

## **Town of Halfmoon Planning Board**

### **Meeting Minutes – February 11, 2013**

Those present at the February 11, 2013 Planning Board meeting were:

**Planning Board Members:** Steve Watts – Chairman  
Don Roberts – Vice Chairman  
Rich Berkowitz  
Marcel Nadeau  
John Higgins  
John Ouimet

**Planners:** Lindsay Zepko  
Roy Casper

**Town Attorney:** Lyn Murphy

**Town Board Liaisons:** Walt Polak

**CHA Representative:** Mike Bianchino

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Mr. Watts opened the February 11, 2013 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the January 28, 2013 Planning Board Minutes. Mr. Roberts made a motion to approve the January 28, 2013 Planning Board Minutes. Mr. Nadeau seconded. Motion carried.

#### **Public Hearing:**

#### **12.076 PH Anna's Place Residential Subdivision, 95 Werner Road – Major Subdivision**

Mr. Roberts recused himself from this item. Mr. Watts opened the Public Hearing at 7:08 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Jason Dell, of Lansing Engineering, stated the following: I'm here on behalf of the applicant, Mr. Bruce Tanski for the Anna's Place Residential Subdivision. The project site is located on approximately 19.2-acres located along the northeastern side of Werner Road. The existing zoning of the parcel in this area is Agricultural-Residential (A-R). The majority of the property currently is forested land. The proposed project would involve the creation of 27 single-family lots on this property. Vehicular access to the home sites would be from Werner Road and the road would come along and connect down to the existing Kelly Lane to the south that has been recently constructed. Also, in the middle of the project we will have a short cul-de-sac that would service 4 lots towards the end of the cul-de-sac. Water would be provided to the proposed residences via a connection to the municipal water supply so it would all be Town of Halfmoon water. The sanitary sewer for the project would connect via a gravity sewer down to where the existing sewer is located within Kelly Lane. There is capacity for the water and the sewer to service this project. Stormwater would be managed on-site via a standard stormwater management basin as well as green infrastructure technique approaches in accordance with the New York State Department of Environmental

Conservation (NYSDEC) requirements. At the last meeting there were several issues that were relatively significant that we spoke about. One involved the drainage from the emergency spillway from the basin and we have since revised the plans in accordance with the discussion that Mr. Bianchino and I had regarding an option that we could do to mitigate the stormwater issues. We have also addressed the remainder of CHA's comments pertaining to the project that were all technical in nature and again, we have since revised those plans and resubmitted them to Mr. Bianchino and Ms. Zepko on Friday of last week. The second item involved sight distance for the access road onto the project and we have Mr. Mark Nadolny here tonight from Creighton-Manning Engineering who is going to speak regarding those issues. Mr. Nadolny stated the following: As Mr. Dell mentioned, one of the outstanding issues was the sight distance at the proposed sight driveway. When we originally looked at this project, we had the site drive in a slightly different location but it turns out that is no longer viable because of the existence of this existing home on Werner Road. So, we did a detailed evaluation of the entire site frontage and it was determined that the most optimum location for a site driveway is at the point depicted on the site plan. However, even though we did review the sight distance at this location, it was still short approximately 5 FT in each direction of the AASHTO guidelines (American Association of State Highway and Transportation Officials). I would like to stress that these are guidelines and as engineers, when we do not meet these guidelines, we look at other resources to determine whether or not other mitigation is necessary. Since we were short 5 FT in each direction at the only location we felt we could place it due to the constraints of the site frontage, we looked at the New York State Supplement for the manual uniform traffic control devices to determine whether or not an intersection warning sign would be required for this location. Based on that reference, an intersection warning sign would not be required and that's why it was not recommended in the study. We typically don't recommend a sign if it's not required because sometimes you can get sign overload and people start to ignore the signs if you have too many signs. However, an option that the Town does have would be to require the installation of signs if that's something that you feel is necessary for the location of this road and that is definitely something that the applicant is willing to provide. So, that is one option. A second option that the applicant cannot commit to would be to petition the State to lower the speed limit. Currently the speed limit on Werner Road is 40 mph but the operating speed is 45 mph and that is typically what most people are doing and that is what most people are comfortable doing. It's a local collector road and these are local residents doing the 5 mph over the speed limit. So, what the Town could do is petition the State and they would do their own evaluation of the road and they would determine if lowering the speed limit is appropriate. The applicant is prepared to have us provide the State with any information that they need from us to determine lane widths and shoulders to see if lowering the speed limit is an appropriate action on this road. The location would meet stopping sight distance for 40 mph posted speed limit but like I said, people are typically going about 5 mph over that limit. So, if the speed limit was lowered and some enforcement was carried through and it did lower the actual operating speed of that road, the sight distance at this location would then possibly meet a 40 mph operating speed for that road. So, those are really the two options that we feel are viable. A reconstruction of Werner Road is really not a viable option because you would have to reconstruct two portions of Werner Road, hundreds and hundreds of feet would have impacts to adjacent landowners and the cost of it would be fairly significant. So, given the constraints of the site frontage, the two options of installing an intersection warning signs and/or petitioning the State to review the posted speed are the two options that we believe are viable. Mr. Watts stated the following: You said, "petition the State". Does the County have to be petitioned in this or the State? Mr. Nadolny stated the following: The State has to be petitioned. I believe because of the size of the Town of Halfmoon, some municipalities have the ability to change speed limits on their

