

**MINUTES MEETING  
Town of Halfmoon Planning Board  
July 10, 2017**

Those present at the July 10, 2017 Planning Board meeting were:

Planning Board Members: Don Roberts óChairman  
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

Director of Planning: Richard Harris  
Planner: Paul Marlow

Town Attorney: Lyn Murphy -absent  
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***

***Rich Berkowitz made a motion to Approve the June 26, 2017 Planning Board Minutes. Marcel Nadeau seconded. Minutes Approved.***

**Public Hearing(s):**

**17.139                    Subdivision Lands of Arthur and Gale Hayner, Plant Road - Minor Subdivision**

**Don Roberts:** Would anyone want the notice read? Go ahead Duane.

**Duane Rabideau:** Duane Rabideau from Van Guildler and Associates here representing Burdock Construction LLC. for a proposed 4 lot subdivision located at 112 Plant road, the proposal is to subdivide a 3.1 acre parcel into 4 single family residential lots, lot 112 right here is 1 acre to be created around the existing single family residence, lots A, B, and C are for proposed single family residential houses, all the lots will be tied or are tied into public water and sewer at this time. Lots A and B are proposed to have a common ingress, egress or a common drive that ties into Plant road at one spot for one curb cut to minimize potential curb cuts onto Plant road. Since the last meeting Clough Harbor has asked us to do a proposed grading plan which we have done which this map now represents, they also asked for site distances which we did add to the map and I believe we addressed their comments as far as tree removal and the issue of potential ponding on lot B and that is the request before the Board.

**Don Roberts:** Thank you Duane, would anyone from the public like to speak? (No comments) Seeing no one wishes to speak ill close the public hearing any comments by the Board members?

**John Higgins:** Duane did you confirm that the original site house has town water and does not have a well?

**Duane Rabideau:** It does have town water it does have an existing curb cut or a curb box right there tied into the house.

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

**Don Roberts:** Anyone else? Joe you satisfied? ok, our town engineer is all set ok if everyone is satisfied we need a motion for SEQR first.

*Rich Berkowitz made a Negative Declaration Pursuant to SEQR. Marcel Nadeau seconded. Motion Carried*

*Rich Berkowitz made a motion to Approve Lands of Art and Gale Hayner Minor Subdivision Application. Marcel Nadeau seconded. Motion Carried.*

17.051 & 17.052/ 17.071 & 17.072/ 17.068

Ellsworth I Solar, Ellsworth II Solar, 100 Pruyn Hill Road  
- Site Plan & Johnson Property Subdivision, 100 Pruyn  
Hill Road - Minor Subdivision

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

**John Reagan:** Good evening my name is John Reagan and I work for Cypress Creek Renewables and I am here to talk about our proposed Ellsworth I and Ellsworth II community solar projects, so tonight we have a minor subdivision application and a two site plan approval applications and two special use permit applications for located along 100 Pruyn Hill road and so Cypress Creek Renewables is a solar farm developer headquartered in Santa Monica California and we are proposing two , 2 megawatt community solar projects so first I'll just take a minute why are we proposing community solar projects here ?, well NYS has mandated that 50% of its energy come from renewable sources by the year 2030 so we believe that solar is a big part of that make up, in addition to that NYSERDA is incentivising what they call community distributed generation projects or community solar projects so the intent of the community solar projects is to produce a solar power locally and to sell that solar power locally to any subscriber that is interested in buying it from the company. So there's a 2 megawatt cap on the size of a community solar farm that's why we are proposing two, 2 megawatt solar farms and the Subdivision on the property. 2 megawatts of solar power is enough to power between 300 and 500 homes and the power would be distributed onto the grid and then any subscriber could buy solar power directly from Cypress Renewable, whether your a homeowner or you dont own a home, your a small business owner or a government you could buy local solar power directly from us. So this project, so Pruyn Hill road runs basically in this direction, Johnson road is right about here , the project area you see is here, the proposed subdivision runs basically in that direction , solar panels are here on this left side of the plan would be Ellsworth Solar #1 and on the right side of the project here is Ellsworth Solar # 2. There would be an entrance road on Pruyn road and right about here is the point of interconnect, that's the point where the electricity from the solar farm would be put onto the utilities distribution line which is NYSEG just a couple other features of the project there would be a perimeter fence around the entire project because it is a power plant there as well. Solar panels are a maximum 12 feet high there would be approximately 7500 panels per project , per Ellsworth 1 , Ellsworth 2 the only other feature I'd point out is right about here and right about here is a concrete pad that would store what we call an inverter and a transformer , solar panels create DC electricity so we have to convert that to AC electricity and then step up the voltage with the transformer so that could be put on the utility distribution lines, and with that I'd be happy to answer any questions that the Planning Board would like me to address.

**Don Roberts:** Thank you, would anyone from the public like to speak? Please come up and say your name and address and speak into the microphone because this is recorded.

**Peggy Laquie:** Hello my name is Peggy Laquie I live at 114 Pruyn Hill Road, this would be my neighbor and I am all for it.

**Don Roberts:** They will be good neighbors huh, anyone else? Ok we received an email from another neighbor Rich would you read that into the minutes please.

Richard Harris: Sure

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Richard Harris - Ellsworth Solar 1 and 2 concerns

From: Brian Sitt [mailto:bsitt@gmail.com]  
 To: <rharris@townofhalfton-nj.gov>  
 Date: 7/10/2017 8:42 AM  
 Subject: Ellsworth Solar 1 and 2 concerns

Dear Mr. Harris and Whom it may concern,

Good morning, I am writing this morning to express my concern about an existing flooding problem that we currently have on High St and Columbus Ave off of Pryn Hill across from the school. Also to voice my concerns on the proposed project named Ellsworth Solar 1 and 2 which is to be located on the Johnson Farm directly above our house.

As it stands right now we have what I would call minor flooding (just of our field and the wooded corner of our lot) just about every time it rains. We receive major flooding to the point where our roads and driveways are being flooded, banks washed out, and this last storm along with one in February and some others before we bought the property, the water was one or two inches from coming in my front door. This is all from the run off we are currently receiving from up on the hill which runs through the small stream bordering the property between us and the Johnson Farm.

I would like to state that I am not against the solar project itself and think that it would be a great spot for it. My concerns with the project are that we are going to end up with water in our house and our driveway, roadway, and stream banks are going to be washed out and flooded worse in even the lightest of rains. I do not believe that we are able to handle any more run off at all in our current state and would hope that the town would take this into consideration when approving this project. I would also ask the town to consider taking a look at the current storm water run off and see if there might be any thing which they could do to correct the issues we are having a long with making sure we don't have issues with other projects in the future.

