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**MINUTES MEETING  
Town of Halfmoon Planning Board  
September 23, 2019**

**Those present at the September 23, 2019 Planning Board meeting were:**

**Planning Board Members:**

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

**Planning Board Alternates:**

Charlie Lucia  
Brendan Nielsen-absent

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

Richard Harris

**Senior Planner / Stormwater Management Technician:**

Paul Marlow

**Town Attorney:**

Lyn Murphy

**Deputy Town Attorney:**

Cathy Drobný

**Town Board Liaison:**

John Wasielewski  
Jeremy Connors

**Town Engineer / CHA:**

Joe Romano

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

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

**Mike Ziobrowski:** I make a motion to approve the minutes.

**Tom Koval:** Ill second

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**Don Roberts:** All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried.  
Marcel recused himself he was not present.

**Public Hearings:**

**19.138                    Barnum Subdivision, 84 Tabor Road – Minor Subdivision**

**Don Roberts:** Would anyone like the notice read? (No comments) Is anyone here for the applicant? Please say your name and what you want to do.

**Gregory Barnum:** Gregory Barnum I am the owner of 84 Tabor road and proposed subdivision.

**Dylan Barnum:** I am Dylan Barnum, Gregory Barnum's son.

**Don Roberts:** You just want to subdivide that parcel that's up there?

**Gregory Barnum:** Yes we've got roughly 15 acres and we are just trying to subdivide into 2 parcels, one is 7 plus or minus and the other one is 8 plus, minus acres for single family homes

**Don Roberts:** Ok thank you, at this time we will open up the public hearing, would anyone from the public like to speak? Seeing no one wishes to speak we will close the public hearing, comments by the Board members?

**Tom Koval:** I will make the declaration to SEQR

**Marcel Nadeau:** I will second that.

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

**Tom Koval:** I make a motion to approve the minor subdivision application

**Marcel Nadeau:** Ill second it

**Don Roberts:** All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried. Good Luck.

**Gregory Barnum:** Thank you much.

**Dylan Barnum:** Thank you.

***Barnum Subdivision – Minor Subdivision***

***PUBLIC HEARING HELD/APPROVED. Board held a Public Hearing and approved a two lot subdivision.***

**19.143                    11, 12, & 14 Northern Sites Drive – Minor Subdivision (Lot Line Adjustment)**

**Don Roberts:** Would anyone like the notice read? (No comments)

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**Joel Bianchini:** Good evening I am Joel Bianchini representing Dawna Smith who owns the property and the company is Northwood Development Company, basically it's a lot line adjustment there are four existing lots , they want to put 20 ft. strips on them , those strips would be on Northern Sites Drive that would service Dawna's lot and lots 12 and 14. Essentially it's a lot line adjustment , we are not creating any new lots , we were here a few weeks ago and two things came up, one was the wells , we did find a note on the original subdivision plan that indicated a well had to be developed for each lot. As it went we also kind of looked into the general aquifer area and these lots and to the east of it they ran a deep aquifer there is problems to the west of that where there is soils with a low permeability so that's kind of why their wells aren't so good, but Dawna's is good and everything on these lots should be good in terms of a well. And then there was an issue regarding the fire access and there is a roadway there it is a gravel roadway and that will be improved somewhat to make it a little better and also the new driveways when they go in they built as a T type turnaround for fire apparatus. So that's, any questions?

**Don Roberts:** Okay thank you Joe, at this time we will open the public hearing would anyone like to speak? (No comments) Seeing no one wishes to speak we will close the public hearing, comments by the Board members?

**Tom Koval:** Im not thrilled with the fact that we will be losing a potential pass through on this road the way that is was originally anticipated and the way it was originally anticipated and the way it was originally proposed , creating all these private driveways , buying a lot of property without city water ,or Town water I should say. The lay out of the cull de sac, so I for one am opposed to this quote, unquote lot line adjustment.

**Don Roberts:** Okay before we go any further Rich we've got some correspondence right.

**Richard Harris:** Yes we received letters via email over the last couple of weeks from me believe two nearby residents.

**Don Roberts:** Okay make that part of the record

**Richard Harris**

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**From:** Lee Serino <lee.serino.chzo@statefarm.com>  
**Sent:** Monday, September 30, 2019 1:41 PM  
**To:** Richard Harris  
**Cc:** Joanne Serino; Lee Serino  
**Subject:** Northern Sites Development

Richard,  
Extremely coincidental that I would have two concerns on two projects going before your board. Our family live at 7 Northern Sites Dr. Adjoining the planned housing development. We have several concerns:

1. We have very limited aquifer producing poor water quality on this street. I have been told by the developer on several occasions that they were restricted from further development until water was supplied to the entire street. The developer should bear the cost of bringing water down the street before and further houses are built. Please refer to the Wood Acres Development Plans and meeting Minutes. A second access point or continuation of the street as presented in the original plans should be considered. Subdivision should not be considered until the Wood Acres Development covenants have been met. Street continuation and water supply before any further development.
2. Traffic is also a concern, the current road washes out every time there is heavy rain fall. The gravel ends up in the town street creating a dangerous and slippery roadway. Paving the road/driveway should also be a mandate to further development.
3. The current placement of the large court prohibits smooth traffic flow as traffic approaches the court in both directions. Cars are often on a collision course as traffic is leaving the dirt road and entering the street. The existing driveway drops cars in front of the court and cars tend to go to the left instead of bearing to the right as a short cut. Also a blind curve approaching 7 Northern sites driveway and the court currently is dangerous and will create additional hazards as additional cars are added to the street.
4. Snow removal is currently a problem for the town trucks to navigate around the existing court. Currently causing them great difficulty to clear the street. Court and street would need to be reconfigured to provide traffic control and emergency vehicle access.
5. Mail delivery, garbage pickup is also a concern. These additional houses will be depositing their garbage cans into the court adding more clutter and confusion to the already disorganized court. Do to the long distance from house to court these cans often stay in the road for several days after pick up.

We are not against additional new neighbors if the covenants placed upon further development to our neighborhood are kept, and the builder is prepared to improve the infrastructure necessary to support additional families. A possible solution to the traffic concern might lie in the builder turning over the road/driveway to the town which would insure quality traffic and safety regulations.

Lee Serino – Agent  
State Farm Insurance

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September 23, 2019  
Town of Halfmoon Planning Board  
2 Halfmoon Town Plaza  
Halfmoon, NY 12065

Re: Site Plan Application 19.143  
11, 12, 14 Northern Sites Drive

Dear Planning Board Members:

I am the owner of adjacent lands to the northwest of the subject application.

I would like to state on the record that my property is currently zoned Commercial/Light Industrial; and I operate a permitted Gravel Mine facility on the property, and will continue to do so.

I would request that prospective homebuyers be made aware of these conditions.

Please enter my comments into the Project record, and I look forward to further discussion regarding the application. Thank you for the opportunity to provide comments.

Yours Truly,



William V. Coreno  
93 Ushers Road  
Mechanicville, NY 12118

**Richard Harris:** Yup, we provide them all to the Board Members and we will enter them into the record.

**Don Roberts:** Anyone else from the Board.

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**John Higgins:** Don I went up and took a look at it and I agree with Tom, putting a bunch of driveways out into that cull de sac the way it's presently set up, I don't think it's safe I also have concerns about it and it wasn't what was originally portrayed to us way back when the original lots were set up and I also don't feel it's appropriate.

**Don Roberts:** Okay thank you, I agree with both Tom and John so anyone else?

**Marcel Nadeau:** I think when we first looked at this project years ago that the intent was that this road would carry through and come out onto Tabor road, question what is the rest of that property going to be? What's going to be done with the rest of that property?

**Joel Bianchini:** Probably nothing for quite a while until a road way is developed or access is obtained somehow for the rest of the lots there, there approved lots but the only access is the right of way for Northern sites drive and that's what we are doing here. There would be an agreement with all of the lots there of Northern Sites Drive could be extended sometime in the future even though there's 20 ft. strips there.

**Marcel Neadeau:** Because does the remaining property border Tabor road?

**Richard Harris:** In your packets the letter that ABD, Joe submitted should have a copy of that attached to it.

**Joel Bianchini:** Right, Northern Sites Drive actually loops around Tabor road on both ends but only the western end is actually developed?

**Marcel Nadeau:** Correct, and our intent I believe when we looked at this years ago was to come back out onto Tabor road.

**Joel Bianchini:** The rest of the lots right now are land locked.

**Marcel Nadeau:** Because I think initially I think we had an issue with the cull de sac we were having issues saying we didn't know if we wanted that length of a cull de sac, at that time I think we were told eventually this would come out as a road right back onto Tabor. So I am not in favor of this particular lay out.

**Mike Ziobrowski:** My opinion is that I believe that this will prevent future construction to occur once it does take place.

**Joel Bianchini:** That would be a condition of the...

**Mike Ziobrowski:** It will make it more difficult in the future.

**Lyn Murphy:** I'm not seeing how you can legally give someone 20 feet of property and say, until I want it back?

**Joel Bianchini:** That can be written into the deed, that if the roadway is extended that they would have to

**Lyn Murphy:** Who is going to enforce that?

**Joel Bianchini:** Im not a lawyer so...

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**Don Roberts:** Can I have your name and address please?

