

**MINUTES MEETING  
Town of Halfmoon Planning Board  
February 13, 2017**

Those present at the February 13, 2017 Planning Board meeting were:

Planning Board Members: Don Roberts –Chairman  
Marcel Nadeau- Vice Chairman  
John Ouimet-absent  
Tom Ruchlicki  
John Higgins  
Tom Koval  
Richard Berkowitz

Planning Board Alternates: Cory Custer-absent  
Mike Ziobrowski  
Thomas Werner-absent

Director of Planning: Richard Harris  
Planner: Paul Marlow

Town Attorney: Lyn Murphy  
Deputy Town Attorney: Cathy Drobny

Town Board Liaison: John Wasielewski  
Jeremy Connors

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

*Tom Ruchlicki made a motion to Approve the Minutes from the December 12, 2016 meeting. John Higgins seconded. Motion Carried.*

**New Business:**

**17.017            Polished Nail Salon, 1581 Route 9, (Rekuicki Plaza) - Signs**

**Jared Delarty:** Hi I'm Jared Delarty from 3Designs Custom signs, here for Mrs. U, they're looking to replace what was existing signage for SHE Electric and the Cyclery and put in channel letters for the face of the building for Polished Nail Salon and to also replace the plaquered sign on the main entry sign with The Polished Nail Salon.

**Don Roberts:** Just replacing what's there already?

**Jared Delarty:** Right we would be replacing what was SHE Electric on the building which is already gone and then taking down a plaquered sign and replacing it with one that says Polished Nail Salon..

**Don Roberts:** Ok , thank you any questions by the board?

*Rich Berkowitz made motion to Approve Polished Nail Salon's Sign application. Marcel Nadeau seconded. Motion Carried.*

**17.016      Hudson River Road Self Storage, 423 Hudson River Road - Sign**

**Nick Costa:** Good evening Nick Costa from Advanced Engineering and the sign that is behind you is the sign that the applicant has installed at the site that's a self-storage facility on Hudson River Road.

**Don Roberts:** Ok thank you, any questions?

**Rich Berkowitz:** That's just replacing the sign that was there before wasn't it?

**Nick Costa:** No, this is a brand new facility and the sign was shown on the approved site plan and he thought that he could put up the sign, he didnt realize that there was a sign permit that he had to obtain.

**Rich Berkowitz:** Ok

**John Higgins:** It's within the height?

**Nick Costa:** Yes, 5 feet

*Rich Berkowitz made a motion to Approve the Sign application for Hudson River Self Storage. Tom Koval seconded. Motion Carried.*

**17.014      Mattress Firm, 1694 Route 9(The Crossings) - Signs**

**Don Roberts:** No one here? Ok we will put them at the end.  
No Show

**17.012      The Home Depot, 4 Halfmoon Crossing - Change of Use( Seasonal Outdoor Use)**

**John Grey:** How you doing tonight, same as always,

**Don Roberts:** You name please.

**John Grey:** My name is John Grey I'm the store manager at the Halfmoon Home Depot. Same as always we're just here to get permission tonight for our seasonal outdoor storage area, nothing's changed, same spot it's been for the last 7 years.

**Don Roberts:** Any questions? What's the time frame?

**John Grey:** We would like to start from the date of tomorrow through the end of August.

**Don Roberts:** August 31st?

**John Grey:** Yea we're usually done by beginning of August but we always ask for August 31st.

**Don Roberts:** Ok, any other questions?

**John Higgins:** Why are you starting tomorrow?

**John Grey:** We have a lot of trucks that are trying to come in with our mulch soils and getting ready for the season and our business is really expanded a lot over the last 3, 4 years so we're trying to make space in the parking lot.

**John Higgins:** Well between snow piles, piles of snow and everything else because you've never asked for this early a start before.

**John Grey:** Usually its around the beginning of March so we are looking for maybe 2 or 3 weeks early this year, and we do have room in the parking lot , we haven't received anything in yet we just want to be able to tell the vender yes its ok to bring it.

*Marcel Nadeau made a motion to Approve Home Depots Seasonal Outdoor Use permit For February 14, August 31, 2017. Rich Berkowitz seconded. Motion Carried.*

**John Grey:** Thank you

**Don Roberts:** Thank you

**17.015      Wal-Mart 1549 Route 9 - Change of Use(Seasonal Outdoor Use)**

**Rick Beaver:** How are you doing tonight I'm Rick Beaver I'm the co-manager over at the Halfmoon Wal-Mart we're looking to do the same thing the outside storage as the Home Depot same thing as last year. The plants will be out in front of the garden center and then soils and mulches will be out on the right side there, that black mark, that is nothing that was something an old store manager tried to put in, the fire marshal has approved everything with them traffic flows fine at this point with everything we are trying to do.

**Don Roberts:** And again your time frame is?

**Rick Beaver:** Time frame is March 1st until August 1st

**Don Roberts:** August 1st, ok questions?

*Rich Berkowitz made a motion to Approve Wal-Mart's Seasonal Outdoor Use application. Marcel Nadeau seconded. Motion Carried.*

**17.021      Lowe's 476 Rte 146 - Change of Use( Seasonal Outdoor Use)**

**Cynthia Robinson:** Cynthia Robinson Assistant Store Manager of the Halfmoon Lowe's we're looking for essentially the same thing just seasonal storage for outdoor garden products same as its been in the years past.

**Don Roberts:** Again your time frame?

**Cynthia Robinson:** We're looking to start the same as Home Depot as early as tomorrow through the end of August.

**Don Roberts:** Through when?

**Cynthia Robinson:** Through the end of August

**Don Roberts:** End of August, the 31st, ok. Questions?

**Marcel Nadeau:** I thought in the narrative we're showing September 30th?

**Cynthia Robinson:** Yea end of August would be sufficient.

**Marcel Nadeau:** I just wanted to clarify.

**Paul Marlow:** I dont know if you talked to the building department, I have some pictures here there is a few signs, the fire lane signs that are on the building apparently they have been faded beyond recognition and the building department asked that those be replaced as soon as possible.

**Cynthia Robinson:** ok

**Rich Berkowitz:** Also where they painted the stop bar where the intersection is, the paint has come off of that and its confusing the people in the parking lot so if you could either power wash that off of everything when the weather gets nicer.

**Cynthia Robinson:** ok.

**Don Roberts:** Anything else?

**Marcel Nadeau:** I make a motion to approve

**Mike Ziobrowski:** I second

**Don Roberts:** Contingent on those two signs?

**Marcel Nadeau:** Yes

**Mike Ziobrowski:** Contingent on the signs being that they have to be up by tomorrow.

**Cynthia Robinson:** Well we have to order it

**Don Roberts:** No no, well we have to give them a reasonable amount of time, but they know they've got to do it they cant just, give them like until...

**Mike Ziobrowski:** Understood, contingent upon the signs going up.

**Rich Berkowitz:** They can't paint over the parking lot until weather permits, and thats not going to be dry until maybe June when that snow melts.

