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Town of Halfmoon Planning Board Minutes August 24, 2026

Those present at the August 24, 2026, Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Alison Pingelski
Joe Landy

Coordinator- Building, Planning and Development:

Richard Harris

Planner/Stormwater Management Technician

Ted Chesnes

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 Planning Board members had a chance to review the minutes from the last meeting?

Rich Berkowitz: I make a motion to approve the minutes

Charlie Lucia: Second

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

Don Roberts: Laurie recuses herself she was not present, okay

New Business:

Haven Breakfast & Lunch Sign, 1516 Rt 9 – Sign (26.139)

Carl Wheeler: I'm Carl Wheeler with AJ Signs I'm here for the Haven. Basically, what we're looking at putting in an internally lit sign that's 48 square feet and take down the existing 72 square foot sign, that's about it.

Don Roberts: You may not know the answer to this but I'm just curious, it was going to be GF is the gluten free gone are they gluten free or what? I'm just curious.

Carl Wheeler: You know honestly I'm not sure

Don Robertes: I'll find out when I go there I guess, questions by the Board?

Rich Berkowitz: I'll make a motion to approve the sign

Laurie Barton: I'll second

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

Richard Harris: I do want to just mention anybody speaking please sign in on the way in it just helps us with minutes get the spelling of your name and helps us out with our minute note taking.

Don Roberts: Just tell us what you're speaking on that's all

Richard Harris: Yea put your project next to your name.

Haven Breakfast & Lunch Sign – Sign

APPROVED. The applicant's request to install a 55 SF free-standing sign to read "Haven Breakfast & Lunch" was approved.

Recovery Therapeutic Massage, 440 Rt 146 – Change of Use/Tenant (26.136)

Laura Pearson: Laura Pearson here starting Recovery Therapeutic Massage , it is a change of use/tenant application looking to replace what was previously Richard Herman Law Office, at 440 Route 146 I will be occupying the backside of the building currently Veno Properties is the other half, I will be about 1,156 square feet of the back area about 7 spaces dedicated to me in the back. My business hours are 7 am to 7 pm with the main hours being from 8 to 5 pm 7 days a week. I don't plan on having any employees, not ever and possibly adding on a independent contractor through my business but right now the plan is just me. As a massage therapist performing medical massage , therapeutic massage,

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Swedish deep tissue, shiatsu, manual and lymphatic drainage. Pretty simple, nothing other than massage tables and some décor that's about it , any questions?

Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to approve the change of use and tenant.

Laurie Barton: I second

Don Roberts: All in favor Aye ?(all were in favor) Opposed? (none were opposed) Motion carried. You're going to advertise you're in Halfmoon right?

Laura Pearson: Oh yes

Don Roberts: Thank you.

Laura Pearson: Thank you very much

Recovery Therapeutic Massage, 440 Rt 146 – Change of Use/Tenant (26.136)
APPROVED. The applicant's request to utilize 1,156 square feet of office space for therapeutic massage services was approved.

St Johns Plaza Tenant Reorganization, 1683 Rt 9 - Change of Use/Tenant (26.140)

Kit Bast: Hi, I'm Kit Bast with the Rexford Group and Rich did a pretty good job, real good job of explaining what we are doing. The Halal Meat Market would like to expand, and they're highlighted in green they want to expand southward into the Nail Expo whose lease is up in about a year, but we are going to terminate it they've agreed to vacate a year early if we make this deal happen and also the Fantastic Sams which is highlighted in blue. Fantastic Sams I have a vacant space that used to be occupied by Eddys Chinese food, so Fantastic Sams is going to move over to I was going to say leap frog over to the vacant space that used to be Eddy's giving us all the room to more than double the Halal Market size and when the nail salon is gone the Fantastic Sams would like to offer those services we normally say hey we don't want to have too many in the same mall to be competing against each other so we are losing the one that we have no problem letting Fantastic Sams obviously if the Town has no problem with it so that's basically, we're not going for signs right now because we want to get this approved and I got a lot of , I have a deal I have all this in agreements written out in front of my tenants to accept it and this is one of the contingencies, getting approval to do it is one of the contingencies.

Richard Harris: One thing I want to mention I didn't mention at the pre-meet, the applicant had indicated in his request that for some reason the leases are not worked out it doesn't go through he wants the Board to understand that they'll return to their existing spaces, Fantastic Sams, and or Halal so you know typically you might approve three buildings for a development we can only build 2 we don't make them build a third so I just want the Board to be aware , it's kind of similar with the change of tenant, there's moving parts here and Board approval was needed for him to move forward in the negotiation correct?

