

**MINUTES MEETING  
Town of Halfmoon Planning Board  
April 25, 2016**

Those present at the April 25, 2016 Planning Board meeting were:

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

Planning Board Alternates:     Margaret Sautter-absent  
   Mike Ziobrowski-absent  
   Corie Custer- absent

Director of Planning:            Richard Harris  
Planner:                                Paul Marlow

Town Attorney:                    Lyn Murphy  
Deputy Town Attorney:        Cathy Drobny

Town Board Liaison:            John Wasielewski  
   Jeremy Connors

*Chairman John Ouimet opened the Planning Board Meeting at 7:00 pm*

*John Higgins made a motion to approve the March 28, 2016 minutes with changes. Tom Ruchlicki seconded. Minutes Approved.*

**15.191        Key Valley LLC Subdivision, 29 Smith Road - Minor Subdivision**

**John Ouimet:** Would anyone like the notice read? If not Duane whenever you're ready

**Duane Rabideau:** VanGuilder and Associates here representing Key Valley LLC, with a request for a 3-Lot Minor Subdivision. It's located on the easterly side of Smith approximately half mile north of Vosburgh. This is I believe a continuation of the public hearing, since the last meeting we have added the neighboring wells to the subdivision map as you requested and as also addressed the fire chiefs concern of the driveway which we put it to a 26ft wide with a turnout, I believe that answers all his requests as per meeting with Mr. Ballard.

**John Ouimet:** So Duane is that 24ft with one ft wing edges?

**Duane Rabideau:** Basically I don't think I'll have wings on it, but we've added the 26ft.

**John Ouimet:** So it will be flat and it will drain flat off, is that what you're saying.

**Duane Rabideau:** That's correct, it will sheet drain off the sides.

**John Ouimet:** As opposed to the wing wedge which would funnel the water down the driveway correct?

**Duane Rabideau:** That's correct, yea this will disperse itself there's no.

**John Ouimet:** Is there some reason why you're doing it that way?

**Duane Rabideau:** Basically the only way you could have it is if you paved the entire thing and then you would have to deal with storm water management, this way its just sheet draining off, so it will dissipate and its not concentrated in one spot, that's it.

**John Ouimet:** Anyone from the public wish to speak? If not I'll close the public hearing and open it up to the board, any questions from the board?

**John Higgins:** Duane you have to explain to me what is the material the driveway is going to be made of?

**Duane Rabideau:** It will be made of crusher run, enough to support 70,000 lb fire truck, or 80,000 whatever that takes, generally its, there will probably be a foot of crusher run.

**John Higgins:** ok our engineers always told us that crusher run, run off is the same as asphalt so your saying that you don't have to have any kind of storm water plan for this, because its crusher run but you would if it was asphalt?

**Duane Rabideau:** No the question was 24 ft driving lane with a wing gutter, what that does it basically concentrates the flow off the driveway to the gutter then pushes it all in one direction and just sheet drains off of the driveway so there is no concentration of run off.

**John Higgins:** How close is this to the neighbor? Looks to me like in a couple of spots its very close.

**Duane Rabideau:** I would say it looks like about seven feet.

**John Higgins:** Towards the back it looks like its almost right next to it or is that the seven feet?

**Duane Rabideau:** In the back it probably gets down to about five feet, but at that point we have narrowed the driveway down since its only a driveway to the house, the 26 feet goes up to where the driveway splits.

**John Higgins:** Well I don't understand how you're going to prevent the runoff off the driveway going onto the neighbor's property.

**Duane Rabideau:** Well they are set up so it will be nominal, basically the water will just sheet drain to the side so technically half the driveway will flow one way, the other half the other way. With wing gutter you just end up pushing it down the driveway to some point, where you end up actually with quite a bit of volume of water when you collecting in one spot, but when you sheet drain it off an entire driveway half and half disperses very easily.

**John Ouimet:** Duane I'm not sure I understand what you mean by nominal? There will be nominal water infiltration off of the driveway is that what your saying?

**Duane Rabideau:** No basically we are spreading the flow off the driveway all over we're not concentrating it that's probably the worse case scenario by concentrating one spot.

**John Ouimet:** I think that was our concern we are concerned about the neighbors receiving extra water.

**Duane Rabideau:** they shouldn't be that, generate that much.

**John Ouimet:** But they will receive extra water it shouldn't be that much.

**Duane Rabideau:** No, I wouldn't say so no.

**John Ouimet:** You wouldn't say what?

**Duane Rabideau:** That they would be receiving additional water.

**John Ouimet:** But you said just not that much.

**Duane Rabideau:** Well its gonna sheet flow off the driveway, but by that time, once its off the driveway its gonna be a vegetated with the grass or vegetation of some sort, the water is not gonna go off onto the property.

**John Ouimet:** But don't we want to be careful that we don't somehow negatively impact the neighbor?

**Duane Rabideau:** well they could, what they could do in that case they could

**John Ouimet:** Who's the they, the client or the neighbor?

**Duane Rabideau:** Our client or whoever builds the road, what they can do instead of doing typical high point in the center and water flowing both ways we could tip the road so it all flows away from the neighbor, it can be done that way.

**John Ouimet:** Yea but whets the guarantee that that'll happen?

**Duane Rabideau:** Well we are gonna have to put it on the plan as such that the driveway is designed so the run off pitches basically south away from the neighbor.

**Rich Berkowitz:** How close is the southerly neighbor?

**Duane Rabideau:** there is not southerly neighbor.

**Rich Berkowitz:** there will be.

**Duane Rabideau:** Basically we would have the water going this way.

**Rich Berkowitz:** But there is going to be other neighbors on the south.

**Duane Rabideau:** Well yea that's true but the concern is the existing neighbors on the north or the neighbor on the north, he actually owns both parcels.

**Rich Berkowitz:** But eventually he is going to sell that.

**Duane Rabideau:** That's correct, but this is not generating that much water.

**Rich Berkowitz:** Well there is enough water there now that causes trouble already.

**Duane Rabideau:** Well this is a different situation, totally different not even

**Rich Berkowitz:** it's the same area

**Rich Berkowitz:** Yea but its totally different

**Marcel Nadeau:** What makes it different?

**Rich Berkowitz:** Because the other projects the other one is like a quarter of a mile away.

**Marcel Nadeau:** There are homes all up and down this area, everybody's going to be neighbors up here.

**Rich Berkowitz:** You're only gonna have in this case three neighbors or two neighbors.

**Marcel Nadeau:** Where?

**Rich Berkowitz:** Well this guy is gonna have this area, this neighbor here will have this neighbor and that neighbor, that's it so no matter which combination you have your gonna have two neighbors.

**Rich Berkowitz:** Are you allowed to put run off into the Army Corps. Wetlands?

**Duane Rabideau:** Yes.

**Rich Berkowitz:** As much as you want?

**Duane Rabideau:** Its only going to generate x amount.

**Rich Berkowitz:** What's x amount?

**Duane Rabideau:** Not very much. Its not, were not talking a lot here.

**Rich Berkowitz:** I know but you have no numbers, and then what's the difference between the lifespan of a crusher run versus macadam driveway?

**Duane Rabideau:** Probably as long if not better, because you can constantly maintain a crusher run driveway.

**Rich Berkowitz:** And who is maintaining that?

**Duane Rabideau:** It's up to the people using it.

**Rich Berkowitz:** And what if they don't want to maintain that cause that costs money.

**Duane Rabideau:** Oh they will maintain that they have to.

**Rich Berkowitz:** it's on their property if they don't want to maintain it they don't have to maintain it.

**Duane Rabideau:** It's their choice, we have no control over that.

**John Ouimet:** But the real problem is it creates a real problem for the neighbors.

**Duane Rabideau:** That's what they are going to have to work out, because there is going to be a maintenance agreement between the neighbors, it would be with the two neighbors in the back cause they are going to be the only two to use the driveway.

**John Higgins:** Duane isn't it; I recall the Fitch property drops down from this property, correct?

**Duane Rabideau:** I believe most of it pitches towards the back from Smith Road it pitches back toward the wetland area and then it has a tendency to flatten out and gradually pitch towards the south, towards Vosburgh Road. We had this discussion about where the existing pond goes.

**John Higgins:** Isn't this the brown house that sits down, it sits down quite a ways off the road.

**Duane Rabideau:** Well Fitches house is up in this area right here.

**John Higgins:** Right but the property pitches down. I mean when you go in there and you build up this driveway two or three feet, ok, with crusher run, I agree with john the water has got to go somewhere and being the proximity that you are to Fitches property is going to go onto their property and if you pitch it the other way and its an ice storm the cars are going to run off the road, right, I mean you have this thing jammed in here so close to the neighbors property that you are not taking into consideration that they are going to be getting all the water.

**Duane Rabideau:** Well in fact we can, looking at what we have there we can shift the driveway south and create more of an area between the edge of the drive and that area, we can shift it down closer to this line.

**John Ouimet:** Cause the topography of the lot change anything? Just by shifting the driveway, it may not change anything.

**Duane Rabideau:** No, it shouldn't change it much because the topography goes from the road down this way.

**John Ouimet:** Excuse me Duane, it may not change anything for the better is what I'm suggesting. If your stuck with the topography of the lot and merely shifting the driveway over it may not change anything, water is still gonna run in the same direction.

**Duane Rabideau:** No, we don't believe, we have a situation here where because of what you see already the natural wetland area here that's where the water goes, so just not knowing anything more about this.

**John Ouimet:** That's fine but if you don't, if you don't develop the lot all the water can go there naturally and it wont be a big problem, you develop the lot you might be developing a problem.

**Duane Rabideau:** No we are, the amount of development that we are proposing there is minimal, its no more than anybody else's residential lots.

**John Ouimet:** I'm sorry John.

**John Higgins:** I for one feel that if you push the driveway, it looks like you have room to push it closer to Lot A at least its gonna give you more space between the driveway and the Fitch property.

**Duane Rabideau:** Yea we can reasonably shift that portion of the driveway I would say between five and seven feet, so then that increases between Fitch and the driveway, now we are up to probably fifteen to seventeen feet.

**John Higgins:** Being that you have the room and were trying to not create a problem for the neighbor that's already there now one other question you are only installing one well, there is only one well on all the neighboring properties.

**Duane Rabideau:** That's correct, the Fitch parcel in the back that's just a wooded lot, the parcel in the back, Monast, that's on public water, there's a well on Zircowski, we have a well there, the parcel in the back of us is Lucarelli parcel and that's an actual business, and the parcels in the front that's public water. So we have shown all the wells with in a hundred feet of our parcel.

**John Ouimet:** Thank you, any other questions? Don, Marcel? Can I have a motion?

*John Higgins made a motion to declare negative declaration pursuant to SEQRA. Marcel Nadeau, seconded. Motion Approved*

*John Higgins made a motion to approve the Key Valleys Subdivision application with the condition that the driveway for lots B & C to be moved south closer to Lot A to allow maximum possible approximately 15 feet between the driveway and the Fitch property line. Marcel Nadeau Seconded. Motion Approved.*

*John Ouimet Opposed the vote.*

**15.010      Subdivision of Linden Woods (Linden Village PDD, Lands of Craver, Wright and Hughes), Dunsbach Road Major Subdivision.**

**John Ouimet:** Before we start a number of people spoke at the last meeting two weeks ago I would ask if they have additional comments that they hold them to any new residents who may want to come and speak in favor or against this project. Ivan are you going to do the presentation or Mr. Zee, thank you. Mr. Zee if you would just give a brief overview before I reopen the hearing for input for the residents.

