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**MINUTES MEETING
Town of Halfmoon Planning Board
February 8, 2021**

Those present at the February 8, 2021 Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
John Higgins
Tom Koval
Rich 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:

Joel Bianchi

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

Donald Roberts: Good evening, I'd like to call this meeting to order. Have the Board members had a chance to review the minutes from the last meeting?

Richard Berkowitz: I make a motion to approve the minutes.

Mike Ziobrowski: I'll second.

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

21.009 Abele Northside Drive & Route 9, 1712 Route 9 – Sign

Donald Roberts: Are you there? Anyone there from the Abele Sign on Route 9? One more time. Abele Northside Drive & Route 9, 1712 Route 9 Sign, are you there?

Emma VanVorst: Yes, I am.

Donald Roberts: State your name and what you want to do.

Emma VanVorst: Hi there. My name is Emma VanVorst I'm with A J Sign Company. We're proposing the monument signs as shown for the multi-tenant building at Fire Road in Halfmoon, so, as you can see, the sign itself, including the base is 120" high by 80' or 85" wide and the sign face itself is only 96" high.

Donald Roberts: It meets Town Code, questions by the Board?

Richard Berkowitz: I make a motion to approve the sign.

Mike Ziobrowski: I'll second.

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

Emma VanVorst: Thank you.

Donald Roberts: You're welcome.

Abele Northside Drive & Route 9– Sign

APPROVED. Board approved the new free-standing/monument sign for the new office building.

12.019 Nail Lab NY Inc., 1570 Route 9 – Sign

Yao Hang Wang: Hello.

Donald Roberts: Hello, your name please and what do you want to do.

Yao Hang Wang: My name is Yao Hang Wang I'm doing this sign application on behalf of my tenant for Nail Lab.

Donald Roberts: Ok.

Yao Hang Wang: There is gonna be two signs, this one is gonna be just right under the roof where the door is. Above the door.

Donald Roberts: Ok.

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Yao Hang Wang: And then there is another one right on the side of the road is an insert.

Marcel Nadeau: Right here, that's the other one.

Yao Hang Wang: Yup.

Donald Roberts: And that's just replacing what was there before, right?

Yao Hang Wang: Yeah. That one will just be a plug it out and plug it back in.

Donald Roberts: Ok. It meets Town Code. Questions by the Board?

Richard Berkowitz: So Yao, does the application say two or one signs?

Richard Harris: It only says one. Peter, you didn't tell us about the one on the sign panel near the road.

Yao Hang Wang: I believe I did mention it, however, I didn't write it on the application, because I don't know if, if it's gonna be one or....I believe that when we paid the money I did pay for the two?

Richard Harris: No, you just did the \$100 you only put on the application the 18" x 90" wall sign, not the

Yao Hang Wang: That one is under the roof.

Donald Roberts: Okay, so, we can approve the one under the roof tonight and you'll have to come back for the other one.

Richard Harris: Yeah, well, I mean, if you want to approve and then we can reconcile the application with him later, if that's ok with you guys.

Donald Roberts: That's an easier way to go because I think just replacing what was there with a new name, that's all it is.

Richard Harris: It's a panel insert.

Donald Roberts: Would that be ok, Peter? If we approve both signs tonight, can you just tally up the fee with Rich and Paul, that'd be alright?

Richard Harris: Yup.

Yao Hang Wang: Yeah, that'd be great.

Richard Berkowitz: Okay, I'll make a motion to approve both signs then.

Mike Zibrowski: I'll second.

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

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Lyn Murphy: I just want to be clear that Rich made that motion conditioned on him paying the additional fees necessary.

Richard Berkowitz: Yes. I did.

Yao Hang Wang: I will be there tomorrow.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you.

Yao Hang Wang: Thank you.

Nail Lab NY Inc., – Sign

APPROVED. *Board approved the new signs for Nail Lab NY at 1570 Route 9 with a condition related to payment submission for the second sign.*

21.008 Envision Salon, 1673 Rt. 9 (Healthplex) – Change of Use/Tenant

Rich Berkowitz recused himself.

Donald Roberts: Are you there?