own but I believe based on the size of the Town of Halfmoon, you'd have to go to the State. Mr. Watts asked not the County? Mr. Nadolny stated not the County, I believe. Mr. Watts stated we're not classified as a suburban town if that is what you are referring to. Mr. Nadolny stated the following: Right. From what I understand with the discussions that we had in-house, it would be that you would have to go to the State and petition the State. Mr. Watts stated okay and if that were to be done it would have to be to the appropriate authority, which could be the County and/or the State. Mr. Nadolny stated the following: Yes. I'm sure that the County could weigh in on it as well just based on the character of the road. Like I said this road was more of a rural collector road and over time the character of the road has changed to more of a residential feel. Within approximately 1-mile length of road you have 8 side streets and numerous residential homes. So, the character of this road is not necessarily a collector to get from "A" to "B", it's actually servicing many developments on both sides of the road, which is another reason why we didn't feel the need that intersection warning signs were really required because the local users on this road are aware of the curb cuts, they are aware of the side streets and it will become just another side street that they'll be aware of as they travel to and from work. This is not regional sort of a roadway. Mr. Dell stated we are here tonight to answer any questions that the public may have and to ask the Board to possibly consider granting preliminary approval. Mr. Nadeau stated the following: You mentioned a number of signs or the cluttering of signs. Do you know what signs are there now? Mr. Nadolny stated the following: Currently there's an intersection warning sign that I believe is for sort of an extension of Cemetery Road and there is another intersection warning that I believe is for Cemetery Road coming southbound and then there is an additional driveway warning sign for a hidden driveway as you come across the vertical curve. So, there are numerous signs out there. If you were to progress with intersection warning signs, I believe we would have to modify or relocate them because of the construction of a new access point where you may have to have some sort of an offset intersection warning sign to let users know that there are driveways on either side of the road. So that is something that we would have to provide a little more detail on if the intersection warning sign were to be progressed. Mr. Watts asked if anyone from the public wished to speak. Mr. David Taylor, 83 Werner Road, stated the following: When this road comes in, there is a dip in the road and when I come out of my driveway, I can't see any vehicles that are in this section. I pull out and the cars are right on top of me. When I pull out and stop to look up the road, am I going to be able to see the cars coming out of here? Mr. Nadolny stated the following: Obviously, this is an existing condition so if you are right here, the vehicles on Werner Road are going to be traveling faster than vehicles exiting this development. So, whatever your condition is now, vehicles exiting this development are not going to be traveling at 45 mph by the time they get there. So, the distance that you would need to see someone doing 20 to 25 mph is not going to be as great as it would be at 45 mph. We did not do a sight distance evaluation at Mr. Taylor's driveway so I do not know at this point here if you can see vehicles at that point. What I do know is that the vehicles exiting here would not be traveling as fast. I do know that the embankment of this home is fairly close to the road so, again you're limited by the embankment of the road and I understand that, but I have not done an evaluation of your driveway with respect to this driveway. I do know you can see in the vicinity of your driveway from this point and I can't tell you exactly where that is without actually measuring it off because the vertical curve at this point here is the limiting factor for this intersection. So, it's probably in the vicinity of your driveway but I just couldn't tell you with a level of certainty whether or not you could see that or not. Anyone that is coming out of here is going to be going slower than whoever is out there right now. So, hopefully the people now are not slamming on their brakes because we don't believe that anyone here would be going faster than 45 mph coming out of this development. From strictly a numbers point, I couldn't tell if you could see this driveway from your driveway without doing an evaluation. Mr. Joe

Christopher, 96 Werner Road, stated the following: Over the past year I've been speaking out about some building proposals that I feel are hurting Halfmoon and this proposal has galvanized me. Before this project, I had never attended a Town meeting. I was opposed to it when it was 165 apartment units, I was opposed to it when it came back as 128 units, I was opposed the 38 duplexes and I stand here today to tell why I think the current proposal should be rejected as well. I would also like to recognize that the Board was opposed to those previous proposals too and everyone was, so that's what brings me here today. I'm no more opposed to building or builders than anyone in this room and I don't have any ill feelings about people who live in apartments, duplexes or otherwise. I'm opposed to this project because in it's current location it just doesn't make sense. Since the very beginning the Board had addressed their concern about the traffic at the end of Werner Road. The location of the site access road in my estimation is dangerous. I haven't had a chance to digest the whole speed limit change thing because it was just brought before the Board tonight. I definitely would like to address some conclusions that I've made and I have some questions about the traffic study performed for this project in reference to those sight distance issues. You obviously know this stuff better than I do and I know if my logic is flawed, you will let me know. In reference to the traffic at the south end of Werner Road I have a few questions. Does the traffic study performed for this project include the traffic that would be generated by Windsor Woods? I don't think it does. I looked at page 6 on the traffic study and that refers to Rosewood, Kelly Lane and something else but it doesn't recognize the Windsor Woods development because I don't think that was underway at the time. On the handout that I gave you, if you look at that map I put a "X" where Windsor Woods is and you'll see that the solid pen line that I have on there and the dotted line has two viable ways to access the Northway from Windsor Woods. To me the dotted line represents a longer distance and it would be more difficult. The obvious way is to cut through Stone Crest Drive and then come out onto Werner Road, right? If you look at where Windsor Woods is, why would you head up to that intersection by Anuszewski's old farm where that traffic light is terrible and that is right where Stewart's is located. You would have to go up there, navigate that and then come all the way around in front of Werner Road, down Route 236 and out Route 146 in order to access the Northway when you could just cut through Stone Crest Drive. I think that the traffic generated by Windsor Woods needs to be included in this traffic study and it wasn't. Also, the intersection at Werner Road and Route 146 is awful and I think the Planning Board members have acknowledged in the past that residents have raised concerns and this location has been considered for a traffic light and it even says that in the traffic study. If you look at Table 4-2, during the peak hours some of the intersection currently holds "D" and "E" ratings and I have noted those ratings with stars. I know that these builder supplied engineer reports insist that traffic will not increase as a result of their projects, but I disagree with that. At the last Planning Board meeting the Board took issue with another builder who tried to say that his 90-unit project wouldn't increase traffic. The Board didn't buy that and I think the same scrutiny applies here. The intersection that he was talking about earned a "C-" rating and this one is "D" and "E" with outdated and incomplete information. Regarding the site access at Werner Road; the engineering report concludes that the sight distances at the site access road are undesirable due to the vertical curvature of the roadway. Based on the review of the National Manual on Uniform Traffic Control Devices (NMUTCD) the placement of warning signs is not recommended. Based on my knowledge and correspondence with the State Traffic Department, I think this recommendation is light if not flawed. If you look at Table 4-1, right in the middle of the graph, underneath left turn access from site access road, you'll see that looking left from the road there is 405 FT of sight distance available and the 1-10 that you see there is before they clear the trees, so that is easily mitigated. But once they clear the trees, they have 405 FT looking left. The recommended sight distance is right below it and it's 500 FT. That is 95 FT short

