

Town of Halfmoon Planning Board
Meeting Minutes – October 15, 2013

Those present at the October 15, 2013 Planning Board meeting were:

Planning Board Members: John Ouimet – Chairman
Don Roberts – Vice Chairman
Rich Berkowitz
Marcel Nadeau
Tom Ruchlicki
John Higgins
Lois Smith-Law

Planning Board Alternates: Margaret Sautter
Robert Partlow

Director of Planning: Richard Harris
Planning Volunteer: Paul Marlow

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

CHA Representative: Mike Bianchino

Mr. Ouimet opened the October 15, 2013 Planning Board Meeting at 7:05pm. Mr. Ouimet asked the Planning Board Members if they had reviewed the September 23, 2013 Planning Board Minutes. Mr. Roberts made a motion to approve the September 23, 2013 Planning Board Minutes. Mr. Higgins seconded. Mr. Berkowitz and Mr. Ruchlicki abstained due to their absence from the September 23, 2013 Planning Board meeting. Vote: 6-Aye, 0-Nay, 2-Abstained. Motion carried.

Public Hearing:

13.067 PH Trustco Bank, 215 Guideboard Road (Salty's Plaza) – Commercial Site Plan/Special Use Permit

Mr. Ouimet opened the public hearing at 7:06pm. Mr. Ouimet asked if anyone would like to have the public notice read. No one responded. Mr. Joe Bianchine from ABD Engineering & Surveyors stated the following: When we were before the Board last month, our site plan showed 3 lanes, a drive-thru lane, an ATM lane, and bypass lane. We have now eliminated the ATM lane and the bypass lane. We still show the drive-thru in the same location on the building. We have also placed an island and changed the parking configuration so that there is a one-way lane going towards the Trustco. It is offset from the drive-thru lane. We have angled the parking spaces that back up to that lane. We have shortened the entrance from Hayner Heights. I believe that overall we have incorporated the comments from the Board into this plan. We think that it will work well

and will function for Trustco. Mr. Ouimet asked if anyone from the public wished to speak. Ms. Beth Dugan of Mammoth Way stated that between Gil's Garage and the NBT Bank there is a significant amount of traffic. Is there any way that a yield sign could be placed to slow traffic in that area? Mr. Bianchine stated that he can suggest something to the owner but that area is not part of this plan. Mr. Berkowitz stated that it may help to place stop signs at the intersections within the parking lot. Mr. Ouimet stated that he agrees, and is there any consideration to placing lines in the internal roadways to designated lanes? Mr. Bianchine stated yes, that could be done. Mr. Ouimet closed the public informational meeting at 7:10pm. Mr. Ouimet asked Mr. Harris if he had contacted the Fire Department regarding this application. Mr. Harris stated yes, it was referred to the Halfmoon Waterford Fire Department and we received communication back that they believe that it is an improvement over the prior version of this plan. Mr. Bianchino stated that CHA has reviewed the plan and they feel that their concerns have been addressed. He also stated that he believed that Gil's Garage approval included something in regards to the parking and the island and he will have to go back and review that site plan to see what was approved at that time. Mrs. Smith-Law asked if an area on the map was painted or raised for a median. Mr. Bianchine stated that it was to be painted to allow for plowing in the winter. Mr. Roberts expressed some concerns over the pedestrian traffic that may need to traverse the drive-thru lane. Mr. Bianchine stated that the stop sign placement will help that. Mr. Higgins asked if one of the islands could be made smaller to improve the circulation. Mr. Bianchine stated that they could make that smaller.

Mr. Ouimet stated that the Board is waiting for a County response on this project and therefore the Board could not act on this plan this evening. The item was tabled awaiting a response from the Saratoga County Planning Board.

