

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

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

Planning Board Members: Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
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
Deputy Town Attorney: Cathy Drobny

Town Board Liaison: John Wasielewski
Jeremy Connors

Chairman Don Roberts opened The Planning Board Meeting at 7:01 pm

Rich Berkowitz made a motion to Approve the September 25, 2017 Planning Board Minutes. Tom Koval seconded. Minutes Approved.

Marcel Nadeau abstained from the Approval of the Minutes vote.

Public Hearing(s):

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

17.200 Lands of Tibbetts, 46 Clamsteam Road - Minor Subdivision (Lot Line Adjustment)

Harold Berger: Good evening, its Harold Berger here for Tom Tibbitts, this is a proposal to increase the size of Toms lot at 46 Clamsteam road, on two sides, 40 feet width on two sides, the purpose in doing this is the sewage disposal system has to be replaced so Tom is acquiring, in the process of acquiring additional property to give them enough room to do that.

Don Roberts: Ok, thank you Harold, at this time I would like to open the Public Hearing, if anyone from the public would like to speak please come up and say your name and address and any concerns you may have. Would anyone like to speak? (no comments) Seeing no one wants to speak I will close the public hearing, board members comments or concerns? (no comments)

Tom Koval made a motion to Declare a Negative Declaration Pursuant to SEQR. Tom Werner seconded. Motion Carried.

Tom Koval made a Motion to Approve Lands of Tibbetts Minor Subdivision application. Tom Koval seconded. Motion Carried.

Harold Berger: Thank you very much , appreciate it.

New Business:

17.202/17.203 Studio D LLC, 1604 Rt. 9 (Shamrock Plaza) - Change of Use/Tenant & Sign

Danielle Mewton: This is in regards to just moving my current business that's...

Tom Koval: Im sorry you have to say your name

Danielle Mewton: Oh I'm sorry it's been a long time since I've done this, Danielle Mewton for Studio D and just looking to relocate my business that's currently in Halfmoon to, go ahead, oh I thought you were going to say something, to a new location basically and then also the sign.

Don Roberts: Now what's the use going to be?

Danielle Mewton: A hair salon, sorry

Don Roberts: And how many employees?

Danielle Mewton: Currently there are 4 and then there is 2 receptionists so 6 total.

Don Roberts: And your location is?

Danielle Mewton: The new location is , I actually dont have that address but its in the Trick Shot Plaza in the building with the computer , lower level of that building .

Don Roberts: Ok, and hours of operation?

Danielle Mewton: Monday we are closed , Sunday we're closed , Tuesday through Thursday 9 to 6 , Friday 9 to 3 and Saturday 9 to 2 , 9 to 3

Don Roberts: Ok, any questions?

Rich Berkowitz: Do your hours conflict with Trick Shots at all? As far as when they have bands?

Danielle Mewton: No, we're usually out of there I think Tim is here but I think he said they start their bands later on in the evening and we should be out of there by then.

Rich Berkowitz: It might impact your parking where it might disrupt your customers, if they have a band during then

Danielle Mewton: Right but for the most part I'm hoping that we'll just be out of there by then unless he starts having some earlier , then I could see that being an issue but currently I dont think so .

Tom Koval: Your sign is just a simple replacement of an existing panel on the side?

Danielle Mewton: The existing panel is for the computer is the whole space so that's going to just be cut in half and the new portion put in there.

Rich Berkowitz made a motion to Approve Studio D LLC Change of Use/Tenant and Sign applications. Tom Koval seconded. Motion Carried.

Don Roberts: Dont forget your in Halfmoon.

Danielle Mewton: Yes, thank you.

17.212 **Wicked Eatery Pub & Entertainment(Trick Shots), 1602 Rt. 9- Signs**

Tim Berlin: How are you doing I'm Tim Berlin with Trick Shot Billiards and Wicked Eatery Pub and Entertainment just doing a sign proposal.

Don Roberts: How many signs you proposing?

Tim Berlin: 2, the one on route 9 all we did was just downsize and split the names, that one right there , that was the existing whole thing it used to be Trick Shot Billiards now we just split it in half added Trick Shot and Wicked underneath it so thats size dimensions thats actually the same footprint per say as it was pre-existing. The other two the one, that one the bigger of the two that I'm proposing for the sides of the building.

Don Roberts: It all conforms right?

Tom Koval: We've had plenty of time to see them all they've been up for quite a while.

Tim Berlin: I took one down I figured I could put one up ya know.

Marcel Nadeau made a motion to Approve Wicked Eatery Pub Sign application. Tom Koval seconded. Motion Carried.

Tim Berlin: Thank you very much.

17.184 **Lowe's Temporary Storage, 476 Rt. 146 - Change of Use/Tenant**

Eric Carne: Good evening my name is Eric Carne, I am the store manager of Lowes in Halfmoon, and I'm here to get permission for our 6 storage units with a possible expansion of up to 8 to deal with the influx of our seasonal appliance business going into Black Friday.

Don Roberts: Any questions by the Board?

Rich Berkowitz: Do we have any other businesses in Town that have this type of temporary storage?

Don Roberts: Wal-Mart's.

Rich Berkowitz: Ok, I know at one time we frowned upon the outside storage

Tom Koval: It seems to me its getting longer and longer that they are there, now you are calling these Black Friday storage but one of our Board members spotted them a long time after.

Rich Berkowitz: I'm in that parking lot everyday and they were there since summer time.

Eric Carne: You will have to forgive me for that I had been the store manager of the Hudson Lowes for the last 2 years and I didnt realize that I had to amend my permit with you guys up until I was notified at which that point I did.

Rich Berkowitz: So if we do approve this when will these be removed?

Eric Carne: I believe I applied through the end of December but the plan right now is to start moving them at the end of November.

Rich Berkowitz: And is there, I'm going off subject here but the parking lot is dangerous and there is a lot of near accidents because there is no stop signs from the parking lot going into the perimeter road.

Tom Koval: I brought up something at the pre meeting , you hadn't made it yet Rich, all the greenery you have in the islands where it goes into the perimeter road the trees have gotten so bushy and have limbs so that I'm in a , I drive a bigger pick up truck I cant see out but I see a lot of cars having near misses too, you really need to trim up the lower 5 or 6 feet cut off those lower limbs cause people are getting out cant see what's coming , especially on that bend , blown out and so I think , its not a suggestion I think as part of our approval that needs to be taken care of .

Rich Berkowitz: Its even in areas where there are no trees over by the ATM machine and the two parking alleys coming west of there or south of there, cause I drive through there probably 3 or 4 times a day and almost every day there's a near incident and Im just going along the perimeter road , there is people trying to cut into perimeter road , who aren't even looking either way and not stopping and common sense says you need to stop at that intersection but not a lot of people do.

John Higgins: This Board has mentioned it to previous managers and they have said they would look into it well I think that we are now to the point than just look into it, cause as Rich mentioned several of the Board members have seen almost accidents because of that.

Marcel Nadeau: On the previous actually 2 previous approvals I had asked for a striping on the road, as you come around the bend its all worn off so, people dont know which side they should be on and that needs to be done.

Tom Koval: Center line striping.

Marcel Nadeau: Right center line striping, so that needs to be done that was supposed to be done I believe on two previous approvals and it never did get done.

Tom Koval: We keep making a suggestion instead of a condition of approval for other things, we have to make it a condition of the approval of your temporary storage because it's the only way anything gets done is if we make it a condition.