**Brian Smith:** My name is Brian Smith, I'm one of the owners of the property with my wife Dawna, and I might be able to address any questions concerning the property that Joel is not familiar with.

**Tom Koval:** Well I think our biggest question is , our biggest concern is this road is no longer looping it is going to be effectively cut off by these 20 foot easements or right of ways , these driveways , however your saying that in the future it can go back, our concerns are how is that going to go back and logistically in the real world we all know it's never really going to go back, so basically what was approved originally as a sweeping road that is going to come in on one end and go out on the other is now being changed to a basically a dead end cull de sac with even worse than a cull de sac now a private driveways off the end of it. Virtually making this project stagnant after that point, it's s not what we , not myself , because this is way before my time , the Board intended originally and it's not the way would allow a current project to be laid out for sure.

**Brian Smith:** Sure , I mean it's been stagnant for quite a while now obviously , when we originally put the project together we were actually told water was going to be coming down the road 25 years ago , it's taken this long to do it, there is still no sewer so when they change the codes we got trapped and our lots would no longer work out wit out septic so right now we are trying to figure out what we can do with the property , one other idea would be to have another cull de sac come in from the other side and then just have huge lots , it sounds like you want more development in there I think the people who live there now are pretty happy that it's a dead end.

**Tom Koval:** But what's stopping you from continuing this road right through, running the water right down through, that's already out on Tabor road, other than finances?

**Brian Smith:** Feasibility, the project will be upside down if I did that.

**Tom Koval:** Right, and none of the existing neighbors would be willing to tie into the water for a fee to offset that cost?

**Brian Smith:** I do not know, I know they brought water down Tabor road and I think maybe two people have tied in so far, one being one of my neighbors, whose water was terrible but that was before any other wells were even drilled

**Tom Koval:** Ok I've, in my short time on this Board, four years maybe all I've heard about is the problems with the water on Tabor road, it's been drilled into us year after year after year until we did the extension it was part of a benefit package on another project.

**Brian Smith:** I've heard about it too but and I live right there I've seen two hookups so how bad could it have been, I mean?

**Tom Koval:** I don't know, I know that every time someone's come in front of us wanting to subdivide a little piece of property we've heard from every neighbor, oh my God our water is so horrible we don't have enough water now the same people that are living there don't want to tie into the water don't want to, it seems like a very double edged sword, very self-serving from everyone on that road.

**Brian Smith:** If I needed water , I have a great well Im fortunate If I lived down there I would tie into the water I can't answer that for you I really can't I don't understand it either

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**Tom Koval:** That's what I'm basing my opposition on.

**Brian Smith:** As far as turning the road back the plan for these two lots one of them will be my son I live across the road, my daughter lives next door to that, we could put it in the deed to turn the road back if we went through with it

**Tom Koval:** But you also mentioned another cull de sac so you're willing to put in a cull de sac why wouldn't you just tie the two of them together and make it a through road if you're spending the money to build another cull de sac

**Brian Smith:** That would actually if we did that and again these were just ideas we were throwing off the engineers if we did that the cull de sac would be way shortened and they would be big lots and if you are familiar with the property there is a huge ravine that just doesn't make sense to run through the ravine, fill the whole thing it's a drainage ditch

**Tom Koval:** I'm sorry I'm not familiar with it.

**Brian Smith:** It's actually a class A trout stream even though I have never seen any water in it in the last thirty years I mean

**Tom Koval:** I'm going through that right now I understand your point.

**Brian Smith:** I mean to make a road go through there it just doesn't work, so to answer your question if we did do a cull de sac money wise it would be a lot less because it would be a lot shorter road

**Tom Koval:** I think I would be a lot more comfortable with a cull de sac than what you're proposing

**Brian Smith:** That would be the idea and it would actually, they just subdivided up there I don't know what the deal is with that road that they just put in if that could be a Town road or if it is but if we could improve that and just join into that we could do that too, again it's just looking for options I'm not looking to get away with anything

**Tom Koval:** I'm not accusing you of that I'm just trying to look out for the best case scenario for everybody.

**Brian Smith:** No I understand.

**Richard Harris:** Yea that's for flag lots, I just wanted to add any consideration given to the Board saying about extending the existing cull de sac for a Town road to connect these three lots and give you the frontage that would be there if you were to finish phase II, they can speak about water or anything like that but in terms of just extending the cull de sac for the public

**Brian Smith:** I believe and maybe Joe back me up for a road is what 600 dollars a foot?

**Tom Werner:** At least that

**Brian Smith:** You want me to put in a thousand foot of road for two lots?



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**Richard Harris:** Just giving you options, because it's based on the comments I'm hearing

**Don Roberts:** Okay, anyone else?

**Mike Ziobrowski:** I think at this point in time until we see a plan that we are satisfied with is deny the application.

**Lyn Murphy:** Is that a motion?

**Mike Ziobrowski:** I make a motion to deny the application until we see a plan that satisfies us.

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

**Don Roberts:** For reasons being?

**Lyn Murphy:** I think you heard the issues with regard to public safety, access, traffic, slope, the stability of the road based on the length of it together with the concerns as it relates to water and the overall plan that was originally put forth and approved by the Board which was a through road.

**Don Roberts:** Just so you know why it's proposed to be denied, okay can I have a motion to second to deny the application

**Tom Koval:** I second

**Don Roberts:** All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried. Sorry

***11, 12 & 14 Northern Sites Drive – Minor Subdivision (Lot Line Adjustment)***

***PUBLIC HEARING HELD/DENIED. Board held a Public Hearing and denied the request for a lot line adjustment to create three flag lots at the end of Northern Sites Drive.***

**19.066                      Dunsbach Estates Duplexes, 5, 7, & 10 Red Maple Lane – Special Use Permit**

**Don Roberts:** Would anyone like the notice read? (No comments)

**Fred Metzger:** Good evening Fred Metzger here this evening for my client regarding number 5,7, and 10 Red Maple Lane, my client is seeking/requesting a special use permit for those three lots for Duplexes each of the lots will be tied into the municipal water and have a private septic system for each lot , each of them are the existing zoning requirements and I think as we mentioned earlier all of the existing , I think there is four or five other existing lots or improved lots on their way up through there that are also as well Duplexes so it will fit nicely with the neighborhood. I believe I also emailed a letter of recommendation from one of the neighbors in the area.

**Richard Harris:** I didn't get that.

**Don Roberts:** You didn't get that?

**Fred Metzger:** I'm sorry, I emailed it to you but I can send it to you again, the neighbor, one of the ladies in the neighborhood sent a letter that she would like to see it.

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May 5, 2019

Town of Halfmoon Planning department

My name is Phyllis Fannucci. I own a duplex on 1 Red Maple Lane. I have no objection to the 3 lots owned by Leo Boulerice, which he sold, for the purpose of building duplexes.

Sincerely

  
Phyllis Fannucci

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**Don Roberts:** Okay, so when it comes in we will make that part of the record, okay good at this time we will open the public hearing, would anyone from the public wish to speak? (No comments) Seeing no one wishes to speak we will close the public hearing, comments by the Board members?

**Tom Koval:** Was this originally approved for duplexes or ????

**Don Roberts:** Yes it was

**Tom Koval:** I see no major changes, nothing that would requires further review and I would like to make a negative declaration for SEQR.

**Rich Berkowitz:** I second.

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

**Tom Koval:** I make a motion to approve the special use permit.

**Rich Berkowitz:** I second.

**Don Roberts:** All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried, all set

**Fred Metzger:** Thank you.

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

***Dunsbach Estates Duplexes - Special Use Permit***

***PUBLIC HEARING HELD/APPROVED. Board held a Public Hearing and approved the request to construct three (3) duplexes on three (3) existing lots on Red Maple Lane.***

**Public Information:**

**19.021**

**Tabor Road Transfer Station, 12 Tabor Road – Site Plan**

**Jason Dell:** Good evening my name is Jason Dell Im an engineer with Lansing Engineering here on behalf of the applicant Mr. Scott Earl who is also here with us tonight. We are here for the public informational meeting so I will go over the technical items of the project and then I'll turn it over to Mr. Earl to speak to the day to day operations of the project. The project is located along Tabor road and encompasses about 7.15 acres of property and is currently zoned as part of the County Waste PDD. The parcel is currently right now are vacant , the houses have been removed off of the property, the applicant is proposing to construct a 32,700 sq. ft. transfer station on the property as well as about a 4,500 sq. ft. covered trailer , parking area. All of the operations for the facility will occur inside of the building all of the handling of the trash, the moving of it as well as the bailing of it will be handled inside of the building thus cutting down on the noise and the odors. Access into the facility will be via

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one main curb cut off of Tabor road that will come in there will be a scale on the center portion of the site and the trucks will come down and access into the building. The proposed parking has been laid out on the site in accordance with the applicant, historically has needed and what he believes he may need for the site, so we do have 18 parking stalls for potential employees as well as additional truck parking. Again as I had mentioned there will be no outside storage of any waste materials, everything will be handled inside, water will be extended back into the facility via a connection to the waterline that Mr. Earl has already run down the road to the facility about 5000 feet of water main was extended down Tabor road to where it terminates just on the opposite side of the driveway. Sanitary sewer will be brought in to the site by a connection to the Saratoga County Sewer District system which is right in Tabor road, and storm water will be managed in accordance with all requirements per the state and Town, so with that I will turn it over to Mr. Earl.

