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**MINUTES MEETING
Town of Halfmoon Planning Board, 2018
May 29, 2018**

Those present at the May 29, 2018 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Mike Ziobrowski

Director of Planning:

Richard Harris

Planner:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny-absent

Town Board Liaison:

John Wasielewski
Jeremy Connors

Chairman Don Roberts opened The Planning Board Meeting at 7:02 pm

Tom Koval made a motion to Approve the May 14, 2018 Planning Board Minutes. Mike Ziobrowski seconded. Minutes Approved.

John Higgins recused himself from the minutes vote.

Public Hearing(s):

18.067 Kohler Lot Line Adjustment, 324 Grooms Road- Minor Subdivision

Don Roberts: Would anyone like the notice read? Go ahead Gavin it's all yours

Gavin Villaume: My name is Gavin Villaume representing the applicant Eric Kohler. Eric wishes to purchase a piece of property from this adjacent land owner from his property Mr. Kohler lives on this property and they both have an existing home on each one of the properties they both have frontage on Grooms Road and are approximately 2 acres in size. The zoning is PO-R which is office, special office

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- residential which does allow for the size of the lots and the configurations of the lots again going to the blue line we are going to extent this boundary here across from here approximately 20-feet and the total is approximately 1.7 acres basically the property still has the necessary amount of frontage on Grooms Road and meets the area requirements.

Don Roberts: Ok at this time we will open a public hearing would anyone from the public like to speak? (no comments) seeing no one wants to speak we will close the public hearing, comments by the Board members?

Tom Werner: were there letters sent?

Don Roberts: Now we got letters, email from the

Rich Harris: We received a letter from one neighbor and it's in the packet

Don Roberts: It's in the packet and we will make it part of the record, any other comments?

Rich Berkowitz: Only private residence can be allowed in this zoning

Rich Berkowitz made a Negative Declaration Pursuant to SEQR. Tom Koval seconded.

Rich Berkowitz made a Motion to Approve Kohler Minor Subdivision application. Marcel Nadeau seconded. Motion Carried.

18.030 McBride Subdivision, 173 Pruyn Hill Rd. - Minor Subdivision

Don Roberts: Would anyone like the notice read?

Joseph McBride: Hi I'm Joe McBride I live at 173 Pruyn Hill Road, we are looking to subdivide our lot for our daughter, it passed through zoning and their public hearing so we are just looking to proceed.

Don Roberts: Would anyone from the public like to speak? (no comments) seeing no one would like to speak we will close the public hearing, comments by the Board members.

Richard Harris: We sent out public notices and we did not receive any comments.

Don Roberts: From anyone, ok.

Marcel Nadeau: Do you have an easement for that right there?

Joseph McBride: Yes, there is.

Tom Koval made a Negative Declaration Pursuant to SEQR. Tom Berkowitz seconded. Motion Carried

Tom Koval made a Motion to Approve McBride Subdivision application. Marcel Nadeau seconded. Motion Carried.

Joseph McBride: Thank you Board.

18.0709 Nasim Towing, LLC. 15 Foxhound Cir. - In Home Occupation

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

Raheel Thalho: My name is Raheel Thalho and I live at 15 Foxhound Cir in Mechanicville and I have a road side business , I guess my name is misleading Nasim Towing , we dont have any garage no physical location , we work from Albany , our work is when we get the call and we sometime we are at the mall , like Crossgate Mall , Wal-Mart if we are close to Albany we get a call and we go from there to perform service and we dont have any customer come to our place , because we only do the tire change , lockout , fuel delivery and jumpstarts and yea thats all we do.

Don Roberts: That's it?

Raheel Thalho: Yes

Don Roberts: Ok, it's time to open the Public Hearing if anyone from the Public wants to speak, please come up and state your name and address and your concern or comments, and also for the record we received a number of letters and emails we are not going to read them all but they are going to become part of the record.

Diane Anderson: My name is Diane Anderson I live at 14 Foxhound Circle; I live directly next to the parking lot at 15 Foxhound Circle. Your letter is a little bit misleading that you sent out to us about a home occupation , your telling us it doesnt involve vehicles , my husband and I have been putting up with commercial business vehicles since June of 2017, thats 11 months and three days, I had made a call to the Town of Halfmoon Code Enforcement around July 2017, looking for guidance I said I believe there is a business next-door involving road side service vehicles, they were very short with me and just said no there is not. Since then I have witnessed at least three of their pick up type road side business vehicles plus a diesel powered flat bed tow truck complete with a back up alarm. I have witnessed at least 2 new pickup vehicles staged at 15 Foxhound they sit at the property while another pickup is used to make calls, after a few weeks the new vehicle is sent out to have a cap put on the bed of the truck then it comes back to the property after a period of time it is sent out again to have the lettering put on while this new vehicle is on the property it may go out for calls while the other vehicle sits. I never know what type of commercial business vehicle will be brought to the property and how often it will go in and out and how long a period of time it will be there. My husband and I have invested a lot to build our home in the Estates of Halfmoon because it was a residential neighborhood made up of single family homes exclusively. This is going to be our retirement home; the resale value of my home will drop considerably knowing there are two businesses running out of this property, who wants to live next door to a roadside service and towing business. This is also a safety hazard for the children who come to the cull de sac to play; they come here because it's a dead end street and their used to be light traffic. Everything I mentioned above are good reasons not to have these two businesses in the neighborhood but I do not need a reason I bought into a neighborhood of single family homes a residential neighborhood exclusively and that is all the reason I need to oppose this business home occupation this is not a business home occupation at 15 Foxhound this is corporate headquarters, thank you for your attention.

Don Roberts: Thank you very much anyone else like to speak?

Al Frank: Hi my name is Al Frank I'm at 71 Stonecrest Drive , I'll make it very short it is a residential area , I dont know if you basically have gone by the property or not I have pictures of that property to show you , if you care to see them I'll show them to you , but basically he expanded his driveway both vertically as well at width and its obviously the reason why he expanded it is basically to have more additional vehicles at the same time his condition of his property itself if far worse than any other property , his lawn is totally unkempt and if thats the way he keeps his residence I'm concerned as far as how he will keep his business. This is a residential area and I implore you to basically keep it as a residential area and forbid this request, thank you.

Don Roberts: Thank you. anyone else?

Ed Spychalski: Good evening thank you for your time my name is Ed Spychalski I live at 12 Foxhound Circle, I've got more to lose than anybody here whether the Board is aware or not we built our house back in 2008 and 9 we lost our house in a fire recently, I spent all of my life savings to rebuild my house again in that same location to keep our neighborhood sold, one family homes with out businesses being run. I witnessed the flatbeds coming out I witnessed the AAA trucks with the beepers I've heard the diesels, we've had our neighbors disturbed where they call me in the middle of the night , the paperwork says this gentleman wants to just do paperwork , well my experience over the years as an executive director of a housing authority I know what paperwork entails and this is much more than paperwork when you have an LLC for the mere fact that he says he is just doing paperwork he is running businesses, so as I did my check I realized he established a DBA in October of 2017 which meant he was running a business using that address furthermore we found out he established an LLC. which the Town became aware of, did nothing, they showed up didnt see anything and still allowed the business to run, to this day the business is running, the truck leaves in and out with his roadside service, now I've seen tires being changed there I dont know if they are on his cars, clients cars , whoever they are if you look at his rig its got generators on it it has tools equipment, I'm not even sure if it exceeds the 10,000 lb rule to be labeled from DOT , I'm concerned for my grandson who plays there and all the other children, but mostly I'm concerned about my property value, after putting a million dollars in that neighborhood it's a cry and a shame to know if I stayed there if this is approved , I hope you take this under consideration I hope you looked at the package that we prepared for you I think they are all in detail, 51 signatures over 20 letters, 25 people here to speak tonight we are totally opposed to it, we love all our neighbors, we love our community, we do not need a towing business two doors down from my house, any time I go to sell my property, if I have to sell my property and I might sell my property, people do a search and say I've got a towing business two doors down, how is that going to affect me so please take that under consideration, I think you for your time ladies and gentleman.

Don Roberts: Thank you Sir, M'am now you are up

Sonya Kumano: I'm Sonya Kumano, I live at 9 Foxhound Circle and we just bought our house in I believe June of 2017 right around when this happened, I have two small children of course I am afraid for them running into the street with big trucks around, but I have more of a question which is in the letter that I received it stated that the primary business is in Albany if that is the case why not register your business in Albany? That makes no sense to me, it's non sensei cal, if you have a business in Albany you have an office in Albany send all your mail and run your business out of Albany, that's all.

