

MINUTES MEETING
Town of Halfmoon Planning Board, 2017
October 23, 2017

Those present at the October 23, 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-absent
 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 October 10, 2017 Planning Board Minutes. Tom Ruchlicki seconded. Minutes Approved.

Public Information Meeting(s):

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

Don Roberts: We have the first items on the Agenda , we have 2 Public Information meetings , the first one is Creekview Estates residential PDD Upper Newtown road, PDD recommendation, and then the second one it the Betts Farm Residential PDD , Betts Farm and Hayner road PDD recommendations. Before we start I would like to have Wendy from VHB give us a summary of the traffic study, did I catch you off guard?

Wendy Holzberg: A little bit, its alright , I thought the other one was going first , yea we are good, so are you looking for a summary on the actual study that was for the Betts Farms or are you talking more the MOA?

Don Roberts: The MOA

Wendy Holzberg: Ok, so the MOA that was completed it was three different developers are involved in that MOA including the two developers that are part of Betts Farm and the Creekview Estates as well as Bruce Tanski was part of it as well, so it was divide up into several different phases, there was a very detailed traffic impact analysis that was completed, it's all focused on the Upper Newtown road 236, 146 intersection areas. The results of that MOA

divided the mitigation up into three different phases , Phase 1A is a traffic signal at the Upper Newtown road , 146 intersection Phase 1B is a southbound left turn lane on 146 at Upper Newtown road , the New York State Department of Transportation has indicated that they want those two to be constructed together they do not want the traffic signal to be put in prior to the construction of that left turn lane and then the third , the Phase 2 is kind of beyond what the three developers that were part of the MOA that's a future additional mitigation that would be improvements at the 236 , 146 intersection. So as part of that whole phase 1, A and 1B there was a specific cost for the three developers associated with Phase 1 which is the traffic signal installation , Phase 1B is put into a threshold analysis which is part of the developments that are on the table tonight as well as any other developments that have been approved that are adding trips onto, directly onto Upper Newtown road and that threshold has been set at 457 new trips added to Upper Newtown road and that was at the time there were several, a couple of years had passed between when we actually did the analysis counted the trips, so by the time that threshold and MOA went into place and comparing the volumes it ended up that it would be like 350 trips onto Upper Newtown road. So what has been decided is that there is a monetary value for each new c/o that gets put in to place that would go into the pot for those second Phase 1B improvements, which equate to over 800,000 dollars in mitigation as part of those turn lanes. I can keep going but I don't know if I have confused you yet or, it's a lot to take in, it's a very complicated document.

Don Roberts: I just wanted to give the audience an idea of what's been going on now for a while

Wendy Holzberg: So essentially the PDD and the density of the PDD's really tie into the ability for these developers to be able to fund that mitigation so that's why the PDD's are on the table and that density that they are asking for is really that whole process how we went through of how these developers can actually get enough funding and make their projects work with funding an 800,000 dollar improvement in that corridor.

Don Roberts: Ok, thank you Wendy, very good thank you. Ok now I would like to have Creekview Estates.

Lyn Murphy: Mr. Chairman just before we get into it , just to clarify one thing the densities were utilized in an effort to reach the appropriate monetary contributions however it's very clear that the densities not set by the MOA, the memorandum of agreement has no authority over this Board or the Town Board as it comes to setting densities and that is clarified on numerous occasions in the MOA.

Don Roberts: Thank you, Lyn, go ahead Sir.

Joel Bianchi: Good evening I'm Joel Bianchi with MJ Engineering I'm here to discuss the Creekview Estates Project, here with me this evening is Jeff Gabriel from Beacon Development the developer of the project, to give the Board some back ground and the public some back ground the property is located on Upper Newtown road which is up on the northern piece of the map, the overall property is just under a hundred acres 95.8 acres. The property is located in the Towns agricultural residential zoning district. About 2 years ago we had originally submitted this project as a conventional subdivision following the 20,000 sq ft minimum lot sizes and under that plan we yielded 55 lots since then back in the early summer we submitted a PDD Application increasing the lots from 55 to 70 in doing that we followed the Towns conservation analysis process which is what we do is we look at the constrained lands for the property with this property there is really not too many encumbrances per se , to be familiar with the property the Macdonald creek runs sort of north and turns south and goes on the adjacent property that is really where all the constrained lands are located , 100 year flood plane , Army Corps wetlands , State wetlands and there is some steep slopes on both sides of the creek , so in doing that conservation analysis we attempted to avoid or minimize any development with in those constrained lands, and what we've done is this plan substantially avoids any of the steep slopes , any of the constrained lands Corps. wetlands, flood planes or any of the State wetlands in the adjacent area. So again with the development proposal 100 acres we are only planning to take up 56 acres of that the owner will retain the 40 acres on this side which is basically everything west of McDonald creek and then we would extend that property up to Upper Newtown road so that this piece of the property would still have legal frontage on a road up there. Again 70 proposed lots the minimum lot size is 10, 500 sq ft although many do exceed that by a little bit, in developing the plan we have open space of 27 acres which is roughly 50 % of that property , which is all of the yellowed areas which are considered open space in this plan, again when we look at the open space of that we have

roughly 8 acres or roughly 30 % of usable open space , what we're designated as usable open space is its not constrained by any environmental conditions that useable open space is predominately along Upper Newtown road , there's usable open space here although we have not designated it there is actually some more usable open space in the back here where it is not along steep slopes. For public utilities use we have town water that is located along Upper Newtown road , public sewer would go to the County Sewer District we plan a single pump station that would run south and then cross into the Swatling landing subdivision that currently exists today, three years ago when we started this project we had talked to the County Sewer District at that time they indicated they didnt see any capacity issues, we'll obviously have to revisit that topic now cause the project has changed , things have changed in the surrounding areas. Electric is located along Upper Newtown road , for Stormwater we would manage it onsite we have stormwater pylons planned here , here , here and here , as far as what would be conveyed to the Town or proposed for conveyance to the Town all these roads which would meet Town specification would be offered for the Town of Halfmoon. The utilities in the road, specifically stormwater would be offered to the Town as far as the stormwater ponds the plan would be that we would do an HOA and those would be owned and operated by the HOA. In regards to the HOA the only things that they would really be intended to govern would be the open space , the stormwater ponds and there is a potential that with the US postal service they are pushing all developments in Halfmoon , Clifton Park to the centralized mail kiosks that may become some sort of operating expense of the HOA. Now with the PDD the public benefit that has been offered by the developer is a 2,000 dollar contribution on every lot built towards general transportation improvements in the Town, when we were with I believe this Board the last meeting the discussion of whether that went to the 146 and Upper Newtown Road improvements that could be , the Town Board asked that it be General in nature so what the Town Board chooses to use that money for is entirely up to them. The other potential public benefit while not offered I believe the developers fully open to it Swatling Landings which they had done to the south is actually is off the map there is a large piece of property that was conveyed to the Town here there has been an interest discussed of possibly looking to extend trails along Macdonald Creek that would connect to this I believe the developer is completely open to that , there has been some very initial discussions with the trails committee in the Town about doing that and I think the developer is amenable to looking at how this Town property could be either connected , conveyed to the Town and have some trails that connect along the Macdonald Creek. With Wendy discussing the traffic there is not really much more to talk about traffic so I think at this point we are open for any comments or questions from the public.

Don Roberts: Ok, thank you, at this time I would like to open the Public Information meeting I would ask that anyone that wishes to speak please come up and say your name and address and make your comment because this is being recorded for the record, that being said would anyone like to speak? (no comments) Ok, seeing no one wants to speak I'm going to close the Public Information meeting, comments by the Board members?

Marcel Nadeau: Lyn, I've got a question in this traffic situation we've got three developers will be doing the improvements what will happen if one of the developers pulled out of it, do we still get these improvements?

Lyn Murphy: It's an all or nothing type in its approval it doesnt define what approval constitutes.

Marcel Nadeau: Ok if we approve one project it will be contingent on that traffic being taking place

Lyn Murphy: If you approve one and not the other one then the donations dont occur, except for the \$ 85,000 traffic

Marcel Nadeau: Ok, what happens with the traffic we gain by approving that project? The more traffic that we will end up with, in other words your saying that the traffic will stay as it is?