**Scott Earl:** Scott Earl operator of 12 Tabor road or 8 Tabor road, depending on which way you look at the property, formerly there were two houses on that site, both houses were acquired and demolished, the site is immediately adjacent to the railroad tracks, as soon as you come over the railroad tracks it's a hard right into the facility, we've set up the driveway to be about 60 feet across at the narrowest point to accommodate the trucks going in and out. This is a residential transfer station, we collect garbage under the name of Twin Bridges, little garbage cans dump it in the truck bring it to the building back in weigh it there is a scale on the outside back into the building and we have two options inside to live load into a big aluminum trailer or to package it into a bailing machine so it looks like a baby diaper. At the last meeting we showed a video of what the little round, they look like mozzarella balls really, and its 2 ton of garbage in each one, load it on a flat deck trailer and sent to the state of Ohio, the residential garbage. It has nothing to do with recycling this has nothing to do with garbage trucks being parked there, this has nothing to do with trucks being washed this has nothing to do with all night operations at all, the facility opens between 6 and 7 in the morning, and there are no garbage trucks stored here at all. Garbage trucks are kept south on route 9 at the old Anville Fence site along with the office is at 1626 route 9 about 5 miles south of this site. This site has 18 parking spaces as required by code, however there are a total of three employees on site. The scale system is unmanned, its fully electronic, also has radon detection, the new state regulation, make sure none of you throw away any tv's, or nobody's on chemotherapy I guess because an alarm will go off if it's in the garbage we can't dump in the building, this is a transfer building that does not mean it's a final resting place for garbage this is a place where it goes from one vehicle into another vehicle to carry it to its final resting place. Our intention never is to have garbage in this building overnight. I've built outside storage which is new to the state of New York, outside storage is a covered canopy, when the garbage is placed in the tractor trailer awaiting to be picked up that day it's underneath a covered canopy so if it's raining the rain can't go in the top and come out the bottom with any leakage or any paint that somebody might have thrown out obviously accidentally because you're not supposed to do that but occasionally we will get pink paint in the garbage truck and it ends up on the road so we take all safety precaution measures their straps inside for the employees there is a large loader inside the building I built the original transfer station behind this facility and Im here to tell you tonight Im sorry they are awful its messy there is papers everywhere there is garbage blowing, they have a collection facility, albeit every single day they are reducing their fleet, hopefully you won't hear any beeping anymore but they go out at one and two o'clock in the morning they are out all night long, so that is horrible that is not me that is not who I am anyone that visited the site when I owned it 8,9 years ago you could eat off the floor, not that you would want to, today there's garbage everywhere, outside its horrible. Upstate New York is in a terrible garbage crisis there are no landfills we have to package this garbage and get rid of it. The Albany landfills about to close, slowly over the last three years they have been reducing from 1600 tons a day now down to 200 tons a day is all they take they close 10 o'clock in the morning. Where is the garbage going to go, we know we need to package the garbage and ship it out. The reason that Waste Connections, which is the County Waste that's left there has a mess they have nowhere to put it, they have a landfill in Troy that they hide under another name that's the one that all of the schools are having all of the problems with, the high school was built and they are getting dust on the kids and they signed an

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agreement not to talk about it so that's an issue over there , that's not how I operate and its corporate America, everyone lives in another state , I live here and I do things right. We put the water down Tabor road because we know there is bad water on tabor road, it's been that way for years I would encourage everyone to hook up to it so, that's my presentation all I can tell you is I'll be a good neighbor our lighting is down it's not up, we are not making a mess, I wouldn't live with a mess so.

**Lyn Murphy:** Mr. Earl could you comment briefly on the traffic flows for the currently approved use vs what you are proposing.

**Scott Earl:** Absolutely, traffic flow, our trucks are all gps'd and they are all computer monitored now from the main office we can control which way those trucks go, we would not allow those trucks nor would we have a reason to go east bound on Tabor road there is no reason for us to go that way there is nothing down there that interests us, our garage is on route 9 south and the dumping station is right at the railroad tracks. Why would we go down Tabor road, if the train is there we will wait? The drivers get paid by the hour they are not in any rush to get back to the barn, if they have to sit there a half hour they will tell me I had to wait for the train, so the train we are not afraid of , I lived with those trains for 22 years.

**Don Robert:** But again how many vehicles do you expect daily?

**Scott Earl:** According to this and the State regulation maximum is 40 vehicle trips, so that's if you count that twice, a vehicle goes in it goes out that's two trips so our fleet is small we need to manage that garbage flow.

**Don Roberts:** Is that it?

**Scott Earl:** That's all I have.

**Don Roberts:** Ok so at this time we will open up the public informational meeting, please come up and say your name and any comments you may have.

**John Pickett:** My name is John Pickett I live at 51 Tabor road about 9/10 of a mile from the railroad tracks, east of the proposed site. I note that the discussion said why would trucks go on Tabor road, well I think the answer to that is about 80% of the Town of Halfmoon is east of the site and the most convenient way for them to get from the rest of the Town as well as from the Town of Waterford, the city of Mechanicville the Town of Stillwater is to come up Tabor road. Tabor road is a residential neighborhood, there is 100% of the structures on Tabor road are residential structures, there are no commercial or no industrial structures on Tabor road. Tabor road has no sidewalks , it has minimal shoulders and many places no shoulders , you take your life in your hands to walk on Tabor road or to ride a bicycle on Tabor road , this will make it worse if there is more trucks. They are saying they are going to come in from route 9 but the fact is most of their pickups are the other way and if the Board is going to grant this I think you should put a strict restriction on through truck traffic on Tabor road, I understand they have to come one day a week and pick up the garbage for their customers on Tabor road but they shouldn't be permitted through traffic with a high volume of trucks on Tabor road it is a residential neighborhood. The other point I would like to make is the noise, I understand the presentation says that the work is going to be done indoors, but the fact is we can hear the trucks from County Waste, the back- up beepers when they back those trucks around the beep, beep, beep, beep you know early in the morning, you can hear them clearly and this will make that worse. The trucks may be going inside but they are going to backing around the lot and when big trucks back up the back-up beepers go off and it makes a lot of noise. That's all I have thank you.

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**Don Roberts:** Thank you.

**Scott Earl:** The collections that are made on Tabor road are made on a Monday morning about 10 to 11 o'clock there is a garbage truck followed by a recycling truck. Stillwater is collected on a Monday that same exact truck does Tabor and English road, we don't pick up the city of Mechanicville's garbage its under municipal contract with County Waste we don't pick up Waterford's garbage its under contract, we don't pick up Schaghticoke's garbage, we pick up residents in the Town of Halfmoon, Tuesdays we work in Colonie, Wednesdays in Guilderland, Thursdays in Geyser Crest and Friday in Gansevoort. Friday we go to the landfill direct, Friday will be the quiet day. No need to transfer the waste the landfill is at the Saratoga County site on Peter's road. With regard to early morning I think we talked about 7 am, is that ok? We are not there at one, two, three, four, five, six in the morning, I sleep. I understand, 7 o'clock should not be offensive, is seven o'clock and issue? And as far as restricting traffic in all for it. Never in my life do I want to offend anyone so.

**Don Roberts:** Would anyone else wish to speak?

**Thelma Coleman:** Im Thelma Coleman and I live at 45 Tabor road. I've lived there over 28 years my home is probably sold and Im moving from there, but I am concerned about this, some of the concerns I've had though you have already taken care of, because it is because of the other waste management where there is trash there is rubbish always down the side of the hill, when you go down there in the Winter and you can see its right along the stream , I don't know, it comes from the Anthony Kill but I was more concerned about the appearance when we moved there that was a residential zone I agree with Mr. Pickett all the homes on Tabor road are residential, I am concerned to see the commercial business come in there although I have switched to the Twin Bridges and I am glad there is competition now. I had water that was always good but when Mr. Tanski provided our water the Town did not provide the water to many of us residents in the upper Tabor road, so I have public water I did connect to that but I am concerned about the traffic safety, Tabor road is not a quiet road , okay it's not just residential people going up and down , we have traffic that goes from the Northway to Northern Sites , Rolling Hills, Howland Park on Johnson Road, a new development, Fairway Estates and the golf course so there is traffic up and down Tabor road all day long , I am concerned about the railroad track and having to wait there for trucks , it's not uncommon to count eight cars there I mean you wait quite a while when it does back up , it will back up but I am relieved to hear that this is going to be more of an operation in the morning but I am concerned about the people who have bought homes , or who are building lovely homes up there and the entrance to Tabor road will be this Waste Management and right now when you look at some of the roll offs that the other company has there is even graffiti there so I love Halfmoon I've lived there for 28 years I am probably going to be moving out of that home but I am concerned for the other people who are building homes up there and I hate to see this commercial company come right in there I would hope they would find another place because I certainly like the competition that we needed in this area for trash pickup.