Don Roberts: Ok, thank you,

Claire Karlasec: Hi my name is Claire Karlasec I live at 7 Fort hill Dr. which is also in the development and I'm very concerned about the fact that if you allow this business to go in there then other people who move in may want businesses also and all the people who bought in a residential single family zoning which I believe it is now currently residential single family zoning, would have all of their property values deteriorate because of a precedence that has been set.

Don Roberts: Ok, thank you.

Casey McCanton: Hi how are you my name is Casey McCanton I live at 10 Foxhound Circle, so I guess the first thing is I would like to ask for at least you guys is if this business has been open since 2017 then why has nobody done anything about it? Because I can assure you that anybody else that opened any kind of a business thats called a gentleman's club in that area the Board would have done something about it, so thats my first question I'm extremely upset about it I have three small children and the fact that we have vehicles coming in and out of that area is crazy my taxes got raised this year which is great seeing as though I have a towing business operating in my neighborhood that they then again decided to assess me at a higher value but I just think at the end of the day these are single family houses I definitely want to go back to I guess it was 2010 or 2011 when the Town of Halfmoon allowed a duplex to be allowed to be put in there in a single family residence once again you guys allowed a duplex so I guess at the end of the day my biggest thing is there has been multiple incidents where I feel the Town of Halfmoon has been asleep at the wheel and I would ask you for this please dont be asleep at the wheel I have three kids there's kids in every single home on this block if you allow this somebody will get hurt and it is not a good thing for these children.

Don Roberts: Ok, I can't speak for the past but we are here to address the situation, thank you. anyone else?

Tim Anderson: Hello my name is Tim Anderson I live at 14 Foxhound circle, everybody is pretty much covered exactly what I was going to say and I'm extremely upset with this and I live right next door to it I've been dealing with this for almost a year and like my wife said we filed a written formal complaint and it wasn't even handled, now mysteriously their saying that they became aware well just like they were saying why did it take so long. I'm here to answer a question that this other woman had they said why dont they do a p.o. box and I dont know why they dont that but the Albany , originally it was in 5323 17th street troy and it is just a home and they ran the business out of there and where the trucks were parked I have no idea , and then they ran it out of Lark st in Albany and thats just a small bungalow, I dont know what went on there and then they moved to Bradford st in Albany and ran the business out of there and so they just keep using residential areas, what he is claiming is where his business was like they had asked before I had no idea I hope you do the right thing,

Don Roberts: Thank you.

Lyn DeCerbo: Good evening my name is Lyn DeCerbo I live at 64 Stonecrest dr. and my home is in the same development as the applicants 15 Foxhound, I am concerned for all the reasons that my neighbors have stated tonight and I just would like to point out that this applicant has made misrepresentations in his applications its not true at that he is just going to put a desk and a room in his house and do paperwork, he's clearly had commercial vehicles in the neighborhood and that isn't even

allowed in the code to have those vehicles, they are noxious they are loud they are dangerous there are children everywhere that play on that street and there is just no place in our development for a towing business or whatever the applicant wishes to call it , it is in fact a business that involves the use of large commercial vehicles and I ask this Board to please deny the application, thank you.

Don Roberts: Thank you M'am

Vince DeCerbo: My name is Vince DeCerbo I live at 64 Stonecrest drive as usual I follow my wife, before I start let me talk to on a personal note I am friends with Mr. Halsky and Mr. Anderson and we usually go on walks in the morning and talk a lot and let me tell you what they went through when those trucks were in that driveway at 12 o'clock at night backing up and disturbing their sleep thats true that affects your health it affects your well being, I wouldnt want to go through it and I would have been a lot more vocal than they would have , the other thing that I have to point out too is that the letter from Mr. Harris to another neighbor and it said that he went over the chronology of why this person applied for an LLC , he said that it was in response and correct me if Im wrong, it was in response to a complaint that the Town Board investigated and said that he had this, No, am I incorrect, ok.

Richard Harris: Actually

Vince DeCerbo: No he filed for the home occupation permit, I'm sorry excuse me ok

Richard Harris: Yes

Vince DeCerbo: Well the complaint centered around the fact that he had flat beds and other type of industrial vehicles in his driveway so he then applies for the home occupation permit but states in his response to the planning board that the house is simply going to be used for mailing and paying bills, dont you find that a bit of a disconnect here because the impetus for him filing for a home occupation permit was a response to a complaint by a neighbor that he was using it for commercial purposes, so now he is applying for a special use permit and saying he is only going to use it for paperwork and paying bills seriously how many people do we know that have a business of work in a business come home and take and pay their bills and do some business related to their work at home, thats a real stretch to say thats what they are going to do and number 2 the other thing this is listed as a home occupation , my wife and I looked at some various decisions of the Planning Board one of them was you allowed a woman a home occupation permit because she was doing calls for an insurance company or something like that now that is clearly a home occupation and I dont think anybody has a problem with something like that , there are no customers there, really maybe once in a blue moon somebody will come there and give her something thats a home occupation this is not a home occupation, if he could park a flatbed and a tow truck in his living room ok I guess that will be a home occupation but seriously it doesnt appear that way, and number 2 if you allow this special use permit for the home occupation your really raising the bar on what a home occupation is ,now if you approve this and somebody else in the Town in our subdivision or anywhere else in the Town comes with a special use permit application, if someone else comes with a home occupation permit application even if it isn't a towing business but if it is something clearly inconsistent with the character of the neighborhood how would you turn that down I would think you would be setting a really dangerous precedent here by approving this because its not only a dangerous precedent for our subdivision but for the entire Town, because you may very well be taken to court on that if you approve that after approving something that would be even more egregious, my wife and I moved into this development

in 2011 , we moved here it was a residential neighborhood, it was planned, it was developed and it was marketed as a residential neighborhood and thats what it should remain, I'm urging the Board to please reject this applicants permit application.

Don Roberts: Ok, thank you, we have heard a number of comments and concerns, after this gentleman speaks if anyone has anything we haven't heard please come up but we have heard quite a bit so go ahead sir.

Mark Price: I'll be brief, my name is Mark Price, I actually at one point did have an LLC out of my home, it was briefly while I have a land ownership, I am a physician I own the land I think we have changed since then so maybe I'm shooting myself in the foot and maybe I'll be talking to Halfmoon later but since that time I have actually transferred to my other location where the actual land is during the development phase it was there, I truly received mail there and thats about it, everything else was done from my other location while I was building my other practice spot, I have no problem with the gentleman you seem very nice, I've met him once or twice if that was all he was doing getting mail there and making phone calls and that was it I'd have absolutely no problem with that but like everyone mentioned I do have little kids and they do run around the cull de sac when ed was building , rebuilding his house I thought those flat trucks to be honest were delivering parts to his house thats what I thought they were originally, it turns out that wasn't the case, Im more concerned of the safety of the people of the neighborhood if he's able to run his business thats fine as long as there is not trucks there thats my only concern.

Don Roberts: Ok, thank you Sir, does anyone have anything to say that has not been heard

Claire Karlasec: Claire Karlasec 7 Fort hill Dr. , my husband also has a consulting business that we have to by law because of the Patriots Act use the physical address of our home, we get all of our mail at a post office box, all of his business is on the phone, but if you have an LLC or any kind of doing business there has to be a physical address associated with it so I understand what Mark's saying that you have to sometimes use your home address for that purpose.

Don Roberts: Thank you, anyone else? Ok, thank you for all of your comments at this point we will close the Public Hearing, Board Members we have heard a number of comments

Tom Koval: Shouldn't we ask the applicant if he would like to respond?

Don Roberts: Yes, would you like to respond to numerous comments?