Public Informational Meeting:

11.143 PIM Linden Village PDD, Dunsbach Road – Mixed Residential PDD

Mr. Roberts and Mrs. Smith-Law recused themselves from this item. Mr. Ouimet asked the alternates, Mr. Partlow and Mrs. Sautter to come up to sit in for Mr. Roberts and Mrs. Smith-Law. Mr. Ouimet opened the public informational meeting at 7:21pm. Mr. Ouimet asked if anyone would like to have the public notice read. No one responded. Mr. Donald Zee, Attorney for the applicant, stated the following: With me tonight is Ken Wersted, Traffic consultant for Creighton-Manning Engineering and Ivan Zdrahal, project engineer. We are proposing a Planned Development District (PDD) with ~90-acres of land for a mix of housing types including 42 single-family homes and 260 apartments. The roads servicing the single-family homes are proposed to be dedicated to the Town. The roads proposed to service the apartments would be privately owned and maintained. They would be inter-connected with an emergency access only and would be gated and an emergency access will also be placed at the Princeton Heights Subdivision and also gated. Mr. Zee stated that tonight he wanted to go through some of the history of the project so that the residents here for the public hearing will hear it. The initial project that was presented to the Town included 104-acres and encompassed the driving range of Mr. Hoffman's. In that proposal, there were a total of 468 housing units, a mix of 394 apartments and 56 condos, and 18 twin homes. All of the means of ingress and egress were proposed to go through Dunsbach Road. There were grave concerns from the Board and the public about all of the traffic being funneled to Dunsbach Road. We then came back with a second plan consisting of 468 housing units that were all to be apartments and the ingress/egress was divided so that 80 of the apartments would go to Dunsbach Road and the remaining units would have to go to Crescent Vischer Ferry Road. We once again heard comments from the Town and public that they believed that there was a need for substantial reduction in the number of units. We went back to the drawing board and came up with a plan

that reduced the number of units from 468 to 302. That represented a reduction of 30 percent. We now have an overall density of 5.3 units per acre based on the number of buildable acres, approximately 57.5-acres. We have met with the Fire Chief and the Highway Superintendent. During this meeting we discussed some of the issues raised by the Planning Board. The Highway Superintendent preferred not to see a boulevard entrance. He did not have any concerns with the two cul-de-sacs. The Fire Dept. did not have any objections with the layout but asked that any crash gates be activated by siren. They also asked that the apartments be installed with sprinkler systems. They asked for turning radiuses for fire equipment and documentation as to the fire flow rates. Mr. Ken Wersted of Creighton-Manning stated that he was here tonight to address the traffic concerns. There is an improvement that is proposed at the intersection of Dunbach and Crescent Vischer Ferry Road. There is a right hand turn lane proposed for the southbound lane of Dunsbach Road. There are no improvements for the single-family public road. Mr. Ouimet asked if there were any improvements for the intersection of the new private road and Crescent Vischer Ferry Road. Mr. Wersted stated yes, the roadway would be widened to provide a left turn lane. Mr. Wersted stated that he wanted to give the public an overview of what goes into a traffic study. Many individuals do not understand the details that are involved. The traffic impact study involves going out to collect existing traffic volumes to know what is happening out there today. We then project what the future traffic would be like when the project expects to be opening. We also estimate how much traffic this project will generate and we have different methodologies for doing that. We then combine all that data giving us the future traffic conditions and how we project the intersections will be impacted. The existing traffic conditions were shown to the public in a graph form. The traffic volume peaks at certain hours in the morning and the afternoon. The next graph showed the background growth traffic to estimate the trends over the last decade. Throughout the years the other projects in the area also affect the traffic conditions in the area. The next slide portrayed how much traffic this project would generate. This is achieved by using the Institute of Transportation Engineers (ITE) manual's studies of previous developments of similar sizes. The peak hour would generate about 256 trips for this proposed site. We counted the North Woods Development by placing traffic counters and found that in the morning around 7am there was a spike and slowed during the day and peaked again in the afternoon. So out of the 166 units in that neighborhood, there were just over 100 trips generated in the peak hours. In going through the analysis, the Northway exits are operating right around a level of service of 'A' on the mainline and a level of 'C' on the side streets. The intersection of Crescent Vischer Ferry Road and Progress Drive is a level of service of 'A' from Crescent Vischer Ferry Road and level 'C' from Progress Drive. The new side street that is proposed to enter on to Crescent Vischer Ferry Road would have a level of service of 'A' from Crescent Vischer Ferry and 'C-E' from the side street. Crescent Vischer Ferry and Dunsbach is similar with 'A' on Crescent and 'C-F' on Dunsbach. The designation between the levels of service represent the delays at those intersection with 'A' being the best and 'F' being the worst. Dunsbach Rd and the new site private drive would operate at a level of service of 'A' during peak hours. The improvements that were mentioned in the beginning of my presentation would be placed to improve these conditions. The entrance to McDonald's would be from the new road and all traffic would use the left turn lane from Crescent Vischer Ferry Road. That concludes my portion of the presentation. Mr. Ouimet stated thank you for all of you that came out for this important public hearing. Please identify yourself and try to limit your comments to allow time for everyone to speak. Mr. Ouimet asked if anyone from the public wished to speak. Mrs. Marianne Geleta, of 128 Dunsbach Road, stated that she is opposed to the PDD because of the density of the project and the increased traffic that it will add to the area. She did not see that there was any public benefit and feels that it would hurt the current residents of West Crescent. In hearing the results of the traffic study, it does not fully represent the impact that this project would have on the area.

