

A workshop was held by the Town Board of the Town of Moreau on February 22, 2012 at 8:00 p.m. in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York regarding a proposed Planned Unit Development.

The workshop commenced at 8:00 p.m.

The Deputy Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Bob Prendergast	Councilman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

Gina LeClair	Councilwoman
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Also Present: Leeann McCabe, Deputy Town Clerk; Stefanie DiLallo Bitter, Attorney for the Town; Paul Post, Reporter for the Saratogian; Gordon Woodworth from the Chronicle and several Town & Village residents.

Supervisor Jenkins welcomed everyone and stated that this is a workshop with the Town Board and the Developer. He introduced Dave Osher from The Buck Group and asked that everyone turn off or silence all electronic devices.

Attorney Bitter made a recommendation that Councilman Vittengl recuse himself from the workshop and identify his financial interest in the project. Councilman Vittengl stated that since he is a property owner involved in this project he is recusing himself from any involvement. He then took a seat in the audience.

Mr. Osher introduced himself and proceeded to present his project to the Town Board. The Master Plan for Routes 9 and 197 is a concept they put on paper. The one thing that he can say with certainty is that in the near future they are going to do the residential component. It's not going to be a low rate project it will be a market rate project. It's going to be class A and like nothing we've ever seen in this area. The other sources and uses they have for the property are in flux. They don't have any definitive plans for any one specific use. In his opinion, it's going to be a long process, as long as five years. They came into the market with the intent of doing the residential project in the market. This project presented itself because of their efforts in looking for a piece of real estate to do this. They believe in the project and their partners believe in the project. They have more interest in this than any other project they have on the table right now.

Mr. Osher asked for any questions that the Town Board may have. Supervisor Jenkins asked that Mr. Osher talk about sewer. He stated that it has been his understanding, the brief time that he has been involved, with this parcel of land and with this project that this intersection has received a lot of attention from multiple developers and multiple projects and the one common denominator for most of them not going forward, in his understanding, is the lack of sewer. He stated that it's a major issue in the Town and needs to be addressed. He feels that with the direction the Town is going in creating the sewer extension, dictates that, if you build it they will come. They feel they can afford to put the sewer line in on their back and then bring in developers and build out the rest of the project to help offset the cost to themselves. There is State aid available to the community, it's money that has been earmarked for infrastructure, improvements and the like to spark economic development. In their discussions with the Town and SEDC shortly, they are going to spark the conversation: why can't we as a partnership go get those dollars that have been asked for by the municipality to build this line for the municipality and recoup some of the cost that they as developers not just them but other developers who have projects that are going to hook into this line and are going to pay a significant amount of money to do so. If there's all this money out there that has already been earmarked for the project, then why can't we collectively go out there and get it to reduce the cost of the infrastructure to all the developers and get everybody to build. They took what the

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Town has done so far as far as design work getting it to this site and Eddy Esposito who's the architect for this project has a complete design for a sewer solution that picks up from the study where the Town did their initial analysis. They know what they need to do as far as storm water, sewer and water systems for site specific and have addressed it here and will forward that to Joe Patricke in short order.

Councilman Prendergast said it was his understanding that this project will be in phases for about five years. That's a long time for the developer. He asked if they could explain the different phases. Mr. Osher stated that he controls the residential component and said that he could say with more confidence than this morning that the retail component is going to become more of a priority than it is today. He hasn't heard this much excitement in a long time from the people they're being approached by and they're significant developers not fly by night shows. They have major retail clients and very interested in coming into the market. Councilman Prendergast asked what will be the first phase. Mr. Osher presented maps and stated that they follow the same process as the sewer and water build out. The Residential component would be first, which would bring the boulevard through. That would provide the sewer and water for future development. The next goal would be to develop the front parcel. This would happen relatively quickly, probably on approval of the P.U.D. they would go to this subdivision and create the entranceway. Mr. Esposito stated that they have to evaluate traffic and the sewer study, which are very much a part of the comprehensive plan. Everything will be spelled out in a construction sequencing plan. Mr. Esposito stated that part of this process is to gather information and get feedback from the Town.

