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Town of Halfmoon Planning Board Minutes June 9, 2025

Those present at the June 9, 2025, Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
Tom Koval
Rich Berkowitz - Absent
Thomas Werner
Charlie Lucia
Laurie Barton

Planning Board Alternates:

Alison Pingelski
Joe Landy

Coordinator- Building, Planning and Development:

Richard Harris

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

The Chairman opened The Planning Board Meeting at 7:00 pm

Don Roberts: Good evening, I would like to call the Planning Board meeting to order. Have the Board members had a chance to review the minutes from the last meeting?

Tom Koval: I make a motion to approve.

Laurie Barton: I'll second it

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

1572 Rt 9 Branch Bank, 1572 Rt 9 – Site Plan & Special Use Permit (drive-thru) (24.152 & 24.158)

Joe Dannible: Good evening I'm Joe Dannible with Environmental Design Partnership here on behalf of Belmonte Builders. I'm here tonight with the owner and applicant Peter Belmonte and their application for a site plan review and a special use permit at 1572 Route 9. We are proposing a Branch Bank with 2 drive through lanes pass through lanes connection to public sewer, public water onsite. Stormwater management, parking for 20 cars. Circulation that accommodates emergency access apparatus around the site, in and out. This application has been in front of the Board for quite a while and we actually just in the end of May were able to obtain the NYS DEC Wetland adjacent area permit which was holding up this project for a while. We had a lot of back and forth with DEC. Dealing with their new regulations and some of their new permitting process, but we were able to successfully acquire that permit which has been since been sent to the Town. We are here tonight for a public hearing on this property keeping it pretty brief because I know this project been in front of the Board a multitude of times over the past year and a half or so, so. Certainly, if there's any questions from the Board, we are here to answer them. We are looking to move this application forward with a SEQR determination and final site plan approval tonight. Again, so any questions we'll be able to answer them. Thank you.

Don Roberts: Okay, thank you Joe. At this time, we will open a public hearing anyone from the public wish to speak? (no comments) again anyone from the public wish to speak? (no comments) Anyone online wish to speak, no? Okay we'll close the public hearing. Comments by the Board members.

Marcel Nadeau: Question for Lyn there was a portion of the property that needed to be attached to it you had concern a while back ?

Lyn Murphy: That was Chelsea, that's a different project

Marcel Nadeau: Okay, alright thank you

Tom Koval: I'll make a motion for a negative declaration on SEQR

Marcel Nadeau: I'll second it.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried

Tom Koval: I'll make a motion to approve the site plan, the special use permit with the condition regarding final engineering review due to DEC.

Marcel Nadeau: I will second it.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried

Joe Dannible: what was that condition final engineering review?

Don Roberts: Final engineering review

Joe Dannible: Okay so just engineering review and DEC

Don Roberts: We're just gonna cover ourselves

Joe Dannible: Okay thank you

Don Roberts: You're welcome.

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***1572 Rt 9 Branch Bank – Site Plan & Special Use Permit (drive-thru)
PUBLIC HEARING HELD & APPROVED. The Board held a Public Hearing and
approved the request to construct a 2,600 SF bank and drive-thru.***

New Business:

Reimer Heating, Cooling & Plumbing, 10 Corporate Dr – Change of Use/Tenant (25.069)

Chris Bouchard: Good evening, ladies and gentlemen, I'm Chris Bouchard. I'm the General Manager at Reimer Home Services, you'll have to excuse me, this is my first Board meeting so I'm not intimately familiar with the procedure.

Don Roberts: Very easy, just tell us what you want to do.

Chris Bouchard: Yea of course, so we are a residential home services business, so plumbing, heating, cooling and electrical. We'll be moving into 10 Corporate Drive. The business owners of D&G Electric are still the owners of the building so we will be renting from them.

Don Roberts: How many employees?

Chris Bouchard: We have 42 employee's total

Don Roberts: Parking is alright Rich?

Richard Harris: Yea they clarified that they have 30 trucks I believe the company has acquired. I know our fire inspector has been over there a couple of times he noticed a lot more trucks than he thought would be there for the business. You've just got to make sure you guys' park on this site and not neighboring sites. They observed trucks not on this site so just make sure they stay on the property you're renting. There should be enough parking because you don't see customers there.

Chris Bouchard: Correct

Richard Harris: But you are right about to your limit between employees and trucks, I just want to reiterate for the record, you said there is usually only 6 or so vehicles overnight?

Chris Bouchard: Yes sir.

Richard Harris: So, then I guess employees take the other 24 home?

Chris Bouchard: Correct, yes, those 6 would only be vans that aren't currently used by technicians, everyone takes their vans home, and we stagger shifts in the morning to try to alleviate any congestion.

Tom Koval: Are you storing any other company equipment onsite, trailers, that type of thing so in those parking spots besides vehicles do you also have trailers and equipment?

Chris Bouchard: We have one dump truck, one trailer with an excavator on the trailer and there's plenty of room in the back behind the building that is still within our lot where we keep the trailer, and we've also designed the warehouse to be really open so that we can pull the dump trailer and excavator into the warehouse if needed.

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Tom Koval: Is there currently excess vehicles that are going to be going away as you said you bought out several other companies, are you weeding those vehicles out of it?

Chris Bouchard: Yes, sir they are pretty old we will probably get rid of them pretty soon.

Richard Harris: What about signage, are you going to plan a sign at some point? You'll have to come back to the Board.

Chris Bouchard: Yes, sir we are currently working with AJ Signs, Carly at AJ Signs she seems pretty familiar with the whole process.

Richard Harris: You might have told me that I asked a few people that by email on the agenda tonight so if you sent me that info, I want to get my memory back.

Chris Bouchard: So that will be a separate submission, separate Board meeting, all of that stuff okay.

Richard Harris: Yea they know AJ Signs knows

Marcel Nadeau: Is there any storage of the used equipment that you're recycling or anything like that?

Chris Bouchard: The only thing that might fall under that category is our training room, that's inside the warehouse. There will be a few pieces of equipment there inside.

Tom Koval: Inside not outside?

Chris Bouchard: Correct nothing is stored outside

Tom Koval: Do you have a large 30-yard boxes for the used furnaces and stuff you pull out?

Chris Bouchard: Yes

Tom Koval: Are they taking up parking spots?

Chris Bouchard: It's in the corner of the lot and I don't think it's technically a painted parking spot that it's taking up.

Tom Koval: One dumpster?

Chris Bouchard: One dumpster

Richard Harris: Is it right here up on that, is it right in that area?

Chris Bouchard: Yes, yes

Don Roberts: Anyone else?

Charlie Lucia: So, my only thought is, is that do you anticipate the need for more dumpsters, as I, looking at the overhead there, there is if you take that area that you have and are using and we already know that the thirty parking spots are tight, my dad was in business. You try to accommodate but that infringes on what we agreed upon.