Eric Carne: Again that was before my time , I know the previous store manager , we've painted stop , we've had to cover up stop , I know we put up signs then we had to take down signs, if I could just get some clarity I would be more than happy to

Rich Berkowitz: If he had listened to the Board, he put the stop signs in the wrong areas.

Eric Carne: Again if I could just get some clarity, I dont know if its a site visit or what, I would be more than happy to trim the bushes and trees, I mean thats not a problem

Tom Koval: I can make a site visit an go over what our concerns are but trimming the lower 5 or 6 feet of the trees and putting a center stripe down the road doesnt really

John Higgins: And the location of the stop signs also.

Tom Koval: Where were we going to put the stop signs?

Rich Berkowitz: At the end of each parking aisle.

Don Roberts: Wouldnt it be a good idea to have Tom Koval , Rich Berkowitz , John Higgins go out and meet you onsite and discuss all of this what needs to be done, that way its as clear as can be you know

Eric Carne: That's fine with me.

Don Roberts: that way it's as clear as can be you know

Eric Carne: Ok, sure

Don Roberts: Ok and I'm afraid we are going to drive this poor guy back to Kingston but you know

Eric Carne: No, I'm from Stillwater I'm not driving back down there

Tom Werner: Don, I'd be willing to join that group

Don Roberts: We can only have three

John Higgins: If you want I'll back out that's fine

Don Roberts: Ok, then Tom Werner, we can't have a quorum going.

Tom Werner: I know from a previous experience that you got to get somebody who knows what they are doing, we've had painting contractors coming to some of these malls and they put down the wrong color paint and stripes not knowing you use yellow to separate traffic and white in the same direction but its amazing to me that you do find those situations and you dont have to go far from here to see that.

John Higgins: Now also just so you know for next year, that you have to come before the Board before you bring any temporary storage containers on site.

Eric Carne: I know that now.

John Higgins: Thank you.

Don Roberts: Does the Board feel comfortable doing a conditional approval contingent on the site visit and given an appropriate time frame to complete all of this?

Tom Werner: Yes

Tom Koval: Yes

Richard Harris: We will set that up

Rich Berkowitz: I make a motion to give Lowe's Temporary Storage Conditional Approval contingent on a site visit and modifications made to the parking lot.

Lynn Murphy: Just for clarification for the record, the modifications will be a center line striping, trimming of the appropriate trees and stop signs at the locations as indicated by the Board.

Don Roberts: And anything else that may be found out there.

John Higgins: And is it for 6 units or for 8 units?

Eric Carne: Im expecting a shipment of another 159 appliances for Black Friday so right now we are trying to maintain 6 I mean its a cost to us as well I just would appreciate the flexibility of going to 8 , we have a lot of space in the back.

Rich Berkowitz: I have no problem with 8

Rich Berkowitz made a motion to give Lowe's Temporary Storage Conditional Approval contingent on a site visit and modifications made to the parking lot. Tom Koval seconded. Motion Carried

Don Roberts: So Rich will set that up with you the site visit and the Board members.

Eric Carne: Thank you.

17.162 **Snyder's Restaurant - 1717 Route 9- Minor Subdivision**

Tom Ruchlicki recused himself.

Jeff Williams: Good evening Jeff Williams , Bruce Tanski Construction I'm here with the applicant and the owner of Snyder's Restaurant and also the owner of Shops of Halfmoon Mr. Bruce Tanski. Mr. Tanski is performing some estate planning, he wishes to separate the long time restaurant from the Shops of Halfmoon Plaza site , and in order to do so we created a proposed boundary line that conforms to a side yard setback in the commercial zone , off of the existing plaza building , this plaza building is one that faces route 9 so the easiest and cleanest way was to create a straight line that paralleled off of the existing plaza building 15 feet is a conforming setback, in doing so this created the lot to be 20,515 sq ft which is under what the minimum lot size is in the C-1 zone of 4,485 sq ft , we were denied an application by Mr. Harris and we went to the ZBA and we have been in front of the ZBA September and in October 2nd we were granted the variance, the area variance from the ZBA. All that said , also the ZBA granted 2 pre existing conditions the 2 front yard setbacks conditions this is a corner lot a pie side lot so they have to meet the minimum is a 50 ft front yard setbacks on the route 9 side of the Old 146 side , so we were granted the variances on those areas , just to let you know the old route 146 side is 14.9 ft off of the road and then the route 9 side is 2.3 we were granted relief on those. Basically in closing there is no proposed changes to the existing building , no expansion or addition or changes to the existing site all of the required 26 parking spaces from the 2007 Shops of Halfmoon Site Plan will be maintained on what we're proposing on the new lot for Snyder's , everything will remain the same , the proposed action will create 2 separate lots , we are going to also add on ingress, egress and parking use easements to allow for the 2 curb cuts to be utilized for the plaza and for the restaurant itself, again in closing there are no changes other than we are trying to separate the two uses , the restaurant use and the Shops of Halfmoon use, and I'm here to ask for a Public Hearing tonight.

Don Roberts: Questions by the Board?

Rich Berkowitz: Its basically just reverting to what it was before isn't it?

Jeff Williams: It was a separate lot at one time, I'm not sure where the line was but we are just separating it out.

John Higgins: Are you going to show a diagram with the parking laid out Jeff?

Jeff Williams: Well I guess I can I would have to see if

John Higgins: It might be something that we want to have for the Public Hearing.

Jeff Williams: Right, ok

Rich Berkowitz: We have two large public hearings on the 23rd?

Don Roberts: Yea we already discussed this , we expect to have two large public hearings at our next meeting so we would like to have this public hearing at the first meeting in November.

Jeff Williams: That's ok

Don Roberts: Thank you.

Tom Koval made a motion to set a Public Hearing for Snyder's Restaurant on November 13, 2017. Rich Berkowitz seconded. Motion Carried.

17.196 **Tabor Road Flex & Truck Terminal Park/ County Waste PDD, 8 Tabor Road - PDD
Amendment Recommendation**

Jason Dell: Good evening my name is Jason Dell I'm an engineer with Lansing Engineering here on behalf of the applicant for the County Waste PDD Amendment for the Tabor Road Flex and Truck Terminal Park. As you are all familiar with the project we were here before its located at 12 Tabor road , for this project its actually 12 & 8 Tabor road , at the June 7, 2017 Town Board meeting , the Town Board approved the amendment to the County Waste PDD for the Truck Terminal Park and we were back before the Town Board last week to request consideration to include an additional .4 acres located immediately east of the park into the pdd amendment. The Town Board subsequently referred us to the Planning Board for a recommendation which is why we are here this evening. The additional property , the additional .4 acres will provide flexibility with respect to adding a secondary entrance into the flex park which is something I know this Board was concerned with the first go around so when we do eventually do come back for a site plan on this one we can dial in exactly where the traffic engineers and CHA and the Town would like those entrances , but now we've got about 400 ft of road frontage in which we could locate either one or two entrances , the additional .4 acres will allow for this building #1 to be increased in size by 4,800 sq ft so for the project the public benefit continues to be the extension of the water main down Tabor road which those plans have now been reviewed and approved by the Department of Health so that is still in the works and we are here tonight to answer any questions the board may have in the hope that you send this back to the Town Board with a positive recommendation.

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

John Higgins: How does adding .4 acres allow you to add another 5,000 sq ft to building 1?

Jason Dell: What we did over here is we just widened the building a little bit further in this direction and we had this additional parking room over in here which allowed us to offset the purchase cost of the .4 acres as well as just expand the development potential of the project.