**Don Roberts:** Let say June 1st how's that to get this done?

**Cynthia Robinson:** That works.

*Marcel Nadeau made a motion to Approve Home Depot's Seasonal Outdoor Use permit contingent on the two fire lane signs that are worn out are replaced.. Mike Ziobrowski seconded. Motion Carried.*

**17.018      Melior Innovations, Inc. 11B Solar Drive - Change of Tenant/Use**

**Marybeth Slevin:** Good evening, Marybeth Slevin here on behalf of Melior Innovations and Richard Lanstesper is with me as well. This is as you know an application for change of tenancy, change of use in the property there is no changes to the site plan the only changes would be literally for the change in the tenancy. The applicant, and Richard can speak to this better than I can, the applicant proposes to move it's business from Wilton, which is currently a

9,000 sq ft facility, it simply needs more space, they'll be taking a little more than 23,000 sq ft here, they currently have 10 employees the expectation is that they would increase that employment over the next three years at least to double and perhaps more than that. Richard do you want to talk about what Melior does.

**Richard Lansteser:** Melior is a technology development company, you could think of it as an incubator, except we incubate our own ideas, develop a product and commercialize that product through a subsidiary or a third party manufacturer. The sites not going to have large quantities generated at it , not going to ship large quantities, only shipping samples until the product is commercialized an then it will be manufactured somewhere else, locally or nationally.

**Don Roberts:** Ok, thank you. Any questions?

**Mike Ziobrowski:** So I know we talked a little bit about this before, we talked about as far as the product being produced you'd do that in a fume hood right?

**Richard Lansteser:** Yes

**Mike Ziobrowski::** And I had asked exactly what do you do with the air vapors that the fume hood itself is basically typically we have like 100 cfm fume hood air is taken up and then what are you using to scrub the air prior to it being exposed to the environment?

**Richard Lansteser:** We're permitted by the state to discharge that, generally speaking the products aren't volatile so there's very little emissions to begin with, at the end of the process there are some things like there are some vapors emitted, those are emitted directly into the atmosphere through the fume hoods

**Mike Ziobrowski:** Can you provide us, you know exactly what the byproduct is that comes from making your product so we know what is being emitted into the air?

**Richard Lansteser:** Yea the bi-product is methane and ethane, combustion by products, carbon monoxide, carbon dioxide, methane and ethane.

**Mike Ziobrowski:** So you can provide exactly what's emitted , some ones done like a fume hood analysis cause your just moving the facility correct so you've done , some ones done a sampling as to the air thats being borne upon?

**Richard Lansterser:** Yea I believe so sir, I believe so

**Mike Ziobrowski:** I think that would be nice to know exactly what that is and if you could provide that to the town so we know what the byproduct is I think that before we make an approval that we know what those chemicals are.

**Richard Lansterser:** Ok

**Rich Berkowitz:** Are all your gaseous solids and all your water waste has been approved by DEC and EPA?

**Richard Lansterser:** Yes, we're exempt from emission laws because we are an R&D facility, we are not a commercial manufacturing facility, and I mean we produce zero water waste.

**Rich Berkowitz:** Ok so nothing will ever leach into the ground?

**Richard Lansterser:** No

**Rich Berkowitz:** Ok

**John Higgins:** As far as the air emissions, no foul smells or anything like that, or anything the neighbors would be concerned with.

**Richard Lansterser:** No, Sir.

**John Higgins:** Ok, thank you.

**Don Roberts:** Ok, anyone else

**Mike Ziobrowski:** we can second it contingent on the samples we just want to know what is being born upon the environment.

*Rich Berkowitz made a motion to Approve Melior Innovations Change of Tenant /Use application with the conditions that they submit an air analysis. Tom Ruchlicki seconded. Motion Carried.*

**17.019/ 17.020      Movin Ads, 1604 Route 9 ( Shamrock Plaza) - Change of Tenant/Use & Sign**

**Rob Potter:** Hello Robert Potter owner of Movin Ads, and I'm opening a sales office on Route 9 just for sales no production happening there.

**Don Roberts:** Oh so we're not going to be seeing any of your trucks there with this changing advertising going on are we?

**Rob Potter:** I dont have trucks with changing advertising I have vehicles that will I will park a vehicle there , there will be vehicles up that have already been approved by the town, I'm personally going to be working out of that location as a sales office so I will have a vehicle there.

**Don Roberts:** Ok

**Tom Koval:** But it's a sales office your not going to be building signs, customers won't be picking their vehicles up at that sales office?

**Rob Potter:** We have a production facility close by

**Tom Koval:** We are just concerned we dont want to have customers vehicles basically be billboards, additional billboards for the customer on route 9.

**Rob Potter:** It will be my vehicles on route 9.

**John Higgins:** So it would only be one vehicle? You could only drive one vehicle at a time.

**Rob Potter:** Yea I mean, is it possible that somebody could stop over from my shop, in a very extremely rare circumstance. There might be a second vehicle there but it would be very rare for that to happen.

**John Higgins:** Well need to define exactly what is going on at that site, so if the codes people notice something other than what is agreed to they can site you.

**Rob Potter:** ok

**John Higgins:** So that's why we are asking the questions.

**Rob Potter:** I understand.

**John Higgins:** Also if that was just a garage that was used by Center for Security, are there restroom facilities in there?

**Rob Potter:** It's completely independent, yes there is heat, there's separate rest room there is separate water, separate electric.

**John Higgins:** Are you going to put any signs there?

**Rob Potter:** There's a small sign that will be over the door.

**Don Roberts:** 3 x 1.5 feet right.

**Marcel Nadeau:** It is my understanding that your vehicle will have a moving sign on it or not?

**Rob Potter:** I have cars that have a mobile billboard; it can have that, yes.

**John Higgins:** And where will it be parked, in the back by your office?

**Rob Potter:** Right if you look at where the building is yes that's where my parking is, you can almost kind of see that there is a cop car there now, that's the area that I'll be parking.

**Marcel Nadeau:** So your vehicle would not likely be parked out near the road?

**Rob Potter:** Out No, there's no parking there its all grass so, it would be in the parking lot.

**Don Roberts:** So you said this was an office for you?

**Rob Potter:** Right, this is a sales office right and I primarily do the sales but when I want to be specific, it's possible I might have an employee sitting there instead of me if I have an appointment.

**Don Roberts:** Yea, out concern is like we said; you're not going to have signs outside like customer signs outside waiting for pick up?

**Rob Potter:** Its not a facility for production at all, customers will pull in and I can't tell you that a customer may not have graphics on their vehicle when they stop.

**Don Roberts:** We are not worried about that, no but we are worried about you having signs that were made

**Rob Potter:** There won't be any production happening there.

**Lynn Murphy:** And no storage of previously produced signs waits for pick up? Absolutely not outside?

**Rob Potter:** No

**Lyn Murphy:** Absolutely none outside?

**Rob Potter:** Absolutely nothing outside, nothings gonna be stored there that is a customers vehicle that was done onsite.

**Lyn Murphy:** I didnt ask if it was a vehicle I asked if it was a customers sign.

**Rob Potter:** A customers sign, so...

**Lyn Murphy:** Yes , so we have had instances in the past I'll be very direct with you , where we have had signs up for months that you have saying we are awaiting customer pick up we are not allowed to do that at this site, so there will be no signs there awaiting customer pick up out front. Where ever else you want to store them is fine in the building.

**Rob Potter:** Ok.

**Don Roberts:** Thank you Lyn, anyone else?

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

**John Higgins:** ill second the motion with the stipulation that the only vehicle with a sign on it will be one vehicle, whoever is working at the site at that time.

**Rob Potter:** Ok

**Rich Berkowitz:** Unless a customer has a concern

**John Higgins:** No, no but a customer is not going to be there for 8 hours a day.

**Rich Berkowitz:** No but if a customer is stopping in and they have to have a sign on their side door they are allowed to park there.