Lyn Murphy: The traffic would stay as it is , the issue would come up its a little complicated because the issue that would come up is that SEQR co notates that the traffic improvements are made and if you were to say there was no environmental impact it would be based on a SEQR review which contemplated them doing these mitigation things and if the one doesnt get solved then in theory you could , you'd have to attack it through the SEQR process because the SEQR evaluation that was done isn't accurate so their approval would come into question because a neg dec would be based on something that doesnt exist anymore, so it's complicated there is no real simple answer.

Marcel Nadeau: I guess my question is we dont want to approve projects and find out we are not going to get these improvements is what we are getting at

Lyn Murphy: That would be a concern for the Town Board I think based on their approving the PDD's or not approving the PDD's so regardless of the comments that you guys make the Town Board are the ones who are going to make the determination with regard to the PDD itself but I think your wise in saying maybe we should look at both of them separately but there is that whole joint SEQR thing

Marcel Nadeau: It's a whole picture, thank you.

Don Roberts: At this point we are only making a recommendation.

Marcel Nadeau: I understand but I just want to bring that up now so

Don Roberts: Thank you Marcel, anyone else?

Tom Werner: Yes, if everything went according to plan when was it anticipated the actual physical traffic mitigation improvements would be constructed?

Joel Bianchi: I will have to ask Wendy to answer that question

Wendy Holzberg: Wendy Holzberg I didnt say my whole name before you threw me off before a little bit , Wendy Holzberg with VHB, there is no exact timeline for that there is very specifics in the MOA as to how long of a period things, I think its a year after the threshold is met the final plans have to be submitted to the Department of Transportation within a year of that threshold being met so really the timeline is very much a part of how quickly the co's are given to meet that threshold.

Rich Berkowitz: And what is the threshold again?

Wendy Holzberg: The threshold is 457 vehicle trips that are directly onto Upper Newtown road so it is the developments that are currently under construction that are up for approval

Rich Berkowitz: So you have a baseline of pre project traffic?

Wendy Holzberg: Right and like I said that 457 at the time of the MOA based on the traffic already went down to 350 just based on what was already just constructed

Rich Berkowitz: Just 350 increased right now?

Wendy Holzberg: A 350 increase right now , it actually will be a little bit lower than that for anything that has been constructed since you know in the last couple of years so thats a number I'm working on right now to get that to find it constantly changes

Rich Berkowitz: And how often do you measure the Traffic?

Wendy Holzberg: Measure the threshold?

Rich Berkowitz: Yea the threshold or the vehicle trips?

Wendy Holzberg: Well we are kind of just starting in that process because the MOA was just officially signed in September so right now we are really getting in order and there is a deadline for the payment towards the traffic

signal is the beginning of next month so we are kind of rolling into that process and getting that definition of how often we need to check those co's and get that list and I'm sure the Planning Department will be talking and seeing what the best way to keep track of that to make sure we're..

Rich Berkowitz: Now could you reach this threshold prior to this project being started do you foresee that or no?

Wendy Holzberg: Yea I dont think there is enough approved units on Upper Newtown road to meet that threshold with out additional projects being approved, and that was part of because they improved the mitigation that was required as part of what's already there was the traffic signal, the turn lanes came in to play with additional traffic on top of that so it didnt meet an existing and thats why there is a 1A and 1B because they are separated by additional traffic.

Joe Romano: But Wendy those two improvements are being required by DOT

Wendy Holzberg: Right together, together yes.

Don Roberts: Thank you Wendy, anyone else?

Tom Koval: I just want to reiterate I hate to sound like a broken record but once again we have a project coming back in front of us in a revised form with more units, these projects are getting too dense in this area adding another 15 houses into it yes great we have more green space because we have smaller lots so on and so on , we still have too many units going in , too many people too much traffic I cant reiterate enough that I'm not for this I'm not for these increased densities on every single project , every single time it comes back in front of us again it has a lot more units this area is getting over run and I'm not comfortable with this in its current state or its current proposal.

Don Roberts: Ok, thank you Tom, anybody else?

John Higgins: I agree with Tom , and even thought you are following the smaller lot idea your also saving money on Town roads and infrastructure that you dont have to put in through the entire parcel that you would have had to if you went with conventional subdivision so yes I agree that you are conserving a lot of open space which is desirable but your also benefiting not having the expenses so I agree with Tom I really dont feel that it's justified to have the additional units I think it should be limited to what would be a conventional subdivision.

Don Roberts: Thank you John.

Marcel Nadeau: I'll agree with that as well, thats the only way that we can control the traffic is by keeping these projects at a lower density and thats the only control we have.

Don Roberts: Anyone else? We are being asked to either make a positive recommendation or a negative recommendation to the Town Board, we can either act tonight or take a while and consider this and take it up at another meeting what's the Boards pleasure?

Tom Koval: I make a negative recommendation

Don Roberts: Do I have a second?

Marcel Nadeau: I'll second

Don Roberts: Ok, we have a negative recommendation to the Town Board all of those in favor? I couldn't catch that, Tom what do you want ?

Tom Werner: I'm not voting for it, no

Don Roberts: Who is voting for this motion Marcel?

Marcel Nadeau: I'm sorry I seconded.

Don Roberts: But you voted yes to a negative recommendation right?

Marcel Nadeau: Negative recommendation

Don Roberts: Tom, it is 4 against, 4 for the proposal against the recommendation, those against the recommendation 1, 2 ok the Negative recommendation is carried thank you

Joel Bianchi: Alright, thanks

Tom Koval made a Negative recommendation to the Town Board regarding the Creekview Estates PDD. Marcel Nadeau seconded. Motion Carried.

14.129 Betts Farm Residential PDD, Betts Lane & Hayner Road- PDD Recommendation

Ed Abele: Hi I'm Ed Abele from Abele Builders and I'm here tonight to discuss the Betts PDD , it's probably important to give a little bit of history tonight of our project. We originally started this in 2011 and at that time we had come in at 6 years so , 6 years have passed since our original application and our concept has changed a little bit as well there's been some modification of the units and the density and also obviously a lot of work has been done on the traffic analysis as Wendy had eluded to earlier, but back in 2011 we had some units with ball fields and we had always chosen the PDD because at the time the Town thought it was a flexible concept that allowed for some flexibility with amenities so the first iteration of our project had some ball fields , at the time there was some consideration of an elementary school , you folks on the Board who have been here for a while may have recalled that there was some property to the south , the southern part of the project where there was an elementary school considered at one point, but after time passed the Town had chosen to remove the ball fields which was our initial public benefit , which we suggested, and basically in 2015 we re-characterized the project. At the Planning Boards request things came to a grinding halt with traffic issues which is obviously is front and center tonight , and I think its probably important that at least we spend a couple of minutes to let you know the amount of time and effort that went into the last two years , we worked hand in hat , hand in hand with the Town of Halfmoon Lou Lecce and Bruce Tanski coming up with another standing that I thought really provided a really good frame work for the improvements that are going to be required associated with our projects and other projects that will benefit from those improvements as well so although I really can't add anything more than Wendy mentioned on the technical aspects I can add that it was a tremendous amount of effort and work on all parties to get to where we are now which I think is a very good frame work for identifying what needs to be done and then understanding how to fund that. The other important thing I think is to recognize is that our project is a composition of what is an attractive unit today , we are not just single family homes and I think we can say that with some perspective having developed successfully Sheldon Hills and Glenn Meadows where we have a pretty good finger on the pulse of what a buyer is looking for and it's not necessarily single family homes or large lots, I know density kind of gets a black eye but has anyone looked at what the price of a developed lot is now a days, it's shocking and if you consider that and its impact on younger people trying to acquire a house you may re think some of the issues with the density, clearly traffic has to be dealt with but before you summarily attack density just keep in mind what is going on in the market place with the cost of developed lots, its skyrocketing. So in terms of where we are right now we have a very healthy mix of product , we have single family homes , we have twin homes and we also have several 4 unit actually 16, 4 unit structures that are proposed. We tried to appeal to different age groups and different segments we think thats very important, we also try to address what we think is a need in the community and its not just single family homes. The memorandum of understanding , let me just touch on that one more time , we will

be funding a traffic light that's \$ 83,000 dollars that Bruce Tanski, Abele Builders and Lou Lecce have to chime in and the timing of the improvements is kind of important to if you notice what Wendy said that many of these thresholds may not be hit for years to come and DOT said if you are going to do work for Phase 1 your going to do Phase 1A and 1B together so that may be quite a ways down the road but the funding of that of course has to proceed that so coming up with a frame work whether its this memorandum or anyone that you have in the future I think we have a very good template for that. The other thing that I think is probably worth noting is many already approved and future projects are or will be contributing vehicles to route 146 and Upper Newtown road intersection but not contributing towards the improvements that Bruce Tanski, Abele Builders and Lou Lecce are doing ,so I think the funding of that is something that we're willing to do is certainly associated with our project but there are beneficiaries to that so I think thats important to get out there as well. Other than that I'm here to answer any questions , Gavin is here from EDP of course Wendy is here and you know we certainly welcome any comments or anything that the public might have.