Attached please find a few videos and pictures of the current issues we are having and also some of the damage which it is causing. I thank you for your time and if there are any questions please feel free to contact me at the number listed at the bottom of this email or send me an email. Thanks again

Sincerely,  
 Brian Sitt

Brian Sitt  
 Affordable Grounds  
 [REDACTED]

file:///C:/Users/Halfton/AppData/Local/Temp/XPGrpWisc/59633DE5Dom\_HalftonP... 7/10/2017

**Richard Harris:** He doesnt state his address on this but I'll come up and show which house is his on there , ok his property is , its right here yea its right in here right here , thats a flag lot and there's a lot here , what happens is this is pretty wide here , the stream channel and it widens out quite a bit here but then this is a steep grade right now so its kinda like putting your thumb on the end of a hose he said, it kind of pulls here and then pushes at a stronger velocity along here and then backs up somewhat along the street so when I talked to him you know I understand existing concerns probably or possibly could be alleviated by taking a look at what's going on right now at High

Street, and his concern when we talked I explained to him that you know if the projects not impacting or directing stormwater this way you know this project wouldnt add to the existing issue I wasn't sure talking to them on the phone I thought I recalled most of the stormwater is directed south and southwest towards the stream here and here , so thats what we spoke about.

**Don Roberts:** Thank you Rich, can you comment on that gentleman's concerns please?

**John Reagan:** Well certainly and if there's more technical information you need I have our civil engineer with us so we can make a friendly call to Jason over there but as part of the project we submitted a stormwater pollution prevention plan which the State basically requires we cannot impact stormwater from our project so we are confident that our project wont impact , create a greater impact to stormwater but in addition to that perhaps even a slight improvement from the project most of this open area is corn and at the conclusion of the project we will be planting some native grasses which should serve very slightly to absorb a little more water than the corn and there would be a little less run off than the corn and though we think although thats minor it probably could have a slight improvement to the overall situation.

**Don Roberts:** Ok, thank you, would anyone else like to speak?

**Steve Mastropietro:** My name is Steve Mastropietro Im on 2 Grand Street my property borders the email , we are right in a row so it borders , its on the eastern borderline of their property where he was talking about the water, so it runs along in a run off stream and I just wanted to say what he was saying was that yes when there is a lot of like the last storm we had that bottom of the hill the water the drainage comes down the hill and it runs across down that stream floods there he gets a bit of an overflow there and it carries on down past my property into another piece of property which I believe is a dead lock piece of property the water kind of spills out into that property which is next to mine, and what it does do is it erodes the bank , its been eroding the bank for years so I , just for the record I'm for the project I have no problem with it , thats just a concern about the runoff which is really has been happening for many years.

**Don Roberts:** Thank you, but you will look into that right?

**John Reagan:** We can certainly take a look, you know again we're at least 200 to 300 feet on this side and probably more than that on this side we are not disturbing any of that area so I dont know that there is a whole lot that we could do we will certainly take a look and see what we could do if there is some improvement.

**Don Roberts:** Ok, thank you, anyone else? Seeing no one else wishes to speak I'll close the public hearing, Board members any comments?

**Mike Ziobrowski:** As far as the site fence that you are proposing it's a 7 foot high fence, correct?

**John Reagan:** Yes sir

**Mike Ziobrowski:** And that would be, you would put that how deep, 4 feet into the ground with concrete?

**John Regan:** We have a detailing; it wouldn't be in concrete the posts would be driven into the ground.

**Mike Ziobrowski:** The posts would all be driven, ok so the reason I'm asking these questions is because you're providing a polyethylene privacy taped wind screen if you will or just privacy now the concern would be, do you have a sample of that? The concern would actually be if you put up like a wind screen a lot of times we get pretty intense storms in this area and it might become you know more of a billboard type scenario where the fences might fall down, so I don't know if you looked at the studies of this type of windscreen or do you have a sample for us to, could you look up a sample online, so we know what that polyethylene looks like?

**John Regan:** Yea I could provide you with, I don't have it with me but I could provide you with some photographs of the fencing.

**Mike Ziobrowski:** I think that would be good, I mean even for the esthetics of what the neighbors are going to be looking at ok.

**John Regan:** Sure, I can do that.

**John Higgins:** Are you anticipating any barbed wire on top of the fence?

**John Regan:** The typical design is 6 foot chain linked fence with 2 strands of barbed wire we're certainly amendable to a suggestion if you don't care for barbed wire we could just raise the fence up another foot, the electric code requirement is 7 total feet so we have to stick with 7 feet.

**John Higgins:** And the transformer, your transforming this up to what 13.2 or 34.5?

**John Regan:** 13

**Rich Berkowitz:** 13.2

**John Regan:** Yea, It would be the distribution voltage

**John Higgins:** I realize that you have to deal with the local fire department because they have several of these now in their area and they obviously have concerns should the grass start on fire and things like that.

**John Regan:** Yes about 2 weeks ago we sent a letter along with a site plan and the emergency response plan to the fire dept., they haven't replied to us yet, but we are going to keep trying to reach out to them to meet with them if they are willing, if they would have the interest to meet with us to discuss the project.

**John Higgins:** I'm sure they probably do thank you.

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

**Marcel Nadeau:** Did we determine the posting of Bond so should it be removed?

**Don Roberts:** That is going to be part of the approval, but thank you Marcel.

**Tom Ruchlicki:** I'm just curious the run off that we're discussing, you say it's a road in the bank is it a stream bank that is eroding, I just need a little more clarification on that is it a seasonal stream that when it storms it's a run off area, how would you describe it.

**Steve Mastropietro:** At the bottom of the proper of the hill so it would be the eastern line, the water comes down as the member was showing on the map there, it comes around and yes it's pretty, just when the stream would be a very small amount of water normally I would call it a stream, what has happened over the years is it's gone from a small trench to its widened and it's not, it's a winding type of stream instead of kind of a straighter stream, because it's eroded the banks have fallen you know, fallen down.

**Tom Ruchlicki:** Does it carry the water in a small amount year round or does it ever dry up?

**Steve Mastropietro:** Yes, it carries basically a very small amount, when it's dry, it will dry up, but like this past storm there was probably I would say 5 feet of water in it, so it really fills up then it will go down so right now there is water in there.

**Tom Koval:** Is the eroding bank right against your driveways?

**Steve Mastropietro:** The eroding bank is all along my property line which is the bottom which is approximately 3/4 acres and my neighbor their property line and it goes my house my neighbor and the gentleman that sent the email I believe is on High street and his is where it really comes over I mean I feel that if, I feel it could be

alleviated if somebody looks at it , I think there is possibly brush in there some things that are restricting the water flow thats making it flood and..