**Don Roberts:** Thank you, would anyone else wish to speak?

**Glenn LeBlanc:** My name is Glenn LeBlanc and my wife Lyn we both live at 73 Tabor road about the same amount, less than a mile from this location. While I am a customer of Twin Bridges and very happy customer I will tell you Im very opposed to this happening on Tabor road. There is a noise issue that has already been addressed. The amount of trees and foliage that is going to be reduced in that area will not only increase the noise from his operation it's also going to be adding the noise that is then coming from County Waste as well. I see there is stated a 45% of green space I don't see how that is happening on that particular site , I would like to see that a little bit closer, but I don't think that's accurate, there are no burms or sound barriers in the plan what so ever , the entrance appears to be overlapping with the rail road crossing road lines , although on that map it does not show , I

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kind of superimposed that over a satellite map and they seem to be extremely close to that rail road crossing of which there is an extreme traffic consideration , especially you said 7 days a week, you have church , you have voting nights at the church , there is traffic like there is no tomorrow backed up with 15, 20 ,30 cars during that time frame, and we're adding now additional traffic as well of trucks. There is an incline leading up to those rail road tracks the garbage trucks will make noise at that point much more than the single one that picks us up , also if there is going to be anything extended bigger than garbage trucks that's going to be an issue with the way the railroad crossing is designed. I think there is going to be a decrease in the value of the houses adjacent and across from that area I feel sorry for them if this does go through, but that will mean a decrease in my property. Aroma , well he states the intention is not to have aroma everything is done inside there is no guarantee at this point that I have heard that there will not be any aroma. Again taking down the foliage will then just aid and abet the aroma possibly coming from County Waste onto that area. When this was addressed back in the February 25, 2019 Planning Board a Board member asked if it is a 24/7 it was stated I don't know, I don't think it should be a 24/7. I know County Waste right now as he stated 1 am roughly trucks are leaving but I believe they are off the road by 5pm Monday through Friday. Thank you.

**Don Roberts:** Thank you.

**Scott Earl:** We ready, let's talk about green space, I think there might be a little confusion here , the entire project, the parcel site itself is this dotted line all the way around the outside edge okay , there is 60.8 percent green space, trees that are being harvested are gone, all of this is greenspace, this goes all of the way to the bottom of the Dwaskill Heavily vegetated there is absolutely no access to this property , the end of our use to this property is right here that's the trailer storage , that's the parking lot. This narrows all of the way up to the front to 60 feet use of the property and leaves everything else forever wild. This is a berm how you look to see if it's a berm it has 7 or 8 different level lines that show the level of the road that the level of that top of the berm , they are about 10 feet, this is a berm, this is a berm on top of the berm goes green trees , more green space. You will then count those burms which have not been calculated in that 60% to almost 70% greenspace. I don't see any more harvesting of trees, the property, if you see the property its wide open, it is what it is, there are dumpsters stored over here by my neighbor, and they need to be removed because they are actually overlapping on my property. There is a salt shed here constructed by my neighbor that will be removed it's on my property. I'll take care of my property Im more concerned about theirs, I can't fix theirs but what I can tell you is Mine is not a problem, this is the north this is the east, the subject spoke about a property approximately a mile down the road I doubt there is any visual of this , if there is noise at night I would check with Sysco we are not seven days a week if you look at this application its six days a week and only half on Saturday it starts at 7 am there are no trucks parked here there's no 1 am trucks, there is no beep, beep , beep at 1 am 2 am, we will have cameras all over the whole property Im sure my phone will go off if anybody goes through that gate.

**Don Roberts:** Thank you, would anyone else wish to speak?

**John Picket:** John Picket I previously spoke me live at 51 Tabor road. The area that was just pointed out as greenspace I believe is down in the ravine where the creek is so it would provide no sound blockage and my house would be located to the right of that right over the greenspace but that greenspace is not going to block any sound, its down in the gully where the creek is. I just wanted to point that out. Thank you.

**Don Roberts:** Thank you, would anyone else wish to speak?

**John Fortune:** Hello John Fortune, Fortune Construction , we had some general concerns ,we have a couple properties on Ushers road a couple of warehouses there and from what I gather most of the traffic is not going to

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be going through Tabor road which means Ushers road and that affects our property and our warehouses that are there , so Im concerned with how many trucks are going to be going through that area causing problems with our tenants that are on that road not to mention we bought that white house that was just a little farther down at the very end of that corner right where the railroad tracks meet and Im concerned about rodent control , odors , and if you have any intention of using the railroad itself as a spare for transportation of any of the product since they are going out of state, which might be a good idea because there is a spare that does run through there but Im concerned about the traffic , rodents, and odor how it affects our tenants.

**Don Roberts:** Would you like to address that?

**Scott Earl:** We will go backwards first, the railroad in order to utilize the railroad for any type of transportation you have to have what's called a rail spur, when I owned County Waste prior the company behind it we examined using the railroad and having that spur , the train tracks can only turn at 3 degrees we needed about 3 football fields on the other side of Tabor road to get the train tracks to turn so that they could come in, so we looked at a live siding, loading perpendicular to the Tabor road, wasn't feasible, wasn't going to be good for anybody. We abandoned the idea, this property is adjoining that property and has no railroad access so there is no opportunity anywhere. Then with a 700 ft. siding each car is approximately 100 ft. carries 80 ton it would have to be serviced three times a day through the city of Saratoga they have to come down take all seven cars and then bring back 7 empties all day long and all night long so you definitely wouldn't want any rail service to either this site or the existing transfer station although it's a good way to get waste out of state the best is to take it down to Selkirk yard and mount it on a train down there, we've gone through all of that okay. I call it the mozzarella ball, the baby diaper, hermetically sealed you look at the seal we ran the video I would be happy to send you the video link, it seals everything up, no odor no smell no water. What causes odors is moisture getting inside of something and having it decompose and you have an odor. These are locked up tight there is no odor. You mentioned trucks , about 31 years ago the Town Board designated under their re- manned grandmaster plan , this entire area was light industrial, all the houses light industrial, anyone know Cathy Soloski on Tabor road that passed away? Her entire property is light industrial, so when you say that there is no business that should ever operate here. Thirty one years ago that was set in motion , maybe nobody knew , maybe nobody came to the meeting but it's there , that's where the future of the Town any rough stuff is in that area , as far as trucks , all the trucks all kinds of trucks. You've got all of the dump trucks that built all those houses down Tabor road, they still run it up and down Tabor road, I would be scared if I lived there. Its 70,000 lbs. gross running up and down Tabor road all day and half the night. I agree Im not going to contribute to that and I am aware of it. I also own commercial property on the other side of Ushers road I own Ballston Spa Bank and Ferretti's Pizzeria, I still don't know what I am going to do with that but inventory now so I would tell you that the few trucks that are going to be added there and if something falls off the truck, one call we will pick it up, we are very concerned about dropping litter and blowing litter so. I hope that answers your question but no there will be no rail siding loading and I will get after my neighbor to get those ugly dumpsters out of there because if there is any vermin that is where they would come from because they don't empty them all of the way there is always trash inside of them and it's been that way for twenty years. Rodent control , we will have rodent control trust me, everything in that building is rodent control bait traps, we have state of the art , I don't even like bugs. When it comes to my house we have every bug system in the world in my house, I see a spider my daughter goes crazy so, thank you.

**Don Roberts:** Would anyone else wish to speak?

**Bob Degnan:** Good evening Bob Degnan I live up 10 Northern Sites Drive its about 2 miles east going up Tabor road so I've been here before about 2 years ago , just a couple of comments and then some questions if I could. Two years ago the original plan here was for three warehouses on the same location and then I've heard multiple