**Donald Zee:** Good evening my name is Donald Zee with me tonight is Ivan Zhdrahl who is the engineer I have Scott Reese who is the Storm Water engineer, Ken Werstad from Creighton Manning who is the traffic engineer. This project covers two separately zoned areas one being zoned PDD, which received approvals from the town board for zoning for up to 48 single family homes on 10,000 sq ft lots, even though we are permitted 48 single family lots our project proposes 47 for that portion of the subdivision plan is not subject to a SEQR review or SEQR determination because we have SEQR determination had been previously been made on this project as to that portion of it. The second project is the subdivision approximately 38 acres of land into 40 single family residential lots of the 40 single family residential lots five have existing residences on it and those residences will be maintained. So there are actually 35 new homes that are proposing to be built there, we have a homeowners association that would maintain the open space includes a trail that would be part of the PDD, the trail is to be open to the public. The last time we were here we talked about a small modification to this project the portion that is the PDD that we created a four way intersection instead of off set roadways from the new road and its Red Mill Road. I do want to add at the last meeting, it was my understanding that the board had asked the town planner to forward the plans again to both the fire commissioner as well as the emergency services, we received an email, a copy of an email from Rich Harris saying that he had forwarded it on to Fire Dept and they had no objections, I didnt see a response from EMS but that was forwarded onto the EMS per the email of Rich Harris.

**John Ouimet:** Paul can you address the EMS response.

**Paul Marlow:** Yea, one thing is the mike on by chance, Yea we sent it to EMS we haven't heard anything.

**Donald Zee:** I just want to bring up one, as I said we have Ken Werstad here there was a question raised here by a couple of the board members with regard to the public benefit and how many vehicles the public benefit, which is a turning lane that we were to build. How many vehicles could queue in there, we have a diagram I just wanted to have ken point that out so that may be a concern by some of the residents. So if I could just bring Ken up and that's all our presentation.

**John Ouimet:** Thank you Ken.

**Ken Werstad:** Ken Werstad with Creighton Manning Engineering, traffic engineer for the project, we had a few comments from last two weeks ago at our last meeting about the turning lane on Dunsbach road approaching the crescent Vischer ferry road so I had taken Ivan's plan, he's got the design on the site plan I've overlaid it onto an aerial to kind of depict and see where it is in relation to the pizzeria and some other surrounding properties. We had a couple questions about the length its about 95 feet long there's a 65 foot taper, and then its about 130 feet from the nearest residence and I think that was one of the questions about how far away from it was this particular property if I understand it correctly. It would include a southbound right turning lane, obviously it would allow people who are queued up going to the Northway to make that right hand turn, between the morning and afternoon there's about 85 - 75 percent of the people coming down Dunsbach road taking a right hand turn and going to the west. About 5 percent actually cut across and go down, further down Dunsbach road, and 13 to 20 percent actually turn left and head back further east. On here we also put on our traffic volumes the queues lengths the level of service the queues on this approach are depicted based on the calculations there are two cars queued up here, one turning left or going through and one in the far right turn lane, we would need about four or five vehicles to be stacked up in either of those lanes to block access to the other lane so if you had a lot of people going coming southbound turning left you'll need about four or five of them before anybody who was turning right wouldn't be able to get into that right turn lane, and vice versa, so I think we had talked about last week, how long does that queue need to be and where you block the other lane from getting there, and that's between four and five other vehicles. We had talked about levels of service and I misspoke last meeting, when I was referring to the southbound approach here, we had depicted our levels of service here between existing no build and build, we are operating at service level B in the morning throughout the entire period and then in the afternoon its service level C, during existing and no build conditions and level service D after the project is completed. Vischer Ferry road operates at service level A and the northbound approach here operates at service levels C's and F's particularly after the Yacht club has been constructed. I think that kind of covers most of the questions that we had heard unless you had some additional ones, I'll turn it back over to Don.

**Donald Zee:** That's our presentation if the board has any other questions we will take additional comments from the public.

**John Ouimet:** Anyone from the public wish to speak who have not spoken before.

**Brenda Lamer:** Good afternoon everyone Brenda LaMere, 124 Dunsbach Road. I did write a letter before and I was in Florida, and I just sent an email to Rich asking what the responses were cause I didnt want to take a lot of time from everyone, but since I wasn't able to get a response and the minutes were a draft, I'm going to start from the beginning, my apologies. Now the catch basin its plan I had it marked as a, if you go to DWGPP4 I don't know if you have it on here but if you don't that's ok, its regarding the culvert right from my property and it indicated on the plan that it will be abandoned and I just want to confirm that its going to be cemented or closed because abandoned to me means to leave alone or to ignore and I think my sister told me she thinks she heard it was going to be cemented so there's no drainage on my property. Cause it will be cemented one way or another.

**John Ouimet:** Is that your only question you have?

**Brenda LaMere:** No I have more.

**John Ouimet:** Just ask your questions and we will get a response for you.

**Brenda LaMere:** oh ok. , I hope you have a pen and paper, Ok in addition there is a second drainage onto my property if you look at plan CD-1 you can see a diagonal double dash line going underground from Linden park drive on the west side of Dunsbach going onto the southwest corner of my property that is located on the east side of Dunsbach. CD-1 no that's S-3 you don't have CD-1, this is another drainage area, that the PDD will be draining, based on this green one right here, if you see the words Red Maple Lane right to the left of that there's a double dash diagonal underground drainage that goes to the west, south west of my property. Right there, there's a underground drainage to my property there also.

**John Ouimet:** To your property or to the road?

**Brenda LaMere:** Into my property, to the what?

**John Ouimet:** To the other side of the road or what

**Brenda LaMere:** yea this is all my property right here this is all my property and right there it drains right there.

**John Ouimet:** Are you bringing that water under Dunsbach road?

**Donald Zee:** we are plugging both the catch basin and the culvert both at smith.

**Brenda LaMere:** OH! Oh wonderful.

**Donald Zee:** if that's what you're referring to.

**Brenda La Mere:** Ok, thank you.

**John Ouimet:** So that water is not going to go over.

**Donald Zee:** Correct.

**Scott Reese:** And she was referring to one catch basin that was here that drains over to her property and also this culvert that comes from here, existing culverts from here the drains over to the property, both that culvert and that catch basin, ya know inlet will be plugged with cement so it doesn't drain onto her property.

**Brenda LaMere:** Ok, thank you my husband will be very happy to hear that, thank you. The next concern I have I believe my sister told me from the last meeting, somebody said you were going to put up five trees I think it was, one of my concerns is, the biggest concern cause now my, I wasted all this money on a front porch, I don't know if I can give you these, do you guys want to see one, and this is exactly the picture I'm showing you right now is exactly where the roads going to be facing at my house. The new proposed road. Now although this is supposedly 35 homes along with the 40 something from the PDD I also have some future concerns about the future attachments on that road which will increase the number, I asked, well first of all I hate it in front of my house and completely destroys everything I built, but having said that, I would like to be assured I am going to have privacy trees, not some 10, 20 dollar home depot arborvitaes planted, I want some really nice trees planted there for privacy at least 8 feet tall. I mean its not as if I'm just some be here and looking to sell my property in a year, we are life long residents been here almost 100 years and I don't plan on selling my property but the way things are going we are looking at it. And we are one of the very few to try to keep this town rural, what people move here for. So How about the trees? Remember no cheapos from home depot.

**Ivan Zhdrahl:** My name is Ivan Zhdrahl engineer on the project; we are showing trees on the plan there will be 8 ft high trees, spruce, evergreens in at that intersection of your property.

**Brenda LaMere:** Thank you, ok next part blah, blah, blah, ok, I just also want to make one note that I am going to use the pointer, everybody, another thing I found is right here currently on the map it says a two story house right there it is not a two story house, it is a two unit house. It's a one story, two-unit house, duplex. right there that's a duplex the map currently says two story and that's a two unit. Not a two story. So, I don't know if that needs to be added or anything like that, Ok now if you could decrease the size of the map cause I want to show you a couple other areas, now with the traffic ok, this sounds like its manageable but if you decrease this I have a question this spot right here, right there, right there and three spots there, ok, I had to word this a special way, um, is there anybody, any of the, your representatives here today on behalf of this um subdivision and PDD or any one of the town aware of any discussions or future discussions with any other builder or anyone to add a road or access to these areas.

**John Ouimet:** That's not part of the plan before us tonight.

**Brenda LaMere:** That's not part of the plan, ok, but its planning, so when you plan you plan ahead, so, so we can see that all coming cant we. Alrighty.

**John Ouimet:** I don't understand.

**Brenda LaMere:** You don't understand, what don't you understand, that Princeton is right there?

**John Ouimet:** What you all see coming?

**Brenda LaMere:** You don't see the possibility of additional Princeton heights here being connected to any of these openings.

**John Ouimet:** Princeton Heights being connected

**Brenda LaMere:** Yep, with Hoffman's property.

**John Ouimet:** I don't see it being proposed.

**Brenda LaMere:** I didnt ask about proposed I asked if there's any discussions if anybody has had any discussions or are aware of any discussions of this happening in the future. I'm just putting it on record that's all I'm doin.

**John Ouimet:** Any other questions?

**Brenda LaMere:** Just want it on record. Okay, next

**John Ouimet:** Could we move this along because we have a number of people that want to talk.

**Brenda LaMere:** Well, I'm, I'll do my best, this is our lives, this is our home, this is our lives, sorry, huh, unbelievable, ok now, good thing I took a xanax before this meeting, that's all I can say. Ok, next, recreational area, as I had in my notes based on the planning board minutes from May 12, th 2014 page 5 Linden Village PDD was, there was discussions about a recreational area. Now lets see um the representatives agreed to creating, not all of em, but something to the fact of creating recreational facilities such as a playground area, gazebo and picnic area. This was based on the concerns from the neighboring residents, including myself of the future families and their

children encroaching and using our vacant land as resources. Now it looks like there are going to be public trails, but I don't believe that addresses the recreational facility or the picnic area, because people do encroach its a fact of life it happens all the time, and um I thought that PDD was approved on a couple factors, not only in addition to the recreational area for the families to sit at so they don't encroach other peoples land cause they don't have enough of it their own, um, um it was also approved based on the beautiful pictures and homes that he showed so , so now I've heard that there's no builder for this for um the PDD and, and the um subdivision which brings me to my next question, ok lets say this all gets approved the PDD maybe single homes but now this subdivision , these lots , can these lots at a future time if they are bought by a builder who we don't who it is , can these lots eventually be made into duplexes?

**Paul Marlow:** If someone were desire to go that route they would have to come back before the planning board, go through public hearings, special use permits, it would be a long process, it wouldn't just be I filed a building permit for a duplex because I own the property.

**Brenda LaMere:** Yea but some of these lots have enough property to go with the duplex area, yes they will have to have a public hearing but only immediate neighbors will be notified, now that we have additional twenty-five to thirty lots, the long term neighbors wont be notified, that's another thing it doesn't take

**Paul Marlow:** The planning board has the ability to do expanded notice so, it doesn't necessarily mean that you won't get a notification if the board feel that it's a controversial subject they can expand the notice as they've done with this subdivision several times.

**Brenda LaMere:** Well the subdivision's part of the PDD, yes, yes and the large divisions do receive expanded notices that was something we were talking about with the zoning committee, remember that very well. So, so then we do have the, so, so now with the numbers of the traffic study they proposed we can now double or triple that assuming a builder comes in and comes in and builds duplexes which they will do because if you want money and we all know the green eyed monster is what rules, their gonna be there. Now um last couple questions, I wont bother you too much, I noticed on the board there's easements, eight, nine, ten and eleven, now what do easements mean? Does it mean like they have to encroach on another piece of property in order to meet the required footage, because I guess my question is for the Dunsbach road lots is there enough frontage for the two additional homes they are building, road frontage with out an easement requirement?

**Donald Zee:** I believe all the lots as proposed meet all of the Town of Halfmoon Zoning requirements for the building lots in this district, in the respective districts.

**Brenda LaMere:** Ok, well he said he believes but I would like the planning board to make notes of easements of eight, nine, ten and eleven. And I think you guys are going to be happy um, um that's it but recreational and all that other good stuff that I've mentioned, thank you for your time.