**Tom Koval:** It that on your property or this property?

**Steve Mastropietro:** All Property

**Tom Koval:** Your property?

**Steve Mastropietro:** Well all property, it carries right on the line, basically the property line, we had the surveyors were there, they marked the points along the

**Tom Koval:** So to correct the problem, say you wanted to rip rap that bank that would be on your property to rip rap that bank the one that's washing?

**Steve Mastropietro:** I have had to actually put stone along my bank but you know I haven't done the whole thing. I've been doing some at a time, but yes if actually if the bank had stone on it I believe that would take away a lot of the

**Tom Koval:** Right but it's on your property at that point so we can't ask them to do something on your property

**Steve Mastropietro:** But it's their water that's coming down and causing, well its spilling from their side pushing toward its really carrying both lines.

**Tom Koval:** But that water is coming from all the way up from Johnson Road and crossing over so its everybody's water at that point

**Steve Mastropietro:** Well I dont know how they have the water, the run off

**Tom Koval:** So your main concern is that they dont make this problem any greater, but you're not asking them to repair your property,

**Steve Mastropietro:** that also, just as long as it doesnt cause any extra

**Tom Koval:** Sure any further damage

**Don Roberts:** Ok, thank you.

**Rich Berkowitz:** And you are not going to be disturbing any of the existing vegetation that is surrounding the property, cause I'm just looking at a google map and it seems like the array of solar panels fits perfectly into the field thats there with out disturbing any of the trees ,

**John Reagan:** there will be some very minor tree clearing but at the conclusion of the project up on the kind of the northwest corner we will be doing some plantings to add a little additional screening there

**Rich Berkowitz:** But the surrounding property looks like it is pretty well secluded

**John Regan:** Yea, what we love about this site, is that there is this whole buffer zone several hundred feet of trees that high on the project

**Rich Berkowitz:** That part is not going to be disturbed?

**John Regan:** No

**Don Roberts:** Anyone else?

**Tom Koval:** Are you going to bring any drain system in this property for your roadways or anything?

**John Regan :** The , Jason would you be able to answer that question for me I know we have some temporary storm water features but Jason could provide you with a little more detail maybe on that.

**Jason Malford:** My name is Jason Malford with TRC Solutions. We do the environmental due diligence and Civil Engineering for Cypress Creek. Currently in the SWPP as per proposed there are two stormwater management systems including the state recognized micro-pool detention with the roads, the engineering team has proposed a dry swale and the dry swale is basically is a ditch and it does have an under draining system with permeable soil so that provides what we like to call a green infrastructure so that water has a chance to infiltrate into this swale and discharge through the stormwater management practices.

**Tom Koval:** Your not diverting it , your holding it and letting it perk through?

**Jason Malford:** Thats the attenuation of the stormwater so actually you know in preparation for this meeting my engineering team prepared just kind of a summary for what the site is supposed to discharge, as we look at the site now this is essentially a plateau , you know the disturbed areas are at the top of the hill, like someone else had said we are discharging to the southern stream we call it stream 4 , its not the original stream , we are discharging to this stream here , which we label as a ephemeral stream to a , this is a more primary stream this is more of a perennial run so we are proposing a drainage , micro-pool extended detention based in here and in this area here and all that would drain south.

**Tom Koval:** So you're catching all your site water and getting it off the other side that is our concern and I think that should help them to.

**Jason Malford:** Currently the areas in straight grain row crop , basically corn so run off , off of a corn field is considerably greater than what our proposed cover is of grass and the only impervious area is potentially with a gravel access road.

**Don Roberts:** Anyone else? Now Rich Saratoga Planning Board reviewed this and had no concerns, correct? How about the fire district?

**Richard Harris:** There is someone else Don that wants to speak.

**Don Roberts:** Oh ok well we will open up the public hearing up again, go ahead sir.

**Joe Friar:** Thank you , good evening my name is Joe Friar , I live at 37 High street , I live between the gentleman thats sent the letter and Steve , first of all we totally support the project we are in favor of it but the issue for us is that simply put we dont want the flooding that we are experiencing , that we've been getting and the erosion the we've been getting to become any worse and if the things that these gentleman have said are correct then and it doesnt have any type of an impact but we still have the same problems and I think that , thats what we're trying to address because where the streets getting flooded , we're getting all kinds of erosion , the gentleman that wrote the letter , one time the water was up to his door and it , the size of the flooding this last time is just been greater than anything that we've seen at one point in time there were 4 individual streams coming through the neighborhood so I mean just simply put those are our issues thank you.

**Don Roberts:** Thank you, anyone else? Ok, I will once again close the public hearing as we were saying County had no problem with it, fire we haven't heard from?

**Richard Harris:** Correct I had reached out to the Fire Department and they did not provide any comments.

**Don Roberts:** Ok, Joe Clough Harbors concerns?

**Joe Romano:** We are in the final stages of reviewing the SWPP that was submitted last week I think , in general we are comfortable with the submission and we just have to make sure that its constructional correct.

**John Higgins:** Doní .

**Don Roberts:** Yes John.

**John Higgins:** is there any way that Clough can take a look at the existing situation, I mean they are going to be out there, I agree they are not going to be in the woods where the buffer zone is but the way it looks with this stream they are going to be fairly close to that could they maybe take a look at it and see if the applicant can possibly remedy some of the problems these people are seeing?

**Joe Romano:** While we are doing our SWPP review we will look at the drainage patterns and that they are not increasing run off to that area.

**John Higgins:** Even if you can make some recommendations, maybe when they have machines out there moving dirt around they might be able to very easily do something that could prevent it from getting any worse.

**Don Roberts:** You can at least look at it I guess right, its a tough situation I realize but we should look at it ok, if we act on this tonight we will need SEQR we will also need any approval would have to be contingent on Clough Harbor's final sign off and also it would have to be contingent on a monetary bond for any decommissioning of the site if we take that route.

**Richard Harris:** I do want to remind you it is a sub division with two separate site plans, two separate projects, two separate sub divisions.

**Don Roberts:** So act on 1 then act on 2?

**Richard Harris:** Yea if you're going to vote there would be three votes total

**Don Roberts:** Right SEQR ok

**John Higgins:** Rich have you heard from Hillcrest or not? So we have to make it contingent.

**Don Roberts:** They had ample time to get back to us.

**John Higgins:** Oh did they?

**Don Roberts:** Yes they did.

**John Reagan:** Excuse me could I introduce one more person on my team Tom Puckner with Philips Lydel I think he has a thought on this project he would like to share with you.

