

The April 4, 2012 regular meeting of the Town Board of the Town of Halfmoon was called to order by Supervisor Wormuth at 7:00 pm in the A. James Bold Meeting Room at the New Town Hall with the following members present:

Melinda A. Wormuth, Supervisor
Walter F. Polak, Councilman
Paul L. Hotaling, Councilman
Craig A. Hayner, Councilman
John P. Wasielewski, Councilman
Lyn A. Murphy, Town Attorney
Lynda A. Bryan, Town Clerk

Excused: Matthew J. Chauvin, Deputy Attorney

The Town Board Workshop was held in the Board Room at 6:30 pm; no action was taken. Supervisor Wormuth led the Pledge of Allegiance.

PUBLIC HEARING – Halfmoon Village & Yacht Club came to order at 7:06 pm

Supervisor Wormuth opened the Public Hearing at 7:06 pm and introduced John Montagne from Chazen, the engineer for the Halfmoon Village & Yacht Club

John Montagne –from Chazen Companies introduced himself and the project, which he feels will be very beneficial to the town. He thanked everyone for coming tonight at this stage of the Planned District Development language, the actual language that would allow this project to move forward. In the past 3 years we have gone through a very extensive due diligence process. The process included design analysis on the site, architectural styles and layout on the property. Our biggest desires of this site because of its unique location, was to come up with a design and a layout that would really going to be a real precedence for the town, one that creates a community environment.

There are 6 structures on this site. But as important as the buildings are, we also worked very hard to maintain existing vegetation, to create outdoor environments and settings. There are 6 large public gathering spaces on the site. We were very contentious of the aquatic habitat along the shore. There are very large trees and permanent vegetation on the site. That was all factored into what we believe is a very environmentally sensitive design. We worked very hard to try and limit the amount of paved surfaces on the site. We have included garage parking under all of the buildings. We take about 2 acres of what would have been surface parking and put it under the buildings. The view from the river and the view from the road were also very important in our design. The buildings themselves are 2, 3, and 4 story structures combined, that step up as you go onto the site. So from the river you get a nice inviting look to it. You notice that you have large green space along the river. So when you look in you do not see large wall of buildings, you see green open spaces. There are courtyards and other nice amenities on the property. This is not just a townhouse or a condominium project, it is an indoor and outdoor setting all put together.

We had to look at the potential environmental impacts. This project went through a very extensive environmental impact statement process. It started off with a scoping of work. We worked with the Town engineer and we worked with other agencies to develop a scope of things to study and investigate for the project. That list was then presented to the town. The Town Board had a meeting on that; it was an open public meeting. From that it was determined exactly what we would study. On the side, we looked at the topography and slope on the site; we looked at the soils and the geology in the area. We did very extensive hydrology studies to look at what the water resources are and the impact of any development would be on that. The surface water resources and the storm water management are very critical in this area. Obviously, we are along the river and are affected by the rises and flows

of the river. Extensive modeling was done to look at how flooding could be mitigated. Aquatic resources, as I noted before, was one of the area's most significantly looked at by the Army Corps of Engineers. As you are all aware this part of the river has a lot of invasive species of water chestnuts and we have worked through those issues with the Army Corps. Flora and fauna were evaluated, as well as cultural issues such as historical artifacts on the site.

Visual quality, what will it look like, what does it look like now? How does it affect the community character? What is the community setting? All of those issues were detailed in additional studies.

We looked at fiscal conditions. What are the fiscal impacts and the benefits, of the project? We then looked at the traffic and the utilities. The way that the SEQRA process works, is that the applicant does the draft environmental impact statement, and then the town as the lead agency has responsibility for the final document which is the final environmental impact statement FEIS. The FEIS had extensive review by the town engineers Clough Harbour & Associates. They looked at it from both engineering and a planning standpoint. They assisted in the final EIS document that was adopted by the Town. Once the document is adopted by the Town, a finding statement process is done. The finding statement is run by the lead agency, the town, and the Town Board did its findings in June 2011.

We have been working with the Town to come up with draft PDD language, which is what we are here for tonight and the Town Board has a primary role in. The number of things that allowed us to move forward was the evaluation of public benefits that would be needed in order to make sure that this project does fit in with and is suitable for the community. There are 3 primary areas that we have evaluated. The town has a number of comprehensive plans, park plans, and recreation master plans and one of the desires was to get access to the river. This project includes a 1.5 acre park that has access to the river. It provides off road parking, a canoe and kayak launch, as well as a small fishing pier. That park actually links to the multi-use trail that the Town has worked on for many years.

The secondary that we looked through was the local road infrastructure in the area. There was a lot of discussion as to where public benefits should be. The town said that they really wanted public benefits that impacted the neighborhood around this project. We are looking at preparing and resurfacing all of Dunsbach Road from Vischer Ferry Road down to Beach Road and also Clamsteam Road from Vischer Ferry back to Beach. During construction some of the failed areas on those roads will be repaired and maintained. When the construction of the project is completed, the roads will be resurfaced. In total, we are talking about 3 miles of roads.

This project included construction of 3 miles of forced main sewer. There are roughly 80 or so single family residents along that route. Part of this project will also include a pump station at the end of it on our side. That will then pump sewage up to the end of the sewer run. What we have included as part of the public benefit on that is the upsizing of the onsite wet well for that pump station to allow for a size increase in the future. A gravity line from that wet well to the intersection of Beach and Canal and in the future, if the town chooses to extend an additional sewer district down Canal, that line will be able to tie into the gravity sewer drain to the wet well. There are some ancillary benefits to this project that are not actually considered public benefits are those 80 or so residents along that sewer route can tie into that sewer. There will be stubs that will be provided at the property lines for the existing residential homes along there.

There is a natural gas line that will be coming down Beach Road. The construction of that gas line is at the applicant's expense. All of the existing homes along that are along that gas line can tie into that line if they wish too with National Grid.

On the fiscal analysis, we looked into the evaluation of what kind of people would want to live here; a number of things came up. There would be empty nesters, retired and semi-retired folks. We do not have a large school population here. From a tax revenue standpoint we will be tax positive for the Shenendehowa School District and all of the other districts.

PUBLIC COMMENT PORTION OF THE PUBLIC HEARING:

Nancy Devorchak; 255 Riverview Road, I am only 3 miles away from the project, and I fully support this project as a resident. I am excited about the park and the kayak launch. I feel that the

1.5 acre park is going to be really great. People fish along the side of the road near year round, and the park will be much safer. The tax positive is a real plus. I think that it will enhance the area and attract more businesses to the area as well. I fully support it.

Ray Dahoda; 85 Beach Road, I have a concern, there 80 existing residents. We have our Forest Lane Complex that is not a private residence as such but, is there going to be provisions for sewers for that? Are you aware of that?

John Montagne said that our direction that we are dealing with is going to provide connections for private residential properties and not commercial properties. As a benefit we are going to provide taps to the private residents, any commercial enterprises will have to be something that will have to be discussed with the town engineer and have to step up to the plate and

Ray Dahoda said Sir, I have stepped up to the plate and picked up \$67,000 of monies from the town residents so that there is water. Without that, your project may also have had to buy water lines, and for what little extra, if any, it would cost to make that service, I feel as though yes, we deserve it.

Supervisor Wormuth asked John, does the sewer line run directly through the area where we are talking about?

Ray Dahoda said that it goes right up the way the water main does.

Sarah Medick, Tiny Tots Tea Room, 1536 Crescent Road, I am totally in support of this. I am also a Saratoga Chamber Business Member, and I believe that this will be a large benefit to the community as a whole. I was a member of the town a while ago and I own a business here and I see the long term benefit for both the tax base here in the area and for bringing in new members into the community, bringing in a water activity center and all of the positive things that are going to be coming out of this. I wholeheartedly, as a business person, support this project.

John Pingelski, 38 Johnson Road, Highway Superintendent, I think that when you were mentioning paving the 3 miles, you mentioned Clamsteam. It is Dunsbach and Canal for clarification.

Kevin Koval, 57 Canal Road, I have a business, Adirondack Business Systems on 4 Jones Road, as well. I believe that this project will be a great benefit for the neighborhood and will look much better than it does now. I think that it will be a very positive thing.

David Ryan 69 Canal Road; I concur with Kevin, it is a beautiful looking project, you have done a fine job, aesthetically, I have no issues. Is there someone here tonight from the County Sewer. At the last meeting, I had asked if there could be someone here from the County Sewer Authority. I am still of the mindset, as Mr. Dahoda stated, I have heard the stories of getting the water lines down the road for the residents. It is to me unbelievable that the people who live closest and are affected most by the traffic; don't get the benefit of the sewer line. At the last meeting we were surprised to learn the gas lines being run. I do not understand that at all. Why do the people down there have to fight for the basic things that seem to be common within the rest of the town? You come up Route 9 and see the signs Gateway to Saratoga County, Welcome to Halfmoon, and the people who are right on the border of that gateway, do not have sewers or gas lines.

Mark Hill, 116 Beach Road, lifelong resident on Beach Road My understanding is that there is not going to be any additional construction traffic or additional traffic on Beach Road? That there is no need for repairs on Beach Road?

John Montagne said that any road that we have construction traffic on, that we have in the findings documents that there will be repair and maintenance on them.

Mark Hill; I am talking about Vischer Ferry Road to this project

John Montagne said that our sewer lines will be running on Dunsbach and that is where all of the traffic will be going

Mark Hill; so you are saying that there is going to be no additional traffic on Beach Road?

