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**MINUTES MEETING
Town of Halfmoon Planning Board
August 10, 2020**

Those present at the August 10, 2020 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Charlie Lucia
Brendan Nielsen

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison:

John Wasielewski
Jeremy Connors

Town Engineer:

Joe Romano
Joel Bianchi

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

Don Roberts: Good evening, I would like to call the meeting to order, have the Board members had a chance to review the minutes from the last meeting? Can I have a motion to approve please?

Rich Berkowitz: I make a motion to approve.

Mike Ziobrowski: Ill second the minutes

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried.

Public Hearing (s):

20.074 Synergy Park Phase 1 Lot Line Adjustment (Re- Approval), Rt. 9- Minor Subdivision

Don Roberts: Would anyone like the notice read? (No comments)

Duane Rabideau: Duane Rabideau from VanGuilder and Associates here representing Kings Road LLC. Before the Board tonight for re-approval of the lot line adjustment between Synergy Park Drive and Lot 6 Synergy Technology Phase 1. This lot line adjustment was initially approved March 25th 2019, this proposed lot line adjustment is on the west side of route 9 right across from Stewart's right here. The proposal is to relocate Synergy Park Drive from this position here, to right here, lot 6 used to be right here, lot 6 will be on the north side of Synergy Park Drive. The applicant has received DOT curb cut permit for the new location, the reason we are requesting the approval is because the original signed maps were not filed at the County Clerks within the 62 days limit and this proposal there are no changes to it, and that is our proposal.

Don Roberts: Okay thank you Duane, at this point we will open the public hearing , would anyone here in person in the room like to speak?(no comments) Would anyone online like to speak? (No comments) Seeing as no one's come forward we will close the public hearing, comments by the Board members?

John Higgins: Duane what is the schedule for the abandonment of the original road, I just was curious?

Duane Rabideau: As soon as possible, right now they are utilizing the new location of Synergy Park Drive, they are in the process of, on the Clifton park side of putting a bridge over the Duaskill. So as soon as this thing gets filed it's going to happen.

John Higgins: So the bridge is there now, it's just going to be abandoned I assume?

Duane Rabideau: Yea the old road will.

John Higgins: the old road, okay

Duane Rabideau: That's correct.

Don Roberts: Anyone else?

Rich Berkowitz: I make a motion to have a negative declaration pursuant to SEQR

Marcel Nadeau: I second

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried

Rich Berkowitz: I make a motion to approve the minor subdivision

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Marcel Nadeau: I second it.

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried.

*Synergy Park Phase 1 Lot Line Adjustment (Re-Approval), Rt. 9 – Minor Subdivision
APPROVED. Board held a Public Hearing and approved a lot-line adjustment for the Synergy Park project.*

19.143 11, 12 & 14 Northern Sites Drive – Minor Subdivision (Lot Line Adjustment

Don Roberts: Would anyone like the notice read? (No comments)

Brian Smith: Brian Smith at 11 Northern Sites. Im here tonight asking approval on lot line adjustment which would form three flag lots for 9, 11 and 14 and would land lock lot #12. Upon the road going through we would have it in the deed that the property would go back to the developer and I believe that's it, I think your all familiar with it.

Don Roberts; Okay we will open the public hearing at this time, would anyone here in the room like to speak? (No comments) Would anyone online like to speak? (No comments) Once again would anyone online like to speak? (No comments) Seeing no one wants to speak we will close the public hearing comments by the Board Members.?

Tom Koval: I make a motion to approve with the condition that the

Don Roberts: We need SEQR

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

Mike Ziobrowski: Ill second.

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried

Tom Koval: I'll make a motion to approve the changes with the understanding, and with the condition that the lots, common driveways be turned back over to the owner with the anticipation of them becoming a Town road.

Lyn Murphy: That language will be in the deeds themselves.

Brian Smith: Yes

Brian Smith: Yes

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Mike Ziobrowski: Ill second

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, good luck.

Brian Smith: Thank you.