**Tom Puckner:** Thank you Tom Puckner with Philips Lydel attorney for CCR on the project based in Albany , one question cause im not sure what's happened had we received on sign offs on lead agencies from all the other involved agencies?

**Joe Romano:** We sent out lead agency coordination letters and not heard any other

**Tom Puckner:** And the 30 days has run, ok that was my only question, thank you.

**Don Roberts:** Is that it?

**John Reagan:** That's it.

**Don Roberts:** Can I have a motion on SEQR?

**Marcel Nadeau:** My question is to get the publics answer on run off, at what point do we get that to them?



**Don Roberts:** Joes going to make a final review when he.

**Mike Ziobrowski:** It should be part of their SWPPP review.

**Don Roberts:** Yea that's what he is going to do and again we can't promise anything is going to come of this but we are going to look at it anyways its all we can do

**Don Roberts:** If the Board wishes to act tonight we will need a motion on SEQR first.

**Rich Berkowitz:** Can we approve the subdivision and just lay down the SWPPP to do the final site plan?

**Joe Romano:** We can only use SWPP for subdivision.

**Don Roberts:** We can just table it all tonight if you want

**Rich Berkowitz:** Should we have the final answers to this whole project before we vote on the final site plan? Do you perceive any problems with the SWPP or with the final site plan?

**Joe Romano:** I think we are far enough along in our review that was comfortable dealing with their engineer right now I dont think it's going to have a significant change to what you see on the plan.

**Rich Berkowitz:** So the drainage won't affect any of the surrounding residences, as far as the run off how it's proposed?

**Joe Romano:** I dont think so.

**Rich Berkowitz made a Negative Declaration Pursuant to SEQR on parts I and II. Tom Koval seconded. Motion Carried.**

**Rich Berkowitz made a motion to Approve the Ellsworth Solar Subdivision application for part I and II contingent on the final SWWP provisions and the monetary bond. Tom Koval seconded. Motion Carried.**

**Rich Berkowitz made a motion to Approve the Ellsworth Solar Final Site Plan part I and II contingent on the final SWPPP provisions and the monetary bond and a 7 foot fence with no barbed or razor wire. Tom Koval seconded. Motion Carried.**

**Don Roberts:** Thank you.

**Don Regan:** Thank you.

**Mike Ziobrowski:** Make sure to get that copy of, the sample of our fence as well.

**Don Reagan:** Absolutely.

**John Higgins:** And did we decide whether we wanted a 7 foot fence with no barbed wire?

**Rich Berkowitz:** yea I would say no barbed wire.

**John Higgins:** Yea I would say a 7 foot fence with no barbed wire and no razor wire please.

**Don Regan:** Of course not

**John Higgins:** No, believe me you can't take anything for granted, thank you.

**Don Regan:** And who should I follow up with the bond Rich?

**Don Roberts:** Rich, yes, ok thank you.

**New Business:**

**17.134                    The Tire Warehouse, 1428 Route 9 - Change of Use/Tenant**

**Brian McCall:** Good evening my name is Brian McCall I'm representing the Tire Warehouse at 1428 Route 9 and we are proposing to utilize the building that was formerly occupied by Carlitos Automotive Detailing for the use of sales of automotive tire supply equipment.

**Don Roberts:** How many employees will be up there?

**Brian McCall:** 1

**Don Roberts:** Ok, and what's the purpose again?

**Brian McCall:** For sales of tire supplies and automotive equipment such as wheel weights, wheels, detailer, specialty tires, automotive products.

**Don Roberts:** No outside storage?

**Brian McCall:** Right correct, no outside storage.

**Don Roberts:** Ok, questions?

**Marcel Nadeau:** So is that more of a wholesale?

**Brian McCall:** Yea it's more business to business related with a retail component, not many people buy wheel weights.

**Marcel Nadeau:** That's why I was wondering.

**Tom Koval:** I make a motion to Approve

**Don Roberts:** Before we do also there has been an issue in the past of outside storage of tires at the original site.

**Brian McCall:** We have resolved that I believe.

**Don Roberts:** Ok, thank you because we dont want to see that ok.

**Brian McCall:** I agree

**Don Roberts:** Ok, thank you.

***Tom Koval made a motion to Approve The Tire Warehouse Change of Use/Tenant application. Mike Ziobrowski seconded. Motion Carried.***

**Brian McCall:** Thank you, have a nice evening.

**17.146                    Chinese Restaurant, 1570 Route 9 (Soccer Unlimited Plaza) - Change of Use/Tenant**

**Yohang Wang:** Hello everyone, good evening my name is Yohang Wang, I was here before and now I'm here again. I wanted to purchase this property but in order for me to purchase I wanted to know that I'm going to be able to use it , this whole plaza will have like three divided units , two of them will stay and then one which is Soccer Unlimited they will be out , I am assuming that , that is the owner so once they

move out I will have 2,800 sq ft of space for me to use as restaurant , right now the site has like about 30 parkings. I am going to have 15 tables, 5 full time employees and then 2 will be part time and one will be seasonal. Most of the employees will be picked up and driven home and we will provide living space because they all came down to here all the way from New York City so me and my parents or a person will take of the issue to pick them up from where they live and then drive them to work and then once they finish work we all just drive them back home so the maximum of space we are going to take for our use is no more than 2 , the rest of them will be only used for all the tenants but the peak hours for our operation will be between 6 till maybe close and the hair salon and the beauty salon their peak hours is normally in the afternoon so when we start to get busy they are ready to close so I dont think there will be a lot of problems between the parkings. That's it.

**Don Roberts:** Ok, thank you. Comments by the Board?

**John Higgins:** As far as truck deliveries there not tractor trailers they are smaller trucks that may deliver your supplies?

**Yohang Wang:** We will have trucks delivering from the back entrance, there is a back alley

**John Higgins:** On the north side there?

**Yohang Wang:** Right here and then there is a back door right there so the truck can pull in and pulls out.

**Rich Berkowitz:** Those are box trucks right not tractor trailers?

**Yohang Wang:** Not going to be trailers, most our food is just going to be, I think it was

**Rich Berkowitz:** Like the small seafood trucks?

**Yohang Wang:** Not like a giant trailers no we are not gonna, I mean the business not going to be that big, I hope so, I hope its that big.

**John Higgins:** Then as far as, if the need arises it looks to me like you have space on both the north and south ends where you can put some additional parking spaces if needed.