**John Ouimet:** Thank you, anyone else who hasn't spoken wish to speak? Yes sir, come on up identify yourself.

**John Durondas:** How you doing, John Durondas 6 Suffolk Lane. I have two questions they were partially or maybe literally addressed already but um, first the culvert, ok so we have the lands of Hughes right, and we have the, let me try my hand at this, ok, so here if I have my bearings straight, this is the lands of Hughes here, here's where the grade goes down and this is where the streams are, Suffolk and Princeton are up this way I believe, I don't know if that's a culvert or not but there's a main culvert that drains this water and it comes up from way up here ,Princeton Heights and am I making you dizzy , and uh so it drains quite a bit of water , my question is and I'm not saying it would be intentional but right now there's not a lot going on down here its all woods , we've had ice storms , we've had wind storms there hasn't been really any debris that may clog this culvert but I don't know what may happen in the future , um construction debris , I don't know right , I'm just wondering if this culvert gets

clogged and to the point where water has to run over the road to flow, I think we would have a problem with houses along here possibly flooding, does anyone know the elevation of the road over the culvert, you know what culvert I'm talking about, its right before Cambridge, it's in-between Cambridge and Electric Way, it's a pretty main culvert, its rather large, it drains all the water that comes down here. Whats the elevation of the road? Say it gets clogged right.

**John Ouimet:** Hold on, hold on, hold on. I don't believe there is a representative from the town here that can answer that question.

**John Durondas:** Can I get answered in due time?

**John Ouimet:** We can get an answer to you.

**John Durondas:** Ok, and you know what, I know Cambridge, at least the new part, and Suffolk Lane is like 275, um if this is like 245 that's 30 feet, that's a good amount of elevation, right that ya know even if the water has to drain over the road if the culvert completely gets, I don't know if that's good or not um, the elevation of the road probably matters right. I know we've had culverts clog and the water has to drain over the road and its flooded houses and stuff in the past so that's my first question. And then this was definitely partially addressed although I'm gonna phrase it differently, um is, let me get my previous drawing, there was a similar PDD um, received August 12, 2013 its very similar there was gonna be apartments up around here, um its, I know I think that gentleman there.

**John Ouimet:** It was part of an original proposal that was withdrawn a while back.

**John Dunondas:** Ok, so my question is, I'm gonna phrase it differently than the lady, is this phase 1 of this, either officially or unofficially or has the apartments back here been shut down forever? Because I agree, I know its not before you smart folks officially right, but I mean, the road was gonna be right here where this coincidental house is not there, now if that house is not there because there is wetlands or a cliff or something I could understand why the house is not there, but if that's nice flat land and a house isn't there, I mean the apartments were gonna be right here so. Is this phase 1 of that project or is that, right I mean I'm looking at this and I'm no surveyor but.

**Donald Zee:** There's no contracts no negotiations no discussions with the land owner for the Hoffman's property, uh in addition that area is not being developed because its low and its wetlands, so its restricted.

**John Dunondas:** The original, where these apartments were going to be is that where your saying right here?

**Donald Zee:** I'm just talking about where the, where you had pointed to the vacant space, right, in that area right there, its green, that's because its wetlands there.

**John Durandos:** Ok, its not flat, nice road build able land?

**Donald Zee:** No

**John Durandos:** ok, thank you that's it.

**John Ouimet:** Thank you, anyone else who hasn't spoken wish to speak? Sir.

**Doug Cohen:** Doug Cohen, from 7 Princeton Avenue, I actually do have just one quick question from the traffic study, so 77 houses and then Princeton Heights is 51 so the southbound traffic study makes perfect sense, I'm actually more concerned about northbound go up Dunsbach make a left onto Woodin to get to the corner of Woodin and Grooms, currently one car making a left turn will back that out, and to now were at approximately 120 new

residences with the potential to go that route, I understand most traffic does go south in the morning, however one car, so I am very concerned what is the traffic pattern suggested that will go that route. During rush hour traffic today you could be as long as about four light cycles to get past that intersection with 120 residents I'm a little concerned it would be much longer and four light cycles is about 8 to 10 minutes and it could be 15 or so minutes so my question is has there been any traffic study done northbound for the corner of Grooms and Woodin.

**John Ouimet:** Thank you, Ken.

**Ken Werstad:** There wants any study of it as part of this project, but of the Princeton Heights project there may have been some study, so I couldn't answer that, what the actual operations are at that intersection as part of this project.

**Doug Cohen:** So thank you, my only comment is I hope that, that is taken seriously, thank you.

**John Ouimet:** Thank you, anyone else who hasn't spoken before wish to speak? Yes sir.

**Matt Shae:** Yes, Matt Shea, and town resident. My question is down near the pizza, it seems like they are gonna put another lane in, but I've looked at it several times it doesn't appear to be enough room for another lane, I don't know if Ken could address that? Either you are going to have to take away their parking lot or I don't think we are going to have, I don't think there is enough room for three lanes ya know, one north, one south and one turning lane.

**Ken Werstad:** It's hard to see on here because it's that grassed area is kinda whited out but there is a grass area between the parking lot and the actual roadway. And a lot of that is part of the town roadway, part of the town right of way.

**Matt Shae:** It's kind of pie shaped and the rest of it on the upper part of it, of say 20 or 30 feet from Vischer Ferry road there, it seems to be not wide enough, you would almost have to go into the, you would have to almost, if its pie shaped your gonna have to do something which would add to that ya know, cause there just isn't enough room that I can see, if you look at, you are going to have to buy their parking lot or something, I mean maybe you've figured it out but I couldn't figure it out.

**Ken Werstad:** Yea, there's I might be able to highlight, the right of way line kind of cuts across the front of that entrance that's along Dunsbach road, so there isn't much differentiation between the road and the actual parking lot, but that's where the actual taper of the right hand lane will be, and then it will flare out into the grass area that you see today and that's where the turning lane will be.

**Matt Shae:** So your saying your gonna take some of their parking lot?

**Ken Werstad:** No their parking lot would remain as it is, particularly those striped spaces, but as you drive past the entrance right now you've got a really wide entrance into the east side of their building, their will likely be a white stripe that goes across to differentiate alright this is part of the roadway and beyond that and into the property is the parking lot.

**Matt Shae:** Ok, thank you.

**John Ouimet:** thank you, anyone else who hasn't spoken wish to speak, yes mam come on up.

**Kathy O'Neil:** My name is Kathy O'Neil I live at 10 Newcastle um I just wanted to go on record that I am opposed to the density of this project, having all these cars exit onto a very narrow windy road, I don't think its safe, and I just want to go on record and say that.

**John Ouimet:** Thank you, anyone else who hasn't spoken wish to speak, come on up.

**Larry Kanifkiff:** Larry Kanifkiff 15 Newcastle road, I received a copy of the maps this morning, I had some earlier too, and I was looking at the ingress and egress, I noticed that one of the houses, you are rerouting the driveway onto the Linden Village drive if you want, but then your adding two more houses, for them houses to exit out onto the road so um a few times I drove past there just to see how, how far apart these entrances, the ingress and the egress were before you moved it and that only 8 seconds , 8 to 10 seconds between the ingress and egress with two driveways in between , then you moved the one to go across the red Maple Ave , so that shortened that timeframe down , now you are going to have at least 100 cars coming out of the ingress , egress along with three different driveways going onto the road in a 5 to 10 second span is that correct and is that feasible , I know you had mentioned that you weren't keen on them moving it across at the last meeting um that you thought it would be easier if they left if where it was , and I was at a town meeting a couple of weeks ago where Kensington is going to be coming in here to propose 70 more units soon , so you got 70 more houses , you know what is there any plans in works to control any of this traffic at all in the future or are we just going to jam as much as we can in and just , every traffic study says its fine around here , ya know I've been to multiple meetings for the last 5 years , their job is to get the projects through , your job is to double check to make sure they are doing the right job for the public and I just want to make sure cause I am often asked if you guys listen and I say that you do , you don't always hear the intensity that we have , um because you have to listen to both sides , that's understandable , but Princeton Heights is going in , this is going in , Kensington is in , and added on , um we just gotta try make things realistic , real responsible for all of us and I was really opposed for the Princeton and I'll keep saying this that road that went between them two houses , how do you guys let that go through to interrupt these guys , between a swimming pool and a garden and you let a road go right between it just for what ever reason and now you put more houses in between roads , responsible , real , respectable that's all we ask and I know you do your darndest and I do say you do hear us ya know , but the intensity of us I just want to go on record and when is enough , enough ya know and I know everyone's got their jobs to do , everyone's next project , that Kensington project , he said its the best thing that came around , I listened to the whole thing , yea everyone's got the greatest next new project. But don't discredit the ones that are here, have been here. I've lived here all my life, I grew up on Woodin road, on a 2 acre land now you know there's a house on the east side of us there's duplexes across from us, some of these developments could be on a acre of land on 2 acres of land, rather than give them a quarter of acre and squeeze them in somebody let them grow ya know, the developments don't have to be cookie cutter homes, Thank you.

**John Ouimet:** Thank you now is there anyone who wishes to speak that hasn't spoken before? Now I want to get back to the people who have spoken before and say that I'll let you come back up and speak and give you five minutes to say what you have to say in addition to what you've already provided the board, come on up.

**Kathy Kowski:** Kathy Kowski, 132 Dunsbach, I'd like to address a culvert there's all the questions the culvert drops off about 20 feet at the creek, it is a creek that runs through there, it never dries up. We have had problems that is it comes from the north going south towards the river, uh that's on my fathers properties, my property too, and what has happened in the past is people drive by and throw debris, we had a 4x8 sheet of plywood one time, it covered the culvert and the road was, and the water came right up to the road it pushed the road to the side, I had to close the road, that was years ago, they had to dig out the side of the road to let the water drain, then they found the plywood and they pulled it up. We've had people throwing their empty canisters from the driveway sealer, we had 9 buckets go into the creek and we had to drag them out cause we noticed the water was backing up, now if the water backs up as is done in the past the people that are on Suffolk Lane will be underwater, cause that wasn't there back then, the water at the road as I said is 20 feet high and it just goes right back, because its a great big ravine, between two hills. This project is on the south side of the hill, my fathers house is on the north side, the other side of the

ravine so it is, there's water, and there's one other aspect I would like to apply, Princeton Heights they went and they took down the hills, the hill used to drive the water to the north and towards the Northway, they are flattening it, its gonna come down through and I'm gonna need hip waders to get through my property. Thank you.

**John Ouimet:** Thank you, anyone else, yes mam, come on up.

**Mary Ann Geleta:** Its Mary Ann Geleta at 128 Dunsbach Road, and I am the person who's culvert will be emptying all the water onto so, the last meeting I was here and I said a few things but I wanted to show you a little bit bigger pictures because I took these pictures across the road from me, this is 121 Dunsbach, Brown, this is that new gray house and this is the sewer house, that's across the road from me and this is all the water that backs up across the road. Now this is their plan to have these swales come down and cut down in front of, right here, here's those big trees they were talking about, here and here is where they want all the water to come down and then go into the ravine and come into the culvert on my property, so my problem is, now that this culvert is going to be even bigger and there is going to be 80, 100 houses what ever its going to be, now all that water comes to my house so I'm the old red brick house that's almost 200 years old, and this is where the culvert is going to go on the left side of my house which you know there's that ravine there and now that its even a little more even when it does back up and I've had couches thrown down in my front lawn down in the creek and everything else , I'm just very worried about the erosion and you know I wanted to come back here again this time and say something because this is my house , this is my life , my grandmother lived here and now your just getting surrounded and when you do live here and you say I live in Halfmoon , I was always proud to live in Halfmoon , not Clifton park , Halfmoon and uh I'm just getting everything dumped on , I'm getting dumped on I've got the sewer house across the road from me that smells , I'm sorry it smells , especially in the summer you got all this and now you got the big culvert coming , I'm not happy , I'm not a happy resident. A lot of the stuff I don't even believe, I don't and I see your upset when we're here upset for our homes and our lives and I get the faces, this is serious stuff, this is serious stuff for us, I'm very upset about it, now in my letter there there's pictures and there's also one of these traffic studies, one of the five I probably foiled and it says Dunsbach Road is an F and an E and a C with no build conditions and I, everybody knows about the traffic now you got all these houses which they do sneak duplexes in , they got 2 , 3 cars per house. Life is over, as we know it on Dunsbach road. Its over we are too close to the Northway and I just don't think its right for them to be able to build their big developments and make all their millions of dollars and then dump all of the runoff water and wastewater and all the sewage and everything down on the bottom of the hill so they are all happy and we get all the junk and all the dump and we are not supposed to say anything or be upset ya know we pay taxes too and now the value of my house is probably gonna go down while theirs I'm sure is gonna be lovely and wonderful brand new houses, so there's my five minutes, thank you.