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Kit Bast: Yes, and all agreed verbally , and they even agreed on the budget so far but I think now there is time to put the pen to paper and that'll be when the rubber hits the road here so that's , no new tenants no new uses its just fantastic Sams is going to assume the manicure business the Nail Expo and move and Halal Market is just going to they're tight for space so they would like to double their space so that's basically it.

Don Roberts: Okay thank you, we will do 2 separate motions?

Rich Berkowitz: Like I said at the pre-meeting though they are going to have proper ventilation so there is no overflow?

Kit Bast: Yea I've got my pricing I've got everybody price up a fume system to collect the fumes the nail filings so, do I need to come and resubmit for 2 applications ?

Richard Harris: No, they will just do 2 motions

Kit Bast: Okay

Don Roberts: No, no you're fine, you're fine

Rich Berkowitz: I make a motion to approve the change of use and tenant for Fantastic Sams

Marcel Nadeau: I second

Laurie Barton: Can we make it with the addition of the manicure and pedicure addition?

Rich Berkowitz: Is it already part of their business?

Laurie Barton: No

Rich Berkowitz: Okay with the addition of the manicure, pedicure portion of it

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

Rich Berkowitz: I make a motion to approve the change of use and tenant for Halal

Tom Werner: I'll second

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

Kit Bast: Thank you very much

Don Roberts: You are welcome

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St Johns Plaza Tenant Reorganization - Change of Use/Tenant APPROVED. The applicant's request to reorganize existing tenants at their strip mall following two expected vacancies was approved on the condition that the spaces have proper ventilation to prevent...

New Leaf Energy (NLE) Charging Stations, 1695 Rt 9 – Site Plan (26.133)

Chris Boyea: Good evening. My name is Chris Boyea I'm with Bohler Engineering I'm here tonight representing New Leaf Energy. New Leaf is looking to install some quick charge EV chargers at 1695 Route 9 which is also better known at the Raymour and Flanagan shopping center. The EV chargers would be located to the right corner of Raymour behind what is a Bank building with a drive through that's there. So, it's a little bit of limited visibility from Route 9 but this is a destination and will provide a great service for quick-charging any electric vehicles. It does not have to be a specific make or model, and you do not have to have necessarily a plug or a pass that's there, it's open to any and everybody. There is proposed to be 16 total charging stations that are there. They would be all underneath a canopy to keep the user dry and safe. As far as lighting goes we've situated this such that no light poles in Raymour and Flanagan's parking lot would be impacted. So, our intent is to not install any new light poles for this project, there would be some under the canopy kind of soffit lights that would illuminate the users to access the equipment as you can see in the canopy elevations here.

Don Roberts: So, there would be no lights shining out ?

Chris Boyea: That's correct we are not proposing any new site lighting, we're proposing just some lights under the canopy that are just shining down

Richard Harris: Don this image here shows the light distribution on the ground its pretty limited to the canopy itself from underneath the canopy.

Chris Boyea: And one last point of clarification, this proposed project would be located in an existing area of paved parking so we're not removing any landscaping or green space, in fact it will probably increase very slightly but it is being installed in basically an underused area of the shopping center. So, I'm here tonight to answer any questions or comments that the Board and public may have.

Don Roberts: Scott, do you think you need to take a look at this or are you alright ?

Scott Price: I think (*inaudible*)

Rich Berkowitz: I just have a couple of questions, where do you get the power from?

Chris Boyea: This is a NYSEG district so NYSEG would be providing the power and it's going to be coming from what NYSEG is telling us at this point, they have changed their points in the future or in the past but this point it's coming up by the entrance where Burger King is so there is a shopping center drive that comes in there, there is underground power that we would be getting from that point.

Rich Berkowitz: And that's going to be underground?

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Chris Boyea: That's correct, everything that we install is going to be underground.

Rich Berkowitz: Do you need any fire suppression in case batteries catch on fire?

Chris Boyea: No, we don't

Rich Berkowitz: That's not required by law?

Chris Boyea: It's not required

Don Roberts: Anyone else?