11, 12 & 14 Northern Sites Drive – Minor Subdivision (Lot Line Adjustment)

APPROVED. Board held a Public Hearing and approved the request for a Minor Subdivision (Lot-Line Adjustment) on Northern Sites Drive to create legal access for three existing lots.

Old Business:

20.087 Tabor Road Transfer Station, 12 Tabor Road – Site Plan (Revised)

Jason Dell: Good evening my name is Jason Dell Im an engineer with Lansing Engineering here on behalf of the applicant Mr. Scott Earl for the modification to the Tabor road transfer station plant. This project was originally approved by the Board back in September of 2019 and we are back here this evening with a minor modification if you recall we originally had an emergency access road coming off of the main access and heading over to Tabor road and we would like to eliminate that emergency access road in order to extend the approximately 8 to 10 ft. high burm further to the east along Tabor road to enhance the neighbors view so they won't have to look directly into the back of the transfer station. The approved width of the approved plans was 60 ft. wide we still have a 60 f.t wide entrance, the size of the building does not require a secondary cross for the fire code. I've also reached out and met with the fire chief on site to discuss the necessity of that emergency access road and he agreed via email that he does not feel that the secondary access road is necessary. So we are here this evening to request that modification to the site plan to extend that burm approximately 100 foot further to the east. Another item that was briefly discussed at the pre-meet was there was some question as to the alternate haulers that may or may or may not want to use the transfer station that Mr. Earl had indicated, and if they are going to be able to understand or not use the right hand turn out of the facility, If you recall we were required to include signage in the front requiring anybody coming out of the facility to turn left , anybody that does in the future the transfer station will have to be permitted through Twin Bridges and John Brady is here Scotts assistant if there is any specific questions to that but they will be required as part of their permit process to turn left out of the facility. So I just wanted to address that since it was touched upon at the pre- meeting. So that's our request this evening to modify the site plan.

Don Roberts: Okay, thank you Jason, comments by the Board?

Marcel Nadeau: So what's to stop them from turning right?

John Brady: John Brady assistant to Scott Earl, so to answer that question in order for somebody to me permitted to come into the facility at all they need to actually fill out a permit application and that goes for any third p-arty contract for any hauler that is going to be dumping at the transfer station. Part of the application right attached to it is going to be the traffic flow acknowledgement form that they are going to have to sign and it outlines right on there what the repercussions were going to be if you were to turn and head eastward out of the facility or even try to enter the facility from the east side and so for a third party hauler it would be, the first offence would be a 30 day suspension from the facility and the second would be a permanent ban

Marcel Nadeau: So each driver will be aware of that?

John Brady: Absolutely and so and its per driver so if one driver does it today and a different driver does it tomorrow its counted against the entire company all of the internal employees will all be signing the same acknowledgement so the Twin Bridges employees will also have to adhere to that every offense or I should say initially the offence would be a 3 day no pay suspension for internal employees if it were to continue there after possible termination.

Rich Berkowitz: How would you know if they do that turn, make that turn?

John Brady: There is going to be people on site at any given time and expecting loads coming in and out we are going to have a person in a shed of sorts and a scale house if you will that's going to be able to see the scale and the inside of the facility that is going to be able to monitor and take a look. Obviously anybody that is reported exiting eastward out of the facility will be able to monitor that as well.

Don Roberts: Thank you.

John Higgins: So I have a question, so it's not going to be individuals that are going to be able to come in there it's going to be strictly companies that have some kind of a contract or agreement with Twin Bridges?

John Brady: That's correct so there won't be anybody entering the facility or using the facility that isn't in our software system with an approved permit. There won't be you know a random person coming that cleaned out their garage that is able to dump there, in order to dump at the facility you have to have an approved permit , approved traffic flow acknowledgement form signed on file and in our system.