John Montagne said I understand what you are saying. We have 3 main roads in this area Canal, Beach and Dunsbach. The project itself will have construction for sewer along Dunsbach, the gas line that will be coming down Beach, will require some repairs and other work that will be done for the gas line. Any work along Beach that affects that road, those repairs will be made. What we are talking about here is that in addition to those repairs that would be made normally for construction, we have agreed to help the town out as part of the Public Benefit and actually do a major repair for resurfacing on Dunsbach which will have a lot of impact, and will repair along Canal as Canal actually has some significant failures along the shoulders

Mark Hill said so you are not doing repairs on Beach Road?

John Montagne said we will do repairs that are necessary to allow us to put our gas lines. While we would love to repair and rebuild every road in the town, doing 3 miles of roads for the infrastructure improvement is a significant public benefit. It isn't that we would not want to

Mark Hill said as long as you can focus on construction traffic on those 2 roads, I am fine with that. I do support this, I think that it is going to be a great asset and it is going to be a great improvement to that area. I am just concerned about the traffic.

Supervisor Wormuth said that the one thing that I will say is that we don't have designated truck routes in town so construction vehicles will be allowed, although developers and engineers can ask them to use certain roads. There is nothing in force by the town or the local authorities to keep construction vehicles off those roads unless they are posted by the Highway Superintendent. He has permission to do so during the spring thaw only. There is no guarantee that there won't be tri axels or heavy trucks on any of those roads because we don't have designated truck routes.

Jim Belleard, 40 Dunsbach Road, I am looking at this project and I am not against any development, but this is a major project. What I want to know is the impact of cars, you have done a study on the 3 roads, but you also have to look at Crescent Road, Route 9 and 87. The town has to look down the road. You have a project going on at Stone Quarry, and the other end of Dunsbach. That is a major influx of cars in the future. You got to look at the whole picture. On the other hand if you have one road with sewer, another road gets gas, why doesn't everyone get it because we are all impacted. Why is Belleard Lane left out of the loop? Is Breski Lane tied into this for sewer? There are fewer houses on Breski than there are on Belleard, but they are excluded from any service whereas Breski is not. I think that the town has to look at the whole impact, across the board for the future. What is the major impact going to be here? Are these roads going to be able to handle it? Are they going to have to be widened? Do you need sidewalks?

John Montagne said; to answer your first question, as we stated that this project has had a 3 year environmental review and traffic impacts have been fore front from day one.

Lyn Murphy said John, I am sorry to interrupt you but, the project has actually been being reviewed before the Town Board in upwards of 10 years. Your involvement has been 3 years.

John Montagne said yes our involvement has been 3 years, good point, 10 years is a long time. The town engineer, Clough Harbour Associates, well renowned engineers in our area with significant traffic experience, did very extensive evaluations, every traffic study that was done concurred with all conclusions. To answer your first question, yes, the town has done an awful good job of looking at the traffic impacts.

The second thing that you asked, you bring up the point where gas is coming and where sewer is going. There are two things that drive that, one is that there is existing gas service that is up by Mohawk Terrace Apartments. That is where National Grid will be taking the gas from. That is the only thing that leads as to why the gas connection comes from there. National Grid has informed us that is where the gas lines will go. We will not be designing and installing the gas lines, National Grid will. We will just be bearing the costs as part of the project. The second thing that you brought up

Jim Belleard, asked for John to stop at that point. The gas lines are at Mohawk Terrace, but the gas line also ties into Springbrook Trailer Park on the other side of Dunsbach. Correct?

John Montagne, said unfortunately, we do not have a say as to where the gas line goes. National Grid tells us where they want it, they are going to install it, we are not. As far as the sewer route, it is the same scenario. As part of this project, there were 3 different routes for the sewer. It was the County that told us which route that they wanted us to go. And it was the County that ultimately determined where the sewer route would go up where it is and tie it to the pump station. The fact that there is a little stretch on Breski is just because that's the way that the route has to go. We offered the taps for the residents along the way as a public benefit at the expense of the applicant as an offering that the town asked us to consider. It had nothing to do with the fact that we wanted one sewer route over another sewer route, the cost of it, they are almost the same cost no matter what route we go, and the County determined the route.

Lyn Murphy, said sorry to interrupt you, so that everybody is clear, for those who are being provided taps into the line, they will have to pay to have the line brought to their house and any upgrades they need themselves. That won't be provided by the applicant.

Jim Belleard asked if that was going to be gravity or grinder pumps.

Lyn Murphy, said she did not have all of the details. It depends on where you are and depends on a lot of different things, but those expenses have to be borne by the homeowners, just so there is no misperception that this will be no cost to the homeowner.

John Montagne, the final design of the sewer system will be included as part of the final work of the town. But, just remember that this is a force main. It is a pump from the site, forced main out, there are a few sections of this that are on gravity. Anybody else that ties in will be a forced main pump into a forced main.

Supervisor Wormuth stated that again the difference between a sewer district extension and a water district extension, if you choose not to tie into the sewer, there is no extra cost, as opposed to if they were expanding a water district and the water line went by your house, you would then have to pay the debt service for that water line. With the sewer, if you choose not to tie into it, there are not any additional costs to you.

Jim Belleard said; Mindy, I have been paying sewer taxes ever since I have been paying taxes without sewer. That is immaterial, but what I am looking at is this, the town has got to look at this whole perspective and how it impacts everyone. As long as it is going to impact Beach, Canal and Dunsbach, everyone should get the same bang for the buck. It is not a matter if the property taxes are going to go down, they are not. You are going to have to maintain more roads, you are going to have to maintain more sewer. Property taxes are not going to go down. I do hope that this project does fly, but I think that everyone should get a bang for their buck.

Mark Wagner, 11 Ledgends Way, Ballston Lake, I have been looking at this project very carefully, been considering buying one of these units. I am a little confused and taken back from some of the things that I have been hearing. Number One, in order to buy one of these units, the costs keep rising on these units because of the wonderful gifts that the developers are giving to the homeowners, the roads, the sewer and everything else. The tax base that this is going to create is huge. I haven't once heard the town step up and say we're going to put money up in from the tax base that we are getting from thus and the benefit is all for the town and who's paying for it is the person who is buying one of these units like myself. I'm the end user; I'm the one that the cost is going to be handed down to. Is the town going to step up and help also? It is a great project and I am all for it.

Attorney Murphy said John, these are still proposed as condominiums right?

John Montagne said that yes these are proposed as condominiums.

Attorney Murphy said that the tax base is calculated different than a regular home. It's actually less of a tax increase for the town by about a third. Just so there is not a misperception there. The town does not get the same as they would if it were a developed as townhouses or straight up residential.

John Montagne said that the last analysis that we did was a couple of years ago, was that after all the capital costs are in and after all public services are issued, for example, any services for plowing and things like that, there is a net positive of at least \$650,000, if not more.

Supervisor Wormuth, said again that the public benefits that the applicants are talking about is because they are asking for an increase in density and a zone change from what's currently allowed. If they were doing a standard subdivision, then these would not be requirements that were put on the developer.

Attorney Murphy said that we don't have a town tax, so that income that he is talking about does not come to the town as money that the town can then expect.

Jean Hill, 116 Beach Road; 20 year plus resident, I am for the project and think that it is a great project in my neighborhood. I do have a couple of concerns and questions. The last meeting the Fire Department was here, is there anyone here that address the needs and concerns?

Bill Bryans, Fire Chief, stood up and Jean Hill said that we will come back to that.

Jean Hill, another concern at the last meeting was boat slips, a certain amount of slips

Supervisor Wormuth said that the kayak launch, I believe is the only public access

John Montagne said that there are 75 slips for the residents.

Jean Hill; I am glad to hear that. My other concern is who are the people who would be bring in large boats, motor boats and the noise.

John Montagne said that there are no launching facilities; these are just for the residents.

Jean Hill; I am glad to hear that. I was concerned about the noise. The other question was the cost of the units.

Supervisor Wormuth stated that the Town Board is prohibited from basing any of our recommendations on cost and that is the reason why you do not hear us asking them. If the applicant offer or arrange to give the public an idea, then they are more than welcome to, but the Town Board can't base its decision on the unit pricing.

Jean Hill; my concern is, who is going to be my new neighbor? Are these million dollar condos, are they low end condo's?

Gail Krause offered her business card.

John Montagne said they are not million dollar condos are not the target market

Bill Bryans, Fire Chief, lived on Beach Road 43 years and is for the project. I have met multiple times with the project engineer. We have discussed our concerns as far as water, setbacks of the building, reach of our apparatus, our ariel devise. They have been very forthcoming with any information that they have and moving some things around. I, as Chief of the Department, don't have any problems with the project. If they want to buy us a fire truck, we will take one!

Supervisor Wormuth, Bill, one of the things that was asked before, from an emergency service standpoint, is the evacuation plan. Is the fire department comfortable with the evacuation plans should there be flooding in the area that we see during the springtime?

Bill Bryans, said yes, there has been some project upgrades as far as raising the road in the area of the project, which is going to mitigate some of the flooding in the area. The problem that we have with this one project is one means of egress from the project, one way in and one way out. But, by raising the road, it's going to limit the impact of the flooding in the area, which will give the residents ample time to evacuate from the property.

Supervisor **Wormuth** thanked him and said that I knew that it was something that was asked several times in previous meetings, and as the Fire Chief, I wanted you to be able to address that here at the meeting for the record.

