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**MINUTES MEETING
Town of Halfmoon Planning Board
September 27, 2021**

Those present at the September 27, 2021 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Brendan Nielsen-absent
Chuck Lucia

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineer:

Joel Bianchi (MJ Engineers)

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

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

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

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John Higgins: I'll second it.

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

21.154 **Hines Lot Line Adjustments, 20 & 22 Chateau Dr. Subdivision – Minor Subdivision**

John Hines: Myself and my neighbor are just looking to adjust the lot line because Hodorowski put one of his bushes on my lawn and one of my sprinkler heads on his lawn. We are just trying to get it straightened out.

Don Roberts: That's it?

Rich Berkowitz: Who has the gazebo on the lot?

John Hines: That's my neighbor.

Don Roberts: At this time we will open the public hearing is there anyone in the room that wishes to speak? Come up Sir and say your name and address and any comment that you may have

Guy Guadagnino: My name is Guy Guadagnino and I live on 1 David Lane. I live in the, actually behind his house. I own most of the property that goes behind it, I have a schematic of that and I received this in the mail and the only reason I'm asking is that does it have any impact on my property which is going behind his for 2022?

John Hines: His house does run behind my house you can see on the tax map there, the property where the lot line goes curved will actually be number 11 David Lane, which would be property that's further to the south on the back, so it would have no impact on your property, it's not being adjusted into your property it's just about the line between 20 & 22. Three and a half feet in the back, four feet in the back and three and a half feet in the front, it straightens out.

Don Roberts: Did that answer your question Sir?

Guy Guadagnino: Oh yea, I didn't think it did but I just wanted to, because I got the thing in the mail and I thought it was good to...

Don Roberts: Oh very good thank you.

Rich Berkowitz: Why not, why not.

Don Roberts: Would anyone else wish to speak? (No comments) Would anyone online wish to speak? Once again anyone online wish to speak at the public hearing? (No comments) Seeing no one wishes to speak we will close the public hearing, comments by the Board members?

Rich Berkowitz: I will make a motion to approve a neg dec on SEQR

Tom Koval: Ill second

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

Rich Berkowitz: I make a motion to approve the minor subdivision conditional on moving the gazebo and the shed

Lyn Murphy: Just in general being in compliance

Rich Berkowitz: In compliance with Town standards.

Tom Koval: Ill second

Don Roberts: We have a motion and a second, all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, your all set.

John Hines: Thank you.

Don Roberts: You're welcome

Hines Lot Line Adjustment. – Minor Subdivision

APPROVED. Board held a Public Hearing and approved the Minor Subdivision with a condition that any outstanding code enforcement issues shall be resolved.

New Business:

21.170 Catskill Hudson Bank, 1683 Rt. 9 (St. John Plaza) – Sign

Tom Wheeler: Hello Tom Wheeler with AJ Sign Company. Catskill Hudson Bank is in front of St. John Plaza, right now so what we are looking to do is add to the St. John Plaza monument sign. The entrance to the bank is actually the entrance to the plaza. The bank has a monument sign in front of it but there is no way to actually get into the bank from there so people are having trouble identifying the entrance, so I want to eliminate that monument sign put a sign on the St. John's Plaza sign and that will direct people to the actual entrance into the bank.

Don Roberts: Okay thank you, comments by the Board?

Rich Berkowitz: I make a motion to approve the sign.

Tom Koval: Ill second

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

Tom Wheeler: Thank you

Don Roberts: You're welcome

Catskill Hudson Bank – Sign

APPROVED. Board approved a new business sign to be mounted to the existing plaza sign.