**Don Roberts:** He can't control that,

**John Higgins:** He can control that

**Don Roberts:** No he can't control that

**John Higgins:** He can control the fact that he is not going to have a customer sitting there 8 hours a day.

**Rich Berkowitz:** How about not overnight?

**John Higgins:** You know again ya know we were asked to specifically define what this approval is for so that codes can enforce it if they have a problem. I am trying to do that and give limitations to the customer so he knows up front what he is dealing with.

**Rich Berkowitz:** But if he is meeting with somebody all day long and they have a side door sign or car door sign you can't control that. I agree I dont think it should be there day after day.

**Tom Koval:** I think we addressed it.

**Don Roberts:** I think they have nothing going on.

**Richard Harris:** What would be the longest time you expect a customer, maybe they had a decal put on and come to you what would be the longest they would be there at that shop to work out whatever it is, two hours?



**Rob Potter:** Yea , I cant ever have a sales meeting over, its really difficult to pin me down to say how long can a customers vehicle be there , I dont anticipate anyone meeting with me for more than 2 hours but can that happen ? I mean anything is possible, I've done design work that will take me a 100 hours and they may ya know its very unlikely that a customer will sit there while I'm doing that, but I mean in all likely hood most of my meetings are never more than an hour.

**Lyn Murphy:** I think the board is clear on the condition is that there is no storage of signs , customer awaiting pick up or customers on the outside of that site.

**Rob Potter:** Right.

**Don Roberts:** Ok, do you have a motion?

*Rich Berkowitz made a motion to Approve Movin Ads Change of Tenant /Use application contingent on the only vehicle at the business with a sign will be the worker on duty that day. John Higgins seconded. Motion Carried.*

**17.003/17.004      Hank Hudson Brewing Co. 17 Johnson Road( Fairways of Halfmoon) - Addition to Site Plan & Special Use Permit**

**Jeff Williams:** Good evening Jeff Williams Bruce Tanski Construction and Development I'm here with the applicant Mr. Bruce Tanski the owner of the property, I'm also here with Darren VanHughsen he is the proposed business owner and the head brewer of the Hank Hudson Brewing Company which is a start up micro brewery that wishes to become part of the successes of Fairways of Halfmoon. As you know the Fairways of Halfmoon has been operating an 18 hole golf course , a club house, restaurant -bar and a banquet facility since 1999 this is all allowed through in the AR-Zone , allowed through special use permit. The Hank Hudson Brewing Company will be in addition to the restaurant bar use and will operate under the same hour that is Monday through Friday 11 am to 9 pm. There will be 6 full time employees also 20 part time employees those are all associated with the restaurant and the proposed micro brewery uses. In order to provide the patrons of Fairways of Halfmoon a true micro brewery experience we are proposing on removing the existing 320 sq ft pro shop which is on the south east end of the existing building and then replacing that with a 1650 sq ft addition to house the Hank Hudson Brewing Company and then adding another 637 sq ft to that to put our new pro shop into that spot. The proposed addition will be built over existing disturbed areas such as decking, sidewalks, car paths, landscaping areas, it also causes a need to relocate our existing concession stand and it also does affect 5 existing parking spaces. The proposed micro brew addition will house the fermenting tanks that will be on display from the restaurant, the existing restaurant and the new brew facility it will have its own bar and a growler station and there will be a seating area with a fireplace to add to the brew pub ambiance. The proposed changes to the outside of the site will be new brick paved sidewalks , new landscape area , new decking., once again relocate a concession stand and then we will add an additional 19 parking spaces so that will be a net gain of 14 spaces to give the site a total of 204 parking spaces. There will be no disturbance to any raw lands or any additional paved areas will be tied into the existing drainage system. It is our belief this addition of Hank Hudson Brewing Company will not intensify the existing uses that are ongoing to the site but only compliment the successes of the operations at the Fairways of Halfmoon. Thank you.

**Don Roberts:** Thank you Jeff, questions?

**Mike Ziobrowski:** I'm going to ask another environmental question, so the mash that's produced from the by product of making the beer what are you planning to do with that?

**Jeff Williams:** Sorry what was that?

**Mike Ziobrowski:** The mash from the beer, the by product is it going to go into the sanitary storm system what is going to be made of the mash?

**Jeff Williams:** Compost.

**Bruce Tanski:** This is Darren VanHughsen he is my step son so he is going to come into business with me so Darren you can take over.

**Darren VanHughsen:** There are a lot of uses the grains could be

**Tom Ruchlicki:** Im sorry we are going to need your name and address.

**Darren VanHughsen:** Darren VanHughsen, my address Ballston Lake, the spent greens could be used in recipes it could be given to farmers for livestock and it could be disposed of, but going to a larger system we would probably try to find more environmentally friendly uses that just putting it straight into the garbage, it's a pretty typical practice with brewery's now.

**Mike Ziobrowski:** Right, I just want to make sure we are environmentally conscience with the mash that's being produced.

**John Higgins:** What type of license are you going to have for the brew pub?

**Darren VanHughsen:** Right now it's a brew pub restaurant brewer license and it will move to a micro brewery license, which will allow for off premises consumption and off premises distribution right now it would be only on premises consumption.

**Tom Koval:** So you're going to be selling retail if it's for off premises consumption?

**Darren VanHughsen:** The license does allow for that but that license has a very significantly larger capacity than this will even begin to approach.

**Tom Koval:** So are you going to be selling growlers to take home?

**Darren VanHughsen:** That would be one of the goals, because we think that the patrons that play golf would also like to take smaller growlers home.

**Tom Koval:** I'm sorry but in the narrative did you say this was going to be, you were also going to have a stand alone bar attached with this other than a bar for the banquet house and facility that's already there?

**Darren VanHughsen:** Yea that would be exclusively a growler station so the license law would only allow for Hank Hudson brewed beer to be served in the actual addition.

**Tom Koval:** So you can't sell it in the existing restaurants?

**Darren VanHughsen:** Well you can yes but technically the brewery would then have to remove it from the brewery and sell it to the golf course then the golf course sells it, but by definition the micro brewery license only allows for the consumption or the sale of beer thats brewed on premise or other New York State breweries, so its a function of passing it over to the next business next door.

**Tom Koval:** But you are going to have a stand alone bar now separate from the golf course?

**Darren VanHughsen:** Yes , its effectively a growler station what you would find in a tasting room brewery but a bar that serves alcohol no , wine no thats not allowed under the micro brewery license, it can only be beer brewed on premise or other New York State breweries.

**Tom Koval:** So its a separate brewery, its separate from Fairways of Halfmoon?

**Bruce Tanski:** Correct there will be no liquor served there, there will be no other beer served there and no wine.

**Tom Koval:** Right, but the micro-brewery or the beer you produce there is a separate entity from Fairways of Halfmoon?

**Darren VanHughsen:** Correct

**Bruce Tanski:** Correct

**Rich Berkowitz:** Are people allowed to go from one bar to the other bar with the beer or liquor?

**Darren VanHughsen:** Yes

**Bruce Tanski:** Yes

**Rich Berkowitz:** So you can mix but you just can't pour?

**Bruce Tanski:** Correct, I mean if somebody wants to order a hamburger or something they can order it from there and we would just bring it over, you're allowed to do that its part of the license.

