

**MINUTES MEETING
Town of Halfmoon Planning Board, 2018
September 24, 2018**

Those present at the September 24, 2018 Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman-absent
John Higgins
Tom Koval- absent
Richard Berkowitz
Thomas Werner
Mike Ziobrowski

Planning Board Alternates:

Coordinator Building, Planning and Development:

Richard Harris

Planner:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobný

Town Board Liaison:

John Wasielewski
Jeremy Connors- absent

Town Engineer / CHA:

Joe Romano- absent

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

Rich Berkowitz made a motion to Approve the September 10, 2018 Planning Board Minutes, John Higgins seconded with changes. Minutes Approved.

New Business:

18.165 Gas Turbine Parts & Services Inc., Office Relocation, 421 NYS Route 146- Change of Use/Tenant

Fernando Robleno: Im Fernando and this is Michael Robleno we are the owners of Gas Turbine Parts and Services doing the change of Tenant application, we've got the plot plan on the lot.

Don Roberts: Just explain what you want

Fernando Robleno: I'm sorry we applied for a change of tenant and we are moving from our old location of 1 Old Route 146 to the new location to 421 Route 146 so there is that as well as confirming a address because we did have a guess a misunderstanding as to 419 or 421 I think its been cleared up but

Don Roberts: Just a short narrative of what you actually do you know,

Fernando Robleno: Im sorry?

Don Roberts: A short narrative of what you actually do

Fernando Robleno: Well we've been in the Old Route 146 location since 2002 or 2003, in 2002 1770 Route 9 is where we started, we're in the supplying of spare parts and services for the industrial gas turbine industry so we do everything from supplying spare parts to the services for maintaining power plants around the world, so I guess thats a short synopsis of what we do.

Don Roberts: Ok, thank you, any questions by the Board?

John Higgins: Will there be any outside storage?

Fernando Robleno: Right now we have one Conex container that is at the current , the old location, that we are looking to keep on the property , I will have to discuss with the current property arrangement , that container would possibly be re-located to the new property for short term until that is sent to a site , it is a tool box is basically what it is , is a Conex container with tools in it , that we are currently holding for one of our field engineers ,once it goes to that site it will typically stay on that site until it gets relocated to the next one. His previous job was locally so he kept it on our property for the time being so other than that no outside storage is planned.

John Higgins: There is no room inside the building for that container, is it 20 ft or 40 ft?

Fernando Robleno: It's a 40 ft.

Michael Robleno: If it would go in there it would be on the northern side of the building there along that wall so it won't be visible from the street from either way because we are not going to have it in front of our building.

John Higgins: I dont know what our code, does our code, Town code allow those containers?

Rich Berkowitz: You have full bathroom facilities?

Fernando Robleno: We do, we have full bathroom facilities, we got 5 full bathrooms, all handicapped accessible, so its industrial, I mean obviously the trailer could be loaded onto a car or wheel base, it would be the same thing as parking an 18 wheeler on our property which its industrial use, with a loading dock and 2 overhead doors, it could go into our building but that would take up a lot of operating space

John Higgins: No I was just asking regarding the approval for this site and whether its there and I was told it is ok as long as , do we want it shown on the site plan?

Lyn Murphy: If you want to enforce any kind of resolution whereby it has to be on that north side so it is not visible you would have to say that on the record and make it a condition of your approval

John Higgins: Ok.

Rich Berkowitz made a Motion to Approve Gas Turbines Parts and Services Change of Tenant/Use application with the condition that the mobile unit is on the north side of the building. Mike Ziobrowski seconded. Motion Carried

Fernando Robleno: Thank you.

18.163 Lowe's Temporary Storage Units, 476 NYS Route 146- Change of Use/Tenant

The applicant failed to appear before the Board.

Don Roberts: I guess they are not here I'll try them at the end.

18.164 Kinetic Towing Expansion, 211 Fellows Road- Change of Use/Tenant

James Pellett: My name is Jim Pellett I am the owner of Kinetic Towing, we're looking to increase our parking spaces from 13 to 30, increase of business

Mike Ziobrowski: Do you have another site plan that shows the planned parking spaces?

James Pellett: No I do not

Mike Ziobrowski: Ok

James Pellett: To show the additional planned parking spaces, no I do not

Don Roberts: I think I will need that before we take any action on this

James Pellett: Ok

John Higgins: I was on the original committee on this site did you ever put up the fence around the impound area?

James Pellett: We did put one on the back side

John Higgins: Yea

James Pellett: We put a stockade fence up around the back, between Moving Ads and our building, and we put a gate, we put a gate right on our driveway and then we put a nicer looking fence on the left side of that gate with the 2 like landscape boulders on both sides so it doesnt look like an impound lot.

John Higgins: Ok but there is a secure area?

James Pellett: Oh its secure area, yes Sir.

John Higgins: And the other condition of the other approval was that the upstairs was not to be used for any kind of sleeping or residential

James Pellett: No, no that's just an office

John Higgins: Again I'm just trying to remember what we talked about when we were there originally, ok thank you.

Don Roberts: Ok so get a site plan in to us and we will put you back on.

Richard Harris: If you just want to get this updated this is what the Board accepted in 2011 I wasn't here but I read the minutes, kind of the same thing happened in the past so if you can get us a revised plan

Don Roberts: Showing what he wants to do too right?