John Higgins: I was not at the pre-meeting I was absent that night , that's why Im asking the question, because obviously when we originally approved this Scott explained in detail the gps system that is in all of Twin Bridges trucks and said that if they made the right hand turn that it would get an immediate alarm on their gps , the thing we are concerned about , Im concerned about is if there is a train that is blocking the train crossing people are not going to just want to sit there for a half an hour if there is a problem and there are problems at that crossing now so Scott explained that his men were all paid by the hour and they would just sit there, our concern is with these other companies they are going to give you the excuse there was a train there and I didn't want to wait, is that going to be in that agreement that even if there is a train that's not considered a reason to make the right, Im just asking the question?

John Brady: No absolutely it's a good question and then yea your right I mean that would be , while that might be, might incentivize the behavior a little bit and save some time and take a right , it does say for no reason at all should anybody be taking a right if the company or third party hauler whose driver decides to do that isn't handled appropriately they've already used up a shot from being permanently banned from the facility, I don't think that they would be willing to take that risk for shaving I don't know however many minutes. It's a good question and I

John Higgins: That's the whole reason this was discussed in detail I don't believe you were here when Scott was here but it was discussed in detail because of the neighbors and going way back when we initially approved County Waste, that's the reason the road goes down to route 9 just because of the neighbors and concern about trucks going through the neighbors, that neighborhood, thank you.

John Brady: No problem

Tom Koval: I am a little disappointed, I remember we were told in the original approval there would only be Scott's trucks, and there was nobody else. I mean I get it, its business but I feel as though slipping in a little bit extra in there and its , I just want you to know that Im not happy with the way that was handled, it's not going to stop my approvals but I expected a little more from Scott than to pull this 11th hour there are going to be other trucks coming in here , that's not what he told us so from now on if he wants to come and tell us what he is actually up to that's fine but let's just keep it all above board, it shouldn't have been the way it was handled, at the last minute he shouldn't be telling us there are other companies going to be dumping garbage because if you go back he definitely told us it was only going to be his trash and no one else's.

John Brady: Understood

Don Roberts: Anyone else?

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

Tom Koval: Ill second

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried.

John Brady: Thank you.

Tabor Road Transfer Station – Site Plan (Revised)

APPROVED. Board received a presentation seeking to amend the existing site plan to eliminate a second access and allow the extension of a landscaped berm.

New Business:

20.073 Impact Athletic Center, Route 146 – Site Plan (20.073)

Scott Lansing: Good evening my name is Scott Lansing with Lansing Engineering representing Lichfield Holdings for the Impact Athletic Center's PDD site plan. I think the Board is relatively familiar with this project, but I'll just give the Board a brief recap. What we're ultimately here for this evening is to review some of the project updates and answer questions and comments that the Board might have and then advance storage site plan approval. Background on the project, the overall parcel is approximately 32.65 acres it is located on the south side of Route 146 directly across from Warner Road. The parcel is currently vacant as far as surrounding uses towards the west, we do have the Boni PDD and medical facility off towards east and southeast we have the Pointe West townhomes and towards the north we have many different commercial facilities to the north. The parcel is zoned Impact Athletic Center PDD this is a project that the Board did review as a part of that PDD approval. As far as the proposed conditions, we are proposing an indoor recreational complex, first, the footprint is approximately 57,000 square feet with approximately a 23,000 square feet, square foot mezzanine for a total of about 80,000 square feet on the overall square footage of the building. As far as interior of the site, we have 6 basketball courts, large training rooms, several small exercise studios, locker rooms, day care, snack bar facility offices, a small retail area and then throughout the facility there will be several small congregation areas for different teams. As far as outside, on the south portion of the parcel, we are proposing 3 outdoor sand, beach sand volleyball courts and that is it for the outside as far as activities. As far as access, the Planning Board and the Town Engineer, Traffic Engineer