**John Ouimet:** Thank you, anyone else wish to speak? Yes sir, sir hold on, right here.

**Jack Henry:** Hi I'm Jack Henry, I was here last week and I spoke about the traffic on Ponderosa Dr. I wasn't sure whether something had developed as far as approval of any kind of speed control I recommended the use of speed humps on Ponderosa Dr. that's a question, whether anything happened there? Also what I think I'm hearing is that there seems to have been a lack of planning on the part of the developer to control traffic or to study traffic, honestly I didnt hear one thing, in the traffic study about what takes place east of Woodin road, I did one gentleman came up and he had an issue with whets going to be going on, on the end of Woodin road, that hadn't been entertained, we've got issues with drainage, people are concerned with drainage, um no real answers, its just ok were going to put it here , we expect its gonna work, I just think its not a well thought out plan. My concern is probably secondary to what a lot of these people on Dunsbach are dealing with, my issue is traffic ya know um, its going to pick up considerably, we've already got conditions on there where I have to almost have a traffic light getting out of my driveway, again that's secondary to what some of these people are dealing with and I just think its an un well thought plan it needs to go back to the drawing board, so...

**John Ouimet:** Thank you, anyone else?

**John Leer:** Hello I'm John Leer from 4 Cambridge in Halfmoon, a few things to say, have we ever thought about a four way stop? I know its tough but for Dunsbach and Vischer Ferry road is that permissible by the state? Cause we have several of them on Grooms road or at least we had. There ya go, it seems like it would be a much, I know your stopping traffic but we don't want to put a light in there but it might work. I walked the ground at that culvert between 133 & 128 I walked actually down to the bottom to take a look at the pipes, I agree completely that litter is all over the place, the 2 12 inch pipes that are there are probably going to be in sufficient your gonna need a 30 incher like we put in at Newcastle and there's also one very similar off the Halfmoon park, I noticed it serves a similar plot of land, swampy and their using a 30 inch there, it looked like that might work for us, I still haven't really heard any amenities proposed in this operation here in Linden whatever they are calling it now , village , woods some kind of development. I'd also like to know if the piney woods to the northwest of Suffolk lane are going to be retained, the old, over 100 year old woods there, I think you can see on the map there's just a bunch of green, I don't know are we going to maintain those woods in their entirety?

**John Ouimet:** Mr. Zee?

**Donald Zee:** Those areas will be maintained, uh and I don't believe any clear cutting will be occurring in that area or any grading or clearing, that's gonna be HOA land, maintained by the home owners association, and there will be restrictions placed on the home owners association property as I mentioned at the last meeting that the Home owners association documents and its requirements are all submitted to the town attorney for their review prior to submittal to the attorney generals office, so any restrictions that this board places on this project it would have to go into the HOA document we would place in it and your staff would review it and authorize us to submit it before, I mean review it and make any changes that are necessary before we submit it to the attorney generals office.

**John Ouimet:** Thank you.

**John Leer:** They have proposed some trails is that correct sir? In Lynden Woods are you proposing some trails through here?

**Donald Zee:** There are some trails shown pursuant to the PDD approval they will be installed per the approvals required of the town board.

**John Leer:** And will we have some connectivity with the Princeton heights development on these trails and walkways, in other words could a person walk all the way from Manchester dr. through Princeton Heights all the way say to McDonalds in theory? This is what we do in some neighborhoods say in Clifton Park.

**John Ouimet:** My guess is probably not but Mr. Zee?

**Donald Zee:** To the best of my knowledge we will not connect to adjoining subdivisions.

**John Leer:** It's a proposal from me to think about that, at least a few walk ways, trail ways connecting, though it may not be feasible because there are some wetlands there. Once again I'm not going to propose the tennis courts for the town to put up I know there's money involved something to think about, I've covered all I want here thank you very much.

**John Ouimet:** Thank you, anyone else yes mam come on up.

**Pam Craver:** Hi my name is Pam Craver I'm at 111 Dunsbach Road this plot plan we had no knowledge of until several days before the last meeting. We didnt have this plot plan until. Several days before the last meeting Ivan never came to us and told us he was making changes like this, so we had just found out about this, that plot plan

does not coincide with the contract with him. The plot plan that Brenda mentioned in regards to the two additional lots on the lower part of our property are part of land in our contract that is to be conveyed to us, he did not tell us that he changed this, if he goes ahead with these two additional lots he is in breach of contract. We had no knowledge we picked this up so what I'm saying right now is, I don't believe that this should go through, I don't think the planning board should allow this to go through this way I think he tried to slip it through on us and I think he tried to slip it through on you, and if you let that go through I don't think that your doing your job the way you should. And as far as I'm concerned I'm very upset with you because you should have come to us and told us that you were making these changes and shame on me for not noticing that sooner but I think that's pretty lousy, and I have the map and I have the contract right here that says that your conveying parcel A all of it to us and the lower part we were conveying to you.

**Ivan Zhadral:** I would like to address this Mrs. Craver I totally disagree with what your saying her because to the contrary I met with Mrs. Carver I show her exactly what is being proposed how the agree being proposed I came to your house I have the sketch here which I showed you, so its totally what is proposed is agrees with the proposal

**Pam Craver:** This is the only map that I have, this is the only thing that you gave me, this is what our contract in December is based on.

**Ivan Zhdrahl:** It agrees whatever is shown on the plan agrees with this proposal here. That's all I have to say.

**Pam Craver:** No it doesn't agree, your subdividing, your subdividing a portion into two additional building lots, that's, you split that right in half, with the back half being part of Elliot's.

**John Ouimet:** It sounds like you have a dispute; sounds like you have a dispute that's not going to be able to be resolved by this board.

**Ivan Zhdrahl:** It's not true that I came to meet with Mrs. Craver, I showed them I showed how this agrees with the contract and I will resolve this matter.

**Pam Craver:** This is what the town has the town doesn't have anything different than this either. Thank you.

**John Ouimet:** Anyone else wish to speak? If not I'm going to close the public hearing, I think um, oh let me ask the board, does the board have any questions?

**John Higgins:** I have one Don, the previous meeting you said the trails were going to be private just for the owners of.

**Donald Zee:** No they are going to be public the only thing that I would want to work with the town is certain hours of operation cause we don't want people to be either within the subdivision or outside coming in lets say at midnight or 1:00 o'clock saying because its public trails, I would like to have the ability to work with the town, I'm talking about maybe sunrise to sundown, the use of the trails for everybody.

**John Higgins:** ok I have another question, could you just knock it down just a little bit. Don I see a couple spots where the homeowner association land actually meets the road there and then up again by the cul-de-sac is that there and then up and then up on top, up on top you said there's wet lands so you cant possibly put a road there, how about the other two locations?

**Donald Zee:** I believe there is wet lands there, there's no intent to have any developments go in there except there may be the possibility of installing a sewer easement there for lands to go to McDonalds to have them have public

sewers and then that property to the, I'm gonna say to the west, but there's no intent to put any roadways or developments of this development to the lands of the Hoffman.

**John Higgins:** So a note on the drawing saying that you and Ivan agree that there is going to be no interconnecting roads on those three locations is not a problem.

**Donald Zee:** I don't see a problem, Ivan?

**Ivan Zhdrahl:** No there's no problem, to add a note but also so you realize all the, the dark green land is subject to declaration of restoration covenant, which will be filed with the army corps permit, which will restrict any future improvements on the property

**John Higgins:** Ok, but a note on there also no future roadways, because I think that would calm some of the fears that the neighbors have, thank you.

**Rich Berkowitz:** I have a question for Ken; your traffic study was based all on single-family homes?

**Ken Werstad:** Correct.

**Rich Berkowitz:** So if there were multi family homes your study would basically be invalid?

**Ken Werstad:** Yea in large part if they were to come back with one home and change it, it probably wouldn't change the traffic study, but if they were to come through and take all of those units and say they are all gonna be duplexes then yea then your traffic study

**Rich Berkowitz:** would be invalid. And we'd have to take a look at the whole project over again.

**Ken Werstad:** Correct.

**Marcel Nadeau:** Did you state that there would be; that four cars would stacking would make the turning lane inoperable?

**Ken Werstad:** yea 4 to 5 vehicles if they were stacked up in either the right or the left turn lane it would block access to the other remaining turn lane.

**Marcel Nadeau:** Cause it seems to me the number of cars that travel that road would not take too long to put four cars there and basically avoid the turning lane.

**Ken Werstad:** That depends on the timing, when you've got a slug of traffic coming down Vischer ferry rd if there is a vehicle waiting there to pull out they've got to wait longer to cross or turn right, and if you have several neighbors all leave their houses at the same time and show up on Dunsbach road then they'll have to wait a little longer to get through, but the way traffic is kind of spread out it wouldn't happen regularly.

**Marcel Nadeau:** But if it did stack then you're saying basically it would be too much traffic for that area?

**Ken Werstad:** Uh there would be a couple cars that would be, wouldn't be able to get to the right turn lane, but as soon as one or two of them gets to the intersection then you'd have access to the turn lane.

**Don Roberts:** I've got a question for you too ken, you said in your presentation, might be the same area that was going to go up from a level B to a level D?

**Ken Werstad:** It is level B in the morning and then it would go from level service C in the afternoon to level service D in the afternoon.

**Don Roberts:** A level D?

**Ken Werstad:** Correct.

**Don Roberts:** I have a problem with that myself, I think that we should look at trying to, and I have a problem with level D, I mean it's been a while but back in school level D wasn't good you know.

**Ken Werstad:** Well a level service D is equating to a 26 seconds of delay. So level service C based on the threshold is 25 seconds and it's transferring from 24 seconds of delay before the project to 26 seconds of delay after the project, it's a two second difference.

**Don Roberts:** What can be done to make that a level C?

**Ken Werstad:** I don't know that there would be much you could put in a traffic signal but its not gonna need it because your gonna have some benefits during that one fifteen minute roll over or half hour but the rest of the day isn't going to need it.

**Don Roberts:** Thank you.

**Marcel Nadeau:** Ken, the one gentleman brought up the question about the four way stop, is that been looked at at all?

**Ken Werstad:** I didnt quite hear, was that four way stop proposed on Dunsbach Road?

**Marcel Nadeau:** Yes

**Ken Werstad:** Intersections or Vischer Ferry Rd. and Vischer ferry rd and Dunsbach road?

**Marcel Nadeau:** or maybe either.

**Ken Werstad:** We haven't looked at that no, the traffic volume on Vischer ferry rd is probably two to three times as much as coming off of Dunsbach road,

**Marcel Nadeau:** We know that

**Ken Werstad:** So in those particular through out the day you'd stopping those people unnecessarily just to let out the side street, so you'd be taking the amount of delay there and actually I think increasing it, particularly I think for Vischer ferry rd.

**Don Roberts:** And we may also want to look at, what gentleman said about doing a traffic study going north to Woodin and Grooms is bad and you haven't done that have ya?