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times about I guarantee , I promise you things won't change and here we are two years later and now we are talking about a transfer station, so the first thing that came to mind and when I heard this and I appreciate some of the other neighbors coming forward with some of their concerns because they were spot on the money but I didn't hear why there is a need to have another transfer station 150 yards away from the one that is there. I heard this was for Albany County and Rensselaer County but I didn't hear anything for Saratoga County, so that's just a comment to chew on. The traffic concerns are substantial and they were for the warehouse I work with, well Kevin Tollisen shared a traffic study from two years ago and it had 40 to 50 vehicles coming through every hour at rush hour and at the end of the evening, the end of the day I know that's different here but I just heard 80 dump trucks coming in and out which is pretty substantial and if you combine that I wonder if anybody , are you familiar with the corners of Ushers and Tabor road everybody here because I have got a lot of pictures here I would like you to take a peek at before you leave or I can leave them with you as long as I get them back but from a neighborhood perspective and my family and I want you to just think about your coming over Ushers road and you're going to approach the railroad tracks that Y intersection which is a horrible intersection, I've been on the phone with the Sheriff's Department and they did a targeted study there to say hey you know how many accidents have occurred and that was Clifton Park and a week ago I've walked through it with Rich and others and while we were there, there was cars flying up and down and now we are going to add 80 more trucks. Does anyone know how many trains , freight trains comes through on a regular basis, probably not I do because I follow up with Canadian Pacific, its 14 freight trains a day so I've got pictures here of traffic getting backed up and you sit there sometimes with , and this is before your proposal but you sit there sometimes at that corner and you hold your breath that somebody is not going to come around that corner and slam into your rear end while you are waiting for a train now add to it , I think one of the other women mentioned all of the developments up about and I wonder if that was taken into consideration, so hundreds of other vehicles coming down Tabor road. So the just of this is traffic safety is a major, major concern. The pitch of Tabor going up over the railroad tracks is a blind spot, you literally cannot see if you're coming over Ushers to take a left over the railroad tracks and Rich we walked you can't see trucks coming up or down the pitch of that road. That's a serious issue, it's a rolling yield sign. People don't stop I've sat there and videoed and I'd be happy for anyone to come and see the videos I'd share them with you. Just flying through there, one after the other. So if you think about the combination of increased traffic from all the developments, you've heard about all of the concerns there, you think about adding 80 dump trucks on that Monday and 14 freight trains and a horrible corner of the intersection of Tabor and Ushers with a rolling yield sign you've got a disaster waiting to occur. It's going to be a disaster and we are going to come back and we are going to have a different conversation because its gonna happen im surprised it hasn't happened and John Scalvo at Clifton Park said today he is trying to do a three year retrospective study with the State of New York to show how many accidents have already occurred on that intersection, he said he can map them out so I want to see that. So If I can carry on so I think the noise, the environmental pollution that's not going to go away again it wasn't supposed to occur with County Waste but I welcome you to come up and have coffee with me some morning 2 miles away because you hear it constantly and the smell and the garbage and while I appreciate the fact that this is a diaper and its enclosed and all that good stuff. Trucks are bringing the garbage in and out, they are not in a bubble, so the smell and the noise and the garbage is going to be transferred right so we need to consider all those things so I would ask im vehemently against this if you haven't picked up on that I just think there are too many issues , too many concerns and Tabor road even though it is just going to be a short period of time when these trucks are going to be on it that's not meant for 80 more trucks a day it's not, it's not meant for the traffic that comes up and down it today and were gonna add to it and we are going to compound it and we are just looking for many more issues. If you want to see these photographs I think they are pretty darn telling, I will pass them to you and you can take a look at them. They show the railroad tracks, the backed up traffic, the width of Tabor road, where this is going to be proposed, going to be, they are pretty big concerns, so Im wondering the questions that I have, are there going to be any updated if necessary Im hoping this is squashed this evening, but is there going to be another, is there going to be an environmental study done? Is there going to be another traffic study done? Is

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there going to be some sort of noise study done because it's a nightmare then move and all this in addition to the value of the homes up and down that street and Im one of them I've been there for 15 years, and I heard some of these comments about earlier about Northern Sites Drive about traffic , Northern Sites Drive is you know Im not a very good golfer but I can hit a golf ball on Northern Sites Drive , this is Tabor road and Ushers road very , very different, but I heard traffic concerns , I heard back up concerns and now this is substantially different than that proposal about an hour ago, so that's all I have to share. Thank you.

**Don Roberts:** Thank you. I would like to turn to our Town Engineer Joe, a traffic study was don't previously right would you explain that a bit?

**Joe Romano:** Yes sure. Hopefully the Board recalls that when the project was in front of them for the , what was a truck terminal project at that time the Town had commissioned WSP to do a traffic study for that , that previous report had assumed 43 trips in the am peak hour and 45 trips in the pm peak hour, and that report included at the level of service at the driveway would continue to operate at the level of service A during the development of that facility, basically means that trip generation didn't warrant any mitigation along Tabor road. As the project changed part of the NYS DEC 360 Permit they are restricted to a certain tonnage per day I believe which we can then equate to a number of trips per day so they updated that environmental report that went to NYS DEC that report conservatively estimates 40 trips in the peak hour which is less than what was previously evaluated so that the conclusions of that report stands , there was one item in that report regarding the intersection of the driveway and recommendation of some signage along Tabor road which has now been incorporated onto the site plan. In addition the 360 permit requires a noise study evaluation to be done, there are certain standards that NYS DEC requires in terms of ambient noise now, granted the ambient noise of the area is the existing facility there is existing truck traffic, the trains all are incorporated into that study, the mitigation associated with potential noise was remediated according to that report with all of the operation occurring within the facility itself, so although the Town doesn't have a noise ordinance they are regulated by the NYS DEC 360 Permit which required the noise evaluation which was provided as part of our review.

**Don Roberts:** Thank you Joe. Anything you want to add to that Scott?

**Scott Earl:** In regards to our saturation point in Saratoga County, we have almost 21,000 subscription customers, 12, 700 are in Saratoga County, this is a Saratoga County issue. As far as the trains go I heard a story about 14 trains, I own County Waste 22 years you'd have to show me and are they all there at 7 o'clock in the morning? In 22 years the biggest problem we had on Tabor road before they started the construction of all of the developments and the dump trucks came was the school busses. That was the biggest problem we had, we had bad operating railroad gates and school bus problems, so I used to open it and let the school bus cut through our yard because the school bus has no legal right to turn around and it can't sit there all day with the kids on the bus, there were times those railroad crossings would be out for a day, day and a half before they would get working. I think that with the new upgrades to the crossing all that has been taken care of. We talked about trees we talked about smell, and the interesting thing tonight is everyone hates the smell of garbage I agree I don't like it either, why has not one of you ever once, not one of you ever called NYS DEC and this isn't an opinion this is a fact you've never called once to complain about the smell that is putrid. You've never once called to complain about the 1000 tons of raw garbage sitting on the ground behind County Waste not once and you want to talk about close proximity to Northern Sites it's in your front yard. Look over the tree, look out on your deck its raw garbage. Some of you go in there and you dump your vehicles, you dump outside on the ground, yet not one person has ever called DEC your public servants in Warrensburg NY not one. We are all entitled to our opinion but we are entitled to our own facts. Thank you.

**Don Roberts:** So Scott your saying that this facility is going to accept trash from Saratoga County?

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**Scott Earl:** Absolutely, 60 % of it.

**Don Roberts:** Thank you. State your name and address again please

**Bob Degnan:** Bob Degnan 10 Northern Sites Drive and some really good facts and I appreciate you adding those facts to it because I didn't know that and I agree with you the trash and the smell and the tonnage is everything that Scott said, it's everything. And I forgot that the emergency , the busses coming over the railroad tracks and emergency services so thank you for refreshing my memory because that furthers my case quite honestly and the things that you said about the studies being done well whose managing it right and I will call the DEC and I appreciate that advice but this concern was the same concern that was probably a decade ago and nothing has changed, right the smell the noise and now the traffic and a safety concern for my family and my neighbors. This is a serious, serious problem that we could have so I would like to add to that thank you.

**Don Roberts:** Thank you.

**Scott Earl:** One last point I want to make and I as well share the concern of traffic, our traffic off of this site the man is 100% correct, this is a short jog from the end of our driveway to the railroad tracks, what would you say it's a 100 feet? So our trucks are about 45 feet long, how many could we possibly get if we got there at the right time how many could block Tabor road? Two if there happened to be two there at the same time. What is there is a backup of cars waiting for the train what would I do? I'd wait in my driveway why, because I wouldn't be able to get out, so all of my trucks are going to be in my driveway stuck because of the train. Any trucks waiting to get to the facility there going to be stuck, at Mr. Fortunes warehouses waiting to get across the track, there we can turn around, but all the rest are going to be stuck here, I don't see us adding to the problem, I see us being inconvenienced by the very same issues the man spoke of, thank you.

**Don Roberts:** Would anyone else wish to speak?

**Glenn LeBlanc:** Glenn LeBlanc 73 Tabor road, when was that traffic study done?

**Joe Romano:** 2017

**Glenn LeBlanc:** That was going on two years ago, I think another traffic study would at least be warranted. There has been an increase in traffic on Tabor road there is no question in my mind every year that goes by there is an increase in traffic and yes your trucks could invariably get caught in train traffic with engines running adding to pollution adding to smell and aroma, the trucks do not smell pretty, the little baby diaper maybe but not the trucks.

**Don Roberts:** Would anyone else wish to speak? (No comments) seeing no one else wishes to speak we will close the public informational meeting, Rich we received some correspondence we can add to the record?

**Richard Harris:** Yes we received a number of emails, letters that have been distributed to the Board members and the applicant and we will incorporate them into the minutes of the meeting.

**Don Roberts:** Thank you, comments by the Board members?

**John Higgins:** Scott, I am very concerned of what I heard tonight for the first time, that you're also going to be loading open top tractor trailers, this is the first I've heard of it and I've been at every one of these meetings.

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Everything before was this pre-package wrapped, shrink wrapped 2000 lb. pieces. Tonight was the first time I heard that you are going to be loading open top dump trucks or MBI 4 axle tractor trailers and having them sit on site waiting for the MBI guys or whoever to come pick them up.

**Scott Earl:** Yes, John there is a problem with machinery in today's world it breaks, if the baler were to break John what would we do, close the door and fill it with garbage? Dump outside like they do next door? No because what comes in has to go out, it is a transfer station not a landfill.