John Montagne said that the one thing that is very important to note is that the design of the project includes all residential areas are significantly above any flood level. There are small areas that on the site during a 100 year flood event will have some flooding in the lower parking areas and that is what they are designed for. But the units themselves have no issues, property damage or issues to worry about,

James Young, 165 Clamsteam Road, 23 year resident, I know that you have done some traffic studies, and I wanted to know if there was any changes to be made to the intersection of Clamsteam, Dunsbach and Beach. They are very acute angles and potential traffic problems at both of them intersections. I was wondering if the project had anything on the traffic studies, if any changes were going to be made at these intersections because of the traffic influx.

John Montagne said that yes, we have looked at those; we have had discussions with other Town Board Members. The acute angles at the Beach and Clamsteam intersection were looked at extensively. There are proposals that the Town Board will eventually look on. It includes a study of the movements there and signage there.

The other question that you had was on the amount of traffic. The one thing if you look at the traffic study that was done on the peak periods of traffic that this project will generate, because of the characteristics and the residents that will be living there are not coincidental with the peak periods of most commuter traffic when you have a lot of the backups. The other thing that you will have obviously those of you who have lived here in the area for years understands what happens when a large steak party comes down to the grove, you won't have that large flux that you have during those events in the summer months. So the impact of 244 residents over time would be less then when you have grove event. There was significant review by the Town's engineer and the mitigation proposals are adequate for the area.

James Young said that I am in favor of the project

Supervisor Wormuth said John, just to clarify, you are talking about signage changes at the intersections, not any angle changes

John Montagne said no road changes

Supervisor Wormuth said that I just wanted to make that clear to the public because you were talking about the angles in the road and the acuteness of the intersection

James Young said that at Clamsteam and Dunsbach, that's been changed. That used to be a lot different 20 years ago. But now it is an acute angle and anybody going from Clamsteam to Dunsbach has a hard time staying on their side of the road while making that turn. It would be a matter of moving the pole and doing a little bit of road change. But if there is going to be an influx of traffic here, it's an accident waiting to happen. The same thing with the short Beach, the road is very short that goes from Beach and Clamsteam, and most people would be heading toward the Northway and they come up Beach and make that left turn to where you are intersecting with Clamsteam, you do not have a chance in hell to see that. I can't tell you how to change it but I know that it needs to be changed.

Supervisor Wormuth said that she just wanted to make it clear so that there would be no misconceptions on any bodies part that they are talking about signage changes and some

John Montagne said the one intersection is the triangle intersection at Beach and Clamsteam. We are looking at adding stop signs and other things to control the traffic in all directions. The one that you are talking about though is Dunsbach and Clamsteam and as I said before, we will be working with the town on actual drawings also that we will do on Dunsbach. It really wouldn't change anything much if we were to look at that intersection as part of that. We can say that it is something that we already have in the language, and can add the improvements on Dunsbach. that utility pole might be something that we could evaluate.

Ray Dahoda, a piece of historic information. I was born on Beach Road 68.5 years ago, not on the road but how many people can say that they were born in this town, not in a hospital? I am for this project and I do not want anybody to think that I am not. I have a question for our Fire Chief. How many new Fire Trucks are we going to need to protect this place?

Bill Bryans said that we will take as many as they will give us!

Supervisor Wormuth said that I do not think any were offered any as public benefit.

Ray Dahoda, there is one more thing that if this happens, maybe you can get whoever does the GPS thing to change the rooting.

Dave Duval, 37 Dunsbach Road; I would like to be the first one to say that although this project is good for the community, I am against it because of a den of reasons. I was a resident of Krause's. All of the dealings that I have ever done with Krause's they have never kept their word. I would suggest to the town that they be careful with any deals that they make with them. They do not stick to their word; they are not a person of their word.

Has there ever been an impact study on the amount of the boats that are going to increase the amount going to the locks?

Supervisor Wormuth said that would be something that the Canal Corporation would do as part of the transportation of the locks. I do not think that it is anything that the project would regulate.

Attorney Murphy said that in order to get permits they have to go through the Canal Corporation and they put the specific docks in and we do not have any jurisdiction over that. But it is something that is considered by the State in issuing them and allowing them to go forward with the project.

Supervisor Wormuth said that I know that the State is very aware of the project because they actually sold Krause's property in order to allow the project to move forward.

Dave Duval said that I also went on a site that's available to the public: www.toxictargeting.com. If you look on this site, it shows the area across the street as being a toxic site. That should also be looked into by the town. If this project is going to go through, I believe that this toxic site should be cleaned up.

Supervisor Wormuth asked Mr. Duval if he would like to leave that information with the Clerk, we can certainly look into researching that.

Dave Duval said that if this development does go through, they mentioned that trucks would be going through and asking them to use certain roads. Asking them to use certain roads and them using certain roads is two different things, it's never going to happen.

Supervisor Wormuth said that is exactly why I said that we do not have designated truck routes in town and we can't enforce that and nor could our Local Law Enforcement, unless it is during a springtime thaw when our Highway Superintendent would have the right given by this Board in order to post those roads.

Dave Duval said so if the roads are damaged during construction, who is going to be responsible for it, the residents?

Supervisor Wormuth said that part of the mitigation package that the applicant has offered is to resurface over 3 miles of roads. The Highway Superintendent would monitor anything that was going on and if there was misuse, I am sure that he would be in constant contact with the applicant about it but at the end of the day, once they have turned over the roads to the town, yes the town would be responsible.

Dave Duval said so the taxpayers would be responsible

Supervisor Wormuth said that we have no town tax and we have no highway tax, but yes ultimately it would come out of the town budget in order to take care of anything that was in disrepair that isn't listed under their mitigation for their project.

Dave Duval said thank you and I just warn the Town of Halfmoon to be careful.

Pete Bardunias President & CEO Southern Saratoga County Chamber of Commerce and not a resident of Halfmoon, but Halfmoon is a major part of our jurisdiction. I want to commend everybody involved here; the Town Board, the Planning Board, the principals of the property, for working on something that really can make a big difference for our community. Actually I can informally answer the prior gentleman's question. The Chamber of Commerce, we went from 0 to 7 Marine industry business members, and the reason is that the Marine industry along the Erie Canal is really struggling and trying to make a go of things and let me tell you, the vision that I see, the boats that are going to occupy that dock are all going to be sold and serviced by family owned local businesses, Mom and Pop businesses, second and third generation businesses. That is what is going to fill that dock with boats. The people that are going to live there are people who will have some means, who are going to be good citizens, are going to spend money in our town, they are going to come to our local small businesses. My barber, Max, over at Classico Barber Shop, they are going to cut more hair because of the people who move into that facility.

I agree that there are a lot of concerns that will be addressed through this process and that is very important and I commend everyone for your diligence and working hard on it. The vision is here that this project could be the cornerstone to a big economic boom here for the Exit 8 area and that is not an area that is not normally associated with economic vitality. So this is really a great thing and I want to commend you all for the effort that you are doing and the due diligence for trying to get it right and for being careful.

Once again, I want to offer the Chamber as a resource, if we can help in any way going forward with this project, you know that we want to do that. I am really excited at the prospects of being able to stand up and promote to the world that we have this here in the Town of Halfmoon. It is really going to, be a Jewel right here on the Mohawk River. Thank you.

Georgia Beatty; 28 Clamsteam Road asked how many units are you looking at? You say that there are going to be 6 structures

John Montagne answered saying that there are 244 units.

Georgia Beatty asked we are still looking at that number? You are not going to go down? I know at the last meeting

John Montagne answered again by saying that there are 244 units.

Supervisor Wormuth asked if that there are 244 units on how many acres?

John Montagne answered 36.5 acres and 22.3 buildable acres.

Georgia Beatty stated that at the last meeting Walt was against it and a lot of us were against it: the number

Supervisor Wormuth said the density and it has been an issue that has been talked about at many of the meetings regarding the project, both on the Planning Board level and the Town Board level. At the Planning Board's recommendation, they did not recommend that many units per acre

Georgia Beatty asked if this was going to be the first phase and is there going to be a phase II?

John Montagne answered 244 units at the total build out and they are built in 3 phases

Georgia Beatty asked the whole complete package is what you have there? And I disagree with your traffic study

John Montagne answered Correct, there is nothing more.

Supervisor Wormuth stated that traffic studies are difficult and hard to understand and confuse all of us at many times. They are done on mathematical calculations and at one point I had an engineer stand here and tell me that there had never been an accident on Route 9 between Wal-Mart and Sitterly Road and I burst out laughing. It is how they get reported to the State and the amount of damage and they rate sections on levels A – F. So even if they see a big increase in cars in an area in a peak hour, it doesn't necessarily change the rating in that intersection, and as much as I have argued back and forth with many engineers I think that they make the numbers up, it really is a mathematical calculation. It took me looking at a lot of them for a long time to understand that.

Joel Koval; I own property on Dunsbach Road and the applicant talked about benefit. We certainly appreciate the fact that we will be able to hook into the sewer some point down the road, but I think that the real public benefit is something that we need over here which is really developing that waterfront which is really a jewel in the Capital District. The waterfront really has been underutilized over the years. So a project like this really starts to take advantage of that asset that we have here in our town with regard to the waterfront and I look forward to seeing a development like that going forward.

Tom Koval I also am a property owner on Dunsbach and live down the road here in Halfmoon, and a business owner in Halfmoon, as well as a member of the Chamber. I think that this project is a huge plus to the town as my Brother said by improving the waterfront. It has always been lacking and the State always pushing a waterfront corridor. I believe this this a big first step in improving the façade of the town. It is what the boaters that are on the river see. Halfmoon's got this shiny new project. It's going to be a boom for the businesses in town, and definitely for my properties on Dunsbach, natural gas on Beach, that's huge. I am 100% for the project.