Raheel Thalho: Yes, my name is Raheel Thalho, and 15 Foxhound circle is where I live, I had a tow truck I bought in October and I kept it until December then put it up for sale, I brought it to my place for a few days because it was for sale, but before then I used to park at 240 Church st. thats a truck area in Albany downtown, and I got the mail like it, it isn't my property picture that picture is from 2011 and my lawn is burned because my brother a couple weeks back he put the wrong weed killer on the grass and burned it so we hired true green and they will take care of it soon and plus I only had one pick up truck 2015 Toyota Tacoma and then I bought another pick up truck, till that truck got ready it was parked on my driveway the new pick up truck and when it was ready the cab got on I sold my old pick up truck and because I only ride one truck and now I have this one truck it was a 2018 Ford F-150. I have a commercial cab on its because it has a drawer and it helps me a lot at work, I dont have a heavy compressor or anything at my home, everything I do is in my truck and I just drive it to the

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customers place just to help them out, and I work for AAA, they dont cover Clifton Park , Halfmoon region they're starts and ends by the twin bridge so I work in Albany, no customer comes to my place because its an emergency service and I have to put the AAA logos on my truck because when I'm performing service people have to know if I'm on the side of the highway they know who is this guy, whose truck it is, so I have to put those logos on my pick up truck and thats the only truck I use for my personal use at the same time I not only work and yup thats why I bring it home. I only have one truck registered under my name that is it and at my house I have two sisters they both, my one sister has 2017 Toyota Camry the other one has 2018 Toyota Carolla, my brother has Nissan Altima, and my mom she has a Toyota Corolla so we have four cars there and my truck thats why it looks like a lot of traffic but thats pretty much all we have.

Tom Koval: What is this flatbed they mentioned?

Raheel Thalho: The flatbed I had it I bought it in October and I ended up selling it got rid of it and now and I gave it back to AAA

Tom Koval: So you're only going to have one truck?

Raheel Thalho: Right now I only have one truck registered to me

Tom Koval: That's all you can have in a residential area is one business vehicle.

Raheel Thalho: I only have one business truck and that is it.

Michael Ziobrowski: Is your business in Albany?

Raheel Thalho: Yea I work from Albany like I have to be in Albany to get service calls because they are going to have AAA pick whoever is the closest service provider, they have him perform the service I have to be in Albany

Tom Koval: So why dont you get a mailing address in Albany?

Raheel Thalho: I definitely can do that

Tom Koval: A post office box whatever you have to do

Raheel Thalho: I actually definitely can do that

Tom Koval: We can't tell you that you can't drive your work truck home, but we dont want you leaving in the middle of the night so I would suggest

Raheel Thalho: No, no, I dont work in the middle of the night I have two guys in Albany they work all night I dont work all night

Tom Koval: Well we are hearing very different things from your neighbors though

Raheel Thalho: My shift ended like AAA office closes at 11:00pm the call center so thats when I come home sometime I come before but before midnight I'm at home

Tom Koval: Do you stay at the call center?

Raheel Thalho: No I dont stay at the call center I drive and I stay at the Crossgate Mall or Wal-mart or I go to my aunts house or my friends store I have to be in Albany somewhere to get the service calls, if somebody breaks down whoever is closest drive they are going to pick him for the service in Albany we get most of the business so thats why I stay in Albany and this region after the twin bridge when you take 37 after the twin bridge AAA thats where their region ends thats the Northway region, I dont work for them.

Tom Koval: There is a simple solution to this would be to deny you the use of business you get a p.o. box or something in the city of Albany your allowed to drive your one truck, your one work truck, one to have at your house thats it, business will be in Albany your neighbors wont have to worry about any other trucks and if they call us or call the Town and say that you have 2 trucks there or your leaving in the middle of the night to go do runs you will be fined because you will then be running your business out of your home.

Raheel Thalho: No, I only have one truck registered in my name and

Tom Koval: Well registered in your name is one thing, is there any other vehicle you're using for your business that are registered in anyone else's name?

Raheel Thalho: No, Im not using, I have other trucks but they live in Albany but that's not mine but there's a guy who rides he lives in Albany he doesnt come to Clifton Park.

Mike Ziobrowski: What's the business address in Albany?

Raheel Thalho: As I said we dont have a physical location we have to be in Albany to get a service call they have trackers who ever is closest they pick that guy.

Rich Berkowitz: Where do you keep your truck?

Raheel Thalho: I have one truck which I keep at my home and one guy use his own truck

Rich Berkowitz: So you have a tow truck?

Raheel Thalho: No, I had a tow truck which I sold, gave it away to AAA back

Rich Berkowitz: So what Im hearing , this is why we have a Public Hearing, this has been an enlightening meeting, when you first came here two weeks ago I thought you were going to have a desk a phone and a place to pay bills

Raheel Thalho: Yea

Rich Berkowitz: You dont have that you have trucks

Raheel Thalho: I have one truck

Rich Berkowitz: We have pictures, I mean I'm seeing pictures with tire tracks on the lawn like you're driving behind the house, and there is a picture of a flatbed on it, a trailer

Mike Ziobrowski: I guess I'm concerned with the fact that you say that your business is in Albany but you don't have an address in Albany, how do you have a business in Albany without an address?

Raheel Thalho: Ok so AAA I actually started the business when I was in Troy but now I, they mail everything to my home like a check they always mail a check they don't mail anything else, like they only mail me at my house but they have a tracker so whoever is closest, so I prefer to stay in Albany to get the business if I'm here in Halfmoon I don't get the business

Mike Ziobrowski: So really you don't have a business in Albany you have a business in your car?

Raheel Thalho: Yea that's my truck yea that's all I have

Marcel Nadeau: Do you have an approval from Albany for your business from the city of Albany?

Raheel Thalho: No

Tom Koval: Ok I'm going to kind of put it out there that it's my opinion, I make a motion a negative recommendation for a Home Occupation.

Don Roberts: A denial

Tom Koval: We are denying your application I suggest you get a mailing address in Albany a post office box and you're allowed to drive your one truck and the town doesn't want to hear that there is a flat bed or anything else going through this neighborhood these people have a nice neighborhood and I don't blame them for not wanting a business in it

Raheel Thalho: Yes

Don Roberts: So you're making a motion? That's the motion, a motion to deny.

John Higgins: I have one question do you have a back up alarm on that truck?

Raheel Thalho: I have the truck outside if you want to check it I don't have an alarm

Tom Koval: The LLC really has nothing to do with the home occupation other than its listed no different than your LLC or anybody else's LLC

Don Roberts: Ok we have a motion to deny the application as presented and a second all in favor, (all Board members in favor of denial) opposed? (no Board members opposed the denial) this application is denied if you operate out of your house you will be cited, do you understand?

Raheel Thalho: Yes

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Lyn Murphy: I just want to make sure that all of the neighbors are very clear on this fact that he can drive his one work truck home all of you can, wherever you work but that's it but if you see other things then it's a violation but

Mark Price: But not a commercial truck is that correct?

Lyn Murphy: One commercial truck that has

Resident: Doesn't it say for personal travel?

Lyn Murphy: It says, used for the homeowner for personal transportation, he is transporting himself to his work and back.

(Residents speaking not audible)

Lyn Murphy: He just got denied so I'm not sure what else you want us to do.

Rich Berkowitz: It might be a state issue with an LLC?

Lyn Murphy: We cannot prohibit him from having a truck there

(Residents speaking not audible)

Raheel Thalho: It's a pick-up truck it's not a big truck

Lyn Murphy: I am not going to argue with you feel free to seek counsel I will tell you that article 165-4 of our local law permits one commercial truck used to transport the person back and forth period.

Resident: What if he is using it all hours of the day?

Lyn Murphy: If he is using it all hours of the day you are going to put in a complaint and we are going to start talking about it, you drive your car at all hours of the day so just understand that it may be ... You heard the Board's decision

Don Roberts: Sir you understand you have been denied right?

Raheel Thalho: Yes, yes

Don Roberts: So take it at that and if you do anything against what was discussed here you will be cited alright?

Raheel Thalho: Ok

Don Roberts: Thank you very much.

Raheel Thalho: Alright, thank you.

Resident: If he was cited what would happen, they said he would be fined \$ 50.00

Lyn Murphy: Nobody said he would be fined \$50.00

Don Roberts: No one said that

Resident: Ok well that's what my neighbor said that someone at the Town inferred.

Don Roberts: Ok, thank you.

Tom Koval made a Motion to Deny Nasim Towing LLC application for In Home Occupation.

Marcel Nadeau seconded. Motion Carried , application Denied.