Don Roberts: thank you Ed, at this time I would like to open the public information meeting once again anyone has any comments please come up say your name, address make your comments, anyone like to speak?

Wesley Betts: Hello Wesley Betts , 30 Betts Lane and I'm right in the corner of that , lower left corner of that map , we keep talking about Upper Newtown road this parcel has very little affect on Upper Newtown it's all 146, 236 and Guideboard , nothing has been addressed , as far as traffic patterns going that way , cause my children graduated 2 years ago and at that point before all the additional housing was put in it would take me 45 minutes to get over to school to pick them up , now we are going to add another 236 units on this parcel and another 70 on Upper Newtown road what are we going to spend an hour and a half going back and forth the 5 miles to Clifton Park.? That doesnt seem reasonable.

Don Roberts: Ok, thank you sir anyone else?

Norm Hayner: Good evening Norm Hayner, I reside on 20 Betts Lane , it's well known that the Abele brothers are prominent builders in the Clifton Park and Halfmoon area and do quality work and their work speaks for itself , however we wish to address a number of issues that we dont believe have been addressed with regard to traffic. We have been coming to the hearings and the meetings here for the last several years as Ed eluded to and at no time has there been any , the focus has been on density and the project itself and I'm here to raise some questions really relative to a letter that we had sent to the Town Planning Board on August 7 of 2015 that was responded to a week later from the Town and but we dont believe that regarding Bells Lane I'll speak for Betts Lane from basically from where I reside at the first knoll and I'll let the Bett's can speak for the what the impact of their homes and so forth after that but to get out onto rt. 236 we have a unique situation on rt. 236 , 4/10 of a mile from Hayner road to Fellows road in that stretch area there is 9 points of entry within 4/10 of a mile, there is 3 on the west side that would be the ice cream stands/ working farm and two park entrances on the west side and 6 on the east side from Hayner road, Betts lane , Jehovah 's witnesses , Falcon Trace , our farm I mention that is between Betts lane and Hayner road as well as Fellows road , it is a bear trying to get out of rt. 236 in the morning at 7:30 and just I've sat behind , or Betts have sat behind me just 2 cars you can wait literally , easily 5 minutes to try to get on to take a left hand turn, now right is a little different , but you are trying to get across the roadway , many times myself I will scoot across and sit on the shoulder , on the far side and waiting for the traffic to go ,and last week at 7:30 I waited a total of 5 minutes between getting onto 236 and waiting so I can get on to just to go up to the hill its , thats just with the traffic with the residents on Betts lane at this point in time , let alone whether it be 100 units , 200 units it really doesnt matter if they are going to be sitting , if traffic is going to be sitting back on 236 nobody is going to get out and it is going to be very frustrating , so I dont believe that , that has been adequately addressed in terms of the site lines , its a unique situation I dont believe that rte 146 has anything similar to a situation with 9 points of entry within 4/10 of a mile, so while the focus has been on density our focus is on quality of life and being able to get onto the roadway safely , so some issues that we

have would be is Betts lane going to be widened? At what point is it going to be widened equally between the neighbor across the street from me who just put , she just put in a new home that has very little room, would it be equally on Betts lane? What about the wetlands situation with Macdonald creek down below, is that going to be addressed as well? would there be walking paths that connect the town park to the new Betts project , has there been traffic studies done by the Abeles with regard to site lines and if so have they been provided for public record here so I believe its our belief that this , unless this is adequately addressed as far as getting out onto rt. 236 not just speaking of Betts lane that its I would hope that the Town would not approve the project as it is with out addressing the traffic situation. Thank you.

Don Roberts; Thank you Norm, anyone else?

Ken Hayner: Hi I'm Ken Hayner of 48 Hayner road , and I just want to say that first of all being a small business owner with Norm I certainly can appreciate you know budgets and timeliness and all those things that go into that and trying to separate I think our family has come to the realization that the area doesnt look like it used to when we grew up , we have been a 5 generation farm and we have come to the realization that things have changed pretty quickly, I think we came to that a while ago , so we can appreciate things that are happening and our family and the Gorky family and the Betts family you know this is where we've been this is our home , I would just like to address the Hayner road part of it because thats where I come out onto when we go to work or wherever we go we pull out onto Hayner road and it just seems to be dangerous , if you get you know right now sometimes you could pull right up sometimes its 2 ,3 cars its not that much but like Norm said pulling out to make a left hand turn, I just kind of worry about cars coming down the hill and pulling into Hayner road to go home with other cars coming the other way you know from the north coming down trying to take a left hand turn on Hayner road from the north everybody's passing on the right it just seems to be very dangerous I dont think thats been adequately addressed yet so I just want to talk about Hayner road.

Don Roberts: Ok, thank you Ken, anyone else?

Craig Hayner: Craig Hayner, 71 Hayner road, I just really want to emphasize what both Norm and Ken had said and I just wanna kind of have you imagine you know you think about Betts lane and 4/10 of a mile and all of those points of entry that Norm discussed and now add to that Hayner road which is one of those points , but when we sit there, Norm mentioned about pulling out there and it took him 5 minutes sometimes he has to pull across , when your sitting at Hayner road in the same situation I want you to imagine that there is now more traffic on Hayner road behind you where you are waiting for traffic more traffic on Betts lane waiting to pull out and so each car that pulls out of old Fellows road or the town park or Falcon Trace or Betts lane on Hayner road you are going to wait for each one of those and thats after the traffic has cleared coming out of the Mechanicville area out of 146. Thats a common occurrence now with no impact with other developments that have taken place yet in that area and so if you can imagine what it would be like if that were already happening now and adding several cars you know I dont think Hayner road has even been addressed other than maybe at the entry point of the development. Hayner road will need improvements as well if this was to happen at the very bare minimum I think Betts lane and Hayner road would need right hand turning lanes at the bare minimum starting point just to even have traffic flow, because there is no room to even pull right out of Betts lane or Hayner road while somebody's waiting to take a left and so I would speak to that , thats a huge issue and then I would also mention we have been in business for almost 20 years with our farm stand and a farm there and the way the traffic flows right now again people pulling out of the business at times when the town park leaving in the summertime when people leaving the town park after games and things like that there is just a constant chaos of traffic flow in that area and I just think that its really important that we think hard about this so that this area the center part of Town can really be the best that it can be and traffic flow will determine that. You know who doesnt want more potential customers for their business you want that but we also realize that the potential for our businesses could also be hurt , could be if people cant get in and out safely so thats what I have to say , thank you very much.

Don Roberts: Thank you Craig, anyone else?

Walter Gorski: I am Walter Gorski, 61 Hayner road I own the farm on Hayner road, its been in the family since 1946, where that exit comes out onto Hayner road it is the side of my lawn ok, go sit where that's going to come out and watch traffic come right by my mailbox its a blind curve right there, you can pick people up when they get to my mailbox before that you can't , and they are doing 45 miles an hour thats what the speed limit says. The other speed limit for that curve says 25 miles an hour; you could arrest 100% of the people that go through that curve because 25 miles an hour they don't know what to do with. Farm equipment, Hayner road, Lower Newtown road for me, I rent land from my cousin Mary Hornet , I run both farms , equipment on the road today as it stands nobody knows what a double solid line is on Hayner road they pass me every moment they get , you do 35 they will go passing you at 45 and more , on a double solid line, all of Hayner road is a double solid line, you think you are going to get 400 vehicles coming out of there onto Hayner road its going to be chaos, I'm not accustomed to it I haven't been because I told you the farm has been in the family since. I am not in favor of anything with this particular project I am going to be hurting with the boundary lines going down my fields with at this point there is no stopping anybody from coming on my property. I know this isn't for that, I sat at that end and waited for traffic to come through, go do it, go see what happens with the traffic today, not with 200 vehicles coming out of, or 200 units 400 vehicles because both husband and wife work today. You're going to need a traffic light at the edge of my lawn in order to make that all work, I want it noted that the Gorky's are not in favor of any of this particular project. The right of way piece of land Chris Abele planted 41 trees for me, that was my berm, two years later all but, I got 39 dead ones and I'm stuck with no berm, I'm stuck with no privacy coming out of that road, if you want to talk to me further, I am welcome to sit with the Town Board and talk to you about this I'm not in favor of the project, I'm not in favor of the traffic.