that was hired, Chazen Engineering did identify that access should be from Warner Road. Previous Concepts did have access on the western side, it was determined that access should line up with Warner Road. That includes also traffic signal and left turn lanes and for the Board's reference, we do have VHP, the Traffic Engineer working for the applicant here this evening if there are any questions on traffic for the project. As far as pedestrian, we do have a sidewalk system connecting the building to the parking areas as well as to Route 146. We are proposing 305 parking spaces overall which meets or exceeds all Town requirements. ITE accepted ranges and other similar facilities. Green space on the parcel. We're just under 87% green space overall for the project which exceeds the PDD requirement of 20%. Stone mortar, we are mitigating on-site water would be served by public water, there is a 16" main on Route 146 and last but not least we do have sanitary sewer which is on the, either the NYSEG pump station, which is our preferred disposal method and there's also another sewer line on the Fellows Road area. As far as architecture, architecture, this was included with the packet so we think it's a very attractive facility, fitting for the area and the Route 146 Corridor, as far as updates from the last meeting, as far as updates since the last time, and the Board has seen this, as far as the parking, there were some minor adjustments to the parking in the southern side of the parking there was an area where there was a parking isle perpendicular to that drive isle on the south that has been eliminated to streamline that area, reduce retaining walls and reduce impacts in that area. The traffic access advancement, again, we do have BHB here this evening, they are working on the plans for the intersection and working with DOT on that and then, last but not least, the building itself does meet all of the setback requirements, we do meet all of the setbacks that are outlined in the PDD, there is the one wall on the western side of the building that the architect identified that's with it at that position to the property line. There's a special type of firewall that might be required on that wall, so that's a Building Department issue, architecture issue, it has nothing to do with Planning Board or setbacks or anything of that nature. What the applicant is working on, and this was a development as of Friday of last week, is a lot line adjustment with the parcel to the west, about 100' by 650', so it gives us more than enough room so they can do the type of firewall that they want on that western side of the building and alleviates that concern. So again, that has nothing with Planning Board. As far as setbacks, we meet all the setbacks. It's just something that we'll hopefully save some money on the structure itself, so that's essentially it for the updates to the plans since the last time the Board saw the project. But we are here again for questions and comments from the Board and the advancing towards site plan approval, thank you very much.

Donald Roberts: Thank you Scott. First of all, we should refer this to Joel, our Town Engineer for review. Right?

Richard Harris: Clough has a review started.

Donald Roberts: Clough, ok yeah, Clough, I'm sorry Joel and then the fire district should take another look at this right?

Richard Harris: Yup. I did mention at the pre meet Scott, I'm not sure if you hear, I did have a conversation since we spoke since Friday with the Town Attorney Lyn Murphy was here, obviously and Supervisor Tollisen we're probably gonna ask that you come back to the Town Board and just give an overview of this change and the lot line and start the subdivision process here.

Lyn Murphy: So basically, the PDD allows for reviews based on recommendations from the Planning Board without having to amend the entire PDD so if you just flipped to that section and did a detailed letter for the Board and then the Town Board and as long as they were comfortable with the minor change, we could just track it and continue with the minor subdivision process.

Scott Lansing: Sure we can do that.

Donald Roberts: Questions or comments by the Board?

Richard Berkowicz: Scott, I think are there gonna be any bus, coach or school buses parked in the parking lot or them just going to use a couple of spots.

Scott Lansing: I would imagine they would be teams that might be dropped off with buses and they would park around back so yes I would envision that happening.

Richard Berkowicz: Is there gonna be designated parking area?

Scott Lansing: There's not they would just mix in with the existing spaces there, we don't have any bus specific parking areas in the parking lot at this time.

Marcel Nadeau: Traffic improvements will be done prior to the building?

Scott Lansing: Prior to what, I'm sorry.

Marcel Nadeau: The traffic improvements would be done prior to the building being built?

Scott Lansing: Yes, yes simultaneously with the building, yes.

Mike Ziobrowski: Scott, the walkway that's on the front of the east side of the building, but its heading north, there's a sidewalk, is there a crosswalk that gonna be put in the roadway, where's that sidewalk exactly going?

Scott Lansing: Right now it's just going to the right of way line, DOT is does not usually big on having connections, crosswalks on a State highway like that, that something can work with VHP and work with DOT on.

Mike Ziobrowski: I'd actually not even have it go to the road, it's like just dropping someone off in a roadway, where there's no crosswalk, there's no walkway signs telling people to walk, not walk.

Rich Berkowitz: That's a good point, we can work with...