**Ken Werstad:** We looked at Woodin and Dunsbach road but we didnt carry that forward up to grooms rd I cant speak to what the Princeton heights project looked at if they looked at any of those directions I cant say from the Hudson ridge project which is Kensington, and the Kensington Phase II, the Warren tire, those all looked at the

intersections of Stone Quarry road and Woodin Road, so there is information contained as part of those. Out to the east, I know there was a comment about the east. Intersections east.

**Don Roberts:** I think we should look at Woodin road and grooms on this myself, my own opinion.

**Marcel Nadeau:** I tend to agree with you.

**John Ouimet:** Anything else?

**Marcel Nadeau:** Knowing we have traffic issue in that area, I think density of this project maybe too heavy.

**Don Roberts:** I agree with Marcel.

**John Higgins:** I also agree

**Tom Koval:** I agree as well, I haven't heard anyone get up and say anything positive about this so id think less houses would definitely ease a lot of the concerns.

**John Ouimet:** I think at this point the board is going to table your request, I assume you have some homework to do, some people to talk to some feathers to un-ruffle I believe and we'll bring it back as soon as we can. Thank you very much.

*The application for Linden Woods Major Subdivision was tabled.*

### **New Business:**

#### **16.057      Adventure Sworn Inc., 15 Solar Dr (Park ford PDD) - Change of Tenant/Use**

**Antonio Giordano:** Good evening my name is Antonio Giordano, I represent the 15 Solar Drive property, we filed a motion for a change of tenant and use its more of an addition of a tenant in vacant space in the building, I brought here with me tonight Cody Dervige who's the president and owner of Adventure Sworn for him to come and tell you a little bit about what they are looking to do and kind of the business they are operating.

**John Ouimet:** Thank you.

**Cody Dervige:** How's it goin my name is Cody Dervige I'm the President of Adventure Sworn like he just said, and uh basically we have a custom knife making company, it's like light manufacturing I'd call it and its a blend of manufacturing, a lot of the work is done um from other people from across the country, like getting our blades cut water jet so were not making a ton of dust and things like that, its really more like assemble and we've been making custom knives for outdoorsman for about seven years and we just started expanding it , um probably two years ago.

**John Ouimet:** Hours of operation are proposed to be what?

**Cody Dervige:** About 7-5 Monday through Friday.

**John Ouimet:** No weekends?

**Cody Dervige:** No, I mean if we're on the weekends, it's usually just me.

**John Ouimet:** Do you have a walk in trade, folks come into your store do you have an actual display area or store area?

**Cody Dervige:** No, It's definitely not a store its all web based. So there's actually no customers coming to the site.

**John Ouimet:** So it's basically you and two part timers, is that it?

**Cody Dervige:** Its me, Amber and we have three full timers.

**John Ouimet:** So will there be five people working at all times that the shop is open?

**Cody Dervige:** Yea, well one of them is a part timer, but yes and basically its just us there, the shipping is done directly, ya know we actually bring it to the post office right now and uh its, there hasn't been a customer to come visit or anything ya know we're just setting up, and really getting it rolling.

**John Ouimet:** Are you proposing a sign of any type?

**Cody Dervige:** Nope.

**John Ouimet:** Any questions from the board? You have a motion?

*Tom Koval made a motion to approve the Change of Use/Tenant for Adventure Sworn Inc. Marcel Nadeau seconded. Motion Approved.*

**16.058      Lowes Seasonal Outside Storage, 476 Rte 146 - Change of Use/Tenant**

**Gillian Barbare:** Good evening my name is Gillian Barbare I am the store manager for the Lowes here in Halfmoon, we are requesting a change in use for the outside of our building, we are requesting to store outside mulch, bag stone, rocks things like that, this is our busy time of year and we have an excess so much so that we cant contain it all within inside the store.

**John Ouimet:** Any questions from the board?

**John Higgins:** This is the same as you did last year same area the same?

**Gillian Barbare:** Correct there have been no modifications from the previous plans that have been submitted, I believe it's been submitted for the past five years.

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

**Rich Berkowitz:** I don't know if you've driven around the perimeter road but there are no stop signs anywhere on that road as far as people, your customers coming out toward that perimeter road?

**Gillian Barbare:** Correct.

**Rich Berkowitz:** Rarely do they stop, even though they are supposed to stop.

**Gillian Barbare:** We have submitted through our, we have a northeaster divisional maintenance program we have submitted through them to get stop signs in place, I'm actually new to the location, I've been there for about 13

months, and that's something that's on our agenda. Our budgets get proposed 2,3,4 years in advance so it's hard for us to sneak things in there, but that's definitely something that has been brought up as a concern of mine.

**Rich Berkowitz:** I appreciate that, also the line that separates the traffic on that road is worn, and so some people tend to drift over into the other lane.

**Gillian Barbare:** Ok, I will put that in as well.

**Rich Berkowitz:** it will have to be re striped also.

**Gillian Barbare:** Ok, Ok.

**Rich Berkowitz:** Thank you.

**Gillian Barbare:** You're welcome

**John Ouimet:** Marcel, anything else, and anyone?

**Lyn Murphy:** I just want to remind them both there was discussions at the pre meeting that there is a need for a sign off for the competition of fire inspection.

**Gillian Barbare:** Correct, um anything, the things that were on this fire inspection I spoke to Steffen this morning, there's things on the fire inspection they are maintenance issues they are not actual deficiencies so the fire system does work, I have emails, if I can provide those to you, I believe I emailed Paul before I came over here so he has copies of those as well, they are just maintenance issues and they will be addressed by the end of the week.

*Rich Berkowitz made a motion to approve Change of Tenant/ Use for Lowes Seasonal Outside Storage contingent on issues related to maintenance and fire inspection being resolved. Tom Koval seconded. Motion Approved.*

**16.059      Snow Control Inc, 1471 Rte 9 (Crescent Commons) Change of Use/Tenant**

*Lyn Murphy recused herself.*

**Mike Klimkewicz:** Gentleman, Michael Klimkewicz: here from 1471 Rte 9, Crescent Commons, I'm here with Anthony Boneventre, we are here for a request for change in tenant.

**John Ouimet:** Hours of operation?

**Anthony Boneventre:** 8 to 5.

**John Ouimet:** Just during week days or weekends or Monday through Saturday ?

**Anthony Boneventre:** Pretty much just that time, I mean I might run in there for email or something but.

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

**Anthony Boneventre:** This particular business is just training and consulting for snow and ice.

**Rich Berkowitz:** Do you bring clients to your place? No, you go to their business and teach them how to plow?

**Anthony Boneventre:** Correct, basically, snow response plans, things like that.

**Tom Koval:** There is no signage proposed?

**Anthony Boneventre:** No.

**John Higgins:** Are you going to have any equipment on site?

**Anthony Boneventre:** No

*Rich Berkowitz made a motion to approve the Change of Use/Tenant for Snow Control Inc. Don Roberts seconded. Motion Approved*

**16.060 Bobby Z's Automotive Detailing Center LLC. 1516 Crescent Road Change of Use/Tenant**

**Noah Zort:** Hi my name is Noah Zort I'm from Bobby Z's Automotive Detailing Center, I'm the single member, owner.

**John Ouimet:** Can you tell us briefly what you do and how you are gonna do it?

**Noah Zort:** Yep, I do automotive detailing, we do waxing, buffing, polishing a vehicles and we clean interiors and exteriors, wheels, tires. I will be the only member, only operator of the facility. Its gonna be pretty small scale, maybe down the road I'll be able to expand with employees but for right now, it will just be me, I'll be open Monday through Saturday 8 to 6 and any other questions?

**John Ouimet:** It says 9 to 5 one full time and two part timers, employees?

**Noah Zort:** No, I never wrote any of that

**Rich Berkowitz:** In your application you said 0 full time employees, 0 part time, 0 seasonal.

**Noah Zort:** yea just me, just me.

**Rich Berkowitz:** You would count as one though.

**Noah Zort:** Oh ok, sorry about that.

**Don Roberts:** Are you gonna have a sign?

**Noah Zort:** Yes I will my sign people actually submitted the application today so I will probably be seeing you guys again next time for that.

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

**Rich Berkowitz:** You have some U-hauls on the property?

**Noah Zort:** Oh the U-hauls, yea I talked to the owner and I talked to the owner of the property, they are being removed, there was three and now there's one left and they should be out of there this week. I can't give you a definite, but I did talk to them for you.

**Noah Zort:** It's a Mike Sally

**Rich Berkowitz:** Is he operator /owner or is he just owner?

**Noah Zort:** He is just owns the property, and the u-haul owner would be, he owns Anthony Motor Cars, and I'm not sure where he is from.

**Rich Berkowitz:** is Anthony Motor Cars staying there or are they leaving?

**Noah Zort:** They are going to stay there.

**Tom Koval:** They won't be bringing these u- hauls back; they are not just out on rent now are they?

**Noah Zort:** No, no, no I was actually up there the other day and talked to him, he said the account got cancelled and they are getting out of there, the u-hauls are going.

**John Higgins:** Now is Anthony Motor Car the used car lot that is in the front of the property?

**Noah Zort:** yes sir

**John Higgins:** It was a different operation in the back, it was another name, that we approved, previously now you are going to be doing just detailing your not going to be doing any kind of used car sales?

**Noah Zort:** No sir

**John Higgins:** And the only vehicles that are going to be onsite are going to be your personal vehicle and whatever car customer vehicles that you are going to be working on for that day?

**Noah Zort:** Yes sir.

**John Higgins:** Is there going to be any outside storage of vehicles?

**Noah Zort:** There might be some overnight, I have two spots for inside storage and I told the insurance company about 4 cars on the outside if we get that deep.

**John Higgins:** But again those are going to be customer cars, they are gonna be registered vehicles, or the reason we are asking all these questions is we've had difficulties with that site before and we need to make sure that everything is in the record for the enforcement people so if they have to go out and inspect the site, its the reason we are asking all the questions.

**Noah Zort:** There will be customer cars and I hope to pick up wholesaler and dealer accounts, so there might be a wholesaler or dealer car that they might not have plates on them.

**John Higgins:** Ok but they are not gonna be on the site available for sale, they are just going to be there while your working on them?

**Noah Zort:** Exactly, no sale of any car on my site.

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

**John Ouimet:** So you're saying some of the cars may not have plates?

**Noah Zort:** If they come from a wholesaler or car dealer they will not have plates.

**John Ouimet:** How will they get to you?

**Noah Zort:** Transporter plates or a dealer plate.

**John Ouimet:** And they take them off after they drop the car off?

**Noah Zort:** Yes and then they will put them back on when they are picking the car up.

**John Ouimet:** And the normal cycle, how long does it take you to do your work and for them to pick it up?

**Noah Zort:** Its about, it takes about 4 hours per car, so usually they drop off in the morning around 8 to 10 in the morning and pick up around 5 to 6 at night. If I can't get to a couple cars those ones would stay over.

**John Ouimet:** But they are not likely to stay in the lot for longer than 24 hours?

**Noah Zort:** Your correct sir, they are not likely to stay more than 24 hours.

**John Ouimet:** What about on the weekend?

**Noah Zort:** Maybe on Saturday, yes, you're good. But yes maybe on Saturday they will stay overnight.

**John Ouimet:** I'm not good; I just don't want to catch you that's all.

**Noah Zort:** Well I appreciate the question.

**John Ouimet:** Any other questions?

*John Higgins made a motion to approve Bobby Z's Automotive Detailing Center LLC, Change of Use/Tenant with the stipulation that the applicant will not operate a used car operation and that the u-hauls will be removed prior to the applicant opening his business. Rich Berkowitz seconded. Motion Approved*

**John Ouimet:** I just want you to understand what that motion does, it does not let you operate until those u-hauls are gone.

**Noah Zort:** I do understand.

**John Ouimet:** So if it takes Anthony Motors two weeks or five weeks to get the u-hauls out of there you are going to be delayed.