17.247 / 17.248 / 18.068 Church of Christ, Pruyn Hill Road & Route 146 - Minor Subdivision, Site Plan & Special Use Permit

Gavin Villaume: Good evening everyone Gavin Villaume with Environmental Design representing the applicant the Church of Christ , I'm here this evening with John Rude who is available to answer any questions you might have on the operations of the Church , for tonight we are actually here to request several approvals, the first being a subdivision approval for the subdivision of the property the other two are more related to the site plan which is up on the screen , Ill quickly go through the site plan and some of the more recent changes and then I'll open it up for any questions. In general the church has been looking to relocate from their current location in Clifton Park to this location on Pruyn Hill road , the property itself needs to be subdivided in order for them to build the church on the property. I have over here on the side the subdivision map I dont know if you have that one on the screen , so I will just kind of quickly refer to this map over here , over on this board is the property on which they are going to be purchasing its about 5 acres there's like an inset map that shows the overall parcel its approximately 253 I think acres the property that they are wishing to purchase is the southern most corner of it and again part of this project , we believe the remaining 280 acres over here and then 5 that we are purchasing so part of the approval is to allow us to subdivide the parcel so that way we can have the church on its own legal piece of property. So the second part of the approval is for the site plan and the site plan is proposing a 6,790 sq ft one story church structure, the church would have access off of Pruyn Hill Road, it does have quite a bit of frontage off of route 146 however due to the wetlands and the traffic speeds along 146 the church has just requested one access point off of Pruyn Hill road. In some of our earlier meetings we did have this driveway in a couple different locations we chose this final location in order to avoid a wetland area here and also to make sure that this driveway does not go immediately adjacent to the people across the street, so we do feel as though we have that driveway at a good spot , I spoke with the Saratoga County Highway Department and they are comfortable with that location as well, so we just have the single access off of Pruyn Hill road, we'll have a small turnaround in front of the church and then two parking areas one over here that has about 25 spaces and then another gravel parking lot thats more for overflow and for future expansion containing approximately 37 parking spaces. There will be public utilities here off of 146 we will connect for sanitary sewer and there is also a small waterline connection on Pruyn Hill road. As far as recent changes there really was very little change from the last time we presented this site plan in April, one thing we did do is we pushed some of this parking back away from 146 to meet a requirement with in the 146 overlay zone and their requirement is that be no parking structures with in 100 ft of the right of way so we had to kind of move that parking lot a little bit to meet that set back, so thats pretty much it so if you have any questions more than happy to answer them.

Don Roberts: Ok, we did receive an email from a resident and that became part of the record, at this time I would like to open the Public Hearing would anyone like to speak? Please come up and say your name and address

Joan Rocco: Good evening my name is Joan Rocco I live at 259 Pruyn Hill road across the street , we just have some concerns my husband and I , basically our biggest concern is the traffic impact, we know Sundays obviously will be a higher traffic but also during the week we are concerned with what would be going on during Monday through Friday , Saturdays what happens with weddings , funerals what will be happening if there are classrooms will there be expansion where we have before and after school programs there are many things that churches offer to their community we want to know what the traffic impact is as it is now I know traffic gets backed up past our driveway quite frequently , that stop sign is a very treacherous corner its hard to see , people often go off the road there they are backed up way past us which will certainly increase with this church going in so we are concerned with why the access is only on Pruyn Hill rd , I know you talked about the wetlands but is there any other solution that we could have an entrance and exit off of 146 instead of bringing all of that traffic by a residential area, our next concern is kind of the domino affect I dont know if its appropriate to bring that up here but I would like to voice our concern that once we do a special use variance at this property what is going to continue going as that property keeps getting chopped up and chopped up and chopped up what else will be there, our little residential community that is surrounded by agricultural use land is now we are seeing transforming into something that we weren't expecting when we built there 12 years ago, and finally I think I covered everything again our biggest concern is that traffic impact on Pruyn Hill road its a very tough corner as it is, thank you.

Don Roberts: I can say that any future use would have to come before this board for review so we would address it at that time, Gavin would you like to address the ladies concerns?

Gavin Villaume: Sure, with regards to the traffic certainly there is the potential of connecting to route 146 it is a very highly traveled road as well as far as access goes to it we do have a rather extensive wetland as it probably shows up more on the subdivision map you can see the shading so we would have to cross the wetlands in order to get to that location and having people turn at those speeds on 146 is to us somewhat of a safety concern for people trying to get in and out of the church so you know as far as the overall traffic goes and as far as their activities other than on Sundays I think John can answer some questions regarding that.

Rich Berkowitz: Have you considered a right in right out only on 146?

Gavin Villaume: Not really no again I dont think we would utilize it that much but I guess we could look at it

Tom Werner: Im not sure that a right in and right out I mean people coming in making a right in they are going to want to go back in that direction

Rich Berkowitz: Well then they could go around but it would alleviate some of the traffic on Pruyn Hill road

Tom Werner: I dont know whether it would or not but has anyone looked at the traffic at the intersection of Pruyn Hill and 146?

Gavin Villaume: As far as doing a traffic count no again this is a very small church we are only talking about 50 parishioners, so we are not generating a substantial amount of traffic I cant imagine it would affect the functionality of that traffic center

Tom Werner: Would any of the services occasionally or possibly coincide with peak travel with the commuter hour or anything like that

Gavin Villaume: Yea John can speak a little bit about the other activities that they have at the church

John Rude: Thank you I appreciate your time, Im John Rude from the Clifton Park Church of Christ on Old Route 146, our congregation is only about 40 to 60 people on a Sunday morning when we show up at 9 O'clock or at 10:30 we have two different services in the morning so we dont have all 40 to 60 people coming in at the same time so in our mind traffic should be pretty minimal you should see 40 percent of our people show up at 9:30 the other 60 percent right around 10:30 they all depart at noon and thats when the traffic would be an issue coming out but I dont foresee that we are going to have a huge amount of issue with that number of people coming out on a Sunday, that said during the week that is a valid concern coming from our neighbors and we want to be good neighbors, we want to be credible and sustainable part of the community and during the week we dont anticipate much traffic we have one full time employee he should be there during regular business hours 9 am to 5 pm we dont offer a preschool, we dont offer an aftercare we dont have any of those issues with people coming in and dropping off kids during the week so hopefully thats not a concern to the Board or to the neighbors, beyond that we don't host many funerals, weddings all those other services, we would love to and hopefully in the future we can but we just dont see much traffic or much use for the building for that purpose

Don Roberts: So during the week there is no special activities during the week at all?

John Rude: No we have one, oh yea I'm sorry I forgot that, Wednesday night we do have a bible study it starts at 7 pm it goes until 8 we should all be gone by 9 o'clock, so by 9 we will be gone , just that one event during the week , beyond that maybe just the occasional person coming in to clean the building to get ready for Sunday morning , I should expect very minimal traffic during the week. Any other questions?

Marcel Nadeau: Did you say you would be entertaining in the future weddings or funerals?

John Rude: We would certainly entertain it but we have nothing planned.

Tom Koval: If you wanted you can schedule off peak times

Don Roberts: Would anyone else like to speak? Seeing no one else would like to speak we will close the Public Hearing, comments by the Board members

Richard Harris: Don I would just like to mention I received emails, correspondence, and they are in your packets.

Don Roberts: I mentioned that, we got one right?

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Richard Harris: Yes

Don Roberts: Yes we did receive an email it became part of the record yes and thank you Rich, comments by the Board members?

Rich Berkowitz: Do we need a SEQR determination?

Richard Harris: Yes

Don Roberts: Anyone have any comments first or no?

Rich Berkowitz made a Negative Declaration Pursuant to SEQR. Tom Werner seconded.

Rich Berkowitz made a Motion to Approve the Minor Subdivision and the Special Use Permit for Church of Christ. Tom Werner seconded. Motion Carried

Gavin Villaume: Great thank you very much.

Don Roberts: Your welcome, thank you.

New Business:

18.083 Allstate - The Ferlazzo Agency, LLC, 1673 Route 9 (Healthplex) Sign

Wayne Geddros: Good evening, Wayne Geddros of Action Sign Company coming in for Allstate today we are looking to change out the lower portion of the freestanding Ortho NY sign, same size sign panels nothing is changing other than the name on the sign, they are roughly 17.36 sq sq ft a piece which puts them under 35 sq ft total. On the very back of the building is going to be the entrance or one of the entrances and we are looking to denote that with a 19 sq ft internally illuminated wall sign its going to be a raceway with channel letters mounted to it with translucent faces illuminated with LED on the inside. Other than that we are doing some door vinyl

Don Roberts: Just swapping them out right?