**Rich Berkowitz:** Someone in the main dining room can come and get a beer and bring it back with you into the dining room?

**Bruce Tanski:** Correct, correct.

**Rich Berkowitz:** You just can't pour the beer in the old bar?

**Bruce Tanski:** Correct

**Darren VanHughsen:** He could if it was

**Rich Berkowitz:** If you had the tap set?

**Darren VanHughsen:** Yea, it becomes a relationship between one business and another kind of an awkward one I guess logistically but yes.

**Rich Berkowitz:** So how much is produced on premises?

**Darren VanHughsen:** The goal is to install a 10 barrel system which will brew approximately 300 barrels at a time yield, approximately 18 kegs at a time.

**Rich Berkowitz:** And how long does that take?

**Darren VanHughsen:** That is give or take a two week process, 6 hours of brewing , 10 days , 2 weeks upwards of 3 weeks maybe even a month for certain styles to ferment and condition.

**Rich Berkowitz:** Can this be tied into the golfing tournaments as far as serving?

**Bruce Tanski:** That's what we are trying to do; basically we are trying to become legalized bootleggers.

**Tom Koval:** I love the idea of it my only concern is, it doesn't fit into the original site plan for the golf course and the club house, I don't believe I would have to defer to Lyn on that but now you are opening up a separate bar on the site.

**Lyn Murphy:** I'm going to need to do additional research, when we initially discussed this it was my understanding that you were going to brew beer on premises for sale on premises period.

**Bruce Tanski:** Correct

**Lyn Murphy:** That's not at all what you are saying right now.

**Bruce Tanski:** But that's what we are doing though, but the license its hard to explain the license does allow you to sell off premises.

**Lyn Murphy:** He is brewing 18, why don't we adjourn to do some additional research and maybe we can meet and discuss it because this is very different than what we initially had discussed.

**Bruce Tanski:** Well, no its not because we're not going to sell off site, our goal is to do 30 barrels.

**Lyn Murphy:** He just said his goal was to eventually start selling off site

**Bruce Tanski:** With all the people in the golf tournaments we've got 535 people signed up so far for leagues so we are hoping that this situation where people will start buying the growlers and drinking it or taking it home.

**Lyn Murphy:** That's different than selling off site

**Bruce Tanski:** Right,

**Lyn Murphy:** And he said his goal is to sell off site.

**Darren VanHughsen:** The restaurant brewer doesn't allow any off premises consumption at all so a growler is not a possibility now, the micro brewery license then opens it up to a significantly larger , we are talking , I think its like a 750,000 we're talking true corporate brewers, so you go into a tasting room you taste it and then you take it away , this small facility technically falls under all those same guidelines which would allow for off premises consumption so if a golfer came and played and then wanted to take a growler away you have to be in that larger microbrewery license , it wouldn't allow for that under the restaurant brewery license.

**Lyn Murphy:** So what I just said is accurate? Yea there was no discussion about a complete separate bar, I just need to do some additional research because it was put forward as being serving a micro brew incidental to the use of the golf course as part of the restaurant and the bar in the golf course, now we're talking about an entirely separate facility.

**Bruce Tanski:** Right but it's not a bar perse' it's just a place where people can sit and drink the beer, they gotta sit someplace.

**Lyn Murphy:** No he is licensed to only distribute it right there at that bar, is what he was just saying.

**Bruce Tanski:** No we can serve it in the restaurant right?

**Darren VanHughsen:** Well it's, you can yes you can

**Lyn Murphy:** If you enter into a separate contractual agreement which he could then enter into any other restaurant or place in the community

**Bruce Tanski:** No no no

**Lyn Murphy:** Yes

**Darren VanHughsen:** That is true but that is a choice that you can make

**Lyn Murphy:** So we just need to clarify a little bit the scope of what you're putting forth before I can tell the board whether or not this is incidental to the primary use that of a golf course

**Bruce Tanski:** But I want to go on record saying that we dont plan on selling it any place but there.

**Lyn Murphy:** That's not in here anywhere so we will just have to clarify all of that.

**Don Roberts:** So you are going to adjourn all of this until you get more information right Lyn?

**Lyn Murphy:** I would request the board do so yes.

**Don Roberts:** Ok, yes alright,

**Bruce Tanski:** Thank you.

**Don Roberts:** Thank you

*The board tabled the Hank Hudson Brewing Co. until a meeting could be set up between the company and the town attorney to discuss what the scope of business the company wishes to pursue is.*

#### **14.129     Betts Farm PDD - Betts Lane & Hayner Road - PDD Amendment Recommendation**

**Gavin Villaume:** Good evening everyone Gavin Villaume with Environmental Design , here with Ed Abele from Abele Builders also along with Mark Migdolie with Creighton Manning he did the additional traffic study information so he , both those folks are here to answer any questions you might have later on. For tonight we really just are here to give you yet another update to the project as you know Betts Farm is a 236 unit residential PUD , or PDD we at the last meeting I think in November we had had presented the additional SEQR information studies that we were very actively investigating over the course of probably 2 or 3 months prior to that , the studies that we presented had things to do with like the steep slopes the surface waters , the impact to archeological sensitive areas , utility infrastructure those kinds of things and traffic was one of the items that I think the board had asked us at the last meeting to get some additional information on so Creighton Manning prepared 2 different assessments one being a site distance intersection study that really looked at one primary intersection that being the one down in the lower left hand corner of the map there at Hayner Road and that intersections site analysis was done and they found it to be acceptable it was somewhat limited so I think they had mentioned there would be some clearing, making sure that there is some kind of vegetation around the intersection and I think Clough Harbor after reviewing the site analysis or the site distance study had also recommended having an intersection warning sign installed as part of the detailed planning later on in the project. So that was the one study that Creighton Manning had to perform the other one was

some additional trip generation information again due to the fact that our project has changed since our original traffic study was done probable several years ago so we did update those traffic numbers based on the 236 units the trip generation ended up being 159 trips during the morning and 203 in the afternoon and I believe Clough Harbor has concurred with those numbers , there was also some discussion of the percentage of vehicles that would be exiting and entering from the subdivision and it turns out that the other entrance that we have on Betts Lane will have a little less traffic going on it there will be a little bit more going out to Hayner, I think that the numbers that we were talking about originally were 15 % of the total traffic that would use that driveway now we're up around 20 or 25 % of the traffic would be using that intersection. So I think it was really more or less just some additional traffic studies that needed to be prepared and I think that we are getting pretty close now to being at a point where we could do a public informational meeting for the project.

**Don Roberts:** Yes Rich.

**Richard Harris:** Don, before you had asked me to summarize a meeting I had with Ed Abele on Friday, so I appreciate you guy mapping this out , there is a lot of stuff going on in this general vicinity of town both being constructed and pretty close to constructed with a trail connecting town park , to parts northward and parts eastward to the Champlain Canal Trail and they mapped out over here just so you know is Swatling Falls part of the trail that has to be constructed is Swatling was constructed right along here recently ,the last Fall, I've been talking with the Abele's and Gavin over the last year or so this is a sewer line easement where the sewer line goes through , they mapped out for us potential paved trail connections here and then here along HOA property, one additional thing I saw Ed after you left the counter I know this is really kind of off the cuff you've got some HOA land to kind of bring it , I mean you've got options , there are other options to put in that road potentially up through here , through here , that connection there so if you could look at that .