She FOILED the traffic study that was performed by Creighton-Manning dated November 30, 2012. She sat in her car at the pizza shop on the corner of Dunsbach and Crescent Vischer Ferry Road and counted traffic on different days of the week using the same peak hours that had been used in the study. She started counting in May. She sat for fifteen minute integrals and some one hour periods and came up with a much different count than was found in the study. She counted 576 cars as opposed to the applicant's count of 105 on Dunsbach Rd. She counted 1,712 as opposed to their 810 on Crescent Rd. She does not feel that generic counts should be used. The real numbers reflect a different outcome for one of the busiest areas in the region. She is asking the Board to consider the current residents quality of life and not the builders' quality of life. She submitted the results of her study to the Board. Ms. Brenda LaMere, of 124 Dunsbach Road, stated that she is opposed to the project. She does not feel that Halfmoon should even be entertaining any additional residential PDD's at this point. The two exits, Exit 8 and Exit 8A are terrible. She has two letters from two people also opposing that project that live on Dunsbach Road as well. She submitted copies of these letters to the Board. She asked what the current proposed density of the project was. Mr. Ouimet stated it is 5.3 units per acre. She went on to ask if the new road that is proposed to connect to Crescent Road has been approved by New York State Department of Transportation (NYSDOT). The applicant responded no. She asked if the Board were to give a positive recommendation onto the Town Board for this PDD in the current configuration, what would happen as far as the public being able to comment on the changes that would need to be made if they were not able to make that connection. She asked where the children that live in the apartments would play. She was concerned they would play on her property. Would the emergency access gates be opened in the future if more building continues as there are already too many residential PDD's in Halfmoon? Chairmen Ouimet stated that there were many residents who wished to speak this evening and could comments be kept that strictly adhere to this presentation. Mrs. LaMere stated that the widening of Dunsbach Road would require work to be done in her friends, neighbors, and family's front yards. Would Dunsbach Road now be considered a Toll Road? That would change her taxes. There is a project being built across from the dump on Route 9 in Latham that is going to increase traffic at Exit 8 as southbound commuters would use this verses driving two miles north on Route 9 to access the Northway. She thanked the Planning Board for their time and encouraged others to speak out against the project. Mr. Dave Hroncich, of 104 Dunsbach Road, stated that he is opposed to the project. He thanked others for expressing their concerns on traffic. He stated that he had concerns with the impact on the environment. He has used his neighbor's property in the past for hunting. He has seen a drastic decrease in the number of deer and rabbit and an increase in varmints. He showed the Board where there were designated wetlands on his property and a small waterway that runs all year. There are fish and salamanders in that area. He also stated that there is water that perks through his grass all year round. He was concerned with what would happen with the development and the increased impervious area that would not allow the water to absorb. This would eventually effect Woodin Road and Stone Quarry Road and continue down to the Hudson River. He moved here to live in the country. He only has to drive a mile to get stuck in traffic and it takes five minutes to access the Northway. There have been too many projects in neighboring municipalities as well that are affecting the area. He hopes that the Board will choose to keep this location rural. He showed the Board where he was located on the map. Ms. Amanda Billings of 134 Dunsbach Road stated that she opposes this project. She has seen this area change drastically over the years. She has had to remove people from her property who have been hunting, poaching, kids playing, and an entire family who had a tent and a fire. She does not feel that this project will improve this situation but will worsen it. She asked the Board to please deny this project and keep the area rural. Ms. Kathy Kowsky of 132 Dunsbach stated that she has been before the Board numerous times and has been