of the recommended distance. To the right of that column is the data for looking to the right. There you can see that the sight distance available is 425 FT and the recommended distance is 500 FT for a difference of 75 FT. The sight distance calculations get considered in terms of the stopping distance equation and at the 85<sup>th</sup> percentile speed for the stopping distance, brake reaction time and driver deceleration are used to determine that sight stopping distance. This proposal, as the engineers have pointed out, is 5 FT short in both directions. Correct me if I'm wrong, this means that if an average person in an average car comes over that hill at an average speed, they are going to be 5 FT short of stopping for a vehicle at that intersection or God forbid; a kid on a bike. Also, all the variables in this equation are fixed other than sight distance. Like the distance from where you can see to where people are pulling out on the road there, that's the variable that determines that. Those numbers aren't even close, one is off 75 FT and other is off 95 FT. The engineer's report makes it sound like we are taking about 5 FT here, but I think it would take some road improvements to get that additional 95 FT and 75 FT sight distance in order to eliminate that 5 FT of stopping distance, right? The speed is taken at the 85<sup>th</sup> percentile and what about the 15% of cars traveling above the 85<sup>th</sup> percentile speed using this calculation? Does this mean that 3 out of every 20 cars coming over that hill would need even more time to stop because that is 15%? The engineer's report suggests that the lack of stopping distance can be mitigated by traffic control devices; such as signage. On page 15 of the report the engineer's acknowledged that the vertical curvature of the roadway prevents the available sight distance from meeting the AASHTO guidelines by approximately 95 FT looking left and 75 FT looking to the right, which we have discussed. A review of the criteria in the New York State supplement that they were referring to NMUTCD indicates that the available intersection sight distances are less than desirable but not critical. Therefore, warning signs are not required and this statement can be misleading. The graph on the last page is that guide for intersection warning sign use to which they are referring and that is also on the last page of the handout that I have. If you look down at the bottom access, at the 45 mph percentile approach speed, that is the 85<sup>th</sup> percentile that we're talking about here and if you follow it up to 400, that's where this intersection lies on this graph. It's just above that dark area, which is considered critical to safety because people are probably going to get in an accident there if it's not mitigated somehow. The area that that point occupies, which I know is barely out of that critical threshold, is a gray area that is considered less than desirable. I called up the State Traffic Department to talk to an expert on these matters and they said there is no real minimum sight distance requirement or sign requirement represented in this graph in these matters. They said that engineering judgment prevails. So there is no line here that says okay if it's this short, you need to have a sign and if it's here you don't. This is just part of the process and this is for putting in a sign. They also said and I quote "for new roads, you should be using the AASHTO guidelines and those are the guidelines that said we were 75 FT and 95 FT short. They said the New York State supplement is primarily for addressing existing traffic concerns. They said "I don't see why someone would propose to construct a new road that might require immediate remediation". They also said that other factors go into this as well; like accidents at that intersection and factors associated with existing problem areas. I think that using these guidelines to justify the creation of a less than desirable intersection is just backward thinking. I stated my case and that's all I can do. I believe that the evidence shows that this location is unsuitable for the project and I think you'll see that and make the right decision. Mr. Nadolny stated the following: That is a lot to respond to, but I did take notes and hopefully I'll hit most of these points. With regards to the Windsor Woods study, we contact the Town and ask them which other developments we should include in our report. I do not believe that Windsor Woods was one of them because we would have included it. I do agree with you on the position of Windsor Woods that would come down through the Stone Crest development and end up at

Werner Road. Mr. Watts stated for clarification purposes; you said you contacted the "Town". Mr. Nadolny stated I contacted the Planning Department and I would have to look through my notes to see exactly who I contacted. Mr. Watts stated the following: A question can be raised in many ways, but the question I have is part of a traffic engineer responsibility. Wouldn't you be responsible for looking at any developments/proposed developments and did you know we have these spreadsheets in Town that tell where the developments are and when they are going to be built? I wouldn't imagine a traffic engineer would call up and ask somebody but they might ask for suggestions. So, you would have a responsibility as an engineer to look at other developments that are coming or have been proposed just like we do as a Planning Board and Mr. Bianchino is our Town engineer who would do that too. Mr. Nadolny stated the following: I agree that that's definitely a true statement and if it wasn't pointed out specifically by the Town, we typically wouldn't include it if the Town was not concerned about it. I would have to look at how many units are in Windsor Woods because I don't have that information off the top of my head. Although looking at the distribution of traffic from Windsor Woods, if they did come through the Stone Crest development, whatever portion of traffic that would be coming through the Stone Crest development and ending up at the Werner Road/Route 146 intersection, those trips would be on the right turn lane. They would not be coming all the way down there to make the left turn, which is where those level of service "D's" and "E's" are located, which are on the left turn movement. The right turn movement has a level of service "B" that has a 12-second delay. So, even if a portion of that development traffic came down to that intersection, they would be coming to a right turn lane, which right now is operating at a level of service "B". So, I'm guessing based on my experience, adding that traffic in would not do anything to a level of service "D" or "E" on the left turn movement. So, those "D's" and "E's" would not get any worse based on traffic from the Windsor Woods development. Again, the gentleman talked about Route 146 and Werner Road not operating well with the level of service "D" and "E" and again those are on the left turn movement only. The right turn is operating fairly well and the impact from this development that we're talking about, I believe at the most, would be 12 trips on the southbound movement and 4 on the left turn, which equates to 1 to 2 seconds of delay associated with this development. So, in the grand scheme of things, this development is not tripping these from one threshold to another and it's not going from a "D" to a "F" or a "E" to a "F". It's staying at the similar levels of service thresholds with an increase of 1 to 2 seconds. So, the impact at this intersection is an existing condition that has been experienced throughout the corridor on Route 146. So, it's a pretty typical condition during peak hours on major arterials throughout the Town. The gentleman talked about the 85<sup>th</sup> percentile speed and that the other 15 percent are going faster than 45 mph, but you can't design for the worse case condition. The engineering standard is typically to design for the operating speed, which is the 85<sup>th</sup> percentile speed. You can't design your way out of a safety condition by designing for that one lone high school kid that wants to do 100 mph down this road. So, you just can't design the roads for that condition. So, the 85<sup>th</sup> percentile speed is the standard design criteria that we look at when designing a road. Because what would happen is that you would over design all your intersections and all your roads. What you would end of doing is you would create roads that are 13 FT wide with 8 FT shoulders, which would actually encourage people to drive faster. That is why we typically do it for what we consider the operating speed. According to the table that the gentleman referred to for the guide for the intersection warning sign, we are in that area where it doesn't require the installation of those intersection warning signs and you can see how wide this area is for an intersection warning sign to be considered. If you put a sign in for every time you found that yellow area in the book, every single intersection would have an intersection warning sign. So, you have to make engineering judgment and usually the engineering judgment falls if you are below that red line and that is when you install the sign. Since we were