**Gavin Villaume:** Yea we did look at it very briefly I forgot to mention it , yea we do have this pretty much set there is a wide open area here so we can pretty much do what we want with the trail through there, the real question will come is how do we connect this point to that point and there are really two options is to either take it through the HOA lands which sometimes dont always work out when you have trails behind homes so I think we might actually look at possibly doing more of a formal sidewalk along the edge of the right of way here and then back up to that connection point, we are not there yet.

**Richard Harris:** Yea I would just, that's a great idea, I agree with that cause there can't be conflicts.

**Gavin Guillaume:** There's conflicts yea.

**Richard Harris:** there are people who actually use them that are next to it but there is very often objections, if you're going to do something along the right of way I would encourage it to not be a sidewalk it would be the same type of width and material used for the trail

**Gavin Guillaume:** No it would be the same thing, multi-use trail whatever we're doing in this vicinity would be the same

**Richard Harris:** I think that would be great, that would be the most direct route too, if you just kept it along here, I say that because 10 feet behind me is the trails committee, I don't know if they've got their ear up to the door but certainly they would be excited to hear this cause this ultimate goal is to get to the town park somehow through the Champlain.

**Gavin Guillaume:** They must, right from the town park over there back over to, yup, yup. No we are all on board with that.

**Richard Harris:** Ok, thanks.

**Don Roberts:** I'm going to give you the bad news first I know you asked for a public information meeting you do know there's a traffic agreement hanging out there?

**Gavin Guillaume:** Yes

**Don Roberts:** Ok, we're not going to have a public information meeting until that gets resolved just so you know that.

**Gavin Guillaume:** We understand that, I know Ed do you know what the latest is with that? I think we are getting close

**Don Roberts:** We've heard that before.

**Gavin Guillaume:** I know, I know.

**Ed Abele:** Ed Abele, Abele Builders, there's a draft memorandum, I actually connected with Mark today on this very issue through a lot of cooperation with the town and also Creighton Manning Engineering we have a draft memorandum of Agreement that for the most part is finalized and the only thing we are trying to ascertain was the contribution amount more accurately we were trying to determine that more accurately and we are approaching DOT actually in December to get a better handle on the exact estimate cause it's going to be split several ways between , Bruce Tanski and ourselves and also Lou Licci's development, but the form of the agreement ya know we're there ,but really before we cut checks we really wanted to see what the real amount was so we are seeking some guidance on DOT from that, DOT sometimes has different ideas than what our design maybe, so we're there we're pushing that along as quickly as we can Mark I dont know if you have any sense as to when ?

**Mark McNully:** Mark McNully Creighton Manning we're sitting down with them next week to go over status of projects so we'll get a better sense at that point but we're hoping in the next couple of weeks we will see something but we're kind of holding it to their schedule.

**Ed Abele:** Yea and if it goes on much longer we will probably say you know we'll just sign the agreement and put our best guess because the allocation is pretty well determined if the number goes up and everyone has to contribute more then thats our problem so we understand that and we dont want it to delay anything more than need be we assumed we had a little bit of time because we had more work to do for Hayner road and the analysis that was recently reviewed.

**Don Roberts:** I just dont think its fair to the public to have a public information meeting without having all this resolved.

**Ed Abele:** Well Don thats a fair point I mean in light of that maybe we an accellerate the signing off on that again I dont really want it to delay anything, I dont know if it would be possible to set a meeting and then have that be signed in the next couple of weeks, I dont know.

**Don Roberts:** I think we better wait to just be honest with you.

**Gavin Guillaume:** You probably won't need us to request another public hearing you can do that at one of your other meetings, at the end of one of your planning board meetings.

**Lyn Murphy:** I think what the applicant is stating, do they need to continue to appear before the board in order to request the public hearing they've already requested the public hearing, your just waiting until you have additional

information, so this board does have the authority so as long as its at a public meeting to set the public hearing whether or not the applicant is here with us.

**Gavin Guillaume:** So at one of your normal meetings you can do it at the end of the evening or whatever you dont need us ok.

**Don Roberts:** I wouldnt say we dont need you but

**Gavin Guillaume:** Obviously if you want us to come to another meeting we are happy to but obviously we are just trying to expedite it.

**Ed Abele:** We are ready for the good news now Don.

**Don Roberts:** There is probably going to be a bunch of questions fired at you so let's see what happens here.

**Gavin Guillaume:** Obviously we would be more than happy to come to another meeting.

**Don Roberts:** That being said are there any other questions by the board.

**Tom Koval:** I just wanted to re iterate my concerns from the past , I'm still not crazy about the density of this project especially with the 4 units down at the southern tip I know we had discussed it before and you said you'd look into possibility of moving them away, I'm trying to alleviate some of the traffic from the Hayner road exit which now my understanding is going to be even grater than I thought it was going to be before , the project is very dense in my opinion , I realize the numbers all work but it's a tough pill to swallow for me with having all those 4 units down there.

**Don Roberts:** I have to agree with tom on that personally so.

**Rich Berkowitz:** I agree also I just want to ask you a question about the traffic study, was the corner of 236 and 146 involved in that little right hand bypass?

**Mark McNully:** Im sorry what was the question?

**Rich Berkowitz:** Was the intersection of 236 and 146 right where Toyota dealer is that included in this study?

**Mark McNully:** That was not included in GPI did the original traffic study for this and that was not included in this study, is that intersection.

**Rich Berkowitz:** Is it possible to see if there is a difference if you bypass if you get rid of that little bypass and put a right hand turning lane that is signalized, would that make a difference as far as gaps within 146 to help traffic down 146.

**Gavin Guillaume:** I thought that was the plan right weren't they talking about doing that

**Mark McNully:** At 236 and 146?

**Rich Berkowitz:** Is that part of this study?

**Gavin Guillaume:** The original one, the big study, that's part of the big joint study right?

**Marcel Nadeau:** Right but your saying with the traffic report that you just gave us did not include that intersection?



**Lyn Murphy:** Just, if we talk about because the issue with traffic for the entire area has been such an issue they did a overall study showing the impact of each and everyone of these developments on that intersection.

**Mark McNully:** It was done but just not a part of this specific one yes.

**Lyn Murphy:** So they just did an offshoot one because that intersection had already been studied as part of the other one.

**Mark McNully:** Yes and there was like 15 developments because there were so many other developments it was looked at independently of this specific study.

**Joe Romano:** And this study really focused on the Betts Lane, Hayner Road section, and site distance on those roads. The much larger project looked at the bigger roads like Route 236, Upper Newtown Road, that sort of thing.

**Rich Berkowitz:** But did that study also look at differentiating between getting rid of that little right hand bypass and instead put in a right hand turn lane that is signalized, if DOT would allow that.

**Joe Romano:** We proposed we'll call it phase II improvements are the much larger traffic improvements, include that right hand bypass and include a left turn lane from 236

**Rich Berkowitz:** No but I'm talking getting rid of the right

**Joe Romano:** Those rights turn or slip ramp or what ever you want to call it remains in the phase II but that was part of the study that was conducted with a number of different projects that had been reviewed and approved by DOT

**Rich Berkowitz:** So no one has looked at getting rid of the little slip ramp?

**Joe Romano:** That's not part of phase II

**Rich Berkowitz:** No, ok.

**Don Roberts:** Anyone else?

**John Higgins:** Something you just said so with this revised traffic study the Hayner road intersection is actually going to get more traffic than we originally thought?