21.158 Newmeadow, Inc. After Care Program, 23 Sitterly Road – Change of Use/ Tenant

Andrew McKenzie: Andrew McKenzie Executive Director, First of all thank you for the opportunity to come and discuss our request with you. I'd like to pass out a revised narrative, there was an error on the original and this corrects it. It was a mathematical error on the summary line at the bottom, you will see the difference is one staff person. So our request is , we are a pre-school as you know , up on Sitterly road, we're starting our fifth year of school as the Board had granted us permission to build originally. We opened our doors in September of 2017 and at that time although we are licensed as a day care facility as well as a State Education Pre-School , our permitted use was for Hours 8:30 to 1:30, a five hour day. As a result we have not been able to do, as we have not been able to serve well as an essential workplace as a day care facility for those people who are essential workers during the Covid period. We've had many requests from our parents and many reasons why extending our hours would allow us to serve only the children we are serving in the pre-schools, no additional children would be coming from the outside , this is exclusively the children we serve , to extend their day from 1:30 to whenever the parents pick them up , until 6 o'clock. In our proposal we are requesting, were proposing three phases. First phase is to begin with 8 children, limit it to 8 children only with the addition of one coordinator and one director staff and one substitute who would only be there in the event one of the other regular staff were unable to be there . We would operate that for 3 to 6 months like that and then talk about phase 2 which would be to add 7 additional children, again only children we serve currently in the pre-school and with the addition of one more direct care staff. Phase 3 some 3 to 6 months after that would be to add up to 9 additional children, by the way in phases 2 and phases 3 we would only open up for additional children if we had at least 4 individuals so if only 1 or 2 children are requesting the service we wouldn't even open up to that, we would stay at the 8 original children. So assuming we had 4 children we could go up to 7 in phase 2 assuming we had 4 children we could add, propose to add an additional 9 in phase 3. And also add 3 additional direct support staff, so that would give a total of 6 direct support staff and 24 children at the end of phase 3 if all of those children filled our seats. Just a couple more comments, the building is licensed by the office of Children and Family Services as a day care facility, that's a requirement of pre-schools, and as well its already furnished there is no additional costs and no additional overhead that would be included in this, there would be no change in space, no change in anything with the building, it would be the building as is.

Don Roberts: Thank you, as you are aware your initial request was approved largely because you were not in conflict with the rush hour traffic, this is going to alter that a bit.

Andrew McKenzie: Well May I comment on that?

Don Roberts: Yes

Andrew McKenzie: Well so as of right now , we're only at 111 children in the school because of the effects of Covid and the fact that we've had to reduce according to the State Education Department and the Office of Children and Family Services the number of children we're serving because of space requirements, social distancing , so we have fewer children coming number one, number two although your right , your absolutely right , you know at 3 o'clock or sorry at 2 o'clock most of the children and family is gone, in fact they are all gone by 2 o'clock and we only have the staff there and many of them are also staggered in how they leave.

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They leave anywhere from 1:45 , 3 o'clock and 4 o'clock so we have a very staggered traffic flow during that time and I think you probably know we've had no problems with traffic jams or complaints coming off of Sitterly road into our venue. We're talking about our peak, 24 children, we're talking about 30 additional cars coming in for pick up. But they would begin picking up. Our information suggests that they would be coming to pick up their children any time from 3 o'clock on to 6 o'clock so it wouldn't be 30 cars all at one time, it would be some cars at 3:30 it would be some cars at 4:30 some cars at 6 o'clock or something to that affect. So I don't think it's going to be a sudden surge of traffic onto Sitterly road as a result of this.

Don Roberts: Okay comments by the Board?

Rich Berkowitz: Have you noticed if the improvements at Woodin and Sitterly have helped the traffic?

Andrew McKenzie: You know to be honest with you, we haven't from day one, had any issues or any complaints or any concerns and as you know we bring small busses in, vans in, and parents will pick up and drop off. Certainly the improvements on Sitterly road have, I've appreciated them for sure and I think the comments that I've received have all been positive.

Rich Berkowitz: And what happened when the bridge was out, how did that affect traffic?

Andrew McKenzie: When the bridge was out for that brief time it caused problems on route 9, and also on the Northway. It caused some backups, there is no question about that and it caused us some delays, we had people getting there a little late, but once the temporary bridge was put in that all disappeared.

Rich Berkowitz: Because that is going to re-appear next summer

Andrew McKenzie: With the repairs to the bridge?

Rich Berkowitz: Yea I think they are going to be out for 2 months from what I understand

Andrew McKenzie: I didn't know that, okay

Tom Koval: When you say direct care, is there indirect?

Andrew McKenzie: No, direct care just means that they are the actual providers of service to the children

Tom Koval: Right, it doesn't involve any indirect staff staying late?

Andrew McKenzie: Well, no there will be a site coordinator that's one of the six, once we are up to full 24 kids one of the six, but right from the beginning there will be two staff, one is direct care and the other is the coordinator who will be providing direct care, but will also be a responsible party, so there won't be any, you know unless there is a reason or cause but there's none foreseeable.

Tom Werner: Rich , do you know , do we have any traffic counts, peak hour traffic counts, does the Town or County have any in that area?

Richard Harris: I'll have to check to see

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Tom Werner: Its obviously going to be impacted by the bridge and the bridge being rebuilt, but one it calms down, it would be just good to know that then we can

Rich Berkowitz: I think the bridge being rebuilt will actually decrease traffic on Sitterly road.

Paul Marlow: Did they do a traffic study for the senior facility?

Richard Harris: Yes, I don't have that on hand but yes they did.

Paul Marlow: That might have that.