not below the line, we didn't recommend it. Can you install a sign? Sure you can definitely install a sign if it's determined that it will help with the safety of this road and that's definitely not an issue here but based on the standards that we look at, it did not fall below that line and we look at the numbers and that is how the study was conducted. Regarding the call you made to the New York State Department of Transportation (NYSDOT). Obviously, the woman that you talked to didn't have all the information in front of her and when she made the comment of why you would build a new road that needs immediate mitigation, there are no other viable options for this road. This road does not have the available frontage to move the driveway north or south to provide a better location. This is the best location that he has available and it can be, in our opinion, constructed in this location and if intersection warning signs are deemed appropriate by the Town and the Planning Board, it's definitely another legitimate mitigation measure that can be installed, but this is an appropriate location for that driveway. Mr. Fred Bahr, 29 Willowbrook Terrace, stated the following: I'm not sure why and maybe it's a requirement or something, but why do we need both access roads? I think Kelly Lane is a decent location because there are not the vertical drops going on. I think the other access road is my primary concern. I've been opposed to that from day one because the likelihood of accidents due to limited sight distance. I run along Werner Road and I'm very concerned about the traffic. I'm very attentive to cars in that area because of the dips. The line of sight is very bad in that area. I'm also curious about the conditions that are assumed when you do those line of sight calculations. Are they assumed daylight conditions, dry road and that type of thing? It is also not clear to me why we would consider putting a road into a place that has a good probability for accidents, which we are already falling short of the recommendations. Also, I would just like to keep in mind that we are 5 FT shy and that still means that there would be contact, which certainly wouldn't be a good position to be in. Mr. Nadolny stated the following: The types of conditions are for wet roads, so it is actually typically sort of the worse case condition. So, it's not just for dry roads and it's actually for the friction factor of a wet road. As far as the number of access points, I believe that's more of a site question and it's more of an emergency access. Mr. Dell stated the following: If we had the one point of access off of Kelly Lane, we would have 27 homes coming off one point of access. So, it's a safety concern that you would want to have the loop connection for emergency vehicles to access the homes in the event a need arose. Mr. Bill Murtha, 10 Delta Way, stated the following: On page 9 of Halfmoon's 2003 Master Plan, there is a line that stands out and I will be quoting from it as Mr. Hayner asked me to look at this. "The Town has no intent to shut its doors on development; however, it cannot allow itself to continue growing in the current pattern as this will lead to discontinuity, sprawl, and the associated impacts of traffic congestion, noise, poor air quality, and a lack of community identity." Again, this was written 2003. Is anyone paying attention? I'm listening to all this business about traffic studies, impact and whatever. But in the long run, all it means is that whatever study is done, they're telling us that it's going to get worse. It's a corridor that leads from Cemetery Road to Route 146. I was thinking about doing my own traffic study tonight. All you have to do is during prime time is to drive south on Werner Road to Route 146 and then try to make a left hand turn. This leaves you ample time to take notes. Allowing multiple access roads along the northern portion of Werner Road would aggregate an unsafe condition. I asked Dr. Robinson to come tonight but he hasn't shown. In addition to considering the negative aspects on traffic are school and infrastructure that are a direct result of any construction. We must also respect the needs of any builder or developer who has purchased land with the goal of generating a profit. Any developer is a part of a community. If the developer has become a landowner is stymied by a thoughtful Planning Board then alternatives must be explored that truly benefit our community. There are alternatives to simply building structures that damage, in a sense, our community. The quality of any structure is irrelevant. It's the quantity that creates sprawl. I urge the Board to

consider alternatives to this proposal that allow the builder to be properly compensated. These alternatives are delineated in the Comprehensive Plan for the Town. There are incentive based techniques and I'm quoting from the Town's Comprehensive Plan of 2003 that allow his or her investment to bare fruit. That is an agricultural metaphor by the way. To continue to inundate the Town with requests, such as this current one, is not acceptable if we want to maintain a quality of life in Halfmoon. There is a difference between urban sprawl and smart development. On a related matter, accusations of unethical dealings have tarnished our image. This is a serious business as of last summer when we have been under surveillance. I implore all of us residents, developers, Boards and members to be vigilant. If you sense a conflict of interest in any matter, simply do the right thing. It's time to build trust as Mr. Hayner has stated. We need more public involvement and more public hearings. Lets not let collusion prevail. God help Halfmoon. Ms. Chelsea Egan, 94 Werner Road, stated the following: My driveway is directly across the street from where everybody is talking about these mathematic equations. Mathematics means nothing to me. I drive out of that driveway every single day. My daughter waits for her bus in that driveway and I know I can't stop anybody from building in the woods and tearing down the woods. That's something that is inevitable and that is sad enough, but what scares me the most is seeing all these houses being built right across the street from my driveway with the access road right there. Up the hill, cars come flying down. The more developments that we've had, the faster they are coming and there are more cars. Mr. Taylor was talking about the little hill by his place. We have hills on either side and it is not a safe place for any more traffic. I appreciate what everybody is saying and I hear you all talking about the potential accidents. Those accidents will be in my driveway, in my house and hopefully not where my daughter is or where my dogs are or I am. If there are houses back there, it's going to be bad enough having the lights shining on my house that I purchased in 2003 in a A-R zone where we hung out outside, had little bonfires and the children and the dogs could just play free in the yard. I won't even want my daughter to play in her play yard anymore if this is what's going to be happening. Again, I don't know all the mathematical calculations and I'm not even sure where everybody is talking about building the other parts of the roads or access ways. Mr. Ein Marquis, 3 Cold Springs Drive, stated the following: Like Ms. Egan, I'm not used to speaking in public like this. I know we have addressed the traffic concerns and I ditto and echo all of that. It's very unsafe right there. Has there been impact study done for the school as far as what this is going to generate on the school district. So, I don't know if anything has been done there. Also for school buses in the morning, this is a very dangerous area, so obviously the school buses are going to have to pull out of two different places full of children. As a parent of 3 children that will be riding that bus being picked up in Dater Woods that does concern me. I know you spoke about the drainage pond; what is the impact on that? I know you said that there is some stuff, but you really never elaborated on what was going to be done and how that's going to happen. Currently, I have a ton of water in my backyard and it doesn't get any better. I'm concerned about the drainage. Also, with Dater Woods that is a quiet neighborhood, I'm concerned about the increased foot traffic through the neighborhood. This is small area and you have proposed 27 homes and if they want to go for a walk, they're going to walk through our neighborhood. We have a very quiet neighborhood and it's very subdued, so I'm a concerned about the aspect of safety in the neighborhood, crime in the neighborhood and just increased foot traffic. I'm also concerned about home values. I don't know what the prices on these homes are, but is it going to increase or decrease the home values of everyone around there due to this proposed housing development. Also, isn't Halfmoon overpopulated? We have a lot of developments and we have a lot of developing going on. I'm not opposed to builders building at all, but just not here. This is not a safe location so I urge the Board to vote this one down. Ms. Hannah Christopher, 96 Werner Road, stated the following: I am opposed to Anna's Place