**John Higgins:** So the only time you are going to use

**Scott Earl:** That's emergency backup, it's got to go out John it can't stay in the building.

**John Higgins:** im not arguing that but that's the only time that those trailers will be used?

**Scott Earl:** That's correct, every Saturday at the old site I would lyme my floors, 12 o'clock when we closed all the material was off my floors in my building and we used lawn spreaders to put lye down to eat any odor that could be on the concrete before Monday morning came , Im very clean, I have to have a backup plan John, if that baler goes down I've got to wait for a part and you've got garbage in the building you've got to get it out.

**John Higgins:** And where do the parts come from Europe?

**Scott Earl:** They might come from Europe they might come from Troy, I don't know.

**John Higgins:** But the machine itself is built in Europe?

**Scott Earl:** The machine itself is built in Europe, the wrapping the machine is built in Long Island, we will have spare parts, but I can't stand here and tell you that something's not going to break.

**John Higgins:** Where are you dumping now?

**Scott Earl:** We dump Saratoga County Landfill, owned by Waste Management, we dump some in Vermont, and we dump in the Albany landfill, it's scheduled to close.

**John Higgins:** And the burn plant in Hudson Falls?

**Scott Earl:** That is scheduled to close as well, the technology is outdated and its polluting the air every day it operates and the garbage is all of the way out the door in the parking lot.

**John Higgins:** I've been there I know

**Scott Earl:** Awful and they have done zero maintenance in 5 years.

**Tom Werner:** Scott could you clarify for me the total trucks per day.

**Scott Earl:** Yes I heard comments about 40 some trucks or 80 some trucks a day, our State permit is at 40 so we are already approved on this site for warehousing with 86 truck trips a day this proposal takes 40 , it's not 86 it's not 83

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**Tom Werner:** And that is spread out throughout the day?

**Scott Earl:** And that is spread out throughout the day between 7 o'clock and roughly 5 o'clock

**Tom Werner:** Because there was at least one comments that said during the peak period

**Scott Earl:** That's peak hour and we only own x number of trucks, I mean

**Tom Werner:** So its 40 per day?

**Scott Earl:** Exactly

**John Higgins:** No excuse me I thought it was 40 trips per hour?

**Scott Earl:** that's regulated by the tonnage and we only own 18 trucks.

**John Higgins:** Now

**Scott Earl:** Now? What you have a crystal ball I don't have?

**John Higgins:** No I don't but I just

**Scott Earl:** John Im old.

**John Higgins:** Just going from your past performance I could easily see that doubling.

**Scott Earl:** I got miracle grow, there you go.

**Mike Ziobrowski:** Scott you had mentioned the hours 7 am in the morning during the week what time are you going to operate to?

**Scott Earl:** Our opening operational hours are stated for 7 o'clock and that's just in case we have a truck comes in out of service and we have to fix the truck before we can empty it , we don't want to store garbage on route 9 either at our site.

**Mike Ziobrowski:** So 7 at what time?

**Scott Earl:** 7 pm, however the garbage most of the trucks are in the yard by 4:30

**Rich Berkowitz:** Does that include weekends?

**Scott Earl:** No Saturday is short day, we don't even operate on Saturday.

**John Higgins:** Last meeting you said 10pm.

**Scott Earl:** I said 10pm? What would I do at 10pm at night?

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**John Higgins:** You said the same thing if you had a truck broke down and you had to have it brought in

**Scott Earl:** What does the application say?

**Joe Romano:** Jason I think that the site plan currently states Monday through Saturday 6 am to 10 pm and then Sunday 7am to 6 pm

**Scott Earl:** That must have been on the warehouses we don't run on Sundays I go to church, I am in the one of the ones in that line.

**Joe Romano:** Just so the Board is clear as to what the hours of operation are and a final site plan needs to reflect what is discussed.

**Scott Earl:** We will remove that and it can be a condition.

**Don Roberts:** So it's Monday through Friday, Saturday half day and closed Sunday.

**Scott Earl:** Half day Saturday, the need for Saturday is about 6 days of the year they are Holidays through the week though.

**Don Roberts:** So 5 days a week half day Saturday, closed Sunday.

**Scott Earl:** Correct.

**Don Roberts:** Thank you.

**Rich Berkowitz:** And there's no private drop offs?

**Scott Earl:** No, no private drop offs no, they might be unwanted drop offs but we give them back. I'll find the name in the mail and I'll bring their garbage back to them.

**Don Roberts:** Anyone else? What's the Boards pleasure?

**Marcel Nadeau:** Did we get anything back from the County on this?

**Paul Marlow:** They reviewed it with no significant county wide impact.

**Marcel Nadeau:** Now Scott none of your vehicles will go past your facility?

**Scott Earl:** None, we absolutely have GPS in every one of our trucks we have electronic tablets and we have monitoring software at the main office, there is no reason for them to go that way except Monday and they come from that way , they don't go back that way, there is no dumpsters down there , there's no residents other than Mondays pick up and if we miss someone's trash or they put it out late we have a little pick- up truck that goes out and picks it up , and isolated incident somebody was away or forgot to put it out.

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**John Higgins:** Scott I am going back to the same thing how can we guarantee that you're not going to be using the 53 foot 4 axel open top trailers 6 months a year?

**Scott Earl:** Our application to the State DEC has an operational plan and that would be a violation of the States operational plan, that's approved by NYS DEC.

**John Higgins:** And what does that plan say as far as

**Scott Earl:** It says there baling operations inside the building with a backup operation for live loading trailer. It's called a document.

**John Higgins:** But there is no limit as far as whether the baling operation has to be effective 90% of the time.

**Scott Earl:** Well if it's broke it's not effective but it will be fixed.

**John Higgins:** Exactly Im just worried about if it's a major breakdown.

**Scott Earl:** So let me take you down a path, the mozzarella balls we will call them that, of garbage get loaded onto a private fleet of flatbed trucks, they're not even contained, you write the words MSW on the side they throw a strap over the bales and they are on the highway, you see them up and down 81 and 84 all day. The aluminum trailers are mine, emergency backup. Now I've got to find someone short notice to drive to Ohio, its one day dump the truck, drive back the next day, how would I ever operate, I would never be able to accomplish that feat. I'd have to dump local at 2 or three times the price so Im going to work real quick to get my machine fixed, real quick. Right now you have no competition in this business, none, you know, this facility is needed, and the other one should be heavily critiqued, not from a competition stand point from a truth and honesty standpoint. You heard all of the complaints tonight not one, you've heard hypothetical about the proposed site, you've heard actual problems with the existing site when nobody's complained yet.

**John Higgins:** Im just worried about again open top trailers being stored even though it's being under cover, you are still going to have the smell from it because it's not contained and again you can't control how often your machine breaks.

**Scott Earl:** We pick up residential garbage so the smell would be residential garbage 24 to 48 hours after we collected it at the least, at the worst I don't know how the smell would get beyond anything like that, I mean where would you get a smell if you took in a price chopper that has been sitting there for 2 weeks rotting in the store, yes we don't accept that waste we are a residential collection company.

**John Higgins:** Would you have the opportunity to go back to your present dumping locations if your machine is down?

**Scott Earl:** Absolutely we dump there now, Fridays we dump in the Saratoga county landfill. Friday will be a quiet day there would probably be 10 trucks a day there.

**John Higgins:** Im just trying to look at the worst case scenario, thank you.

**Scott Earl:** I understand.

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**Rich Berkowitz:** Scott I just have one question about the backup indicators on the trucks, now the traffic circulation in your parking lot from your trucks they go on one side of the building and come up on the other side?

**Scott Earl:** They pull forward and back up using those rude back up beepers that the State makes, 7am to 5 or 6 pm, not one or two am and there is no trucks stored there, like next door going out at 2 or 3 in the morning with back up beepers.

**Rich Berkowitz:** And this is an approved use through the PDD?

**Don Roberts:** Yes it's an allowed use, yes it is.

**Rich Berkowitz:** And it's in a light industrial zone?

**Don Roberts:** Yes

**Rich Berkowitz:** So based on all of that information, the proper zoning, the proper PDD I'll make a motion to approve the site plan.

**Don Roberts:** Do I have a second?

**Tom Koval:** I'll second it, and Im basing my second on the fact that I understand all the traffic concerns it makes sense that the trucks can't get out into the traffic if there is a train there , I also want to make note that none of the neighbors have called DEC and complained , when I've have trouble with my neighbor down the road in past years, I called DEC I made public record , I foiled requests of a lot of information and requested a lot of information and I did something about it and got action I would urge all you neighbors to do the same about County Waste and if you have a problem with Mr. Earl to do the same about him, it's your responsibility to stop these problems in their tracks , it's not our Boards responsibility to after the fact hold a new applicant liable for the bad actions of another applicant. You need to take personal responsibility for what's there that's the only reason Im making my motion to approve it, Im not chastising everyone, anyone, don't take it the wrong way, but what Im trying to get across is if they are a bad operation up there I go up there myself to dump refuse occasionally and it has turned bad , I don't live next door to it if I did I would be screaming about it, so I would for your own benefit you should really call the Warrensburg DEC there is a lot of good people up there and they do listen to the complaints.