a lifelong resident for 58 years. She feels that PDD's are no longer beneficial to the Town. Ten years ago they were helpful to bring public sewer and water to the residents, but that is no longer a concern. There will be many new problems with this proposal. She showed the Board where hers and her father's property abutted the project. She stated that most of the property was now wetlands and a creek that has backed up a couple of times in the last thirty years and has impacted the road. She invites anyone from the Board to walk this area with her. The new road that is proposed is in an area that constantly floods. Why would Mr. Marini want to build homes on substandard lots? Where will the children play? They would play on her fields and woods. Most homes on Dunsbach have French drains because of the water issues. Her question for the developers is where will all the waste water go? She stated that the Board calls it a PDD; she calls it a PPD, "A Planned Public Disaster". She and her family have found Indian arrowheads in the area and she passed the Indian arrowheads to the Board to see. Mrs. Pam Craver stated that she and her husband Ted live at 111 Dunsbach Road. She stated that they are both opposed to this development because of increased traffic and noise as well as the loss of natural space. She stated that they have an easement and their property abuts this development. She showed the Board on the map where they reside. She showed where the new development will infringe on their driveway. She believes that their easement should be continued permanently and she is concerned that the developers would even show a house being built in that area. She also is concerned with losing the privacy that they have. She believes that she could own this property through Adverse Possession. She is asking the Board to disapprove this project because of these infringements. She has spoken to Mr. Zdrahal to find a way to adjust the property line to no avail in the past. Ms. Kathy Tribley of 79 Dunsbach Road stated that she opposes this project. She asked if the widening of the south end of Dunsbach would affect her property because if it did they would have to take half of my house. Mr. Joe VanAlphen of 31 Cambridge Avenue stated that there had been another proposal that would have brought traffic out to Suffolk Lane and he is very surprised to see how close this project would be to that cul-de-sac. He moved here 9 years ago. He is concerned that the two new proposed cul-de-sacs are very large dead end streets with many homes on them that in the event of an emergency if there was a problem at the end, there would be a bottle neck and an inability to get out. He could see at some point the emergency egress would need to be opened in the future. He lived in Delmar and Slingerlands in the past and the placement of the roundabouts in those areas have been a major improvement to the old intersections than the traffic lights. He recommends that the Dunsbach/Crescent Road intersection be made into a roundabout to help to ease traffic. It is a dangerous intersection. Mr. Ted Craver of 111 Dunsbach Road stated that he wanted to ask the traffic engineers if the formulas that they use are done by studying the same style of roads that we have in this area. When the Northway is closed the cars and trucks on Crescent Vischer Ferry Road is atrocious. Our roads cannot handle this traffic. Ms. Stephanie Nolet of 3 Cambridge Ave. stated that she is against the proposed PDD. While she appreciated the density reduction she still feels as though it is too much for the area. Approximately 70-acres of the proposed area are zoned Light-Industrial and Commercial. She does not feel like the applicant has supplied sufficient evidence that the proposed 260 apartments would be a better use for the Town as compared to a commercial use. The commercial use would bring in sales tax revenue for years to come. Pedestrian traffic is already a danger in this area. She is also concerned with the fact that one of the emergency access gates is proposed to connect to Princeton Heights which has not yet been approved. Because she lives in North Wood, she worries that the gates would eventually be removed and open access would be available. She stated that road improvements were not to be used for public benefit according to the Board at the last meeting, so that would only leave cash to the Town for this project and she does not feel that is sufficient. The applicant had also mentioned that there was proposed public access open space in the apartment area but