Don Roberts: Ok, thank you Mr. Gorky, anyone else? Ma'am go ahead, you'll be next, thank you.

Deana Hayner: Hi I'm Deana Hayner 20 Betts lane and I'll be brief I just want to give my perspective about the importance of vision for the future and where this development in progress will take the area in and of itself as a whole , like the entire big picture. I work over on 146 at Grace Fellowship Church and the Werner road entrance onto 146 is dangerous at best , I know that you probably are aware of the accidents that happen as people are pulling out of that area and I'm sure when they were planning that and putting the turning lane as it exists they were thinking we are preparing for the traffic that will be here, but I cannot tell you how often I am sitting in my office because you hear about the accidents that happen but you dont hear about the accidents that dont actually happen , but I do hear the screeching and the horns and all of that kind of stuff that comes when people are trying to pull out and other people are just missing and that sort of thing so I am very aware of the fact that you know there has been fatalities at that exit and its very sad and I think that it comes a little bit from the absence of planning far enough ahead and having a vision for not what's happening now or what could happen with 350 extra units but what happens beyond that and if you dont have an overall picture of what the entire area will look like down the road even beyond the improvements that your asking for contributions on currently it could be very dangerous. Thank you.

Don Roberts: Ok, thank you ma'am, sir.

Bill Betts: I'm Bill Betts I own the rest of the property that Chris bought from me and they talk in front of the old farmhouse, my nephew Bruce's house that they have to cut the road 7 foot, well that will put both of them houses on a mountain, now its level there but if they cut that down I won't be happy, and that's all I got.

Don Roberts: Ok, thank you sir, Ok, anyone else, second time around.

Norm Hayner: Norm Hayner, 20 Betts lane I would just like to add, I failed to mention before that one of the things that is unique about 236 is that it is a passing area so one of the things you have to be mindful of is traffic that is coming passing on the left to head up the hill toward Harris road that you can be, that adds to the potential danger of pulling out onto 236. I would like to add, dovetail on what my wife said and I've seen a similar situation, if there is just a right hand turn lane that is put in on Betts lane I dont see it as a solution, I see the solution as what happens with 236 for Mr. Abele in the future and I know thats beyond the scope of this right here but I would really urge the Town to look at being the Town center here as that being the solution and with that said one thing that is very difficult pulling out of Werner road is that if your turning left you have to almost have to have bumper on the white line because someone could come up , you could be waiting there it could be your turn and somebody comes up and generally their vehicle is bigger than yours and that suv or truck and your blind to turn left you've got to wait for them and it would be a similar situation , again traffic backed up and trying to get onto 236 turning left even with a right hand turn lane I dont believe that is the solution, while better its not the overall end solution I think that is necessary for Mr. Abele to move forward with this project , thank you.

Don Roberts: Ok, thank you Norm, anyone else?

Trisha Lavigne: Trisha Lavigne I live at 20 Hayner road and much like my neighbors I would like to address the traffic on Hayner road being inconvenient and being stuck at that intersection regularly on 236 not just that but the speed limit alone the amount of traffic that goes down that road at 45 miles an hour if at the least is dangerous, you cant walk on that road you cant walk to the park to go take a stroll or do anything along that nature without worrying about the cars coming and going. The traffic the volume already is high so when you add all of these units and you add them at that rate you are just asking for a major accident its going to be a problem for people to take their dogs for walks and stuff like that so I'm going to have to agree with the neighbors and I'm not in favor for the project.

Don Roberts: Thank you M'am anyone else?

John Mitchell: My name is John Mitchell, 6 Sheldon Ct. in Sheldon Hills and I am a member of among other things the Halfmoon Trails and Open Spaces Committee and I'm a little bit concerned that I dont see strong evidence of a trail coming through here, I understand by reports that there are trails planned to get down to Swatling Falls, Betts road has been mentioned before , there is a need to use something equivalent to this area to get down to Swatling Falls so that traffic, bicycle and pedestrian traffic that is getting to the park on Swatling Falls up to the town park is critical, its a critical connection certainly part of the trails plan that has been agreed to thank you.

Don Roberts: Ok, thank you sir, anyone else? (no comments) Seeing no one else wants to speak I will close the public information meeting, before I turn it over to the Board for comments, Ed do you have anything to add to what you heard?

Ed Abele: I'd like to say that we have answers to many of the concerns that were raised tonight , maybe not all of them but many of them and I'd like to let Gavin and also Wendy talk about that and I also want to say obviously any new development will create traffic no denying it of course and in the Town of Halfmoon was a farm community and some would say it still is and many of the projects that we have were former farms so the community is changing there is no denying it, its an attractive area. I think a lot of the roads probably can support traffic and everyone has to deal with traffic and has an opinion clearly its a personal thing that they see and we get besieged by the public and the Board to come up with answers and I know I dont feel qualified to do that personally so we hire very very capable people not to wing it but to analyze and come up with answers that have a rationale in science and engineering and we try very hard to do that so we are not guessing it and we are not having an anecdotal response to it, so we have a lot of that information already some of the very things we talked about today. A couple of points that were just made , there is a trail for the community Gavin will indicate where that is , we certainly welcome the input of the

Hayners and we certainly have had a lot of good meetings with them and they add a lot of valuable input and we thank them for that so with that I would like to have Wendy come up and talk about specifically some of the traffic issues that were raised.

Wendy Holzberg: So I talked earlier a lot about the MOA which was defiantly off site but just briefly to go over it there were three separate traffic assessments that were done specific to the project, the first being a study conducted by GPI back in 2014 all of those studies address operational conditions at Hayner road and 236 at Betts road and 236 , site lines were done , everything was based on industry standards , I know you all heard the industry standard and the whole processing several times so you know that was all done based on that , then when Hayner road access became more defined a separate study was done by Creighton Manning just for your information at that time I worked at Creighton Manning and I was the manager on those projects thats why now I am here as a third representative same person different company so at that time in December of 2016 a study was done specifically looking at Hayner road looking at those site lines and the guidelines were the American Association of State Highway Transportation Officials Guidelines which are on operating speeds correct what was said was based on 45 , 50 mile an hour speeds both site line analysis , then again with some site plan changes and we actually did some with the site plan changes there was a shifting in some of the units so we did another analysis in January of 2017 to address the additional couple of units and also shift some additional traffic to Hayner road too based on some of the site layouts so CHA your consultant has reviewed that study they have agreed with the operational findings they had asked us we had a conversation last week they had asked us to look at a few additional things we have looked at turn lane warrants I had a brief conversation with Joe and haven't responded to that formally but the site we dont recommend turn lanes based on a review of those warrants we did go out and re measure the grades on Hayner road to see if any further adjustment needed to that site distance and they do not , they are not at a level where we need to make additional adjustments so just to clarify there has been a lot of study very specific to this development I think Gavin was going to talk about Betts lane its actually going to be widened and I think I am going to let him say something.

Gavin Villaume: Thanks Wendy , Gavin Villaume with environmental Design Ill be brief I know its been a long presentation here so , just quickly before I get into some of the improvements for Betts lane which we have discussed at several other meetings I just wanted to point out to the map the area where I believe the trails committee is interested in making a connection so at this location near the Macdonald creek is the pump station that is currently serves both Glenn Meadows and Swatling Falls , there is a sanitary sewer that force main that runs right all along here through our project and we would be developing a trail that will get us down from this subdivision to Macdonald Creek so that is something that is part of this planned development district for future pedestrian access into some of the other neighborhoods. As far as Betts lane goes again we've done a lot of study work on Betts lane we've not done any detailed engineering drawings but we have looked at the existing grades out there and the size of the road itself , the width of it is about 18 to 20 ft wide , certainly that is substandard with regards to the Town of Clifton Parks typical road section so we would be widening Betts lane back over to I think its 28 ft.

Lyn Murphy: That's in Halfmoon or Clifton Park?

