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TO: Town of Philipstown Planning Board DATE: November 16, 2022

FROM: Ronald J. Gainer, PE SUBJ: Kingsley Commercial Site Plan; Old Albany Post Road

Project Scope: "Mixed Use" Commercial Business

Zoning District: "OC" (Office/Commercial/Industry Mixed Use) District

The application has been before the Board since this past May. Because the matter involves a "mixed use", both "Special Use Permit" and "Site Plan" approvals are required. A Public Hearing was held in September. Thereafter, the Town Highway Superintendent was asked to comment on the location of the proposed site driveway, as his office is responsible to issue a driveway permit for such access onto Town roadways. He has advised that, to maximize available sight distance, he supports the driveway location as is showing on the site plan drawings.

Given this, at last month's meeting, the Board and design engineer discussed what, if any, protections would be appropriate to minimize potential business vehicular conflicts with school bus pick-ups and drop-offs which occur along the roadway at the Mountain Brook Drive intersection. The design engineer has now obtained information from the Haldane School District on the specific times of the school bus activity along the roadway and provided this to the Board. This information is summarized below:

Haldane School District Bus activity at Mountain Brook Drive:

- AM pick-ups (currently 1 student is picked up at each designated time)
 - High school/Middle school - 6:50 am
 - Elementary school - 7:55 am
- PM drop-offs (currently 1 student is dropped off each designated time)
 - High school/Middle school - 2:45 pm
 - Elementary school - 3:35 pm

Kingsley site business vehicle activity:

- AM - Employee arrivals/Business vehicles leaving site - 7:15 – 7:30 am
- PM - Business vehicles returning to site/employee departures - 4:00 – 4:30 pm

Based upon this information, it does not appear that a significant conflict is expected between these vehicular activities which will occur at the Mountain Brook Drive intersection. Further, and as we are all aware, per NYS Vehicle and Traffic Law §1174(a), drivers must stop if a school bus is stopped in order for passengers to get on or off the bus, and is also required to stop whenever the bus is displaying a red stop sign. Drivers are obligated to remain stopped until the school bus starts to move again, or until the driver is signaled by the bus driver to continue driving.

To provide some further assurance that potential vehicular/bus conflicts won't occur, it is recommended that the applicant's expectation of employee/business vehicle arrivals to and departures from the site be confirmed through the addition of a note on the Site Plan drawings, which would document the basis for any decision of the Board on the application.

RE: Kingsley Commercial Site Plan; Old Albany Post Road

If the Board finds that this latest information reasonably mitigates the concerns previously articulated by area residents at the public hearing, and provided that you are prepared to accept the current driveway layout and the building's latest architectural design, you may wish to consider authorizing the preparation of approval resolutions for the Board's December meeting.

Should you have any questions, please don't hesitate to contact us.

c: Adam Hotaling, Highway Superintendent
Greg Wunner, Code Enforcement Officer
Max Garfinkle, NRRO
Stephen Gaba, Esq.
Applicant (Badey & Watson, PC)