Jim Belleard; the speed limit on Beach is 30 mph, Dunsbach, its 40 mph

Supervisor Wormuth said that the speed limits are regulated by New York State DOT and the County. The towns are not allowed to post roads lower than 30 mph unless it is a school zone with permission from DOT. We have been successful in some areas of getting slight reductions on roads, but most of the time when we send letters, we back it up with data, it come s back with DOT not lowering the limits, they do not allow the town to control it and their object is to move traffic through and not to slow it down. Believe me, I understand your safety concerns with people walking and biking. We have sent a lot of data to try to back up our requests, and very rarely are we successful in getting them to do any kind of reduction.

Jim Belleard said that with this project going in affect, is it possible that we can get Dunsbach reduced down to 30mph because of the traffic flow that you are going to have. If you keep it at 40, they are going to do 60, somebody is going to get hurt.

Supervisor Wormuth said that we can certainly request that it get posted at a lower speed limit. The other thing that we can do is to ask the Sheriff's Department and the State Police for increased patrols on the roads, which we do and sometimes find that to be effective, although that is usually short term.

Mark Hill; 116 Beach Road, the only thing that I would like to know is what is the timeframe if this approved? When will it start and when do expect to finish?

John Montagne said that we would love to be in a position that we could start late spring/ early summer. As far as the construction period, it really will depend on getting final approvals for site plan approval. So at this point in time it really is on hold.

Councilman Wasielewski asked John about how long would the total construction time take from start to finish? When can the residents expect the project to be finished? How long will they have trucks going up and down those roads?

John Montagne said that right now we are looking for approval of Phase I, which is 2 of the 6 buildings. That will really tell us how long the overall build out will be. We are anticipating being able to go to market, we have to market this before we start construction; it is a requirement on the condominium law. Assuming that we can make the sales that we need and start construction for the first phase could be done within a year's period. Obviously, then if the other phases would follow right behind, it could be done in a 3 year period. It really depends on what the market does.

Supervisor Wormuth said that there is nothing to guarantee that it could take 10 years to build out.

John Montagne said that there is no guarantee when it comes to selling units, no.

Supervisor Wormuth said that I just wanted to answer that question.

John Montagne said that right now the plan is to build Phase I.

Councilman Wasielewski said that I think it also fair to say that we cannot reasonably expect trucks up and down these roads for 10 years. I just want to make that clear.

John Montagne said correct.

Attorney Murphy asked that you are here today asking for approval of all of the phases, you are just going through the planning site with regard for phase I?

John Montagne stated that the approval that we are looking for the PDD legislation is for the project that you see here, the full project. Then we go back to the Town's Planning Board for Phase I

Attorney Murphy said that this part of the planning is for the entire project, not just for phase I?

Supervisor Wormuth asked how many phases are you planning throughout the project.

John Montagne stated that as we said before there are 3 Phases

Supervisor Wormuth asked about the public access to the river, is at the end of Phase I and prior to Phase II?

John Montagne stated that it is actually during Phase II. Remember, as we said, Phase I staging for the construction will take place and part of what we do in Phase I. We need the material to build the berming and other things for the park, emergency access into Phase I comes through that area will all be in construction during Phase I.

Jean Hill, Beach Road, last meeting we talked about dredging, is there any information about that this time around?

John Montagne said that there is dredging for this, there is the area where the 75 slips will be. The dredging is all regulated by the Army Corps of Engineers and the Canal Authority. All of those plans are in and were part of the environmental review process. The final permitting for that gets issued once we get site plan approval from the town.

Jean Hill, said so that is part #1 is going to take place, the dredging before construction correct?

John Montagne said yes, Phase I includes the dredging;

Jean Hill, asked how long will that take?

John Montagne said that the dredging process is it is seasonal for one thing and done during Phase I. It is like a big suction line and puts it on the shore to dewater it and it gets used on the site. That will be done as Phase I being constructed, so we will progress during Phase I.

Ray Dahoda asked this is going to be going in Phases, which I understand, but what if you do Phase I or Phase II and it is a bust? You have put a lot of traffic and wear and tear on 2 of these roads, when are you going to fix the roads?

John Montagne said that one of the things that we will be working with the town as you do with any sub-division, is going through sub-division approval process, you have to put up certain guarantees, warranties, and bonding, to make sure that if certain things that you have recommended that you do and cannot get to that point that you do it, then the town can actually use those resources to complete the work for you. That is traditional sub-division 101. This, because it is a condominium project, is actually very similar to a sub-division in that each unit is a separate sub-division parcel and that it is bound by the same provisions when the Town Planning Board does the final site plan review.

Desnoyer, 69 Dunsbach Road, my family and I live at the end of Dunsbach Road at the intersection of Vischer Ferry. We are in favor of the project, it is beautiful. If it all goes as planned, it will be a big asset to the community. I have one concern that I brought up at the last meeting as well. The traffic is always a concern. I have 3 children who will be driving in the next few years and pulling out of our driveway. That road is a speedway now, it is a very long straight road and the addition of more traffic will make that worse. While it is wonderful that they are going to repave the roads, it is going to make it more of a drag strip. I am concerned with the speed limit being reduced. If there is anything, and I do understand what you said that it is not always something that can be done, but, if at all possible they could look to lower the speed limit on that road. And also, this has nothing to do with this project, although it will also affect the

need for a traffic light at the corner of Dunsbach and Vischer Ferry. I brought that up at the last meeting as well, and I did hear that it was part of DOT, I think that it is a State issue because it is considered a highway

John Montagne said that Vischer Ferry is a State road. The state regulates all proposed signals on their roads. The reason why there is so much pushback from DOT for doing a signal at the intersection of Vischer Ferry and Dunsbach, is that there are warrants that must be met, as bizarre as it sounds it is the number of traffic trips that come from side roads, its accident counts, it's all the information that the State looks at. The State right now with this project is identified, but it does not trip the warrants to do a signal. Unfortunately, it does nothing for it. The signal costs itself in the grand scheme of things is not the main factor; it is that the DOT is not in agreement to allow the signal to go through. There is some point in time with the other projects, it may trip and DOT will warrant a light. The reason why they do not like to put in lights is that it slows down traffic flow and prefers to keep the traffic moving. The new trend now is for roundabouts instead of signals.

Supervisor Wormuth said that we have projects in town that the developers have already put the money in an account to pay for the light and because there is not enough traffic, DOT will not allow the lights to be out in, so the applicant is being very accurate with his answer to you.

David Duval said that he would like to submit something to the Town Board. I also have one more question, from the entrance of Krause's property down to the first income property that is considered a town road, Clamsteam Road, correct? It has been plowed and maintained by the Town of Halfmoon

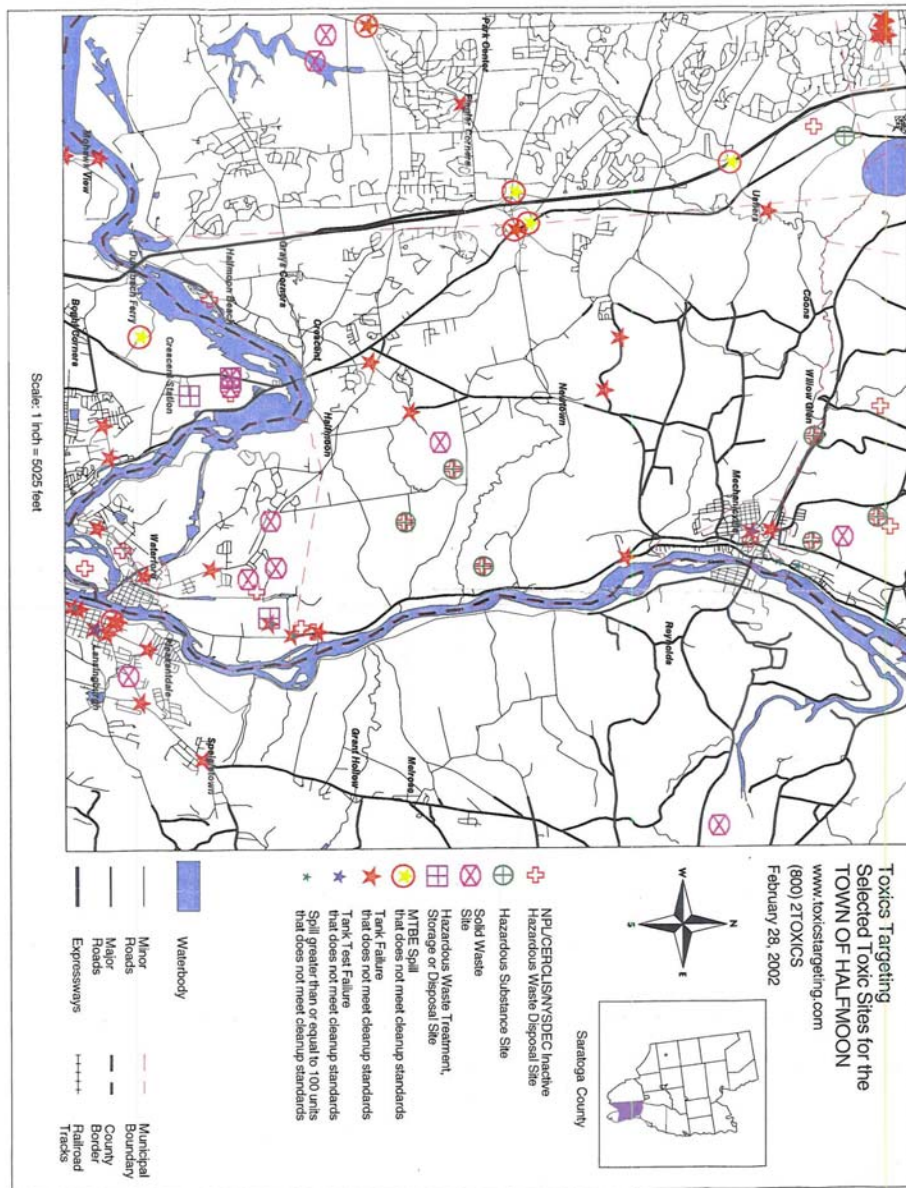
John Pingelski, Highway Superintendent said yes it is.