Richard Harris: They did a traffic analysis based on I think it was 2019 , and the two years prior since DOT guidelines were not to use 2020 , 2021 I don't have them on hand for the meeting so I don't know what those numbers were .

Tom Werner: Alright.

Chuck Lucia: Sir, I'm gonna ask you to just step out a little boldly here with the customer base that you have and knowing that traffic hypothetically is we will say 4:30 to 6 out of the numbers that you would have now you must have a rough idea what percentage of the 24 would be picked up during that period, what amount would you see that to be, obviously it's a guess because you may not have the total numbers right now.

Andrew McKenzie: I appreciate that you're right, we don't have hard numbers what we have are indications from the interested parents that we have talked to. Some of our parents are associated with school districts or they are getting out at three o'clock some of our parents are associated with State employment so they are 4 O'clock and then others are 5 O'clock so, you know it's our understanding that it would be spread out it would not be 20, or 25 or 30 cars all leaving at the same time.

Chuck Lucia: Alright

Don Roberts: Joel from an engineering standpoint do you have anything to add to this?

Joel Bianchine: No, not really, I can speak from experience because our office is literally right across from theirs.

Don Roberts: That's why I was asking.

Joel Bianchine: The traffic now since they did the improvements on Wooding road, it's very easy to get to the intersection when the bridge was down it was a nightmare. I mean our office has 90 people to get out of that park , now when that bridge was closed it was a nightmare, route 9 going north we had to go west of the north way it was terrible, so but whether that has any bearing on this because we were just talking , I don't know what you could do if the bridge comes down , because that's really a temporary condition , it's not the permanent condition so from an engineering standpoint I can't see traffic as being a substantive issue because I've seen the way that it operated over there.

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Don Roberts: So you are saying that you cannot see traffic as being a big issue?

Joel Bianchine: I wouldn't proceed, but I think maybe its worthwhile just revisiting the traffic study that the senior housing did, if it comforts the Board a little bit.

Don Roberts: Okay thank you, anyone else?

Rich Bekowitz: I think since the children are being picked up at spread out times I don't think traffic is much of an issue.

Don Roberts: Do you want to vote tonight or do you want to have the traffic study reviewed.

Rich Berkowitz: I'll make a motion to approve the change of use/tenant.

Don Roberts: Can I have a second?

Tom Koval: Ill second.

Don Roberts: We have a motion and a second, all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Don Roberts: You're welcome

Andrew McKenzie: With my gratitude, thank you very much and to the families and children that will be served.

Don Roberts: Thank you, good luck.

Newmeadow, Inc. After Care Program – Change of Use/Tenant

APPROVED. Board approved the request to expand operations to include an after- care program.

21.165 **Sitterly Associates, 11 & 13 Corporate Drive – Minor Subdivision**

John Hitchcock: Good evening Im John Hitchcock with ABD engineer here representing Sitterly Associates. They are proposing a two lot subdivision at 11 7 13 Corporate Drive. Parcels located in the Chris Abele PDD and lot A , lot A will be 11 Corporate Drive which is a parcel to the south , it will have 2.12 acres , one subdivide and lot B will be the parcel to the north which is 13 Corporate drive and will have just over an acre. There will be a reciprocal ingress, egress and parking easements for both of these lots since they are the one curb cut on Corporate Drive. There's existing commercial warehouses , one is occupied this time by Crystal Rock Water, we're just here tonight to take any questions and requests that we schedule a public hearing for the next meeting.

Don Roberts: Thank you, questions by the Board?

John Higgins: You mentioned the shared driveway, the curb cut that shows on this drawing, two curb cuts.

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John Hitchcock: Im sorry there is three but they will be sharing the one in the middle.

John Higgins: Okay, thank you.

Rich Berkowitz: I'll make a motion to set a public hearing on Tuesday October 12th.

Tom Werner: Ill second that.

Don Roberts: Now before we vote on this that's fine but don't forget that's going to be on a Tuesday after Columbus day, if you come on Monday you're going to be alone so .

Don Roberts: We have a motion and a second to have a public hearing on October 12th, all in favor aye?
(All in favor) Opposed? (None were opposed) Motion carried, see you then.

John Hitchcock: Thank you.

Sitterly Associates – Minor Subdivision

PUBLIC HEARING SET. Board received a presentation for a two lot subdivision and set a Public Hearing 10/12/21.

21.168 Prescott Subdivision, 34 Woodin Rd, - Major Subdivision (Cluster)

Tom Koval recused himself.