Councilman Kusnierz stated that there is no doubt that over the past several weeks there has been a level of excitement in our community with a lot of rumors in various corners and a lot of it was contributed to the commercial component of the project. It's a little disappointing to him that the primary focus of phase one is the residential development, because he hadn't heard that before tonight. Mr. Osher stated that it's not that they don't want the retail or that they'll focus on not bringing in as much retail as they possibly can. It's that financially he controls that. His group is going to write the check for that and it's not a small one. He stated it would be forty to fifty million dollars once the project is built out. The other part of that is that the retail that they're going to bring is coming because they're building the residential. His motto is retail follows rooftops. He has been fortunate enough to learn about mixed use developments and methodology and in every case the retail follows rooftops. He's not going to build the retail and have it be successful and not have the rooftops; that's what demographics do. He stated we're in a backwards position being where we are in the Town. We don't have the population that most retailers would like to see to come into a project like this. However, because of its proximity to other projects and tying it in to a bigger regional strategy, we can bring partners that wouldn't normally look at it, because of their involvement. A retail tenant or a grocery store is not going to be able to come in and put a three and a half million dollar sewer line in. Three hundred apartments can afford a three and a half million dollar sewer line. He stated that they are of the opinion, if you build it they will come. Councilman Kusnierz stated that from a historical perspective, their project is not the first one to come before previous Town Boards that wanted to do increased density apartments down Route 9 and every single time the Town Boards have not been in favor. We have always viewed the Route 9 corridor as being our ticket to keeping the property tax burden low on our residential property owners. We've been waiting for this day to come for a very long time. We have municipal water and we're trying to get sewer down there. So we know we're on the cusp of having that commercial corridor take off. We're making progress in that direction. He's very sensitive, because he hears from the community that we have a lot of projects that are apartment oriented and there's a feeling that he's hearing, that we have enough apartments in our community. We want to focus on our commercial corridor. It's his understanding that this project will be for three hundred apartments and they'll be asking for structures that are six stories high. Our zoning already limits the height to thirty eight feet so that will be a change from what's generally accepted in our community. If they had a commitment to a dual path working on commercial and residential, he'd be more than willing to consider a P.U.D., but to go forward with a P.U.D. with the residential aspect and hoping that the economics are right and the demographics are right and everything to bring in the commercial aspect; he needs a little bit more guarantee that it's going to happen and it sounds like they can't provide that. Mr. Osher stated that he wouldn't guarantee it, he doesn't control it. He could come back the next meeting and tell us that he has to put two hundred thousand square feet of retail in there before the residential, but he doesn't

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control that. He stated that based on where they are today; they can get a sewer line to the site. He's pretty confident in saying that they'll come in with retail but at the same time, he doesn't know how much or what it will be. The residential component can support the cost of the infrastructure itself. It makes the rest easier which means they can rent it for less and can offer better lease terms or land terms to developers. He stated that he would be lying if he could promise the retail.

Councilman Prendergast stated that he was certainly interested at this point. He stated that there are still a lot more questions to go through and they want to hear from the public. He stated that he learned years ago that rooftops or population can bring business. He also stated that he does a lot of traveling within the County and every single town he goes through has apartments or has apartments going up. He explained that the Community has a desire for commercial growth. Mr. Osher stated that there are about five stores they plan to bring with them, but again couldn't make any guarantees. He doesn't control their decision making process.

Supervisor Jenkins stated that if this project comes in it will complete the sewer from exit 17 to our existing site which goes to the City of Glens Falls, which will not only serve this development but every other property along Route 9, which is future growth whether anything happens on this site or not.

Councilman Kusnierz stated that one of the reasons people move into our town and stay in our town is because of the character of our town. You don't see that on the bottom line when you're putting a project together.

Supervisor Jenkins stated that the thing he likes best about what he sees is that it's not a shopping center, it's not a mall. It's parking lots but with sidewalks and green space. It's a community within itself.

Councilman Kusnierz asked if they own the property now. Mr. Osher stated no, that they have an agreement in place with a group of landowners.

Councilman Prendergast asked if they were partnering with other developers. Mr. Osher stated yes, one developer is from Albany and the other has property in the Town of Moreau and two other partners that are equity owners. He then asked, if things go well, when would they start with the sewers? Mr. Osher stated that when he closes on his financing, sometime in July he would hope.

Supervisor Jenkins asked the audience if they had any questions.

Bill Smith asked that because of Bob Vittengl's interest with the project would someone else step in to his position for voting purposes. Supervisor Jenkins stated no.

Bruce Candiano stated that he doesn't think this can work with all the traffic between Route's 9 and 197 already and then to add this project to it would be too much.

Supervisor Jenkins stated that this would be a DOT issue. Mr. Osher stated that their study has to be completed and if there is an impact, DOT would make them do something.

Ellen Bombard asked that besides the residential, this being such a small community, why would a Cabella's or Bass Outlet be a good idea. Mr. Osher stated that people travel a long way to hunt and fish in this area and wouldn't want to have to travel back to West Marina at exit 7 to get something for their boat when there's a Cabella's at exit 17. There's nothing up here right now.

Colleen Coulter stated that she lives on Butler Road right next to the roadway to this project. Mr. Osher stated that this will be for residential traffic only. Colleen also asked if this would be the only residential entrance and exit or would there be one on Route 9 as well. Mr. Osher stated that it depends on DOT and what they make them do but it should be Route 9 and Butler Road for residential and just Route 9 for commercial. Tracy Needham lives right across the street from Colleen Coulter and asked what will happen

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with the traffic on Butler Road. Mr. Osher stated that DOT may require them to put in a stop sign or a traffic control device.