**Yohang Wang:** Yea I was assuming over here but the thing is over here is a leach field so you cannot put parking on a leach field, so most likely it will be somewhere here or later on when I make enough money I will try to open up the back lot but right now there is a slope that goes down hill so there might be some problem about managing the stormwater, but as of right now it should be enough parking but later on when I need to add more parking it should probably be over here, because right here the whole thing is a leach field.

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

**Yohang Wang:** Thank you.

**Mike Ziobrowski:** You also know that if you are approved to move forward you will need to provide us with a final design and you will have to get Board of Health approval as well.

**Yohang Wang:** Yea, so you talking about the site plan right?

**Mike Ziobrowski:** Exactly what your kitchen is going to look like, it's going to have basically life suppression system so forth so we can take a look at that.

**Yohang Wang:** For the building, I mean before the building permit I would need that for the building permit of course yea.

**John Higgins:** Don there has been talk of extending the sewer line in that area for years should we just mention to the applicant that if they put the sewer line in front he should anticipate hooking up to it.

**Don Roberts:** If he wants to, we can't make him.

**Yohang Wang:** I mean if it's possible then we can hook it up but as of right now

**John Higgins:** No, like I said they've been talking about that for a few years thank you.

**Yohang Wang:** That would be great it would save me a lot of trouble because I don't like septic tanks at all.

**Don Roberts:** Anyone else?

***Rich Berkowitz made a motion to Approve Chinese Restaurants Change of Use/Tenants application. Marcel Nadeau seconded. Motion Carried.***

**Don Roberts:** Congratulations you're all set.

**Yohang Wang:** Thank you.

**17.147                    Crescent Gateway Properties, 155 Stone Quarry Rd. - Site Plan**

***Tom Koval recused himself. Tom Werner standing in.***

**Kevin Koval:** Good evening my name is Kevin Koval I'm the owner of Crescent Gateway properties I'm here tonight for the proposal of a Site Plan to construct a 4,480 sq ft wood framed office building and an 11, 250 sq ft tension fabric structure, these buildings would be for my other business Adirondack basement Systems to allow us to move from our current location on 4 Jones Road into a larger facility to facilitate our expanding business. The project is on the corner off of the corner of route 9 and Stone Quarry road it is fairly hidden from route 9 and mostly hidden from Stone Quarry road due to the topography of the land. The lower construction costs of a tension fabric structure will allow for a budget and a facility to allow us to have our operations 99 % inside the building as opposed to a standard metal or wood framed warehouse due to cost constraints would have to be much smaller to necessitate our trucks being outside. The cost of doing a tension fabric structure is about half the cost of standard construction yet it is still maintains the same type of life span as standard construction. With that size building you know like I said we can have all of our trucks inside there wouldn't be any loading of vehicles in the morning outside anything like that. It will allow us also to build a nicer office building which would be more conducive to the type of work that we do and employees having a very nice facility that they are proud to come to work at. That's all I have.

**Don Roberts:** Ok, thank you, comments by the Board?

**Marcel Nadeau:** Is the Kensington project across the street from this?

**Kevin Koval:** Yes Kensington project is actually outside its over here our lot is a flag lot , not a flag lot but we have a 50 ft swath of land coming in here so its several hundred feet off of Stone Quarry road but Kensington is up over here across the way. The reason why I have this 50 ft swath here is because the utilities are out on Stone Quarry road the water and the sewer and route 9 over here has a very limited site distance which would necessitate I believe a right hand turn only out of here and I believe only an entrance from route 9 heading south which would make it difficult for ingress and egress.

**Tom Werner:** What does the view look like from route 9 for passing by traffic?

**Kevin Koval:** Passing by traffic right now there is currently a bill board right here at the south end of the property, there is a very large ditch through here that also would make it very difficult to gain access to route 9 possibly up by the Warren Tire property we could but through here is wet lands and right now its all vegetated right here blocking quite a bit of view to the rear of the property , I'm not saying you cant see the rear of the property but currently you know the vegetation prevents quite a bit of the view from back there.

**Rich Berkowitz:** How about when the leaves aren't on the trees?

**Kevin Koval:** When the leaves are not on the trees yes you can see obviously more through there , but with the angle of route 9 here you know its not route 9 straight up and down , route 9 is coming here so when your heading north you really have to crane your neck to see back to this area back here and when your heading south there is a large knoll with mature trees right here that does shield the view from back here so its not like you have a direct straight on view into the property you really have to be looking to notice it .

**Rich Berkowitz:** Except a lot of those trees are now down because of Warren Tire is there.

**Kevin Koval:** You guys had told Warren Tire that they are not allowed to cut the trees along route 9 right here I believe.

**Rich Berkowitz:** Oh , but I drive down a lot and you can see it clear as day, even though they kept a lot of the trees and thats with the leaves on the trees, when winter time comes your going to see right into that.

**Kevin Koval:** ok, Im not sure what that has to, what impact that has on this project because all of the other businesses on route 9 you can see.

**Rich Berkowitz:** Its just the aesthetics of a, and I know its a sound structure but its a structure that has never been built in this town, and it still looks like a rounded dome, instead of a structural building architecturally, I know its just as sound as a building, I know it can withstand the wind, it can withstand weight of snow and everything but esthetically it doesnt look like anything else in this town,

**Kevin Koval:** I disagree strongly with that.

**Rich Berkowitz:** Just let me finish with what I'm saying, and also you have a lot of residences around there you have apartment buildings going there and also on the other side of you there possibly could be other apartment buildings going in, if Kensington gets approved on the other side of Stone Quarry road. That's just how I feel.

**Kevin Koval:** I would like to address this point by point, the building the way it is situated this face of the building right here is a standard framed end wall so looking at it from this direction your not going to really see the tension fabric portion of the structure it is a standard framed wall with overhead door and a passenger door , as far as the view from route 9 over here you know thats a pretty good uphill so you know you have Warren Tire blocking the view as you are coming down and again you would have to crane your neck but thats opinion, as far as Kensington in the rear over here there is a very large knoll in the back over here, there is a low lying area here there is large knoll thats a rise up here and there's quite a bit of separation between where the proposed Kensington expansion would be, and this building also, the footprint of this building right here is 14 feet lower than this right here so thats at ground level then you add mature trees that are on top of that and that will obscure a vast majority of the building the covering of the building is going to be green so it will blend right in.

**Marcel Nadeau:** I think I have a problem with setting a precedent in the town with this type of building I dont recall as I said previously that we have seen this type of structure before.

**Kevin Koval:** Well I might point out that R & K Nurseries approximately 1/4 to half a mile north they have greenhouses on their property which is a very similar structure; it's a metal framed structure with a plastic covering.