Brian Ragone: Good evening Brian Ragone, landscape architect for the Environmental Design Partnership, I'm here representing the applicant Mark Prescott, the applicant for the project. The sites located at 34 Woodin Road along the westerly side just south of the Ponderosa Drive, it's about 28 acres. The current zoning is R-1 Residential. It's currently comprised of an existing single family home and a two car detached garage. Along with mostly forested areas that include deciduous and carnivorous trees. There is approximately 5 acres of wetlands that includes both DEC and Army Corps. Wetlands on the site. The southern portion of the site is actually bisected by a National Grid easement that contains overhead power lines. The site generally slopes south down to its northern side and the soil mapping indicates that sites moderately well drained soils that are in the upland areas out of the wetlands. So we brought two maps here tonight, ones the cluster and ones a conventional lay out , both maps show 21 units with a cull de sac at the end and what we are showing here tonight actually is our potential for final build out and or what we consider an overall master plan of the subdivision. Our intent is to actually build 18 units now and leave an area for further subdivision of an additional three lots if in the future the current Town zoning laws change in the future, right now the maximum is 18 on a single road, each lot will have a single driveway access. There is one proposed estate lot that will need a permit to cross the National Grid easement to get to the lands on the southern portion of that easement. We would plan to deed restrict the areas of the lands behind some of the houses and leaving them forever wild and they would be privately owned lands but just deed restricting them . Each lot will connect to municipal sewer and water, which is already available at the site and just a couple of items to note, we will need a wetland permit for the areas of disturbance, we will have to do a phase I archeological study because it's in a sensitive area and we don't anticipate any threatened or

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endangered species issues, we've already been in contact with DEC and had correspondence with them. Thanks.

Don Roberts: Okay thank you, questions from the Board?

Rich Berkowitz: How long is that road?

Brian Rangone: Its about 1200 feet to the center of the cull de sac and that is one of the questions I had , is it to the center of the cull de sac or does it go all the way around.

Rich Berkowitz: Does it have to be a boulevard entrance?

Brian Rangone: It's a 1000 feet actually to the center, I'm sorry.

Richard Harris: Yea our subdivision ordinance currently limits a single access drive to 1200 linear feet and or 18 units. Brian brought up a good question that I couldn't answer for him, so he is bringing it up tonight in terms of where does the Board measure 1200 feet, or some guidance from the Board would be helpful if the road itself, which includes a circular cull de sac is over 1200 feet to the center of the cull de sac is 1200 feet, as they mentioned and as we've discussed on some other subdivisions the New York State Fire Codes allows up to 30 units on a single access. Our Town Code allows 18 so they're making provisions for a potential phase II to either go over the 1200 feet and add an additional 3 lots, but that still leaves the question of currently today where is the 1200 feet and I searched and I have not come across in our history of the Town a close call like this where 1200 gets you to the center but not to the circular.

Rich Berkowitz: If they go over that 18 to 21 then they need the boulevard entrance?

Richard Harris: They would need a second entrance.

Rich Berkowitz: Where would that go?

Richard Harris: They are not planning to do one, they are not planning to do one.

Rich Berkowitz: Do a second entrance?

Richard Harris: Correct, so if

Rich Berkowitz: But if they go over 18 then they need a

Richard Harris: Well they need to get approval from you and the Town would have to had changed their code to allow it or they would have to get a variance and they are not planning to do a variance. I mentioned to them that we have had this come up where the Town Code is much more restrictive than the State Fire Code is currently, I have not yet proposed or discussed with any Town Board member the idea of going up to the State Code to 30 but you know in the future that might be something that is discussed by staff with members of the Town Board and Supervisor. No idea, I'm not asking the Town Board members to comment but it might be something some other Towns are moving towards being more consistent. They're keeping it

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as a phase II in case that day happens whether its 6 months or 6 years or never to do, but they are not proposing, you really have no option for a second entrance here that works for you.

Brian Rangone: Right, there is nowhere to go.

Rich Berkowitz: The fire department will weigh in on this?

Richard Harris: Yea, correct they are just here tonight, its only our second cluster proposal, they realize, I realize talking with them that they plan to revise it to show 18 plus 3 in a potential phase II but if your satisfied giving feedback on those numbers they would then revise it to the 18 or whatever you say, send it to fire, send it to Town engineer, we have County I believe County review would be required on this.

Brian Rangone: I don't think so

Rich Berkowitz: That's my only concern with it.

Richard Harris: And they have no real feasible, due I think largely to wetlands, any meaningful connection to a neighboring property for future connection.

Lyn Murphy: The purpose for the limitation for the number of lots on the single access is obviously if something were to happen, getting in emergency vehicles or getting out from whatever that something is, I would think it would be measured from road to the beginning of the cull de sac, because once you get to the cull de sac you can go either way, you do have other options.