Rich Berkowitz: I make a motion to approve the site plan

Marcel Nadeau: I second it

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

Chris Boyea: Thank you so much, I appreciate it

Don Roberts: You're welcome

*New Leaf Energy (NLE) Charging Stations, 1695 Rt 9 – Site Plan (26.133)
APPROVED. The applicant's request to install a 4,235 square foot canopy and eight electric vehicle charging stations for 16 vehicles in the parking lot at Raymour and Flanagan was approved.*

Fairways of Halfmoon Golf Course Kitchen Expansion, 17 Johnson Rd – Site Plan & Special Use Permit (26.138 & 26.137)

Jason Dell: Good evening, Jason Dell engineer with Lansing Engineering here on behalf of the applicant for the Fairways of Halfmoon kitchen expansion. We're here this evening to introduce the project to the Board and answer any question that you may have initially and ask that the Board schedule a public hearing for the special use permit. So the Fairway Meadows Golf Course currently operates at 17 Johnson Road and the owner of the facility needs additional kitchen space for the facility so we are here this evening requesting an addition to that site plan and the addition to the kitchen will be about 22 feet by 13 feet for a total of about 286 square feet so a relatively small addition to the kitchen but the applicant is seeking the addition to that kitchen just to allow for a more efficient means to prepare food and service patrons. So, we are here this evening to answer any questions that you have and ask that the Board schedule a public hearing.

Don Roberts: Questions by the Board?

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Marcel Nadeau: All the accesses would be from within the building?

Jason Dell: That's correct

Marcel Nadeau: Nothing external?

Jason Dell: That's correct.

Rich Berkowitz: I make a motion to have a public hearing on 9/28.

Laurie Barton: 9/14 or 9/28?

Richard Harris: We have to send it to County Planning for review and so based on the timing of their September meeting and our September 14th meeting we wouldn't be able to act on the 14th. Certainly, we could hold the public hearing on the 14th, but we wouldn't be able to act that night

Don Roberts: So, we have a motion for a public hearing on the 2nd do I have a second?

Laurie Barton: I'll second

Don Roberts: I have a motion and a second for a public hearing on September 28th. All in favor Aye
?(all were in favor) Opposed? (none were opposed) Motion carried, see ya then.

***Fairways of Halfmoon Golf Course Kitchen Expansion– Site Plan & Special Use Permit
PUBLIC HEARING SET. The Board set a Public Hearing for September 28, 2026, for a
request to expand the existing kitchen by 286 square feet.***

Old Business:

Iridium Aesthetics, 1524 Rt 9, Suite B – Sign (26.127)

Romana: Good evening, everyone. I am Romana I am the owner of Iridium Aesthetics just proposing a sign. It's replacing an already existing sign right in front of 1524. That's it.

Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to approve the sign

Tom Werner: I second it.

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

Romana: Thank you.

Don Roberts: You're welcome

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Iridium Aesthetics – Sign

APPROVED. The applicant's request to install for two monument sign panels was approved.

Hilltop Storage Sign, 7 Kennedy Ln – Sign (26.134)

Dana Cuniff: Hi, my name is Dana Cuniff and I'm here for Hilltop Storage. We are a looking to put up a sign to identify the location of the place. The buildings themselves have been there for years we have had the sign done for years we just have not gotten to the opportunity to be able to put it up. The sign itself is a 4 x 4 sign it's going to have 4 ft posts on it, but 2 feet are going to be in the ground so it will be about 6 feet in height. Its not going to have, it's only going to have an illumination light on the ground like solar lights is what we are doing just so that in the darkness it isn't hidden completely, but really just more to identify the location of the storage units because they are at the top of the hill and when we do have deliveries and sometimes it's very difficult for them to realize that the storage units are up there and tucked away. Any questions?

Rich Berkowitz: I'll make a motion to approve the sign

Marcel Nadeeau: I'll second

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

Dana Cuniff: Thank you

Don Roberts; You're welcome

Hilltop Storage Sign – Sign

APPROVED. The applicant's request for a 16 square foot one-sided free-standing sign to advertise their storage business was approved.

Lussier Lot Line Adjustment & Subdivision, 30 & 32 Dunsbach Rd – Minor Subdivision (26.065)

Bob Wilklow: Bob Wilklow from VanGuilder Surveying here tonight for the applicant. We're proposing a lot line adjustment and subdivisions of 30 & 32 Dunsbach Road. It was on August 3rd, 2026, we got the approval from the Zoning Board of appeals for the flag lot width only being 15 instead of the required 20. The two new lots would be for single family residence, supposed to be for a family, a son and I believe a nephew. It will be serviced with public water and private septic designed by an engineer. They are going to utilize the existing driveway that goes into what we are calling 30 R the existing so the driveway onto Dunsbach Road won't look any different, it won't change until it gets back towards the two new lots where it will veer off into the new lots which we had to revise the ingress and egress utility easement to facilitate that. We are hoping to get it scheduled for a public hearing.