Mike Ziobrowski: Site Plan with usage, vehicles coming in and out , if people want to pick up their cars where do they park, how do they get their cars on a flatbed if you will, ok

James Pellett: Ok, we will do that, I appreciate it.

18.093 Klapija Duplex, 281 Grooms Road - Special Use Permit

Jason Dell: Good evening my name is Jason Dell, I'm an Engineer with Lansing Engineering here on behalf of the applicant for the 281 Grooms road Duplex Plant, the proposed Duplex will require a special use permit from this Board, and we will also require a Zoning Variance for the project to move forward. So we are here this evening to introduce this project to the Board in the hopes of this Board possibly sending along a positive recommendation of sorts back to the Zoning Board for the proposed use of a Duplex plan. The project site is located at 281 Grooms road , its on the north side of Grooms road kind of kiddy corner across from Timberwick and the lot currently is about .47 acres and is zoned as Professional Office/ Residential or POR. The existing house that's out there has been condemned by the Town of Halfmoon and the applicant would like to raise that building knock it down and construct a 2 family duplex in its place. There will be one access or one proposed driveway entrance out onto Grooms road, where it would branch off to the 2 separate driveways there limiting the amount of accesses and driveway curb cuts out onto Grooms road, water for the duplex will be connected to the existing waterline that is along Grooms and sanitary sewer service will be connected to the sewer main that runs along the eastern property boundary of the property. So as I mentioned before the project will require a zoning variance from the Zoning Board however any use for this particular lot will require a zoning variance as it is currently a sub-standardized lot for the zoning, for the POR zone, so we dont anticipate that this particular duplex use will be not in accordance with the surrounding area as your aware the neighborhood to the rear is all 2 family houses, are duplexes and kiddy corner across the street right over here there is a duplex , we've got Kids Campus right across the street and obviously the American Legion down the way a little bit so we dont feel that the duplex is not in keeping with the surrounding neighborhood so with that we would like to open it up to any questions that you folks may have in the hopes of moving it forward.

Don Roberts: Thank you Jason, now in my opinion, I dont know how the rest of the Board feels but, the way Grooms road has changed through the years I dont see anyone wanting to buy a single family house at this location, really the way the traffic is there now and all but, also it could go commercial as well

Jason Dell: That's correct

Don Roberts: And since this is almost all surrounded by duplexes I think it's a good use.

Mike Ziobrowski: I agree

Tom Werner: I would concur with that too.

John Higgins: For a PO-R you said that would also require variances?

Jason Dell: Yes we don't meet the minimum lot size prescribed in the POR zone

John Higgins: Ok that's what I want to clarify

Rich Berkowitz: Also you're increasing the size of the duplex from originally the old plan?

Jason Dell: Yes originally before the Zoning Board we showed a 3 to 4 bedroom duplex on either side the applicant has agreed to reduce that down to a 2 to 3 bedroom on either side

Rich Berkowitz: Ok

Don Roberts: So I guess all we had to do is make comments then, no action will be taken tonight actually.

Richard Harris: Yes this was one of the applications that I denied as Zoning Enforcement Officer and in this is his second go around with a denial this Board had provided feed back in the informal pre-meeting and we thought since the applicant was back a second time we thought it would be helpful to get some feedback, the ZBA in the past on a few occasions does ask for feedback and we thought conferring with Don and Paul Marlow who is not here tonight who attends the ZBA meetings he'd be helpful to get some feedback from the Planning Board for the ZBA to understand the Planning Boards position when it comes to the special use that may come back to them if its approved by the ZBA, I do want to add that this property for about 4 to 5 years has been an eye sore to the Town its been the subject of calls and visits by Code Enforcement on a few occasions of trespassers and part of the structure is severely compromised and has been deemed an unsafe structure you'll notice the x with the red background on the front of it, so I just want to add that this has been a site that has been on the Towns list of , can we use the term condemned, unsafe structure and the Boards input would be helpful to the ZBA in helping them determine whether a variance should be granted for this use or for the applicant to hear what potential uses that are the jurisdiction of this Board would be considered by this Board down the road and I think we heard that tonight.

Don Roberts: Ok I think we are all set.

Jason Dell: Thank you.

Don Roberts: Ok, take care

18.157/18.158 Lissmac Site Plan & Subdivision(Halfmoon Commercial PDD), NYS Route 146 - Site Plan