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Chris Bouchard: The only thing I can see there Sir is a need for a scrap metal dumpster specifically, but we have a pretty good system where we take equipment out of homes and we bring it back the next day, we bring it to the scrap yard, so I don't foresee that.

Charlie Lucia: Alright, thank you.

Tom Koval: Just so you are aware the Town does have ordinance on Conex boxes, shipping containers so a lot of companies when they start out growing their warehouse drop a shipping container, it's not gonna fly.

Chris Bouchard: Okay

Richard Harris: You have to come back to the Board for site plan approval. We have a specific ordinance in Halfmoon regarding Conex boxes, shipping containers. It's something we chase around Town quite a bit.

Chris Bouchard: Yea good to know thank you.

Tom Koval: Although you're the competition I make a motion to approve the change of tenant

Chris Bouchard: I appreciate that.

Charlie Lucia: I'll second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, good luck.

Chris Bouchard: Alright thank you.

***Reimer Heating, Cooling & Plumbing, 10 Corporate Dr – Change of Use/Tenant (25.069)
APPROVED. The Board approved the use of the 12,000 SF building for a heating, cooling
and plumbing business.***

**Nice to Be Kneaded by Body Boutique, 1472 Rt 9 (Crescent Commons) – Change of Use/Tenant & Sign
(25.075 & 25.076)**

Don Roberts: Lyn is off of this one

Stephanie Golinski: Hello. I'm Stephanie Golinski, this is Adam Atkinson. We are the owners of Nice to be Kneaded Body Boutique. I am a massage therapist. We will be running Monday through Sunday from like 9:00 to 8:00. We will be hiring an esthetician and a cosmetologist eventually. We are looking for two parking spots.

Donald Roberts: Okay, Questions by the Board?

Richard Harris: They also have a sign application in. I just want to point out to you guys that I have up here we have the packets

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Donald Roberts: Just going to fill in what's there, right?

Richard Harris: Yeah. This would be a new sign on the building (inaudible)

Donald Roberts: So, it's all allowed, so, yup. Okay Good.

Richard Harris: Yeah.

Donald Roberts: So, we'll do the use first and then the sign second alright?

Richard Harris: Sure.

Laurie Barton: I make a motion approve the Change of Use of Tenant.

Joe Landy: I'll second.

Donald Roberts: All in favor aye (all were in favor). Opposed (none opposed). Motion carried.

Laurie Barton: I make a motion to approve the sign.

Joe Landy: Second.

Donald Roberts: All in favor aye (all were in favor). Opposed (non opposed). Motion carried. You're going to advertise you're in Halfmoon, right?

Stephanie Golinski: Pardon.

Donald Roberts: You're going to advertise you're in Halfmoon.

Stephanie Golinski: Yes.

Donald Roberts: Thank you.

Richard Harris: Don't worry, the property owner will make sure of that.

Donald Roberts: You're all set. Good Luck.

Stephanie Golinski: Thank you

Nice to Be Kneaded by Body Boutique (Crescent Commons) – Change of Use/Tenant & Sign APPROVED. The Board approved the use of approx. 400 SF in the existing building at Crescent Commons for a massage and aesthetic services business, along with two business signs.

Legacy Structures, 4 Jones Rd – Change of Use/Tenant (25.046)

Donald Roberts: And Tom Koval's off this one. Alison, Alison. We need you again. Because Tom's off of this one, so.

Richard Harris: Tom. You're off this one too.

Stephen Kanagy: Hello, I'm Stephen Kanagy owner of Legacy Structures. I'm hoping to put half a dozen six, seven units of tiny houses, frames, buildings right along the road there. I believe my Engineer, Brendon Becker, is on-line as well if you guys have any questions regarding engineering.

Donald Roberts: Well, I guess I'll start out, but, I mean, so, how big are these buildings?

Stephen Kanagy: So, what I have there is a 12x24 with 14x30 being the biggest one, so, we're flexible. We can change sizes and whatnot.

Donald Roberts: I know you want to be visible, but you're not going to clearcut right in front there right I mean its gonna be ...

Stephen Kanagy: So, there is a little berm or bank there. I was hoping to level that, put some stone in there. Clearing brush so we can be seen from the road, was my hope to do.

Donald Roberts: Okay. Well, maybe a little landscaping there to make it

Richard Harris: Yeah. It's where, if they were doing a wholesale grading or construction, typically we would require an engineer's site plan. I thought this was good enough to with the Change of Use Tenant. It's kind of your call. I don't know how much detail you want to have about, because they mentioned they're going to clear a little bit of the brush, but

Donald Roberts: That's what I'm concerned about. We don't want it cleared, a clearcut.

Richard Harris: How do you want to resolve that? Some type of rendering drawing at what you're going to see from Crescent Vischer Ferry? An elevation drawing (inaudible) something that Lansing does where it's

Donald Roberts: I mean, am I the only one concerned about this or is any...

Marcel Nadeau: And what we did there at Crescent Commons we made them do a lot of landscaping.

Laurie Barton: Yeah.

Richard Harris: Oh, for Garden Time?

All: Right.

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Richard Harris: Yeah. Just south of Crescent Commons. Yeah. We would want to see something a little more

Donald Roberts: I mean, I don't want to have them spend more money here, but I just want to know.

Richard Harris: Right.

Marcel Nadeau: Make it look attractive.

Marcel Nadeau:

Lyn Murphy: (Inaudible)

Richard Harris: Yeah. I think Don, I'd be comfortable with engineer (inaudible)take a look at something they submit. I don't think we need a detailed

Donald Roberts: No. No.

Richard Harris: Landscaping plan. But something that shows what it's going to look like from Crescent Vischer Ferry. I can work with you on that.

Donald Roberts: But we can give a conditional like Lyn says in the meantime.

Richard Harris: Yeah. Condition, I think upon Town Engineer, Chairman review of proposed from Crescent Vischer Ferry.

Donald Roberts: Another question. There's no on-site office? Are you going to use one of the houses for an office or what are you going to do?

Stephen Kanagy: Yes. So, it only going to be by appointment. So, I'm just going to use one of the offices if I meet somebody there, or one of the buildings that has an office when I meet somebody there.

Donald Roberts: Right. Any other questions?

Charlie Lucia: Yeah, and how are these units brought in?

Stephen Kanagy: Pickup truck.

Charlie Lucia: Because you said 15x30.

Stephen Kanagy: 14x30. Yeah, so pickup truck. Usually an F350's with trailer that can extend to accommodate the length of whatever the building may be.

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Charlia Lucia: I mean, in your narrative you've got a minimum of six. What's the total you're going to have?

Stephen Kanagy: As many as I can. So, seven for now, yeah.

Donald Roberts: We've got to have a limit.

Richard Harris: Yeah. We've got to have a number.

Charlie Lucia: Ok. So, a minimum of 6, no more than 7?

Stephen Kanagy: That's fine.

Donald Roberts: That's a good leeway, yeah.

Richard Harris: No more than 7 is probably enough.

Charlie Lucia: We know what we've seen before.