Gavin Villaume: Did I say Clifton Park? Sorry , but yes the Town of Halfmoon road section is clearly 28 ft not 20 ft so we would be widening the road , there is a crossing here where there is an existing culvert, that would have to be looked at to make sure that we are not impacting that culvert, we believe we can maintain that 28 ft wide road section with out major extensions of that culvert that currently exists under Betts lane but I think Mr. Betts is correct where his property is here his house is this is the area where the top of the hill would have to be re-graded , we are looking at seeing exactly how much would be needed in order to get it close to what the town standards are , it may not meet the town standards exactly due to some of the constraints specifically his driveway that comes off of his house here and then he's got his driveway not too far from the proposed road so we are obviously sensitive to that and once we get into the detailed plans certainly we would be looking at making sure that his access is still maintained properly.

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

Tom Koval: Mr. Abele, you had mentioned that part of the reason that you went with the four units was because of the cost of per lot for people to get into a home are these going to be rentals or are you going to be selling them as individual properties with in a four building cluster?

Ed Abele: We would propose to sell these units and it would be part of a composition of single family four-plex's and twin homes, and it would be subject to an HOA , but our intent would be to sell the units

Tom Koval: So they would not be rental units?

Ed Abele: It's not our intent to rent them if somebody were to buy a unit and rent it I dont know what sort of control we would have over that but that's not our game plan. I would say that, I'm glad you brought the point m in the composition is very important and attractive in changing especially with our communities becoming older, people dont necessarily want the responsibility of a large lot and a single family home.

Tom Koval: I understand that, you had eluded to this being an affordable option for younger couples , I am still opposed to the density of the units, I'm still opposed to the amount of traffic it generates onto roads with no shoulders or sidewalks that it's going to effect all the neighboring , even if the traffic study says its fine for getting in and out, the traffic study still does not take into consideration the neighboring property and people getting out of their driveways , people walking their dogs , your dumping a lot of traffic onto a rural road. The , as far as the amount of units available in this area , we have a lot of units in this area and there's no shortage of rental units in the Halfmoon , Mechanicville, Stillwater areas so I think that point is kind of cloudy in my eyes that we need more multi units. What I really feel like it boils down to your trying to jam as much onto a small piece of property as possible to optimize, I understand your spending a lot of money on traffic mitigation however you were going to spend that same amount of money when it was fewer homes previously when there was going to be ball fields and everything so I'm not sure where that....

Ed Abele: Well I guess what my point is if you look at just the overall cost of a lot to construct to 2017 standards its exurbanite, it's just

Tom Koval: I do it myself so I do understand what your speaking of

Ed Abele: So I guess my point is that the density that people are always concerned about, its important to have a core number of units that you can actually get a return when you look at the staggering infrastructure bills and off site improvements that are associated with these projects.

Tom Koval: Right, as a planning board that is not our concern that the developer makes the optimum amount of money, our concern is the surrounding, the impact on the surrounding community, so I understand that you need more to pay for this project but thats not really our position here to decide.

Ed Abele: No I would just hope that you would understand that viability of any developer you know what faces them so you know your decision is all the more informed.

Marcel Nadeau: Ed, looking at this as a conventional subdivision, what was the number of homes for a conventional?

Ed Abele: We did do an analysis on that 132 single family, when was that done?

Marcel Nadeau: So with a PDD you're increasing it a 100 units by going with a PDD?

Ed Abele: Yes, as compared to the single family yes, yep

Marcel Nadeau: Thats a lot of units for a PDD over a conventional subdivision.

Ed Abele: Over a single family subdivision, again.

Marcel Nadeau: Yes

Tom Werner: I wanted to be clear on the traffic improvements they are outlining in Wendy's opening statement, Phase 1A and 1B would be helpful for the first development that came up here the Creekview, that would not facilitate if I'm understanding correctly any improvements at 146, 236 for this development which is south of their is that correct? That would require Phase II.

Wendy Holzberg: Correct , Phase II is, Phase 1and 1A are both at Upper Newtown and 146 intersections and the Phase II is identified as upgrades in mitigation at the 236 , 146 intersection in which is not funded through the MOA, it is identified but not funded.

Tom Werner: Correct, and that would be what would be required to help mitigate traffic, from this development, Phase II. Your talking about a left turn from 236 to go 146 west bound?

Wendy Holzberg: Right which is actually warranted today, you know that actually shows in the analysis that we did that based on the analysis results needs to be put in now then the upgrades to that , then that would force an upgrade to the signal and then the recommendation would be to connect like a two , a center turn lane between Upper Newtown and 146 as part of that Phase II.

Tom Werner: And did you have any recommendation regarding 236 and Hayner and Betts as related to traffic operations?

Wendy Holzberg: We did not the operations or levels of service coming out of Betts are in the future level service D and then at Hayner is level service C is coming out at that intersection we did review left turn lane warrants at Betts lane its the threshold are met during one peak but not the other peak so that isn't really typical for us to make a recommendation to put in a turn lane on the State highway for not meeting more than one peak period and then we did look at Hayner and if we're thinking if your coming south the majority of the people are going to turn in at Betts lane and not go down to Hayner and go up and around and back so the amount of traffic we are adding there again we didnt make a recommendation for that , that left turn lane, so we dont see the need for the widening of Betts lane or Hayner as well based on that levels of service.

Tom Werner: All of that is detailed in your traffic study?

Wendy Holzberg: It is, some of it are based on recent comments a couple of them like the turn lane warrant so we have to respond to those comments that just came out but.

Tom Werner: I dont think I've seen that yet, Don I dont know if the Board has seen it.

Don Roberts: We can make that available right?

Wendy Holzberg: The, your saying all the traffic studies or that response letter, or his comment letter?

Tom Werner: A major study that you did.

Wendy Holzberg: Ok, yea I mean we could certainly resend all the information, its been since 2014 was the first study so it's been a while.

Rich Berkowitz: Your study did not include Hayner or Betts?

Wendy Holzberg: I'm sorry?

Rich Berkowitz: Your study did not include Hayner or Betts lane?

Wendy Holzberg: It did it included all of them , the 2014 all the way through , the three studies included analysis of Betts, Hayner, 236 and all of those intersections.

Rich Berkowitz: It was done in 2014?

Wendy Holzberg: Then original study was done in 2014; there was an up date to the traffic study that was done in 2017.

Tom Ruchlicki: With this with 236 units?

Wendy Holzberg: Correct yes.

Marcel Nadeau: You've seen Clough Harbors letter of October 17th have you responded to that yet or thats in the process?

Wendy Holzberg: That is, I had referenced I had a conversation with Joe, we have not responded to that in writing but I did talk about the couple things yes, where we did look at the grades on Hayner road and found that they are not enough to make modifications to the stopping site distance criteria and then the other is looking at turn lanes those thresholds and I just reviewed that, that we did look at those and again we will detail that in writing.

Don Roberts: Ok, Joe do you have anything to add to this or?

Joe Romano: No, I think Wendy has covered it all, in response to our last letter, your analysis accounted for traffic on Hayner and Betts its just that the warrants aren't met from just this approved project

Wendy Holzberg: Correct

Tom Werner: Well at least not in the one peak hour, but in the other direction I think I heard her say it might be, correct?

Wendy Holzberg: Yea I referred to at the Betts lane intersection and the left turn lane warrant is met during one peak but not the other peak, so based on that and the review we're not recommending that be put in as part of it but certainly we are going to provide that detail in writing.

John Higgins: Tom, are you done?

Don Roberts: Yea I got a couple questions, Gavin mentioned a trail going down to Swatling Falls but where's the trail going to end?

Gavin Villaume: Well for now obviously we do not own the land beyond

John Higgins: No, I'm talking about the land in the development

Gavin Villaume: Oh, it will go through the development we haven't detailed exactly how its all going to meander through it may come out onto a street and then go into a sidewalk of some sort but certainly we would ultimately want to get the pedestrians from this end of the subdivision out to Betts lane.

John Higgins: And all of the way into the Town Park?

Gavin Villaume: We were not proposing any sidewalk or multi use trail along Betts lane.

John Higgins: So

Gavin Villaume: They would walk along Betts lane.

John Higgins: On a sub standard road

Gavin Villaume: No the road would be upgraded

John Higgins: Well its still 28 feet with no shoulders

Gavin Villaume: It will have shoulders it will meet the Towns specifications yea.

John Higgins: Also on the four plex's, I know we have discussed this a number of times there is only one access in and out of all of those four plex's, I know your trying to get the most units on the site but I dont see that as a safe situation, you've got an awful lot of housing units in there, a lot of cars going in and out and a single point of access.