**Don Roberts:** Thank you Tom.

**Lyn Murphy:** Prior to the vote it's my understanding based on what Mr. Earl said and questions asked by the Board that there are some additional conditions that should be changed as it relates to that, hours of operation together with the not going east on the road.

**Rich Berkowitz:** That is on the record isn't it?

**Lyn Murphy:** Well if you don't make it a condition and he can say it all day long.

**Rich Berkowitz:** Then this is conditioned on hours of operation from 7 am to 5 pm and also no east bound traffic on Tabor road.



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**Scott Earl:** No east bound traffic, half a day on Saturday.

**Lyn Murphy:** Half a day on Saturday and?

**Scott Earl:** No Sunday operation of any kind.

**Lyn Murphy:** With the understanding that you will go east when you are actually servicing that neighborhood

**Scott Earl:** On Monday we come from the east, one truck and one recycling truck.

**Tom Koval:** I second that.

**Don Roberts:** Okay we got all of that?

**John Higgins:** I just want to make sure to add this to Rich's the trucks, the tractor trailers picking up whether they are open top or the enclosed are also during those hours?

**Scott Earl:** Absolutely.

**Rich Berkowitz:** Your gates are closed so there is no delivery after 5 pm?

**Scott Earl:** Absolutely.

**Lyn Murphy:** You can't add to your resolution so it that ok for you.

**Rich Berkowitz:** Yes

**Lyn Murphy:** The open topped truck is only to be utilized in emergency situations.

**Scott Earl:** Absolutely

**Rich Berkowitz:** That is part of my resolution also.

**Scott Earl:** And we sweep the floor first thing every morning.

**Don Roberts:** Okay are we all set here, okay we have a motion and a second.

**Don Roberts:** All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried. Good Luck

*Tabor Road Transfer Station – Site Plan*

**PUBLIC INFORMATIONAL MEETING/APPROVED.** Board held a Public Informational Meeting and approved the construction of a transfer station facility with conditions related to hours and days of operation, restrictions on eastbound traffic to/from the site and onsite storage of trucks.

**New Business:**

19.151

**421 Halfmoon Flex Park Re- Packaging Facility, 421 Route 146 – Change of Use/Tenant**

**19.130                      421 Halfmoon Flex Park, 421 Route 146 – Amendment to Site Plan**

**Jason Dell:** Good evening, my name is Jason Dell I'm an Engineer with Lansing Engineering, I'm here on behalf of the applicant for the 421 Flex Park for the Change of Tenant and then the next item on the agenda for also a site plan amendment. So, this project was before the Board a couple weeks ago where you'd approved the site plan for the 50,000 sq. ft. building in the center portion of the site and we're here tonight for the change of use and approval of the tenant. So the applicant is proposing a repackaging facility that will be operated by the applicant. The repackaging facility will involve the separation of plastics, paper and cardboard, consolidation and repackaging of like materials for bundling and then ultimately transporting off of the site. For the site plan and for, as we went through the approval we had laid out the parking, there is a significant amount of parking out there, Mr. Earl's indicated that at max operation, they'll most likely have about 10 employees within the facility and you can see along the front here, I believe, we've got about 60 or 65 parking stalls allotted for this building so there's more than ample parking. So that is the first part of the proposal is for that and then the second part for...

**Donald Roberts:** Before you go any further, that's the first part, ok they are connected as you said, the second part has to go to Saratoga County and Planning Board for approval for approval so we're not gonna act on either tonight.

**Jason Dell:** Understood. The second part of the proposal is for, within the Town code there's a maximum building height of 35', however, this Board can waive that requirement as part of the process here. So, what we are requesting and due to the automation within the building, the front of the building will be at approximately 39'. The rear of the building will be at about 35' and in the loading dock area along the front here will be at approximately 45'. So, we are seeking a site plan amendment as the site plans are required to indicate a maximum building height so we are seeking a waiver from this Board for that maximum height to go to a maximum of 43 in the loading dock area.

**Donald Roberts:** So, as I said, that has to go to Saratoga County Planning Board so no action but any comments by the Board?

**Rich Berkowitz:** Where is the water that's going to drain off that roof go?

**Jason Dell:** The water will all be collected within the storm water management system that's already under construction and has been constructed, in the rear on this side here, this storm water basin has already been constructed and along the front here, this is all a subsurface storm water detention system that's all been constructed already and this building will convey storm water to either side, either practice.

**Richard Berkowicz:** Ok, so that's already been baked into all this?

**Jason Dell:** Yes sir.

**Richard Berkowicz:** Ok.

**John Higgins:** Drain, floor drains in the building gonna go to Saratoga County Sewer?

**Jason Dell:** Yes.

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**John Higgins:** Ok, ya know I get asked a question. How are you gonna handle storage of processed material?

**Scott Earl:** Processed material is bailed daily, an ongoing process as the machinery is working. Bails that come off of the bailer, and I wish I had the interior design, they're stored along this outside edge wall here which is 12' thick, 8' feet, or 12" thick, 8' high of concrete and then transported in to the trailers live loaded. The corrugated cardboard will end up in Mechanicville at the Cascade facility. The newspaper we ship to Columbia Box Board and the rest of the material plastic goes to South Carolina.

**John Higgins:** And metal goes to Wiseman's or somebody?

**Scott Earl:** No, the metal would go to Calman's. If there's any metal, if you throw a lawnmower blade in your recycling by mistake that they'll be a metal container.

**John Higgins:** Tin cans

**Scott Earl:** Tin cans are bailed and shipped to Tube City in Pennsylvania, again, in a closed van trailer.

**John Higgins:** Are you envisioning a truckload of each material a day or one truckload a week?

**Scott Earl:** Probably every other day. I mean where the paper consolidates pretty well, we're talking about our application to DEC for a maximum of 250 tons a day. Our current rate is about 38 tons a day to put the facility up and have a state-of-the art facility, Saratoga County's inquired about it, and Warren County's inquired about it. It's mostly the county's and municipal governments that recently got socked with a \$150 per ton charge to manage recycling because China shut everybody off and nobody knows what to do with it. I guess my 45 years of experience had me figure out what to do with it.

**John Higgins:** Ok, so, go ahead Rich.

**Richard Berkowicz:** So there's gonna be at the far, at the southern end you're gonna have tractor trailers sitting there?

**Scott Earl:** On the loading deck, live loading the trailers and they'll be swapped out.

**Richard Berkowicz:** So, before they're swapped out, how long will a tractor trailer stay there collecting the recyclables?

**Scott Earl:** It may sit there a day or two on the dock. You can pretty much be assured that those loading docks won't be empty, they'll be full.

**Richard Berkowicz:** So, you're gonna have a, you'll have a tractor trailer coming in and leaving and then refilling and then refilling that trailer as needed?

**Scott Earl:** Absolutely.

**John Higgins:** So the Town of Halfmoon, the transfer station, they have a load of recycling plastics, they can come and...

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**Scott Earl:** Absolutely.

**John Higgins:** Any Town, anyone, any facility can dump here?

**Scott Earl:** Town of Clifton Park, Saratoga County, Town of Halfmoon, yes. Recycling, this isn't trash.

**John Higgins:** Recycling, yeah, no. I'm talking strictly recycling.

**Scott Earl:** Absolutely. And inside this building is over \$8M worth of automated machinery. There are robots, it's a pretty cool building to see. When we're in final design and everything's finished, they'll be a public tours through it on a regular basis the place is kept immaculate. It's very interesting.

**John Higgins:** I'm more concerned about the smell.

**Scott Earl:** Smell?

**John Higgins:** Well, garbage smells.

**Scott Earl:** It's not garbage John.

**John Higgins:** Well, recycling smells.

**Scott Earl:** Oh my lord. Do you wash your cans out?

**John Higgins:** No.

**Scott Earl:** Ohhhh, John.

**John Higgins:** Ya know, that's...

**Scott Earl:** I understand what you are saying .We have an expensive. I understand what you're saying, we have an extensive program of cleaning up the recycling, we've seen Christmas tree lights we've seen grass and leaves, we've seen even saw deer heads come through, bowling balls, chains from cars. So, that'll all be cleaned up, all of our new garbage trucks and recycling trucks are equipped with not only the tracking GPS, the computer system but they have cameras I the collection areas that film everything that's gone into the truck so I can tell what you're doing. If I empty that container by truck, I can snap a picture on video and report it to my office in less than a minute and they'll say, this guy needs to be taken off recycling or back charged. We had a guy cut fence up in Geyser Crest last week and put it in his recycle can – all wood. Sawed it off nightly. But it ruins the load. Now, he doesn't have recycling.

**Donald Roberts:** Anyone else? Ok, so as I said, we can't take action tonight.

**Scott Earl:** Thank you.

**Donald Roberts:** Anyone else? (No comments) So as I said we can't take action tonight on either one so we'll let you know when we hear back from the County.

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**Scott Earl:** Thank you.