Tom Werner: What about the view from the homes over on Jones Road. Will anything significantly change from what they're going currently

Richard Harris: No. It's pretty level, right? I think it's pretty clear right there?

Stephen Kanagy: Yes.

Richard Harris: Yeah, so we're going to need, whoever did this, if we can get some type of visual from Crescent Vischer Ferry.

Stephen Kanagy: Okay

Richard Harris: Of what you're going to clear. If it's everything, send us that.

Stephen Kanagy: Okay

Richard Harris: If it's selective, we might require some landscaping, low lying so that you can still so that you can still see your structure.

Stephen Kanagy: Sure.

Richard Harris: Board, correct me if I'm wrong. Kind of what we did with Garden Times.

Stephen Kanage: Yeah.

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Richard Harris: Low lying landscaping that kind of balances the need to see the structures with. I assume that's going to be in the backside of the structures.

Stephen Kanagy: So, I can, we make them different styles, designs. So, I was doing something that looks nice from the road.

Richard Harris: Okay

Donald Roberts: Anyone else?

Laurie Barton: I make a motion to approve the Change of Use Tenant with the condition that you provide the road view.

Stephen Kanagy: Okay

Laurie Barton: To show what landscaping you're removing and then it gets approved by the Engineer and the Planning Department.

Stephen Kanagy: Okay

Charlie Lucia: I'll second it.

Donald Roberts: All in favor aye (all were in favor). Opposed (none opposed). Motion carried.

Stephen Kanagy: Thank you.

Donald Roberts: Good luck. Thank you. Thank you, Alison.

Charlie Lucia: No more than 7 yeah.

Richard Harris: Oh yeah. The maximum was 7

Donald Roberts: We got it.

Laurie Barton: I amend my motion to include a maximum of 7 tiny homes on the property.

Donald Roberts: Okay Anybody have a second?

Charlie Lucia: I'll second it.

Donald Roberts: Charlie will second it. All in favor aye (all were in favor). Opposed (none opposed). Motion carried. Now he's all set.

Legacy Structures– Change of Use/Tenant

APPROVED. The Board approved the use of a portion of the parking lot for the display and sale of up to seven (7) tiny homes, with conditions relating to approval of a landscaping plan and the maximum number of structures.

DCG Development Building Amendment, 247 Grooms Rd – Site Plan (25.077)

Joe Dannible: Ok. Good evening. Joe Dannible with the Environmental Design Partnership. Here on behalf of DCG Development and our application for an amended site plan on Grooms Road. Here tonight with Donald Macelroy of DCG Development. The Board is, once again, very familiar with this project. We received a final site plan approval in December of this year. Sorry, December of last year. At which time we went through some of the, the final engineering details and we, if everyone recalls, along the northside or the rear of the property, had 17 parking spaces and a rather large retaining wall about 10-12' in height running along the entire rear of the property. This is the previously approved site plan. We looked at it from a value standpoint. Also, from an impervious area standpoint. We came up with a new option where we could take the driveway that goes around the rear of the building, drop that down, provide parking underneath the building, eliminate those parking spaces, those 17 parking spaces in the back, putting parking underneath the building eliminating the retaining wall. Adding a small retention area in that pond. And what that does is, I think when we were going through our site plan review, we were asked to eliminate 22 spaces along the front of the property immediately adjacent to Grooms Road which we did, and it brought our parking count from 123 spaces down to 101 spaces. With this revision that we're looking at, we are able to get our parking number back up to the 120 to 130 range with what we're looking at, depending on exactly how many parking spaces we're able to fit in that basement. We've been able to reduce impervious surface. Again, add a small storm pond in the back where we still accommodate full fire apparatus access around the building. It's a very di minimis change on the project itself to allow this to happen. That's why we're coming back for a minor amendment to the project.

Donald Roberts: That's it?

Joe Dannible: That's it.

Donald Roberts: And first of all, we got to refer it to Town Engineer, MJ for review, Fire Department for review and a Saratoga County Planning Board for review. Okay, any other comments by the Board?

Tom Werner: How many feet, roughly, from Route 9 is your driveway going to be? Because there's often cars que up there and we've got the dinner and the

Joe Dannible: So, I don't recall off the top of my head. I know we, during the original site plan review, did quite an extensive traffic analysis that was provided and ultimately received a neg deck for its location. Because we're also immediately opposite Ponderosa Drive on the Southern side and looking at the site distance evaluation, that would be optimal location for a curb cut to be provided. I think when we did look at

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the traffic study, there were instances, very rare instances where the traffic backed up that far, but this is the driveway location and that was part of the original approval. We have not changed that.

Tom Werner: It can get congested in that area at times.

Marcel Nadeau: Well, it is congested.

Joe Dannible: Again, the Board did give us a negative determination SEQR neg dec with the previous project and all the same perimeters that this Board voted that we would not have any significant impact or identical to what is, we are proposing now with amendment. So, nothing has changed from that approval other than what's going on behind the building.

Richard Harris: Tom, if you look up on there, here is the Route 9 intersection.

Tom Werner: Yup.

Richard Harris: To the right on the screen and then this area, this is Ponderosa. So, the driveways right proposed per cut, right there.

Tom Werner: I recall that now, yeah.

Richard Harris: Okay

Charlie Lucia: Joe, is that parking like mostly for employees or just any people using the building?

Joe Dannible: It's probably going to be for employees. We don't have any users. We're building this building on spec. Medical offices are allowed here. Many times, when there is medical uses the doctors and nurses will be utilizing that parking. But it could be for patrons, again, depending upon whatever use is. If it's, one user or it's set up right now for a multi-user building. It's just going to be dependent on the uses.

Charlie Lucia: Okay, Thank you.

Joe Dannible: Is that referral going to the County?

Richard Harris: No.

Joe Dannible: Okay So, we won't be on for June, it'll be July?

Richard Harris: Correct. It would be in July.

Joe Dannible: Alright.

Donald Roberts: Well, if there's no other questions, we'll review it and get back to you.

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Joe Dannible: Ok. Thank you. Have a great night.

Don Roberts: You too.