David Duval asked why it is barricaded at this time, if it is a public road.

John Pingelski stated that the town did not barricade the road, the homeowner put up the barricade in the in lane because of vandalism.

David Duval asked so if something gets stolen off my lawn, I can barricade Dunsbach Road? Just an example of following the rules.

Supervisor Wormuth said that what has been submitted and will become part of the public record is a map with an e-mail address on it that is www.toxictargeting.com and it looks like it was printed February 2002. It is of Saratoga County and included the area where the project is and will be part of the permanent record.



John Higgins, 31 Cary Road; I would just like to bring up two points. They mentioned several intersections and the rating on the intersections by this project. There are several intersections that in the applicants own traffic study they are rated F already, and there is nothing lower than an F so they can't be de-rated anymore and if they are potentially going to add traffic to those areas will only make it worse and what the local residents have to deal with on a daily basis are already an F intersection.

The other point is my own personal opinion is that the 11 units per acre is too intense for the traffic in that area and I would favor something less than that.

John Montagne said if I may, at the last meeting, you had asked us to take a look at what would happen if the project didn't exist, was reduced in scale by half, or stayed as it was, and the impact it would have on the roadway network and as we have shown in the additional data that was submitted, the intersections that we were talking about on Vischer Ferry Road. The issue that you have is that you have a state road that has constant traffic on it with no signal to control the flow. The side streets in the peak AM and the peak PM periods where people want to get out, have to wait until there is a time when that traffic stops because there is no signal. Until such time as DOT changes anything along that road, no projects on either side of it are significantly going to change that situation one way or the other regardless of the number of units. That is the one thing that is real important to know, that the traffic from this project does not affect one way or the other those existing intersections, whether it was here or not, because that is not the way they factor this.

Georgia Beatty, I just wanted to say that the gentleman is right; it is a toxic 2 dumpsite

Supervisor Wormuth asked John if there were any soil borings

John Montagne said that one of the things that you don't realize is that the Army Corps of Engineers, in order to do the dredging, require that we do an extensive testing on the site and in the river. We did extensive testing which was reviewed by the Army Corp and New York State DEC and there was no contamination to be found on the site, there was no contamination to be found along the road.

Supervisor Wormuth said that I am not sure, but I think that at one of the previous meetings the people were talking about the lagoon area to the rear of that would flow into

John Montagne said that we did sediment testing in the lagoon and on the riverside

Supervisor Wormuth said that I just wanted to clarify that for people because

John Montagne said that the whole area has been looked at for that very reason, because whenever you do dredging, you have to do this and there are no level that triggered.

David Duval wanted to clarify that matter. The property across the street has been a dumpsite for years from Beach all the way down to the other end. There are drains that come from underneath the road that empty into the gully that you are speaking of. If this project goes through, you are just going to keep contaminating that area, it's a dumpsite.

John Montagne said that was something that was reportedly stated, maybe from this town, I do not know. That's why the testing was done and why it was done in the lagoon. We go to the Environmental Impact Statement and had looked at all of the locations. Any outfalls, any draining pipes that come from the road, were all tested, no contamination.

David Duval said that is nice with all of the orange water around it

John Montagne said that you have high iron content around that area.

Supervisor Wormuth said that I certainly appreciate everybody's opinion and comments and asked if anyone else from the public had anymore comments. I do have a letter that came to my office today and it is from Stephen and Deborah Kwacz, 89 Old Canal Road, and it is regarding the Halfmoon Village & Yacht Club PDD.

April 3, 2012

Mindy A. Wormuth, Town Supervisor
Town of Halfmoon
2 Halfmoon Town Plaza
Halfmoon, New York 12065

RECEIVED

APR 04 2012

TOWN OF HALFMOON
Office of the Supervisor

Re: Halfmoon Village & Yacht Club Planned Development District

We are writing to express our concerns and opposition to the proposed Halfmoon Village & Yacht Club Planned Development District as we will be unable to attend the April 4th public hearing. After reviewing our comments regarding the project following the April 21, 2010 public hearing, we find our concerns are still relevant. We have attached a copy of our April 30, 2010 letter for reference.

Regarding the increased traffic on Canal Road, we have heard through previous meetings of the many traffic studies done, however it is still our belief that these studies are not a true picture of the current traffic pattern. We are already seeing an increase in traffic on Canal Road and most cars do not heed the current speed limit. Since the establishment of the Mohawk River Bike Path there is a notable increase in pedestrian and bike traffic. Safety is a major concern, especially with the increased traffic. We also strongly believe the speed limit should be lowered to 25 MPH.

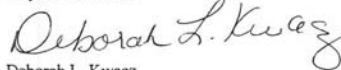
We would also like to request that the proposed gas line on Beach Road from Mohawk Terrace Apartments be extended to the residents on Whites Lane where approximately 20 – 23 residences could also benefit from lower energy costs.

Please contact us if you or anyone else would like to discuss or need further clarification regarding our concerns.

Thank you,



Stephen F. Kwacz



Deborah L. Kwacz

89 Old Canal Road
Halfmoon, New York 12065
518-371-1285

April 30, 2010

Mindy A. Wormuth, Town Supervisor
Town of Halfmoon
2 Halfmoon Town Plaza
Halfmoon, New York 12065

Re: Halfmoon Village and Yacht Club

We attended the 4/21/10 public hearing on the proposed Halfmoon Village and Yacht Club and would like to have the following comments recorded regarding the project.

1) We live at 89 Canal Road and have numerous concerns regarding the traffic impact. As noted at the hearing Canal Road was projected to have the least amount of increased traffic and was classified as a "B". Currently the traffic is tripled whenever there is a traffic situation on the Northway. When there is an event at Krause's it now consists of 2 solid hours of 400 cars from noon to 2 pm 400 cars from 4 to 6pm. The traffic is very heavy and rarely is the speed limits followed. We strongly believe the classification will be at the minimum a "C" and more likely a "D" as the traffic increase will not be temporary such as current Krause's events. We can't afford to live with that much traffic on Canal Road.

The Town of Halfmoon has built a "bike path" on Canal Road. Several people at the public hearing stated that many pedestrians are now using the pathway. One sector that is not using the pathway and is increasing is the "bikers". People bicycling currently ride along the side of the road. The bicyclists do not use the path as they feel that the path is not "safe" for bikes. We are very concerned for the safety of these people by the increased traffic and speeds at which the cars currently travel.

2) Comparison of the proposed project was made several times at the hearing to Mohawk Terrace Apartments and being the same height. Mohawk Terrace does not have apartments above garages and are 3 stories from the ground. These apartments can be viewed from Canal Road because they are located on property on Vischer Ferry Road above Canal Road. The height of Mohawk Terrace no way compares to the height of the proposed project. Three and 4 stories on top the garages at a height of 75 feet is a safety hazard. The height of the building should be 35 feet for the sake of the firefighters and other property owners. Fire safety due to the lack of proper equipment should be considered. Crescent Fire District can not afford anymore bills.

3) Flooding in this area occurs on a routine basis and evacuation of the area happens very quickly without much warning. Flooding is usually a result of ice jams which has nothing to do with the 50, 100, or 500 year flood plans. All roadways and parking should be 10 feet above the 10 to 50 year flood plan.

4) This area is also considered a hazardous waste area. We are concerned with dredging and more hazardous material being dredged up. There are areas now along the river bank which have yellow, orange material leaking from the ground.

5) We also feel that the number of apartments proposed is not appropriate for the amount of property. It seems that 22 acres is enough for 22 single family homes, possibly 66 units if designated at R-3. There is no reason to let one landowner have extreme density, especially when only Canal and Beach Roads have to carry the traffic.

6) We do want any sewer lines. This is not a public benefit, only a payoff to a few old houses. We already pay \$600/yr for water we do not need or use.

On another note, we realize the depth and amount of material presented at the meeting. A great deal of material was restated many times. However, we feel that future presentations at public hearings regarding this project or other projects should be given a time limit to present of 45 minutes to 1 hour maximum.

Please do not hesitate to contact us if you have any questions or would like further clarification of the comments we have made.

Stephen F. Kwacz

Deborah L. Kwacz

89 Old Canal Road
Halfmoon, New York 12065
518-371-1285

Supervisor Wormuth asked if there were anyone else who would like to speak this evening. No one came forward. The Supervisor closed the Public Hearing at 8:25 pm.

She now will take comments from the Board.

Councilman Polak stated that I know that this project is a worthy project. I work with the Scouts on their projects along the river and I know the impact that our Trail System has there. Opening that up, I see residents and people walking there, riding their bikes, taking their kids for a little stroll with their strollers. It really has opened up the river area and it's created quite a vision for our community. Part of our last Master Plan was to increase the town's vision and incorporate buildings and trails that would open up the waterways to the river.