Brian Rangone: And that we are under 1200 at the beginning of the cull de sac

Lyn Murphy: We have not dealt with this issue imp articular but that's what I would think.

Tom Koval: Is there an option of say an ATV access through the National Grid right of way, if you had closure at the main entrance? Because there are ATV accessible vehicles in some of the fire departments in the Town. If you had to get medical help in.

Brian Rangone: That is something I would have to coordinate with them about yea to see if we could do something like that.

Don Roberts: Well at this point I guess we should refer it to Town engineer and the fire department

Rich Harris: Yes this is only our second cluster, much different than the one you dealt with Hanks Hollow which had 110 lots and a few different configurations. I guess is the Board comfortable with the applicant progressing with 18 lots in a phase I , that meets our current subdivision progressing it a little further, I guess that's where comfortable.

Don Roberts: And this does not need to be submitted to the County?

Richard Harris: No, we don't believe so, we will double check that

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Brian Rangone: I looked and looked and we are not near a State road, I can't think of a reason why we would have to go to the County.

Richard Harris: We will check that, typically we don't do that right away we wait until in coordination with the County until it's a little further along in review and they've got a good number and a good more definite layout. Fire we tend to send earlier than County and then Town engineer.

Don Roberts: Okay we will be reviewed and we will get back to you alright

Brian Rangone: Thank you.

Don Roberts: Thank you.

Prescott Subdivision- Major Subdivision (Cluster)

TABLED. Board received a presentation for a 21 lot cluster subdivision and referred it to several agencies.

21.172 **Twin Bridges Parking Lot – Berm Extension, 1636 & 1638 Rt. 9- Amendment to Site Plan**

Jason Dell: Good evening my name is Jason Dell, engineer with Lansing Engineering here on behalf of the applicant for the 1626 Rt. 9 parking expansion and the amendment to the site plan. The parking expansion project was before the Board back in August where you folks approved the plan , the project is now under construction and since the Board approved the project the applicant has purchased 1632 & 1636 Rt. 9 which are the two parcels located right along Route 9 between Oak Hill and 1626 to Twin Bridges operation center. So as you can see if you go up Route 9 right now , now that the trees have all been removed and they've begun the construction on the parking lot its visible straight on through to Route 9 up into the parking area so what the applicant would like to do since he has acquired those properties is extend the burm from 1632 to across 1636 and turn it up to Oak Hill to almost where the burm terminates now there is a small area if you recall there is an emergency access through there but you know we are here this evening to request the site plan amendment so that the applicant can construct that burm. It is proposed that about 8 to 10 feet high it will have landscaped trees at the top of the burm. As far as on the engineering end of things, we're not adding any new impervious areas so there are no concerns related to run off. The burm is situated back from Route 9, there are no concerns with limiting site distance from Oak Hill Drive onto Route 9 as the burm will be back away from the road enough such that it does not limit the site distance. So we are here tonight to request an approval for the site plan amendment.

Don Roberts: Thank you Jason, questions by the Board?

Tom Koval: Jason it's out of the State right of way, right?

Jason Dell: That's correct.

John Higgins: The access onto Oak Hill is going to be a fenced emergency access only?

Jason Dell: Not fenced but it will be gated

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John Higgins: Gated

Jason Dell: That's correct.

John Higgins: Thank you.

Tom Koval: I'll make a motion to approve the amendment to the site plan request.

Rich Berkowitz: Ill second

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

Jason Dell: Thank you.

Don Roberts: You're welcome.

Twin Bridges Parking Lot - Berm Extension, 1636 & 1638 Rt. 9 – Site Plan (21.172)

APPROVED. Board approved a site plan amendment to extend a landscaped berm along Rt. 9 and Oakhill Dr.

Old Business:

20.097

Rocks Automotive, 190 Rt. 146 – Amendment to Site Plan

Duane Rabideau: Duane Rabideau from VanGuilder and Associates for continuation of the site plan review for Rocks Auto. At the last meeting the Board stated that our client has to remove the trailer that was on site and only have 40 or less unit's onsite prior to re- appearing before the Board. The applicant has met that criteria and definitely the site is more organized now. With the proposed modified site plan the site will be more in line with what the Town wants to see and requires, and back to the Board.

Don Roberts: Thank you, now for drainage have you contacted DOT about that?

Duane Rabideau: No we have not, no

Don Roberts: You probably should right Joel?

Duane Rabideau: Contact them about that, okay.