**Noah Zort:** I will get right on top of that sir.

**John Ouimet:** We appreciate that.

**Noah Zort:** Thank you very much for letting me operates in your town.

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

**16.055      Lot 22 Stone Crest Preserve, 6 Barn Owl Pl - Final Subdivision - Site Plan**

**Duane Rabideau:** Duane Rabideau from VanGuilder Associates here representing Daniel Yletnes for a revision to the land Preservation area located at 6 Barn Owl Place in the Stone Crest Subdivision. Their request is to revise the LPA line, west side of the house to follow along closer to the wetland boundary line than where it is now. Purpose is to be able to properly grade around the house and lessen the slope between the house and the wetland area. This proposal would have no impact to the physical wetlands on the lot, and revising the LPA line to follow along the wetland line like most is on that lot would be more conforming to the intent of that LPA area. And there is the request.

**John Ouimet:** Any questions from the board?

**John Higgins:** Why wasn't the house just moved over all the way to the right?

**Duane Rabideau:** Apparently its because they wanted the side load garage and I'm not sure why the house ended up as high as it was and basically they ended up with a situation where the slope is way too steep where it is now, so its some kind of builder issue, I'm not sure why it got as far as it did. Now I did go look at that site tonight and the area they consider wetlands is I would say very generous, the wetlands are a lot less than what is shown on this map, basically we are staying out of it because it would be more of a hassle trying to get it re delineated with the core than to basically just ask for this revision to the LPA line.

**John Ouimet:** Any other questions?

*Rich Berkowitz made a motion to approve Lot22 Stone Crest Preserve, 6 Barn Owl Place - Final Subdivision, Site Plan. Tom Ruchlicki Seconded. Motion Approved.*

**16.029      Lock One Marina, 461 Hudson River Road - Addition to Site Plan**

**Steve Ascenzie:** I don't know how you guys do it; you wore me out just listening to tonight. My name is Steve Ascenzie I am the owner of Lock One Marina, its actually a partnership, its my brother and I, so its a family owned family run business, just the two of us. We are proposing building a 30 x 60 storage building for boats and our marina equipment, we are going through the variance process, and now I'm here.

**John Ouimet:** Thank you, Paul this has gone through ZBA.

**Paul Marlow:** Yea, They went through the ZBA got the variance earlier this month, we looked at it and we are good with it.

**John Ouimet:** Any questions from the board? Sorry you had to wait so long.

**Steve Ascenzie:** That's ok it was quite educational.

**John Ouimet:** Thanks for the humor.

*Tom Roberts made a motion to declare negative declaration pursuant to SEQRA. Marcel Nadeau.seconded. Motion Approved*

*Don Roberts made a motion to approve Lock One Marina- Addition to Site Plan. Marcel Nadeau seconded. Motion Approved.*

**16.032      Trick Shots , 1602 Rte 9 - Amendment to Site Plan**

**Tim Berlin:** How are you doing I'm Tim Berlin owner and operator of Trick Shot Billiards, been in the town of Halfmoon for 23 years now, doing business with Trick Shot, What we are proposing our addition to the front of the building to add additional space for an indoor / outdoor dining area, we already have a patio that you guys approved approximately 5 years ago, we are just trying to expand that to have some additional space for that, and also for some storage and some other things we're trying to make some improvements to the property , I took over the property about three years ago, so we are proposing , that addition of approximately 1,300 sq ft.

**John Ouimet:** What kind of entertainment are you proposing for the deck?

**Tim Berlin:** Um, in the past we were approved for occasional live music and we probably still be doing something like that we do it on occasion. More like acoustic music and stuff along those lines, we've never had any issues in the past, um so basically just trying to, our busier time is in the winter months of course, so we are trying to be a little more competitive during the summer months with local businesses that offer the same kind of environment to our customers.

**John Ouimet:** Any questions from the board?

**John Higgins:** Now you have a proposed 22 x 55 addition on here and then also there's a patio area is the addition already built?

**Tim Berlin:** No its not, no that's what we are proposing right now.

**John Higgins:** so if you build it how are you going to gain access to the land bank parking? If the employee parking is in front of that, your land bank parking is going to be useless.

**Tim Berlin:** Actually the land bank parking was supposed to be for employees, he must have put on the site plan, I don't know why he did it that way, but we discussed that, we spoke with Rich and everything and he actually when he spoke with the gentleman he had questioned who did the new site plan, Rich actually said hey ya know, don't forget that land bank parking is available you can do that, but that was really supposed to be just for employees to be able to park in that area and have additional parking behind it, you can see the proposed patio area is larger , you can kinda see the diagram lightly where the existing patio is and the proposed addition. With that you would be able; if it was parking the land bank was employee parking you would be able to get into that.

**John Higgins:** Do they have enough parking with out the land bank parking?

**Paul Marlow:** What we did, when Dave Flanders first did this he came to Rich and I and got the numbers requirements for parking to specifically make sure that they came in meeting parking requirements, so they've done their homework on that, they didnt just guess, they've done the numbers.

**Tim Berlin:** With handicapped and everything included, with the configurations we wanted to make sure we were to code and up to standards.

**Marcel Nadeau:** John what I think happened on previous approvals and all the different businesses a lot of them I think are gone at 5 type of thing so it left them with mostly the lot was vacant, so they were able to use it.

**John Higgins:** And I appreciate the fact that you guys are successful, problem is we all know there are times that you are parking on Rte 9, and.

**Tim Berlin:** We actually expanded our parking recently, we came and we spoke with them so since then we haven't had any issues with parking, we did some modifications, we took over some space, we did a crusher run area and we did that in the past and that's definitely helped. On occasions when we were like that we were having benefits and if we ever feel that we may have a situation like that I always contact Saratoga County Sheriff Dept. and let them know. And they always say its not an issue as long as you don't block the highway, obviously we are concerned about our customers coming in and out. On a side note, I know this is not a factor, but we have an agreement with the new medical facility to use their parking lot for an overflow, and I know that really isn't going to dictate this but its just something that I thought I would mention, so there is a path there that's always been there since they constructed that because we let them utilize our parking area, when they were in the process of constructing that facility. We have a verbal agreement with them, obviously it could be sold any time whatever but, since we've made the modifications and actually with this plan its gonna be better for everybody once its striped and repaved, right now we are waiting on that, its, everything is just gonna flow better. The parking right now its tough because um there is striping issues and everything else, the parking lot is definitely worn out, my landlord let it go, I took it over the property again three years ago, so we are making upgrades, we are making improvements to the property and with that we feel everything will be sufficient and up to code and standard.

**John Higgins:** Ok and the other question was about the outdoor music there are residences in that area, previously this board had, has allowed patios but not outdoor music, or speakers out on patios, I don't know how the rest of the board members feel about that but.

**Tom Koval:** You mentioned you were approved prior for outdoor music?

**Tim Berlin:** Absolutely, occasional out door music, when I came for the patio, the patio was in 2007 we came for the patio and we were approved for occasional.

**Paul Marlow:** I would have to go back to old files and check old minutes:

**Rich Berkowitz:** Did we put a cut off time on that?

**Lyn Murphy:** I was going to say the board wouldn't have done occasional they would have given you some sort of parameters to work within, be it time of day or season.

**Tim Berlin:** Anything we've ever done we have always done early afternoon, with consideration obviously to our neighbors, and we've had it done by 9 o'clock at night. Anything we have done in the past or during the day. To not to interfere with our neighbors, I mean 90% of it is a commercial property, there's a small complex behind us and ya know we try to work with everybody we don't want problems, been doing this for a long time so.

**Rich Berkowitz:** So you won't mind if we approve this with a stipulation as far as a cut off for music in the evening. Or night.

**Tim Berlin:** No, no, reasonable, ya know, yea absolutely.

**John Ouimet:** Any other questions?

**Lyn Murphy:** Hold on a second, do you have the little pointy thing, laser, ok my question is, part of your building was constructed at in addition to your original approval 3 or 4 years ago you enclosed in a storage area that wasn't on your original plans but it shows it on this plan.

**Tim Berlin:** Is that what she is mentioning?

**Paul Marlow:** That was the addition, if you remember from the variance the ZBA meeting that was a question.

**Tim Berlin:** Right, this wasn't on that, this was pre-existing from before I was even in this property. That was actually um originally when I took over back in 1993 I was in this area here and then we moved over to this area but that's what your mentioning right now, that was always there, used to be a dance studio, the previous owner must have done something at some point in time, we just went and had that taken care of so they gave us the easement right?

**Paul Marlow:** The variance for that. The variance was always for the closest point to the property line, which happens to be that addition.

**Tim Berlin:** Right, right. That was nothing I did, I just had to go through that process to get that cleared up in order for me to bring this to you.

**Lyn Murphy:** The board just make it contingent on and inspection by code just to make sure they are comfortable, the ZBA granted the variance conditioned on a fire inspection which I think they were trying to say to have a code comfortable with issuing a c/o for that square footage, right now there isn't one.

**Tim Berlin:** I mean we get fire inspections every year correct?

**Lyn Murphy:** Your fire inspection is fine.

**Tim Berlin:** Right but I'm saying, I know that they mentioned that, they would approve it with the contingency that we had a fire inspection but I'm like they do the fire inspection to that area of the whole building every year so.

**John Ouimet:** The building in the front that used to be Clifton park center for security? Is that yours now?

**Tim Berlin:** Yes all three of those buildings.

**John Ouimet:** Are you proposing development of that building, into anything?

**Tim Berlin:** No, there's already tenants in there, there is already tenants, that is this building here and there is a garage right there, there is already tenants in there actually there is tenants in every building.

**John Ouimet:** So are those spaces available to you at night?

**Tim Berlin:** That is a concrete, stamp concrete showroom company; they got in late in the fall.

**John Ouimet:** Did we ever approve them moving in?

**Tim Berlin:** Absolutely, yes.

**John Ouimet:** Must have been while I was away.

**Tim Berlin:** Yes, everyone's operation, hours of operation are pretty much over with by 5, traditionally indoor entertainment in regards to this but its nighttime.

*Marcel Nadeau made a motion to declare negative declaration pursuant to SEQRA. Rich Berkowitz seconded. Motion Approved.*

*Marcel Nadeau made a motion to approve Trick Shots- Addition to Site Plan. contingent on any form of outdoor entertainment ending by 11pm. and a code enforcement review of the property. Tom Koval seconded. Motion Approved.*

**Paul Marlow:** Just to clarify this building code situation is this structural inspection or what exactly is this inspection so I can let the building dept. Steffen know.

**Lyn Murphy:** It's my understanding it was built with out any permits so if they get some land and make them self comfortable that's its appropriate to have people in there and have a C.O. for that much square footage.

### **16.052      Route 146 Car Wash, 325 Rte 146 - Site Plan**

**Sean Farrell:** Good evening my name is Sean Farrell from Lansing Engineering I'm here this evening to present Route 146 Car Wash. This project is located at 325 Rte 146, the project site is located 350 east of 146 and fellows road adjacent to the existing Sunoco station. The project site contains one lot with a size of 1.5 acres. The lot is zoned C-1 commercial, the current land is vacant. A general overview of the surrounding land uses in the area includes commercial and residential use. The applicant proposes construction of 1,800 sq ft car wash with associated parking. The car wash consists of two automatic car wash bays with mechanical room including chemical storage. The parcel has proposed three points of access. One egress and ingress from NYS 146, one egress ingress from the south portion of the Sunoco station, and one egress, ingress from the north portion of the Sunoco station. The proposed development will provide parking in accordance with the town of Halfmoon zoning code requirements, the proposed car wash requires one part time parking spot for employee and four spots for the use of the self service vacuum station. Also stacking aisles have been provided on the north side of the building for cars with need to enter the wash bays. The water and sewer systems will be connected to existing municipal systems, the storm water will be managed onsite through the use of NYS DEC storm water measures. The proposed lay out consists of 66.8 percent of green space. We are here tonight to answer any questions that the board may have and to request referral to CHA and or concept approval.