Gavin Villaume: Yes, I mean obviously there really is no other linkage that we could make another connection

John Higgins: Well you could eliminate them

Gavin Villaume: We could either shorten the cul de sac which I think we have already done once and then the only resolution would be to take some of the units out of that cul de sac , because yea you can see by the map where we are limited on both sides of that cul de sac with the steep slopes and streams.

Marcel Nadeau: As to Johns comments I think you need to look at that one entrance.

Don Roberts: Anyone else? Ok, well Ed you heard the comments the big ones are naturally traffic and density

Ed Abele: Of course, yup.

Don Roberts: Would you be willing to consider lowering the density at all?

Ed Abele: Well I think its important that we allow Wendy to respond in writing , clearly we get the traffic , we realize thats important and I think the Planning Board deserves to have a follow up in writing as thorough as all of the follow up that we have done so far , and I know I think we just got that letter from Clough Harbor so thats important that we respond to that and in the course of doing that I think we heard some valuable information tonight so we will take a look at things

Don Roberts: Thank you, so we will take no action tonight we will wait to hear back from you alright?

Ed Abele: Im sorry?

Don Roberts: I said we will wait to hear back from you

Ed Abele: Yes, we will respond and certainly at a minimum we are going to have to address Clough Harbors response in writing on the traffic.

Don Roberts: Ok, very good, ok thank you and thank you everyone for your comments.

Rich Berkowitz: Will we have another public information hearing if this changes significantly? I think so also

Don Roberts: It depends on what's changed, we are not going to say yes or no, we cant say yes or no now but it depends what's changed if anything.

Lyn Murphy: Regardless there is another Public Hearing at the Town Board

Don Roberts: Right, again its only a recommendation there is no final action here so thank you everyone.

The Planning Board table Betts Farm Residential PDD recommendation for further review

New Business:

17.206 **Realty USA-Howard Hanna, 1547 Route 9- Sign**

Ton Koval recused himself

Al Petche: Good evening everyone my name is al Petche , Vice President /General Manager of Howard Hanna Real Estate Services formerly Realty USA. We are just in the process of Changing our pylon sign and the signs on our office, so you've all seen renderings of what our new sign is going to look like both on the exterior of the building and the pylon sign in front of the office, pretty much in keeping with what our previous sign was , it is a channel letter sign it has green backing as opposed to a tan backing , and the signs on the front are just pretty much kind of indicative of the new company name and everything .

Don Roberts: So you are replacing what was there before?

Al Petche: Exactly

Don Roberts: Now one question, its been observed that there are some containers behind the building is that you or Wal-Mart, the storage containers?

Al Petche: The two storage containers behind our building those are ours, its kind of an interesting comment I guess but they are just to store our Realty USA signs that we swap out, the Howard Hannah signs for Realty USA signs we are storing them in the storage containers and then we are going to have them disposed of and recycled.

Don Roberts: How long do you plan on having them there indefinitely?

Al Petche: Not indefinitely, I would say less than 30 days, probably even closer to a couple weeks

Don Roberts: Ok, how about 30 days alright?

Al Petché: Yea I , I mean I guess we are storing our old Realty USA signs in there , we are putting up our new Howard Hannah signs so they are not all over the parking lot

Don Roberts: Yea, no we appreciate that but it was noticed that they were there that's all.

Al Petché: Did I have to get approval for that?

Don Roberts: If they are going to be there for any length of time right Rich?

Richard Harris: The Town Code does require that storage containers on commercial properties to get site plan approval from the Planning Board.

Don Roberts: But if you are going to be temporary in nature we can give you a little time here

Al Petché: I appreciate that

Don Roberts: So 30 days alright?

Al Petché: Yes

Rich Berkowitz made a motion to Approve Realty USA- Howard Hanna's Sign Application contingent on removal of storage containers in the back of the building in 30 days. Tom Werner seconded. Motion Carried.

Al Petché: Thanks have a nice night

Don Roberts: You too, you're in Halfmoon dont forget, for your advertising.

17.183 Al-Arqam Center of Saratoga, Inc., 185 Guideboard Road - Addition to Site Plan

Ashar Ata: Good evening everyone my name is Ashar Ata and I am here to represent the property on 185 Guideboard road, its a place of worship , it used to be the old Stewarts and so we have started our operating in June and now we would like to add a shed and a playground for the kids and it's a place of worship so people congregate there and we have a few activities there and we wanted to add some trees right next to the Guideboard road for privacy and for security so to speak cause there are lots of kids sometimes playing and running around so thats what we are proposing here, the shed is basically for storage, it's a 15 x proposed shed is 15 x 20 and thats about it if there are any questions I'll be happy to answer.

Don Roberts: Ok, are there any questions by the Board?

John Higgins: You mentioned children playing several times; you are not going to have a daycare or anything like that?

Ashar Ata: No because so the way our for worship hours work is usually in the evenings people come with their kids or sometimes on the weekends so its not a daycare its that you come with your family to pray and there are kids there and they're

John Higgins: Yea I have concerns about them running around the parking lot though.

Ashar Ata: Not the parking lot

John Higgins: You, just said so that's the reason I'm asking

Ashar Ata: No not in the parking lot, we are proposing a playground there, that area

John Higgins: So they would be supervised in a play area?

Ashar Ata: Yes they are always supervised, we just put some signs there also for drive carefully as if your kids live there ,those kinds of things we are very much aware of that , my kids come there.

John Higgins: No I agree and I'm just saying you know.

Tom Ruchlicki: Is that a fenced area?

Ashar Ata: No there is not right now there is a road and there is a small you know some bushes or some trees , some landscaping trees, not trees there like small shrubs and the sign , we wanted to put some trees there again for the reason because it looks like an open space a lot of people just drive in as if and then some people just sit down and smoke there and it looks like a parking area for people who are driving on 185 going north or south so we have right now the entrance says that people can literally a UPS guy or anyone for that matter people just stop there and just park and relax and sometimes its , we dont expect such traffic to just come in so we wanted to just give it an appearance that there is a kind of a privacy thats what I meant, if I'm able to make my point across.

John Higgins: You want 10 ft high how far off the road because we also dont want that to infringe on your site distances when you are trying to pull out.

Ashar Ata: No they'll actually; they will be on the side of the parking lot not on the side of the road these trees.

John Higgins: Ok, so they are going to be far enough away that you can pull up and still not affect your site distance?

Ashar Ata: Definitely, they are on the inside

John Higgins: Ok, thank you.

Don Roberts: Anyone else? Ok, we can't take action tonight because you do border a residential area so we have to notify the residents, Joe do you see a need to look at this or no? Ok we should have Fire look at it I believe

Richard Harris: Yea we do want Fire, we have time its three weeks out

Don Roberts: I think we should just in case alright, ok we will do that and we will let you know when you are back on the Agenda alright.

Ashar Ata: Ok, thank you

The Planning Board tabled Al-Arqam's Addition to Site Plan application until a Public Hearing and further review by the Fire Dept.

**17.213 & 17.192 Subdivision of Lands of Crescent City Mobile Home Park, 1407 Route 9-
Mobile Home Park Amendment Recommendation & Minor Subdivision**

Duane Rabideau: Duane Rabideau from VanGuilder Associates , representing Richard Medick before the Planning Board for a proposed two lot subdivision for the Crescent City Mobile Home Park. The mobile home park is located at 1470 Rt. 9 its right near the intersection of 9 and 236 the proposal is to subdivide a 8.1 acre parcel of land , this parcel right here out of the overall mobile

home park which is approximately 18.7 acres this is up in the northeast corner its right behind the nursery , this is where Richard lives , we have this set up so that we are going to be utilizing the main entrance to the mobile home park and in doing so we are going to create an ingress , egress, utilities along this road so there will be no further curb cuts out onto route 9 so basically it would be reciprocal easements for Richard to use and also the mobile home park so really there are no changes to the entrance , the intent of this subdivision is for estate planning, there will be no changes , no changes are proposed in the mobile home park , both lots will be zoning compliant its a created lot in the remaining mobile home park. This proposal was before this Town Board last Wednesday night for the proposed Crescent City Mobile Home Park Amendment and was referred back to the Planning Board for your input and hopefully positive recommendation and that is our request before the Board.

Don Roberts: Thank you Duane, comments by the Board?