Wayne Geddros: Well there is no sign in the back of the building right now, that's going to be facing the big parking lot basically to direct traffic to that door so they know where they are going.

Don Roberts: Pardon

Richard Harris: That's the only new one that's there.

Don Roberts: Ok comments by the Board?

Marcel Nadeau made a Motion to Approve Allstate's Sign application. Mike Ziobrowski seconded. Motion Carried.

**18.077 / 18.078 St. Lukes Episcopal Church Expansion, 40 McBride Road - Site Plan
Renewal & Special Use Permit**

Reverend Dave Hague: Im Reverend Dave Hague who lives in the rectory out back there so, 40 McBride road, this was a plan that was before my time we had an outline of a future expansion early back in 2009 I think it was and the Church in the red is not there just so you are all clear that future church is not there , as we expanded , as we are expanding our congregation someday hopefully we will be back and ask to build a new church but right now we need a space that would allow meetings of about 50 people, right now we have a small classroom for meetings that allows 30 and we have a few things that require larger space so thats what we are coming here for , there's an expansion I think you have the plan for it that is an extension of 38 x 36 it goes in the gable end of that one end as it is outlined on that map there , single story yea right there and thats what im here for.

Don Roberts: Questions by the Board?

John Higgins: You're not going to do any expansion on the parking lot at this time correct?

Reverend Dave Hague: We dont need to its , I think we have plenty of parking as it is now and this would be supporting our existing congregation any way , we do have a future parking lot expansion in the plan if and when we built a future church.

Richard Harris: Where is the future parking?

Reverend David Hague: Let's see that row is not there, the outside row is not there

John Higgins: Ok our if your doing anything on site over one acre then you would have to meet the present day requirements as far as storm water things like that correct Board? Why dont you jump in

Joe Romano: Yes that's correct if they were going to disturb more than one acre based on whats being presented tonight it does not appear that they are going to.

John Higgins: Thank you.

Don Roberts: ok well we will need a public hearing on this so we will schedule a public hearing for June 11th

Marcel Nadeau made a Motion to set a Public Hearing for June 11 2018. Michael Ziobrowski seconded. Motion Carried , Public Hearing set.

**18.081/18.082 Curvy Girls Food Truck & Catering, 1541 Route 9 (Lindsey's Country Store)
- Site Plan & Sign**

Heather Valade: Good evening my name is Heather Valade I actually reside in Schaghticoke NY but I am looking to put my food trailer on Lindseys Country Store ,their vacant lot right on route 9 next to Wal-Mart, and I will let my husband take over because he knows this stuff

Brian Valade: Hi Im Brian Valade I also live at 805 Old Schaghticoke road, is there any questions by the Board about what we are looking to do.?

Don Roberts: Describe what your plan is

Brian Valade: Our plan is to place an 8 x 28 referrebed office trailer which we referrebed into a food trailer onto a vacant lot at Lindseys country store, we would like to place approximately 10 picnic tables and unfortunately the site plan only showed 6 parking spaces we would like to up it to 10 parking spaces for the number of people that would be there. We would be pulling the trailer on and off the site as festivals are needed at this time we are looking at closing around November weather permitting, if weather is good we would like to stay open longer the site already has an existing septic system on it I know it says a proposed tank to be placed but there is already one onsite.

Marcel Nadeau: Ok can you explain what type of food you will be serving?

Heather Valade: We will be having burgers, hot dogs, breakfast egg sandwiches, breakfast quesadillas, something for quick our main focus would be lunch time, I know some of the construction people they usually dont have lunch until 9 or 10 o'clock but they would still like breakfast so I still give them that option, 2 desert items not much everything is pretty quick and grab and then the guys can go back to work

John Higgins: How many employees will there be other than yourself?

Heather Valade: Three people on at all times, thats how we best work when we did our festivals , for people to get in and out and they were able to go back to do what they need to go do , go to work or any of the festivals

John Higgins: Ok so you need three spaces for employees?

Heather Valade: Yes

John Higgins: Ok thank you.

Rich Berkowitz: So you just back it right in?

Brian Valade: Back it in set it up on A-Frame stands and we go

Rich Berkowitz: Do you have rest rooms or...

Heather Valade: We will be having two porta-a-potties brought in one that is handicapped and then one that is regular.

Don Roberts: Just to back up, Rich we have Lindsey's approval on this right?

Richard Harris: Yes and we have the owner here

Don Roberts: Ok thank you, just making sure.

Mike Ziobrowski: And you are prepared to have the health department look at this for approval?

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Brian Valade: Actually we have already been inspected by Schenectady County for our one Festival and passed with flying colors.

Mike Ziobrowski: Ok

Rich Berkowitz: So how many times a year is this trailer coming in and out

Heather Valade: I would prefer to only move it once a month, as I get closer to Fair season I will be at the Schaghticoke Fair but not that much, I would like to try and stay established as much as I possibly can I don't want to keep moving it.

Rich Berkowitz: Do the tables have umbrellas?

Heather Valade: The tables do not have umbrellas but I would be

Rich Berkowitz: No, no it's just a personal choice if your not there then you will probably have to remove the umbrellas

Brian Valade: The tables don't have umbrellas

Marcel Nadeau: Im sorry did you mention the hours of operation?

Heather Valade: Oh Monday through Thursday it will be 9am to 3 pm on Friday it would be 7 to 4pm and on Saturdays it would be 9 to 6 , closed on Sundays.

Tom Werner: For those times when you take the trailer to a Fair or some event how will you notify the public , because it is a very busy road route 9 its congested and people may be coming to look and your not there surprise

Heather Valade: Absolutely I would be placing a sign on the sign that we would be having out front as well as having a sign on the trailer and then as well as letting them know on our Facebook page

Tom Werner: Do they need approval for that sign from this court?

Don Roberts: its going to be put on their regular sign, that's a temporary sign when they are closed so they don't need approval on that

Tom Werner: And it will go where?

Don Roberts: On the permanent sign right?

Heather Valade: Correct

Tom Werner: Oh ok.

Rich Berkowitz: Are you going to be attached to the Lindseys sign or a separate sign?

Heather Valade: Separate sign

Lyn Murphy: Based on what the applicants are saying, because your more permanent than a typical food truck would be I would advise the board that a full site plan review should be done again based on the fact that its not temporary in the traditional food truck manner, however as its been made clear right now they do plan on moving it at least once a month so I think the Board would be with in its discretion to award a temporary change of use that being, allowing them to operate until whatever date the Board deems appropriate and pending that time continue with the full site plan review process it sounds like it is going to become more and more permanent as you become more established.

Marcel Nadeau: So you are saying for this season more of less we create a temporary?

Lyn Murphy: I wouldnt even do the whole season, I would just give them a temporary, because the site plan review process is going to take more time than the change of use so if we did the full site plan they wouldn't have a business this season so I think your legally with in your parameters as dictated by the local law to do a temporary change of use at this point, on the condition that they obtain a full site plan approval prior to what ever date you guys set.

Don Roberts: So approval will be contingent on a full site plan approval.

Lyn Murphy: Yes

Richard Harris: Yea I just want to add to that given the timing of two items one the Board mentioned in the pre-meeting the idea of maybe having the Fire department taking a look at it and a site plan review because of its location on route 9 would require County Planning Board review and they dont meet again until the third Thursday in June so if you decided not to grant them some type of temporary use they are looking at mid July of starting up so in other words we would need at least a month until your second meeting in June to get those proper reviews done, in my opinion , we could plan to have them back for the Site plan process, continue that if you were to approve them for I would say at least to get you through that meeting for a change of us like Lyn said

Don Roberts: But if we do a temporary change of use they can get going right away. Ok

Brian Valade: Ok

Rich Berkowitz: What do we put on that temporary use until we approve it or deny until we can vote on it?

Richard Harris: I would say until the June 25th meeting and if for some reason we need more time you could consider extending it for arguments sake say the County has a full agenda and they put it off, it never happened in my 5 years but I would say at least until the next meeting, knowing they are good to get going until June 25th and come back that night for site plan.

Rich Berkowitz: You can't serve with out Health Department correct.

Heather Valade: Correct and I have already put a phone call in and I am just waiting to hear back from them.