Don Roberts: Questions by the Board?

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Laurie Barton: That driveway now goes up and loops around, right? So, the way it is on the picture looks like the road is cut off but doesn't that all connect?

Bob Wilklow: That great big loop as of right now I think it might be kind of like a trail I don't think it connects. It's a circular drive for the one house

Laurie Barton: There's a loop in the front there and then it goes around the back, okay.

Bob Wilklow: I thought you meant the entire thing around.

Richard Harris: I see what you mean it looks like it, this loop they didn't draw the rest of it.

Rich Berkowitz: I make a motion to have public hearing on September 14th

Charlie Lucia: I second

Don Roberts: All in favor Aye?(all were in favor) Opposed? (none were opposed) Motion carried see you September 14th.

Bob Wilklow: Thank you.

***Lussier Lot Line Adjustment & Subdivision – Minor Subdivision
PUBLIC HEARING SET. The Board set a Public Hearing for September 14, 2026, for a
request to adjust lot lines and subdivide the properties located at 30 & 32 Dunsbach Road.***

Fortune Construction Garage, 531 S. Main St – Site Plan & Special Use Permit (26.037 & 26.073)

John Fortune: John Fortune, Fortune Construction basically what I'm proposing is a 3 bay garage to store my equipment it's pretty basic, its block construction to match the existing façade its going to be about 4 foot higher in elevation to the existing roof line and I'm sure there is questions so what can I address then?

Don Roberts: That's it?

John Fortune: That's it

Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to have public hearing September 14th

Laurie Barton: I second

Don Roberts: All in favor Aye?(all were in favor) Opposed? (none were opposed) Motion carried, see you September 14th

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Richard Harris: Probably the last meeting John.

***Fortune Construction Garage – Site Plan & Special Use Permit
PUBLIC HEARING SET. The Board set a Public Hearing for a request to construct a
1,584 SF garage addition to an existing construction business building.***

Smith–Pettes 4 Lot Subdivision, Tabor Rd (SBL 260.0-1-48.15) – Minor Subdivision (26.039)

Brian Smith: Good evening Brian Smith developer on the project, as Rich mentioned last we were here the Board had some questions about installing a hydrant on the property, I was just hoping to get a little clarification tonight as per that request and I'm not denying the safety considerations involved however my questions really about consistency and how the Board has handled similar projects in the past. Seems that we were put to an additional level of review on this one and in doing my research according to Town records the last time a 3 or 4 lot subdivision was sent to engineering, and fire was 2016 so I'm just wondering what caused ours to be sent for additional review?

Don Roberts: Over time things have changed

Richard Harris: I don't know where you researched but I can get you other projects that are 3 nd 4 lot subdivisions that we've sent to the Fire departments, I know you foiled but you didn't , did you go through all minutes since 2016?

Brian Smith: Yea I did, I mean I could be wrong

Richard Harris: Yea the Board doesn't always do it often we will send it without even the Board asking us to at this point so I would be glad to point those out to you after the meeting I would have to do some research but

Brian Smith: I mean I believe ya it's probably a mute point anyway. I would ask the Board to approve our project contingent on a new subdivision, a revised plan showing a hydrant , we will place it 200 feet in from Tabor Road. I spoke to Frank Tironi, and he told me what he would like to see, and I guess that's the way we are going to go.

Don Roberts: So, you are agreeing to put the hydrant in?

Brian Smith: Yes Sir

Don Roberts: Thank you very much

Richard Harris: I would say at the location to be determined with the Director of Water something like that, well between the two of you

Brian Smith: Well, I would like to go 200 feet considering that the last house will probably be about 600 which would put me withing the recommended 350 to 600 feet at 100 dollars foot I'm already at an additional \$40,000 dollars than I planned on spending, so every foot counts on this one

Richard Harris: A hydrant not costing you \$ 40,000 dollars

Brian Smith: Yes, it is

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Richard Harris: It is? That's the price?

Brian Smith: Nick Lussier who does a lot of the Town work is doing it, I'm doing it right and it's \$40,000 to go 200 feet.

Richard Harris: I'm surprised at that I've got to be honest

Brian Smith: So was I

Don Roberts: So, on the approval we can include a contingency as deemed appropriate by the Director of Water

Richard Harris: I would suggest that he works that out with the Director of Water

Lyn Murphy: It sounds like he did

Richard Harris: You talked to Frank I didn't talk to him about distances just that he didn't have a concern because it was going to be a private hydrant.