***DCG Development Building Amendment– Site Plan
TABLED & REFERRED TO AGENCIES. The Board received a presentation to amend a
previously-approved Site Plan for a 20,000 Office building, and referred it to several
agencies for review***

Y & H Used Auto Sales & Service , 196 Guideboard Rd – Site Plan (25.071)

Dan Kaufman: Hello, my name is Dan Kaufman. I'm with Cobble Court Engineering and I'm representing also the owner of them. The new owner of the parcels is also here to answer any questions. We're proposing a used car dealership. We are, as Richard stated before, there are....this is a busy intersection but with the traffic, we plan on proposing, we're not going to be proposing a lot of, a whole lot of traffic at the intersection and, of course, it's already going to get around about so unless we were hoping not to have to do our own traffic study, per se. But that's, of course, the determination of, per the Town's requirements. So, we're looking at the two intersections are going to be far away from the possible round about there is going to be. We recently got permission from the DEC that there are no wetlands on site. So, there's not going to be any impact from that. But at the same time, we want to be able to display as many cars as possible. So, but we are going to, the owner is going to be careful and wants to take good care of the site and since this is a well seen corner of the community and he wants to be a good corporate owner of, for the community. So, we are, at the same time, I mean, you've got the site right next door to who got in trouble with the Army Corp and that's something we never want to get in trouble with. So, we are definitely aware of that there are challenges and that we want to be good members of the community and so we are proposing a new building, of course, right there in the corner. It's going to have five repair bays so they can repair cars, maybe do some small detailing. Washing of cars will be done, all environmentally safe. Usually, on the outside if we have to wash cars, if anything, this is that it can be. We'll be per all Town standards and all State standards. So, if there is any ever, we're not planning on doing anything that's going to be any kind of environmental challenge to the community, of course. But at the same time, we wanted to be able to maintain, be able to repair a number of cars. So, we're planning on only having, planning the business to be seven days a week, but just 8:00-5:00. So, it's still not going to be, not going to be like a large impact of traffic. Only five to seven businesspeople. And it'll probably only be to sell. I mean you were looking at how many cars you usually sell a month, sell a week in a site like this. Yeah, so not likely

Donald Roberts: So, how many, how many?

Dan Kaufman: 20-30 cars a month So, we're not talking about a large. Of course, we'd love to be able to do that. But yes. Yes, of course, my wife is a _we all want to be able to shop for cars but at the same time, we all understand the challenges of, this site's only an acre and a quarter and there is possibly some land that's going to be taken up by the roundabout that's still to be determined, of course. Our lighting wise, we don't want to have any kind of lighting that's going to blind anybody who drives around there, but we do want to be able to, to be able to light up some areas that are going to be so we can have some work done in

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early in the mornings and somewhat in that kind of respect. But the lighting's not going to infringe on, or anywhere. We don't want to put any of glare on. Any kind

Donald Roberts: So, it'll be shining down.

Dan Kaufman: Correct. Yes, yes.

Donald Roberts: Okay, now, first of all we've got to refer this to our Town Engineer for a review.

Dan Kaufman: Oh, yes.

Donald Roberts: The Fire Department for review, County Planning Board for review and, as we said before, we want to work together with you and try to make this as an attractive site as possible because it's a very visible piece of land.

Dan Kaufman: Yes, yeah., right. I'm aware that also this is a DOT highway and a county highway so there are a significant amount of permits that will have to be obtained for this project to get done but, of course, we want to do it in a timely manner.

Donald Roberts: Now, I know you knocked down the white house that was on the corner. Now, is the red brick house, is that on your property also, or no?

Dan Kaufman: No.

Donald Roberts: It's not. Oh. Okay

Richard Harris: They purchased two parcels, correct, right. The one in the corner and then the one down, the larger one to the south.

Charlie Lucia: There's still a little house in between there. It's still there. It's up for sale.

Richard Harris: Oh, you're talking about over here?

Charlie Lucia: Yeah.

Richard Harris: Oh, over here. This is part of Army Corps enforcement action.

Dan Kaufman: Yes. That's what I was talking about.

Richard Harris: Yeah. He mentioned that earlier. I've had a lot of inquiries on that but unfortunately, it's tied up in an Army Corps investigation of enforcement action basically.

Charlie Lucia: So, just to clarify, you're talking 78 cars for sale?

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Dan Kaufman: At the moment, yes. But that's, I understand that depending on....78 to 79 car spaces. Because we want to keep the impact to a reasonable, we don't want to have to go, now that DEC has allowed us, that there's no wetlands in sight, we don't require any kind of wetland permit. At the same time, we are aware that there's going to have to be some kind of detention. Some kind of, and different kinds of, to collect all the stormwater and making sure that there's nothing stormwater that's going to flow onto any other sites.

Charlie Lucia: So, how are the cars being brought in? By car carrier?

Dan Kaufman: Yes, yea a reasonable carrier is

Charlie Lucia: Inside the lot will accommodate that?

Dan Kaufman: Yes. Well actually, the driveway

Tom Koval: Now that traffic flow won't.

Dan Kaufman: The driveway there, the main driveways are 24' wide and then we'll just have like one-way driveways so we can, so that there won't be any traffic on the inside of the site.

Tom Koval: Right, but a car carrier's not going to come in to either one of those entrances and be able to turn around in that back corner building.

Dan Kaufman: Right.

Tom Koval: So, what'll happen is

Dan Kaufman: It would not be a big car carrier that would bring anything in.

Tom Koval: If you get a big one, they're going to try backing in, even one of the three car ones. It's going to try and back in and block both of those. Either one of those intersections.

Dan Kaufman: Oh, yeah. But, yeah, right.

Tom Koval: So, that's not acceptable, we just went through this with

Don Roberts: Yup. That's not the plan. Right. We would be one or two cars at a time just local.

Tom Koval: Ok. So, that being said, this is gone from being a car lot to now being an auto repair facility from what you're telling me.

Dan Kaufman: I'm sorry Tom, keep going, keep talking.

Tom Koval: So, now we're going to have cars also being parked in semi stages of dis- repair. That's not the look we're going for on that corner.

Dan Kaufman: Okay

Tom Koval: So, to have an auto repair facility with five bays, is guaranteed there's going to be some broken-down cars there. Not just cars for sale. You have some spots in the back.

Dan Kaufman: Yes.

Tom Koval: To hide them? But I don't want this becoming a garage like we've got a couple other problems in town right now with the exact same situation.

Donald Roberts: That's a good point Tom because we do have other facilities in town that are really

Tom Koval: That are better off for Code Enforcement action.

Donald Roberts: Which is really a disgrace to be quite honest.

Dan Kaufman: No. I mean it's only going to be like a smaller repair. It's not going to be body collision repair at this site, no.

Tom Koval: So why do you need five bays? Five bays isn't a small repair and you're detailing only a couple cars. Five bays is an auto repair facility.

Dan Kaufman: Well, it's to provide some repairs for cars but there's not going to be like, we're talking about mufflers and maintaining

Tom Koval: That's auto repair.

Dan Kaufman: Auto repair but not the kind of collision, we're not

Tom Koval: Are you going to be a licensed NYS auto repair facility?

Dan Kaufman: Yes.

Tom Koval: Ok. So, it's auto repair.

Lyn Murphy: Yeah, so, there's no way, so the Board is aware. There is no way for us for Code to regulate like if it's a taillight or a muffler or a transmission, like, that's not tenable.

Tom Koval: Right. So, that's why we have to address at this point.

Charlie Lucia: What type of vegetative barrier are you proposing along 236 and Guideboard to soften the view and screen it?

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Dan Kaufman: We can provide, at the moment we have not provided it, but we can provide different types of trees that would be acceptable, a deciduous tree that we could put down or a plethora of shrubs to provide good coverage that's not

To Koval: Yeah. I'd like to see what's coming up in terms of the landscaping plan.