she does not feel that anyone who does not live there would utilize it. She asked if an accident study had been performed for this area. Ms. Nolet stated that the intersections that are already at an 'F' would be further impacted by future development. She suggested that the Zoning Committee be given the opportunity to come up with a master plan for the Town before any more PDD's are approved and the zoning for those lots are changed; why else would the Town have a Zoning Committee? During the April 2012 meeting the applicant stated that the project area was not going to be a good area for single-family homes and commercial development. She feels that the current proposal is not conducive to positive growth either. Mr. Tom Praymar stated that he lives in Spring Brook Mobile Home Park. He has trouble getting out of the park. He is opposed to the development and feels that the traffic is only getting worse. The infrastructure needs to be looked at before these kinds of changes are made. Ms. Nancy Peterson stated that she lives in Spring Brook Mobile Home Park and has been a lifelong resident of the Town. She agrees with all of the previous comments. She asked what the Town is doing to ensure that we have the money and the services needed to take care of everything such as highway maintenance and plowing. The fire department will be impacted. There will also be a large impact on the schools. She understands that growth and development is important to a community but feels that we need to step back and look at the value of preservation. Ms. Bessie Praymar stated that she lives in Spring Brook Mobile Home Park and that she is a member of the fire department. She stated that due to traffic it is very difficult to answer calls. She is opposed to the project. Mr. John Gironda stated that he lives on Suffolk Lane and he is opposed to the project. He said that many of the previous speakers have already touched on what he wanted to say. Water runoff is a problem. We need a detailed water drainage study and plan to see where all of the water will go. The topography of the site is elevated. He stated that he feels the need for the PDD is due to the fact that the lots may not be good for nice single-family homes and the developer is trying to squeeze apartments on this site because of that. Mr. Paul Berlin of 1460 Crescent Road stated that he married into this area and he was fortunate that his father-in-law felt it was important to keep the farm open. He stated that when there is trouble on the Northway or during peak hours he cannot get out of his driveway. He appreciates the wildlife in the area. He also gets trespassers on his property. He is opposed to the project due to the traffic and feels that it is not safe. Ms. Delvina Koniowka of 101 Dunsbach Road stated that she is against Linden Village as she feels that it is using the PDD legislation to circumvent the current zoning laws. The increased traffic will drastically and negatively affect the way of life in the neighborhood and increase the risk of accidents while placing strain on the existing infrastructure. She asked where the public benefit is? She read the purpose of the Town's purpose statement in the Master Plan. The increased growth has changed the character of the area and it is no longer rural. Mr. Bruce Rischert of 18 Willowbrook stated that he is opposed to the PDD for all of the previous reasons stated. Ms. Audrey Adams 124 Dunsbach Road stated that she is opposed to the project. She wants to have kids in a safe environment. Mr. Paul Gregor of 133 Dunsbach Road stated that he feels that the other speakers did a good job expressing the concerns. Mr. Adam Geleta stated that he lives at 128 Dunsbach and has been a lifelong resident. He plans on staying there for years to come. He is also concerned with the traffic; he was in a accident in front of Hess earlier in the year. The rate of growth is not sustainable. He is strongly against the project. Mr. Ray Dahoda of 85 Beach Road stated that he was born in this Town over 70 years ago. He has seen a great deal of change in the Town. He is opposed to the project due to traffic concerns. Two of his tenants have had accidents on Crescent Road. He asked what would happen with the sewage from this project going into the County Sewer. Mr. Ouimet stated that those conversations have not taken place because the project proposal has recently changed and we are not sure what the final proposal will be. At that time, he is sure that would be reviewed and any upgrades that are needed would be requested. He would