Richard Harris: What we talked about Duane doing timing wise is if the Board feels they are comfortable they can set a Public Information meeting and a Public Hearing on the subdivision for the 13th of November, our next meeting, if that goes through and they decide they can make a recommendation on the Mobile Home Park amendment , but cant act on the subdivision until then the Town Board approves change in the boundaries, its almost like a double subdivision , one by the Town Board and one by the Planning Board , we also need a recommendation from these guys and if it goes smooth the thought was on the 13th it could be able or eligible to make a recommendation to the Town Board , leave the Public Hearing for the subdivision, so the clocks dont start , go back to the Town Board , you go have your Town Board meeting and then if they approve the change then come back and public hearing is still ok , and they can act eventually off of that so, its probably the most efficient , its similar to what was done, I dont know if I talked about this ,like in the 90's on Vosburgh road thats the closest case to match the other ones , I was talking with Lyn , that seems most practical.

Don Roberts: Thank you Rich, what we need is a motion to set the amendment to the mobile home park and then also for the Minor Subdivision, that's what we need.

Marcel Nadeau made a motion to Approve Crescent City's Amendment to the Mobile Home Park and Minor Subdivision. for November 13, 2017. Rich Berkowitz seconded. Motion Carried

Duane Rabideau: Thank you.

Don Roberts: Thank you, Duane.

Old Business:

17.076

Nordic Property Services, 79 Ushers Road- Commercial Site Plan

Duane Rabideau: Ok, for the record Duane Rabideau from VanGuilder and Associates here representing Nordic Property Services for the Site Plan review by the Planning Board. The parcel is located at 79 Ushers Road its on the Northerly side of Ushers road right beside the site plan that was just approved for the Dorrrough business, he is lot #2 we are lot #1, the proposal is to construct a 3,840 sq ft storage building for an associated site improvements for the Nordic Property Services business which is basically is landscaping, concrete work, soil removal , hard-scape services, the proposal we have is to have all the business activity occur either in the building or in the rear of the building, basically have all the business activities occur either in the building or the rear of the building, basically we have it set up that all the parking for the employees and clients are in the back , material

storage bins are in back of the building, access to the building is along the right side of the building and also along the back of the building , the main door is here and here , there's no entrances here. The company has 6 full time employees , the hours of operation are generally 7-5 pm , peak activity around 7 in the morning where they get ready for the workers come in and then they go off site for the day and then they come back at 5 to return equipment back to the office , the parcel is zoned light industrial commercial, we feel that this proposal has a very low impact on this proposal has a very low impact on the neighborhood into the future area of the way we had the building set up for all the activities in the back , its a very nice looking building the site plan has been reviewed by CHA , and I believe that we have answered all their comments and issues and that is our proposal.

Don Roberts: Thank you, Rich we received a letter from a neighbor, you would like to put into the record?

Richard Harris: Back on May 2, 2017 Zena Smith who is here tonight, did submit an email regarding the Dorrough project and also submitted a two page petition with signatures from a number of residents on Ushers Road in the Vicinity of the project, 13 names are listed on the petition expressing concerns, do you want me to read the letters or, you have copies there

Don Roberts: We have copies; just put it in the record alright.

Marcel Nadeau: That was presented to the Town Board as well?

Richard Harris: Yes

Zena Smith: 13 people or 13 households?

Don Roberts: 13 households

Richard Harris: Yes there are 13 separate households

From: zina smith <zeenerbell@yahoo.com>
To: <DRoberts008@nycap.m.com>, <JKemper@saratogacountyny.gov>, <MValentina@...>
CC: <marchione@nystate.gov>
Date: 5/2/2017 9:26 PM
Subject: Ushers Road Commercial Development in a Residential Neighborhood

Dear Senator Marchione and Messrs. Roberts, Kemper, Valentina and Harris- I have received certified letters from the Town of Halfmoon dated April 11, 2017 re Dorough Construction proposal to build a 2 story building with a 7 bay garage and 50 spaces for parking and heavy duty equipment storage at 77 Ushers Road and another letter dated April 25, 2017 re Nordic Property Services proposing a large building, equipment along with mulch, topsoil bins, etc. to be located at 79 Ushers Road and their proposed commercial businesses to be located in our residential neighborhood. My neighbors and I are all vehemently opposed to these projects. We are getting a petition ready to bring before the Planning Board that the neighboring people affected are all opposed to these projects. My husband and I met with Mr. Harris, Director of Halfmoon's Planning Board on Friday, April 28 to convey our strong feelings. Mr. Harris was extremely helpful and said we should write to the respective Planning Board Chairmen of the Town and County. I have taken it upon myself to also write to Senator Kathy as she grew up in our town, worked her way up in our town government and is familiar with our neighborhoods and we have known each other for many years.

Please let me give you some background- Most of the residents that are being affected by this commercial development have all lived here since the 1940's, 1950's such as myself and others who built their houses on farmland in the 1960's. Most of the commercial businesses that are located on Ushers are near Route 9. Ushers Road was classified from residential to light commercial/residential about 45 years ago when some individuals thought that Ushers Road would become an industrial railroad complex because of the Mochaucville rail yards. We had no input into this long ago when Ushers Road was classified this way. The industrial complex never materialized but the classification stayed. The plot of land (29 acres) referenced above is next door to my three acres of land and 3 houses that I have owned since 1973. This land was always residential way back over 100 years. We do not want more industrial traffic than what we have to contend with already--huge County Waste trucks, Lucarelli and Valente tractor trailers running through here on a daily basis, other tractor trailers like Yellow, JB Hunt looking for either Global Foundries or the rail yards. Ushers Road has become a highway in the last few years!!

These 29 acres were purchased by Bruce Tanski who came before the Planning Board in 2016 and asked to sub-divide it into 2 parcels--1 as 27 acres and an upscale house and the other parcel as 2 acres and a nice residential house. I attended this meeting when this was granted to him. We were waiting for these houses to be built soon and then I received the April 11 letter from the Town informing us of Dorough Construction being proposed for the 27 acre parcel --we were all shocked and mortified that Tanski Construction lied to all of us! Where are his proposed nice residential houses that he told the Planning Board about?? Instead we are being subjected to more eyesores in our neighborhood, more heavy equipment traffic to deal with, de-valuation of our properties and jeopardizing our peace and quiet and quality of life! Why do we the people who have lived here "forever" have to contend with "intruders" dictating how we have to live amongst construction and landscaping businesses next door to our homes? I'm sure you realize that these types of businesses will NOT be esthetically pleasing to look at either.

I/we beseech you to please take into consideration all that I have written above. My neighbors and I all feel this way and a signed petition will be forwarded to the Town Planning Board hopefully before the next meeting on May 8. I ask any of you --would you want to live next to these types of businesses invading your neighborhood next door to you?? I really don't think you would... so please don't force this on us! We'll have to put up 12 foot walls! Please take a drive down Ushers Road and see how we live- we are not Route 9 or Wolf Road or industrial complex--we are residential! Please help us keep our quality of life and retain our property values. We don't need anymore noise or traffic than what we already have to live with. In all my 63 years, I/we have never complained about anything in the Town until now.

Thank you for your attention to this. We hope that the Boards will agree with us and maintain that Tanski Construction build the 2 nice residential homes that were promised to us last year. Any questions or

TO THE HALFMOON PLANNING BOARD

May 12, 2017

We the neighbors of the proposed projects of Dorough Construction at 77 Ushers Road (a 4,800 sq. ft. 7 bay garage, 5/6 parking spaces and all kinds of heavy equipment) and Nordic Property Services at 79 Ushers Road, Mechanicville, NY (landscaping company, large commercial building, equipment, etc.) **strongly and vehemently oppose these projects in our residential neighborhood.**

When Bruce Tanski and his company purchased the 29 acre parcel that is now sub-divided as 77 and 79 Ushers Road, the Town of Halfmoon approved this sub-division with the understanding that he would build two (2) nice residential homes. This is what was approved by the Town. These 2 parcels were put up for sale and now we have been informed that these proposed commercial businesses/entities would be built on residential land and not the two (2) new homes in our neighborhood.

We the undersigned people are all in agreement that Bruce Tanski and his company **should** honor their original request to the Town and to the people of Ushers Road and build the two (2) residential homes that were approved in 2016. **We adamantly and strongly oppose more** commercial development, more traffic, more noise, more unsightly businesses on our residential street where we have our homes and **where our quality of life will forever be affected** by these proposed commercial businesses.

