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**MINUTES MEETING
Town of Halfmoon Planning Board
February 28, 2022**

Those present at the February 28, 2022 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Brendan Nielsen
Chuck Lucia

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(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

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

Don Roberts: Good evening, I would like to call Planning Board meeting to order. Have the Board members had a chance to review the minutes from the last meeting?

Rich Berkowitz: I make a motion to approve the minutes

Mike Ziobrowski: Ill second

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried. Before we start under old business, Brookwood Road Subdivision Phase II has been removed, just so you know

Public Hearing(s):

22.018 Halfmoon Water Tower Subdivision, 110 Button Road – Minor Subdivision

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

Richard Harris: My name is Rich Harris Im the Coordinator of Building and Planning for the Town of Halfmoon presenting the application for the Halfmoon Water Tower Subdivision on behalf of Supervisor Tollisen, I also have the Towns Water Director Frank Tironi here who could answer any questions that any Board member or the public have regarding the project. In most simple terms it's a seven acre existing lot at 110 Button road that's privately owned, the Town has been in discussion with the property owner about what's before you which is a subdivision of the parcel into two lots one of which would be .51 acres shown in the triangular area to the left of the map , that is proposed to be purchased by the Town based on an appraisal that's been secured the access for the site would be through the lands to the north, Halfmoon Materials , Valente pit through and existing easement to 110 Button road. The purpose of the subdivision is for the construction of a currently being designed water tower that would be one million gallons to service the southern portion of the Town of Halfmoon, currently there is a water tower that is 800, 000 gallons and this would increase the Towns reserve water capacity in that end of Town, 1.8 million gallons. This is being done due to revised Department of Health guidelines and also in the Towns effort to improve the capacity in case of an emergency for the water needs of the Town, whether its drinking water for emergency services, fires and this will be a great upgrade for the Towns ability to handle any type of natural or man -made disasters or issues that occur in Town. Now for SEQR purposes this is just subdivision before you tonight this is an unlisted action, the Town is fully aware that as part of the water tower construction , SEQR will also have to be done that takes this action into consideration in aggregate or as a whole with the actual construction , our consultants MJ Engineers are aware of that , they are currently working through some of the issues with state agencies as part of the SEQR review and design, but at this point we are looking to start the process by asking the Board to consider a SEQR determination on the subdivision and for the actual minor subdivision request itself.

Don Roberts: Any questions? Go ahead Marcel

Marcel Nadeau: So there is no road frontage on this submission?

Lyn Murphy: No, it's not being permitted so there is a correct a State Law that says if you're getting permitted you need to have road frontage but this isn't a permitted action , this is a water tower so it's not like a building permit is going issued for people to live there.

Marcel Nadeau: Okay

Don Roberts: Anyone else? First I have to call, would the public like to speak? We sort of jumped ahead of ourselves a little bit here, anyone from the public like to speak? Come up say your name and address and any comments you may have, because it's all recorded so.

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John Tessero: My name is John Tessero, 52 Farmview Lane, and I'm a neighbor and I understand it's for subdivision it's not for the structure itself but is there any knowledge whether the structure will and how high it will go?

Don Roberts: Rich can you answer that or Frank?

Frank Tironi: Frank Tironi Director of Water, it's going to be the same height as the Brookwood tank that's currently there, we just sent SHPPO virtual views of what, where you can see it and where you can't see it from, your area you're not going to, if you can see the Brookwood one you'll see just the top of this one.

Don Roberts: You alright, you okay with that?

John Tessero: The map doesn't show where it is, the placement of it

Richard Harris: Oh yea sorry, yea I've got, it's not working, so here's Button road right here and then this is Valente's pit so the tower would be that circular area this triangular piece, Button is to the north, nope sorry I might be a little jittery with my laser, the pit is up here so it's just south of the pit.

John Higgins: It would be an extension of Kovals parking lot in the back there?

Richard Harris: Do you know Kovals Electric's building? Behind there.

John Higgins: Do you have any idea Frank how much higher it would be than Kovals building, because that building is.

Frank Tironi: Its higher than that building yes, like I said this is in the back corner of I think its Valente's property behind it, there's very mature growth there's very high trees ,were not taking anything down that spot right there is actually pretty much cleared already from when we purchased it, that was part of the gravel pit.