Brian Smith: We didn't discuss distance he just told me that he explained how he wanted to do a private line and an 8-inch main etc.

Rich Berkowitz: So, you didn't discuss what distance Frank wanted you just want 200 feet.

Richard Harris: I've got to be honest since it's not going to be Town-owned I know that Frank wouldn't have much of an opinion so I kind of have to take back what I said 2 minutes ago about having it contingent on Frank and I would say you determine here in consultation with MJ what the applicants requesting given the cost involved and the director of water didn't tell him exactly 200 feet.

Rich Berkowitz: Well before the fire hydrant was across Tabor Road

Brian Smith: There is one across Tabor Road. It is 850 feet from the last house on Tabor Woods

Rich Berkowitz: Right and I understand that and that's good enough for the four houses on the other side of the road.

Brian Smith: Evidently but not for mine which are closer.

Rich Berkowitz: I'm fine with 100 on the other side of the road, how far would a line with the fire department go?

Laurie Barton: Well, you're going to block Tabor Road.

Rich Berkowitz: No, you're not I want the fire hydrant on the other side of the road, we're just determining the distance on the other side of the road

Laurie Barton: So ideally, it's not more than 500 feet from the last house because that's what traditional

Rich Berkowitz: If 200 feet is within the 500 (*inaudible*)

Richard Harris: Now you're saying, correct me if I'm wrong, you're requesting the hydrant be 200 feet from Tabor leaving it about 600 feet from the last house is that correct?

Brian Smith: No, my last house will be 600 feet off of Tabor so I will be 400

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Richard Harrid: I think that's very fair

Rich Berkowitz: So do I. Ill make a neg dec on SEQR

Laurie Barton: Second

Don Roberts: All in favor of neg dec on SEQR say aye ?(all were in favor) Opposed? (none were opposed) Motion carried

Rich Berkowitz: I make a motion to approve the site plan contingent on the fire hydrant being 200 feet from the road and less than 500 feet of the houses.

Marcel Nadeau: I'll second

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

Brian Smith: Thank you.

Don Roberts: Thank you.

Smith-Pettes 4 Lot Subdivision– Minor Subdivision

APPROVED. The applicant's request to subdivide an existing lot into four new single family home lots was approved with the condition that a fire hydrant shall be located approximately 200 feet from Tabor Road and less than 500 feet from the furthest proposed home.

One Four Six Marketplace Off-Site Mitigation & Phasing Plan, Rt 146 & Old Rt 146 – Site Plan Amendment (26.123)

Wendy Holsberger: Good evening. Wendy Holsberger, Lansing Engineering. So, we are here, again, we were here last month requesting relief from the approval condition for all the off-site traffic mitigation to be completed before issuance of a CO. The CO specifically is for the grocery store, the Healthy Living grocery store. So, last month when we were here there were some questions. One about the progress and status with the Department of Transportation (DOT) and at the time we did not have a permit in hand yet. We were filing paperwork and coordinating daily regarding that, but we do now have that permit in hand and we also had done an analysis letter to show what the operations would be with that store in place with the existing(*inaudible*) geometry and at that time MJ had not reviewed that letter so they have also since reviewed that letter and, as was indicated in the pre-meeting by Rich, they did indicate in their letter that was issued on Friday that based on our analysis that they are agreeing that there is no adverse impact to the life and safety of the traveling public with that analysis pretty much the analysis we did is showing (you did a great job of doing that graphing for me. Thank you.)

Richard Harris: (*inaudible*) inspired me to just show where's going to be the access points and use of the roundabout. What road are you going to use?

Wendy Holsberger: Right. So, we show, because at the time, we did not have an exact understanding of where DOT was. Part of the reason we're here, which we discussed last time, is there was an extremely long process with the DOT where it took them up to 8 months to review plan sets in-between