John Higgins: But 5,000 sq ft requires how many more parking spaces?

Jason Dell: Off of the top of my head, I do not recall the exact number but we do exceed the required parking numbers with what's shown on the pavement now we are proposing an additional 30 banked parking stalls.

Don Roberts: Anyone else?

Marcel Nadeau: Jason it was a concern early on I think on the trailer trucks coming in I think we questioned and I think it was determined that they would not stack back onto the tracks but does this entrance alleviate any of that?

Jason Dell: This entrance here is in the same place that its been on the western side throughout the whole process, the question was a secondary point of access that I know emergency services was looking for which we originally had right over in this area which is fairly close to this entrance so we are moving that over here but to answer your question that entrance has always been there and it remains in the same place

Marcel Nadeau: Alright thank you.

Tom Ruchlicki: Jason I think I asked you about that situation with the railroad tracks and the first entrance does it makes any sense to make a primary entrance on that new piece of property versus where it is currently?

Jason Dell: We would be certainly open to that when we come back in for Site plan approval whether the main entrance is on the western side or the eastern side this building could slide over, we can certainly work through all of that

Tom Ruchlicki: If you would take a look at that , I know there's probably enough distance between the tracks in that first entrance but maybe it would work out better if the entrance but maybe it would work out better if the primary entrance was the second piece over

Jason Dell: Sure when we come back in for site plan we will certainly work for CHA whichever makes the most sense I know it can be accommodated.

Tom Ruchlicki: Thanks

Rich Berkowitz: Also is the tractor trailer traffic going to be restricted from going right on Tabor?

Jason Dell: For the most part it would make sense to go left for access for the highway.

Rich Berkowitz: Will it be restricted or... just makes sense?

Jason Dell: If this Board required it to be restricted we could certainly

Rich Berkowitz: Cause you are going on back County roads and through neighborhoods then

Jason Dell: Right

Rich Berkowitz: Ok

Don Roberts: Anyone else? Well they are looking for a recommendation so how does the Board feel?

Rich Berkowitz made a Positive Recommendation for the PDD Amendment back to the Town Board. Marcel Nadeau seconded. Motion Carried.

Jason Dell: Thank you.

17.194 Rt. 9 Self- Storage, 1751 Rt. 9 - (rear) Site Plan (Casale)

Jason Dell: Jason Dell: Lansing engineering here on behalf of the applicant for the Route 9 Self Storage project. The project site is located immediately East of the new Lakita Inn that is right here, that is our site, the project property is located both in Clifton Park as well as Halfmoon, the overall parcel size is a little over 5 acres with about 4.3 acres on the Halfmoon side with the remainder of the .7 acres within the Clifton Park boundaries. All of the proposed development will be with in the Town of Halfmoon. So for the Project the

applicant is proposing to construct 2 self storage buildings each of which are approximately 27,300 sq ft in size each building will house approximately 50 storage units, they will be kind of modular in which they can be broken up into the number but we would like to, the overall number to be a hundred units so 50 between each building. Each of the buildings and each of the units will have access from the exterior of the building entrance, or access into the facility will be off of Casale Dr. which is a private drive that comes back travels east and into the site, its proposed to be a gravel entrance starting at the turn in the road into Lakita, back and into and around the storage facility, there is approximately 50 ft between each of the buildings as well as between the buildings and the edge of the travelways. A motorized security gate will be at the front of the facility and the entire site will be fenced in , there is no designated parking areas for the facility , it isn't anticipated that renters accessing the site will make short and infrequent visits and will park near their unit making dedicated parking on the site unnecessary. Its anticipated that the design of the facility is such that the units are large enough to accommodate cars, boats, atv's and other vehicles inside for long term storage of those items, exterior storage of any vehicles will not be permitted and it is anticipated that the management of the site including bill payments and rental inquiries will be handled remotely as well as by a kiosk which you would access the gate so no onsite office space is provided either. So since there is no office space there will be no need for water and or sanitary sewer facilities back into the site. Stormwater will be managed in accordance with all DEC requirements and we are here tonight to present the project to the Board and answer any questions you may have at this time with the goal being to have the project referred to CHA for review.

Don Roberts: Ok, thanks Jason, so you're saying the size of each unit depends on what the customer wants?

Jason Dell: The approximate size right now that we had listed was I believe 14 x 39 but these buildings are such that they can be modular where the center wall here could be removed and this could be one long unit it could be a shorter unit, it's the goal for it to be a modular type unit.

Don Roberts: Thank you, questions?

Tom Werner: Could you just depict the outline of where the current sand bank is back there?

Jason Dell: The sand as you come in here you can drive in and its probably in about like so if I had to venture a guess, based upon walking the site this afternoon, there is still quite a bit of material that will have to come out of there in order to be brought down to grade to accommodate the buildings and the parking area.

Tom Werner: Now what is the topography that exists behind it will it require any type of retaining wall to hold anything up once you clear that and level it ?

Jason Dell: The existing topography climbs up right here you can see now on one side it goes up and then comes back down and a lot of the topo the existing topo that we have on the back side here and on this side it does look like we are going to be able to come pretty close to grade however on the other side over on the south and on the north there maybe the potential for retaining walls, we haven't gotten into the design or the grading of the site yet.

Tom Koval: One of the concerns we have is neighboring adjacent properties, the effect it's going to have on Chelsea Place and obviously we dont have a lot of drawings to look at

Jason Dell: Understand.

Tom Koval: Ya know if we had TOPO that would help and if we had aerial views that would help.

Jason Dell: I do know for reference on the Lakita side over here we did, there is a retaining wall there and then a slope that comes up to the offices down here but again we would certainly work through all of those details with the topography with the retaining walls if necessary or Geodic or CHA when the time comes.

Rich Berkowitz: So Jason if there is no management office, how would you rent one of these?

Jason Dell: There is going to be a kiosk near the gate according to the applicant they would also house the rental operations and the additional getting keys of that nature down at Casale rental down the street.

Rich Berkowitz: And if there is no management office what kind of security is going to be provided?

Jason Dell: There is going to be a fence all the way around the facility

Rich Berkowitz: How about cameras I mean anybody could drive in here rent one of these and put anything in there if there is no one on site and there are no cameras also

Jason Dell: I dont have the answers to that but at the next meeting I will have the answer to that.

Rich Berkowitz: I would think there would be some sort of security

Jason Dell: I would assume so yes, I dont have that definitively but so I will get you that answer next time.

Marcel Nadeau: Jason, access to this is 24 hours?

Jason Dell: Yes

John Higgins: I have a couple questions, as far as the fence we need to know if they are planning barbed wire on top or razor wire or anything like that obviously that makes a difference to us, number 2 you said its going to be all gravel its not going to be paved at all? And the third question was you know as far as I know Clough is going to look at it but there has been complaints before from the neighbors around there about dust and dirt and things like that and also as far as the grade on those banks I know that was a question with the Hotel in front, so I want to make sure you know they meet whatever cause we are going to want some kind of grass to be able to grow on there so its going to limit the amount of runoff.

Jason Dell: Understood, I know its part of a typical Site Plan package it will be a grading plan and an erosion and sediment control plan, detailed project, SWPP with all of those items and information in it.

John Higgins: I know its normal but I'm just saying because of the problems they already had on that site its going to be something that really needs to be looked at carefully.

Marcel Nadeau: Jason on Casale Dr., have you done any type of valuation as far as the number of vehicles that use that from the Hotel?