**Rich Berkowitz:** I think those are pre-existing aren't they, I think they have been there for 30 years

**Kevin Koval:** Im sure they have been but none the less there is a precedent for this type of structure being in the town, further up the road you have DeVoe Orchards which has a similar type of structure and even with Wal-Mart they have a metal framed car port kind of thing on the front where there nursery is with clear plastic so you know , yes its not exactly the same type of structure but I dont think its fair to say that this type of structure is no where in the town.

**Don Roberts:** But in my opinion those are nurseries, there is a reason for that its a specific use I also share the same concerns as the Board members already spoke about , the fabric structure not being compatible with the surrounding neighborhood is my concern, anyone else?

**Tom Werner:** Could you consider some additional proposed evergreen buffer through there?

**Kevin Koval:** Im sorry?

**Tom Werner:** Some tree buffer, some evergreen tree buffer like you have on other sides, along the frontage on route 9

**Kevin Koval:** Alone the frontage that certainly could be, that's something that could be addressed, Route 9 is up a bit higher right here than this building would be, it's kind of deceiving , I shouldn't say that its really higher its at the same level but there is a valley right through here which is wetlands and stormwater management all of the route 9 drainage I have the wonderful luck of having that coming onto this property and diminishing the use of a lot of this property in the front for me, so I dont know what exactly I could do in that wetlands area I'm not versed on that.

**Don Roberts:** Anyone else? Ok Rich I guess we have to refer this to the Saratoga County Planning Board, Fire district and Clough Harbor Associates , right Joe? Ok we will send it up for review and get back to you.

**Kevin Koval:** Ok, thank you

**Don Roberts:** Thank you.

**17.140**                    **Creekview Estates Residential Planned Development District (PDD), Upper Newtown Road - Planned Development District Recommendation**

**Joe Bianchi:** Good evening I'm Joe Bianchi with M J Engineering, I'm here on behalf of Beacon Development, and Mr. Jeff Gabriel from Beacon Development is here. The board has seen this project previously I believe in the Fall of last year when we did it as a conventional subdivision of 55 lots, I believe at that time the board really had no large concerns and we left the board with a general favorable opinion of the board , since then the developer would proceed with a PDD , we were before the Town Board in April of this year and that application was then referred to this Planning Board , so what you have before you is a Planned Development District where we are proposing 70 lots as opposed to 55 previously so its an additional 15 lots , the lot sizes would be no less than 10, 500 sq ft , and in developing this proposal we followed the conservation subdivision process thats in the Town Code , where we look at environmental constraints , some valuable resources including wetlands , scenic byways including Upper Newtown road and then the Macdonald Creek corridor which is a substantial area, so we've got again we have really lowered the footprint , increased lot size and then this is the Macdonald Creek corridor , we've really pulled all the development away cause we had flood planes , corp. wetlands , state wetlands up here , some steep slopes in here , so now we have really pulled everything away and still maintained potential future connectivity to an adjacent lot , still have preserved the side entrances as we had proposed previously. The one item that we did talk at length with the Town Board was that there was Town property here and the Town Board would like us to do something along Macdonald Creek, there was discussion of possibly conveying this property as park land , cause the Town owns this a parkland presently as part of a development that Beacon did , so they went to great length and said that we would obviously examine that , maybe some walking trails though this corridor possibly connecting the two developments together. So we will have public water , public sewer as we did before , stormwater would be managed onsite again , we would probably do the stormwater as an HOA any open space if it wasn't conveyed to the Town as parkland

then there is some other resource it would probably be retained by the HOA for ownership. So with that if the Board has any questions?

**Don Roberts:** Any questions by the board?

**John Higgins:** So of the 90 acres 50 of it is being retained is that correct?

**Joe Bianchi:** Yep, so its basically , the whole property is 96 acres so this piece right here would be retained by the Pingelski's, we are only looking to develop this piece of it, I know when we were before the board there was discussion of maintaining frontage so obviously we maintain legal frontage for this property here.

**Tom Werner:** What is that perfect square right there on the road, right there

**Joe Bianchi:** This right here?

**Joe Bianchi:** That's owned by another Pingelski.

**Tom Werner:** Ok

**Joe Bianchi:** This is actually owned by another Pingelski as well

**Rich Berkowitz:** Do you know what the situation is with the traffic light at Upper Newtown and 146

**Joe Bianchi:** We were talking about that before in discussions with Mr. Lou Lecce I believe DOT is nearing approving the use of a signal there and that's after a culmination of a study done by Creighton Manning and that was involving multiple projects so I believe it's nearing competition or nearing approval by DOT

**Don Roberts:** As you know nothing happens until that is done, you know that?

**Joe Bianchi:** Excuse me?

**Don Roberts:** Nothing happens until that's completed you know that?

**Joe Bianchi:** Oh, no everyone I think Mr. Lecce and Beacon realizes that, there is a couple other developers that are bound by that.

**Rich Berkowitz:** You realize that is not going to happen until, you realize that light has to be there before you go ahead with this project?

**Joe Bianchi:** I believe that was specifically a condition of approval?

**Don Roberts:** Not the light?

**Joe Bianchi:** Not the light I believe it was full agreement of how that was proportionately paid for.

**Rich Berkowitz:** So when is that light put in, according to your agreement with the other builders and DOT?

**Joe Bianchi:** I believe it's triggered by trips?

**Don Roberts:** They dont know yet.

**Joe Romano:** Its kind of complicated, its triggered by a certain number of trips in that intersection and there's multiple projects that are involved so its really going to depend on how this project shakes out what comes first but thats kind of the stage we are at now, we're working through with the developers on the agreement between the town and the developers and DOT has a trigger.

**Rich Berkowitz:** We dont know what that trigger is yet?

**Joe Romano:** There's a number, I want to say it's 100

**Joe Bianchi:** I think I want to say its 100 or so?

**Joe Romano:** I think it's like 175

**Rich Berkowitz:** New C/o's for the entire area?

**Joe Romano:** Yea

**Rich Berkowitz:** ok

**Joe Bianchi:** So they all pay for it , they all pay into it .

**Rich Berkowitz:** No I understand what's going on

**Joe Bianchi:** Just a matter of what triggers the construction of that site

**Rich Berkowitz:** Yea I didnt know what the trigger was.

**Joe Bianchi:** And its vehicle trips I just don't remember it's in the 100 range I just dont remember

**Tom Werner:** Yea there are several different ones.

**Joe Romano:** There are projects that are being evaluated.

**Marcel Nadeau:** I think Rich is concerned we've been looking at this for years and we keep getting the story its coming, its coming.