I have a couple of concerns. One is for the agreement for the paving. I can see where they are going to be repaving Dunsbach Road regardless of the pressure mains being torn up from one end to the other from the construction and the weight of the construction vehicles. I just want to make sure that they take care of that road during construction and make sure that the residents can get in and out of their properties without a hazard. To re-top Canal Road, is it going to look pretty, yes it is. Is it going to enhance the riverfront? Is it going to do anything for the stability and integrity of the present road, no it's not? The resident's there have been brought up concerns

for the intersections at Dunsbach, Clamsteam and Beach. The Highway Superintendent and I made several trips there. The stop signs although they are going to be there, not many people are going to heed them. It is not going to do anything for the safety of those intersections. We asked them to take a better look at trying to get right angles at the end of Canal where it comes out onto Vischer Ferry. To make it a safer intersection the traffic that is going to be created with the project wasn't done and you're going to put up some stop signs.

The other thing is the density. From day one, I have got a lot of experience in projects in this community. I have been involved in Planning; I was 10 years on the Planning Board, and 23 years as a Town Board Member with the Planning Board. I see the density of 10 that was in our Master Plans. Did we ever want to reach 10? No, we didn't. Have we allowed it on some occasions? Yes, we did. But to increase and go beyond 10 and go to 11 is incomprehensible. I look at that 11 number and I look at the projects that are coming in on Stone Quarry Road, the ones on Exit 8, you are talking almost 800 units in those 2 projects. There are other areas that can be built out that will be coming after Linden Village. I look at the overall impacts on Crescent Vischer Ferry Road and on those intersections and the problems that people are going to have getting on and off the Northway. I have traveled that way all of my life, there are impacts there now. I really cannot depend on my State to help us and our community on our traffic problems. They are so dysfunctional and do not have the money and won't spend 10 cents to help us. We can't rely on them; it is up to us as a community to take the initiative and take a look at the impact. To allow a project with 11 units, you are not going to stop the other units from wanting 11, so on the big scheme, we are putting a bigger impact three than what we really need to. I love this project; I think that it is going to do a lot for our community, for the Southern tier of Saratoga County. I have seen this town grow; I have seen it and I have lived it. I am concerned about the future of this community and how it is going to grow. I do not want it to grow faster than it really needs to. I am very concerned about the density. I have asked and the Planning Board has asked from day one, can you cut that, and no, they did not want to cut it from 10 so they go to 11. Are they going to give us some extra things for that? Yes, they are. But, I am still concerned about the density and that is my overall item that I am against on this project...it's the density. I do not know how we control future density by allowing 11. That was a concern from the residents. I hadn't talked to them, but I am glad that they brought that forward tonight about the safety of those intersections, because they are a critical safety issue. They are not going to get better as time goes on.

I do have a question for Mrs. Murphy. Our Planning Board has suggested no more than 7 units. Can someone file an Article 78 against the Board if we go against the wishes of the Planning Board? I just want to make sure that we are protected.

Attorney Murphy said that anytime that a project is approved or disapproved; somebody can file an Article 78. Somebody always has the right to do that. When you have two Boards with differencing opinions, you do definitely enhance the probability that someone will, who is against the project, or for the project, depending on which way the Board votes, might file and use the other Board's decision as a basis for their filing, so yes.

Councilman Polak said thank you and in closing I just want to say that I think that the project is great, but I can't just buy into the density. And I just can't buy into the project need to make the project work. I think that it is more of a monetary greed than it is need.

Councilman Hotaling said that I have been attending meeting for 3 years prior to my 6 years as a Board member. John, did this project start at more than 244 units at one time?

John Montagne stated that as I said before, Chazen has been with this project for 3 years, but before us there were other proposals that were on the table, and the original density was over 380 units.

Councilman Hotaling asked how many buildings was that?

John Montagne stated that I am going to guess that there were 7 buildings and they were all right up along the river.

Supervisor Wormuth stated that from a Historical standpoint, some of them were 5 levels high and it was less acreage involved, because I don't think that at that point the applicant had purchased land from the Canal Corporation.

John Montagne said that there were many changes after that too as Mindy said that the additional property was purchased from the Canal Corporation and the second proposal was 280 units, so we have continuously come down and each time have done economic analysis on it to offset some of the costs.

Councilman Hotaling asked as you have started 3 years ago, the project, I know that when we did our Town Park, the costs just escalated, do you guys have a figure on how things have gone up in this amount of time

Attorney Murphy stated that as a Board we can't make a determination on approval or disapproval based on costs to the applicant. So while I understand that what you are asking now, I would caution you to not answer that, because you would not want someone to say that you made your decision based on that. I think that your point is made without getting an actual numerical determination.

Councilman Hotaling asked for the record, could just remind me who did your traffic study?

John Montagne said that the traffic study was done by two gentlemen who were former DOT personnel from this region. One was Commissioner of the area for the longest time, so those were the studies that were done. They were done by my firm employing those individuals and those traffic studies were then reviewed in detail by two different Clough Harbour engineers as the project went through.

Councilman Hotaling asked as far as the sewer line, you had made a comment that the town, actually that is the County's jurisdiction right?

John Montagne said that it was the County Sewer Department that we work with, yes.

Councilman Hotaling stated that you made a comment about the town and the sewer district, but it would be the County

John Montagne said that I must have misspoke, yes, absolutely.

Councilman Hotaling stated that they made the decisions of where the line went, what repairs, what upsizing and the things that had to be done?

John Montagne said yes, correct

Supervisor Wormuth asked John that maybe I did not hear it in your answer, but who actually did the traffic study, who was the company that did it?

John Montagne said that it was my company that did it

Supervisor Wormuth stated that Chazen did it

John Montagne said that yes with the 2 former DOT traffic engineers did it who worked for us, yes.

Supervisor Wormuth said thank you

Councilman Wasielewski said that first of all, I would like to take the time to thank the Planning Board, the Board Members who have been here before me and to the applicant, for all the years of effort that have gone into this project, but mostly to you who have come here tonight. Your input really is the glue that's going to make any decision, in my mind to have this goes forward. I don't think that there is probably, and I was not born in the middle of the road, Beach Road, but you can probably tell from my accent, I am sorry. There probably has never been a project in town that has been as analyzed as this one. Correct me if I am wrong, I think

that as a Board, we are the Gatekeepers as far as any future development. This project is certainly unique. Projects proposed in other places in town; don't carry the unique characteristics of this due to its mere location. I also hear your concerns about utilities throughout the town. In my mind that is a major impact of quality of life of many residents in many parts of town. It is not confined to the southern section corridor of Halfmoon. We have many other residents who are still in need of water, gas and sewer facilities. So once again, thanks for your attention to this from the Board members, to my fellow Board members, to the applicant, because a lot of work went into this, but most of all, to the residents. Thank you.

Councilman Hayner said I would also like to thank the Planning Board, the Town Board, the applicant and especial the public. As John just said, there probably has been more analyzing on this project. I have been on the Board for 4 years, a tremendous amount of looks into this project, every angle; traffic, roads, the park, the sewer, the natural gas. This project, in my mind has a vision for the waterfront that is unique. And though projects may come before the Board, each one needs to be taken into context, and I don't believe necessarily that a project that has been approved for a certain density sets precedence for the next one to be approved for the same thing.

There is a significant amount of private investment that is going into this area that will allow opportunities for people who live down that road if they so choose, to do things with their property. Therefore, I think that it is a tremendous project. I think that there has been an amazing amount of information that we've had to look through and take diligence and go through everything. Thank you.

Supervisor Wormuth stated that I would like to share some of my thoughts. I've been involved with this project since the very first meeting when the restaurant was still open. We sat down there and we walked the property and we looked at it and there were several different players involved in the project as it moved along. There were different companies with different visions. I certainly think that this is the best that I have seen as far as a layout and a development for the waterfront and allowing access to the waterfront is a key part of our Master Plan. However, I have always been concerned, and I have always shared my thoughts with the applicant about the density of the project. And while I don't think that approving one project at 11 units means that every other project gets approved that way, I am still concerned that the road infrastructure and the different things down there can't handle this type of density. So, while I think that it is a wonderful project, I wish that there was some way to see the density reduced and find a happy medium between the 7 units that the Planning Board recommended and the 11 units that the applicant is asking for, because I do think that it is a very unique project. I do think that it will bring a huge economic boost to our town, but, I am still concerned about the overall density.

Supervisor Wormuth stated that the Board has a couple of options at this point. We can have the applicant review the comments that were made this evening and decide if they want to proceed as presented, or make any changes, and we can bring this back before the Board at a future meeting. We can choose to vote on the PDD legislation this evening as presented.

RESOLUTION NO. 84

Offered by Councilman Hayner, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Hotaling, Wasielewski & Hayner Nays: Wormuth & Polak,

RESOLVED, that the Town Board approves the legislation for the Halfmoon Village & Yacht Club for the 244 units.

REPORTS OF BOARD MEMBERS AND TOWN ATTORNEY

Councilman Polak reported that our Household Waste Day/ Spring Cleanup is coming up. That will be starting next week on the 10th, 13th, and the 14th. And also on the 17th, 20th and 21st. The changes there are from the regular hours are Saturday from 8:00-3:00 pm.

The other item that I have is April 13th. It is going to be Yellow Ribbon Day in New York State. There is going to be a celebration at the Wilton Elks Lodge at 11:00 am. I would like a many people as possible to attend that, and you know our Hometown

Girl, Carol Hotaling, is the Yellow Ribbon Lady in New York State, so if we could support her, her cause, and remember our Troops, I would appreciate as many people as possible to attend.