Don Roberts: And also I drove by there, it looks much better, if this gets approved can you please tell your client that you know, good job but if he gets messy again he is going to be hearing from us. Questions by the Board?

Duane Rabideau: The only issue at this point in time is the storm water and all the other ones are pretty much done.

Don Roberts: That's all I could see, anyone else have anything else?

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Richard Harris: Yes just include us on your correspondence with DOT regarding if they have any permitting requirements or just run off from the new lot

Don Roberts: Anyone else have any concerns or no?

Rich Berkowitz: I'll make a motion to approve the amendment to the site plan contingent on DOT approving the drainage but not draining onto DOT property?

Duane Rabideau: Right, we're aware.

Don Roberts: We have a motion and a second, all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Duane Rabideau: Okay thank you.

Don Roberts: You're welcome

Rocks Automotive– Site Plan

APPROVED. Board approved a site plan amendment to expand the existing parking lot, with a condition that NYSDOT review and approve any drainage-related impacts on NYS Rt. 146.

21.171 King PDD Retail Building, 5 Halfmoon Crossing Blvd. - Site Plan

Todd Fischer: Good evening everybody pleasure to be here again Todd Fischer of Equinox Companies Solar Associates. Were basically here tonight to after we opened up Trader Joe's to present to you something that we did back when we presented Trader Joe's and that is the next building in the project and that is 5 Halfmoon Crossing which is a 21,250 sq. ft. building. Just here tonight to see if there are any other issues to come up with the Board, we noticed that traffic is not as bad honestly as we expected it to be. Parking seems to be good , and with that being said I'd like to introduce my associate Paul Sheehan who is our property manager who's Im a little short time so he is kinda going to be taking over so I want to turn it over to him, so I introduce Paul Sheehan.

Paul Sheehan: As Todd said Im Paul Sheehan property manager right now for Solar Associates, again 21, 250 sq. ft. building adding 101 parking spaces , kind of a continuation if you see off the parking lot of Trader Joes, we're looking for possibly one single tenant could be more than that , could be 2. I guess that's about it, is there any questions for us?

Tom Werner: Yes I'll make an observation, I highly recommend that with the addition of that many parking spaces and vehicles that the exit lane have a left turn and a right turn coming out onto the crossing boulevard. Right now it's a single lane exit

Paul Sheehan: Onto the Crossing?

Tom Werner: Onto Crossing Boulevard right across from Home Depot.

Paul Sheehan: Okay

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Richard Harris: Tom I think you mean right here?

Tom Werner: Yes, in other words widen it so that you got a left turn and a right turn lane exiting, because a left turning vehicle during heavy traffic will hold up.

Don Roberts: Okay, also we are going to refer this to the Town Engineer which would be Clough Harbor and Associates they did the initial Crossings and also the fire district. Okay that being said any other questions by the Board?

Don Roberts: Todd you have something to say?

Todd Fishcher: The only thing I wanted to point out is Tom I understand what you're saying completely, there are two other exits out of there.

Tom Werner: Yea they are not shown on the drawing

Richard Harris: We've got the one to the west

Todd Fishcher: We go through to in front of Berkshire Bank and then there is one in back of Berkshire Bank so there's really several other exits out of there but we'll take a look at that.

Lyn Murphy: Im sure the engineers will take a look at the issue and make a determination

Tom Werner: You might have to provide some way finding signs inside so the patrons would know. Now when I was there, there was a gate between that and Red Robin that was closed.

Paul Sheehan: We pulled that out so it's open right now. The Red Robin gate is in there but everything else all the gates

Tom Koval: It's nice that we don't get traffic closer to the Route 9.

Richard Harris: Did you open the gate did you say?

Paul Sheehan: No, no, no

Richard Harris: Right correct , that was for emergency access originally if I remember the Board talked about full access , you came back as part of probably final approval and said the client did not want that full access but emergency and the Board then approved it as an emergency but the gates been staying closed is that correct?

Paul Sheehan: Correct, it's closed, besides that there are still 2 other ways out.

Don Roberts: But Joel you'll address any traffic concerns in your review right? We'll make sure that Clough Harbor takes care of that.

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Richard Harris: Yes, yup. I do want to add so Trader Joe's opened the day school started for my youngest so I had to wait and did not come in so by the time I got in at 9 , I came in and said what's going on is there a problem , people were like what are you talking about , it was the best response to an opening I ever got in our office because something as popular as Trader Joe's and if you look on social media which I try not to do the big concern was , Wolf Road Trader Joe's in the parking lot for the old Staples and you have double the number of parking spaces and the fact that we had no calls of any traffic issues that opening day was amazing. We were shocked in the office, I thought there would be, we've had a few other expansions and grand openings in Town where neighboring property owners were out there, arguments, police called, parking and they didn't have any of that so I think that's a testament to the fact that you Guy Guadagnino s planned the correct number of parking spaces for this site, and they are busy, yea very busy absolutely, that's all I wanted to say thank you.