Jason Dell: I dont have the trip generation numbers from the Hotel but I will have those next time.

Don Roberts: Now Jason in our pre-meeting the subject came up about outside storage, now we dont want outside storage here like boats and campers and you're not planning that are you?

Jason Dell: No, no outside storage of vehicles at all.

Don Roberts: Ok, thank you.

John Higgins: Yea you mentioned that also in your original presentation but we are probably going to want to see that on the drawings somewhere a note.

Jason Dell: Understood.

John Higgins: Thank you.

Don Roberts: If there is no other questions I would like to refer this to the Town engineer for review, Saratoga County Planning Board and the Fire district.

Marcel Nadeau: Town of Clifton Park.

Don Roberts: Town of Clifton Park also thank you. Alright, thank you.

Jason Dell: Thank you.

The Board referred Rt. 9 Self Storage to the following agencies for further review. Town engineer, Saratoga County Planning Board and the Fire district.

17.197/17.215 51 Harris Road Community Solar, 51 Harris Road- Site Plan & Special Use Permit

Dave Carr: Good evening Dave Carr from the LA. Group , we are the environmental group representing the solar provider group on this project seeking special use permit and site plan approval as stated. The site is located on a portion of the Suchocki farm located at 51 Harris road, I do have a plan here that I can show you , white is the actual farm which is 200 acres the solar site is a little over 10, almost 11 acres in the southern portion , there is actually 3 separate parcels, the southern parcel is 33 acres and this would be approximately 13 acres or between its about 13 acres would be the lease area but the development areas is a little around 11 acres. We understand that this is a first step in the process and we are just here to give a brief overview of the project and our goal here this evening is part of the process with the solar developments its important to secure a grant from NYSERDA and one of the requirements of seeking that funding is receiving correspondence from the Town that they would intend where the Planning Board would intend to be the lead agent on this project so thats really our goal this evening besides presenting the project to you. This solar provider group has been a major player in the solar industry for over 10 years and they are very active in the United States , across the United States and Canada , what we are proposing here is a 2000 kw ground mounted solar facility located on the farm as stated. The current area of development is corn field , so developing this solar field would not require any tree removal it would basically be replacing the corn field with the solar field, the solar installation would be approximately 8400 panels with a mounting height of 10 ft. access to the field would be through a short gravel road off of Harris road and thats primarily to construct the field and then for maintenance which is very periodic , usually just mowing our experience with these is they just come in and mow 4 or 5 times a year , just to keep the grass from growing up from underneath the panels. 13 acres would be a land lease from the family that owns the farm it would be a 25 year lease after that 25 years as part of the contract the facility is required to be de-commissioned and the land turned back to agriculture. This would be a community solar facility so residents of the Town and other surrounding towns would have the ability to subscribe to the field and get a payback or a credit on their energy bill, generally its about 10 to 20 % its hard to calculate at this point but, and the reason why they picked this site was because it has obviously good access to the power grid and the family was interested in leasing the land and doing a kind of a desk top look by the company this site has very little slope and very few environmental constraints so with that I'll answer any questions I can , the actual applicant cant be here this evening because yesterday was a holiday for them so they are based in Toronto in this area so, thank you.

Don Roberts: Thank you, now typically what we have done so far is, it's a 25 year lease you said is that right?

Dave Carr: Correct

Don Roberts: I dont wish any bad luck but if something happened where you company walked away from this we want a bond to make sure for de-commissioning so you are aware of that right?

Dave Carr: I understand that yea.

Don Roberts: And that can be determined later on but just so you are aware of that, any other questions by the Board?

Marcel Nadeau: This area would be completely fenced?

Dave Carr: Yes 6 ft high fence and gated , and again our experience is we have never had issues with anyone trying to get in its a lot of times its to keep wildlife out and things like that but yes it will be 6 ft completely surrounded with a locked gate. No night lighting no security lighting normally it's not required.

Tom Werner: Would the fence incorporate any type of screening to buffer the contiguous residential areas here?

Dave Carr: It is not, however the applicant is aware that some screening may be required in the approval process, sometimes it's not, our experience is its usually vegetation more than putting slats in the fence or doing a solid fence but they would be amenable to that.

Tom Werner: So some sort of buffering visually

Dave Carr: Yes, if the Board would require that, yes.

John Higgins: It doesnt look like you have any room to put any vegetation on your part.

Dave Carr: Oh yea there would be.

John Higgins: Where?

Dave Carr: Well you could actually slide those panels back if you needed to

John Higgins: Yea because the panels are 10 ft and your fence is only 6 ft obviously the neighbors all along Harris road are going to be looking

Dave Carr: Yes that's why vegetation is used and the fence is more for security than screening

John Higgins: And on top of the fence no barbed wire or razor wire or anything like that?

Dave Carr: No

John Higgins: Yea I imagine the residents there are going to be looking for something

Dave Carr: Its typical yes, absolutely.

Don Roberts: Anyone else? Go ahead Rick

Richard Harris: I have a question procedurally, so in regards to the grant, do you want Clough to begin with you or wait until you find out if you have a grant and decide to move forward?

Dave Carr: Well I think the review would, our understanding, the LA Group was that we were seeking special use permit first so on this permit yes, I think it's a little early on the site plan to be honest with you from an informational standpoint but if Clough is involved in the process for a special use permit then I would say yes.

Richard Harris: Usually we do it in tandem; we do it at the same time so you know we would probably wait until you were ready for SWWP

Dave Carr: Yea I would think because yea, that has not been prepared yet, I think they wanted to get introduced the project and get through this step first.

Don Roberts: Yea for what you want we do intend to declare lead agency

Dave Carr: That would be great and I think

Don Roberts: It will take a while to get with the paperwork right Joe its going to take a while to get all of that done?

Dave Carr: That's fine; exactly we will be in contact for next meeting and yes, yes

Don Roberts: Ok

Dave Carr: Yes

Rich Berkowitz: I just have one question it may be stupid but when all of these solar panels, you have one collection site for all the energy to go to?

Dave Carr: It goes back to the grid.

Rich Berkowitz: How do you collect it from the solar sites to one central location and then get it back to the grid?

Dave Carr: That's a, I will get that answer for you

Rich Berkowitz: And if there is a central location on that piece of property, it doesn't make any humming noise where the residents are going to hear it?

Dave Carr: Well actually there is a location, it's called an inverter which is in I believe it's in this location right here

Rich Berkowitz: So that's the central point where all the energy

Dave Carr: Yes, it comes in and then it comes out to these red lines, so the energy is converted from dc to ac, and I'm not an electrical engineer but it's converted and there is

Rich Berkowitz: Will that emit a noise of humming or anything?

Dave Carr: A very low noise, but not , we can get you data on the noise and its only

Rich Berkowitz: But if that's in somebody's back yard it might be a low noise to you

Dave Carr: Right and we can get information on that.

Tom Koval: Rich basically it's a converter and there are cooling fans in the converter inside a building so it's almost like the cooling fan you would hear on a computer and there are several with in the structure.

Dave Carr: Exactly and in our experience is it is only running when the sun is out so at night its, the system shuts down so it's not its only working when its producing energy.

Tom Koval: And you're taking dc and converting it to ac through the inverters.

Dave Carr: I knew it was one or the other yea...

John Higgins: A couple of us looked at the boundaries you might want to take a look at your layout because I dont see how you are going to get any kind of buffering between your gravel road and the edge of the property there.