**Tom Werner:** Yea it would depend upon the traffic on Upper Newtown; you already have enough on route 146 obviously, because a signal went in at Sheldon Hills, so that warrant is met at least for the main arterial. My question is for the Upper Newtown traffic when that hit the threshold to warrant a signal.

**Joe Bianchi:** Correct, So its not a case of the last one in get to pay for the whole thing its , there's developers at the table they have all committed to paying for it now its a matter of putting that agreement in place. The big hurdle was getting DOT to approve the improvements in which they have so.

**Don Roberts:** I think a big hurdle is getting you guys to agree to it.

**Rich Berkowitz:** Well they have all been talking about it for a long time.

**Don Roberts:** Anyone else?

**John Higgins:** As far as density, what is the justification for the extra 15 lots?

**Joe Bianchi:** The public benefit that the applicant has offered up is \$2,000 per lot payment for general Town wide Town Highway purpose improvements, in discussions with the Town Board they would like to earmark that as well towards the signal improvements, so the developer pays traffic improvements that are part of the mitigation for the signal, on top of that they are offering \$2,000 per lot to the Town.

**Tom Koval:** So because of that extra amount of money you're putting in additional lots? Is that what you're saying?

**Joe Bianchi:** Pretty much yea.



**John Higgins:** Because you're saving money over the conventional subdivision on roads and layouts that you had before.

**Joe Bianchi:** And the other added benefit too is we are offering parkland that was not available, this, under the previous plan, we were developing or showing lots all the way up to the center line of the creek, cause we had 20,000 sq ft minimum lot size, so now this is

**John Higgins:** Yea but you aren't going to be able to put lots right up to the stream anyway, so you know you maximize the number of conventional lots knowing that you weren't going to be able to put that many in there because you couldn't get right on Macdonald Creek anyway.

**Joe Bianchi:** Well no we had 55 lots

**John Higgins:** Right

**Joe Bianchi:** And we were showing lot lines up to the creek understanding we weren't developing up to the creek, but we were still, we were I guess encumbering that area because we needed 20,000 sq ft minimum lot size so now that we are able to shrink these lots up we are able to offer this town, if the town wanted this property along the Macdonald Creek, this part of a connecting parkland that wasn't offered as a public benefit but the Town Board definitely was in favor and really had an opinion about possibly taking this property over.

**John Higgins:** I agree but I still don't see why this board should entertain more density from what your explaining maybe im just not seeing it.

**Don Roberts:** John this is a PDD so I mean they have a right to do this; we review it and make a recommendation to the Town Board.

**John Higgins:** ok Fine, yup.

**Don Roberts:** Anyone else? Okay Rich I guess it has to be referred to Hillcrest Fire Dept. Saratoga County Planning Board, Clough Harbor Associates

**Rich Harris:** It's actually Halfmoon-Waterford believe it or not.

**Don Roberts:** Oh it is, sorry I read it wrong, and I think we should do a traffic study?

**Joe Bianchi:** Do we really need to do a traffic study since its been studied at nauseum? I think Clough looked at it DOT has now agreed to it.

**Don Roberts:** What do you think Joe?

**Richard Harris:** The Creighton Manning study didn't consider several hundred lots beyond this

**Joe Bianchi:** There were 6 projects

**Don Roberts:** So we're ok? Alright then we are ok with that

**Richard Harris:** I would think some level of review

**Joe Romano:** The only thing we'd want to look at is what the extra 15 lots do to affect the results of the study.

**Joe Bianchi:** Its 15 trips

**Don Roberts:** Ok

**Joe Romano:** there have been extensive traffic studies

**Don Roberts:** So we are ok with it?

**Joe Romano:** Im not sure another study that focuses just on this project is necessary.

**Don Roberts:** It's not going to tell us anything right?

**Richard Harris:** The Creighton Manning Study incorporated 5, 6 projects and additional numbers of units, it's almost like a mini-GEIS of this area.

**Don Roberts:** Ok then, alright then, forget that then ok

**Richard Harris:** Well I wouldn't say forget it, it may be part of Joe's review, just verify through the applicants now, that on behalf of the Town, that Creighton Manning's study is still accurate.

**Don Roberts:** Ok then we will refer to those agencies and get the feedback right, ok. Alright thank you.

*The Planning Board referred Creekview Estates to the following agencies for further review, Clough Harbor, Hillcrest Fire Dept. , Saratoga County Planning Dept.*

**Old Business;**

**17.060                    Our Place Bar & Grill Seasonal Outdoor Patio, 46 Rt. 146 - Site Plan**

**Don Roberts:** Back again.

**Michael Coluccio:** Good evening everyone, Shane and Brendan LLC. and Mr. C's Pub Inc. DBA Our Place Bar and Grill. I'm Michael Coluccio, and I'm back again, last time I was here you approved conditionally the outdoor seasonal patio, since then clarification from the Department of Health was submitted and I believe and think we are all set and I'm just asking if we can approve with out conditions for this season?

**Don Roberts:** Your asking us to amend the approval to allow outside and inside at the same time?

**Michael Coluccio:** Right.

**Don Roberts:** Questions by the Board?

*Tom Koval made a motion to Approve the Amendment to Our Place Bar & Grills Site Plan with the in-door and out-door with the maximum allowed by the Health Department. Marcel Nadeau seconded . Motion Carried*

**Michael Coluccio:** Thank you so much.

**16.167                    Mott Orchard Residential PDD, 165 Farm to Market Road - PDD Recommendation**

**Don Roberts:** First of we would like to have Dan Rourke from the engineering firm give our traffic study report.

**Dan Rourke:** Good evening Dan Rourke with Barton & Lagutis, Managing Engineer and I provided a traffic impact study I was hired by the town. We coordinated with the town about the scope of work, our project limits we determined included 5 intersections so site plan is up on the board but 5 intersections in the general area, Farm to Market road & Prun Hill road, Farm to Market with 146, Prun Hill with 146, Farm to Market with Cary road and Farm to Market with Smith road, so generally covering the whole network. We are looking at 165 Farm to Market road the development that's proposed on the north and south side; they are proposing 91 total lots. On the south side its a smaller portion its 16 lots, each side they are proposing one access point you can see their standard 4 leg intersection stop control on the new approaches and Farm to Market will operate as it does now with no control. We went out we collected data in April in the morning and afternoon peak hours, peak hours are 7 to 8 am and 4:45 - 5:

45 pm so we took our existing data we projected it out in the future so we could compare existing rates to the build condition of the project. So the projects will generate 77 trips in the a.m. peak hour and 85 in the p.m. peak hour, ultimately from a traffic perspective for the 5 intersections in the project there was no significant impact all intersections both peak hours operated adequately, there was one existing condition, Pruyne Hill road with 146 that is currently a level of service F but that's an existing condition and the project does not change that all other intersections operate adequately. We also did a site distance analysis and an accident analysis the site distance analysis we found the location of the self driveway the site distances do not meet current standards for AASHTO there is on both sides of the driveway there is an existing barn so we recommend that the barns be removed I'm not sure if that's part of the proposal or not but the barns being removed if that's the case they can achieve standard site distances with pulling out. We also performed an accident analysis there was 16 accidents total in that project area actually all the intersections currently exceed the state wide average for similar facilities but I would also like to note that the majority of the accidents were animal related so there is no geometrical or traffic congestion type issues and I guess I would like to take any questions.