Cynthia Wallack: Yes, I'm here. Can you hear me?

Donald Roberts: Go ahead please.

Cynthia Wallack: Yeah, ok. Cynthia Wallack.

Donald Roberts: Ok. What do you want to do?

Cynthia Wallack: I'm just moving my current location which is 429 Route 146, Envision Salon, and existing salon. I'm just moving into the Healthplex Plaza, so I'm just moving in there as the new tenant as of April of this year.

Donald Roberts: And explain what your hours of operation are and how many employees.

Cynthia Wallack: Okay, so I have, let me see, with myself I have four stylists and one receptionist, so, three are full time and two are part-time, do you need my hours of operation?

Donald Roberts: If we could please.

Cynthia Wallack: Yes, so, Tuesday, Wednesday and Thursday is 10:00 a.m. to 8:00 p.m., and Friday and Saturday is 8:00 a.m. to 2:00 p.m.

Donald Roberts: Okay thank you, questions by the Board?

Tom Koval: I'll make a motion to approve the Change of Tenant.

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Mike Ziobrowski: I'll second.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you, now ma'am, if you want a sign you gotta come back, you know that, right?

Richard Harris: She knows.

Cynthia Wallack: Yeah, I have the dimensions I'm not ready yet for the sign I'm just getting it ready to move in so probably in the next couple of weeks I can contact, I believe it was Sandra.

Richard Harris: Yup.

Cynthia Wallack: I'll contact her with the dimensions.

Donald Roberts: Sure, that works, okay.

Cynthia Wallack: Perfect.

Donald Roberts: Okay, thank you.

Cynthia Wallack: Thank you, have a good night.

Donald Roberts: You too.

Cynthia Wallack: Bye-bye.

Envision Salon (Healthplex) – Change of Use/Tenant

APPROVED. Board approved the use of 1,592 SF space for a hair salon at 1673 Route 9.

21.006 The Home Depot (Seasonal Outside Storage), 4 Halfmoon Crossing Blvd. – Change of Use/ Tenant

Donald Roberts: Are you there?

Jason Gregory: Yup. Jason Gregory. I'm the Store Manager for the Home Depot, I'd just like to get approval for our outside storage that we do each year outside of the garden shop, on the side parking lot, that'll run from once it's approved through September 30th.

Donald Roberts: Any questions by the Board?

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

Marcel Nadeau: I'll second it.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you Good luck.

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Jason Gregory: Thank you.

*The Home Depot (Seasonal Outside Storage). – Change of Use/Tenant
APPROVED. Board approved the temporary outdoor storage and display of seasonal items through 9/30/21.*

21.020 Lowe's (Seasonal Outside Storage), 476 Route 146 – Change of Use/Tenant

Leon White: This is Leon White, the Store Manager here at Lowe's, we're going basically with the parking lot use, the same as last year, no change, and it'll be from February 15th until September 30th.

Donald Roberts: Questions by the Board?

Tom Koval: Leon, we talked in the pre-meeting about the possibility of having you repaint over the STOP line and the STOP letters where the traffic flows out from the Raymour and Flannigan entrance, it's kind of, it's all worn off it causes some confusion there with thru traffic, people are stopping.

Leon White: Yes. We had Code out there and a work order to have the professionally come out and have to grind it out.

Tom Koval: Yeah, yeah. You'll have to mill that little area because it just keeps wearing right through. It does cause some confusion.

Leon White: Yeah, I talked to the one contractor and they're waiting for the weather to break rather than come out in the winter it would be easier they said.

Tom Koval: I understand. Yeah. Paint's not gonna take this time of the year either, so.

Leon White: No, we targeted going out in the summer but we are going to mill it out here in the middle of spring.

Tom Koval: Ok.

Donald Roberts: Anyone else?

Tom Koval: I'll make a motion to approve the seasonal use.

Marcel Nadeau: I'll second it.

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

Leon White: Thank you. You all have a good night.

Donald Roberts: You too.