Don Roberts: Anyone else? Okay it will be reviewed and we will get back to you, alright...

Paul Sheehan: Okay thank you.

Don Roberts: Thank you.

King PDD Retail Building – Site Plan

TABLED. Board received a presentation for a 21,250 SF retail building and referred it to several agencies.

21.102 Earl- NPPM Temporary Storage/Use, 1867 Route 9- Change of Use/Tenant

Tom Werner recused himself.

Jason Dell: Jason Dell engineer with Lansing Engineering here on behalf of the applicant for the NPPM Industrial temporary storage. Last time we were before the Board with this portion of the project it included both the temporary storage of rolls offs and dumpsters as well as a glass processing pad. That glass processing component has been removed from this site plan and the temporary use and storage and we are here this evening to request the temporary storage of materials to allow the applicant to store the cleaned dumpsters and roll offs on the property and allow him to move them on and off the property as is needed to fulfill customer demands. So the overall plan of development for this property and project has been submitted, we're currently working on the engineering designs for the overall project. The traffic study is in the process of being completed and we're in the process of completing the engineering plans and then the overall site plan will be back before this Board. However the overall site plan also does include the storage area for the clean roll offs and dumpsters. So we're here this evening to request the temporary use of the property for the temporary storage.

Don Roberts: Thank you now this will be referred to Saratoga County Planning Board and MJ our Town engineer and now as far as the site goes I understand the glass is being removed right?

Jason Dell: Correct

Don Roberts: Can you tell us when that will be completely removed?

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Jason Dell: I will have to get that confirmed exactly when it will be removed, but I did go up there this evening and it has begun to be removed.

Don Roberts: Okay, thank you, comments by the Board.

Tom Koval: So this is you are looking for a temporary approval for temporary storage. So temporary approval to store containers that are coming in and out of the site until your formal site plan is approved?

Jason Dell: That's correct

Tom Koval: What do you have any kind of time frame when you are going to come with the rest of this?

Jason Dell: Hopefully within the next month we will be submitting the detailed site plans which it will include the grading plan, SWPPP, the traffic analysis that is going to go to DOT for the turning lanes so there is a lot of moving parts to that, however we are in the process of compiling all of that, we should have it in the next month or so.

Tom Koval: What would be a fair timeline if we gave you a temporary approval for this to get all your other, a year?

Jason Dell: I would think so, the biggest hurdle or the most time consuming portion of it will be working through the state and the federal agency for the formal stream crossing. So that will take some time, probably 9 to 12 months so I think that's a fair estimate.

Don Roberts: Just to make it clear we're not taking any action tonight this has got to be reviewed first before we go any further.

Richard Harris: Yea I do want to clarify, while the applicant considers the containers that are there a temporary situation your full build out includes a similar function, similar operation on site.

Jason Dell: That is correct.

Richard Harris: If I remember correctly, its proposed in the same location is that correct?

Jason Dell: Exact same location , up in front in this area , it continues to be that in the overall plan as well as a smaller area up in back , but yes for ease of access that will remain.

Richard Harris: So , practically speaking , if your overall buildout is not approved by this Board or the applicant tables it , it is either permanent Im going to continue or is the Board puts some type of deadline or date on that it will have to end. I just want to make sure you understand that. That's if you get to the point where this Board votes on a full build out which does include it, so for purposes of I think the Towns review, my opinion and consulting with the Town Attorney, it is a sort of permanent request from the applicant although it is proposed to be part of a bigger plan that sits out there. It's not temporary in the sense where you know whatever May 1st 2022 it's moving to a site in Rensselaer County or something like that, you are seeking to continue it until the date there is a vote on the full build out, positive or negative. And if its

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positive you would then include this exact same use in the exact same spot if it's not approved this Board should maybe discuss you know at that time how to handle it or you come back or a deadline.

Tom Koval: Well if we give them a temporary approval for a one year period and we do not give a permanent approval for the other project this all has to go away, period.

Jason Dell: Or we would come back with an alternate proposal, because this is an allowed use within the LIC.

Tom Koval: Your deadline is in my opinion, it would be that one year mark, if you don't have your permanent approval, and we haven't approved something else by that one year period, you're gone.

Don Roberts: Well we will worry about that when we get to that point if that happens.

Jason Dell: Understood.