Marcel Nadeau: Don looking at the map it appears it's around 450 ft. Off of the road, it looks like it's about 450 ft. off.

John Higgins: Yea Kovals parking lot in the back there kind of drops off and it's quite a ways from the building

Marcel Nadeau: If you add up the numbers on the driveway, it's around 400 feet.

Don Roberts: Okay so you all set then?

John Tessero: Yes, thank you

Don Roberts: You're welcome. M'am?

Nicole Lockwood: My name is Nicole Lockwood I live at 101 Button road which is directly adjacent to this so I feel like my property would , I would get a clear shot of this , Im wondering if there are any , are there plans for pump stations, or adding generators or anything like that , that would cause noise?

Don Roberts: Frank?

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Frank Tironi: There's no pump stations proposed there and there is no generators, the only electricity there is for the antennae's and lights inside the tank that's it.

Don Roberts: Okay, anything else Ma'am? You okay? Okay thank you. Anyone else like to speak? (No comments)
Would anyone online wish to speak? (No comments)

Lyn Murphy: There is nobody online apparently

Don Roberts: Nobody, okay we tried, okay at this time we will close the public hearing, comments by the Board members?

Marcel Nadeau: At some point could the ATT and whoever Verizon put a tower up there for like we did on other places.

Don Roberts: They could ask, they could try sure.

Richard Harris: Yea and we, they did that on the Towns Tower on Brookwood, we had them come before the Board here and present, certainly we can share once the design is done and it's before the Town Board probably for approval, I think we'll have an idea better of the visual renderings and the height, it hasn't been designed full yet so

Frank Tironi: To clear that up right now Marcel the Health Department has the design and everything so as soon as the Health Department, SHPPO make their comments sign off before we go to bid we'll send it to the Board to take a look at.

Lyn Murphy: Any lease would go before the Town Board for approval plus they'd come before you based on elevation etc. just like we did with the other tower.

Marcel Nadeau: I just wanted to make people aware that, that's a possibility that, that could happen.

Rich Berkowitz: It usually goes around the sides of the Tower and not above it?

Richard Harris: Yes, yea.

Don Roberts: Any other comments

Rich Berkowitz: I'll make a motion to have a negative declaration for SEQR

Mike Ziobrowski: Ill second

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

Rich Berkowitz: I make a motion to approve the Minor Subdivision.

Mike Ziobrowski: Ill second

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

Halfmoon Water Tower Subdivision – Minor Subdivision

APPROVED. The Board held a Public Hearing and approved a two-lot subdivision.

21.227 **Neddo – Boulerice Lot Line Adjustment, 1 Allen Dr. & 267 Lower Newtown Rd – Minor Subdivision**

Leslie Neddo: Good evening Im Leslie Neddo I have the property at 1 Allen Drive and I want to give my partial to Tammy Boulerice next door and keep 20 feet at the end of the driveway for myself.

Don Roberts: That’s it right?

Leslie Neddo: That’s it.

Don Roberts: Okay, at this time we will open up the public hearing, would anyone from the public wish to speak? (No comments) Anybody online? (No comments) Okay since no one wishes to speak we will close the public hearing, comments by the Board members?

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

Marcel Nadeau: Ill second it.

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

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

Marcel Nadeau: Ill second it.

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

Neddo – Boulerice Lot Line Adjustment – Minor Subdivision

APPROVED. The Board held a Public Hearing and approved a Minor Subdivision (lot line adjustment) to convey approx. 2,003 SF from 1 Allen Drive to 267 Upper Newtown Road.

New Business:

22.028 **Native Sun Flowers, 1470 a Rt. 9 – Change of Use/Tenant**

Tim Emanuel: Good evening, my name is Tim Emmanuel and Im the soul owner for Native Sun with my wife. It’s a seasonal operation and we petitioned the Board last year to put two small hoop houses in the front yard in front of the shop and you guys approved that , and I don’t believe there was any issues with that, and so we’re asking again for approval for this season and Id also would like to petition the Board for continuance of on a yearly basis instead of having me to come back year after year, you know the reason Im asking that is because we are seasonal , you know it’s a very small business and it would just you know , financially help me actually , that’s all im asking.