Charlie Lucia: What size is the lot?

Richard Harris: So, we would want a landscaping plan showing landscaping for the entire site.

Dan Kaufman: Okay

Richard Harris: So, add that to the list.

Dan Kaufman: Oh yeah. We are aware that's going to have to be done.

Don Roberts: And backing up a little bit, we've been burned before. At no time do we want to see any car carriers unloading or loading vehicles on the State Highway Route 236. It has to be done all within your property.

Tom Koval: I know. This site, in the side streets, next to it we don't want our residents tolerating. I know the truckers, I know the guys that deliver these cars now and I won't get specific who they are, but they don't exactly understand regulations or the names of streets or anything else. So, when they park on these side streets in front of these residents' houses and start unloading cars, you're going to be hearing about it. We're going to get the same excuse "well, we have no control over the drivers". We have control over this site, right now.

Dan Kaufman: Oh yeah. Sure.

Don Roberts: And plus, it's a big safety issue as well.

Dan Kaufman: Exactly. We don't want to have, it's not something, the client just wants to be a good member of the community. I mean, he has

Tom Koval: We all do. Then also, you're trying to make a livelihood but when it comes between community and your wallet, people forget about community real quick.

Dan Kaufman: Oh. I know.

Tom Koval: And then, the rest of the community, including myself who's on this road constantly, has to deal with this.

Dan Kaufman: Oh. I deal with that

Tom Koval: And then Rich has to deal with me.

Dan Kaufman: I deal with that intersection myself. I've got my family and we've been using that bank there for 15 years. The M&T bank. We understand the challenges. I've seen some car accidents at this intersection over the years and its

Tom Koval: So, do you know our concerns?

Dan Kaufman: Yes.

Tom Koval: You know where I'm going with it about the car repair facility.

Dan Kaufman: Yes.

To Koval: And car carriers so, we'll be having further discussion about this in the near future, I assume.

Charlie Lucia: We're approved to bring in 78 cars?

Dan Kaufman: We can handle that.

Tom Koval: Now, we have a lot

Charlie Lucia: We're all comfortable with 78 cars?

Donald Roberts: I'm not, but we're not there yet. We're going to let MJ review it first then we'll get down to the number of cars allowed. Right off the bat, 78's too many.

Dan Kaufman: Now with the landscaping, the landscaping that was, those are requirements that stated in the Town Ordinance, or are there certain types of landscaping that are, what kind of landscaping

Tom Koval: It is aesthetically based.

Don Roberts: We can work with you on that.

Richard Harris: We don't have specific types of vegetation but obviously you're going to want to balance something that allows the public to see what you have. We understand that. We just went through that with the tiny homes. But yet

Charlie Lucia: Soften the view.

Richard Harris: Soften the view. Perfect way to describe it.

Dan Kaufman: Yeah. We can put some shrubs up that will not infringe on view of the cars but at the same time we'll provide some softening and flowers and stuff like that that can make it a nice view.

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Richard Harris: And this might go without saying, make sure all of that is on his private property.

Dan Kaufman: Of course.

Richard Harris: In the right of ways.

Donald Roberts: Anyone else?

Charlie Lucia: Just real quick because we haven't talked a lot about parking and what you can propose. First off, we want this to be successful. If approved, we want it to be successful. But we already know that one of the challenges are trucks in roads and offloading on public highways. Previously mentioning parking spots, you may be able to just have a plan for fewer parking spots and thus allowing the truck to pull on the property and unload, take a look at that.

Dan Kaufman: We can definitely discuss that.

Charlie Lucia: Sure, that's all. Thank you.

Donald Roberts: Anyone else? Ok. We'll review it and get back to you, alright?

Dan Kaufman: Okay

Donald Roberts: Okay Thank you.

Dan Kaufman: Alright. Thank you, Sirs.

Richard Harris: Do you want me to do the presentation now or wait a minute. You'll do it after. Okay sure

***Y & H Used Auto Sales & Service , 196 Guideboard Rd – Site Plan (25.071)
TABLED & REFERRED TO AGENCIES. The Board received a presentation on a
proposed plan for a used auto sales and service facility, and referred it to several agencies
for review.***

**Scannell Properties Warehouse Distribution Facility, Liebich Lane – Site Plan & Minor Subdivision
(25.073 & 25.074)**

Donald Roberts: Okay Laurie is recusing herself .

Jason Dell: Good evening, Jason Dell here with Lansing Engineering here on behalf of the applicant Scannell Properties. Also, here with me this evening is Jack Kelly from Scannell, as well as Alana Morand from our office. Jack is here to make a short presentation about Scannell, and the operation of the facility and

Alana is here to discuss and answer any questions you may have on the traffic study that we have commenced already. So brief overview of the project, the project is located along Liebich Lane and as an overall area of about 86 acres. The existing lot extends on both sides of Liebich Lane. The project site is currently an active mine with ongoing mining activities as well as earth work activities that are happening out there. The project area is also located in the Rolling Hills Estates PDD Zoning district and the distribution warehouse is a permitted use within that PDD ordinance. Surrounding uses to this site include SYSCO, Danforth Companies, UPS, Upstate Grappling and the Sports Academy. So, for our proposed project, Scannell is looking to construct a distribution warehouse that within area of about 125,703 feet. Within that building there will be office area, warehouse area, a cooler service area as well as a small maintenance area for trucks to accommodate this project. The applicant is also looking to subdivide the overall 86-acre parcel. There will be 2 new lots as well as a lot set aside for the right of way. So, lot number 1 that will be the project site, will be about 14 and a half acres. The remainder of the property will be lot 2 and will be 70.45 acres with the right of way area being approximately .89 acres. So that right of way is proposed to be dedicated to the Town as a Town road, well that road will come off of Liebich lane, access will come up into the site and trucks will be able to travel around the back side of the building to the loading area in the back as well as the trailer parking area in the rear of the building and then they will be able to circulate down around and out the road back out to Liebich Lane. There is also parking in the front for employees as well as additional van and small box truck parking over on the west side of the building. So, employee and visitor parking will be provided based upon the applicants' needs and experience that they've had at other facilities, so we are proposing a total of a 134 car parking stalls. 49 trailer parking stalls and 12 van parking stalls are provided currently on the site plan. Water service and sanitary service will be provided to the new building via connection to the Town of Halfmoon Water system as well as the Saratoga County Sewer District sanitary sewer system. Stormwater will be managed onsite in accordance with all requirements. The hours of operation for this facility are Monday through Friday 24 hours. 24-hour operation. Saturdays from 4 am to 6 pm and occasional Sunday hours based on peak demand during the peak season. So, we have prepared a traffic evaluation. I know that was discussed at the pre-meet that will be submitted when we submit the preliminary engineering plans to the Town, MJ as well as DOT will review and as I mentioned later on Alana is here to answer some initial questions you folks may have on that. So, with that I will turn it over to Jack from Scannell.