Don Roberts; Right now we are just doing reviews right now

Jason Dell: Because as Rich eluded to if there was an alternate proposal this is still an allowed use with an alternate proposal as well in the LIC zone, storage and or warehouse.

Don Roberts: Yea, yea

Rich Berkowitz: What are the proposed hours of operation just so we know? For drop off and pick up what's the hours of operation?

John Brady: John Brady with Twin Bridges Waste and Recycling. Coming in and out I would say at the earliest 7, 8 am, leaving the facility, leaving the area 3 O'clock, 4 O'clock.

Rich Berkowitz: Okay so it's not a 24 hour operation, you're talking 8, 9 hours a day?

John Brady: Pretty standard hour's yea

Rich Berkowitz: Okay

Don Roberts: Thank you John.

John Brady: Sure

Don Roberts: Anyone else? Okay so as I said refer to our Town engineer, referred to the County, and we will get back to you.

Jason Dell: Thank you.

Earl – NPPM Temporary Storage/Use– Change of Use/Tenant

TABLED. Board received a presentation to allow the use of the site for drop-off and pick-up of containers for their waste hauling business, and tabled it to allow County review and site plan notification.

21.109

DelSignore Blacktop Paving, 47 Clamsteam Road – Site Plan

Gavin Vuillaume: Gavin Vuillaume with Environmental Design with Dewey DelSignore. This project was last in front of the Board back in June, where we were given some feedback from the Board, we took that feedback and went over to the ZBA, ZBA looked at it had a couple meetings we had several public hearings I think some of the neighbors are here this evening that attended those ZBA hearings, again this is for a pre-existing non-conforming use, an expansion. It's a very small expansion of the overall project. As you probably remember from the original presentation, I'll just quickly go over a couple of the changes to the site. So as far as the site goes, we're making a modification to that building there in the center, it's a utility building where mechanical machinery is stored, he keeps his machinery for the most part in that particular building so that roof was extended about 3500 sq. ft. The applicant is also proposing to have a salt shed outside of what was the original boundary that could be use on the property. This is an original boundary that was part of the original site plan approval its about 7 ½ acres, the shed was located outside of that original boundary so therefore we are required to go back in front of the Zoning Board to modify the original approvals so we followed through with all of that, the Zoning Board was back in September 7th was the last meeting, they approved the expansion of the non-conforming use and we are just here today to kind of updatere the Board with any other changes you might like to make as part of site plan. The only other little thing I guess that we've been talking about obviously traffic has been a concern, we can answer any questions on traffic, there is some fill material that we had looked at to make sure that there is no contaminations from any fill that's been brought over the years on the property. We've got a letter on file for that and then another topic that came up was the instillation of an earth burm with plantings along Clamsteam, that was one of the requirements of the ZBA and we've modified the plan to show how we would extend the burm to provide more buffer to some of the residents on Clamsteam.

Don Roberts: Okay thank you now this would be referred to our Town engineer MJ Engineering for review as well as Saratoga County Planning Board and we also received a letter of concern from a resident a neighbor that's going to be entered into the record as well. Okay, that being said

Richard Harris: You were provided a copy

Gavin Vuillaume: Yup, yup we got it.

Don Roberts: Okay good, comments by the Board?

Tom Koval: As I mentioned at the pre-meeting I'd like to set a get together

Don Roberts: Oh yea, Tom Im sure you want to be on that committee, right Tom Koval, any other volunteers?

John Higgins: Ill volunteer

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Don Roberts: John Higgins, Tom Werner okay we can only have three, so okay so Tom Werner , Tom all three Tom's very good, oh John , John okay so John Higgins, Tom Werner and Tom Koval , so Rich you can set that up?

Richard Harris: Yea we'll set that up

Gavin Vuillaume: Okay yup we're more than happy to meet you out there.

Richard Harris: Im just want to add the applicant has submitted building permits for the ZBA decision, obviously they are aware of the building side of things can't, wont issued the permits until this Board acts on the site plan but we did submit them, on a call we discussed it, we're good to get that going and he has submitted them.

Don Roberts: Any other comments?

Richard Harris: And the letter from the soil analysis that they performed has been provided to the Board and the Town engineer will also review it, because you mentioned the soil.

Don Roberts: Okay great, as I said anyone else want to comment from the Board? Okay we will get back to you.

Gavin Vuillaume: Great, see ya.

DelSignore Blacktop Paving– Site Plan

TABLED. Board received a presentation to expand use of the site in compliance with the conditions of the Halfmoon ZBA and tabled it pending a site visit by a Board committee and review by several agencies.

Rich Berkowitz: I make a motion to adjourn

John Higgins: Ill second it.

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