like to see the sewer extended down Beach Road. Mr. Todd Haar, of 2 Manchester stated that he feels the project would definitely affect him. He asked what the guidelines were that the Town asked for when a traffic study was performed. He understands that not all residents travel at peak times, but there have been a number of developments that have affected the traffic in the area. Mr. Ouimet stated that the Board repeatedly and continually asks projects for specific data in a traffic study and that is reviewed by the Town Engineers as well. He also does not feel that general data is appropriate for every town. Mr. Frank Koniowka of 131 Dunsbach Road stated that he is opposed to the project and wanted to know if the lot was clear cut; would the developer place a sound barrier to protect residents from the noise of the Northway? Ms. Kathleen Kowsky of 132 Dunsbach stated that the last time the creek flooded on Dunsbach the houses on Suffolk Lane were flooded. Mr. George LaMere stated that he lives at 124 Dunsbach Road and he is opposed to the project. He is concerned with stormwater and the fire department impacts. Alicia Kowsky stated that she opposes the project. Mr. Larry Koniowka of 15 Newcastle Road stated that he knows that something will eventually be built in this area, but feels that we have to use the property for what the best use of it would be. He stated that the developers do not see the space for what it is but only for money. Mr. Ted Craver of 111 Dunsbach Road asked if the new road would be right at the bottom of the s-turn and that will be dangerous. Ms. Beth Robtoy stated that she lives at 8 Princeton Avenue in the North Wood Development. She is opposed to the development. There are too many apartments being built and those residents do not stay in the area. She also has an issue with the traffic on Woodin Road. Stone Quarry Road is also still very dangerous. She states that she travels to Albany daily and children that have to travel for sports. Mr. Ouimet closed the Public Hearing at approximately 9:00pm. He thanked the public for their comments and being here to support one another. He asked if the Board had any comments. Mr. Berkowitz asked what the Public Benefits were for this project. Mr. Zee stated that the applicant is proposing \$1000 per dwelling unit. Mr. Berkowitz asked if there was any thought given on a left hand turn lane from Crescent onto Dunsbach as well and has there been any thought given regarding the traffic going in and out of McDonald's. Mr. Wersted stated that they have removed the access for McDonald's from Crescent and extended the left turn lane to the proposed new road. Mr. Zdrahal stated that McDonald's is in agreement with this change. Mr. Wersted stated that this will provide access management and reduces the number of turning movements made in that area by reducing the number of curb cuts. Mr. Ouimet stated to the applicant that the Public Benefit has changed from the original proposal; originally it included a public trail, \$1,000 per unit, \$1,500 per unit recreation fee, create a T intersection at the sharp turn on Dunsbach, providing turn lanes on Crescent, redeveloping the Morris Lane intersection, and providing sewer to existing residents. You haven't mentioned any of that. Mr. Ouimet asked if all those were off the table? Mr. Zee stated yes, because the majority of the traffic has been shifted off of Dunsbach Road. The primary ingress off of Crescent is an increased cost to the developer. Ms. Murphy stated that the Town Board has not heard these changes and they have in no way agreed to these changes proposed to the public benefit. Mr. Zdrahal stated that the basic proposal always includes the \$1000 per unit and the other improvements were made available because of the previous proposed layout. Not all of the proposed benefits are off the table. The connections to the sewer will still be available and the turning lanes will manage the changes needed to the intersections. Mr. Ouimet asked if there was a count made in the traffic study for ancillary vehicles such as buses, delivery, and construction vehicles. Mr. Wersted stated yes, they were included in the information that the IT collects on those developments. Any and all traffic that would normally go in and out during those times was accounted for. Because it is such a small detail, it is not broken down in the study. Mr. Ouimet asked again what the peak hours were for this study in the morning. Mr. Wersted stated that it was 7:30-8:30am. Mr. Ouimet stated that he does not see many delivery vehicles, buses, or