Jack Kelly: I'm Jack Kelly from Scannell Properties. We're very excited about this project and appreciate the opportunity to present and Rich thank you for the accommodations today, you've been nothing but extremely accommodating so we're grateful for that. Super briefly just background Scannell I think the only pertinent thing here you know just over 35 years in business over 600 built to suit projects completed and we build everything from warehouse distribution, manufacturing to data centers and life science facilities. This one will predominately be warehouse distribution on the Liebich Lane site. The only item here you know projects of this scale its extremely rare, and becoming more and more rare that developers are privately funding these projects because they do get quite expensive so you know we are one of the few developers that continues to capitalize our own projects and I think for the project that just means we are able to move nimbly and we're in control. Brief, brief overview of projects we've done today you can see in upstate New York that are lighter blue. Circle color predominately means built to suit projects meaning we have a client, we have a tenant and we're building specifically to fit their needs.

Richard Harris: That's what this is.

Jack Kelly: That's what this is, yup, yup. And this is just a flavor of some of our clients, that's just it.

Richard Harris: Can we play a game and try to guess which one it is.

Jack Kelly: That would be fun, but I was told we cannot, however and then these are just two and two four projects we've done recently up in the Northeast. Prime Metals, Movis it's a performance food group. A mix of warehouse distribution, RND and cold storage, so you know all kinds of in that size range of 125 to 150, 000 square feet that we're looking at here. Then these are all about a dozen of our projects we've done in upstate over the past 15-20 years specifically to the capital region about 3 to 5 years ago both those Amazons in Schodack were developed, I think about 10 or 15 years ago we did that Fed Ex in East Greenbush which was before my time was 125,000 square feet, American Tire Distribution in Albany. So, this is very high level at this point. It's conceptual and this is all fluid, and I want to give as much of a background as I could about the tenant. You know due to state regs we are not able to share who it is at this point, but we expect to be able to share that info within the next handful of weeks, so I can share it's a Fortune 500 company, its household name, so you are all very familiar with who this is. They have nothing but the utmost consciousness toward their image, their aesthetics. This is a draft rendering that was put together by our architects with tenant approval. You can see there is steep para pits, quite a bit of glass and that's pre-cast painted concrete. As Jason mentioned building size and use its 125,000 square foot, footprint. 132,000 square feet total it's a two-store 8,000 each story, floor office and there is roughly a 5,000 square foot fleet maintenance area and cooler services area a couple more comments. This is going to be predominantly distribution servicing the upstate capital region of New York. This is product coming from their production facility across the Northeast, it's on trucks palletized dropped off at this location, broken down re-palletized put on trucks and services the retail locations up in upstate. Employee count we're projecting about 140 employees today. A portion of that is over shifts and they're very excited about this site, they see long term growth here and they do plan for that, that greenspace on the east side of the facility, that's nothing is planned today but ideally its future proofed for about 35,000 square feet of future expansion for long term growth. That's all I got.

Don Roberts: Okay we'll refer this to Town engineers and the fire department. I've got a question for you. You've done this all around as we can see but it's an allowed use but with the hours of operation you're proposing what are you proposing to do to lower the impact on the surrounding residential neighborhoods?

Jack Kelly: There's nothing specifically planned for lowering volumes around the residences surrounding this area. This area it does sit in a little bit of a hole from the residences to the north and the east and there is that berm, as I think was mentioned earlier and we are asking they do propose 24 hour operations Monday through Friday, however I'd have to double check this but about 6 to 7 pm I when trucks are going to be done. It's loading of these trucks internally palletizing the product getting it ready for the next day so much of that noise would be done from daily operations.

Tom Koval: Yea that's my biggest concern you have a large line of residences on the back side. We are probably going to be looking for some increased vegetation, even on top of the berm. The other thing is truck coming in at night with to be unloaded the following day. No idling at night, we've done that at other warehouse locations. We don't want these neighbors A seeing light or hearing tractor trailers idling 24 hours a day its not going to be acceptable.

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Jack Kelly: Absolutely

Tom Koval: I know we can't do anything about that because of DOT but it's going to be a big part of our decision even though this is an approved use as to your tenant and how the site is handled.

Jack Kelly: Absolutely, absolutely

Marcel Nadeau: And you're talking one tenant for that unit?

Jack Kelly: One tenant correct yup

Charlie Lucia: Also, the potential for expansion with that one area that 35,000 square feet I think you pointed out

Tom Koval: Well cargo next door that's UPS that's 80'000 square feet. SYSCO is bigger, SYSCO sits away from the majority of everything, this is going to sit a lot closer.

Charlie Lucia: A lot closer it is, its.

Don Roberts: Do you know how far you are from the residential areas?

Jack Kelly: Offhand I don't

Don Roberts: Jason, would you know that?

Jason Dell: Rich can you go to the rendering?

Richard Harris: Yea sure

Jason Dell: This distance from the edge to the brighter green to the property line is about 100 fee to give you an idea of scale. So, from the property line to the building, I would estimate we're probably about 300 feet. This exiting wood line is not going to be touched by the project right now.

Tom Koval: Okay I see the berm

Jason Dell: Is right in here that berm

Tom Koval; Right, does that continue all the way down or is it just behind Valent's houses?

Jason Dell: It's right here there is a little actual hole right here and then it does flatten out along this side of the area

Tom Koval: Okay so that might be something to look at is continuing that berm down the owner obviously had concerns, so he built one behind his nephew's house.

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Jason Dell: Right in here there is the potential, and we can look into that because there might still be significant amount of earth work for the project of providing a berm up in this area

Tom Koval: And then maybe do some kind of trees on top of that, that would further.

Jack Kelly: Just for Jason's point I guess for further scale so that treed area to the property line is 100 feet and then from the property line to where those trailer parks are, are all of the way to the side of the building as an additional 185 feet.

Tom Koval: One of my big concerns I one of these trailer parks if a truck comes in at night and backs in to one of those waiting to get unloaded that trucker is going to sit there and idle all night unless you have some kind of shore power for him available, you might want to look at designating certain spots for overnight parking, where you have shore power built in so they don't have to leave a truck idling all night they can hook up like a lot of the truck stops have onsite air conditioning and everything for the trucks just to look into for the evening. That would eliminate a lot of the noise for those homes

Jack Kelly: Yea, yea absolutely

Marcel Nadeau: I know we have homes on Tabor Road, you also have them on the opposite side

Tom Koval: That is such a distance though they would have to go well you got Sysco between you got

Marcel Nadeau: When SYSCO first moved in you could hear SYSCO from my house that then quite a ways.

Charlie Lucia: I mean you stand before us often, you already know when it comes to discussing this in detail the things that we're going to be looking for. You know. landscaping noise, parking, all of that. You already, I'm sure you know that and so yea anything you can mitigate before you even bring it here would be great. That's all, it would just help.