*Lowe's (Seasonal Outside Storage) – Change of Use/Tenant
APPROVED. Board approved the temporary outdoor storage and display of seasonal items through 9/30/21.*

21.011 413 Route 146 Office Building, 413 Rt. 146 – Site Plan (Renewal)

Jason Dell: Hi. Good evening, Jason Dell an Engineer with Lansing Engineering. I'm here on behalf of the applicant. We are here to request an extension of the site plan approval. The project was most recently reapproved last year, the applicant does intend to move forward with the project and we're here this evening to request an extension of that approval.

Donald Roberts: Questions by the Board?

Mike Ziobrowski: I'd like to make a motion to approve the previously approved site plan.

Richard Berkowitz: I'll second.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, you're all set Jason.

Jason Dell: Thank you.

Donald Roberts: You're welcome. Good night.

413 Route 146 Office Building– Site Plan (Renewal)

APPROVED. Board renewed a previously-approved site plan for a 15,000 SF professional office building.

21.012 Wilson Auto, 40 Farm to Market Road – Change of Use/Tenant

Tamara Sullivan: Hi. Tammy Sullivan for Bruce Tanski Construction. A new tenant at the 40 Farm to Market Storage facility, Wilson Auto, they would like to use the 1,500 sq. ft. unit to store auto parts and as with the other tenants who are already over there, it's strictly storage, no outside storage, no waste disposal.

Donald Roberts: Thank you, questions by the Board?

Tom Koval: Are these new or used auto parts?

Tamara Sullivan: That I don't know, I can find that out for you.

Tom Koval: The only reason I ask is obviously, used auto parts tend to bring with them a lot oils and solvents attached to them and fire might need to look at it. If they're new auto parts, obviously it's not a concern. I'm not familiar with this company. That's the only reason I ask. If it was a NAPA or Advanced Auto, one of those outfits, I would know their product line, but.

Tamara Sullivan: Right. Yeah, that's a good question. I do not know. I would have to find that out.

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Tom Koval: Okay, this is tricky one for me, I mean I have no problem with an auto parts supply house, new auto parts, if it's used auto parts, I do have an issue with it.

Donald Roberts: How does this sound? If we approve it contingent upon Tamara notifying Rich if it's new or used?

Lyn Murphy: How about it being contingent upon it being new and then if it isn't, then you can revisit it?

Donald Roberts: Okay, good.

Tom Koval: Or, do you want to table this for a couple minutes and have Tamara make a phone call?

Tamara Sullivan: I'm not saying I can find out tonight.

Tom Koval: It doesn't matter to me. I'm just trying to make it easier on you.

Tammy Sullivan: No. I appreciate that.

Richard Berkowitz: Can we determine if they're clean or dirty parts? Instead of used or new?

Tom Koval: Well, that's a, ya know I've played with a lot of auto parts and there's no such thing as a clean, used auto part.

Richard Berkowitz: Okay

Donald Roberts: I think we're gonna go with Lyn's suggestion, we'll do this on contingent on it being new. How's that? Alright?

Tom Koval: That's fine, and I will make a motion to approve the Change of Use Tenant with the contingency that they're new auto parts, not used or recycled auto parts.

Donald Roberts: Very good, can I have a second?

Richard Berkowitz: I'll second.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you Okay, and you'll find out and let us know right?

Tammy Sullivan: Yeah. I'll touch base with Rich first thing in the morning as soon as I get into the office.

Donald Roberts: Great. Thank you very much.

Wilson Auto– Change of Use/Tenant

APPROVED. Board approved a Change of Use/Tenant application to use 1,500 SF of warehouse space in Building #7 to store automotive parts with a condition that only new parts shall be stored on site.

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21.013 Saratoga Pure Water Systems, 40 Farm to market Road – Change of Use/Tenant

Tamara Sullivan: Yup, so there is going be a new tenant and the new storage building. Again, 1,500 sq. ft. and they just want to store their equipment and supplies there operation uses, and again, strictly for storage. Nothing outside, no waste disposal.

Donald Roberts: Thank you. Questions by the Board.

Tom Koval: These are all normal hours of operation during the workday, all these businesses Tamara?

Tamara Sullivan: They are, I mean it's, I guess it depends on what normal business....

Tom Koval: Well, I'm saying, it's not middle of the night deliveries for any of these?

Tammy Sullivan: No.