Jason Dell: Again Jason Dell with Lansing Engineering here on behalf of the applicant for the Lissmac site plan & minor subdivision, commercial subdivision, also here this evening is Ingo Heiland from Lissmac he can answer any question related to the operations of the facility, so the project site is located in the Halfmoon Commercial PDD, right along route 146 along the northern side, the overall parcel is about 63.84 acres and for this project as the title says we've got a two step process here first is the minor subdivision as well as the commercial site plan for the project so as shown on this plan the overall parcel will be subdivided into two parcels it will be about a 4 acre parcel along route 146 with the remainder of about 59.7 acres remaining in the back so the Lissmac site plan will deal with the front 4 acres of the parcel, so on that 4 acres the applicant is proposing to construct a commercial light industrial building with associated parking and access, the initial phase of the project will involve the construction of about 14,420 sq ft the initial area is right where I'm pointing here with the potential for about a 17,500 sq ft expansion which is for a small office here as well as this rectangle and the rear rectangle, for a total sq ft of 31,920 sq ft. What we are showing here is the parking and the access for the entire facility including the proposed expansion so we'll have the one access that is coming off of route 146 which will come in and be part of a potential future road however for right now this will only be constructed to Town standards however we will not be looking to dedicate this area at this point it will just serve as access into the Lissmac facility. So as you can see here as we come through and around we've got the parking around the outside of the building it will be the overhead door access on either side of the building and the parking that is shown out there is in accordance with all of the Town of Halfmoon requirements. We are for the total build out of the site we are required to have 71 stalls and what this site plan that we currently have we have about 84 stalls so we've got a little bit more than is required, however we feel that it works well with the site plan. Our water will be supplied into the site by a connection to the Halfmoon water system which is right along route 146, and we'll also be able to tie into the sanitary sewer system that's out there that is also right along 146 it's actually been stubbed across and onto the property already. Stormwater will be managed on site in the lower right hand portion of the site plan works well the grades down there we'll be able to mitigate all of our stormwater in accordance with the Town and NYS requirements. One of the big questions that we had and discussions that we had prior to the PDD approval when we were here for recommendation that had to do with buffering and providing setbacks for the neighbors, how you can see our site plan here is quite a bit different you know we are showing a buffered area here, the previous plan had the parking coming down and coming back up however we have provided now the requested 50 ft buffer that was requested by the neighbors, and at the Town Board meeting when we were there for the PDD we agreed to provide them with the requested either Black or Norway Spruce that will be planted along here and will be shown on our landscaping plan as we move forward with the design and the project. So with that I would like to open it up to any questions that you folks may have and hopes of moving it forward we also would like to request this evening if possible to move things along if we could have the public hearing scheduled for the minor subdivision if possible.

Don Roberts: I think we have to refer this to our various agencies first before we do a public hearing, but go ahead are there any questions by the Board?

Rich Berkowitz: Are there any loading docks where do you accept deliveries in the building?

Jason Dell: On either side we've got overhead doors that you can see on either end of the building there will be overhead doors there is no proposed loading dock on the building

Rich Berkowitz: Are there tractor trailers or how are materials delivered?

Ingo Heiland: I am the Vice President for the Lissmac Corporation, we will have probably once a week a tractor trailer or a container coming in and they will go into the hall and with an overhead crane we will unload.

Rich Berkowitz: They actually go into the building?

Ingo Heiland: Yea

Rich Berkowitz: Ok

Tom Werner: Have you done any traffic impact analysis for the peak hour and what the arrivals are , what are your hours do they coincide with the natural peak flow on 146 , thats one issue and my other concern is that you have a lane drop in the west bound direction on 146 right where your proposing the entrance or right in that area so that I think would be an issue you'd have to obviously get the Department of Transportation approval for the curb cut but this is a smaller part of a much larger development thats envisioned so at what point do we have a traffic impact study of the full site, what point would we request that?

Jason Dell: We do have the traffic analysis it has been updated and we will be submitting that based upon Wendy Holsbergs recent work she has responded to CHA's comments those responses to comments will be going back to them with an updated traffic study with the Lissmac proposal included in with the overall analysis, to answer your first question the peak analysis identified that there would be 13 am peak trips and 13 pm peak trips exiting and entering the site

Tom Werner: 13 and the others, does he have parking for some 84 spots so the other arrivals that utilize those parking spaces would be off peak?

Jason Dell: Well we're anticipating at this time and Ingo correct me if I'm wrong but 14 employees however based upon the way the Towns code is written I believe the initial building we're required to have 34 spaces and for the initial, the site plans will show the break up of the initial building versus the future building and how that parking is going to be constructed, however based upon the way the code is written and parking based upon square footage area of warehouse plus the number of employees we wind up with quite a bit more parking than what would be anticipated for just 14 employees.

Tom Werner: Ok thank you.

John Higgins: Are you planning on building the parking lot completely now or just landbanking some?

Jason Dell: With the site plans as they are submitted the Board will be able to see we are anticipating banking the majority of the stalls and only constructing what is needed for the building that you see there.

John Higgins: Ok, and there is no outside storage?

Jason Dell: No

John Higgins: Ok , and if you need to park a tractor trailer overnight do you have a spot where you plan on parking in other words if someone is making a delivery gets there a day ahead of time or something like that, it doesn't show anything on the site plan thats why I was asking.

Ingo Heiland: Within the last 9 years of existing with this company we never had truck and trailer parking over there

John Higgins: Ok thank you

Mike Ziobrowski: As part of the residual from the polishing the stainless steel do you basically contain all the residual, do you have scrubbers? You dont wash anything down the sanitary?

Ingo Heiland: No

Mike Ziobrowski: So you contain everything in house?

Ingo Heiland: Actually we have nothing to wash.

Mike Ziobrowski: It's all grinding and polishing?

Ingo Heiland: We assemble the grinding machines over there we are not running the grinding machines we are not producing or using the grinding machines we are assembly and we get parts for the machines assemble the machines and then we ship it out to the free market.

Mike Ziobrowski: Ok

Ingo Heiland: So we have no actual production in the house.

Mike Ziobrowski: Ok, excellent thank you.

Don Roberts: Ok well I guess we have to refer this to Clough Harbor, Joe you've got to review this , Saratoga County Planning Board and the fire, ok ?

Tom Werner: And DOT?

Don Roberts: No, they do that.

Tom Werner: Ok, separately they go.

Don Roberts: Alright then we will get back to you when we can get you back on.

John Higgins: One quicker question, the storm water management area where does that drain to?