Laurie Barton: Jason, is there a lighting plan on the roadway that is going into the facility? I see it looks like that maybe there is lighting in the parking lot but is there any on that roadway going in?

Jason Dell: We will have to take a look at that being a Town Road so right now we're not proposing to be around and about the parking area and the loaded areas.

Don Roberts: Anyone else? Okay we will review it and get back to you alright

Jack Kelly: Thank you

Jason Dell: Thank you.

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Scannell Properties Warehouse Distribution Facility, Liebich Lane – Site Plan & Minor Subdivision TABLED & REFERRED TO AGENCIES. The Board received a presentation on a proposed plan to construct a 125,703 SF warehouse/distribution facility and a related two-lot subdivision and proposed Town road.

Cannabis Central, 1520 Crescent – Vischer Ferry Rd – Site Plan, Special Use Permit & Sign (24.149, 24.150 & 24.151)

Richard Harris: Just so you know, I accidentally left the sign You approved that.

Donald Roberts: Oh. Right.

Richard Harris: Yeah. I left it out of title.

Donald Roberts: How ya doing? On occasion, the Applicant's bring samples. No samples, Hugh!

Jason Southwood: Well, if you stop by, I've got some free samples. I don't know if I can deliver, alright. Jason South, with again Cannabis Central. I'm here to propose a drive-through at 1520 Crescent with a pass-through lane. I had Variety Engineering draw up everything. They've consulted and talked to the County. We addressed all their issues. They seem to be happy. MJ Engineering was also consulted. Everybody seems to be happy now. So, yeah, looking for approval on that. It's changed a little bit. It's going to

Donald Roberts: You need a Public Hearing. You know that?

Jason Southwood: Yeah, yeah, yeah. I think that's what, the 23rd?

Richard Harris: Well, these guys have got to set it.

Jason Southwood: Oh.

Richard Harris: That's what I'm aiming for when we decide.

Jason Southwood: Me too.

Richard Harris: It's up to these guys.

Tom Koval: I make a motion to set a Public Hearing for the June 23rd meeting.

Lyn Murphy: (inaudible)

Charlie Lucia: I'll second.

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Lyn Murphy: Who seconded it. I'm sorry.

Tom Werner: Charlie

Lyn Murphy: Thank you.

Donald Roberts: Motion to second. All in favor aye (all were in favor). Opposed (none opposed). Motion carried. See you on the 23rd.

Jason Southwood: Thank you.

Cannabis Central, 1520 Crescent – Site Plan, Special Use Permit & Sign PUBLIC HEARING SET. The Board received a presentation on a revised plan to construct a drive-thru facility for the existing retail business and set a Public Hearing for June 23, 2025.

1542 Mixed Use Development, 1542 Rt 9 – Site Plan, Special Use & Major Subdivision (24.131, 25.024 & 25.031)

Jason Dell: Jason Dell, Engineer with Lansing Engineering, here on behalf of the applicant for the 1542 Route 9 Mixed Use Development. We were before the Board last month for this project where there was quite a bit of discussion about the use and the access and what's proposed and we did provide a response letter to that which included the documentation from DOT outlining what they would require as far as access into and out of the site. So, our letter did include that, both responses from DOT on that. A brief overview on the project was that this is a, the applicant is proposing two single story commercial buildings along the frontage of Route 9. One's 2,000 sq. ft. the other's 6,000 sq. ft. Both have the potential for a drive through. There will be one three-story self-storage building and 3 12,000 sq. ft. storage buildings for boat and RV type storage. So, at this point, we've addressed all of the Engineering comments. We've addressed DOT and their requirements for site access. As part of DOT's review of it, they had the detailed traffic analysis that was provided that included uses. One was a coffee shop. One was a fast-food restaurant, at either one of those drive-through locations. So, they were taken into account as part of DOT's review and DOT's requirement of a single lane in and a single lane out. So, that's where we are with the access and Chuck would like to speak on the building height aspect.

Chuck Pafundi So there is

Donald Roberts: Chuck, is there a name please.

Chuck Pafundi So yes. Chuck Pafundi a representative of the development group. So, we did dig into the building height question that was raised. So, the building will be under 35'. There is a code requirement for the third story with the elevator of a small projection that may drive that small, isolated component up to 37 and it'll obviously be rooftop units, but we were able to limit that building height down under the 35'.

Donald Roberts: Now, this is going to be to the rear of the parcel, right?

Chuck Pafundi: So, It is. So, from a perspective from the road, you look at value space up the road. That was at 35' but hugged right up on Route 9 as you mentioned, Don. This will be pushed back and will have a little softened of a visual perspective with the first-floor retail.

Donald Roberts: And also, we don't have an architectural standard in town, but can you try and get the applicant, or tenant or whoever it is, to lessen the impact to look like, to go with, ya know tones that are neutral tones the building.

Chuck Pafundi: I will be part of the development group through construction so I will make sure that we relay to the group that we're not using exotic colors and more natural tones, yeah.

Donald Roberts: Thank you.

Tom Koval: No neon.

Donald Roberts: Now I know we had some concerns at the last meeting but again, as I stated, it's a town road. NYSDOT controls the road. They allowed this. I don't know how we can go against them, personally. I don't know.

Tom Werner: Is their decision on the number of exiting lanes based upon some sort of traffic thresholds, and if so, what changed because there are occasions along Route 9 where there are two lane exits. We all know that.

Alana Moran: So, good evening. Alana Moran with Lansing Engineering. So, DOT's perspective for the last decade or so has been to provide a single lane exiting a site that stabilized. That's not to say that that was, that's not something that hadn't been allowed previously, but it is their current standard, and it would be very unusual for that to be changed. As you know, we did go to them with two lanes, and they came back to us saying one.

Tom Werner: So, your engineers originally proposed two lanes. What was that based upon?

Alana Moran: Honestly, it was based upon the desire of this particular board. I did not believe that DOT would approve that because they don't. They like to see a single lane exiting onto un-stabilized approach. So, we did that in order to be able to let the Board know we tried but that it was not going to be allowed by DOT.

Donald Roberts: I remember that happening, yes.

Alana Moran: Yeah.

Tom Werner: So do we have the projection of traffic entering and exiting from this during the peak hour, which would coincide with the peak hour which would coincide with the peak hour of Route 9. Do we have that, Rich, in there?

Alana Moran: All of that's included in the traffic evaluation that was completed. We looked at the a.m. and the p.m. peak hours originally, just because of the uses at the site and then was requested that we then look at the Saturday peak hours as well. So, we looked at a.m., p.m. and Saturday for the access site specifically and the two signalized intersections adjacent.

Tom Werner: And you concluded there's enough gaps available in the Route 9 peak hour traffic to allow safe exiting to make a left turn?

Alana Moran: The analysis is showing is that there is sufficient gaps in traffic to allow for drivers to exit the site with a single lane entering and exiting and that it meets DOT's standards. It meets guidelines. I mean, there are going to be times where people are going to be delayed. That's what you're going to find on any driveway that's like this. But, for the most part, it's going to operate just like anything else does along that Route 9 corridor.