Dave Carr: Well they may have not initially created room for that I think they will put it in if required during the process and obviously the facility itself is a little over 10 acres they are leasing 13 acres so there is room to shift that back a little bit if we have to include buffering

John Higgins: Well the problem is you've got 50 ft set back from the stream so the only thing you could do is make it longer

Dave Carr: Well you could make it longer in either direction.

John Higgins: Yea but like I said we've done several of these in the last year and that's been the biggest complaint we have had I guess.

Tom Koval: Once they come back with the site plan we will have a better idea, but I think they kind of just photo shopped on solar panels on a site for now to give us an idea.

Rich Berkowitz made a motion to confirm the Planning Boards intent to become lead agency on the 51 Harris Road Community Solar project. Tom Koval seconded. Motion Carried.

Dave Carr: Thank you very much

Don Roberts: So who will be in touch with whom now for next steps?

Richard Harris: When he is ready he will get us those plans and I think we want to get that going

Don Roberts: Rich we should really

Richard Harris: We will go around and review it and then we will get back.

Don Roberts: Ok, good so that's between you guys, thank you.

Old Business:

17.083 The Kensington of Halfmoon II, Stone Quarry Road - Site Plan

Bill Hoblock: Hi good evening, Bill Hoblock here with Capital District Properties and Rich Bell Capital, with me Joe Dannible from our engineering firm EDP as well as Ken Wersted from our traffic engineering firm Creighton Manning & Associates. We are here seeking final site plan approval for the Kensington of Halfmoon Ph II. We were here last here before this Board in May at that meeting we were referred to the Town designated engineer for an engineering review, we along with EDP and Creighton Manning have worked with Clough and the Town Planning Department throughout the entire summer to work through the engineering issues and we are back here tonight and we ask that the Board grant us final site plan approval.

Don Roberts: Questions by the Board?

Tom Koval: Not that it's critical but how many residents are you tying into the public water?

Bill Hoblock: 60

Lyn Murphy: You know you still have to do an out of district water extension agreement?

Bill Hoblock: Yes

John Higgins: And all of the engineer's comments have been addressed? Thank you.

Don Roberts: Anyone else?

Tom Koval made a motion to Approve The Kensington of Halfmoon II Site Plan application. Rich Berkowitz seconded. Motion Carried.

Bill Hoblock: Thank you for your time, five years I appreciate it .

17.147 Crescent Gateway Properties/ADK Basement Systems - 155 Stone Quarry Road- Site Plan

Tom Koval recused himself.

Scott Reese: My name is Scott Reese I'm from Scott D. Reese RLA, PLLC I'm a landscape architect I'm here representing Kevin Koval for the Adirondack Basement Systems and we were back here in front of the Board back in July the Planning Board reviewed the plans and they had a concern about the 11,000 sq ft tension fabric building and so they want us to work with the Town designated engineer to look at different visual perspectives

along Stone Quarry road and Us route 9 , and also to do different cross sections and just also look at a leaf off condition since this is a little different so if we move forward to the next slide, alright this is a view that is looking from route 9 if you are across from the Tire Warehouse and basically what I did is the existing vegetation continues to come over across the property and then this is the vegetation thats behind it but what I did is I overlaid that , the tension fabric building thats here behind because what's going in front is the office buildings , thats the architectural rendered brick and mortar or wooden panel type of building, so when your back across from the Tire Warehouse that all of this will be kind of a screened off by vegetation and when I go through some of the other slides I will proceed and show some other kind of viewpoints. So if we move into the next photo and this is looking at Old Stone Quarry road

Lyn Murphy: I'm sorry just for purposes of the record I'm sorry to interrupt you very sorry to interrupt you but are you saying the previous slide that's not what it's going to look like?

Scott Reese: Well you are not going to see that, what I did was for this you know right now if I go back to an existing one the vegetation is actually covering in front

Lyn Murphy: And that's not going to get taken down?

Scott Reese: Thats not going to be taken down , that vegetation , when this photo was taken most of that vegetation on that site is already been removed so there's probably about 90 % of the vegetation thats already been taken down for this site so but what I did for discussion purposes is that you know as far as scale but the thing is is that yes that area you are not going to see this like this , its going to be screened by vegetation but sometimes what I do is that you know this is the location , this is the location this is the scale of it because I knew that the Board was concerned about leaf off conditions ya know and

Lynn Murphy: I wasn't at the last meeting so that's why I'm asking, usually they will show what it will actually look like not what it would look like if there were no trees there.

Scott Reese: And basically if I did that it would look like the existing conditions map

Lyn Murphy: Ok, thank you

Scott Reese: Ok, so this is looking at from Stone Quarry road right now this is looking , so we are standing right by their driveway and looking at this location here so what happens is they have an existing buffer , or existing evergreen planting s and trees in this location

Don Roberts: Excuse me whose driveway is this?

Scott Reese: Excuse me?

Don Roberts: Whose driveway are we talking about now?

Scott Reese: The residents, that driveway is the residents driveway, Mrs. Kennedy. So this is of course the existing evergreen trees and then this is the back side the top of the tension fabric structure that's here

Rich Berkowitz: What does it look like in the summer?

Scott Reese: Well, right, there are other photographs that I can show you that were taken during the summer as well.

Rich Berkowitz: Yea I would like to see that also.

Scott Reese: Ok. Cause one of the concerns was how this was going to look like during the Winter when all the leaves were off the tree when it was going to have the most visual impact.

Tom Werner: Now this appears to have a white colored fabric, your previous sim had a green fabric?

Scott Reese: This is just kind of demonstrating is that this is actually a green fabric the top is just actually where snow is resting on the top, so cause I had photos of existing tension fabric structures during the Winter that I actually had snow just kind of sitting a little bit on the top so thats what's the whiteness that you see on top is.

Tom Werner: Thank you.

Kevin Koval: We haven't determined a color for this yet , its not set in stone that it will be green so