Mike Ziobrowski: It's kind of leading somewhat to an, it's like, go ahead and walk the plank.

Wendy Holtsberger: Wendy Holtsberger for VHP. So, there is actually, we work with DOT. There is gonna be a crosswalk with pedestrian signals at that signal when the signal goes in so yeah

Mike Ziobrowski: Then, you've answered my question.

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Wendy Holtsberger: So, yeah and DOT was part of that approval, we have a concept in with them like with even more detail and they've approved that, so there will be the push buttons and the pet signals on that crossing. So, sorry for any confusion.

Mike Ziobrowski: Alright, perfect. Thank you.

Donald Roberts: Anyone else? Ok. I guess we'll get the fire district review and we'll get back. Right?

Richard Harris: I do expect, I mentioned at the pre meeting they would be back pretty soon with the minor subdivision and we can get that going and tie that in with all of this.

Impact Athletic Center, Route 146 – Site Plan

TABLED. Board received a presentation for the Impact Athletic Center site plan and referred it to the necessary agencies for review.

20.080 Eddy's Traditional Chinese, 1683 Rt. 9 (St. John's Plaza) – Sign

Donald Roberts: Ok. They're on line, re you there? We're looking for Eddy's Chinese sign

Donald Roberts: Ok, go ahead.

Richard Harris: Can you hear us?

Paul: Yeah, this is Paul with AJ Signs, how are you?

Richard Harris: Great, how are you?

Donald Roberts: Ok, go ahead.

Paul: Good. So we're here for a Dollar Tree, what we can get....

Donald Roberts: Nope, nope, I'm sorry Paul. We got him so we may as well go ahead.

Richard Harris: We're looking for a representative for Eddy's

Donald Roberts: Eddy's.

Richard Harris: Eddy's Traditional Chinese.

Donald Roberts: We're looking at.....We're looking for Eddy's Chinese sign.

Richard Harris: Ok. So, who's speaking for Eddy's Traditional Chinese?
Please speak, is anyone here for Eddy's Traditional Chinese? The Sign Application.

Richard Harris: No?

Donald Roberts: Ok. We'll come back to them later then. They had their chance, next item.

*Eddy’s Traditional Chinese – Sign
TABLED. The applicant failed to appear before the Board.*

20.081 Millwood Inc., 430 Hudson River Road – Sign

David Montasante: Yes. I’m on, David from Millwood.

Donald Roberts: Your name and what you wanna do please.

David Montasante: David Montasante, the plant manager for Millwood.

Donald Roberts: And, what do you want to do?

David Montasante: I just want to put a 4x8 sign in front of the building and I found in the warehouse it’s a 4x8. I gave you guys 15 pictures and 15 pictures of the lot. People get it mixed up all of the time with Birch Bottle

Donald Roberts: Ok. Questions by the Board.

David Montasante: Right there, yup, right up in between the door.

Donald Roberts: Questions?

Tom Koval: I’ll make a motion to approve the sign.

Richard Berkowicz: I’ll second.

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried

David Montasante: Thank you very much.

*Millwood Inc. - Sign
APPROVED. Board received a presentation for a new wall-mounted sign for the existing tenant, Millwood Inc.*

20.082/ 20.083 Dollar Tree, 1476 Rt. 9 – Change of Use/Tenant & Sign

Donald Roberts: Are you there?

Richard Harris: Can you talk into your phone or microphone a little better.

Carl Wheeler: This is Carl with AJ Signs. How are you?

Richard Harris: Are you gonna speak on the Change of Tenant also?

Carl Wheeler: Nope, that’s David Coonan representing Mr. Dean for that. We can do the signs first, or

Donald Roberts: We'll do the signs second. You need the approval first.

Richard Harris: So, we'll do the Tenant. Can you explain your operation, hours of operation, number of employees? We kinda all know what you do but explain it for the record.