proposed project at 95 Werner Road. You know, the one across from my house where the sight distance is poor because of a hill and another knoll. The one where I have to turn the radio down, open the window and speed out of my driveway if I don't hear any cars and at night, when I pull out quickly if no car lights are visible. Feel free to pull in my driveway and test it out for yourself. I am also opposed to it because of increased traffic with no remedies. Cars are not going to slow down and do the speed limit because this project is going in. Also, 18-wheelers who travel pretty fast on Werner Road are not going to reroute themselves. Traffic is quite heavy now and it is extremely difficult to make a left onto Route 146 from Werner Road. It's even sometimes tough to make the right turn because the car trying to make a left is sticking its nose out blocking the view. It will only get worse with this project. Oh, and I feel safe driving 30 mph on Werner Road and right now the 40 mph is not safe with kids, runners, increased traffic and those hills and knolls. Another reason why I'm opposed to this project is I don't want any poor quality construction built in my neighborhood. That is my opinion and I have a right to that opinion. My opinion was formed after reviewing various public documents. I drew this conclusion after collecting many details from what I read. I teach my third graders this skill in reading and I too use it in my own life and I'm allowed to do that. Also, I'm opposed to any developer who is against the rights of a citizen to standup at a Town meeting and express concerns that have to do with a major project in their neighborhood. Any developer that needs to recruit people to attend Town meetings and speak about their good reputation is trying to defend something that is in fact faulty. Developer's reputations and quality should speak for themselves. Just say no to the Anna's Place project on Werner Road. Any project in Halfmoon must now meet high standards or the citizens will speak out. It is our right and it is our first amendment right for those who need educating. Mr. Bob Radliff, 110 Werner Road, stated the following: I agree with everything that everybody has said here in terms of the residents. I would just like to add a couple of thoughts. Regarding the safety of the road, if you're coming south on Werner Road from the intersection of Cemetery Road and Werner Road, there is a big dip in the road, which we have heard a lot about. I live right near there and I've seen it for years and you get to a certain point when you get onto Werner Road coming from Anthony Road and people have some considerable speed there. You get to a point where there is a straight away and you can hardly see down into that dip until you're right to the crest of that hill. I don't know about the engineering report, but I drive that all the time. A scenario that scares me is a car with a left directional on at the bottom of that hill, you can't see it waiting for an oncoming car so we can pull into the development. You can't see that car there and then you throw in some bad weather, speeding or a car full of kids. There is no way that you're going to stop. I also want to mention the traffic study. I think we're leaning back on the one that was done in February of last year to support all of this. Is that true? Mr. Nadolny stated it was revised in August. Mr. Radliff asked so did you test again and did you have the strips out in the road again? Mr. Nadolny stated yes. Mr. Radliff stated the following: The first time the traffic study was done the strips were put in one day and they were taken out before the end of the second day and I don't what a sampling is for a viable baseline for that. Mr. Nadolny stated there are hundreds of cars on Werner Road, so if it was down for a day, we would get hundreds of data points. Mr. Radliff asked how long would you usually leave one there? Mr. Nadolny stated the following: We usually leave it for a minimum of one day. I'd have to look, but I'm guessing we had it down for one day. Mr. Radliff stated the following: My point is that this was more than one day but the strips were pulled up because of a snowstorm that was coming. I called the highway department and ask about the strips being there and they said they would be coming up in a little while because the plows have to get out there and it snowed that night and that was that and that's the report that we have. Ms. Deanna Stephenson, 7 Cindy Lane, stated the following: I just want to say that at the last meeting, Mr. Ouimet said to Mr. Belmonte, "why wouldn't you consider

less density to make the community more appealing?" I have to ask that question now because you are at maximum density once again and why don't we take a look at that? I'm hearing about standards and there are too many variables in here to talk about standards. You can talk about standards but it doesn't sound like the standards are meeting what's needed in the Town. I want to also commend Mr. Christopher because it sounds like he did a lot of homework on this. Sometimes I'm taken back by the information that the residents come to get and sometimes it's missing on the professional level. So, once again, I hope you all make the right decision here. Mr. Watts closed the Public Hearing at 8:02 pm. Mr. Nadeau stated the following: Could you point out on the site plan where the proposed site driveway and the driveway across the street are located. I think on one of the previous projects that we had looked at we had that very same issue, so I think the applicant would have to go back and make sure that we get an offset there because of the lights at nighttime would be shining in the home across the street constantly. What price are the homes going to be? Mr. Tanski stated in \$300,000 range. Mr. Nadeau asked do we know of the amount of accidents at Route 146 or Werner Road and do we have any record of that or could we get that? Mr. Nadolny stated yes, we could request that from the NYSDOT. Mr. Watts stated I would urge you to get that information for the accident histories on any of those locations. Mr. Nadeau asked Mr. Nadolny to comment on the gentleman stating that the recent traffic study being when the snowstorm was coming and pulling up the strips. Mr. Nadolny stated the following: We had the Automatic Traffic Device (ATR) down for two days worth of data, which would have counted probably in the neighborhood of 1,000 cars. As far as what the weather was at that time, I'd have to look back at the recent data. Mr. Nadeau asked when was that done? Mr. Nadolny stated the following: It was done in mid-January. So, if a snowstorm were coming, we would have pulled it up before the snowstorm so it would not have been down during the snow. I could definitely see when the snow came and we could take out any data points that occurred during the snow and I'm guessing that the speeds would be close to the 45 mph that was stated in the report. I would have to look at the historical weather to see what time the snow started. Mr. Ouimet stated the following: Is this proposal for 28 single-families homes or 27? Mr. Dell stated 27. Mr. Ouimet asked how many acres is this parcel? Mr. Dell stated the total acreage is 19.22-acres. Mr. Ouimet stated you heard a comment from the community about density; can that lot hold more than 27 single-family homes? Mr. Dell stated the following: Yes, potentially. Right now we have only 4 of the lots that are at the minimum of 20,000 SF. We also have other lots that are 26,000 SF, 23,000 SF, 36,000 SF, 29,000 SF and 28,000 SF. So there are several of the lots that exceed the minimum 20,000 SF. So there is the potential to possibly squeeze some more in here. Mr. Berkowitz asked what is the maximum buildout for the entire development? Mr. Dell stated the following: Right now we haven't done that and we are going with the 27 single-family homes for this plan. We haven't come up with a maximum trying to squeeze the lots down. Mr. Ouimet asked based on 20,000 SF is what the code requires, correct? Mr. Dell stated that is correct. Mr. Ouimet asked could you put in 34 single-family homes on the buildable acreage? Mr. Dell stated the following: Based upon the 19.22-acres, if you look at just strictly 20,000 SF lots, we are looking at 34 single-family residences. Mr. Ouimet stated but you have chosen to only build 27 and not 34? Mr. Dell stated that is correct. Mr. Ouimet stated so you have in effect minimized as opposed to maximizing the use of the buildable acres? Mr. Dell stated that is correct. Mr. Ouimet asked was the original proposal for Anna's Place 168 apartments for this site? Mr. Bruce Tanski, the applicant, stated the following: I think it was for 132 apartments and then we changed it because of the Town's concerns and then we proposed 32 duplex units, which we were allowed to do by code. Mr. Ouimet asked was that based on the square footage? Mr. Tanski stated the following: Yes. Then again, because of the concerns of the Town, the Planning Board and the Planning Department we reduced it to 27 single-family homes. Like Mr. Dell mentioned, a lot of the