**Mark McNully:** Yes that was the comment that was received at the last planning board was how much additional traffic so this evaluation did take a look at how much additional traffic would go to Hayner road and the delay increased by about 3 to 4 seconds I believe because the reshuffling of the internal site had pushed some more of the units down the sort of southeastern portion of the project so then those units would be more likely to access Hayner road therefore Hayner road and 236 would get a little more traffic and it results in about 3 to 4 additional seconds of delay, but it was still considered an acceptable level of service.

**Joe Romano:** And just to add onto that you know I think that you would assume either 20 or 25 %

**Mark McNully:** 20 %

**Romano:** 20 % our traffic engineers thought alright well lets be even more conservative and say 30 % of the traffic of this development is going to go onto Hayner road and they ran the analysis and it didnt change the level of service of Hayner road.

**John Higgins:** To what?

**Gavin Villaume:** It did not change

**John Higgins:** It did not change; I thought you said it did change

**Gavin Villaume:** It's a level service D

**John Higgins:** The trail within the boundaries of this development is that going to be owned and maintained by the HOA?

**Gavin Villaume:** It's going to be on HOA property so I assume so.

**Ed Abele:** That would probably be the plan.

**John Higgins:** Ok, but it is going to be open to anyone that wants to use it correct.

**Ed Abele:** The trail, what do we have in Sheldon Hills as far as access? I assume so but I will have to check on that, no its a fair question and I think thats the answer that there's not an exclusive use but I dont want to speak out of turn.

**John Higgins:** Ok and its not going to be extended along Betts Lane? So in other words someone would have to walk in the roadway from the town park up Betts lane to the beginning of the trail?

**Gavin Villaume:** We have not looked at putting in a multi use trail on Betts lane; we are making several improvements to Betts lane as we work on it and reconstruct the whole thing

**Ed Abele:** Betts lane is going to be reconstructed.

**John Higgins:** Well yea thats all I was thinking as long as your reconstructing the whole thing it would seem a lot safer to have a mechanism for somebody who wanted to walk from the town park safely and not walk in the roadway up to the trail , maybe you could look at that .

**Gavin Villaume:** We can look at it, we are putting a lot of money into Betts lane as it is so another multt-use trail, you're going to make those numbers go up.

**Don Roberts:** So the HOA will be fully aware that this trail is theirs and not the town's responsibility to maintain.

**Ed Abele:** Right.

**Don Roberts:** Cause we dont want the town getting phone calls from people saying hey fix this, right?

**Marcel Nadeau:** Addressing the site distance coming off of Betts lane going towards route 9 nothings being done with the barn with that being the site distance issue?

**Ed Abele:** No

**Marcel Nadeau:** Then come summertime or different times of the year when the wagons parked out there that's perfectly ok?

**Mark McNully:** well it's an existing condition that the applicant really has no control over.

**Marcel Nadeau:** Well it's existing now but a lot less traffic is coming out there now

**Mark McNully:** Right I, vehicles do pull forward to see around that now and they will continue to do that now and they will continue to do that it is what it is.

**Marcel Nadeau:** And how many vehicles are doing that now approximately?

**Mark McNully:** A hand full ya know you're talking about 5 or 6

**Marcel Nadeau:** And how many will be doing it?

**Mark McNully:** Along the order of 40 maybe

**Marcel Nadeau:** That's quite a difference

**Mark McNully:** Yes there will be more vehicles but they will be able to pull forward and see around them as they do today so.

**Don Roberts:** Anyone else?

**John Higgins:** I would just like to also add that I think that the density might be too high based on the road connections that you have, and ya know the 4 unit Scott added as a later date cause that was all supposed to be fields or a proposed school at one time so its just the intensity of the site is getting a lot more than what we had looked at originally.

**Gavin Villaume:** When we first started I think we were at 222 units, 223 something around there we were always over 200 units from day one, it went down to 206 because I think we were looking at a school and all of that but I think we started with 222.

**Marcel Nadeau:** And what's the number for a conventional subdivision?

**Gavin Villaume:** If it was done conventionally?

**Marcel Nadeau:** Conventionally

**Joe Romano:** Well I dont know that number I think we referenced a 130

**Gavin Villaume:** 130 maybe, yea we were up to something like that, 132 single families

**Don Roberts:** Anyone else? ok so you heard the comments , some good some not so good but I guess we'll leave it at the fact that once the town gets a fully executed traffic agreement then this board will set up a public information meeting and our planning office will notify you, fair enough?

**Ed Abele:** Yea, no that sounds fair and I think a lot of that can come together pretty quickly so I know our intention is to try to get back here quickly and by that time I think the trail stuff will be figured out and you know with the goal of trying to make something that would be palatable but we will get on that.

**Don Roberts:** Ok, alright very good thank you.

**Ed Abele:** Thanks bye.

*The board has tabled Betts Farm PDD until a full traffic agreement has been submitted at which time a Public Information Meeting will be scheduled.*

#### **09.024      Halfmoon Village PDD, 2 Beach Rd - Site Plan**

**John Montagne:** Good evening John Montagne with Greenman Pedersen Engineers and Gayle Krause is with me today also from Hipmo Beach Properties. Rich I'm going to go ahead as switch to the ok, so I'd like to just take a few minutes at the beginning of the presentation to go through a number of items that we have been working on with Clough Harbor in the review of this project since October, November I'm going to talk briefly about the hydraulic analysis that's the flood study, the planning profile for Canal Road, we have done site lighting, the offsite sewer, flow engineers report, pump station and other notes on the plan. We've done coordination for final edits for the overall utility plan including stormwater management, we have been asked to look at planting plans for each of the units we have that in here, we've coordinated all of our stormwater practices, groundwater verification was done, management practices have been coordinated then with Clough Harbor, probably the one that's the most important for the board to look at is the construction staging plans and erosion control measures, I know there has been some discussions about how the construction would advance but we think it's important and it's really important for stormwater management to show how this will be staged and built out. The hydraulic analysis, when you do a hydraulic analysis you look at cross sections through the river, when FEMA did their original analysis there were cross sections that are primary cross sections you'll see an AN, there's another one here, there's another one here, those are three sections that FEMA had done in order to make sure that our analysis addressed all of the impacts from building on the site. Additional cross sections were negotiated and discussed with Clough Harbor you'll see there is now a number of other additional cross sections that run through the site through the development zone, and the importance of that is at the end of the analysis you need to show in the floodway that there is a 0 rise the floodway if you remember is the line that runs through this portion of the site and then on the flood plane which is the area behind it you have to make sure that you don't have any increase to that of a foot or more. The results of our study show that not only do we not have a rise in the floodway but there is no rise in the flood plane either with the exception of an anomaly in here which was an eighth of an inch that showed up in the model but again much, much below a 1 foot elevation change. So based on that Clough Harbor agrees with us that the hydraulic analysis is complete and there are no impacts from flooding. I also wanted to point out that this section down here was cut through Canal road to show what would happen with impacts of any improvements that we do along Canal road. The Canal road section is a detailed cross section through the reconstruction of the portion of Canal road from the entrance of the property back to Beach road all of the work that is being proposed will be within the right of way, no impacts to the adjacent properties, the work that will be completed in that includes some very shallow grade changes along that to get that roadway up above the 192 with more than 50% of it up above the 193 that gets us to within a foot of the hundred year flood plane and above the elevation of tropical storm Irene which was the last big storm that came through here, in addition on that road our gravity sewer that is part of the mitigation on the property that will be built from here back to our pump station and then the pump station itself will be constructed as one of the very first items along with the sewer going all the way out to Grooms road. That infrastructure has to be in place before we can pull any certificates of occupancy obviously we need water and sewer and we've got natural gas that right now extends almost to the end of Beach road and that will be brought down this section of Canal road also. The profile section below was done to show where all of the utilities go and the alignment for those and we reviewed that all with Clough Harbor. A detailed lighting plan was requested also the great pattern that you see in the back if you were actually to zoom in on that, those are foot candle patterns of illumination levels within the project, as you get to the fringe of the project you want those to go back to 0 and in this particular case they all do. The black dots that you see are the main street lights there are some lower level pathway lights along the emergency access trail-way line here so that will be lit also. The buildings themselves it's hard to see in this drawing but each building has a number, each one of these has three lights on the back of each building which are building mounted for the residents and then we've also discussed with the review with Clough Harbor, that pathway lighting and landscape lighting is something the management company will probably include but that level of detail isn't needed for safety analysis lighting. As I said we've been in negotiations with the County Sewer Department, they have accepted our engineers report for the flows they have made additional comments on the design we have worked with them on the pump station design, the types