Jason Dell: Right now what we are proposing in as infiltration basin so it will infiltrate into the ground, there is nice sand out there thats got a very rapid percolation rate so storm events up to and including I believe the 100 year event will be infiltrating and we will provide an emergency spill way for storm events larger than that.

John Higgins: Because obviously you're aware that the neighbor has some buildings that are very close to that storm water management area.

Jason Dell: Rich could you go down to the overall, the one that showed the aerial with the houses down below, if you go back to the rendering then this is the barn your referring to right here you can see the edge of it , this is actually lower over here so it would drain off in this direction

John Higgins: Thank you

Don Roberts: So Rich, then you will get back to the applicant when he can get back on the agenda again alright

Jason Dell: Thank you

Don Roberts: Ok thank you

The Board Tabled the Lissmac Site Plan application for review by Clough Harbor, Saratoga County Planning, and the Fire Department, a Public Hearing will be scheduled at a later date.

**16.159/16.160 Halfmoon Self Storage Center PDD, Phase I (Self Storage & Flex Space),
Farm to Market Road**

Jeff Williams: Good evening Jeff Williams Bruce Tanski Construction I'm here with Mr. Bruce Tanski and Mr. Eric Tanski who are the principals behind the project, to refresh everyone back in August of 2017 we presented this to the Town Board where they referred us to your Planning Board for recommendation in March of 2018 we gained positive recommendation from the Planning Board , June 2018 the Town Board passed and approved the PDD legislation and just last August this Board approved the lot line adjustment that was needed to get the sites ready for what we are proposing. Halfmoon Storage Center PDD is located between Farm to Market road and Route 146 on the eastern part of Town close to where these two roads intersect , it consists of two parcels with a total area of 16.68 acres , the eastern 9.94 acres that was created with the said lot line adjustment will be utilized for self storage units that is 8 self storage buildings for a total area of buildings of 48,000 sq ft and a total of 312 self storage units , the western portion which is 6.93 acres, that will be used for flex space storage buildings, there will be 9 buildings each one of the buildings are 6,000 sq ft and each one of those 6,000 sq ft buildings have 4 1,500 sq ft units , the units are to give a more versatile storage working area for existing or start up businesses and or private uses. The site plan , the site layout for the two proposed uses have pretty much remained consistent through out the initial review during the projects PDD recommendation phase the two newest pieces of information for the Board is our proposed construction phasing plan along with an improved landscaping plan. A complete engineer's site plan has been submitted for review to ensure that all the proposed and required improvements will function properly when the projects are completely constructed. But at this time we wish to propose phase I of both uses for consideration for site plan approval tonight. Additionally we have responded to Clough Harbor's August 3rd 2018 comment review letter with an August 17, 2018 response and submitted revised plans; we also did a follow up response letter dated August 28, 2018. Phase I of the storage units will consists of the construction of 2 buildings of the largest of the 2 buildings and they are both 8,800 sq ft. they are the 2 longest yellow buildings up on the screen there so they are 8,800 sq ft , one of these buildings there will be a management office for the self storage site, the total number of units will be the 87 self storage units , Phase I of the Flex Storage space units are the other 3 smaller identical buildings that will be to construct 3 that will be 12 flex space units in there , so thats basically

the phasing plan, the landscaping plan we improved the proposed landscape plan by mixing the proposed evergreen tree species that we first proposed to go up against the buildings that are fronting route 146 , we've changed the variety and mixed species on those hedgerows that are along the front of those buildings. So again we improved the proposed landscaping plan we originally we had just white pines that were facing right against the buildings facing route 146 a line of them, we mixed species of White pine, Blue spruce, Korean fur and Eastern Hemlock to kind of give it a different variety we have also enhanced the existing vegetative hedgerow that parallels along route 146 which we want to keep but we did enhance that by placing again more evergreens and red maples in there some where the gaps are and also disburse some of the landscaping through the area between route 146 and the buildings, basically we've increased the plantings, when we first proposed there were 35 trees we are up to 89 trees at this point and then the burm along Farm to Market road will remain as we presented earlier I think that was acceptable at one point.

Don Roberts: What size trees are you talking?

Jeff Williams: The trees are 6 to 8 feet basically, 3 1/2 caliber trees, that's on the landscape plan

Mike Ziobrowski: So the 89 trees come into play phase I?

Jeff Williams: Well the thing, I guess

Don Roberts: We are only dealing with phase I tonight

Jeff Williams: But I was just showing an overall, we enhanced the overall landscaping plan

Don Roberts: How many on Phase I?

Jeff Williams: Phase I right now is , there is some plantings up on Farm to Market road you can see where the buildings are highlighted, phase I so landscaping plan up here and this is a bio-retention area and probably up landscaping this way and then we would put this in here also to buffer these buildings as we go. I think just to let you know this is going to be phase I , this one and this building is phase II , for the flex space the rest of the four will be phase III, phase I of the flex space will be these three , the second phase would be these three and then the last would be these three so, this shows phase I in the area of disturbance what is going to happen.

Tom Werner: So each of the phases are going to have planting associated with it as they go

Jeff Williams: I think that's the way we would like to go as we put the buildings up we will put the landscaping in.

Mike Ziobrowski: One of the biggest concerns the last time you presented the plan to the Board was how much border there was between 146 and the storage area so thats why we bring it up , like how many, where they going specifically so if we are talking just phase I , I think its important for us to understand that border ok

Jeff Williams: And again this is the area of disturbance that we are proposing for phase I for the buildings, here this building will be built, so again we were kind of swooping around here and up and around so you can see the plantings that would be involved in that phasing.