Councilman Hotaling stated that he has a couple of things happening on April 28th. The Halfmoon Historical Society is going to be joining the History Fair in Ballston Spa with over 30 displays from local Historical Societies and other,s throughout the County. It will be held from 9:00-3:00 pm at the Co-operative Extension Building in Ballston Spa.

Halfmoon Baseball Season will start on April 28th at the Park. Festivities will be between 9:00 and noon for all those who would like to attend.

Councilman Wasielewski would like to note in the minutes the great efforts of our Animal Control Officer and the Code Enforcement folks with the removal of the 137 animals from the property in town. It was a very difficult situation that they handled very professionally.

Supervisor Wormuth reported that many of those animals are available for adoption at this time at our local Animal Shelter if anyone is interested. All of them will be spayed and neutered before they leave the shelter if anyone is interested in adopting a cat, there are a lot of them up at the shelter.

Councilman Hayner reported that the 6th Annual Crescent Canal Clean Sweep is on Saturday morning April 21st. We will meet at 10:00 am at the foot of the Crescent Bridge by Stewart's parking lot. That is where we get started picking up debris that is along the river. We would like to invite the public to come and join us. That day it actually is a great feeling when you leave there knowing that you made a difference along that trail.

The next Town of Halfmoon Ethics Committee will meet Thursday April 19th right here in the Town Board Room. It is always the third Thursday of the month at 7:00 pm.

I would like to remind people that Summer Rec. sign up is going on right now. The first one was on March 31st and on Tuesday's and Saturday's for the next couple of weeks: Tuesday April 3rd and Saturday April 14th, Tuesday April 17th and Saturday April 21st. The registrations are from 9:00 to noon on Saturday's and from 6:00 to 8:00 pm on Tuesday's. From what I understand, the first sign ups, we had over 300 kids register. That is a great turn out already. The Recreation Department is now on Facebook too, so if you get a chance, go on and like their page.

Supervisor Wormuth wanted to thank the Board and everyone from the public who was here this evening to go through this process with us. I know that it is longer than most of our meetings are, but I think that there was a healthy discussion and I think that this is going to be a great project that will affect our town in the long run. I think that it is important that we take the time to review these from an economic, growth, and infrastructure standpoints. So, I appreciate all of the hard work from the Town Board, the Planning Board, and the general public for helping us with this process.

PUBLIC PRIVILEGE (for discussion of agenda topics)

Deanna Stephenson – 7 Cindy Lane, tonight I just wanted to be a little preemptive, and I can see what is coming up on the agenda, so I am going to offer some comments, and the comment is on the agenda that Mr. Tanski is going to read a letter addressed to the Clifton Park-Halfmoon Library. I want to talk about it because I am named in the letter, unfortunately because Mr. Tanski has taken the, he certainly can have his opinion, but I believe it is in relation to the Future

Halfmoon, the development of the Future Halfmoon and why the Future Halfmoon is currently underway, who's founded Future Halfmoon and where we are meeting. This letter was sent to the Clifton Park Halfmoon Library, the Clifton Park Town Board, and to Halfmoon Board, as you all probably have a copy of it. If it is alright Mr. Tanski, I am just going to read it, are you OK with that? Mrs. Wormuth?

Supervisor Wormuth said that she was fine with that.

March 26, 2012

Clifton Park Halfmoon Library
475 Moe Road
Clifton Park, NY 12065
ATTN: Clifford Bueno, President

RECEIVED

APR 02 2012

TOWN OF HALFMOON
Office of the Supervisor

I am writing to express my concern regarding the use of the Library for political purposes. In recent weeks, a candidate for the position of Halfmoon Town Supervisor in the 2011 election cycle, held a meeting at the Library. From all press accounts and the impressions of several people that attended, this meeting was held to forward a political position. It is clear to many of the taxpayers within the Library District that the meeting was portrayed as the first in a series of similar meetings. Further, it is clear the meetings are being used as a recruitment vehicle for a particular political party.

As a life long resident and businessman within the boundaries of the Library District, I have always appreciated the opportunity to participate in discussions about the future of our community. In addition, I have always enjoyed the exchange of ideas that is traditionally part and parcel of these discussions. Over the decades, I have watched this area rapidly change to the wonderful community it is today.

It is for these reasons; I would never attempt to limit another residents' right to free speech as I have also actively participated in the process for many years. However, many taxpayers in the Library District are concerned that a publicly funded entity is being misused for political purposes. Allowing a series of meetings facilitated by a political candidate, to further a narrow political view in a publicly funded venue is inappropriate in our opinion. The Library has also recently

held an event with a panel of local leaders, including the Superintendent of Shen Schools and the President of the Chamber of Commerce. In our view, this was truly a community conversation, offering varying points of view in a panel discussion format. The Library has also held political debates during various election cycles. We also feel this is a proper use of a publicly funded venue and these two examples draw a stark contrast to the "recruitment show" Mrs. Stephenson was allowed to facilitate.

In conclusion, I strongly object to the Library being used for political purposes. If Mrs. Stephenson is allowed to continue these meetings, the Library will compromise its principles and reputation as a venue for non-partisan community discussions.

If you or a member of the Board of Trustees would like to discuss this subject, please contact me at 371-2907 or at my business address:

Clifton Court Apartments
3 Cemetery Road
Clifton Park, NY 12065

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce Tanski".

Bruce Tanski

Cc: Library Trustees

Deanna Stephenson said: let me just first comment that I am not a single person in this group. This Future Halfmoon, I will take political affiliation at the door. Councilman Wasielewski was there, I have had Town Councilwoman Regina Parker there at the last meeting, this is an open meeting. I don't know the political affiliations of the people that come. I am not running for office right now, we are not in an election cycle, we are a group of residents that are concerned about the over development of the Town of Halfmoon. There are two developments that are going on right now that are we are discussing. At the first meeting we had 61 people there, Mrs. Bryan was there, and everybody had a chance to comment. I would welcome you Mrs. Wormuth, I would welcome Mr. Hayner, any of you to come, Mr. Tanski, you are more than welcome to come to this. I had the Chamber of Commerce, Mr. Bardunias was there and we have had great healthy conversations. This is not anything to shut anybody down. I am not saying I am against development at all, this is not a ploy to advance my political career, and I am not a Politician. I just want what is right for this town and I have always said that. So, having said that, Mr. Tanski, I feel bad that you feel this way however, I will open the door to you, the rest of the group will open their door to you. If you want to have a healthy conversation, please join the group. Thank you.

Bob Radliff, 110 Werner Road, I have been to both meetings, and they are not political agendas. The thing that everybody shares in common is the desire to shape the future of Halfmoon, by having a voice in the development, by having an effect of what that looks like and feels like, is in the best interest of the people who live there. It is not a political agenda. What a better place to have a public forum than in a public Library? I know that when I look at my tax bill, I have a little line there that says that I have paid for a little piece of that. I am a taxpayer as well as most of the people who are there are property owners and taxpayers. That is why I came here.

Bruce Tanski – Clifton Park, this is just strictly my own opinion, that's all, that's how I feel. Thank you.

Bruce Reschert, 18 Willowbrook Terrace; I was writing a letter this week, I was going to submit it here and I am going to read it.

RECEIVED

APR 04 2012

TOWN OF HALFMOON
LYNDA A. BRYAN, TOWN CLERK

To: Mindy A. Wormuth, Town/County Supervisor

CC: Craig Hayner, Councilman

Walter F. Polak, Councilman

John Wasielewski, Councilman

Paul Hotaling, Councilman

I am a resident of Halfmoon. As you are well aware, there is a proposal to rezone an area that is currently zoned AR (Agricultural Residential) to a Residential Planned Development District. One of the 2 lots will comprise of 15 apartment buildings, each containing 11 units on 16.85 acres. The PDD, Anna's Place, is located on Werner Rd, a narrow winding road, is a beautiful tree lined street and hosts a large preschool. Unfortunately, this year there have been two accidents which involved school buses ~~Werner~~, and another accident a few miles away tragically took the life of a young adult. With the building of these apartments, one can reasonably extrapolate, the minimum addition of 165 - 330 vehicles traveling on Werner, and that there ~~may~~ be an increase of accidents. Accidents which, can involve children and may be deadly. The increased pedestrian traffic, along with vehicular traffic, in an area which was not planned or designed to accommodate this, does not benefit the community. The added stress will be felt on our quiet family neighborhood streets and on many other levels. The Shenendehowa School District is currently suffering from overcrowding issues. The potential of adding possibly hundreds of students to this school system, will decrease the quality of education which the current residents enjoy. Police and fire are other systems that will suffer.

This brings to the surface the structure and planning of Halfmoon as a town. Where we are and where we are going. There has been talk about how apartment complexes are the "new wave" of housing, just as condominiums and co-ops were in the late 1980's and 1990's. However, new data has shown that the demand for single family homes are up in the Albany area. All things are cyclical, and to embark on the expansion of transient population housing may not be in the best interest of the community. A town "Master Plan" was designed and passed several years ago to help plan for the benefit of its residents. Nobody knew then what growth Halfmoon would see. Vision and foresight is needed now more than ever, especially with the introduction

of Global Foundries. Apartment complexes are welcomed and would be well suited to be built in areas that are designed to handle the excesses. We are a growing town, but we need to define what type of town we want to be.

Looking at past PDD's, one thing I found disturbing, is how quick zoning laws are changed for developers who plead their cases before the Board. This may be because nobody has expressed their concerns and perhaps the elected officials are thinking ~~is~~ that since there has been no public outcry, that this process ~~has been~~ acceptable. I am informing you that many people are concerned and worried about the unchecked over development in established residential neighborhoods. Not only is safety a concern, but also the quality of life. The increase in noise pollution, traffic, and the deforestation of the land leading to depopulation of wildlife that the residents enjoy.