and it's, there's quite a bit of mitigation so it's just taken a very long time and as was noted also until that permit is in hand, the way the signal systems are designed now, that equipment cannot be ordered, manufactured until that permit is in-hand. We can't go through that spec process, shop drawings everything and since COVID, that manufacturing time has also increased. So, those are kind of a situation that are outside of our control. We can very easily work the extra timing, get submissions in, but we can't control the submissions on the backsides. So, that is why we're here because the project has been moving forward. We submitted the initial plans; the initial plans were submitted to DOT in 2024. So, that just gives you an idea of the time that we've been working as shown, the site is under progress. They're ready. There's, the connections that can be made internally are made. The one that's saying as was shown earlier is the one to Route 146. So, that being said with that, MJ has agreed. They, we have an analysis. They did acknowledge some of the additional delay. Obviously, there's more traffic, delays increase, but that would not impede the ability for that to happen. So, now with that permit in place I wanted to add to what Rich has said in the pre-meeting is, now that there is a permit, the signal process can begin but until then, one of the things we're going to try to work with DOT is that roadway, the pavement can start. And, one of the things, what we would like to do is make that connection to 146 and ask DOT if we can use the existing signal at Old 146 right now and shift some of the heads so that if that approach came down, we could actually utilize that new connection as an interim condition as well. So, that is something now we have a permit, we did not want to add more to the pile so, we have those plans ready to go to DOT to ask them if that is possible. So, what that would do in that interim condition is, that curved Old 146 approach that everyone does not like, could go away and that would more efficiently make that intersection more efficient, more effective with the more typical layout so, it could also afford the opportunity for that to work. So, that would be kind of Step B, but, as I said, the analysis we did shows that even if we don't do that, it can work. If we do that, it will only begin to improve that circulation and operation and then they can continue to do the offsite additional lanes and capacity will continue to be added to that intersection until the time that the signal equipment is here and can be placed.

Lyn Murphy: So, I want to make sure that I'm understanding and the Board is understanding. So, you're looking for modification to allow a one Certificate of Occupancy and then if that other stuff happens, then maybe you'll come back for another one but right now you're only asking for one and you're going to comply with, MJ had a bunch of putting up barriers and signage.

Wendy Holsberger: Yes. Absolutely. Yeah, and (*inaudible*). Whatever we need to do to make it clear. Obviously once traffic starts going into that place, we'll do what we need to do to make it clear for room. So, yes, it is just the Healthy Living store Certificate of Occupancy that we're looking for.

Marcel Nadeau: Is there any guesstimation when DOT could have this solved?

Wendy Holsberger: Could have what?

Marcel Nadeau: So, that we could have the light situation solved.

Wendy Holsberger: So, it's solved, it's just timing at this point. So, now that we have that permit in hand, which was 1:30 this afternoon, the shop drawing process can begin once that is, and that starts with whoever the construction of the signal is. They review shop drawings. We review; Engineers review the

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shop drawings. It also goes to DOT; they review the shop drawings once all of that is signed off on. Then, the equipment can be ordered.

Marcel Nadeau: So, we're talking two months, six months, a year?

Wendy Holsberger: It can take six plus months to get that equipment in-hand.

Marcel Nadeau: Six months?

Wendy Holsberger: Six months it can, to get that equipment. But, like I said, we would like to potentially shift some heads on the existing signal so that we can make that part of that intersection, straighten that out, get that working. But the full signal will take more than six months.

Laurie Barton: Does your permit allow for you to make those signal shifts?

Wendy Holsberger: That is what we need, we need to ask DOT for permission to do that. So, the existing permit is for the full construction of all the off-site mitigation. What we're going to do separately is ask for a temporary condition to modify those signal heads. It has been done in other locations and part of it is because of the timeline it's taking for the signals to be done.

Tom Werner: Do you know what traffic volumes are bypass traffic that traffic is coming south on Route 9 and trying to avoid the signal at 9 and 146 goes through Old 146 and makes a left turn to go east. If that traffic, I don't know if it's, it seems like it's pretty good volumes to go through there based on my experience and if you could get that traffic out of that network, at least, in the interim, it would be helpful for the operation.

Wendy Holsberger: So, we analyze the condition with whatever traffic is there. We did not do any type of, I mean, the only way to figure out exactly what are you talking about is to track vehicles and do license plate surveys say you can't go here to here.

Tom Werner: No. I just wanted to

Wendy Holsberger: So, we did not take any of the traffic that's on Old 146 and assume they would go differently so I guess our analysis would be a worst-case condition assuming the people that are using Old 146 to cut through to not go to the 9 and 146 intersection, would continue to do that and the grocery traffic would be on top of that. So, if some of that traffic does shift out and go out elsewhere then it would have less volume on the Old 146.

Rich Berkowitz: I think most people are going to, once they figure it out, they're going to bypass Old 146 and use the Route 9 - 146 intersection.

Tom Werner: You think so?

Rich Berkowitz: Yeah. You've learned your lesson once.

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Lyn Murphy: And you're comfortable, MJ is comfortable with this? With the additions that were added in the letter, the signage and the blockade?

Don Roberts: So, any approval will be contingent on Joel's letter of August 21st, following those directives. You've got a copy of this, right?