Tom Werner: I think a significant concern I would have is who the tenants are going to be. Certainly, if we hear a Chick-fil-A and Starbuck's is going in, that's not going to work.

Tom Koval: Well, that's, yeah. We're going to address that. We've already been spanked in the letter.

Tom Werner: I know.

Tom Koval: So, now we can address it on a tenant level when we get to that point.

Tom Werner: Okay

Tom Koval: And that's where I will be more vocal if need be.

Alana Moran: Well, the analysis was completed using standards, ITE. We made sure that to include fast food to include the coffee shop. So, that would be a conservative analysis of what's being done based upon ITE data and the potential tenants at the site.

Tom Werner: I think the concern for traffic analysis for that location is all fine. But I'm concerned about the safety of the motorists and travelers on Route 9 and at what point do you cross that threshold. If you've got somebody that's in the front of the cue to make a left turn to go back north on Route 9 and you've got a line of five or six people honking their horns, you're going to take a risk and then, that's my concern.

Alana Moran: Which is a driver behavior activity. It's not anything that the standards can play to.

Tom Werner: Originally, the engineers that looked at this for your first proposal concluded we needed two lanes.

Alana Moran: No Sir, that's not what the conclusion was.

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Tom Werner: No? Oh, we requested it?

Donald Roberts: This Board did that.

Tom Werner: Oh, I'm sorry.

Tom Koval: We did that because we know the reality of Route 9. The data doesn't back up our reality.

Tom Werner: Ok.

Lyn Murphy: And, you have a letter from DOT saying this is the way you're going to do your entrance and exit. We have that.

Alana Moran: Yes. You have two letters.

Tom Werner: So, the policy is that all exits will be single lane unless there's traffic signal or something to that nature?

Alana Moran: That's correct. That's the guidance that we received from DOT for all of Region 1.

Tom Werner: Ok. There's been some exceptions, obviously.

Lyn Murphy: I was just going to say, he legally to use his word "all or every" because there's always some bizarre exception.

Don Roberts: So, Scott, I know you're filling in for Joe, but based on what you know and what you've heard do you have anything to add to this?

Scott: (inaudible)

Don Roberts: Okay, Thank you.

Charlie Lucia: At the risk of really being stupid and I'll step on this one so forgive me. What's the chance of just having a right-turn arrow out of that parking lot and eliminating the poor person trying to go across five lanes, four lanes, and go left to get out of that parking lot. I don't know. Just a

Alana Moran: So, there's no indication that we need to restrict access? Because there is the two-way left turn lane along all of Route 9?

Tom Werner: Right.

Alana Moran: So, anybody who wants to turn left out of the site, they can make that first move into the two-way, left turn lane and then merge into northbound traffic? So, there's no indication that we need to limit. Thank you.

Tom Koval: But we don't to approve the special use for the drive-through tonight, do we? Because that's where my concern comes with the line of traffic with drive-throughs. With two of them specifically as I voiced it in my opinion in the last meeting. One would be

Marcel Nadeau: DOT's criteria stated that it functions.

Tom Koval: But, we get, but they're asking for a

Donald Roberts: What do you think about that?

Tom Koval: They're asking for a Special Use Permit for a drive-through and that has nothing to do with DOT. That has to do with us, right here.

Lyn Murphy: So, the issue, you have to deny it or move forward because there's a time period during which you can make those decisions.

Tom Koval: Right.

Lyn Murphy: It's difficult with DOT you are 100% correct. This Board determines the Special Use Permits, however, DOT took that into account and said its mine, so then it becomes difficult legally to argue that it's not fine. I mean, I could.

Tom Koval: I'll leave it to, once again, Change of Tenant.

Chuck Pafundi: Yeah, and I think the writings on the wall here for what we were talking about. But I think it's not, not that you don't know this but it's not like I like Dunkin' Doughnuts better than Tim Hortons, it's whatever the proposed tenant is. What is their average vehicular threshold traffic analysis that was done.

Tom Koval: That's what I said. We're going to have go

Chuck Pafundi: I think that's pretty easy to demonstrate so I'm comfortable doing what we've got to do here and then tackling as it comes.

Charlie Lucia: Right.

Chuck Pafundi: I'm not going to make the motions. Do you want to do them one at a time?

Richard Harris: First thing. Don't forget to start with the SEQR.

Joe Landy: Yup. I'd like to make a recommendation, make a negative declaration on SEQR.

Tom Koval: I'll second.

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Donald Roberts: All in favor aye (all were in favor). Opposed (none opposed). Motion carried.

Joe Landy: I make a motion to approve the Site Plan. You want them all together?

Tom Koval: I'll second.

Joe Landy: Site Plan or Special Use Permit?

Tom Koval: He did Site Plan first. He's got to Minor Subdivision and then Special Use.

Donald Roberts: Ok. So, Site Plan first? Ok. I've got a motion for a Site Plan. Can I have a second?

Tom Koval: I second it.

Donald Roberts: Ok. Motion second for Site Plan all in favor aye (all were in favor). Opposed (None). Motion carried.

Joe Landy: A motion to approve the minor subdivision

Richard Harris: Technically, it's a minor

Donald Roberts: Minor.

Richard Harris: For the record. That's my mistake. It was a six lot for a while. For a little while it was a six-lot subdivision. It's now a four-lot. So technically, it's a minor.

Tom Werner: Minor. Okay

Joe Landy: I make a recommendation to approve the minor subdivision.

Tom Koval: I'll second.

Donald Roberts: Can I have a motion to second for a minor subdivision. All in favor aye (all were in favor). Opposed (none). Motion carried.

Joe Landy: I make a motion to approve the Special Use Permit.

Tom Koval: Nay.

Donald Roberts: Ok.

Lyn Murphy: We will need a second.

Donald Roberts: I'll second that.

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Richard Harris: So, I just want to clarify. This is for both proposed Special Use Permits?

Tom Koval: Yes.

Donald Roberts: I'll second that. We've got a motion to second. All in favor aye (all were in favor). Opposed.

Tom Koval: Me.

Donald Roberts: Ok. Motion carried.

Jason Dell: Thank you.

Donald Roberts: You're welcome.

Richard Harris: Can I just clarify. Who are the no's?

Tom Koval: Me.

Richard Harris: Just Tom.

Donald Roberts: Tom. Two Tom's.

Richard Harris: Both Tom's.

***1542 Mixed Use Development – Site Plan, Special Use & Major Subdivision
APPROVED. The Board received a presentation and approved a proposed 79,000 SF mixed-use commercial, retail and self-storage project, which included a four (4) lot subdivision and two (2) drive-thru facilities.***

Donald Roberts: Anyone got anything else?

Joe Landy: Motion to adjourn.

Tom Koval: Second.

Donald Roberts: All in favor aye (all were in favor). Opposed (none opposed). Motion carried. Thank you. Goodnight.