Tom Koval: So, say 6 a.m. til 6 p.m. or 7 p.m.?

Tammy Sullivan: Oh yeah.

Tom Koval: Okay, I just don't once again, I don't want the neighbors complaining that there's trucks coming and going at all hours of the evening.

Richard Berkowitz: Well, the next one you might have some because it's Top Cat.

Donald Roberts: Let's worry about this one first guys.

Richard Berkowitz: Yeah, I know, I know.

Tom Koval: I'll make a motion to approve the Change of Tenant for Saratoga Pure Water.

Richard Berkowitz: I'll second it.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you. Ok, the next one.

Saratoga Pure Water Systems– Change of Use/Tenant

APPROVED. Board approved a Change of Use/Tenant application to use 1,500 SF of warehouse space in Building #7 to store supplies and materials for their water filtration business.

21.014 Top Cat Landscaping, 40 Farm to Market Road – Change of Use/Tenant

Donald Roberts: Tamara, it's you again.

Tammy Sullivan: They would also like to utilize 1,500 sq. ft. storage unit, and they'll be storing their equipment and supplies. They're a landscaping and snow removal business.

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Donald Roberts: Questions by the Board.

John Higgins: Now, there will be no outside storage of vehicles or equipment, correct?

Tammy Sullivan: Correct.

Richard Berkowitz: And obviously, they're gonna, they might have a few nights they're gonna be out in the middle of the night which is fine with me. Dependent on when it snows.

Tom Koval: 1,500 sq. ft. They're not gonna get many plow trucks inside that building.

Richard Berkowitz: Well, they may get salt, or whatever.

Tammy Sullivan: Yeah. I don't think they're looking to store actual vehicles. I think they're looking to store more like the salt

Tom Koval: Mowers, and that type of thing, off season product?

Tammy Sullivan: Yeah, and I don't know that there would be any traffic there really after hours because it again, is storage. They're not gonna be driving their trucks in there necessarily after they stop plowing, ya know, late at night.

John Higgins: And again, they're not planning on parking any trucks outside, correct?

Tammy Sullivan: No that was very strictly related.

John Higgins: Ok. Thank you.

Richard Berkowitz: I'll make a motion go approve the Change of Use and Tenant.

John Higgins: I'll second.

Tom Koval: Let's do a conditional that there's no storage of plow trucks on site.

Richard Berkowitz: Ok. I'll agree to that, that's fine.

John Higgins: Outdoor, you mean...

Tom Koval: Exterior, exterior. Because it's kind of a grey when you say no outside storage, it really never includes vehicles, but with this type of business, they have a lot of vehicles, so, it's a registered vehicle but we don't want a bunch of plow trucks stored there.

Tammy Sullivan: Right, right. Understood, definitely.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, you're last one Tamara

Top Cat Landscaping – Change of Use/Tenant

APPROVED. Board approved Change of Use/Tenant application to use 1,500 SF of warehouse space in Building #7 to store supplies and materials for their landscaping and snow removal business with the condition that no plows or trucks shall be stored outside.

21.015 Ballston Lake Gutters, 40 Farm to Market Road – Change of Use/Tenant

Tamara Sullivan: Yup, so, they also are looking to utilize one unit 1,500 sq. ft. and, again, just for storage of their equipment and they're obviously a gutter installation and cleaning service and no outside storage and no waste removal.

Donald Roberts: Questions by the Board?

Tom Koval: I make a motion to approve the Change of Use and Tenant.

Mike Ziobrowski: I'll second.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you Good job Tamara take it easy.

Tamara Sullivan: All right. Thank you all. Have a good night.

Donald Roberts: You too. Bye now.

Charlie Lucia: Don. Don I'm sorry. This is Charlie Lucia. I was wondering if you want me to step out and have Brendan Nielson step in.

Donald Roberts: Brendan Nielson, are you there?

Brendan Nielson: I'm here.

Donald Roberts: Ok. That'd be fine. Thank you Charlie. Brendan Nielson Nielson's on now. Okay thank you Charlie.

Brendan Nielson: Yes sir.

Donald Roberts: Hang tight because on the last item Marcel's recusing himself so you can be on that one also.