Lyn Murphy: Just for clarification record, the way the dotted line is for phase II the two buildings, the flex space buildings that aren't being built, there is plantings in front of them, when you went on this one you said you were going to do them as part of phase I.

Jeff Williams: I obviously would think that would be part of phase II

Lyn Murphy: That's the question that came up.

Jeff Williams: Ok

Lyn Murphy: Which phase is that part of?

Jeff Williams: Obviously we don't want to put the plants up and then build around them, we need to put the building up and then put the plants in the right place for the buildings themselves

Lyn Murphy: Does that answer your question.

Mike Ziobrowski: You're building on a flat slab correct?

Jeff Williams: Yes

Mike Ziobrowski: Right so you really don't have to move the trees

Jeff Williams: Well we still have to get around them with our machinery and stuff like that, so I think we will put the buildings up and put the plantings around it so there will be more space there

John Higgins: The Board is more concerned about the time frame between phase I and phase II and phase III and you know you presented a very intricate planting schedule but from the looks of it a very small percentage of it is going to be included in phase I

Jeff Williams: And I guess that's because of how the buildings line up at this point but again we are going to come in with those other two, we've got to come in for phase II approval from this Board

John Higgins: Right but that could be years down the road, and we've told you from day one this is a very visible site and you've assured us that you are going to make it look nice it's something the Town can be proud of, and one of the things we are concerned about is the trees and you've increased the number of trees however our other concern is when are we going to see them?

Mike Ziobrowski: It doesn't seem to me that to put a border of trees immediately adjacent to route 146 in that area where you've got your highlighter just over here to your left, would be that much of an obstruction to the construction

Bruce Tanski: If we have to put the trees in here I don't have a problem doing that and these here but as far as all of this goes your talking tens of thousands of dollars now.

Don Roberts: Bruce we are just talking 146 for phase I, that's what we are worried about, the visibility from 146 on phase I

Bruce Tanski: I'm sorry then we'll put all of this in and all of this in and I'll put all of this in here

Lyn Murphy: Ok so you are just going to make sure that's clear.

Don Roberts: Because again the concern is visibility from 146 on phase I right now

Bruce Tanski: Im sure my brother would acquiesce to putting this in here, that's a detention area anyways we will put trees around that if that would help out

Mike Ziobrowski: That would be great.

Rich Berkowitz: What about the trees along Farm to Market just in phase I?

Bruce Tanski: Our intention is to do all of this here, this here, and this here and probably my brother will do, ill talk him into doing this right here.

Rich Berkowitz: On our map that's all Phase I anyway so.

Bruce Tanski: Pardon me

Rich Berkowitz: On our map that's all Phase I anyway so.

Bruce Tanski: Ok alright.

Jeff Williams: Thank you.

Don Roberts: Thank you, other questions?

Mike Ziobrowski: Just for clarity can we get a revised plan with the landscaping are going to be for phase I.

Jeff Williams: Yes, yes

Don Roberts: Anyone else? Joe you all set with this do you have any questions about the cross easements or anything?

Joe Romano: Yea the only remaining comment that we have is the ingress, egress you've created a minor subdivision the lot to the left.

Jeff Williams: Which is the line goes like this, we needed entrances in here so we needed to create an easement to share this crossing here which we are working on right now with our attorneys, and utilities also yes

Rich Berkowitz: Is that our problem or is it there problem?

Joe Romano: That's something we typically want to see on a final site plan.

Lyn Murphy: If they dont do it and they start fighting amongst themselves there is nothing the Town can do to enforce two people to enter into a contract with one another except saying none of you get any kind of building permits

Rich Berkowitz: But that's now part of our building approval

Lyn Murphy: Typically you could say you want it

Rich Berkowitz made a motion to Approve Phase I of the Halfmoon Self Storage Site Plan with the provided landscaping that we have approved and also an easement between the two properties. Mike Ziobrowski seconded. Motion Carried

Bruce Tanski: And for the record my brother and I never fight.

Rich Berkowitz: Are you willing to go on record (laughing)

Richard Harris: Jeff and Bruce and Eric just to clarify can you submit a revised plan showing what landscaping you agreed to do and label the easement to be files so it is on the final plan? Thank you.

Rich Berkowitz: And the species of the trees and shrubs and what goes where.

18.161 Lands of BWD Steel Inc., Batchelder, Niles, Fronczek, & O'Connor, 864 Hudson River Road- Lot Line Adjustment (Minor Subdivision)

Duane Rabideau: Duane Rabideau from VanGuilder and Associates here representing the applicant Ed Fronczek before the Board with a proposed lot line adjustment between the applicants land and lots 860 which is this lot right here 862 this lot right here and 864 Hudson River road right here the applicant owns this parcel , all of this parcel right here. This is so that we can create a 60 ft right of way along the existing , to create this right of way here , along the existing drive and road they have in there now for which they all use in common for utilities and ingress and egress, now this proposed right of way what we want to do is upgrade it to Town of Halfmoon road standards and be dedicated to the Town for public access, the portions of these lots A,BG,C, D all certain portions of that will be subdivided out so that this right of way can be created around here so basically what we are asking for tonight is before we move ahead with the application we wanted to make sure that the Board was ok with this configuration before we started to actually to do the engineering work for the proposed Town road that would be dedicated to the Town and thats our request before the Board.