The Halfmoon community is made up of hard working families who take pride in their home and town. We welcome future residents to enjoy our town as we do. However, we need to smartly plan, as do many towns in the area, and adopt strategies that compel developers to conform to the desires of the ideals of the residents on how we want our town to look, function and feel.

The appearances of some board members having close relationships with developers can give the uncomfortable perception of political favors being extended to these developers. The influence, and or the appearance, ~~of the influence~~ that some developers hold, has given pause to the constituents if whether the official(s) have acted with their best interest at heart. In discussion with residents, I found that some were surprised or shocked to hear the proposals that are on the table. I see an upsurge in interest as to what is happening in our town. It would behoove the members to see the larger picture and avoid "pop up PDDs" until further research and planning. This research can be time consuming and expensive, but it needs to be done, and done perhaps from a firm that has no ties to the area to avoid the perception and realism of cronyism.

In closing, I offer a strong argument against the development of Anna's Place. There is no benefit to the community, only hardship. I believe there is an urgent need to undertake the development of a new town plan. The existing one is outdated, which has lead to much confusion and frustration. Please keep in mind, that there are three paths that the board can choose for this town: elevate to a higher quality, stagnate or depress. The residents want to elevate and preserve the quality of life of our town and we pray that the board feels the same.

 4/4/12
Bruce Rischert

Attorney Murphy asked Mr. Rischert if he would like to hand in the letter so we can have it for the record.

Supervisor Wormuth stated that again, this is Public Privilege for agenda topics. I realize that the Anna's Place was not on the agenda, but I did not want to interrupt the gentleman during his letter.

DEPARTMENT REPORTS – Month of January

1. **Building – Total # of Permits 43 Total fees Submitted Supervisor \$12,049.00**
2. **Fire Code - Total # of Permits 16 Total fees Submitted Supervisor \$733.00**

DEPARTMENT REPORTS – Month of February

1. **Building – Total # of Permits 33 Total fees Submitted Supervisor \$8,429.00**
2. **Fire Code - Total # of Permits 10 Total fees Submitted Supervisor \$455.00**

DEPARTMENT REPORTS – Month of March

1. **Town Justice Tollisen
Total # of Cases – 329 Total fees submitted to Supervisor \$32,426.00**
2. **Town Justice Wormuth
Total # of Cases – 364 Total fees submitted to Supervisor \$40,035.00**
3. **Senior Express Dispatch
Total # of Riders – 272 Total # of Meals - 324**
4. **Building – Total # of Permits 61 Total fees Submitted to Supervisor \$24,699.36**
5. **Fire Code - Total # of Permits 15 Total fees Submitted to Supervisor \$874.00**
6. **Town Clerk – Total fees Submitted to Supervisor \$6,310.11**

CORRESPONDENCE

1. **RECEIVED**, from the Town Planning Board Resolutions approving the following: Change of Tenant for Fuccillo Ventures to move to Manheim Auto Auctions, 459 Route 146 and for Albany Medical College to move to Parkford Square 2, 453 Route 146, Change of Tenant and Sign for Pet Perfection at 429 Route 146, a Sign application at Parkford Square 2, 453 Route 146, and a Change of Use at Walmart, 1549 Route 9.

Received & Filed

2. **RECEIVED**, from the Boni PDD, a request to set a Public Hearing for April 18, 2012 at 7:00 pm

RESOLUTION NO. 85

Offered by Councilman Hotaling, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves holding a Public Hearing for the Boni PDD on April 18, 2012 at 7:00 pm.

3. **RECEIVED**, from Bill Murtha, a concerned resident, a letter about the Anna's Place PDD

Received, Filed & Coy to the Board

4. **RECEIVED**, from US Army Corps of Engineers, a copy of a letter to Kathleen Geleta stating their review of the Proposed Site Layout Plan for 212 Farm to Market Road.

Received & Filed

5. **RECEIVED**, from the Town of Halfmoon the Annual Financial Report for fiscal year ending December 31, 2011.

Received & Filed

6. **RECEIVED**, from NYS Department of Health, the Halfmoon Water District – 2102 Sanitary Survey

Received, Filed & Forwarded to the Water Depoartment

7. **RECEIVED**, from the Highway Superintendent, a letter stating that the Highway Department will be switching to their summer schedule on March 24th. They will be open Monday – Thursday 6 am – 4 pm. There is a Skelton crew on Friday from 6 am – 4 pm.

Received & Filed & Lisa would you please make sure the Summer hours are posted on the website.

8. **RECEIVED**, from Bruce Tanski, a letter copied to the Supervisor's Office, addressed to the Clifton Park-Halfmoon Library that he would like read into the public record.

Received & Filed The letter was read by Mrs. Stephenson previously in the meeting.

NEW BUSINESS

RESOLUTION NO. 86

Offered by Councilman Polak, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, & Hayner Nays: Wasielewski

RESOLVED, that the Town Board approves and order paid all vouchers for all funds listed on Abstract dated April 4, 2012 totaling \$824,208.66.

RESOLUTION NO. 87

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves the minutes of Town Board meeting of March 21, 2012 as presented.

RESOLUTION NO. 88

Offered by Councilman Wasielewski, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes letting bids for Water Meters, American Made Brass Fittings & Mueller Brass for the Water Department proposed to be opened April 18, 2012 at 7:00 pm.

Supervisor Wormuth stated that the bids will be opened at 7:00 pm or as soon as the agenda allows

RESOLUTION NO. 89

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves April 2012 Water Report for water usage as submitted by the Director of Water.

RESOLUTION NO. 90

Offered by Councilman Hayner, seconded by Councilman Polak: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes increasing the Recreation department petty cash fund to \$500.00 to offset amount necessary for last minute adjustments and authorize

the finance office to cut checks in advance for children who have signed up for trips in the Summer Recreation program to facilitate payment to the trip site, effective May 1st.

RESOLUTION NO. 91

Offered by Councilman Hayner, seconded by Councilman Wasielewski: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes the Supervisor to enter into a contract with Environmental Capital for financial advisory services related to the refinancing of the 2002 Water District Serial Bonds and the 2005 Public Improvement Serial Bonds, with the advice and consent of the Town Attorney.

Whereas, the interest rates in the bond market have fallen significantly over the last several months and years, and

Whereas, the 2002 Water District Serial Bonds and the 2005 Public Improvement Serial Bonds have interest rates greater than current bond market rates, and

Whereas, Environmental Capital provides financial advisory services to public entities, and

Whereas, Environmental Capital has prepared an analysis and financing strategy with regard to the 2002 and 2005 Serial Bonds that project anticipated savings to the Town to refinance these Bonds,

Therefore Be It Resolved, that the Town enter into a contract with Environmental Capital for financial advisory services related to the refinancing of the Water District Serial Bonds and the 2005 Public Improvement Serial Bonds, and

Be It Further Resolved that the Town Supervisor shall be and hereby is authorized to execute the agreement on the part of the Town, and that the Town Supervisor is hereby authorized to perform all necessary actions related to this agreement and the refinancing of the Bonds with the advice and consent of the Town Attorney.

RESOLUTION NO. 92

Offered by Councilman Polak, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, the Town Board authorizes the Supervisor to amend the agreement with Patricia Temple for accounting services related to the Annual Report in the increased amount of \$875 and to authorize the Supervisor to execute any documentation to effectuate this change.

RESOLUTION NO. 93

Offered by Councilman Hayner, seconded by Councilman Hotaling: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes a permanent right of way and easement for the installation, maintenance, inspection, repair, relining, removal, replacement, improvement, use and operation of a sanitary sewer line and force main over all that certain tract, piece or parcel of land informally referred to as the "Woodin Road Baseball Fields Access" and authorize the Supervisor to execute any necessary Documents.

RESOLUTION NO. 94

Offered by Councilman Hotaling, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board approves the Supervisor's Report for the months of January and February 2012.

RESOLUTION NO. 95

Offered by Councilman Polak, seconded by Councilman Hayner: Approved by the vote of the Board: Ayes: Wormuth, Polak, Hotaling, Wasielewski & Hayner

RESOLVED, that the Town Board authorizes the Supervisor to make the Transfer between Appropriations and Creation of Appropriations.

A creation of appropriations is necessary to create the project budgetary accounts for the Town Clerk Inactive Records Management. The Town of Halfmoon will purge, organize and index the Town Clerk's inactive records stored in the Justice Building. New storage boxes and shelving are also included in the project. The total project is \$12,407 of which the total \$12,407 is a grant from the LGRMIF Program.

Debit: Estimated Revenues: 10-510 - \$12,407

Subsidiary: 10-4-3089 - Other General Government State Aid - \$12,407;

Credit-Appropriations: 10-960 - \$12,407;

Subsidiary: 10-5-1410.40 - Town Clerk Contractual Expenses - \$12,407

Transfers between Appropriations:

| From Account | To Account | Amount | Reason |
|--|---|---------------|---|
| 30-5-8330.42 Purification Chemicals Water Fund | 30-5-8310.42 Legal Contractual Water Fund | \$30,000.00 | Transfer of funds to cover legal costs associated with the EPA/GE dredging settlement case. |

PUBLIC PRIVILEGE (for discussion of non-agenda items)

There being no further business to discuss or resolve, on a motion by Councilman Hotaling and seconded by Councilman Polak, the meeting was adjourned at 9:20 pm.

Respectfully Submitted,

**Lynda A. Bryan
Town Clerk**