Scott Reese: Ok, next slide please , so what we also did is we also looked at the different times that we would be able to see the project so here is the existing tension fabric structure this is the office building and what I did was I color coded it , the brown was where it was either going to be blocked by when you are driving up or down route 9 or up or down Old Stone Quarry road, if it was going to be blocked by topo or geography or by buildings so basically if you were heading south on route 9 you'd be traveling down it would be either blocked by topography as it rises up you have a hill side here and you also have the new commercial development of the tire store there and then you turn up and right along here along this location is where you would start to see it screen through the vegetation and then you know what I did was I said alright if your traveling the speed of the road posted sign how long that you would have it so it was a few seconds here and then you know 5 seconds here so when your driving down thats your duration of view. Same thing when your traveling northbound on route 9 that this area you know from the other Tire Warehouse is that you would have it screened by vegetation then the vegetation thins out enough at this location where you would be able to view it for approximately around 5 seconds of traveling at the speed posted speed limit of that road, so those are more temporary how long you would be exposed to the visual impact of the new structures. And then of course you also have Garden Time traveling down that you have along there so the Garden Time is that location. Alright next slide please , alright this is just a cross section thats showing so its just showing this so is Stone Quarry road , this is route 9 so it does drop down into the big gully this is where the overhead utility lines going through then this is all mature vegetation you know its averaging around 45 , 50 ft tall in height and you know these buildings around 32 , 34 ft high but as you can see here 's their knoll on the county property and its going to be cut down and so thats why your only seeing the top of the structure instead of the whole structure , when we are looking from this point your looking up here and thats why you saw the top of the knoll at that location when your looking over from route 9 your coming across then your seeing most of that other building solely at that location alright so , I can see if there is or not, if not I can move to another.... what I did here was just take additional photos so you have a better feel of the area these aren't rendered or anything like this but this is again the existing photo cuts across from the Tire Warehouse, so you know so their banner is here thats probably another driveway this is the utility lines this is the first row of vegetation its the back row of vegetation so that area has already been cleared out and then your approaching your underneath the utility lines so again you have all this vegetation thats going to be existing along through this area mostly like I said before 90 % of the vegetation already has been kind of removed for the site thats been here for the grading permit that they acquired through the town so and then your approaching the site , this is the bill board so again you still have this vegetation thats existing and then this next photo is that you see the new Tire Warehouse thats being built on this location , Warren Tire excuse me Warren Tire at that location. They left some of that existing vegetation so here is there existing vegetation that they have along route 9 and we are keeping most of this other vegetation thats in front because in front of the building, the front of the property line is wetlands, so there were certain wetlands that were marked so we are not going to be taking out that vegetation. Again so we are concerned about leaf off conditions what is it gonna look like in the front, so this is I'm right in the parked area in front of the bill board sign, so as you could see these are the existing trees that are remaining thats in the front this is the area thats behind thats been cleared , so but the thing is from this view point its going to be facing route 9 is this is how a typical front of a tension Fabric Structure looks like so it has a more of a solid facade to that building with a larger garage door for the applicant to be able to store his vehicles in, and his materials so this is again this is a leaf off condition that you are looking in , so there will be screen by the existing vegetation but the just to have a better idea cause I know that was brought up from some of the Board members. And this is the Tire Warehouse so just looking at the other direction going up route 9 so we're just saying as far as you know the size and the just of the site and what's in the immediate area we just wanted to make sure that that's evident. Another concern was where does another tension fabric structure exist in the Town of Halfmoon and this is the Fairways of Halfmoon area and this is one of their maintenance areas, this was an overhead of 2007 their area , and then in

Richard Harris: That is not one of their maintenance areas

Scott Reese: oh it's not, ok

Richard Harris: It's a privately owned parcel

Scott Reese: Ok, thank you. but they constructed a tension fabric structure which is in an agricultural residential zone, so again this is a view of a fabric tension structure that's on Raylinsky lane up north and then facing down so that's there but he is going to have a different front facade more like what I showed you earlier from that other view.

Kevin Koval: Please don't think that's what mine is going to look like

Scott Reese: Right, but it's a concern with the Town Board, I mean the Planning Board they were requesting has there been other tension fabric structures and what's also planned down the future in the Town of Halfmoon. With that I don't know if you would like us to address questions of the Board now or if you would like us to address some of the public concerns that have been sent into the Town.

Don Roberts: Ok, thank you for your presentation. I would like to say the structure on Raylinsky lane I don't believe this Board ever approved that, just for the record, just so you know and secondly from day one when you came in here Mike just speaking for myself my concern has always been the structure itself, the use is great my concern has been the structure, I mean if perhaps if this was an industrial area but not right behind a residential home and not near the apartments and other residential areas, it may be doable and for the use if it were like Mike you go up north you see in Queensbury you see the sports plex up there and the big dome off the Northway, route 7 in Latham you see the golf place now it's Halfmoon Soccer you know that's sports minded and that's different use perhaps that would work but standard for your still going to be storing trucks and equipment, it's always been standard construction in building and my concern is first of all that it doesn't meet the character of the neighborhood and secondly that we would be setting a precedent that if we allow this in this area we are going to be awful hard pressed to not allow similar structures in any other part of Town and that's my concern, that's all I have to say.

Marcel Nadeau: Don my biggest concern is the character of the area, you know we have beautiful looking apartment complex across the road there and I feel it just doesn't fit in that area I will agree with you if it's industrial maybe I would consider that but I just feel that it doesn't fit the character of that area. Residents in that whole area and I just feel that, what size is the office building compared to the tent in proportion?

Kevin Koval: 85 x 56

Marcel Nadeau: The office building?

Kevin Koval: Yes, so if the tension fabric structure is situated this way the long way this way, 80-feet this way is the office building.

Marcel Nadeau: And what is the tent? What size?

Kevin Koval: 150 the office would cover approximately half of the tension fabric structure.

Don Roberts: I've got one other thing I'm sorry, we did receive 2 letters from the neighbors; this is not a public hearing so we are not going to read the letters but they are part of the record I believe you got copies of the letters right?

Scott Reese: Yes I do and I have responses to them.

Don Roberts: Go ahead sure.

Kevin Koval: My name is Kevin Koval I'm the owner of Crescent Gateway Properties who would be the principal on this project, in response to the letter from Mr. Kennedy, his concerns, he has great concerns over

the building design being proposed with the building type and very very high visibility from surrounding properties , once fully cleared the structure would highly visible from northbound traffic from route 9 , is this type of structure the building you want greeting people in this area, will internal, I'm paraphrasing, illumination result in a green glowing object on the hillside. The building will be insulated from the inside so there will be no transmission and we dont operate in the evening past normal business hours anyway, and also as Scott showed it will be considerably shielded by vegetation from the roadways. there is another point that was being made about last Sunday a large industrial chipper and other equipment doing clearing on the site work for an unapproved project , it was after 8 am in the morning , there was clearing being done by a subcontractor with proper permitting and soil disturbance permits and DEC approvals so thats been addressed , a concern about wetlands, all wetlands have been delineated as per DEC and we do have all approvals and we are not encroaching any wetlands , silt fencing has been started to be installed as of today, Mr. Kennedy asked for a vegetative or privacy wall we are not opposed to that ya know we would prefer to have our property shielded from the residential neighbors as well. He had a concern about hours and construction equipment outside, certainly we could have a discussion if there was a site plan approval we would certainly welcome a discussion on those points. Mr. Kennedy had an issue with lighting from the current apartment complex Kensington across the street and from Warren tires and that it creates a lot of light pollution, there will be minimal lighting on the residential side of the building as we showed the on the residential side that is the back side of the building there is no parking back there or anything and so there wouldnt be necessarily necessitate lighting on that side of the building I dont think. Hours of operation , and loud industrial activity should be clearly stated, there is no industrial activity at our facility our crews coming in the morning load up their truck which will be inside the building and leave for the day currently we run 4 box trucks and 3 Mercedes service vans so its very minimal we dont use heavy equipment for loading, no parking of any kind shall be allowed on Stone Quarry Driveway leading to the business there was a comment about the fact that I like to apparently like to park my construction trailer close to the road at our current location on Jones road that is a trailer that is parked there because a lack of parking where we are we've outgrown the space that we're in this is the reason for moving to this location it is not meant to be a billboard there that trailer rolls most day of the week out to job sites and the trailer is where it is currently parked its legal and it meets Town code and it doesnt act as a billboard

Don Roberts: So are you saying that you wouldnt have anything up by Stone Quarry Road?

Kevin Koval: Absolutely not that would strictly be a roadway and there wouldnt physically be anyplace to park a vehicle there

Don Roberts: Ok

Kevin Koval: We have no intention of having anything parked there , with the site approvals we would want to have a business sign out there of course but we would not anticipate parking anything out there , there would be no reason to , we would have to have the guys walk downstairs to the trucks it doesnt make any sense

Don Roberts: Very good thank you.

Kevin Koval: So that is the conclusion of Mr. Kennedy's letter, Mrs. Kennedy's letter

Marcel Nadeau: There is one more comment, I'm looking at her letter where it states: Mr. Koval also needs to remove the large pile of debris he piled on my lawn; what is that in reference to?