Dave Coonan: No problem. So Dollar Tree is a variety store, retail store. Estimated to employ 3 full time, and 7-15 part-time associates. There's typically a maximum of 4 associates on duty at all times. The store hours are 9:00 a.m. until 9:00 p.m. Sunday through Saturday, unless otherwise restricted by the local municipality. Expected peak times for customers are between 4:00 and 7:00 p.m. The store will typically receive one delivery per week during store operating hours. Now, the store will only carry only 100% pre-packaged items to include freezer and cooler products. The facility is a non-dining facility, no dining seating will be provided to the customers, and this facility does not perform any type of food prep within the store for customer consumption and/or employee consumption, and if you're aware of this site, it was a Walgreen's store previously, and they're looking to do a Change of Use for the Dollar Tree store.

Donald Roberts: Ok. Thank you. First of all, as you know, the local municipality's Town of Halfmoon. So, if you get approved, then the advertising is Town of Halfmoon, right?

Dave Coonan: Can you repeat that, I'm sorry.

Donald Roberts: Oh, ok. Any advertising will be Town of Halfmoon, correct?

Dave Coonan: Correct.

Donald Roberts: Thank you. That being said, questions by the Board?

Richard Berkowicz: I make a motion to approve the Change of Tenant and Use.

Marcel Nadeau: Didn't we have restrictions based on the likeness

Tom Berkowitz: We haven't gotten to the sign.

Donald Roberts: We haven't got there yet, this is for the Change of Use and Tenant.

John Higgins: Don, I also believe that with the original approval for Walgreens, didn't we have some restrictions as far as deliveries because we were worried that the trucks have to around back, I remember something that had to do with trucks and they're saying that they're gonna be, the trucks are gonna be coming in during regular open hours is there gonna be a problem as far as the truck getting through the parking lot via the back of the store?

Donald Roberts: Sir, could you hear that question?

Dave Coonan: I did not. I'm sorry. I just heard something about around the corner

Donald Roberts: The question is how you are going to arrange it so that any deliveries from trucks will not be conflicted with any parking in the parking lot? How are they gonna access the property.

Dave Coonan: I'm not familiar with the site, I do not know the answer to that.

Donald Roberts: Our concern is that the trucks may have a hard time getting back there, that's our concern.

Dave Coonan: Ok.

John Higgins: Rich, I think if you look at the original Walgreen's approval, there was, there was something in there about the trucks having to come off hours because they have to come through the parking lot to get around back.

Richard Harris: The merchant, they can only get deliveries on off hours

John Higgins: All I'm concerned about is that, they may have problems with the car maneuvering in the parking lot with cars in the way. Again, it's, ya know, a few years ago when we gave the approval, but I seem to recall a restriction on the delivery trucks.

Richard Harris: I'd have to research that, I don't know off-hand.

Marcel Nadeau: But, if we make them, ya know, stay with the original site plan, they'd have to do the same thing.

Richard Harris: If it was a condition of approval, I would ask that you do the same thing again and add conditionally

John Higgins: The reason I'm bringing it up is because it's a small site, it's fairly restricted and I just don't want trucks sitting out on Route 9 and trying to get in to make a delivery and have cars in the way.

Richard Harris: Ok, do you want to make that a condition?

Donald Roberts: We can, we can make that a condition. Just put that in the motion.

Mike Ziobrowski: I'll second, with the condition.

Richard Berkowicz: I make a motion to approve the change of tenant with the condition of tractor trailer deliveries only are on off business hours.

Donald Roberts: Sir, the condition's gonna be truck deliveries only on off-business hours. Tractor trailer deliveries only on off-business hours, can you live with that?

Dave Coonan: Yeah, if that's the condition, yes.

Mike Ziobrowski: I'll second.

Donald Roberts: Ok. Thank you, and we have a motion for that and a second, all those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, now for the sign, are you just replacing what was there?

Carl Wheeler: Yup.

Donald Roberts: Is the sign person there?

Carl Wheeler: Yes.

Donald Roberts: Ok, can you tell your name

Carl Wheeler: I'm Carl with AJ Signs. How are you?

Donald Roberts: Good. How are you? Explain the sign please.