Don Roberts: So would they be staying up permanently or would they’re coming down?

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Tim Emanuel: No they would be coming down, I would make sure , even last year we took down the hoops that were in front of the

Don Roberts: Because that would be good if you could do that.

Tim Emanuel: Yea , so there is no , they would be up from I think we asked from April 15 to June 1st, and it would just be that time and we would take them and dismantle them and take them apart.

Rich Berkowitz: I make a motion to approve the change of use and tenant.

Brenden Nielsen: Ill second

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

Tim Emanuel: Thank you, come visit us.

Native Sun Flowers – Change of Use/Tenant

APPROVED. Board approved the Change of Use/Tenant application to allow a seasonal hoop house at the existing garden center located at 1470a Route 9.

22.027 **LS Power Grid Generator, 13 Corporate Drive – Amendment to Site Plan**

Eric Schroder: Good evening, Eric Schroder LS Power, as Mr. Harris outlined, this is a permit application for the standby generator at 13 Corporate Dr. it will be placed on the south side of the building, should be noted that previously there was a generator there, we just removed the old diesel generator we are just putting a new unit in. It's a new quiet model, Caterpillar model 350kw, as you mentioned the sound level has a sound enclosure, 70 db. As the sound rating, and I have more information on the specifications.

Don Roberts: We will wait and see, questions by the Board?

Mike Ziobrowski: I didn't get a whole lot of chance to look through the product information do you have a platform surrounding it or how do you access the actual generator?

Eric Schroder: It is going to be setting on its own pad, and it has a belly tank that is double wall and it has a full sensory package , we will have monitoring on it for fuel levels , fuel leaks that sort of thing, all of that will go into our building management system. So it sits up off the pad and above on the pad is the belly tank and the unit sits on top of the tank. The approximate size the footprint is about 20 foot by 6 and a half foot wide by 10 foot high.

John Higgins: Is there going to be a walkway around it or?

Eric Schroder: Yes sir there is a walk way, we have some bollards placed around the unit, as it was mentioned before we have an 8 foot security fence on the perimeter of the property and then the bollards protect the unit but there is a walkway behind it between the generator and the building.

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John Higgins: Elevated walkway so you can get up into it or are you just going to use ladders and get into it as needed?

Eric Schroder: There is no elevated walkway we will just use a ladder or a portable, we actually have portable stairs.

John Higgins: And the 70 db. At 23 feet that's a super critical classification.

Eric Schroder: Right Sir, yes sir.

John Higgins: Okay thank you.

Mike Ziobrowski: If you put a platform around it that's made of metal , you have to just ground it to the generator itself, it may sound kind of obvious but if someone is walking up the platform and it's not grounded so a heads up.

Eric Schroder: I understand.

Don Roberts: Anyone else?

Mike Ziobrowski: I would like to make a motion to approve the site plan

John Higgins: Ill second it.

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

Eric Schroder: Thank you

Don Roberts: Welcome.

LS Power Grid Generator– Amendment to Site Plan

APPROVED. Board approved the proposed generator for the facility at 13 Corporate Drive.

22.034 Hayner PDD Amendment, 148 Route 236 – PDD Amendment Recommendation

Jason Dell: Good evening, Jason Dell with Lansing engineering here on behalf of the applicant for the Hayner PDD Amendment. We're here tonight to introduce the project to the Board with the goal being for the Planning Board to provide a positive recommendation back to the Town Board for the PDD Amendment. Our proposal consists of amending the existing Hayner PDD to allow for the development of about an 800 sq. ft. pavilion and associated parking area. The project site is located at 148 Route 236 and encompasses about 6 acres, currently on the property Hayners Farm Stand and Country Store is operating on the property and the approval of the original Hayner PDD allowed for that development and the way that , that original PDD was written was very narrow in scope and does not permit any additional expansion or alteration of the farm stand or country store, so as such we are here this evening to request an amendment to that PDD language to allow for the development of an enclosure of the 20 x 40 pavilion that's out there . For the PDD the applicant is intending to provide as a public benefit a stone dust trail connection between the park and the park trail and the facility itself. So we're here tonight to answer any questions that you may have with the hope you will provide a positive recommendation along to the Town Board for the PDD Amendment.