**Donald Roberts:** Alright, thank you.

***421 Halfmoon Flex Park Re-Packaging Facility- Change of Tenant/Use***

***TABLED. Board received a presentation to allow the use of a proposed 50,000 SF building for a re-packaging facility. The item was tabled pending review by Saratoga County of a related Site Plan.***

**19.140                    Sparx Chinese Cuisine, 1570 Route 9 - Sign**

**Peter Wang:** Hello everybody, my name is Peter, I'm the owner of Sparx Fine Chinese Cuisine. So I'm here to put a new sign on the roof technically. It's like the building was built like oddly, it doesn't have a façade so the only façade that we have is the pentagon shape right at the side of the building and then the height of the sign would be 3' 4", so now it's not gonna exist beyond the height of the roof.

**Donald Roberts:** Okay, gonna be illuminated?

**Peter Wang:** It's gonna be lighted, yeah, I think it's the color of the McDonald's, yellow. It's gonna be like a yellow color, yeah.

**Richard Berkowicz:** Or is it gonna be internally lit or is there gonna be like a light shining on the sign?

**Peter Wang:** It's gonna be a light inside.

**Richard Berkowicz:** Ok.

**Peter Wang:** Yeah.

**Donald Roberts:** Well, it meets Town code so.

**Richard Berkowicz:** I make a motion to approve the sign.

**Marcel Nadeau:** I'll second it.

**Don Roberts:** All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried. Good Luck

**Peter Wang:** Thank you.

***Sparx Chinese Cuisine - Sign***

***APPROVED. Board approved the request to install a wall-mounted business sign.***

**19.072/19.149           GTM Payroll Services, 9 Executive Park Drive – Change of Use/ Tenant & Sign**

**Darla Dozal:** My name is Darla Dozal from Ray Sign, we want to, this is a non-illuminated sign replacing previous sign that the tenant took with them. Its 40" x 68", 1" thick, come-cell with a print on the surface.

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**Donald Roberts:** Excuse me, are you, now are you here for the change of use and tenant also?

**Darla Dozal:** Yeah.

**Donald Roberts:** Ok, well...

**Darla Dozal:** They're, they waited until the previous tenant was gone so they could move more offices over to 9.

**Donald Roberts:** Ok, could you explain the use first, use and tenancy first and then we'll do the sign.

**Darla Dozal:** As far as I know they're just expanding from number 7 and adding more space in number 9. They are next door, we did the sign for them prior.

**Richard Harris:** Yeah, they relocated to this spot and it's an office, professional office use so the, the parking calculates to what it was originally calculated for which was a professional office. They perform typical payroll services, ya know mostly computer based and paper check processing too.

**Lyn Murphy:** Is it relocated or expanded?

**Richard Harris:** I thought it was a relocation but...

**Darla Dozal:** As far as I know I thought they were expanding because 7 is still gonna be there and that whole building is GTM Payroll.

**Richard Harris:** I would have to check that part of it.

**Donald Roberts:** I think we should really have someone, once again, someone from the company should be here.

**Richard Harris:** They are notified.

**Donald Roberts:** So, not to put you out but I don't think we should take action until somebody from that company is here to explain what they're doing.

**Richard Harris:** Do you want to approve the signs since it's a different?

**Donald Roberts:** You're here mainly for the signs, right?

**Darla Dozal:** I'm here for the sign, they asked me.

**Donald Roberts:** We can approve the sign contingent on approving the change of use and tenant.

**Richard Harris:** Sure.

**Donald Roberts:** Alright.

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**Richard Harris:** I would just hate to have to have her come back again.

**Donald Roberts:** Rather than have her come back again. Yes, but again, somebody should be here from that company.

**Richard Harris:** Ok.

**Darla Dozal:** Ok.

**Richard Berkowicz:** I'll make a motion to approve the sign, the sign contingent on us approving the change of tenant and use and the sign cannot be placed on the building until we approve that use.

**Mike Ziobrowski:** I second that motion.

**Donald Roberts:** Already there, it's already there.

**Richard Berkowicz:** Well, until it's officially approved. Waite, the sign's there also?

**Donald Roberts:** Yeah. Everything's there.

**Richard Berkowicz:** Guess, Ok I guess we'll approve the sign.

**Donald Roberts:** I got a motion for the sign. Can I have a second?

**Mike Ziobrowski:** I'll second.

**Don Roberts:** All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried. Good Luck

**Don Roberts:** I just don't think that's fair to have this poor young woman have to explain everything without a representative of the company being here, that's not right.

**Richard Harris:** Yeah, we notified the company.

**Donald Roberts:** We'd have questions for them also, ya know.

**Richard Harris:** Sure understood

**Lyn Murphy:** Inaudible

**Darla Dolez:** So we can go ahead and start the sign?

**Mike Ziobrowski:** Yes, you can, thank you. Sign's approved.

**GTM Payroll Services – Change of Use/Tenant & Sign**

**APPROVED (Sign)/ TABLED (Use). Board approved the installation of a free-standing sign panel and tabled the Change of Use/Tenant request due to the failure of a representative present to answer questions.**

**19.145                      Brookwood Road Subdivision, Phase II – Brookwood Road**

**Brandon Ferguson:** Hi, I'm Brandon Ferguson from Environmental Design Partnership, I'm here tonight with Chris Marchione. We came in a few years ago on this project, originally we came in with 23 parcels on 56 acres and this project's located on the south side of Brookwood Road, between Middletown Road and then Devitt's a little further up. We came in with 23 lots on 56 acres then we had changed the plan to a Phase 1 which was 7 lots on 18 acres that was on the eastern side of the national grid right-of-way. We got that approved in 2017. So now we're back with a Phase 2 and it's changed a little bit. Before it was just one road and a cul-de-sac coming in and we actually had 9 lots on, that were accessed by shared driveways. We've revised the plans to show that little spur off to the west with that other cul-de-sac to provide access to those 5 lots over there. That leaves only 3 remaining lots that would be on shared, access on that shared drive. That shared drive would be designed with the proper turnarounds, turnouts and signage for emergency vehicles. There is a small portion of Lot 11 that is in the town of, Water Town there is no development proposed on it but we'll coordinate with them to make sure they get everything they need. The lots will be served by municipal extension, municipal water off of Brookwood Road and the will have individual septic systems, storm water management, will be managed on site in accordance with DEC regs. Overall, we really feel that this is a little bit better layout than what we had here before. Tried to limit the amount of shared access.

**Donald Roberts:** Thank you, comments by the Board?

**Mike Ziobrowski:** What's the percent of green space?

**Brandon Ferguson:** Ya know, I don't know off hand. I'd have to, I don't know if I put that on the plan. There's quite a bit of green space on the site though, I mean, I have to look.

**Richard Berkowicz:** Has emergency services looked at this at all?

**Brandon Ferguson:** They've looked at the previous plan.

**Richard Berkowicz:** If you went from 9 to 17 lots, right?

**Donald Roberts:** We're gonna refer.

**Brandon Ferguson:** No, this was actually, this side of the line actually showed 16 at that point. 23 overall with 16 on this side.

**Donald Roberts:** We're gonna refer it to Planning Board.

**Richard Harris:** Yeah, they need to look at this revised plan. When we sent the prior plan, they probably focused on the 7 lots, Phase 1.

**Brandon Ferguson:** I think they did look at the overall original concept we gave to them because there was concerns with the shared access at that time as well.

**Richard Harris:** Yeah, so they need to see this, we have not sent to, and obviously you have to be there. So, we'll get their comment.



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**Brandon Ferguson:** Oh, ok.

**Donald Roberts:** Anyone else?

**John Higgins:** How about John Pingelski? Has he looked at the cul-de-sac?

**Richard Harris:** This just came in in the last two weeks. So, no we haven't sent it to any agencies or the County

**Donald Roberts:** We're gonna be sending it to everybody. Yes.

**Richard Harris:** We generally wait until you guys give some comments because if it, for some reason changes the concept, I'd hate to have to send it to the agencies twice.

**Donald Roberts:** We're gonna refer it to fire, we're refer it to Clough Harbor Associates s, gonna be forwarded to the Saratoga County Planning Board. Alright? Or no, we don't need to do on this one, no. Oh yes we do, yes we will, yeah, we will.

**Richard Berkowicz:** This meets the regular subdivision guidelines?

**Richard Harris:** They accommodated recent changes in the zoning amendments based on a meeting we've had with them about a month ago or so, and they have designed the cul-de-sac's to be less than 1,200' limit. So those were the two main issues we probably discussed when we met.

**Richard Berkowicz:** Ok.

**Brandon Ferguson:** I think the setbacks increased, and so we were able to fit that into the plan

**Richard Harris:** Yeah.

**Donald Roberts:** Anyone else? Ok so as I said we're gonna refer it to Saratoga County Planning Board, fire district and Clough Harbor Associates for review, and we will get back to you.

**Brandon Ferguson:** Alright. Thank you.

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

***Brookwood Road Subdivision, Phase II – Brookwood Road  
TABLED/REFERRED TO AGENCIES. Board received a presentation on a proposed 17 lot single family home subdivision and referred it to several agencies and the Town Engineer for review.***

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

**John Higgins:** I'll second it.

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

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