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Don Roberts: We have to make it contingent on receiving a site plan approval, no no but contingent on receiving a site plan

Marcel Nadeau: That's what you said right

Rich Berkowitz: I make a motion to make a temporary Approval for Curvy Girls Food Truck Change of Use/Tenant & Sign application until June 25th 2018 contingent on Health Department. Tom Koval seconded. Motion Carried

Richard Harris: And that is for both the sign and

Rich Berkowitz: I just have one question the port o potties how far away from the trailer do they have to be?

Brian Valade: Im not a 100percent sure where

Rich Berkowitz: They have to be some certain distance from the trailer I would think,

Heather Valade: Yes Im assuming at least

Brian Valade: I would assume I would have to put them behind the garage.

Rich Berkowitz: im going to put the motion contingent on approve port o potty site distance from the trailer.

Rich Berkowitz made a Motion to make a Temporary Approval for Curvy Girls Food Truck Change of Use/Tenant & Sign application until June 25th 2018 contingent on Health Department and distance of port o potties from the trailer. Tom Koval seconded. Motion Carried

18.073 Halfmoon Commercial, LLC PDDm Route 146(former Pino PDD) - PDD Recommendation

Jason Dell: Good evening my name is Jason Dell I am an Engineer with Lansing Engineering here on behalf of Abele Limited Partnership for the Halfmoon Commercial PDD, also here with me this evening are Wendy Holsberger the traffic engineer as well at Abele the applicant, we are here this evening on referral from the Town Board for the project was received well by the Town Board and we are here this evening to request a positive referral back to the Town Board for the PDD proposal. So brief history the former Pino PDD is located along route 146 and that PDD was approved back in 2007 just before the recession and the applicants went through great lengths to obtain a shovel ready certification for the site and they had marketed the site heavily and unfortunately the development did not advance at that time and the PDD approvals subsequently have expired. So the applicants are confident in the project advancing and we are here at the Town requesting a re-instatement or re-approval of the PDD. So the proposed PDD encompasses a little over 65 acres and the uses for those PDD's for the original PDD as well as for the current PDD are for commercial and light industrial uses there are no changes to those proposed uses from what the original PDD had in place and the applicants are anticipating upwards of 500,000 sq ft of business area and the new PDD language is based upon and is hinged off the original Pino PDD legislation with several amendments to that

legislation the first of which was for the open space and buffers have been re configured the original PDD called for a significant amount of green-space about 200 ft along route 146 for the proposed PDD we're looking at shortening that up to 100 ft. from 146 give the project a little bit more visibility and viability, and we are also , the project has removed and eliminated public benefit of, it was a fee of \$ 75,000.00 as a public benefit fee for the project and we have also eliminated the total number of lots for the project, the project specified about 5 lots for the overall PDD however for the new PDD they're looking to basically have the flexibility in the number of lots that are actually allowed there, there could be multiple users and multiple lots with it with in the PDD so for the proposed road layout ,the proposed lots tenants and site plans all would have to come back before the Planning Board at a later date for a review by this Board at that time, so we are acknowledging that from the get go and we do feel that the PDD there is a benefit for the PDD and it does provide commercial growth and uses in this area along route 146 as it comes down the hill down towards Mechanicville and it contributes to the various GEIS fees the traffic mitigation fees the park and recreation fees, so we are here this evening to request a positive recommendation back to the Town Board for the project so we can advance the PDD language with the Town Board and ultimately come back before this Board with Site plans for the individual lots with in the PDD.

Don Roberts: Thank you Jason, now we all agree this is a new PDD we are starting over again correct?

Jason Dell: Correct

Don Roberts: That being said there are certain concerns about the public benefits that are being offered, just so you are aware of that.

Jason Dell: Understood

Don Roberts: That being said anyone any other comments by the Board?

Marcel Nadeau: Yea I think also I dont think at that time the traffic out of Mechanicville Stillwater area is as bad as it is currently, I dont recall currently what was proposed at the top of the hill but as you know what that is its a tough situation.

Jason Dell: Wendy is here this evening she can expound on it.

Marcel Nadeau: Im sure there will be no problem but

Wendy Holsburger: from BSB in the original study it was completed a traffic study for the original PDD that was done in 2006 , for that the recommendations were for a left turn lane at the site as well as at some point a traffic signal . in 2009 there was a lot of back and forth with DOT regarding kind of trying to estimate the phasing of that knowing that you dont necessarily need the turn lanes and the signal right off the bat and trying to kind of come up with some phasing plans and there were several letters back and forth about that you know we agree and we have done a little bit of work with the applicant kind of behind the scenes the last couple of years actually as he has thought about coming back and progressing it again , exactly what your saying is that you know thing have changed the turn lane , their guidelines their based on probability and statistics although they are certainly you know we need to look at that again and kind of come back with a phasing plan but we do still think the ultimate mitigation will be the same and that was kind of tied in to the Clemente parcel so it was put in that

once we put a left turn lane in and we put an opposing left turn lane in obviously that may or may not make sense any more so you know we agree there need to be some updates.

Tom Werner: So at some point you would do an update to the traffic impact analysis when you come back

Wendy Holdburger: Right yea kind of re-do with some more recent volumes and kind of looking and kind of the focus of that study previously was right at that main access, again we are assuming the over all litigation will be the same and we will present some type of a phasing once we get the potential lots and growth yea so we will provide some updates.

Don Roberts: How many lots are you proposing?

Jason Dell: Right now we are only showing one lot however that would be market driven in the future as different entities were identified we would be back before this Board for modifications to the site plan or subdivision at that time.

Tom Koval: I feel as though I would like a little more of a comprehensive idea of what's being planned here, you're taking a lot off the table and benefits and everything else that you are claiming are actually necessitates for this project , my personal feeling is we are being asked to give kind of a carte blanche ok with out a true idea of what you have in mind , every other project we have moved foreword with a PDD recommendation we've had something to look at with concept of what's going to be done, a firmer idea of what the public benefits would be , traffic based on your layout, Im not opposed to the project I just need more information to make a decision on it.

Don Roberts: I agree because you want a Public Information Meeting but there is not much information to present to the public at this point, I dont think we are anywhere near ready for a public information meeting.

Ed Abele: Well I think one of the things that has happened is over the last 10 years we've tried very hard to get this site off of the ground and my understanding is at a Town level, at the Town Board is still very supportive of this type of business use for an area so we feel we are still very much in sync with that but once we secured approvals many years ago we went to the next step and put in enormous amount of effort in getting shovel ready service and got really no positive benefit for that effort and it was a monumental effort and we are hoping that through the passage of time and getting a little bit more flexibility in our design that , that will help us get this off the site , get this project going one of the things in particular the set back we are hoping that if we do this building our first building having it a little bit closer to the road that will help mark the site and grant a little bit more flexibility, the other thing is on the original PDD they had a five lot maximum which we dont feel thats in sync with the market place, we have many community users who may only want 2 acres so you could see if you start at the site marketing in that direction and you only had a maximum of 5 lots that it really wouldnt work very well so you know perhaps we could put some greater maximum limit on something like that but I think the point is having greater flexibility we feel will try to get this project going and then one dramatic thing that has happened over the last 10 years to the point about the public benefit is when you look at the cost of the required road improvements and this is going to be required of NYS DOT its not like we will really have a say in this matter we'll be doing turning lanes we'll be doing a traffic light its extremely expensive to do this , what happened 10 years ago or what could have happened 10 years ago would have been a lot more affordable so having these enormous costs that will be looming

in the future plus having to pay public benefit of what ever it was in the legislation we just dont feel its appropriate. We're of the belief that the actual creation of the jobs and all of the infrastructure with it that is an appropriate public benefit.

Mike Ziobrowski: I'm going to go with what Tom said you know you were talking about the area has changed dramatically in 10 years the traffic has changed dramatically in 10 years so I think we've got to you know apply for a new PDD and review it before we can set a date.

Tom Koval: With the turn lanes and all those only really benefit your project so I still , the jobs yes benefit our area but turn lanes and money you have to put into infrastructure thats for your benefit thats not for the Towns benefit.