**John Ouimet:** Thank you. I see that you are going to be open 24 hours a day, one employee?

**Sean Farrell:** Correct.

**John Ouimet:** Will it be, will there be one employee on site 24 hours a day?

**Sean Farrell:** Part Time employee.

**John Ouimet:** But it will be supervised by an employee 24 hours a day?

**Sean Farrell:** Yes.

**John Higgins:** I think maybe you misunderstood the question, your not going to have an employee there 24 hours a day, correct, he'll be supervised; you know he won't be physically at the site 24/7.

**Rich Berkowitz:** You are just going to use cameras to monitor the site if there is a problem, there will be a push button and then, is this just like the one on Sitterly Rd that Perer did.

**Bruce Tanski:** Bruce Tanski Clifton Park, chances are this probably wont stay open past 11 o'clock at night um but if the business warrants it, I'd like the option to keep it open. There will be a part time employee that will be available.

**John Ouimet:** Any other questions?

**Marcel Nadeau:** but again available, he will be there or he won't?

**Bruce Tanski:** There will be a part time employee during the day.

**Marcel Nadeau:** Yea but if you do the 24 hours, I think that was johns question.

**Bruce Tanski:** Chances are I'm probably not gonna have it open past 11 or 12 if the board wants to put that stipulation on it, I don't have a problem with it.

**John Ouimet:** Rather that Bruce, are you planning on having an employee on site during hours of operation,

**Bruce Tanski:** Yes

**John Ouimet:** And by onsite I mean, the car wash and not the supermarket next door, gas station.

**Bruce Tanski:** That's independent of that.

**John Ouimet:** So its, there will be somebody on site while the car wash is open? Be it that 24 hours, 12 hours, 16 hours what ever.

**Bruce Tanski:** Right, and with the minimum wage going up to \$ 15.00 hr I'll probably close at 11:00.

**John Ouimet:** It wont is for four or five years now. Any other questions?

**John Higgins:** Bruce do you have curb cut approval already from DOT?

**Sean Farrell:** No we do not.

**Marcel Nadeau:** Bruce the entrance to the Sunoco you've got them going into the car wash is that going to be conflicting there, because I know obviously most people coming out of the Duncan Donuts are always using that exit.

**Bruce Tanski:** Originally if the town looks at the original site plan for the Sunoco Station I wanted three lanes, DOT cut me down to two and it's far enough away where I don't think, its a non issue.

**John Ouimet:** Any other questions? I think we will refer to Clough for Review thank you.

**Bruce Tanski:** Thank you very much.

**Sean Farrell:** Thank you.

*The application for the Route 146 Car Wash was referred to Clough Harbor for further review.*

**Old Business:****15.192/16.062      Autozone, Shops of Halfmoon, Rte 9 & 146 - Amendment to Site Plan & Sign**

**Sean Farrell:** Good evening Sean Farrell from Lansing Engineering, here to present the Autozone project, I just handed out to you additional information it would be in reference when I talk about the sign permit. First is the site plan, this project is located on the corner of Rte 9&146 with in the shops of Halfmoon complex, the planning board is familiar with this project, it has been recently in front of the board, for planning board preliminary review. At this time we have addressed all the town engineers comments and here tonight to address any additional questions the board may have and to request final site plan approval. In addition Autozone is requesting a sign package approval, this approval includes four wall-mounted signs on the 7,380 sq ft building and one free standing sign. The wall signs will include channel lettering, back lit with LED lighting. Sign #1 Equals 119.58 sq ft and will be located on the south elevation-facing route 146. Signs # 2 and 3 = 60.5 sq ft one will be located in the west elevation facing right aid and one will be located on the east elevation facing the day spa. Sign #4 = 28.32sq ft. and will be located on the north elevation and will be facing old Rte 146. The total wall mounted signs = 269 sq ft 272 sq ft is the permitted. The proposed freestanding sign is located on the southeast corner of the site fronting route 146. The proposed freestanding sign is double sided and internally lit. The total area is 200 sq ft, which is the allowed amount. The proposed height of the freestanding sign is 16 ft. and at this time I will address any questions that the board may have.

**John Ouimet:** Thank you what I would like to do is take this apart, lets deal with the amendment to the site plan first. Cause I think you know where I'm going, I think we have some issues with the signage so. Any questions from the board on amendment to the site plan?

**John Higgins:** I just want to confirm that whets shown the entrance on the east side is shown off the drawing but that's the common entrance from the health spa, correct?

**Sean Farrell:** Correct:

**John Higgins:** I just wanted to confirm that, because it's not shown on the drawing. Thank you.

**Rich Berkowitz:** Are you taking any parking spots away from the salon?

**Sean Farrell:** No

**Rich Berkowitz:** Ok

**Marcel Nadeau:** Bruce we had talked about I think the traffic flow and that the majority will go through and use the red light, did we talk about any signage for that or no?

**Bruce Tanski:** I think at maybe two meetings ago, I said that I would acquiesce to what the board wanted, and I would put signs up, right turn only, but I still need to maintain a full access for Autozone, but I would do my part

**Marcel Nadeau:** I don't recall if we had talked about signage too. I would prefer them to use the red light.

**Joe Romano:** There is the internal; there is proposed internal signage to direct people east or west on 146.

**John Higgins:** Ok.

**John Ouimet:** Any other questions?

*Rich Berkowitz made a motion to declare negative declaration pursuant to SEQRA. Marcel Nadeau seconded. Motion Approved.*

*Rich Berkowitz made a motion to approve Autozone, Shops of Halfmoon - Site Plan. Marcel Nadeau seconded. Motion Approved.*

**John Ouimet:** Now its time to have a discussion about the signs. First of all the freestanding sign you are proposing it at 16 feet, this board is entertaining heights between 10 and 12, how does that.

**Bruce Tanski:** Ok, 12 feet it is.

**Marcel Nadeau:** You were too easy on that how about 10?

**Bruce Tanski:** You have a minimum and a maximum sometimes the minimum is good and sometimes the maximum.

**John Ouimet:** Well ya know there's a funny story because sometimes the maximum has to do with topography in particular topography on this particular lot is, this is the high part.

**Bruce Tanski:** How about 11 feet?

**John Ouimet:** Donald?

**Don Roberts:** He is always the wheeler-dealer ya know.

**Tom Koval:** I was thinking the same thing 10 to 11 feet instead of being a pylon being more of a monument sign so it fits in, it is going to sit up on that raised grade; it would fit in better with what you have your other sign, in the entire plaza.

**Bruce Tanski:** That's cool.

**Don Roberts:** And plus the fact, Bruce I mean look at the building, I mean your not gonna know its not there, lets be honest.

**John Ouimet:** Building construction is not distinctive that's the problem. So where we at?

**Bruce Tanski:** 10 Feet.

**John Ouimet:** Ten? The proposal, draft free standing sign that you submitted has empty panels on it, you plan on utilizing those for some reason?

**Bruce Tanski:** To be honest with you I'm gonna talk to them, cause I'm not in favor of the two sided sign with extra panels on it, I think that, cause I don't want to hurt, have another tenant come in, we are negotiating with another tenant, I don't want to lose all my signage either, so if we do, do a sign it will just say Autozone and if they don't like it they can go someplace else.

**John Ouimet:** I thought you were saving it for the fireworks.

**Bruce Tanski:** Well I'm coming back with the fireworks in a couple of weeks.

**John Ouimet:** I'm sure I didn't give him an idea. Any other questions? The other signage Don have you had a chance to look at it?

**Don Roberts:** Yea it all look, with the 10 feet it all looks good.

*Don Roberts made a motion to approve Autozone, Shops of Halfmoon - Sign application. With the stipulation that the freestanding sign will be no higher than 10 feet. It will only say Autozone. Marcel Nadeau seconded. Motion Approved.*

**John Ouimet:** Pleasure working with you Bruce

**Bruce Tanski:** No rash decisions this week.

**John Ouimet:** I thought you were going to say don't get used to it.

**16.016/16/017**      **Heavy Hauler Trailers & Truck Equipment, 1489 Route 9 – Change of Use/Tenant & Sign**

**John Ouimet:** Next item on tonight's agenda is Heavy Hauler Trailers & Truck Equipment, 1489 Route 9, Change of Tenant – Use and Sign. And I was a little off by the time and I'm sorry.

**Joe Cardinal:** It was entertaining, let's put it that way. I'm Joe Cardinal, I'm President of GE Handling Systems Heavy Hauler Trailers & Truck Equipment. We have a mean location down in Ghent, New York down by Hudson where we manufacture trailers and truck beds and then we also sell enclosed trailers, snowplows, other peoples' truck beds, ya know, that are manufactured somewhere else. Enclosed trailers that are manufactured by cargo mate and any real truck related kind of products, trailer and truck related products. We're lookin' to put in a facility up here pretty much to do sales and installs, I'm actually living in the house on site so now that's what we're lookin' for.

**John Ouimet:** Paul has a revised site plan been submitted?

**Paul Marlow:** A yes, I think it might have gotten stapled to another site plan actually. It is up there on, behind you guys if you can't find it.

**John Ouimet:** Now is the submitted site plan is that worse case scenario site plan?

**Joe Cardinal:** Yea, that's showing

**John Ouimet:** Or are you planning to actually stock like that.

**Joe Cardinal:** I would say usually I would be stocking three-quarters of that.

**John Ouimet:** And what about in the, it's seasonal your business, correct?

**Joe Cardinal:** Not really, what happens is that it rotates, ok, in the summer, like right now what we do a lot of trailers and open trailer sales ok, as we move into the summer, that'll start to, ya know, start to go down and we'll do more truck caps, snowplows will start to pick up, some, ya know. The summer is sort of a mix of everything as we move into the winter it'd be enclosed, ya know some enclosed trailer sales, snowplows, that kind of thing. So are the kind of products that we display moves from a lot of like, I had snow plows on a trailer out there, ya know, they're gone. I won't put them back until, let's say August. Ya know what I mean, maybe July.

**John Ouimet:** Now, where do they go if they're not being displayed?

**Joe Cardinal:** Well see, we have a facility, I got, ya know a facility down in Hudson with 10 acres. I got probably 60 trailers on site down there. What I'm trying to do here is give a good enough view of the different products because I can have anything here in an hour, ya know.

**John Ouimet:** At a pretty tight site, that's why I'm asking.

**Joe Cardinal:** Yep

**Don Roberts:** Now those 10-14 trailers, how large are they?

**John Ouimet:** I'm sorry

**Don Roberts:** It says 10-14 trailers

**John Ouimet:** Yep

**Don Roberts:** How large are they?

**Joe Cardinal:** They range anything from a 5x8 up to the biggest we'd have there would may be a 20 footer. Ok a car trailer kind of

**Don Roberts:** So you're gonna not have, you're not gonna have 24 of them there at one time.

**Joe Cardinal:** No, no never, the whole idea is to have, ya know, 5x8, 6x12, 7x14 an 8x16 and 8x20. I rarely would have a 24 footer up here because I don't need to have it there to sell. I do have one there right now because I got all my stuff in it that I'm moving into my house.

**Don Roberts:** See, I'm I'm concerned about having it too congested on site, that's what I'm worried about, but.

**John Ouimet:** Anyone else? Anyone share Don's concern about the congestion?

**John Higgins:** I do agree with Don, I mean I've driven by and you do have nice equipment but it's, it's ya know on a main road and we just don't want ya know as Don said just be too congested and detract from the site itself and being that you can have, ya know, other units here quickly, ah I, I think if you can limit the display units a little bit, it, it'll actually help make your site more attractive. Now, just want to confirm that this is your site cause previous; the previous owner was using some of the Citgo site

**Joe Cardinal:** Correct

**Joe Cardinal:** That is, that is my site according to the deed

**John Higgins:** Ok, that's what I wanted to confirm. Thank you

**Rich Berkowitz:** How many units do you have out there right now?

**Joe Cardinal:** 5, 6, 7, 8.

**Rich Berkowitz:** And how many more do you want to put out there?

**Joe Cardinal:** I think I show about 18 is what I show on the drawing

**Rich Berkowitz:** So you want to put 10 more than what's out there now?

**Joe Cardinal:** Well, some of those would be like, see part of the problem is if I lined up 4 snowplows, that's four units, ya know what I mean?