**Marcel Nadeau:** Your saying with the crown in the road removed there will not be a sight distance issue?

**Dan Rourke:** Right, correct

**Rich Berkowitz:** Which intersection was an F?

**Dan Rourke:** Pruyne Hill and 146

**Rich Berkowitz:** Did you analyze how many cars are going to be going from Farm to Market to route 9?

**Dan Rourke:** From the site?

**Rich Berkowitz:** Yes

**Dan Rourke:** Yes 60% towards 60 % to 146 and 40 % the opposite that's just based on the existing data that we collected.

**Rich Berkowitz:** Ok, but also the study didn't involve any of the ongoing projects that are being planned for Farm to Market road at this time?

**Dan Rourke:** It did not it was this project only

**Rich Berkowitz:** Ok

**Tom Ruchlicki:** Not that it matters but just for my own understanding , the intersection that is an F the time element that makes it an F that your sitting there what additional time is this project add to that? Say if it's a 40 second wait are we going to a full minute just out of curiosity?

**Dan Rourke:** Under 20 seconds about 18 seconds, average delay.

**Tom Ruchlicki:** Ok

**Dan Rourke:** But you have to remember it's also failing now so it's just like an exponential

**Tom Ruchlicki:** That's what I mean so that part of it that's currently failing your adding 18 seconds to it but what was the original number that you are adding that 18 seconds to , do you have that?

**Dan Rourke:** Yes, 75 seconds in the build year.

**Tom Ruchlicki:** So we are near a minute and a half two minutes.

**Dan Rourke:** It's only in the peak hour everything else works adequately, it's just that one time period.

**Tom Ruchlicki:** Ok

**Don Roberts:** Anyone else? Ok I guess we have to make our referrals Rich, right?

**Richard Harris:** Yea

**Joe Romano:** We have reviewed this layout a couple of times our technical review of this layout a couple of times, I think from a technical standpoint they've satisfied a lot of our comments. ?????

**Don Roberts:** They have ok, alright

**Rich Berkowitz:** Don I just want to make the applicant aware that we had another public informational hearing on a different project two weeks ago and the main concern was traffic going down from Farm to Market to Route 9 we actually gave a negative recommendation back to the Town Board on that project specifically because of that problem, now this is another project on that same road with 40 % of the traffic going to that same intersection , 60 I'm sorry so you are just adding to that problem at 9 and Farm to Market road so I just want to let you know that , most of opinions of public most of the comments are going to be on that intersection and on that traffic and you need to do something to find a way to improve that intersection along with all the other projects that are on going on that road.

**Joe Bianchi:** I asked Rich do you guys have a northern GEIS correct that pay mitigation fees based on trips.

**Rich Berkowitz:** That was also done in 2003.

**Joe Bianchi:** No, no but I'm understanding the purpose of the GEIS was to stow away money to deal with cumulative impacts

**Joe Romano:** That intersection is not an improvement.

**Joe Bianchi:** Oh it's not in this

**Don Roberts:** I'm sorry I've got to back up our traffic guy talked but you want to give a little presentation on your own here, he did such a good job

**Joe Bianchi:** This isn't a presentation the only thing I was going to say is we responded to Cloughs comments and I think we've satisfied those 10,000 fold.

**Don Roberts:** But you dont have nothing to add, you don't want to explain nothing?

**Joe Bianchi:** No nothing else, unless Glenn wants me to go back over this.

**John Higgins:** Don the two future connections are going to have to be hammer heads or something so that the plow trucks can turn around , they are not shown as hammer heads now but they are going to have to have some way of turning the plow trucks around right there and the next two over.

**Joe Bianchi:** This connection can actually be made now because this area has been developed, this one we would probably we would do the right of way and if it was amicable then we would just not build that road or this is effectively a hammer head to some extent already.

**John Higgins:** That's fine as long as some thought has been done.

**Don Roberts:** Rich they still have to be reviewed by the Saratoga County Planning right, Town Highway, Water, Emergency Services all of that?

**Richard Harris:** Yea generally like those so that we get a closer final. But the concept plan when you guys are ready to set a public info meeting generally when we send them to those agencies the closest to the plan that might be voted on so , we haven't done those yet technically they need the county review before Town Board action , we usually get it by the time you guys vote also we try to set the timing , you haven't done those yet which leads to my other question do you want to set a public info meeting are you prepared to at this point to set it? If you do is there expanded notice also?

**Don Roberts:** Like Rich said we learned 2 weeks ago that was a disaster really you know I mean it would be nice if we found a time when we had a smaller agenda but we can't predict that either. Ok, expanded notice what's the Board say about expanded notice up there?

**Tom Koval:** I feel as though we should do it seeing our neighbors are going to be impacted all of it.

**Tom Ruchlicki:** Yea I was going to say we have to be careful with that.

**Marcel Nadeau:** There are not that many houses on Farm to Market road itself ok

**Tom Koval:** There are all side roads there.

**Marcel Nadeau:** Yes I'll agree with that

**Don Roberts:** Rich, maybe you, me and Paul get together and we'll draw it out

**Richard Harris:** Yea if your going to do that , not the next meeting maybe 2 weeks, the meeting after that is a 3 week gas so its 5 weeks from now , if you were to set it 2 meetings would be August

**Don Roberts:** Based on 2 weeks ago its going to be packed and nothing that you did but it's the way things are going up there.

**Joe Bianchi:** No, understandable, it's a desirable place to be

**Don Roberts:** Alright, so what date would that be?

**Richard Harris:** August 14th I believe.

**Don Roberts:** A Monday I hope? August 14th does that work for everybody? Ok so can I have a motion to have a public information meeting for August 14th?

**Richard Berkowitz made a motion to stet a Public Information Meeting for Mott Orchard Residential PDD on Monday August 14th , 2017. Tom Werner seconded. Motion Carried.**

**Tom Werner made a Motion to Adjourn the meeting at 8:17 p.m. John Higgins seconded. Meeting Adjourned.**