of pumps the **SCATA** system for evaluating and for monitoring, one of the first things that you will see and the reason I brought this letter is before we can advance any further they will need site plan approval verification from this board, so we are at the point right now that we had the off site sewer designed there will be one last bit of design that will be done for the force main with in the right of way that will require us to do an updated survey along that right of way to make sure we pick up all of the mailboxes and driveways and any changes that have happened over the past 3 or 4 years since our original design was done. There are a couple of other pages to this letter but what its basically saying is the county once they have their final drawings , engineering drawings are good to go with the off site sewer. Its a fairly complex site from a utility stand point so we worked back and forth with Clough Harbor to make sure that we had proper cover on all pipes to make sure that all of the stormwater practices work , part of the stormwater analysis that we just completed last fall included doing test pitting on the property and perk testing on the property to make sure that our infiltration practices worked and that we had adequate separation to ground water , that analysis has all been completed now and coordinated and we have a final sign off from Clough Harbor on that. As I mentioned one of the comments that had come back is individual landscaping plans for the three types of buildings that we have , we do produce these plans that show the plant materials the selection the locations and the quality of landscaping at a minimum that will be on each one of these buildings. And so now one of the more important aspects of what we have been working on is the staging of construction there is obviously a , I guess you would call it a caring capacity of how much you can build at one time and our intent is to build this in three stages and that allows us to look at storm water management and those stages and it also gives us a critical mass to be able to bring in and get our site stabilized and get our off site sewer line work going in and do the work that we need to do along Canal road to get our utilities in and also then we wanted to make sure that we included our clubhouse which you'll see here this is our clubhouse so our main drive will come in , our entrance staging will start here , the project will have most of its activities and fill in here, the existing restaurant sits right about here and the existing grove is here so part of our intent is the initial work will really give us the ability to do the demolition that we need to do on the property restore that right of way get our club house in , and get our other improvements going at the same time. Once stage I is built what the intent here has always been is that we will take a construction road and bring it across the back of the property so that the residents in this area wont be disturbed by construction. The staging area then for stage II will be back in here while this is all being built. The very large tree that is on the property sits right in here , these are small basins that are built in so that during construction erosion control is maintained, sediment traps are included in that , and all that will be restored again as you can see, over on the stage I side at the end of the construction for stage II. And then finally then stage III we will work from the back to the property and work our way back out with the last building being built out here once the construction entrance is no longer needed, and so that is the sequencing that is planned for construction. And so quickly to summarize these are the main areas that we have been working on with Clough Harbor , hydraulic analysis is now complete with a no rise conclusion , Canal road profile has been updated and completed , done extensive work with Saratoga County Sewer District including getting their conformation that they'll accept flows and are good with our design including the pump station design currently. We have made numerous plant edits and additions to the site plan drawings based on the town engineers comments, the SWPPP comments have all been addressed also from Clough Harbor and just finally construction staging is completed and we hope that that gives you a little bit better idea how all of this will come together, and so I'm hoping that we can get final comments from the board and maybe get final site plan approval tonight would be good.

**John Higgins:** As far as the staging you have to bring a lot of fill in are you going to be bringing the fill for stages II and III in at the same time as stage I?

**John Montagne:** No the staging the reason the staging is set up the way that it is is that it makes logic sense for us to be able to progress this way and so this staging will be bringing in just the material we need for each stage, there are some onsite knolls and other things that are in stage II and III there may be some onsite activity in those areas to take those knolls off and use that fill so we have less to bring in on stage I but no intent is not to bring in fill for subsequent phases with the first phase.

**John Higgins:** Ok and then as far as the off site sewer connections that your gonna have the property owners, is that just, is that any of the properties up front along that sewer line its commercial

**John Montagne:** No its not , the way that the PDD language was set up and its always been that way is that existing single family residential properties along their can tie into the sewer, so commercial properties other things you know the applicants not responsible for that , that was never part of the PDD.

**Rich Berkowitz:** Even if there is that duplex down there they can't tie in?

**John Montagne:** The single family properties list was all part of the package that went into the board any property that met that single family tax code is included on that list that's what the agreement is.

**John Higgins:** Why is it limited to single family?

**John Montagne:** That's what the Town Board at the time had requested of the applicant.

**Rich Berkowitz:** And if it's say a 2 family home and wants to tie in you won't let them?

**John Montagne:** I don't know that its us that would let them , the requirement that was put onto us by the town board was that existing single family homes along that route would be allowed to tie in and that if they had their plans in place we would make the connection for them, the board also said at the time anything that is a commercial venture say like a 2 family that could be a rental property should pay their fair share to tie in, and so if they wish to tie in they can go to the sewer district and ask if they could be tied in its just now the applicants responsibility to make that connection.

**Rich Berkowitz:** But if they wanted to pay to tie in they could?

**John Montagne:** They could go to the county and can request that, I can't tell you whether the county will agree to it or not that's not my call.

**Rich Berkowitz:** I just have another question, now you're going to stage the fill that's going to come in here for I, II and III now there's going to be pictures taken of the road and if there is any damage you are supposed to fix that damage?

**John Montagne:** Correct we are going to video tape that with the highway superintendent in advance and we're also as part of the PDD language we have a requirement to meet with him and discuss his preferred haul route and make sure that we have that done.

**Rich Berkowitz:** Now does this happen after stage I and after stage II and after stage III or only after stage III, because what if there's damage done after stage I you have to repair that prior to stage II?

**John Montagne:** What it says in the language is that we will video tape the road to determine its condition

**Rich Berkowitz:** I know what it says but my question is

**John Montagne:** I just want to finish what it says because what it additionally says is that during construction any damage or decay of the road will be repaired as it goes along to maintain it in a useable condition at least the standard that it is now, and at the very end that's when the surfacing would take place.

**Rich Berkowitz:** So if there's damage to the road in the middle of stage I next day or within that week that roads going to be repaired? How quickly does that get repaired?

**John Montagne:** Well I can't say within the next day or I mean it would be in a reasonable time obviously this time of year if you had a pot hole you could do some earth repairs and some cold patch on it but you couldn't do a permanent repair after the weather gets better. The intent is to make sure that the road stays in a very usable condition as it is right now.