landscaping trucks prior to 8:30am and how this is accounted for in the traffic study. Mr. Wersted stated that it was not counted in the peak hour. In the study, there are actual counts for the middle of the day, and that is when that kind of traffic is counted. Those counts have been performed in 2008, 2009, 2010, and there were a couple of counts over the years. Mr. Ouimet asked Ms. Geleta when she performed her counts. Ms. Geleta responded, this year, over the summer, and the fall. Mr. Ouimet stated that those were newer. Mr. Wersted stated that he would be happy to look at it and see how they compare. Mrs. Sautter asked when the last access point was studied. Mr. Wersted stated 2007. Ms. Geleta stated she believes that a more recent study had been performed in 2009 at the intersection of Manchester. She stated that Ms. Geleta figures were closer to that study's count. Mrs. Sautter read from the study that traffic has increased at a rate of on half percent per year and asked if that was correct. Mr. Wersted stated yes. Ms. Geleta stated that she looked at Exit 8A as well as Route 9 up to Route 236 and asked if it was correct that there was only .3 percent growth in that area. Mr. Wersted stated that Creighton-Manning did respond to Mrs. Sautter's comments that were submitted last week and that was given to CHA and that should be distributed to the Board shortly. Mrs. Sautter stated that she did not see anything in the study for traffic that travelled north on Woodin Road to Exit 8A. Mr. Wersted stated that he did not include that in the study, but it could be looked at. Mr. Berkowitz asked Mr. Zdrahal if anyone had walked the property to look at the streams, the wetland, and to see what looked buildable. Mr. Zdrahal stated that yes, the topo map is accurate and the property was walked. Mr. Berkowitz asked if he had talked to any residents to see what has happened during rain events. Mr. Zdrahal stated that no, they had not. There was a lot of soil tests performed down about 6-8 ft. He stated that he will have to review what may have caused flooding for the residents in the past, possibly a blocked culvert. There is a large amount of old infrastructure in the area. That was something that was discussed with the Highway Department that for a public benefit in lieu of money, they could repair some of that old infrastructure. He agreed to speak to some of the residents regarding some of their particular concerns. Mrs. Sautter stated that she knows that the applicant made a point on the reduction of the number of units, but she did not hear it mentioned that the lots were also made smaller. Mr. Zee stated that the driving range was no longer included in the proposal. Mr. Zee stated that they had indicated that the access to Princeton Heights was designed from a proposal that was designed by Lansing Engineering in 2012 shown as a 60ft future Right of Way. He stated that he did not propose it as a public through street but if the Board or public wished it to be, they would make that change. Mr. Zee stated that at this stage they can only have preliminary discussions with the NYSDOT, so the analysis would need to be further along for that to occur. Mr. Ouimet stated that at this point in time the applicant has heard all of the comments from the Board and the Public. The Board asked the developer if he wanted the opportunity to take a closer look at these comments. Mr. Zee stated yes.

This item was tabled and the applicant agreed to come back at a later date to address the public's concerns as well as the concerns of the Board.

The Board took a ten minute break.

New Business:

13.097 NB Saratoga Strategic Partners LLC, 1406C Route 9 (Capital Storage) – Sign

This item was tabled as the applicant failed to appear for presentation to the Board.

13.107 NB Absolute Best Care (Pet Motel), 480 Hudson River Road – Sign

Mr. Don Neddo, the applicant, stated the following: He was here tonight to gain approval to place a sign on this site. He lost his previous sign during a recent wind storm. He now wishes to replace the sign for his business on Hudson River Road. This is a new sign that was made. It is slightly larger by 1 SF. Mr. Roberts stated that Mr. Neddo is seeking to place a 4ft by 5ft, two sided sign, free standing, and non-lit sign.

Mr. Roberts made a motion to approve the application as presented. Mr. Berkowitz seconded. Motion carried.

13.108 NB Spare Time Family Fun Center, 1688 Route 9 – Sign

Ms. Carol Judge from Bowl New England (Spare Time Bowl) stated the following: She is here tonight to change a previously approved sign, over the sports bar area they want to replace the sports grill sign, and over the bowling area that had their round logo and they wish to replace that with "Spare Time". A new additional sign would be "Arcade" over the new doorway. They would be LED illuminated.

Mr. Roberts made a motion to approve the application as presented. Mr. Berkowitz seconded. Motion carried.