Wendy Holsberger: I do

Richard Berkowicz: So, what? You put in the application say this gets approved, then you get everything you want. When does that application go in for a signal?

Wendy Holsberger: So, we just got the permit. So, the signals approved, it just now needs to go through the construction process. So, everything is approved. We have a highway work permit in hand

Rich Berkowitz: That you ordered or the construction process is ordered being prepared

Wendy Holsberger: The construction process for the signal is to start reviewing the shop drawings, getting signoff from DOT, the manufacturer and get that equipment ordered

Rich Berkowicz: So, is that a six-month process or is that going to take a little bit longer?

Wendy Holsberger: So, it's six months plus. It depends.

Rich Berkowicz: Six months plus when, from the permit?

Wendy Holsberger: From when the shop drawings are submitted, it's usually about six months. So, that process right now could take a couple of weeks to go through that. We're all very anxious. It going to go as fast as we possibly can.

Rich Berkowicz: When's the estimated opening day, I'm curious. So, we're talking two months from now and they have a six-month process.

Wendy Holsberger: Well, the analysis that we did and the analysis that MJ reviewed does not have the new signal in place. That has the existing roadway

Rich Berkowicz: I'm trying to figure out a timeline here. You have your permits, you go through the process of engineering, ordering, preparing, installing. That started today. Healthy Living doesn't want to open up for another two months.

Marcel Nadeau: In about four weeks.

Rich Berkowicz: Well, that's September, that's not October.

Marcel Nadeau: okay

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Rich Berkowicz: Okay so we're talking, whatever. Healthy Living's going to be very busy for the first two weeks. People are going to find out whether they want to go there or not. As Yogi Berra said, "it's gonna be so busy no one goes there anymore". And they'll be there for a little bit. People try it out then it'll be like Popeyes. It's a huge increase for a week or two and then

Marcel Nadeau: Six months.

Rich Berkowicz: It's only a couple of weeks and then it'll die out when people find out what Healthy Living has, what prices they don't want to pay, and they'll switch to other places and people who do want to go there will go there. That's how I see it.

Wendy Holsberger: I mean, that's what any

Rich Berkowicz: People are trying it out for the first four weeks then people who want to go there will go there, people who don't. So, you have 50% of the people probably won't go back.

Wendy Holsberger: Well, we hope that's not the case. That's not exactly what our plan is.

Rich Berkowicz: It caters to a certain clientele.

Wendy Holsberger: Yeah, absolutely. So,

Rich Berkowicz: It's a more higher-scale clientele than Trader Joe's and Aldi's and Walmart, and that.

Wendy Holsberger: Right, and people shop at different times, so it's another thing you spread it out. Like, we looked at the PM peak hour which is the worst peak which has a higher grocery trip generation also. We're kind of looking at that worst case condition and that was what was assessed. Like, that, nothing else is going shift. No one else is going to go in a different direction. That's what we looked at.

Rich Berkowicz: And, people will find their way around it.

Wendy Holsberger: Correct.

Rich Berkowicz: Some people won't be able, some people are forced to go through, but I think a lot of people find their way around it.

Wendy Holsberger: Right.

Tom Werner: Do you have a rendering of what the final road conditions will be in terms of all the connections and alignments?

Wendy Holsberger: I don't know Rich has that up there. Essentially the Chaucer the place, the Lowe's driveway is going to have another lane exiting so it'll have left, a thru and a right. So, that's adding capacity to be on that northbound leg. And the westbound approach is going to have another lane that's going to be a shared thru right-turn lane. So, right now, there's a left-turn lane and a single thru-right that's going to be, so it'll be a left turn, a thru and a thru right, turn lane.

Rich Berkowicz: When does that happen?

Wendy Holsberger: That can happen any time. It's just a matter of you know

Rich Berkowicz: Did Lowe's approve to that?

Wendy Holsberger: Yes. Everything has been approved.

Rich Berkowicz: No but has Lowe's worked out a time schedule to do that?

Wendy Holsberger: Well, the construction schedule that has to be coordinated for sure with them but like everything is approved there, they agreed to that

Rich Berkowitz: So that is part of this process to finishing that lane?

Wendy Holsberger: Yes so, the first goal is to get the connection into the site made because that will you know will add the change that leg, then doing the other improvements all that pavement can be done. The applicant plans to do that as soon as he possibly can to get that intersection, it's just the signals take some time

Rich Berkowitz: That includes the turning lane east/west bound 146 into the property?