**Rich Berkowitz:** Yeah, but right now it seems kinda haphazard

**Joe Cardinal:** Does it?

**Rich Berkowitz:** Yeah At least when I passed by.

**Tom Koval:** Would it adversely affect you to limit you to 10 trailers?

**Joe Cardnell:** It would adversely affect me. 12 would be much easier to live with.

**Tom Koval:** What, do you have 12 different types of trailers or is it just

**Joe Cardinal:** We probably have about 20 different types of trailers, but I can close enough with 12 that I could, ya know, and see also now what does that mean like if I have a trailer with two snow plows on it I'm, I'm

**Tom Koval:** I'm strictly talking trailers here

**Joe Cardinal:** Ok, that fine, yep ya know, 12 would be a much easier number for me to stomach. It would give, ya know

**Tom Koval:** If I said 8 then you'd probably be better off with 10.

**Joe Cardinal:** Yeah, no, I know. Realistically

**Tom Koval:** It does look very congested on the site when you go by

**Tom Koval:** I, I, drive by it several times a day.

**Joe Cardinal:** Right

**Tom Koval:** I look at it from the perspective that if it was my business, but it's not my job. It does look very congested. It, it doesn't lend itself well to what we're trying to have our Route 9 corridor look like.

**Joe Cardinal:** I think it's...to me it's more similar to a car dealer, ya know what I mean, they line em right up. Ya know and really that's more similar to what my product is, ya know.

**Don Roberts:** What about in the garages, can you put?

**Joe Cardinal:** Mostly in the garages we're gonna do like van, we do several dealer van outfits. OK. We do obviously the snowplows, we've installed the snowplows. Put a truck cap on. Hitches, ya know, those are, that's probably 90% of

the kind of work we do. We don't do any automotive work persa', ya know, other than like a hitch or, ya know a beacon. That kinda thing.

**John Ouimet:** Any other questions?

**Lynn Murphy:** This isn't being carried over as a preexisting, non-conforming is it? He's asking me; look at him that way, not me.

**Paul Marlow:** That is a good question.

**Joe Cardinal:** Ya know, I don't know if I'm gonna shoot myself in the foot but that's sort of what Richard implied to me is the way he was looking at it when I talked to him. Yeah Yep. And we are generally along the same lines, ya know. We're in the same categories whereas if you go New York State DOT bidding kinda stuff, ya know, same zip codes and that. We have much lower intensity in the shop because our average installs run 6-12 hours. Ya know if we have 5 people in there a day, it's a good day.

**Paul Marlow:** Just to clarify, I'm going through my notes. I know Rich has been working very closely with him. But I did discuss this with Rich and I think Rich's MO on this was that it was an extension of preexisting but the prior tenant was a much more intense use and I think that's kinda how Rich looked at it was it's a similar, similar type of business but much less intense.

**John Ouimet:** Ok but you guys are really confusing me. We had a discussion about number of units that are being displayed. The applicant has requested permission to display 20. Correct?

**Joe Cardinal:** Correct

**John Ouimet:** I've heard discussion that then 20 might be too many.

**John Ouimet:** Is that the applicant's understanding as well?

**Joe Cardinal:** 12 is fine with me. That, I find that to be reasonable compromise.

**John Ouimet:** Ok

**Tom Koval:** Just to confirm, so it'd be 12 trailers available for sale

**Joe Cardinal:** Correct

**John Higgins:** in addition to that, you'd have customer vehicles if you're putting a snowplow on, things like that

**Joe Cardinal:** Generally, the vehicles would be in the, ya know the way we'd book our appointment ya know I have, just to give you an idea we have 45,000 sq. ft. down there. We have 10 acres. A vehicle comes, it goes in the shop, we put the snowplow on it, at the end of the day, we'd park in front of bay and the customer picks it up. So, we don't have that, ya know what I mean

**John Higgins:** Yeah, no I understand and you have to understand where we're comin from

**Joe Cardinal:** Yep

**John Higgins:** We have to make sure it's very clear so that the Code Enforcement people

**Joe Cardinal:** I totally understand that

**John Higgins:** If you have customer vehicles they'll be in the back parking area or in the garage. You're not gonna have 5 customer vehicles with new snowplows lined up along Route 9.

**Joe Cardinal:** No, actually, if you look at my thing, it's a little hard to see cause they did it in a light color

**John Higgins:** and I have it right here

**Joe Cardinal:** OK. The parking is right in front of the garage and that's, ya know that's probably going to be at the beginning of the day, end of the day kinda thing.

**John Higgins:** Again, we just have to make sure that

**Joe Cardinal:** Absolutely

**John Higgins:** the minutes represent what we've approved

**Joe Cardinal:** Absolutely

**John Higgins:** so Code Enforcement has no question

**Joe Cardnell:** Absolutely

**John Higgins:** so that the 12 display trailers would be disbursed throughout the site in your two product display areas

**Joe Cardnell:** Correct

**John Higgins:** Ok. And as far as where they're located, that's up to the applicant to decide where he wants to put

**Joe Cardinal:** And that's going to depend on size so natural I want to arrange it so you can see the diff...ya know, I'll put the smaller one in front the bigger one in back so you can get a visual of

**John Higgins:** Again, I just wanted to make sure that we, it was clear for the Code Enforcement people

**Joe Cardnell:** Absolutely

**John Higgins:** Thank you

**John Ouimet:** One other thing I want to clarify a little bit here. Saturday you're proposing hours of operation 8:00 a.m. – 2:00 p.m.?

**Joe Cardinal:** Ya know, that's the worst case scenario is what I'm putting there

**John Ouimet:** So it may be shorter

**Joe Cardinal:** For right now to be honest for right now I'm doin it by appointment only

**John Ouimet:** Ok

**Joe Cardinal:** Ya know what I mean. Ah no. I might

**John Ouimet:** Let me tell you why I asked the question.

**Joe Cardinal:** Yep

**John Ouimet:** If you work on installing a snowplow and you concluded at 2:00 p.m. on a Saturday afternoon. Will that vehicle with the snowplow installed, sit in the lot until Monday morning?

**Joe Cardinal:** There is that possibility

**John Ouimet:** Well, the Board's gotta understand that

**Joe Cardinal:** Or I could keep that inside if that was the Board's desired over the weekend. More than likely I'm living the house. The customer's more than likely gonna pick it up later that day or ya know on Sunday

**John Ouimet:** Or else you're not gonna be able to get around yourself right?

**Joe Cardinal:** What's that?

**John Ouimet:** Or else you're not gonna be able to get around yourself.

**Joe Cardinal:** Yeah ya know it is sorta a unique situation in a sense, ya know, because I live there.

**John Ouimet:** And you're planning on living there more?

**Joe Cardinal:** Correct. I just went through and redid the whole inside, hardwood floors

**Marcel Nadeau:** You're parking adjacent to the former Citgo Station, is there delineation there now showing that what's your property and their property cause previously it was a handshake and Ruddy's used to park there.

**Joe Cardinal:** Yeah there is nothing really there. Ya know and actually

**Marcel Nadeau:** I guess is would be

**Joe Cardinal:** I have parked on their property, ya know what I mean.

**Marcel Nadeau:** Right, I guess the question would be if Code Enforcement had to go out there, how does he know where he's looking to see if it's on your property or theirs?

**Joe Cardnell:** Well, my driveway is, if you look at the product display area I have to drive around there to get into the garage so it has to be well clear of the line. And that's sorta why I kept it all to one side rather than trying to do it because then it would be confusion. Potential confusion

**Marcel Nadeau:** Because I think when they were in for their approval, they stated they would not allow you, not you at that time, but Ruddy's to park there anymore.

**Joe Cardnell:** Yup

**John Ouimet:** Another questions? Motion

*Tom Koval made a motion to approve Heavy Haulers Trailers & Truck Equipment - Change of Use/Tenant & Sign with the restriction of 12 trailers. Don Roberts Seconded. Motion Approved.*

**Joe Cardinal:** I did have a sign

**Don Roberts:** Well that'd be next.

**Joe Cardinal:** Totally understand.

**John Ouimet:** Sign Don, have you had a chance to look at it?

**Don Roberts:** Yes you want to explain your signs?

**Joe Cardinal:** The sign, there's two signs I'm looking to put up, they had one up over the top of the one bay garage okay and that was a 3x8 and basically I want to put a 3x8 sign up there, basically has our logo on it and some of our more prominent suppliers logos, ok and then the other sign, basically its gonna be a two sided sign but its gonna be in a little bit of a V just to give better eye sight, so its not just a straight sign.

**Don Roberts:** And that's the pylon sign right?

**Joe Cardinal:** Yes

**Don Roberts:** And that dimension is?

**Joe Cardinal:** Hopefully I put 10 feet.

**Don Roberts:** yea ya did, ya did. 10 feet high and 5 feet 10 inches each side, right?

**Joe Cardinal:** Yes, 5x10,yep.

*Don Roberts made a motion to approve Heavy Hauler Trailers a& Truck Equipments sign application contingent that the pylon sign is not on a state right of way and it is 10 feet. Tom Ruchlicki seconded. Motion Approved.*

**John Ouimet:** Thank you very much and welcome to Halfmoon, I hope we didnt give you a hard time.

**Tom Ruchlicki:** And please use Halfmoon in your advertising. Thank you.

## **16.069      Self Storage Facility, 423 Hudson River Road – Commercial Site Plan (Re-Approval)**

**Nick Costa:** Good evening my name is Nick Costa I'm with Advanced Engineering and Surveying and I'm here representing MOS Developers, LLC who are the applicant that have requested the extension for the site plan approval for the self-storage facility at 423 Hudson River Road.

**Lynn Murphy:** Just so the record is clear he can't he can't get an extension because he's already gotten the one extension he's allowed. He can get a re-approval of the exact same plan that he already has so everybody's on the same page.

**Nick Costa:** I'm sorry about that, it's a re-approval for the site plan, that's correct.

**John Higgins:** Just for the record the drawing we have it says ABD Engineers

**Nick Costa:** That's correct

**John Higgins:** Ok, yup

**Nick Costa:** I'm sorry, ABD prepared these documents and the applicant MOS Developers purchased the project with the approved drawings, but hired us to take the project to construction

**John Higgins:** So whatever drawings they will have to be stamped and approved will they have your logo or ABD's logo.

**Nick Costa:** No they'll have ABD logo

**John Higgins:** Just wanted to confirm that these are the correct drawings

**Nick Costa:** That's correct

**John Higgins:** that we are looking at

**Nick Costa:** They are the correct drawings

**John Higgins:** Thank you

**Nick Costa:** You're welcome

**John Ouimet:** And for the record there are no changes

**Nick Costa:** There are no changes

**John Ouimet:** No changes, no amendments, no reconfigurations, no substitution materials, nothing

**Nick Costa:** Nope. The MOS Developers purchased the project as approved as previously approved. They have actually started construction on the site, they have the permits that are needed. The grading permit was issued back in October of last year. The DOT permits have been issued, both for utility and non-utility, the non-utility for the driveway curb cut and the utility for the water main extension, water main service, construction. So, there are no changes to the plans.

**John Ouimet:** Thank you. Have a motion.

*Rich Berkowitz made a motion to declare negative declaration pursuant to SEQRA. Tom Koval.seconded. Motion Approved.*

*Rich Berkowitz made a motion to Re-approve Self Storage Facility, original Commercial Site Plan. (Re-approval) Tom Koval seconded. Motion Approved.*

**Nick Costa:** Thank you

**John Ouimet:** Thank you very much

*Tom Ruchlicki made a Motion to adjourn the meeting at 9:23 pm. John Higgins seconded. Meeting adjourned.*

**John Ouimet:** half an hour sooner than last week