Kevin Elms stated that he lives on Reynolds Road. His concern is the School Taxes. There have been a lot of developments in Town. They're all residential and it makes it hard for us to maintain a tax base that isn't too great for the people. Mr. Osher stated that they will pay more taxes on their residential piece than most developers would pay with a pilot or some sort of tax break. They fully intend to pay taxes.

Kimberly Loneck stated that she lives off Spier Falls Road and there's a beautiful county forest in between Redmond and Butler Roads and she noticed that trees have been cut down. She asked if it would be disturbed. Mr. Osher stated no. She said she noticed that during the summer they were cutting trees. Mr. Osher stated that it's a managed forest and that it was a management plan to cut the trees down. They do this every twenty to thirty years.

Bruce Candiano stated that he was down at exit 15 when they developed that twenty some odd years ago. At night there's an orange glow, he's concerned about the lighting for this project. Mr. Osher stated that they're not looking to light up the sky, they want to be a green project and most of the people they're dealing with want a green product.

Reed Antis spoke and asked if wouldn't it be out of character to have six story buildings in the area and won't it stick out like a sore thumb. Mr. Osher stated no, but he's biased because it's his project. Mr. Antis asked what the height would be for a six story building and Mr. Osher stated about fifty eight feet to the top of the gable above the roof line. Mr. Antis asked if our emergency services would be able to handle a six story building. Mr. Osher didn't know the answer to this question. He didn't know how big the largest ladder was. Councilman Kusnierz stated that it was thirty eight feet and that's why the code is thirty eight feet. Councilman Kusnierz stated that the fire company can service a thirty eight foot building. Mr. Antis asked if they would donate a new truck. Mr. Osher stated that they wouldn't donate a new truck, but he'd go look for a used one. He's done that before. Mr. Osher stated that if he has to build a thirty eight foot building, he can't do the project. If he can't get the number of units he has, he can't afford to build the sewer line and if he can't build the sewer line, nothing else is getting built. Mr. Esposito stated that you fight fire from inside and these buildings will have commercial sprinkler systems.

Tracy Needham asked if the project is roughly three hundred units and how many bedrooms, one, two or three. Mr. Osher stated yes three hundred units and no three bedrooms. Some one bedrooms but mostly two bedrooms. Mostly young professionals gravitate to these sites. You will get some families but mostly young professionals. Ms. Needham asked what the average rent would be and Mr. Osher stated the average would be around \$1267.00 but will range from \$975.00 to \$1500.00. There will be a pool a club house and a work out facility, garden areas and bike paths.

Bill Smith asked where the sewer would be picked up and Supervisor Jenkins stated exit 17 to Route 9 to Bluebird Road, across Fort Edward Road to Schermerhorn's pumping station, it would tie in there.

Mark Biddescombe asked that if the residential is built and then the commercial doesn't come, would there be any stipulation that it is to be zoned commercial and not become more residential. Supervisor Jenkins stated that the PUD right now is twenty three acres residential and the rest commercial. The Town Board is the only one that can change the zoning after that. Councilman Kusnierz stated that he thinks what Mr. Biddescombe was trying to ask is if the commercial part of the project doesn't get built, can the developer come back to the Town Board with another PUD for more residential and he thought that they could. He asked the Attorney for the Town, Ms. Bitter, and she confirmed that they could through another PUD.

Mr. Smith asked what the reason was for the sewer to go down Bluebird Road and not down Route 9. Supervisor Jenkins replied that it was for cost reasons. He stated what we already have sewers to connect to on Bluebird Road. That's no to say that Route 9 might not come in the future.

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Mr. Antis asked if Fitzgerald's and the Sunoco station would disappear and Supervisor Jenkins stated no. Councilman Prendergast stated that from the looks of it, the car wash would go. Mr. Osher stated yes but there will be a new one.

Councilman Kusnierz asked if they could get copies of all the documents that were provided to the Town Board, because under the new rules of the Open Meetings law any documents the Town Board reviews has to be made available to the public or on the web site. Ms. Bitter confirmed this. Mr. Osher stated that he would E-mail the documents the Town.

Mr. Candiano asked what the next step will be. Supervisor Jenkins said that the next step from the Town Board would be general approval of the concept.

Dave Rogge asked if they have a web site that shows other projects that they've done. Mr. Osher stated that there are some projects on their web site and he believes their web site is Buckconstruction.net. He wasn't sure as he doesn't go to his web site very often.

Supervisor Jenkins thanked everyone for coming to the workshop.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adjourn the workshop at 9:45 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	aye
Councilman Kusnierz	aye
Councilman Vittengl	aye
Supervisor Jenkins	aye

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Deputy Town Clerk