Wendy Holsberger: yea there is a right turn in which yea that's not its going to be constructed during all of this process because you're going to be out there you are going to construct everything that wont open until

Rich Berkowitz: Well, that hasn't been done yet, I take that route everyday, and I haven't seen a turning lane being built

Wendy Holsberger: We just got the permit today we can't do anything until

Don Roberts: I guess the bottom line is they're requesting if they get it, they are getting one c/o until all the highway improvements are completed, that's all it's coming down to. One c/o until all of what you're talking about and everything else, one c/o until all the highway improvements have been completed to our satisfaction. That's what it comes down to right? Questions?

Marcel Nadeau: So, what's our recourse if this picture-perfect plan doesn't work?

Don Roberts: No c/o's its very simple

Marcel Nadeau: But we will give them one?

Don Roberts: Yea and that's it.

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Rich Berkowitz: But they can't make this go on one c/o they've got to have the apartments to be c/o'd to be profitable.

Don Roberts: Now before we go any further I, we know what we are here for, but this is an observation, those interior roads are able to support fire equipment right? They look sort of narrow, they'll be alright?

Wendy Holsberger: Yea

Don Roberts: Okay, alright, thank you.

Rich Berkowitz: Again, you're going to put up barriers, jersey barriers? Okay, except for what?

Don Roberts: They are going to follow Joel's letter

Rich Berkowitz: Okay

Tom Werner: So, Joel will renew that before it opens all the interior signings , barriers placements and internal directions ?

Richard Harris: MJ actually has an engineer inspector in the field right now inspecting the roads, Town infrastructure, stormwater everything, so that'll be part of their review before the Town signs off and says yup these Town roads are acceptable so we'll have our whoever is to sigh whether it's Kurt or someone else who's out in the field ensure that whatever they do on those other two legs that don't have any red on them is properly marked, signed , jersey barriers whatever is acceptable. My only question I have is if you get that other permit that you haven't applied for to do an interim connection from right to the intersection will you then close Old 146?

Wendy Holsberger: Yes, it would have to be , it would be closed off

Richard Harris: At the same time?

Wendy Holsberger: Yes, because you can't have 5 lanes there

Richard Harris: I know we haven't talked about this other connection

Wendy Holsberger: Correct it was basically change it and make it more you know, make that intersection more of a standard layout which as we know that curvature on 146 it makes it less efficient so it will start to continue to like, and again that's the goal is to do as much as we can to add that capacity and make you know as we go through the conditions as fast as we can

Tom Werner: How will that affect the rest of the businesses there, access to Billy's Barber Shop on Old Route 146?

Wendy Holzberger: I don't know where Billy's Barber Shop is!

Richard Harris: The plan you already approved has them getting a connection to the new road

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Marcel Nadeau: So where will it be closed off?

Richard Harris: Billy's will have a connection straight up through here

Lyn Murphy: That's something that was approved

Rich Berkowitz: I just have a question out of curiosity, where is the water line that you have to replace?

Jason Dell: It goes from 146 to the new intersection to (*inaudible*)

Rich Berkowitz: And they're making you do that?

Jason Dell: They are making us move it yes

Wendy Holsberger: The DOT well so the widening on the west bound lane that we're adding the widening ended up being on the shoulder was on the edge of where that water line was and the State wanted to move it.

Don Roberts: Any other questions on this ?

Rich Berkowitz: I'll make a motion to approve the site plan amendment and contingent on MJ's letter dated August 21, 2026, and all the traffic roadways being completed prior to the second c/o

Lyn Murphy: So basically, what you're doing is amending the conditions so that the one c/o can be issued.

Charlie Lucia: I'll second it

Don Roberts: Okay so we have motion and a second , you understand what we're doing here right? All in favor Aye ?(all were in favor) Opposed? (none were opposed) Motion carried, good luck

One Four Six Marketplace Off-Site Mitigation & Phasing Plan – Site Plan Amendment APPROVED. The request to revise the conditions of Site Plan approval was approved to allow for the issuance of one certificate of occupancy prior to completion of the road improvements, with the condition that the applicant shall comply with the recommendations of the Town Engineer.

Laurie Barton: I'll make a motion to adjourn

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Alison Pingelsk: I'll second

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

One Four Six Marketplace Off-Site Mitigation & Phasing Plan – Site Plan Amendment APPROVED. The request to revise the conditions of Site Plan approval was approved to allow for the issuance of one certificate of occupancy prior to completion of the road improvements, with the condition that the applicant shall comply with the recommendations of the Town Engineer.