lots are bigger than the minimum 20,000 SF. Mr. Ouimet stated the following: Based on 27 single-family homes, how many projected trips during the peak hours did the traffic engineer come up with? Mr. Nadolny stated the following: Based on the Institute of Transportation Engineers (ITE), it would be 29 trips during the peak hour in the morning and 32 trips during the peak hour in the afternoon. That is based on the proposed 27 single-family units and that's based on ITE. As a side note, we did a study of the Princeton Heights development a while ago and that's in the Town of Halfmoon and there are 166 units in the Princeton Heights development and that was generated at a much lower rate than the national average. So, a single-family development within the Town of Halfmoon was generating much fewer trips than the national average and we based it on that rate. So, this development would be generating 17 trips in the morning and 17 trips in the afternoon. So, a comparable development within the Town had a lower rate than what we had estimated using the national standards. Mr. Ouimet stated regarding the national standards; would that be the trip generation handbook? Mr. Nadolny stated that's correct. Mr. Ouimet asked how many trips would that give you? Mr. Nadolny stated 29 in the AM and 32 PM during the peak hour rather than the 17 if you use the comparable rate of what Princeton Heights is generating. Mr. Ouimet asked did you do traffic studies on the prior proposals? Mr. Nadolny stated the following: Yes. The first one when we did the study I believe was for 165 apartments and I'm sure if that got scaled down by the time we had submitted it, but it had 85 morning trips and 108 afternoon trips. Then the subsequent proposal with the 38 duplex units had 24 a.m. trips and 27 p.m. trips. So this is actually 5 trips higher than the duplex proposal because of the national standards where the homes generate a little bit more than apartments based on the number of cars and whatnot that people have in duplexes verses single-family homes. Mr. Ouimet stated so you have cut down on the number of trips significantly with this proposal. Mr. Nadolny stated from the original proposal it is a significant reduction in trips and from the duplex proposal it is virtually the same with the 5-trip difference and you wouldn't notice the difference of 5 trips over the course of an hour that is 1 car every 10 to 12 minutes. Mr. Ouimet stated the following: So you have cut down on the number of trips, you cut down on the number of living dwellings, you are under what you can put into that buildable acreage and it sounds to me that you've acted responsibly in reference to what the public has been saying. The only issue that remains for me is the sight distance issue. Mr. Nadolny stated I agree. Mr. Berkowitz asked have the wetlands been delineated yet? Mr. Dell stated the following: Yes. There are some wetlands up in the north portion of the site as well as over on the southeastern side. Mr. Berkowitz asked on Lot #6 are the wetlands imposing on that house? Mr. Dell stated yes, that one would require a disturbance permit. Mr. Berkowitz stated the following: Have you done a study on approximately how many kids and school age children are going to be in this development? We just went to a seminar that had a lecture on that that was quite interesting and it's .4 kids per household, which isn't a very large impact. I was kind of surprised. I thought it would be 1.5 kids per household. Mr. Watts stated the Shenendehowa School District keeps excellent track of all development and future development as best they can. They have either a Futures or Visioning Committee that Shenendehowa has that meets and looks at things and tries to plan for the enrollment needs of the school. Obviously they have to. Mechanicville and Waterford-Halfmoon also do that. They do try to anticipate whatever needs they are going to have for the school. They get input from the municipalities and various business places. Mr. Higgins stated on Lot #20 and Lot #6 you're not showing any water or sewer hookups on those. Are they going to require ejector pumps? Mr. Dell stated the following: For Lot #20 no. We should be able to get gravity down to there and possibly for Lot #6. However, I would have to verify that. Mr. Higgins stated for Lot #6, it's all going to have to be within the driveway because of the wetlands. Mr. Dell stated the following: That is correct. The water and sewer would come up the driveway. Mr. Higgins stated the following: It looks like a considerable portion of Lot #6 is encumbered by

wetlands. I would like to take a look at that to make sure that there is sufficient buildable area there for that lot. Mr. Dell stated the house could be situated further to the back and over providing ample room for a yard. Mr. Higgins stated the following: Mr. Nadeau brought up the points which has been brought up at a couple of recent projects about headlights going into the neighbors all night long and especially with the proximity there. So, that is definitely a concern of mine. Also, there have been several mentions of this 5 FT difference but in essence it's more like 75 FT and almost 100 FT difference from the recommended sight distances. Mr. Nadolny stated for stopping sight distance it's 5 FT and for the intersections there are 2 different measurements that we do; one for stopping and one for intersections. So, the stopping sight distance is 5 FT and the intersection sight distance is 75 to 95 FT. Mr. Higgins stated knowing that road because I drive it quite often and on Saturday I drove by again and looked at it and I agree with what the residents are saying; with the uneven terrain there, even if you cleared away 15 FT of the trees on the one side, I still think it's a relatively dark area there as you're going through and I have concerns about the sight distance as Mr. Ouimet also mentioned. Mr. Nadeau asked could we get a marker put at that entrance, so if any of the Board members drive by, we can see where that is located? Mr. Dell stated we can certainly do that.

This item was tabled awaiting responses regarding the traffic issues and the public's concerns.

**New Business:**

**13.001 NB Top Cat Landscaping & Snow Removal Inc., 1050 Elizabeth Street Ext.  
– Change of Tenant**

Mr. Tony Bonventre, the applicant, stated the following: I'm the owner of Top Cat Landscaping. We are proposing to move our business to 1050 Elizabeth Street Ext., which is just past the Mechanicville City Garage. In the summertime we would have 3 or 4 full-time employees and in the wintertime we have quite a bit more employees than that, but they will not go to this location as we also have another location in Luther Forest in Malta that is a much bigger facility. This proposed location is going to be used to store some of our landscaping equipment and some of snow equipment would be parked there during the wintertime that would all be cleaned out and put away and stored inside the building. The company that was previously located at this site was Global Industries and they were almost identical to what I'm proposing. I know that it was a concern of this Board several years ago regarding storage. There will be no storage. We have a 400 ton self-storage facility in the Town of Malta. There will be no salt storage, no liquid storage, no de-icing storage and this is strictly a shop where we can wash or wax our trucks. We would go out everyday to mow grass and then we would come back in the evening. Mr. Berkowitz asked would you have any chemicals or salt stored in the trucks while they are parked at the site? Mr. Bonventre stated the following: No, not there. It would be stored at our Malta location where we have a 4-truck garage as well as a full salt facility. Mr. Berkowitz asked the applicant if he had a site plan. Mr. John Garry stated the following: I'm the president of the Mechanicville Warehouse Corp. All the tenants we have at 1050 Elizabeth Street Ext. are industrial tenants. Some tenants have tractor-trailers that come and none of them go up Elizabeth Street; they all enter through Davenport Street which is where the City of Mechanicville Public Works garage is located and then that turns into Industrial Parkway and circles around and we are located just off of that. There are no homes around us. Mr. Garry showed the Board a diagram of the building. Mr. Watts asked at peak time how many pieces of equipment would be there. Mr. Bonventre stated 5 pickup trucks with plows and salters, 3 or 4 lawnmowers and 2 little landscape trailers. Mr. Watts asked would that equipment be stored inside the building or outside? Mr. Bonventre stated the following: The landscape trailers would probably be inside and there are some parking spots outside. So, 2 of the