Carl Wheeler: Ok, so we're looking for two sets of channel letters, one on the northeast elevation on, on the south east elevation and we have the monument sign which it's got a lift top and metal panels for the bottom to cover the old panel.

Donald Roberts: So, you're just replacing what was there, in effect. Correct?

Carl Wheeler: Yes, exactly.

Donald Roberts: Ok. They're not making it any higher, it's the same.

Richard Harris: You are using the same sign structure correct?

Carl Wheeler: Yes, correct. It's the existing structure we're using.

Mike Ziobrowski: I'd like to make a motion to approve the sign....

Tom Koval: You're doing away with the LED sign and you're covering the panels over?

Carl Wheeler: The LED display is going to go away we're gonna put a metal panel over it.

Tom Koval: Ok. Thank you.

Donald Roberts: But same height, same height it was currently there, correct?

Carl Wheeler: Yes.

Donald Roberts: Yes. Same height. Ok.

Richard Harris: Would you happen to know the approximate height of the existing pylon sign, is that 15/16'?

Tom Koval: its 19'. I don't know that's...

Carl Wheeler: Yeah, yeah. It's approximately 15, yup.

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Donald Roberts: I guess the important thing is it's not gonna be any higher than it was for Walgreen's.

Richard Harris: The same sign structure, correct you're just replacing the panel?

Carl Wheeler: The exact same structure we're putting new faces in the top that's it and then we're covering the electronics message center with an aluminum panel.

Mike Ziobrowski: I'd like to make a motion to approve the sign application.

Rich Berkowitz: Ill second

Donald Roberts: Thank you Mike Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, thank you.

Carl Wheeler: Thank you, have a good night.

Donald Roberts: Good night.

Dollar Tree – Change of Use/Tenant & Sign

APPROVED. Board received a presentation and approved the Change of Use/Tenant and Sign applications to allow a variety retail store to occupy the vacant space 1476 Route 9.

20.086 Herbst Revised Subdivision Plan, 20 Outlook Drive – Site Plan

Donald Roberts: You're on sir, sorry for the confusion.

Jim Herbst: How ya doing. My name is Jim Herbst, I reside at 20 Outlook Drive South, what I'm requesting is approval to move the no cut buffer line back 25', my family and I were looking to install a pool. I only have, it looks, the original plan only gives me 60' and my back yard slopes slightly so I would end up moving into that buffer line so I'm just asking if I could move that back 25', It'll still give 150' left of the no cut buffer.

Donald Roberts: Ok. Thank you.

Richard Harris: Is that where it levels off?

Jim Herbst: It's, real, it starts to level off.

Donald Roberts: Comments by the Board.

Mike Ziobrowski: Jim, that's not going to impact the trail that's behind there, right?

Jim Herbst: No, it so much land it's actually surprising when I got the map.

Tom Koval: How close to your neighbors to this ****this portion of tape is inaudible.* **

Jim Herbst: No, so actually, pretty close to

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Tom Koval: ****this portion of tape is inaudible.* **

Jim Herbst: So, on, I'd say if you're looking at my house, the right side the folks there, they're land is pretty close to the size of mine. It's pretty big, it wouldn't even, there's a line of trees and then the gentlemen to the left of me, Roy, he actually has a pool right there, and the gentlemen behind that other plot right there, he also has a pool.

****this portion of tape is inaudible.* **

Richard Harris: Yea so the only other people that have this, this line continues up here, they're not the same shape.

Jim Herbst: Yeah.

****this portion of tape is inaudible.* **

Jim Herbst: They face Summit Trail.

Jim Herbst: Yeah.

Lyn Murphy: ****this portion of tape is inaudible.* **

Jim Herbst: It doesn't, I've already looked into it, I talked to my attorney, I bought it 5 years ago and unfortunately, when I went and got the plan I looked and saw the shaded grey and didn't know.

Donald Roberts: As long as you're aware of all that, that's all.

Rich Berkowitz: I'll make a motion to approve the site plan application.

Mike Ziobrowski: Ill second

Donald Roberts: Thank you Mike Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, good luck.