<u>NAME</u>	<u>ADDRESS</u>	<u>E-MAIL</u>	<u>PHONE</u>
Mark Piperno	34 Ushers Rd		518 858 9033
Walter Roberts	99 Ushers Rd		518-456-1046
Robert Thum	104 Ushers Rd		518-542-3143
David DeLong	68 Ushers Rd		518-661-5874
Catherine DeLong	68 Ushers Rd		518-661-5874
Cynthia Healdsoeth	70 Ushers Rd Mech ^{ville}		604-6472

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<u>NAME</u>	<u>ADDRESS</u>	<u>E-MAIL</u>	<u>PHONE</u>
Zaira Smith	85 Ushers Rd. Mechanicville, NY	zrenerbuel@ yahoo.com	664-6273
Stefanos Geadymire	"	"	664-6273
Paul W. Corbett	78 USHERS RD MECHANICVILLE		369-9303
Tom + Fran Campbell	76 Ushers Rd Mechanicville, NY		423-4435
Tom + Diana O'Leary	72 Ushers Rd Mechanicville		664-8158
Michael Gade	67 Ushers Rd. Mechanicville		664-2772
Mary-Thyrs	69 Ushers Rd Mechanicville		664-3463

Don Roberts: Now Duane this is a landscaping company correct?

Duane Rabideau: That is correct

Don Roberts: We like to see them put some landscape buffering along the Nordic property line that abuts Mrs. Smiths to get some privacy for her.

Duane Rabideau: We had a landscaping along here but there's a potential utility conflicts right here so that we decided to put the trees here , now since the activity, the storage bins are going to be right here , here's parking here and parking here so we feel most of the activity's going to be in the garage anyway so the only thing thats going to be happening along here is the , I dont know if it's exit in or exit out and thats basically it, we did have buffering here but we definitely will have some conflicts so we intensified this buffering here and there's nothing in this side of the building or this side its just a main door here and most of the activity is going to be really in this area right here along here.

Rich Berkowitz: I think the objective is to buffer the road entrance or egress or however you're calling it where you put the buffering now doesnt do anything for the neighbor, well she really can't see the driveway they have a stockade fence there now anyway.

Rich Berkowitz: Oh there is ok, I wasn't aware of that.

Tom Ruchlicki: I dont see the problem...

Tom Ruchlicki: Where is the stockade fence is it on the property that is being developed?

Duane Rabideau: No it's, I believe it's, their stockade fence is right here.

Tom Koval: So you are asking for the neighbor to provide their own fence

Rich Berkowitz: So the neighbor is buffering for you?

Don Roberts: Yea but Duane your coming into this area, you should take some measures to make sure they're impacted as little as possible.

Duane Rabideau: Yea that's what we want to do.

John Higgins: Can't you move the driveway closer to the building so you have room for

Rich Berkowitz: Or move the building over more, it looks like your abutting that right of way , so if you move the building more to the right

Tom Ruchlicki: If you shift everything to the right then you can put the trees on the other side of the road where they really belong

Lyn Murphy: Go straight back through where you have the trees then you can put the trees on the other side.

Duane Rabideau: Basically shift it what 10 ft should be enough

Tom Koval: Basically we dont want to see any of it., so whatever you can do

Duane Rabideau: Right we can modify that and do that , we felt we realized when we took this out we had to do something we figured this would do it because the activity is here we did not anticipate really an issue with a driveway that you cant see you know .

Marcel Nadeau: You may find out at a later time you are going to use that portion of the driveway more than the other side

John Higgins: Is that one way in one way out is the driveway on the Smiths side in?

Duane Rabideau: I dont believe it's a one way in one way out, it depends.

John Higgins: You are going to have lights shining into her house every time they go out on that side so if you make that the in and then the out on the right side at least she is not going to be getting headlights into her house in the middle of the night when the guys are going out to plow.

Duane Rabideau: Well if we shift it over 10 ft and put trees on the west side of the road that should take care of that issue

John Higgins: Make sure there is sufficient trees

Duane Rabideau: Oh, yea his intent is to, not the small stuff he is very aware of wanting to fit in and

Don Roberts: Not only for the site but also it may help with the noise as well you know, alright

Duane Rabideau: Right, yea ok

Tom Koval: On a different subject what are these containers in the back there, these storage bins what type of storage bins are they that you are mentioning?

Duane Rabideau: Those are the concrete block bins that you put stuff in

Tom Koval: Oh, space block?

Duane Rabideau: Yes

Tom Koval: Bulk bins

Duane Rabideau: Yea that's correct

Tom Koval: Not any type of enclosed storage?

Duane Rabideau: Not typical of what you see at the landscaping places

Rich Berkowitz: What time are deliveries of drop off for that?

Duane Rabideau: Basically on an as needed basis

Rich Berkowitz: I would assume they would do it before 9 o'clock in the morning

Duane Rabideau: I would think it's probably during the day

Tom Ruchlicki: Well we might restrict that, because you are in a residential neighborhood you have back up lights and you have tractor trailers dumping rocks and mulch

Duane Rabideau: Well I would think you would want it during the day so it isn't after hours

Rich Berkowitz: Do you want to restrict it to only during the day not in the early morning and not in the early evening

Duane Rabideau: Yea that's understood

Tom Koval: You have bins and so now you are going to be loading trucks for these guys go to work in the morning with skid steers or small wheel loaders with back up alarms, so we are going to have an issue with the neighbors being subjected to back up alarms, landscapers start at 6:30 , 7 o'clock in the morning and I dont care what anybody else says thats what time they start and they come back at the end of the day now they are not going to load the trucks at the end of the day , they are going to load the trucks first thing in the morning before they go to their sites. I dont think the neighbors should be subjected to back up alarms at 7 o'clock in the morning.

Tom Ruchlicki: Or any noise in the morning.

Tom Werner: Will there be any type of snow removal service in the winter months?

Duane Rabideau: Yes

Tom Werner: So that's additional time and that could happen at any hours of the evening

Duane Rabideau: Right that's basically get the truck out of the garage drive out and go

Tom Koval: Originally they told us they didnt keep their snow removal equipment on site, when they first came to us they said they said they'd leave all their plow trucks off site.

John Higgins: And salt storage was onsite they told us also.

Tom Koval: So we are going to have loading salters at night, that can't be done outside your hours of operation, they are going to have to make some other arrangements. Salt brine, I think I would like some clarification from the applicant as to what's being stored, what their anticipated hours of operation are so if there is salt being stored without a covered roof cause you already said that nothing is covered , where is this leaching to when it gets rained on, you know, we all know we had a problem at the town garage with the salt years ago leaching into a neighbors well and the neighbor had to have town water hooked up so I would feel more comfortable with having a little more information on this, and then you are going to have to come back with a final site plan anyway to try to alleviate some of this buffering issue as it is.

Duane Rabideau: Basically get the trees on the other side of the road.

Tom Koval: significant, something significant

Duane Rabideau: He had initially a very significant tree

Tom Koval: Alright so your going to have that spelled out what their going to be for us?

Duane Rabideau: That's correct.

Tom Koval: Ok

Marcel Nadeau: Duane you said they are really not going to use that driveway very much, do you really need it?

Duane Rabideau: No they will be using it but not sure the traffic patterns on it, I'll find out, you basically kind of need the flow to go around just to keep it moving

Tom Koval: Like if you bring a tractor trailer with loads of mulch and things, most likely

Duane Rabideau: I'm not sure about tractor trailers but larger vehicles half way in between

Tom Koval: I think it would be best if the applicant came back as well so he could answer some of our questions next time

Duane Rabideau: Ok

Don Roberts: Alright anything else? No, ok Duane so maybe next meeting you think or what?

Lyn Murphy: Just verify with planning

Duane Rabideau: Yea we can revise that pretty quickly

Richard Harris: Your responses to specific uses, snow plowing, hours of operation for loading and unloading

Don Roberts: You know it might be best if the applicant is here, that might make it easier, ok

Duane Rabideau: Yea

Don Roberts: Nothing against you at all, I'm just thinking

Duane Rabideau: You might get a better concept of how they operate

Tom Koval: The applicant doesnt want to be getting issued tickets after the fact , he's operating out of his hours of operation the neighbors are going to have a legitimate claim , ok thank you Duane

Don Roberts: Ok, thank you Duane.

The Planning Board tabled Nordic Property Services application until the November 13th meeting for further Review

Tom Ruchlicki made a motion to Adjourn the meeting at 8:39 pm. John Higgins seconded. Meeting Adjourned