Kevin Koval: What happened there was I went in with the brush hog and started to clear the underbrush on the property , Mrs. Kennedy came over and spoke to me about it and I made sure every time I went over to speak to her to let her know what was going on to try and ease her fears over there and she stated to me that she didnt like the property being cleared because she didnt want people coming from that side of the property with the heavy underbrush it would be difficult to traverse the property there , so in response I asked her if she would like me to place a pile of brush in an area where she had cleared to my property, to kind of give some buffer there which she agreed to, after I did that she didnt like that but that pile of brush is fully on my property , the property has been surveyed and marked , another area right next to that is a large area where there has been a considerable amount of garbage dumped from the Kennedy property , from Mrs. Kennedys property , I have pictures of it , its been used as a landfill on my property , it looks like a house has been demolished or

something like that there is toilets , there is concrete , there is garbage thats been stacked up , its been used as an area for disposal of yard waste as well.

Don Roberts: I dont think the Board wants to get involved in a property owners dispute here

Kevin Koval: No, I was addressing the brush pile and other points in this letter.

Don Roberts: Before you get to the next letter I think Paul has something

Paul Marlow: I have a question, do you know if you are under an acre or if it's more than that?

Scott Reese: For disturbance?

Paul Marlow: Yea

Scott Reese: Yea we are going to be over an acre but the thing is that we are having a firm

Paul Marlow: No are you guys right now are you over an acre?

Kevin Koval: I dont know exactly, its probably pretty close though, but we haven't disturbed any soil yet, we haven't started digging yet but before we turn over

Richard Harris: You didnt dig into the hill behind Mrs. Kennedy's house

Kevin Koval: The 50ft wide swath that is the finger that goes out to Stone Quarry had been dug out 2 years ago now a year and a half ago to gain access to the property, since the Town instructed me to get a soil disturbance permit no digging has been done over there, you know that would be more than an acre, the only digging that has been done has been to allow us to install silt fencing

Paul Marlow: But you and I talked and you had that big stock pile of top soil

Kevin Koval: Yes when Warren Tire was constructed they had excess soil left over I spoke to you and you said put silt fence up around it and it was fine to stock pile it.

Paul Marlow: That is not a problem, just for clarification for the record; we never actually finished the Soil Disturbance process.

Kevin Koval: That is not the information I have, we have a completed soil disturbance permit for there.

Paul Marlow: We never got an NOI.

Scott Reese: We got a letter back from DEC Acknowledgement Letter

Paul Marlow: Right, but I didn't sign the SWPP

Lyn Murphy: Ok, so it sounds like you need to , you guys need to take this and discuss it during business hours and make sure that everybody's in compliance , it sounds like your doing what you need to do it sounds like we need additional information but this isn't the time or place to be having this conversation.

Don Roberts: I guess Mr. Koval I guess go on right now with the letter, your response to the other letter if you want.

Kevin Koval: This was the only letter, I guess there were some other, I dont think they need to be gone into in detail I just reiterating

Don Roberts: That's fine I just wanted to make sure that you got copies of the letter and let everyone know that we've got copies as well, good thank you.

Don Roberts: Board members, oh go ahead

Kevin Koval: I also have 2 letters of recommendation, unsolicited letters of recommendation from, residents in the Town approve for this project.

Don Roberts: Ok, we don't need to read them once again but thank you, questions by the board?

Tom Ruchlicki: I've got a couple of questions, can you go back to this picture, now because the drawing that I'm looking at or the aerial photo it's difficult for me to ascertain the elevations that I see are marked on there but in that one view when you are coming down 9 and you see the moat area at the tire center

Scott Reese: This area here?

Tom Ruchlicki: Yes, that would be on the south side of the power line, that lever where their parking lot is and that shows in that other picture where it's mowed out and it looks like a lawn, at that elevation where is that same height in front of your site?

Scott Reese: Ok

Tom Ruchlicki: Because my fear is that those trees that you show in the valley from the power lines to your site are lower than

Kevin Koval: Our site is lower as well though

Tom Ruchlicki: I want clarification on that, whether you can give me the actual numbers there because I can't read them off of here and I can't see them on there either.

Scott Reese: This is the section that goes across but if you're looking at, so what you're asking for though is...

Tom Ruchlicki: See where it says photo 2 and the A

Scott Reese: Yup, photo 2A that's where this

Tom Ruchlicki: That level right there, where is that

Scott Reese: In relation to this?

Tom Ruchlicki: Yes

Scott Reese: Yes, ok

Tom Ruchlicki: What is the difference there if that's 200 ft where is it at your site is it 500 ft., is it 400 ft

Scott Reese: So right here where that point A where that is being looked is around between 485 ok , so when you are looking across that is almost to your eye level of the ground of that building alright so that building is just slightly higher than 485, so its right around so your eye level from where your at at 1 photo location , here so your right here so what happens is that this comes around drops down into that ravine and then comes back up so you know you say your eye level right there is 3 or 4 ft above ground level so your eye level is close to the base of bottom of those structures so if you look right straight across , there is a rise where those trees are so in between Tire Warehouse and the proposed structure there is quite a bit of a rise in here so those trees are not necessarily all down in the ravine. The ravine is where the power lines run through and then the land starts to come up through there considerably. Again with that section.

Tom Ruchlicki: I guess I'll have to take a ride by there; my concern is that vegetation is not high enough.

Scott Reese: I can understand you're thinking on that there is a bit of a plateau there so there are several fingers that come through, knobs that run through there.

Michael Ziobrowski: But what you are saying is that the site has been cleared at this point in time?

Kevin Koval: The trees have been removed and it has been brush hogged.

Michael Ziobrowski: Whether it is an acre or not we'll get into that later but it's been cleared? Ok.

Kevin Koval: It hasn't been brush hogged this year yet, it was brush hogged last year

Michael Ziobrowski: You say brush hogged but you already removed the trees right?

Kevin Koval: The trees were removed last year.

Michael Ziobrowski: Ok

Kevin Koval: The trees were removed , when I removed the trees the area that the trees were removed in were less than 1 acre there was a discrepancy between my opinion and the Towns , they were strictly basing their concerns on 1 acre over aerial shots but there was a lot of undergrowth so I cut down the undergrowth and then we turned the soil over, I cut the undergrowth with a brush hog and moved trees in a less than 1 acre area but then when I was instructed to stop I stopped all construction and that's what I'm starting archeological study and soil disturbance permit.

Michael Ziobrowski: Yea it sounds like you are right on the verge of that SWPPP permit requirement, so ok

Tom Werner: Question, I think following up on Toms , if I'm reading your section AA correctly the top of the proposed fabric structure will be approximately 35 feet above the view from Rt 9 at the , where you show photo 2 there is that approximately correct?

Scott Reese: From that one point so I would say that we were stating that if your view from this one location was very similar to almost the base of this structure , the structure I think is a 32 or 34 feet high so your assumption is correct that at that point that's elevated about 32, 34 feet higher.

Tom Werner: And what type of maintenance is required of this type of structure over the long term, 5, 10, 15 years out

Kevin Koval; With this type of structure is a steel truss arch that is installed and bolted right to the concrete foundation then there is a fabric that is pulled up over the top that has a 20 year life expectancy that is quite similar to a rubber roof on any commercial building, after 20 years you pull a new tarp over it and tension it down properly.

Tom Werner: Now what happens to color fading from the sunlight that type of thing?