**Rich Berkowitz:** And who makes that determination you or the town?

**John Montagne:** It would be with the highway superintendent.

**Rich Berkowitz:** Ok

**Mike Ziobrowski:** My question has to do with the SWPPP plan, I looked through the plans here I don't see anything in the plans in regards to like a wheel wash down station prior to the trucks going out on Canal road what are you going to do to minimize dirt.

**John Montagne:** There are both, there are concrete wash out stations which is your wash area and you have track pads and other thing and you have a requirement on SWPPP for that.

**Mike Ziobrowski:** We are talking about washouts for concrete truck and that's trucks wheels just like any truck that will be bringing in fill will have latent dirt, mud ok and those don't get washed out in a concrete wash out so the question is what are you going to do are you going to bring larger size rocks in to break down what you have

**John Montagne:** Well you have a very large tracking pad that you have when you come into the site, and you come in and out the same area, on the plans themselves the soil and erosion control notes on the plans there's discussion about the trucks being cleaned prior to going out on the road and it will be the contractor's responsibility and means and methods to make sure that those trucks do not track, there will be SWPPP inspections cause it's required there will be weekly inspections and there will be inspections after any rain storm by an independent engineering firm for SWPPP review, Clough Harbor typically does a lot of this themselves and so they'll the contractor will be on notice all of the time to make sure that his trucks are kept clean.

**Paul Marlow:** Are you guys planning on having a construction entrance as recommended by the Blue Book, like a #4 stone construction entrance?

**John Montagne:** Yes that's on the plans, and all the details for that are on the erosion control details and they are all noted on the and the NOI is also listed on there and the town is an MS4 so there are other requirements.

**Mike Ziobrowski:** So one of the requirements we asked as additional precaution last meeting for a neighborhood development that was going up was that as part of the SWPPP that they would clean the road on a daily basis

**John Montagne:** With a sweeper

**Mike Ziobrowski:** With a sweeper, I thought that, that was a fair request.

**John Montagne:** Is that part of the SWPPP currently?

**Paul Marlow:** As John said they do weekly inspections that I get every single week I don't know who will be doing the inspections for this I keep track of everything I send notes almost every week to almost every single developer that there's roads that need to be swept and construction entrances that need to be repaired so for the most part I stay on top of that as much as I can but if roads are dirty or John Pingelski's telling me there's an issue I'll generally reach out to first line would be the inspector if that's not working I try to reach directly out to the property owner or construction manager to see if they can go to the root of the problem and get it fixed.

**John Montagne:** Ok, right, I mean the stormwater monitoring part of construction now has become very, very regimented and very detailed and that's why we have that on our drawings and that's why it's part of the NOI now it's a very robust document that has to be signed and sent to both the contractor and the town as the MS4 has to sign off before it goes to the DEC, and all of that information is in there. The inspector is an independent inspector so it's not GPI it's not necessarily Clough Harbor

**Mike Ziobrowski:** It's someone that's certified

**John Montagne:** Someone that's certified yes, it's either got to be an engineer, a landscaper architect or a certified soil inspector.

**Rich Berkowitz:** And this project is being bonded to insure its completion or to ensure that it's replaced to its original form if something happens?

**John Montagne:** Yes per town standards, whatever the town standards are for that or whatever the county standards are yes.

**Rich Berkowitz:** And I might have missed this during the presentation but the sewer line and the infrastructure's gonna be constructed prior to when a construction is done on site besides fill work?

**John Montagne:** No, it would be at the same time

**Rich Berkowitz:** So the apartments are going to be built at the same time the sewer line is going to be built?

**John Montagne:** Well the whole idea would be that the apartments would be completed and brought on line at the same time that you know, the sewer will probably take less time to build but they will start at the same time, you've got to build your pump station, your offsite sewer lines have to all go in, it all has to be up and running before you can even put your first unit up for even to look at it for a model home or model unit so we have to have that in place before we can get a c/o or even a temporary c/o water and sewer.

**Rich Berkowitz:** So say something happens with the sewer line and you have to stop construction and you have a semi completed apartments what happens does the bond take care of getting rid of the apartments and restoring what was left before hand, or applying it to what it was before?

**John Montagne:** Well I'd have to go back and take a look at what the town regulations are as far as your bonding goes but the intent would be that you have a restoration bond if that ever happens yes.

**Rich Berkowitz:** And you have that restoration bond?

**John Montagne:** That's part of the contract with the construction company whoever's going to do that, as the engineer I don't get involved in the bonding but the bonding would be something that happens with in the building dept as you go through building permit review.

**Rich Berkowitz:** Ok

**John Montagne:** Ya know just one thing that you should note is that we're going to get through site plan approval now we still have to finish the design on all of these buildings and get them through building dept review to even get the first building permit, the sewer is so much further along the only thing we have to do now is wait for some better weather so that we can survey the off site sewer route and finalize the force main I would think that one of the very



first things that does happen in the summer will be starting that sewer route to get that done while the weather conditions are good.

**Rich Berkowitz:** This is our last time looking at this so I just want to know.

**Lyn Murphy:** Just so this board is clear the PDD has language at the end that allows this board should it deem it necessary to set forth bonding requirements for the various stages of the process. So it is possible that if a difficulty arises this applicant would be back before you simply to set those bonding requirements.

**John Montagne:** Trust me after all the time and money thats been invested in getting this to this point I dont think that this first phase will ever be an issue thats for sure or this first stage, we'll want to get that sewer in and we'll want to memorialize that and get that work going and move this onto the next level.

**Tom Ruchlicki:** Do you have a guesstimate, I know your phasing it but do you have a guesstimate of completion?

**Marcel Nadeau:** Each one of these stages will take roughly a year to get through it so you're looking at a 3, 3 1/2 to 4 year period, depending on how long it takes to get building permits and keep all that moving.

**Don Roberts:** Anyone else? Joe got anything, you satisfied?

**Joe Romano:** Yea I think John summarized our reviews of those questions and they addressed all of our concerns.

**Don Roberts:** Ok, Rich, Paul?

**Rich Harris:** I dont mean to get, the county had approved, the county planning board, the accounting for the site plan , with similar comments from when they made the PDD recommendation and all of those thing s had been reviewed by Clough additional analysis onsite engineering and drainage , traffic so there's nothing else on our end that we're looking for.

**Don Roberts:** Lyn?

**Lyn Murphy:** We are no longer, we have all the information that we need, the town board did everything that they needed to do

**Don Roberts:** That being said do I have a motion?

*Tom Koval made a motion to Approve Halfmoon Village PDD's Site Plan. Tom Ruchlicki seconded. Motion Carried.*

**John Montagne:** Thank you very much.

**Don Roberts:** Now that being said I would like to make a comment for the record , you and Gayle know all too well that this went on for years and this board wasn't happy with the density we went back and forth and back and forth , it was determined that this was a unique piece of property in town so the higher density was granted I just dont want this approval to be a model for any future developers that think they can come before this board and request higher density than what is typically allowed in our town , just for the record, ok congratulations, and thank you.

**John Montagne:** So noted thank you, and I appreciate that comment. Thank you.

**Rich Berkowitz:** Well we've got that one more applicant is the other applicant never showed up?

**Don Roberts:** Never showed up.

*Tom Ruchlicki made a motion to Adjourn the Planning Board meeting at 8:21 pm. John Higgins seconded. Meeting Adjourned.*