Ed Abele: Well not totally, there's the Clemente PDD across the street too which basically has not done anything either so it's not soley our project

Tom Koval: So it's someone else's private benefit

Ed Abele: Well I realize that but the cost of doing these improvements can be staggering

Tom Koval: I'm well aware of it

Ed Abele: Right so we just want to make sure that having some experience in this that we dont get in over our heads where we are upside down and we dont do a good job at building this project out because we didnt look at the financial feasibility of things

Tom Koval: We need more information I'm looking at a drawing I'm not seeing how many acres is build able how much is wetland how much is slope you know your asking for more lots and I have no idea what the build able space is on this property

Ed Abele: I think we have the build able site statistics actually

Tom Koval: We have almost nothing in our packets

Jason Dell: No we've got of the 65 acres 17 acres of it is quality usable space and there is actually 48.3 of net usable space up there, so there is quite a bit of this parcel that is viable build able land

Tom Koval: I would like to see some type of concept come in front of us and give some thought to the public benefit before when you come back

Don Roberts: Like I said before it wouldnt serve any purpose to present this a public information meeting, it wouldn't serve any purpose

Tom Koval: We cant ask every other builder to provide a public benefit and then someone else come in and say well its bringing jobs to the area so we really dont need to give as much, the setback I have no problem with a lot of it I have no problem with I just need more detail

Ed Abele: Well I mean one thing we could do is we could show a plan on one possible way it could be subdivided

Tom Koval: Exactly what I was looking for and that's what all the builders do

Ed Abele: The thing that we just have to keep in mind is when we have a user approach us its not uncommon for them to say look we need to go to three to four acres or five acres, we've had small users, we are in contention on a project about a year ago where literally they may have taken half the site so you just dont know what's going to come our way

Tom Koval: I understand and as long as we know the total space and we can figure the total space your going to use for building we can adjust it, break it up per lot it doesnt have to be one 200,000 sq ft building it could be a lot of smaller ones as long as the flow and everything meets what we require when you come back in front of us but to have something to look at the potential lay out of the project it would help steer me in a direction to make a sensible decision

Don Roberts: We need some sort of game plan, this doesn't do it

Ed Abele: Ok

Marcel Nadeau: Going back to the traffic and the turning lane I dont recall the specifics but I guess my question is and I think it was in unison with both parties but should Clemente's not ever do anything what happens how does that road, that turning lane do you bear the cost and I dont recall what the specifics were

Ed Abele: I think either one of our, Wendy correct me if Im wrong, either project can trigger the need for a turning lane and a traffic light and we actually have an agreement that would be a cost sharing agreement but if one of those parties were to opt out it would most likely fall on the shoulders of one of one of the applicants

Marcel Nadeau: That's what I'm getting at so that is in the agreement?

Ed Abele: I think DOT will require what they'll require

Marcel Nadeau: I thought we went around with that before

Ed Abele: Right no we still actually have an operative agreement but the frustrating thing is you know this project and its past form it just hasn't gotten off the ground and not without a lot of effort, the other thing in terms of a public benefit, the Board should know this that public water has been brought to this site over a mile at a cost of about \$600,000, there were people who were along the route who had the ability to connect to that, that was shared between Bruce Tanski and Carl Clemente subdivision so that was a \$600,000 investment, certainly will benefit us but

Marcel Nadeau: These projects needed the water or they don't.

Ed Abele: They need it but people who benefit along the way and

Tom Koval: But Bruce used that as his public benefit for his projects, I'm sorry if you did bring it up before I dont recall that being a public benefit for these projects

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Ed Abele: Well there are people along that route

John Higgins: There are only two houses

Ed Abele: For now

Tom Koval: But once again Bruce needed that water for his and he carried it through as part of the public benefit of us approving his project so we can't keep using the same public benefit over and over.

Ed Abele: Im just saying it was funded in a joint way and its worth mentioning and its not the soul benefit but it's very costly.

Joe Romano: Just to clarify the extension of the water main for PAAR Estates the water main that we are talking about wasn't the benefit, the Cary Rd., there was a section on Cary road that was installed as the public benefit for PAAR Estates.

Don Roberts: Thank you Joe

Ed Abele: Yea it was around \$600,000 give or take it was a substantial benefit, there was some clearing I dont know if you noticed along the right away we were trying to improve visibility just trying to clean up the site a little bit better to attract interest and maybe with the economy improving the timing is right so

Marcel Nadeau: Im very surprised that you didnt do something prior to this time

John Higgins: Regarding the GEIS requirements I am a little confused are you going to make the GEIS requirements as far as open space and quality open space?

Ed Abele: Yes

John Higgins: And the reason you are going from 200 ft to 100 feet, I could understand on the rest of the frontage but right at that short stretch right along 146 its..

Ed Abele: Its a fair question and I think our rationale for that is one of the biggest things that we see that attracts interest is activity so if we position the building not next to the road but a 100 feet or so, we're hoping that, that is a stimulus to really get attention we've seen that happen a lot so we thought that was a more sensible having it a lot closer, 200 seemed a little overboard

Tom Koval: I agree with that too I drive by that site every time and I constantly look over because everything is se so far back on it

Ed Abele: One of the things that we could do I think might be helpful was to show a possible subdivision that might be 6 or 7 lots and then maybe show something that might be a little bit more dense so that the board could have a flavor of that, we just dont know what users requirements there will be.

Don Roberts: Good idea

Ed Abele: Its easy to put together, the position of the road is actually in a very good spot to allow the best utilization of the site so we will do that we will look at the public benefit as well and try to come back

Richard Harris: At one point there was a perspective tenant in building here if thats still possible and this Board may end up seeing that in a few months or so , think about how much you are willing to divulge at this time and maybe add that to the plan since thats still a particular , you dont have to divulge now

Ed Abele: There are people who have expressed interest in the site I do think the economy for light industrial type use are improving and I think the supply is perhaps dwindling a little bit so maybe its time has come we just want to try to support the project the best way we can and thats you know the PDD had expired anyway so we needed to come back and lets do a new PDD but the uses are essentially the same

Richard Harris: Can I just ask one more question, I apologize if I missed this is the road proposed to be a Town road?

Ed Abele: Yes

Richard Harris: Ok how long is that?

Ed Abele: I dont know

Jason Dell: Off the top of the head? We will have to get that information to you next time

Ed Abele: That's easy its got stationing and all that its ...

Don Roberts: Anyone else? Ok so we will see you when you...

Ed Abele: We will get that information

Don Roberts: Great thank you, thank you

Old Business:

18.071 Vara Corporation, 15 Solar Dr.- Change of Tenant

Christine Tate: Hello I'm Christine Tate with Vara Corporation at 15 Solar drive and we are requesting tenancy in the old PVA building. The change, it's not really a change of use it was manufacturing and we are doing light manufacturing and prototyping

Don Roberts: Can you explain that a little bit?

Christine Tate: Its a gun safe instead of being a box its a gun safe that basically mounts to the side of your bed and then you grip your weapon your in shooting position instead of the gun being inside of the box its on the outside of the bed , oh here if you want to pass that around.

Don Roberts: That's for the record, its all recorded

Christine Tate: We are doing light manufacturing we will be manufacturing probably no more than 500 units over the next six months after that manufacturing will move to a contract manufacturer.

Rich Berkowitz: Is the safety required to have it in that safe, is the safety required to be on when this is holstered

Christine Tate: The gun is not allowed to be loaded in our safe

Rich Berkowitz: It's not allowed, ok

Christine Tate: Correct

Mike Ziobrowski: You have three employees currently upon starting manufacturing how many employees do you anticipate having?

Christine Tate: We might hire a couple of more but we also have a different space over in Bizlab in Schenectady so the administrative people will go over there and we will still probably have three or four here in Clifton Park, Halfmoon

Mike Zibrowski: Ok so you'll stay 3 employees in the Clifton Park location?

Christine Tate: Yes we can manufacture those amounts with those employees we have.

Tom Koval made a Motion to Approve Vara Corporations Change of Use/Tenant application. Rich Berkowitz seconded. Motion Carried.

Don Roberts: is there going to be a sign or no?

Christine Tate: No sign

Don Roberts: Ok , thank you.

Christine Tate: Thank you very much

Plumbing Today, Inc., 860 Hudson River Road – Change of Use/Tenant & Sign

Matthew Ward: Matthew Ward with Plumbing Today. I'm the owner. Looking for a change of use....or change of occupancy, excuse me.

Don Roberts: And, what are you going to do?

Matthew Ward: We own a plumbing service company. We have about 17 trucks on the road, 4 separate trucks and about 3 dig crews that do residential and commercial sewer and waterline replacements.