Charlie Lucia: All right. Sounds good sir.

Donald Roberts: Okay thank you.

Ballston Lake Gutters– Change of Use/Tenant

APPROVED. Board approved a Change of Use/Tenant application to use 1,500 SF of warehouse space in Building #7 to store supplies and materials for their gutter business.

21.152 / 21.153 Lineback Subdivision, 121 Ushers Rd – Minor Subdivision & Special Use Permit

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Duane Rabideau: VanGuilder Associates.

Donald Roberts: Hi Duane.

Duane Rabideau: I'm here tonight representing Les Lowden before the Board for a proposed two lot subdivision. It's located at 121 Ushers Road. The Applicant is proposing to subdivide an existing 1.22 acre residential parcel into two single family residential lots. Lot A will encompass the existing house and all its improvements. Lot B would be a single-family house. Both sites have on-site septic and existing or on-site wells. Now we did receive area variances for lot sizes and lot widths through the ZBA last Monday night. We are also asking to grant a Special Use Permit to allow a residential use in Light Industrial Commercial Zone, and that is our proposal before the Board tonight.

Donald Roberts: Ok. Thank you Duane. Now this will need a Public Hearing. But, any questions by the Board?

Tom Koval: I make a motion to set a Public Hearing for February 22nd.

Mike Ziobrowski: I'll second.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you. See ya on the 22nd.

Duane Rabideau: Ok. Thank you.

*Lineback Subdivision– Minor Subdivision & Special Use Permit
PUBLIC HEARING SET. Board set a Public Hearing for February 22, 2021 for a proposed Minor Subdivision & Special Use Permit at 121 Ushers Road, for the purpose of constructing a single-family home.*

21.025/21.026 Moore's Tree Service & Company, LLC, 1000 Hudson River Rd – Change of Use/Tenant & Special Use Permit

Marcel Nadeau recused himself.

Donald Roberts: Are you there?

Keith Moore: Yes. Keith Moore with John Duscharm present.

Donald Roberts: Go ahead please, what do you want to do?

Marcel Nadeau: Don, Marcel here, I just lost connection.

Donald Roberts: You're off.

Marcel Nadeau: I'm going to recuse myself.

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Donald Roberts: Yes. We got that. Thank you, okay go ahead.

John Duscharm: My client, Moore's Tree Service is under contract to purchase the real property located at 1000 Hudson River Road in the Town of Halfmoon. The property is zoned M2 and what we would like to do is to have Morris Tree service to have its office there and be able to open its offices there and conduct his business from that property. And so, in order to do that, it's my understanding that we need to obtain a Change of Use and Tenant and a Special Use Permit from the Board.

Donald Roberts: Okay right, now what do you want to store there?

John Duscharm: What we'll do is, the interior of the property will be used for the office, so, we'll have employees come, park their vehicles outside, obviously and they will work there. We will also store vehicles used for the tree service, inside as much as possible, but there are some vehicles that will have to be stored outside. There won't be any storage of lumber, trees. They'll be no shrubbery or mulch or anything along those lines outside, so, that's basically, it's just gonna be Moore's Tree Services offices.

Donald Roberts: About how many vehicles are being stored outside?

Keith Moore: Approximately 4. The ones that will not meet the height requirements of the present overhead unit height situation.

Donald Roberts: Okay alright, questions by the Board?

Mike Ziobrowski: I'd like to make a motion to set a Public Hearing on February 22nd.

Tom Koval: I'll second.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you. See ya on February 22nd.

Keith Moore: Thank you very much.

John Duscharm: Thank you.

***Moore's Tree Service & Company, LLC, – Change of Use/Tenant & Special Use Permit
PUBLIC HEARING SET. Board set a Public Hearing for February 22, 2021 for a proposed Change of Use/Tenant and Special Use Permit related to the use of the site for their tree service company.***

Donald Roberts: Anything else? Anybody?

Richard Berkowitz: I make a motion to adjourn.

John Higgins: I'll second it.

Don Roberts: All in favor (all were in favor) Opposed? (None were opposed) Motion carried, thank you guys we did a good job.