Kevin Koval: I personally have a smaller 2 part version in front of my house that was approved by the Town 10 years ago and the color fading is minimal, if you guys want to drive by its been out there for 10 years , its right in front of my house, 57 Canal road. and it is a green structure, you know it fades , I'm not going to say it doesn't fade, it fades just like metal siding does, it gets that appearance that metal siding does when it ages as well.

Tom Werner: I guess I just, statement being new to this town I would personally be concerned I think upsetting a precedent of this type of structure was proposed where I lived in a residential area or generally residential area so I would state that concern as an issue to as being new to the town

Scott Reese: As the bulk and standards that you are referring to where things are listed into your codes and everything else along those lines , we are trying to follow what's in the codes and its right in code so as far as the standards you know thats what we are looking at and as far a, we understand but with each precedent

everything that your doing you have certain mitigations for it you know so if its adding a 6 ft fencing , if its adding evergreen trees for buffering it doesnt always mean that if your doing it once you have to do it for each and every project , because there are certain reasons for if your doing something that might be of an impact and a mitigation for that impact which would be a screening factor if your concerned about it being viewed and in the winter time you could up more evergreen trees so its not as visible with that concern so its that visual that you are looking for , how do you mitigate at that portion, now so we can definitely look at for this

Rich Berkowitz: Why should we have to mitigate something we're not pleased with? Well you mentioned mitigation I'm just asking.

Kevin Koval: Are they following the codes that are in place?

Rich Berkowitz: I realize that but also you know this is the second or third time you have heard our opinions on this.

Kevin Koval: And I dont happen to agree with them and that's why we are back in front of you again

Rich Berkowitz: And I respect that but I dont know why you cant change the structure of that building to make it more, can I finish ,just to make it more esthetically pleasing to the Town that you are going to be doing business in?

Kevin Koval: I would like to address that, the reason why I've selected this type of structure and I know it's not the Towns problem but the cost to build a similar structure out of metal is a tension fabric structure is less than \$25.00 a sq ft to build, a metal building cost about \$ 75.00 a sq ft

Rich Berkowitz: Can you change the structure of a tension building?

Kevin Koval: How do you mean?

Rich Berkowitz: Can you change the configuration. of this structure , I've seen I've been down to Freds building , as a site visit , I've seen what he can do he can do amazing things with tents , he can do amazing things with tension fabrics.

Kevin Koval: I'm not opposed to changing the shape of the building

Rich Berkowitz: So why do you keep on bringing the same shape back to us?

Kevin Koval: Because its not the shape that I've been indicated that is the issue , the issue is that it has a fabric cover on it and correct me if I'm wrong but every single one of you have said that this is the issue is that it is a fabric structure not due to the shape of the fabric.

Rich Berkowitz: I said that fabric structures are structurally sound that's what I said in the first meeting but that was not my opinion.

Kevin Koval: The indication that I've gotten is that it is specifically because it is a tension fabric structure never once has it been brought to our attention that it is the geometric shape of the building is what the issue is so if that is the case then I think we need to approach this differently.

Rich Berkowitz: I tend to disagree with that

Kevin Koval: Ok and maybe it's just a misunderstanding but you know if it is a misunderstanding it is something that we can address, I'm not married to an arch shaped building by any means.

Tom Ruchlicki: Ok

Don Roberts: Anyone else?

Marcel Nadeau: My concern of the structure is that integrity wise I don't have an issue with it, setting the precedent number one in this neighborhood but number two in the rest of the Town, we will have to do this wherever, whoever comes in to request it, it will be a bigger issue for us to deny it in a very nice portion of Town shall I say, how do we control that? That's why I feel this would be setting a poor precedent.

Don Roberts: That's my concern too.

Kevin Koval: May I ask what exactly is it, is it the eye appeal of the fabric, or is it as Mr. Berkowitz was saying that the shape of the building just so I know, so how we can address this and come to a resolution so I can keep my business in this Town, what exactly is the issue that the board as a whole is seeing with this particular building, is it the color, is it the shape the type of covering that's on it.

Lyn Murphy: The Board hasn't done anything as a Board as we sit here today I think this discussion would be better had as part of like a working group and the Chairman can appoint two or three members to sit down with you and have a workshop session and try to reach a conclusion, this is the first time I've obviously been here when this is being presented so I don't think there is unity with regard to the concerns except for the fact that you are proposing is not something that they like, so I think the idea of sitting down and having a workshop would probably be beneficial to everyone.

Kevin Koval: Great

Don Roberts: Anyone else?

Mike Ziobrowski: I would also like to propose a site visit as well so we can get a feel for the esthetics, I appreciate the pictures and you know the topography work that you've done but at the same time

Kevin Koval: it just doesn't do it justice

Mike Ziobrowski: it just doesn't do it justice so I think that kind of requires a site visit.

Don Roberts: Believe me I don't want to spend your money for you, but down the line keep in mind maybe I'm not saying you have to do this, if it goes further along and we move further along you may want to consider a balloon test.

Kevin Koval: I'll do one test.

Don Roberts: You may want to I'm not saying it's necessary but

Kevin Koval: It's something that I could do myself at a very reasonable cost.

Don Roberts: Not one of those helium things, not one of those happy birthday balloons. Listen don't do it now but just an idea cause everyone is having trouble with the visual

Kevin Koval: If we did a site visit I think that would go a long way and I'm not saying that it wouldn't require balloon tests but I think if we all met on the site so you could actually put your feet on the ground and see how everything lays out you know we could drive some stakes in the ground to see where the corners of the building are and actually see the site instead of just doing it from pictures because it is a large project.

Don Roberts: It doesn't register, before we get to that point Joe you are going to need more site plans for drainage right?

Lyn Murphy: Until he determines what kind of building it is kind of....

Joe Romano: The Site Plan I've seen is preliminary in nature, I think the next step is to figure out the building so you can design a SWPPP.

Scott Reese: Right we were just getting the site plan kind of set and until we kind of knew what size and everything else we were holding off on doing all the other engineering.

Don Roberts: Ok, anyone else?

Richard Harris: Do you want the site visit to occur in advance of a workshop?

Tom Ruchlicki: I would almost think it would have to, we have to do a site plan or a site visit before we could even have any concept of what we are talking about

Richard Harris: You want to wait a few more weeks and I'm not trying to delay your process but until the leaves are off the trees

Don Roberts: It might be a good idea.

Kevin Koval: Also we are going to make sure that we have the soil disturbance permit in place I think it would make sense because we are currently excavating or getting ready to excavate over there so once, what we are doing this year with the soil disturbance permit is we are going to be leveling the land regardless of if I do this project or not I want to level this land and I think you would have a much better idea once its brought down to basically a building pad level have an idea of what everything would lay out to look like.

Don Roberts: Ok I need 3 volunteers for a site visit.

Mike Ziobrowski: I'll go

Don Roberts: Mike, Tom?

Rich Berkowitz: I'm going on vacation

Don Roberts: Tom , Ok Tom Werner , Mike and Tom Ruchlicki ok Rich can you set something up with these gentleman and them?

Richard Harris: Yea in about 3 weeks or so, does that sound reasonable?

Kevin Koval: We should have everything providing that we can clear out this soil disturbance permit we should have everything pretty well leveled at that point as well, thank you very much.

Don Roberts: Ok, thank you.

A committee set up by the Planning Board will be making a visit to the site to determine the viability of the site plan.

Tom Ruchlicki made a motion to Adjourn the meeting at 8:29 pm. Marcel Nadeau seconded. Meeting Adjourned.