Don Roberts: Thank you Duane, questions by the Board?

Rich Berkowitz: Are any of these flag lots?

Duane Rabideau: No, with this road what's going to happen is all of these parcels now come down to 4 & 32 with the creation of this new road here the frontage of all these lots will be along the westerly and southerly line of the new road, so they would be standard lots, and then all of the remaining lands will go with this lot right here along the easterly part of this right of way so..

Rich Berkowitz: So that far lot is lot E?

Duane Rabideau: That's correct, that would be like a remnant lot, this portion right here would be added to this parcel right here.

Rich Berkowitz: Duane what's that again?

Duane Rabideau: This parcel right now is approximately 4 acres and we are adjusting this line take it out and we are going to move it over here so that this lot will now be ten acres in size

Rich Berkowitz: Ok then lot E all the way off the end.

Duane Rabideau: That's correct, that's basically remaining lands.

Rich Berkowitz: Ok, so there is going to be 4 lots going to be those 4 lots by that cull de sac.

Duane Rabideau: That is correct.

Rich Berkowitz: Ok.

Don Roberts: Any questions by the Board?

John Higgins: Where the existing utilities are now their going to stay but your just going to have the Town road away from those correct?

Duane Rabideau: Thats correct, they have , their tied into public water along 4 & 32 and also the sewer there will be appropriate easements for these people to have sewer easement, water easement through this new lot right here.

Don Roberts: Anyone else? Rich this has to be referred to Saratoga County Planning Board right?

Richard Harris: Yes, we are going to consider a Public Hearing on this.

Don Roberts: Should we wait?

Richard Harris: We need it to be the October 22nd meeting.

Don Roberts: We will hear back from the County by then?

Richard Harris: That's why because we won't hear back by October 19th.

Don Roberts: Joe do you want to review this at all, no need.

Richard Harris: Clough will be inspecting the road as they go also I just want to make you aware

Don Roberts: I guess we can schedule

Rich Berkowitz made a Motion to schedule a Public Hearing for Lands of BWD Steel on October 22, 2018. Tom Werner seconded. Motion Carried, Public Hearing set

Don Roberts: See you on the 22nd

Duane Rabideau: Now one question as far as the aspect of the new road that they are proposing here is that kind of like separate from this action?

Richard Harris: Yea I would think that Clough is going to need to review that as when your ready to start construction I mean right now your basically reserving or carving out the right of way so Joe actually just whispered in my ear they are going to review, sign off on that as if that was a site plan, it will be after any site plan revisions.

Lyn Murphy: I understand because he is carving out the right of way as part of the subdivision they will be transferring the property , they will put the name of the Town o it even though we dont want it, do you see what im saying , so now its gone through the dedication process its been inspected all of that.

Richard Harris: what was the timing of the construction on the road that is something we never got into.

Duane Rabideau: I would expect by next Spring, basically my understanding is that..

Lyn Murphy: So Duane the easiest way to do this would be to keep at least one of the private individuals name on that parcel and then when we dedicate the road we will transfer it from that private individual, I am not giving you legal advice, from that private individual name to the Town of Halfmoon at that point in time, we get, if you dedicate it to us now your just going to own a strip of land and we don't want it.

Duane Rabideau: Right, you don't want it, so basically the road is after all of this is done.

Lyn Murphy: Correct, it has to be in somebody's name and then you dedicate it to us when its all done

Duane Rabideau: More than likely this right of way would probably go with Mr. Fronczek piece he would own this piece

Lyn Murphy: So just show that on the map after the public hearing

Duane Rabideau: Ok, got it

Don Roberts: All set?

Duane Rabideau: All set

Don Roberts: Ok, thank you

Old Business:

18.141 Koehler Industrial Design Storage Building, 131 Round Lake Avenue - Site Plan

Kay Kambe: Good evening members of the Board my name is Kay Kambe, I am here on behalf of Mark Jacobson, Insight Northeast, so what we have here today is a site plan of a vacant parcel that's approximately 2.7 acres the applicant has the building on the top of the page and they'd like to propose a building, a Morton building style on the bottom lot. It's pretty straightforward we have gravel parking area two locations of access from an existing paved road that we are proposing to improve and

based on the comment letter that we received, I think last week or the week before, we have proposed an ingress/egress easement as well for the shared driveway. We have addressed all of the comments that we received from CHA and at this point, we'd like to request approval.

Richard Harris: Can you add to the plan, kind of similar to maybe you heard us a future one of the others the final plan that an easement to be granted between parties for access that you talked about, unless it's already on there.

Kay Kambe: So the cross hatched area that you see going horizontal....

Richard Harris: There's actually that laser pointer on top that might be helpful for you.

Kay Kambe: So this area, the cross hatched area is what's proposed for ingress/egress easement it is 30' wide we're proposing to expand this road which is currently between 16-18' we're proposing that to be 20' so, there also exists this easement to this property currently and previously, this owner had also owned this, which is why we need a new easement for the subject property.

Donald Roberts: Questions by the Board.

John Higgins: You have the outdoor storage area.

Kay Kambe: Yes.

John Higgins: Listed as grassed.

Kay Kambe: Yes.

John Higgins: That area down there has a tendency to be little bit on the muddy side, how are you gonna get boats and cars and trucks and everything else in and out of the grassed area?