trucks that we don't use very much may park inside and the rest of them would probably be parked outside. Mr. Watts asked what about the snowplows? Mr. Bonventre stated the snowplows would be stored inside. Mr. Watts asked on what kind of trucks? Mr. Bonventre stated pickup trucks and our larger snowplows are stored in Malta. Mr. Watts asked so you have no anticipation of wanting to have equipment like that at this site? Mr. Bonventre stated the following: No. If we brought one down, it would be to work on it and then it would go back to the other site. Mr. Watts asked would you be pumping gasoline at this site? Mr. Bonventre stated there is no gas facility and no diesel, but there could be a quart of oil there. Mr. Garry stated the building is heated by propane and home heating oil. Mr. Watts stated the following: When we get these types of operations, we get a concern of how many pieces of equipment are there, how noisy are they, what time are they coming in and out, are they storing any hazardous materials and are there any environmental issues? These are the kinds of things that we have to bring out and get on the record because low and behold sometimes we have people in Town who say "geez, I didn't know that" or "I didn't know I couldn't do that". Mr. Bonventre stated our planned route in and out would be through Depot Square and past the City of Mechanicville garage. We wouldn't be going through and beyond Elizabeth Street Ext. Mr. Higgins stated because of problems that we've had over the last couple of years, the Board has in most cases required site plans showing parking locations for equipment so that if you end up not following what was presented at the Board, then they can react. Mrs. Murphy stated the following: What the Board has done in the past is to always require a site plan. On some occasions you have adjourned for presentation of the site plan and in some occasions approved contingent upon the filing of the site plan before they would be allowed to go forward. Those are the Board's options. I believe there were some concerns about the parking lot also. Mr. Ouimet stated you listed on your application that you're going to have 3 salt spreaders, 2 liquid de-icing spray units and various snow/ice control equipment on the site. Mr. Bonventre stated the following: We wanted to put everything down. There are small snow blowers that will be stored there in the summer and as far as the liquid de-icing spray units, they get washed out. Mr. Ouimet asked where do those de-icing spray units get washed? Mr. Bonventre stated the following: They will be washed in Malta and will be stored at this site clean. We would just be storing those because we wouldn't be using those during the summer. Mr. Ouimet stated for instance today; would you have had any salt spreaders or liquid de-icing spray units there? Mr. Bonventre stated maybe once it was washed out and brought back. Mr. Ouimet stated the following: So what you're telling us is that you will not have any units that you are currently using there unless they are washed out? In other words, if you park a salt spreader outside that you have used but it's empty and not washed out on a day like today when it's raining, is it likely that some of the salt residue may leach onto the ground? Mr. Bonventre stated I would say not any more than a regular car because the salt spreaders are covered. Mr. Ouimet asked what is this liquid de-icing spray unit? Mr. Bonventre stated they are tanks that go on the back of our trucks. Mr. Ouimet asked is that what you mix with the salt to activate it? Mr. Bonventre stated no, we spray it right down on the roads. Mr. Bonventre showed the Board pictures of the tank and stated it gets cleaned out, placed in a duffle bag and put on a shelf for the summer. Mr. Ouimet stated the following: I'm not talking about the summertime; I'm talking about the wintertime when you are actively using them. Mr. Bonventre stated they stay in Malta. Mr. Ouimet asked if they are coming to your shop here for service would they be cleaned? Mr. Bonventre stated yes, they would be emptied and washed. Mr. Ouimet stated so there would be no possibility that any salt residue or liquid de-icing fluids would get on the ground. Mr. Bonventre stated I'd say not zero, but there will be salt on the ground because we'll salt the ground in front of our shop. Mr. Garry stated it is mostly gravel and there is some blacktop. Mr. Bonventre stated there would be no more salt than you'd have anywhere else and if we had a load of salt, we wouldn't unload it there. Mr. Garry

stated I've never had to put salt down. Mr. Bonventre stated the following: If we had a load of salt, we wouldn't unload it there. We have been across from Mr. Nadeau's site for a while and we don't have a salt pile there and we don't store anything there. When we do wash our equipment, it's pretty much just residue. It would be like washing the outside of your car with that type of salt. The main hoppers are emptied and as I have said there would be no more than a pound of salt, which is nothing as far as residual salt goes. Mr. Watts stated relative to the site plan, see what you can bring in. Mr. Garry showed the Board an aerial view of the site. Mr. Garry stated I have a survey of the property. Mr. Watts stated please bring that survey map in to the Planning Office and if we need additional information, we'll tell you what we need. Mr. Garry stated okay. Mrs. Murphy asked is it a survey that just shows the boundaries or does it show where the building is and where the parking is. Mr. Garry stated it shows the building, it shows the stakes and everything. Mrs. Murphy stated okay. Mr. Roberts asked do you have a survey showing the parking spaces? Mr. Garry stated the following: It was always just trucks and a couple of cars. I only have 4 employees that ever worked there. So whatever was there was tractor-trailer traffic just dropping things off. Mr. Watts stated the following: Make sure that you abide by the things that we've said. We don't have them all listed A, B, C, D, E but they're on the record. So, if you get out of compliance, our Code Enforcement people will be over to your site.

Mr. Berkowitz made a motion to approve the change of tenant application for Top Cat Landscaping & Snow Removal Inc. contingent upon the applicant submitting a site plan for 1050 Elizabeth Street Ext. Mr. Roberts seconded. Motion carried.

**13.018 NB Demansys Energy, LLC, 1407 Route 9 (Nine North/Bldg. 2) – Change of Tenant**

Mr. Nicholas LaFountain stated the following: I'm here tonight on behalf of Garner Holdings and Demansys Energy for a change of tenancy at 1407 Route 9 at the Nine North Professional Park. Demansys Energy is a small firm with 2 full-time employees right now and at the most they would have 5 full-time employees. Their business hours would be Monday through Friday 8:00 am to 5:00 pm. Demansys Energy is a group that does computer programming and they help their clients create income by managing and monitoring their energy usage. So as of right now it would be just 2 employees and they would have computers and no clients would come to the site. There would not be any client visits to this site. Mr. Ouimet stated the Planning Department write-up stated that there would be 5 full-time employees. Mr. LaFountain stated there would be 5 full-time employees at maximum and currently there are only 2 full-time employees. Mr. Watts asked if there was adequate parking at the site. Mr. LaFountain stated yes. Mr. Roberts asked if the applicant was going to have a sign. Mr. LaFountain stated no, just on the directory board inside the building.

Mr. Roberts made a motion to approve the change of tenant application for Demansys Energy, LLC. Mr. Nadeau seconded. Motion carried.