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Don Roberts: Questions by the Board?

John Higgins: Hold on are you moving from a different location, or is this an additional location?

Matthew Ward: We are actually moving from Latham to here, to this location, but we are currently looking at another location also for a third location in Glens Falls.

John Higgins: Ok. Thank you.

Don Roberts: What are your hours of operation?

Matthew Ward: 7:00 a.m. until about 8:00 p.m.

Rich Berkowitz: Does that include emergencies

Matthew Ward: Yes, yes.

Don Roberts: Now, other than the trucks, there's no outside storage?

Matthew Ward: Just equipment, things like that. Dump trucks, trailers, ya know, vans. Not everything is back at the office every night usually it stays on a project or our service technicians take the trucks home.

Marcel Nadeau: So like, water heaters and things that you're replacing is not coming back to your site?

Matthew Ward: The water heaters do but they go in a dumpster.

Marcel Nadeau: I'm sorry.

Matthew Ward: The water heaters do, but they go in a dumpster.

Tom Koval: Tin dumpster

Matthew Ward: Yeah, tin cans, ya know.

Tom Koval: This is a pretty secluded site.

Matthew Ward: Yeah, we're up on the hill.

Tom Koval: Industrial area

Richard Berkowicz made a Motion to Approve Plumbing Today's Change of Use/Tenant application. Tom Koval seconded. Motion Carried:

Route 9 Self-Storage, 1751 Route 9 Rear – Site Plan (17.194)

Lyn Murphy recused herself

Jason Dell: Good evening, Jason Dell, Lansing Engineering, here on behalf of the applicant for the Route 9 Self-Storage project. We were most recently before the Board last month on April 9 where we went through the project. The Board still had some additional concerns and wanted to see some additional information on the maps as well as some renderings of what the facility's gonna look like from Chelsea Place as well as a couple of other items so, I'd like to just go through those items one by one in the hopes of moving the project forward this evening. first, the Board wanted to see some additional buffering in an area along the south side of the property so we provided on this plan here some plantings along that side we also revised the site plan to provide additional room from the property line to the gravel access around the building. Previously, we were about 9' off of the property line along here we've pushed that out to about 25' off of the property line, we eliminated this retaining wall along this edge of the property and project so now we've got a sloped hillside with plantings along there that were pushed away from the southern property line per this Board's direction. The Board also wanted to see vinyl fencing all the way around the project site and the applicant has agreed to vinyl fencing along the south side. However, due to safety concerns the applicant wants to be able to look into the facility and see into the facility to make certain that there are no illicit activities going on in there. He wants to be able to have the visibility to look into from his adjacent business. The hotel over here and see that there's no outdoor storage, that there's no vandalism going on in there. So that's on this, on the western side and along the northern and eastern side we are proposing the vinyl clad chain link fence with the slots along there and the reason being is that providing a true vinyl fence along here really doesn't serve any kind of a purpose because we've got about a 50' slope coming down into the property here. So, if you were up there you'd easily be able to see right onto the top of these buildings and adding a vinyl fence along this side would only add significant costs of the project as well as along the northern side here. We've got another about 40' slope here that would just look straight down into the facility either way so the vinyl fencing wouldn't serve any purpose other than adding significant costs there.

Don Roberts: Thank you for those changes. We appreciate it, but also we did ask if you had the information, how high are the buildings gonna be?

Jason Dell: That was my next point.

Don Roberts: Ok, thank you.

Jason Dell: The buildings are 19' 4" at their tallest point. There are sloped roof, however, the highest point is, as I mentioned, a little bit higher than 19'. We were also asked to provide an overall plan that showed that fencing as well as the easements and the existing easements in relation to the retaining wall and the proposed fencing. So up in the northwestern corner here of our site, you can see the existing easement that's currently in place for the Minetto parcel or what was previously the Minetto parcel we've got our retaining wall along here as well as the security fence that comes around the outside. So this is the area in question that you guys wanted to, or requested to see that all on one map we were also asked to provide a rendering of what the facility's gonna look like from Chelsea Place. Paul, if you could go back to the overall one there. Here's, here's looking from Chelsea Place onto or into the facility. Chelsea Place currently is about 12' higher than where we're proposing the bottom of the self-storage facility. So in essence, from the top of Chelsea Place what you are going to see is basically the upper 5-7' of those buildings coming off of that hill, so these are different views. Also looking from Chelsea Place is into the facility. This is looking from the hotel property into the facility

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as well as kind of an oblique view looking down from the hotel property. So that is what we envision the site to look like in the rendering that was requested.

Don Roberts: And there will be no outside storage.

Jason Dell: There will be no outside storage, correct.

Don Roberts: Thank you.

Jason Dell: And the reasoning for the fence so Tony can see that there's no outside storage.

Don Roberts: Ok. Thank you. Questions by the Board? Oh, you got more?

Jason Dell: One more Pointe.

Don Roberts: Well, go ahead.

Jason Dell: You guys had asked me to look further into the easement to the property to Vucetic And I did speak to the applicant with that further and the applicant is open to discussions with the owner of the parcel to the north the Veucetic parcel however, there has been no discussion from them requesting any kind of an easement. I spoke with Paul before, earlier today that there has been no application made to the Town yet for a project on that Veucetic piece. So the applicant doesn't want to just openly grant a cart blanche easement even for just emergency purposes without knowing what's going to be going on over there without any kind of a negotiation for an easement because that easement is not just as simple as granting an easement. As we've shown before on the site plan, there a retaining wall there. There's a 30' slope there that's gonna have to be pulled back. There's significant physical constraints to just providing an easement to that parcel, but he did indicate that he is open to a discussion with the landowners to the north and he isn't closed to the possibility in the easement but he cannot just grant an easement to them at this time.

Don Roberts: I agree at the applicant's concern on that. So, thank you.

Mike Ziobrowski: And you will have the easement, the maintenance of the easement between the swale. The base of the infiltration swale.

Jason Dell: That is correct. The applicant owns both parcels so that easement is very easily secured.

Mike Ziobrowski: Ok.

Don Roberts: You all set?

Jason Dell: All set.

Don Roberts: Questions by the Board? By the way, if we do approve this it gonna have to be contingent on the grading easement and the drainage easement.

Jason Dell: Understood.

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Don Roberts: Joe, ya got anything.

Rich Berkowitz made a Negative Declaration pursuant to SEQR. Tom Koval seconded.

Rich Berkowitz made a Motion to Approve the revised Site Plan for Plumbing Today, contingent on the grading and drainage easement. Tom Koval seconded. Motion Carried..

Jason Dell: Thank you.

Don Roberts: Thank you Jason.

Don Roberts: Next item:

McDonalds Remodel, 1487 Route 9 – Site Plan & Sign (18.048/18.054)

Don Roberts: Ok, can you get Lyn. Thank you.

Tom Koval recused himself.

Lauren Monagan: Good evening, Lauren Monogan from Boehler Engineering here representing McDonalds remodel. We've submitted a revised site plan where we have addressed the engineer's comments. We added some landscaping near the drive thru menu boards and also some additional signage to promote the one-way circulation on site. Those were the changes to the plan and I received the letter from the Engineer that they accepted those revisions. Is there any questions, I'm here to answer them.

Don Roberts: Joe are you all set on this? Questions by the Board?

Rich Berkowitz made a Motion to Approve McDonalds Site Plan & Sign. Marcel Nadeau seconded. Motion Carried.

Don Roberts: You waited all that time for that, see.

Lauren: Thank you.

Don Roberts: Take care.

25 Route 146 Duplex (Karam), 25 Route 146 – Site (18.004)

Mike Karam: Hello, Mike Karam.

David Vadney: David Vadney

Don Roberts: Go ahead.

David Vadney: So, we have an existing structure that we're looking to rehab into a two-family home. We're not changing the footprints. That's, basically, it's very simple.

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Don Roberts: Ok, well...you gotta have a public hearing on this, ok. But we don't have County approval yet. So we're gonna have to do this public hearing at the end of June. You can't do it next meeting.

Marcel Nadeau made a Motion to set a Public Hearing for June 25, 2018 for 25 Route 146 Duplex. Rich Berkowitz seconded. Motion Carried, Public Hearing Set. .

Marcel Nadeau made a Motion to Adjourn the Planning Board Meeting at 8:45 pm. Rich Berkowitz seconded. Meeting Adjourned