Kay Kambe: So, this is an area that they had added almost as an afterthought, they were saying perhaps we'd like to use that area and so we designated this rectangular area showing that in the future they could potentially store items over there, at this time, they aren't proposing any sort of reinforcement but that's not to say that they would need to if they do find that some of their stored items are...

John Higgins: I think the only reason you're saying it's grassed is because you don't want to have to consider runoff and storm water retention for that area which then down the road they may very well have to put gravel or something in there which is then gonna affect their stormwater retention.

Kay Kambe: So our proposed limits of disturbances approximately 0.9 acres which is under the threshold of 1 acre, the applicant has specifically requested that area to be designated to be grass. They didn't want to throw gravel down at this time and I can't speak for the applicant as to what they would like to do in the future or if they would be doing it in the future so that's the reason why it's designated as grassed storage area.

Donald Roberts: So, you wanna speak?

Craig Kohler: Good evening, Craig Kohler, Kohler Industrial Design that's a high spot currently in that area and that's pretty good soil we've driven a few things out there the area's to the left

John Higgins: When you were here before, you talked about storage containers and boats and everything else there.

Craig Kohler: Correct.

John Higgins: That's why I'm asking the question

Craig Kohler: Right down here, this is a lower area there's, it probably collects a little bit of water. Some of the soft areas you may have been mentioning, over here, this is the flood zone, it's a little lower down in here this whole area's pretty high and dry we do see a little bit of water here, that's some existing vegetation which is not old growth, this whole area was mowed down two years ago during the bridge construction project as a barter with the DiSiena's to park bridge equipment here and this is just some new Poplars and so forth but this seems to be a good area to just leave alone and yea if we find that we have any issues, we'll address that at that time.

John Higgins: How does that work Joe, if they know that they may have a problem down the road that's gonna bring them over their 1 acre of disturbance, it looks to me like they're keeping that as grass so stay under the one acre so they don't have to address it.

Joe Romano: Right, and if they ever came back with additional impervious areas, you would look at the site as total you don't get to break it up at 0.9 acre increments, so when they hit the threshold then the regulations come into play.

John Higgins: Ok, well....

Craig Kohler: I questions, would crush stone be considered impervious.

John Higgins: Yes.

Craig Koehler: It would.

John Higgins: Crushed stone would be.

Craig Koehler: Ok.

John Higgins: So that's the reason I'm bringing it up now just letting you know that it has to stay that way unless you plan on making some major modifications to the site.

Craig Koehler: Ok, understood.

Richard Berkowicz: What are the plates they put down that the grass grows through? Is that impervious also?

Joe Romano: That is pervious, like a glass block- pavers or like plastic.

Richard Berkowicz: I don't know what they are, but I know.

Joe Romano: There are a couple different products.

Richard Berkowicz: There's a place, a few places that have them.

Joe Romano: They use them for overflow parts and stuff like that. Those from DEC standpoint are considered pervious.

Richard Berkowicz: So they could use that if they needed to?

Joe Romano: Yup.

Richard Berkowitz: Ok, I know that somewhere in Town they had something like that.

John Higgins: I'd just rather go on record now so the applicant knows if he's gonna make changes he has to come back and address it to the Board.

Mike Ziobrowski: Did we hear back from the Saratoga County Planning Board Rich?

Richard Harris: Yes we did.

Richard Harris: They felt that it had no County wide community impact so they were ok with it

Mike Ziobrowski: Ok.

Richard Harris: They did suggest the easement question which was clarified, that we clarified that the easement's being filed and that it be recorded as part of the plan which you addressed.

Mike Ziobrowski: Ok.

Richard Berkowicz: *made a negative Declaration Pursuant to SEQR. Mike Ziobrowski seconded. Motion Carried.*

Richard Berkowicz *made a Motion to Approve Koehler Site Plan as long as needed easements are filed. Tom Werner seconded. Motion Carried*

Donald Roberts: All Set.

Kay Kambe: Thank you very much.

18.109 **Giffy's Bar-B-Cue/Power's Pub Expansion, 130 Meyers Road – Site Plan (18.109)**

John Higgins and Cathy Drobny *recused themselves from this item.*

Bryah Gifford: I'm always good at clearing a room I guess

Donald Roberts: We could use you more often.

Bryah Gifford: I'm Bryah Gifford, I am with Giffy's Bar-B-Cue and Power's Inn and Pub, I am seeking approval to add some additions to the barn that we have built it has been approved for a banquet, I'm sorry, for a catering facility we have recently gone through the Zoning Board to get it approved for a banquet facility.

Donald Roberts: Alright, Any questions? I got a couple before I have to bring up a little bit. This has been before us for a while now.

Bryah Gifford: Correct, so there's no surprise.

Donald Roberts: I like what you're trying to do and I think it's gonna be good for you and the Town both, ok, but the dumpster situation

Bryah Gifford: Ok.

Donald Roberts: They're gonna be screened.

Bryah Gifford: Correct.

Donald Roberts: Better than what they are now.

Bryah Gifford: Yes. Well, they're not.....yes, so in this plan there's approval to keep them there. I wasn't gonna fence them in if you were gonna make me move them again.

Donald Roberts: Right.

Bryah Gifford: But yes, where they are now will be completely in fenced in.

Donald Roberts: So they won't be seen from Route 9.

Bryah Gifford: You would see the fence, like a fence box.

Donald Roberts: Yeah, but.....ok

Bryah Gifford: We would put a large fenced box around it.

Donald Roberts: Good. Ok, great, ok. And now, so the barn will only be used for special events. It's not gonna be overflow from the restaurant.

