Mr. Ouimet said The second version had no apartments. Mr. Williams said Right. Chairman Ouimet said The third version introduced 42 apartments, right, in that commercial building that faces Route 9? Mr. Williams said And asked for more light industrial commercial. Chairman Ouimet said Right, and the Town Board hasn't seen any of those other two versions? Mr. Williams said I don't believe so. Chairman Ouimet said Would it be appropriate for this to be presented to the Town Board before it comes to us for an opinion? Mr. Bruce Tanski, Clifton Park, said The only person we showed the mixed use building to was the Supervisor. Chairman Ouimet asked This particular one, Bruce? Mr. Tanski said Correct. And then we were asked to put this back on. We took it off because, you know, we just felt it wasn't accepted or wanted and then we put it back on based on the recommendation of Ms. Law, because we needed a community space and yada, yada, yada. So that's why it's on. But I think the Town Board has seen it. Mr. Williams said Can I just add one thought. I think they've seen the modular home idea. They've seen the mixed use building idea. And the proposal of the light industrial commercial matches underlying zoning. So the two things that we're really, we're asking for a change in zoning they've seen those components. We could come here tomorrow with a light industrial commercial site plan, because the property is already zoned that way. But the two components that we're asking for the PDD, where the Town Board is involved, they've seen those components,

they haven't seen this configuration. Chairman Ouimet said Right, I understand that but I'm just trying to understand whether or not the Town Board has seen this plus your proposed, I know you didn't mention anything about public benefit, but and you're, pardon? Mr. Williams said I can. Chairman Ouimet said But your proposed public benefit, has the Town Board opined on that? Mr. Williams said I think my public benefit letter went to Kevin Tollisen, Supervisor Tollisen, so they have seen that. Because there is a public benefit that we've also, we offered at a different type of proposal that we had that didn't work out. The proposal, the public benefit is a 1600 foot 12 inch linear water line on Tabor Road. The Town, Frank Tironi Jr., the Water Superintendent, has said that would be a public benefit because it extends the existing Town's water supply closer to the Saratoga County's water supply. Subsequently, it also helps some residents on Tabor Road that have quality issues with their water. Mr. Tanski said Also too, Mr. Chairman, Ms. Law didn't ask us, to clarify, she didn't ask us to put the building back on here, she asked us to provide a community center or something, and that's why, one of the reasons why we brought the building back, the mixed use building. Chairman Ouimet said Right. I understand that part of it. What I don't understand is whether or not the Town Board has seen the concept of apartments of in that mixed use building. That's what I don't really understand. Mr. Tanski said They did originally. Chairman Ouimet said They did originally? Originally it was all apartments. Mr. Williams said Originally there was two actually. This was also added on. Chairman Ouimet said Originally it was a significantly larger number of apartments, the first thing you proposed. Mr. Tanski said Correct, the only thing basically we did was we took the apartments off based on a comment made by Mike B. that they didn't want to lose the light industrial land that was in the area and that's why we did what we did. Mr. Higgins said One of the other comments that Mike, I believe, in one of the letters, was how are you addressing the GEIS requirements for 20% quality greenspace along the road frontage. I know that was, I asked that question way back when. Chairman Ouimet said Yeah, and I think that was part of Clough's original comment letter. Mr. Higgins asked How was that addressed, because I never saw that. Chairman Ouimet said We haven't seen a revision of this plan since the comment letters went back and forth. Mr. Higgins said I'm just saying, because it doesn't even, the present plan doesn't even address greenspace at all and as I said, the GEIS asks for greenspace along the main road frontage. And being all the internal roads are privately owned, the only road that we're dealing here is Route 9. Chairman Ouimet said Right, let's not get ahead of ourselves John, I mean what we have to do here is ultimately we have to have a public information meeting. The public has to be presented the proposal that you're asking us to give our opinion back to the Town Board. I believe that there are issues that need to be resolved between Lansing Engineering and Clough, outstanding from either the first and second comment letters. Traffic being one and I think stormwater is something else that was not really discussed, right, Joe? Mr. Romano said They responded in their last letter (inaudible), stormwater is something that is usually further down the design process (inaudible). Chairman Ouimet said Right, but in any event I think. Mr. Romano said We have not received a response yet as far as the traffic comments. Mr. Tanski said It's my understanding that when we talked to the traffic people, the changes were very minor and Scott was going to address them. That was my understanding. Chairman Ouimet said Right, and I assume that the back and forth between the engineers can be accomplished between now and when we schedule a public information meeting. Mr. Williams said Certainly can. Chairman Ouimet said So in order to keep the project moving, one way or another. Mr. Williams said I believe Clough will see the letter, the response to traffic, Wednesday, Thursday, that's what I got. Chairman Ouimet said I think it's the feeling of the Board that we want the public to have enough time to consider what's going on here. Mr. Higgins said If they don't meet the requirements of the GEIS, why are we even going to have the public hearing. GEIS specifically requires 20% quality greenspace, right, Lyn? Ms. Murphy said I'm not hearing they haven't met it. I understand that you have concerns that they're not meeting it, but I don't know that that was specifically addressed with regards to this specific site plan. But they're proposing a PDD, which is a legislative change,

so although we typically require them to pay whatever fees are associated with impacts from the GEIS, we're not strictly bound by the GEIS rules, because it is a PDD. Chairman Ouimet said But that's a back and forth between the engineers I believe. Mr. Williams said And I think our quality greenspace, we're not allowing any structures on the common grounds around the modular homes, so it's all one big open field that's basically to help us maintain the lawns for the individuals. But it is also one contiguous greenspace in there. And I think that's how he answers it. Ms. Murphy said And I think he's referring to frontage greenspace, as opposed to in the property. But I think that's something that the engineers can discuss and the Town Board needs to determine whether or not it's appropriate through the PDD process to continue to have those rules. Chairman Ouimet said So, getting back to what procedurally we need to do. We need to set a public information meeting and we need to give the public enough time to get their information together so they can ask logical questions. And we need to give you folks the time for the engineers to work out any of the apparent conflicts right now. You got to answer questions. So, what I would like to do is schedule a public information meeting for two meetings from now. Not the next meeting and not the meeting after that, but the meeting after that. Mr. Harris asked It would be August 25<sup>th</sup>? Chairman Ouimet said No, the meeting before that. August 11<sup>th</sup>. Does that give you enough time to have your engineer get back with Clough and get these issues resolved or discussed in any way, so the public can understand what's on the table here? I would also encourage you to do some kind of presentation to the Town Board, because I'm not so certain that the Town Board, other than maybe the Supervisor, Bruce if you said you had a conversation with the Supervisor, has seen this particular proposal. Mr. Williams said Can we copy the Board a package of all the information that we have or do you want us to do a presentation? Chairman Ouimet said But I would encourage you to have the discussion sooner than later. Mr. Williams said We can do that. Chairman Ouimet said Can I have a motion to set a public information meeting? Mr. Ruchlicki said I'll make that motion for August 11<sup>th</sup>? Mr. Berkowitz Seconded. Chairman Ouimet asked All in favor? Aye. OK, we'll have public information August 11<sup>th</sup>. Thank you. Mr. Williams said Thank you.

Mr. Ruchlicki made a motion to adjourn. Chairman Ouimet said One more thing. Sonis, is Sonis here? Anyone representing Sonis Brothers? No, I guess not. OK, go ahead Tom. Mr. Ruchlicki made a motion to adjourn the July 14, 2014 Planning Board Meeting at 8:55 PM. Mr. Berkowitz Seconded. Chairman Ouimet said All in favor? Aye.

Respectfully submitted,  
Richard Harris, Director  
Halfmoon Planning Department