Jim Herbst: Thank you. Thank you.

Herbst Revised Subdivision Plan – Amendment to Final Plan
APPROVED. Board approved a request to amend the existing no-cut buffer at 20 Outlook Drive South.

Donald Roberts: Last, but not least.

20.084 Lands of Tanski Subdivision, 68 Cemetery Road – Minor Subdivision

Duane Rabideau: Duane Rabideau from VanGuilder & Associates. Representing Bruce Tanski, before the Board for a proposed the three lot subdivision for three single family residential lots. It's located at 68 Cemetery Road, which is just north of Turf Trailer Park. It's right here. The, Carole Jean Estates project is right here. The proposal is to subdivide the two acre parcel into two single family residential lots. Lot A,

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which is this lot right here is 20,000 square feet, Lot B is this lot right here, that's approximately 25,000 square feet and then Lot C is this flag lot that goes up like this and around and then that is 33,000 square feet. Lots B and C will have a common driveway entrance right here. It utilizes as a common ingress/egress in the utility easement for both lots. The, all the proposed lots will tie into public water, public sewer. The existing buildings on site will be torn down and that is our proposal before the Board.

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

****this portion of tape is inaudible. ***

Duane Rabideau: It's on the west side, just north of, just before you get to Carole Jean Estate on the curb, across from the trailer park on the other side, I'm not sure what that park is, and yea that's the number

John Higgins: Isn't there a quite a bit of elevation change going to the road, if this is the piece I'm thinking about, it's heading up just before you get to Carole Jean, it's on the left.

Duane Rabideau: That's correct.

John Higgins: I remember, we had somebody come in years ago with a plan to develop this site, there was a big elevation change.

Duane Rabideau: From the road, it gradually goes up. It's probably four plateaus in front of the house that's there now, it's probably 10-15', maybe 10', raise up to get on that plateau.

John Higgins: Ok, but I seem to recall that they re-graded that lot it's a lot steeper than that if that's all it is. Because I just was concerned whether or not this site is even buildable.

Duane Rabideau: Alright, there will have to be some grading and to flatten it out, it goes up, flattens out and there is, it does go up in elevation, it kind of slopes up to the north.

John Higgins: Ok. Does this site drain across the road stop the area across the area across the road into that swampy area across the road?

Duane Rabideau: I, no, the conditions on the site are all sand, so there's really no runoff that goes into that wet area that you're referring to.

John Higgins: I'm just concerned about, ya know, you're changing the topography of the site drastically and I'm just concerned about the amount of runoff going into that already swampy area. Is that a certified stream across the road there or just a.....

Bruce Tanski: No, the swampy area runoff is across from Carole Jean Estates. That's where we ran our storm water from there over to Carole Jean.

Mike Ziobrowski: It's about 1/8 of a mile down the street, right?

Duane Rabideau: Yeah.

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Bruce Tanski: Yeah, give or take.

Donald Roberts: Thank you Bruce.

John Higgins: Thank you.

Donald Roberts: Anyone else?

Mike Ziobrowski: I'd like to make a motion to set a Public Hearing for September 14.

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, see you September 14th.

Duane Rabideau: Ok. Thank you.

Lands of Tanski Subdivision – Minor Subdivision

PUBLIC HEARING SET. Board set a Public Hearing for September 14, 2020 on a proposed three-lot subdivision.

Donald Roberts: Going back. One last time. Eddy's Traditional Chinse, 1683 Route 9, St. John's Plaza sign. Are you there?

Richard Harris: They bought the Tea Plus, who was planning to expand. They operate in the same exact way, they have the same plan to renovate that space and operate the same.

Donald Roberts: So you think one of them is the sign person or what?

Richard Harris: Yea AJ sign is gone, its Ray Sign.

Richard Harris: They're not on.

Donald Roberts: They're not on. Ok, I guess we tried, right, motion to adjourn.

Mike Ziobrowski: I'd like to make a motion to adjourn the meeting.

Donald Roberts: Second.

Marcel Nadeau: Ill second.

Don Roberts: All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, good night.