**13.019 NB Allstate-Wilfredo Miranda, 1480 Route 9 – Sign**

Mr. Mark Rizzo, of Marshall Sign Corp., stated the following: The Allstate Miranda Group would like to replace their current free-standing 24 SF sign and replace it with a 25 SF sign and I believe the Planning Board has been provided with all the sign information. Mr. Roberts asked is the new proposed sign going to be same height as the old free-standing sign? Mr. Rizzo stated yes it is the same height and we are just proposing a 1 SF increase in the sign size. Mr. Roberts asked if the sign was going to be in the same location? Mr. Rizzo stated it would be in the same location and

nothing would change. Mr. Roberts asked would the new proposed sign be located on private property and not in the State right-of-way? Mr. Rizzo stated that is correct.

***For the record: The Planning Department’s write-up for the sign(s) is as follows:***

**Sign Size:** 50 SF  
**Sided:**  one-sided  Two-sided  
**Location of Sign:** at front of site where existing sign is  
**Lighted:**  Internal  Flood

Mr. Roberts made a motion to approve the sign application for Allstate-Wilfredo Miranda contingent upon the sign is not located in the State right-of-way. Mr. Berkowitz seconded. Motion carried.

**13.020 NB Classico Barber Shop, 1521 Route 9 – Sign**

Mr. Mark Rizzo, of Marshall Sign Corp., stated the following: The applicant is proposing to replace the existing signage on the site. Currently they have 30 SF of signage. The applicant is proposing to replace the existing wall-mounted single-sided sign with a new 16 SF sign. The applicant also wishes to replace the 13 SF free-standing sign with a new 12 SF free-standing sign. Mr. Roberts asked would the new proposed sign be located on private property and not in the State right-of-way? Mr. Rizzo stated that is correct.

***For the record: The Planning Department’s write-up for the sign(s) is as follows:***

Sign #1-wall-mounted  
**Sign Size:** 16 SF  
**Sided:**  one-sided  Two-sided  
**Location of Sign:** on front of building  
**Lighted:**  Internal  Flood  
Sign #2-free-standing  
**Sign Size:** 24 SF  
**Sided:**  one-sided  Two-sided  
**Location of Sign:** at entrance to the site  
**Lighted:**  Internal  Flood

Mr. Roberts made a motion to approve the sign application for Classico Barber Shop contingent upon the sign is not located in the State right-of-way. Mr. Nadeau seconded. Motion carried.

**13.021 NB Smoke Signals, 1502 Route 9 – Change of Tenant & Sign**

Mr. Fred Leonardi, the applicant, stated the following: We are proposing to open our business for a tobacco shop located at 1502 Route 9. We are going to offer cigarettes, loose tobacco, rolling apparatuses and everything included for customers to save money and to roll their own product. Our hours of operation would be from 10:00 am to 9:00 pm Monday through Saturday and noon to 9:00 pm on Sunday. We only need 1 employee while the store is open. There are 40 parking spaces that we would be sharing with Halfmoon Dry Cleaners. Mrs. Murphy asked if there would be a smoking lounge. Mr. Leonardi stated there would be no smoking lounge. Mr. Watts asked who is the owner of the property? Mr. Leonardi stated Mr. Kwon Pai. Mr. Watts stated if we don’t have any other questions about the business, we could approve that contingent upon an effort being made to obtain the site plan. Mrs. Murphy stated the following: The owner of the building is aware of our requirements, as he has done several different developments in Town so he knows

what we need. We need the site plan, as this approval will be contingent upon you getting that site plan to the Planning Department. Mr. Leonardi stated okay. Mr. Roberts stated I mentioned to the applicant about the sign and I said that we discussed it and its not politically correct, so don't hold the Town of Halfmoon Planning Board responsible if he gets complaints about it. Mr. Watts stated yes, all kidding aside, how about thinking about something different? While we can't tell you that because there are certain freedoms that you have, so, think about it because we can't tell you not to do it. Mr. Leonardi stated it was clip art that was available when we googled smoke signals.

**For the record: The Planning Department's write-up for the sign(s) is as follows:**

- Sign Size:** 16 SF
- Sided:**  **one-sided**  **Two-sided**
- Location of Sign:** on building
- Lighted:**  **Internal**  **Flood**

Mr. Roberts made a motion to approve the change of tenant application for Smoke Signals contingent upon the owner of the building submitting a site plan. Mr. Nadeau seconded. Motion carried.

Mr. Roberts made a motion to approve the sign application for Smoke Signals. Mr. Nadeau seconded. Motion carried.

**13.022 NB Just For You Hair Salon, 1859 Route 9 (Stewart's) – Change of Tenant & Sign**

Ms. Jodine Green, the applicant, stated the following: I've owned and operated Just For You Hair Salon for over 17-years. I'm currently looking to change my business location to 1859 Route 9 at Stewart's Plaza and I also need a sign change. Currently, I am the only stylist working but I do have intentions to add on 2 more stylists and a nail technician for 2 full-time positions and possibly a part time nail technician. The salon would provide services including hair care, manicures, pedicures, artificial nail care, lip and eyebrow waxing and up to possibly 2 tanning booths in the very far future. We will be offering services by appointment and walk-ins would be accommodated if possible. Also, we will have retail products including shampoos, conditioners, hair styling products, styling tools, polishes, skin care products and makeup. I also would like to replace the existing wall-mounted sign over the entrance. Mr. Higgins asked are there 4 storefronts in that plaza? Ms. Green stated yes there is. Mr. Higgins asked are you taking 2 of the storefronts? Ms. Green stated no, I'm just taking 1. Mr. Higgins asked will there now be 1 vacant storefront in the plaza? Ms. Green stated I believe Pizza Plus has 1 and Allstate has 2. Mr. Roberts stated the following: I reviewed the sign application and the sign conforms. The applicant would just be replacing what is there already. Mr. Nadeau asked is there a New York State requirement or authorization for the tanning booths? Ms. Green stated not that I'm aware of, but it's nothing that I intend to do at this point in time. Mr. Watts wished the applicant good luck and asked the applicant to please advertise that the business is located in Halfmoon. Ms. Green stated I will.

**For the record: The Planning Department's write-up for the sign(s) is as follows:**

- Sign
- Sign Size:** 12.70 SF
- Sided:**  **one-sided**  **Two-sided**
- Location of Sign:** over entrance to suite
- Lighted:**  **Internal**  **Flood**



Mr. Ouimet made a motion to approve the change of tenant application for Just For You Hair Salon. Mr. Higgins seconded. Motion carried.

Mr. Ouimet made a motion to approve the sign application for Just For You hair Salon. Mr. Higgins seconded. Motion carried.

Mr. Higgins made a motion to adjourn the February 11, 2013 Planning Board Meeting at 8:50 pm. Mr. Ouimet seconded. Motion carried.

Respectfully submitted,  
Milly Pascuzzi  
Planning Board Secretary