Bryah Gifford: Absolutely not. It is not for regular seating, it is not for day-to-day customers. No, it's for only booked, private events.

Donald Roberts: Ok, and no parking on Meyer Road.

Bryah Gifford: No parking on Meyer Road. No, we added the additional parking spot...that new gravel spot up on the hill which is not zoned for the restaurant or not allocated, I guess is the right word for the restaurant. But that is our additional parking I was hoping to allocate for the barn.

Donald Roberts: Ok, and again, as you said, there won't be any connection between, you won't be having a special event in the restaurant and the barn the same time so you won't have overflow, I mean they'll be plenty of parking for both venues, right?

Bryah Gifford: Correct.

Donald Roberts: And then, no outside entertainment.

Bryah Gifford: No outside entertainment, no.

Donald Roberts: Ok.

Bryah Gifford: Correct.

Donald Roberts: Ok, that's all I had. Anyone else?

Richard Harris: Don, did you ask will there be special events or current, when Power's is open also?

Donald Roberts: No, no, no. I mean what I'm trying to do is make sure

Bryah Gifford: They'll both be open at the same time but they'll be two separate events.

Donald Roberts: I mean, but it's gonna be, like right now you have something there you have special events and Powers, right? Don't you have....

Richard Harris: Like St. Patrick's Day.

Bryah Gifford: St. Patrick's Day is our one big event, yes. At this point, I don't plan on using it for St. Patrick's Day because it's really, really pretty and I'm afraid of putting all the people in it. I think I'd much prefer to have, to come and get the tent permit and keep them in the parking lot. So at this point, I don't but no if we did in the future decide to use it for St. Patrick's Day I guess I'd have to get a special variance for that.

Donald Roberts: You'd have to get a permit for that too, right? You'd have to, right?

Lyn Murphy: For a banquet house. So if, say Hibernian Hall wanted to rent it for St. Patrick's Day for its members that would be an event then Power's would also be open for St. Patrick's Day so you would be in compliance.

Donald Roberts: See, I'm just worried about....if that were to happen it'd be great for you but I'm just worried about overflow parking on Farm to Market Road partially Route 9, we cant have that.

Bryah Gifford: Correct. And for or that particular day of that event when we do that, I do get a mass gathering permit and get a permit from the Sheriff's Department, from the Highway Department a heck of a permit from you guys and it paid to use that, one side of the road for that special event.

Donald Roberts: What, that side of which Road?

Bryah Gifford: On Meyer Road.

Donald Roberts: On Meyer Road, ok but nothing on Route 9 or Farm to Market.

Bryah Gifford: No nothing on Route 9, nothing on Farm to Market Road. Yeah, we put on tremendous amount of security on for that day, parking lot people on for that day, absolutely.

Donald Roberts: Ok.

Richard Berkowicz: And you're reminded the patrons of the banquet area not to park on Meyer Road?

Bryah Gifford: Absolutely I'm all for that as well yes, it's a sharp turn there.

Richard Berkowicz: Well, it also makes it a one-lane road.

Bryah Gifford: No, if you do park on the one side of the road, you can still make it a two-lane road. Correct yes. But we try not to make them park there at all there are signs marked saying dont park there.

Richard Berkowicz: Well, what the signs say and what the people do are...

Bryah Gifford: Absolutely, and that, unfortunately, is out of my control.

Richard Berkowicz: Well, your patrons.

Bryah Gifford: We try our very best.

Richard Berkowicz: You can make an announcement so they can.....

Bryah Gifford: Absolutely, absolutely. Yeah, absolutely.

Donald Roberts: Anyone else? Well I guess Rich we gotta refer this to Clough Harbor, Saratoga County and fire and we'll get back to you Bryah.

Bryah Gifford: So what is the process from there then? So it goes to those and

Donald Roberts: And then Rich will get back to you, once we hear back, Rich will contact you.

Bryah Gifford: Then I come back to this Board? Or?

Richard Berkowicz: You'll have to be here next meeting

Bryah Gifford: I know, that's why I was under the assumption that this was an approval or a voting situation contingent on the, ya know, that it's architecturally designed.

Richard Harris: No. You've got to, Clough's gotta do a review letter on kinda the details that you've heard a couple, it hasn't gone to Clough for traffic circulation, one that's come up and parking and potential storm water impacts of the addition.

Bryah Gifford: Certainly.

Richard Harris: So, Clough will do a review letter. During that time, we'll also send it the Fire Department for comment and County Planning. we take care of that part, they don't meet until, now, the third week of October, so Joe would issue his review letter most likely in that time period your Engineer would need to respond to that., and then depending on the content and his questions or issues and your engineer's response, will dictate whether Don feels appropriate to get back on the agenda, if Joe doesn't have a of issues and/or your engineer answers them satisfactory from an engineering standpoint, we got the County, we got the fire then it would come back here 99 times out of 100.

Bryah Gifford: Gotcha.

Donald Roberts: Alright. All set, ok. So we'll get back to you.

Bryah Gifford: Thanks.

The Board Tabled Giffys application for Site Plan for further review by Clough, Saratoga County, and the Fire Department.

Donald Roberts: Now, unless Glenn moonlights for Lowe's I don't think they're here, alright.

Mike Ziobrowski made a Motion to Adjourn the Planning Board Meeting at 8:00 Richard Berkowicz seconded. Motion Carried. Meeting Adjourned