13.099 NB Nicholas J. Marchese & Co., CPA's PC, 2A Executive Park Drive – Change of Tenant & Sign

Mr. Don Espey Jr., the applicant, stated the following: they were looking to move their business to this location on Executive Park Drive and replace the sign to reflect the new business. Mr. Ouimet asked if the downstairs was occupied by another tenant. Mr. Espey stated yes. Mr. Ouimet asked if the parking situation was looked at. Mr. Marlow stated that there are currently 27 spaces required and that is not including the 1000SF vacant space, so a variance would be needed to occupy the building for this use. Mr. Ouimet explained the parking requirements to the applicant. Ms. Murphy stated that the applicant's next step could be to apply to the ZBA for a variance, and if that is granted the applicant would need to come back before this Board.

Mr. Roberts made a motion to deny the application due to insufficient parking. Mr. Ruchlicki seconded. Motion carried.

13.101 NB Lawn Pro Evergreens, 1910 Route 9 – Change of Tenant

Mr. Terry Roach, of Lawn Pro, stated the following: he was before the Board tonight to seek approval to occupy space at 1910 Route 9 to sell Christmas Trees. Mr. Harris stated that the applicant has submitted a hand drawn site plan showing the proposed layout. He has had several conversations with Mr. Roach and Mr. Mulinio about this proposal. The Town does not have a long history with applicants proposing the sale of Christmas Trees. It is a one acre lot in Halfmoon with 18 acres that adjoin it that are located in the Town of Clifton Park. It is a vacant parcel. He took a look at the site for a site visit. The applicant stated that there will not be signage. Mr. Higgins asked how they would keep traffic from parking on Route 9. Mr. Roach stated that there is a large ditch on the side of Route 9 that makes the lot inaccessible unless you pull into the drive. They could also use staff to direct them into the parking area. Mr. Ouimet asked if there was any way to move the entrance to keep traffic from using Route 9 to park. Mr. Roach stated that there is a loop on the site to allow cars to pull in to park and then easily turn around to exit. Mr. Ouimet stated

that the Board would have to insist that the entrance be moved to the farthest end of the site. Mr. Roach stated the hours of operation would be Monday thru Friday 3pm to 10pm and weekends. They do not wish to open until after Thanksgiving.

The Board tabled this item and scheduled a committee visit with Mr. Roberts, Mr. Ruchlicki, and the Highway Department.

13.105 NB Joe Cars LLC, 1648 Route 9 – In-Home Occupation/Special Use Permit

Mrs. Brenda Vanier, the applicant, stated the following: she is requesting permission to run an office for her wholesale car sales business. This would be an office only. All of the cars are bought and sold at auction. There will not be any visitors. All business is done either at the auctions or via email. There will be no customers at this site at any time. There is just my business partner and myself.

Roberts made a motion to schedule a Public Hearing for the next meeting on October 28th 2013. Mrs. Smith-Law seconded. Motion carried.

13.098 NB Lussier Site Plan Development, 1385 Crescent-Vischer Ferry Road – Commercial Site Plan

This item was removed from the agenda per the applicant's engineer, Lansing Engineering.

13.106 NB Beeche Light Industrial Expansion, 365 Hudson River Road – Commercial Site Plan

Mr. Jason Dell from Lansing Engineering stated the following: he was here to represent the applicant for a 5 acre parcel on Hudson River Road that is zoned M-1, Manufacturing. There are two buildings on the site right now. One that is 13,560 SF of which 1,300 SF is office and the remaining 12,260 SF is warehouse area. The other building is 9,820 SF of which 980 is office and 8,840 SF is warehouse space. Both buildings are used for metal fabrication. This proposal is to add a second story to building one of approximately 1,950 SF for office space. The applicant is also proposing the additional construction of a 9,285 SF warehouse building to place all storage inside a building. All buildings will connect to the existing septic system, which will be upgraded to handle the additional flows. Stormwater will be managed on site. They are here tonight to answer any questions that the Board may have. Mr. Roberts asked if the building would be all warehouse space. Mr. Dell stated yes and the additional second story on Building 1 will be office space. Mr. Higgins asked if there was a need to add a Town Road with the expansion according to the original site plan. Mr. Beeche stated that there had been discussion about using Briggs Lane in that approval.

This item was tabled and referred to CHA for technical review.

Mr. Berkowitz made a motion to adjourn the October 15, 2013 Planning Board Meeting at 10:10pm. Mr. Nadeau seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Board Secretary