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

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Rich Berkowitz: I make a motion to have a positive recommendation back to the Town Board.

Charlie Lucia: Second

Don Roberts: We could have a public hearing here but no one is getting affected by it , no one's even near it so the Town Board has to have one any way so, we've got a motion and a second, all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

Jason Dell: Thank you

Don Roberts: Your welcome, good luck.

Hayner PDD Amendment– PDD Amendment Recommendation

POSITIVE RECOMMENDATION. Board received a presentation and made a Positive Recommendation to the Town Board to amend the Hayner PDD to construct additional parking and allow the enclosure and use of the existing pavilion for the sale of farm products and for special events.

Old Business:

22.008 Take My Dump, 15 Solar Dr. – Change of Use Tenant

Josh Canalerio: Good evening Josh Canalerio, owner of Take My Dump, and Im seeking permission to0 store my dumpsters at 15 Solar Drive.

Don Roberts: And everything is in order right Rich?

Richard Harris: Yes, the owner of the property is the same owner as Corporate Dr. the other site, but the Board had tabled pending permission, I since received that by email from the property owner for him to store it where I've shown it in the green circle here, to the back.

Don Roberts: Okay, questions by the Board?

Mike Ziobrowski: I make a motion to approve the change in use tenant application.

Rich Berkowitz: I second

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

Josh Canalerio: Thank you.

Take My Dump– Change of Use/Tenant

APPROVED. Board approved the outside storage of dumpsters at the rear parking area on the site.

19.145 Brookwood Road Subdivision, Phase II- Brookwood Road

Removed per Applicant.

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Brookwood Road Subdivision, Phase II, Brookwood Road – Major Subdivision

The application seeking final subdivision approval was removed per the applicant's request prior to the meeting.

21.221 / 21.222 Fairways of Halfmoon Pavilion & Parking Expansion, 17 Johnson Road – Site Plan & Special Use Permit.

Duane Rabideau: Duane Rabideau from VanGuilder and Associates here representing Fairways of Halfmoon before the Board for a revised site plan amendment and special use permit for construction of only the proposed pavilion at the Fairways of Halfmoon Club house at 17 Johnson Road. The proposal is to construct a 40 x 80 open pavilion where the existing putting green is now, the putting green will be repositioned to northeast of where the pavilion is going, part of the green will be repositioned up here. The proposed pavilion will not be heated, will have retractable screens to manage the prevailing winds, designed to hold up to 150 patrons and the expected hours of use if the pavilion is 10 am to 5 pm. The purpose of the pavilion is merely to provide additional sheltered outdoor space during golf tournaments and the like and thus eliminating the need to rent tents etc. It will not be used as entertainment space and therefore would not be a source of live music or other excessive noises. That is our revised request before the Board tonight.

Don Roberts: Okay thank you Duane, at the pre-meeting a number of questions were raised, we should probably repeat those questions here for the record, go ahead.

John Higgins: Duane , I expressed concern earlier about parking, now so Bruce its different than what you initially proposed here, your saying that it would only be until 5 o'clock and it would not for any kind of outside function like a wedding or any kind of reception.

Bruce Tanski: No , Im not saying that Im saying that maybe a miscommunication , what Im saying is this is taking the place of a tent, it's going to make us more efficient, we're not going to do any more entertaining or work than we already do it's just going to make it more efficient because Im worried about penetrating the ground for the communications for the sprinkler system which is all on computers Im worried about penetrating the ground for the existing sprinkler systems so this will take all of this away , plus it's hard to get the tents , it's just a pain in the butt, we are not doing this to get more business , we're just doing it to make it more efficient. As far as parking goes I've been there 18 years I've never once had a problem with parking we never once had a car on Johnson road, I'm very adamant about that, if we have a function I bring people in to direct the cars because we have a back parking lot that hardly ever gets used and in the case we are full I have an additional 5 acres which is contiguous to the back parking lot, which we've used in the past, but we very rarely use it.

Mike Ziobrowski: Where is that back parking lot Bruce?

Bruce Tanski: It's in the back of the banquet hall. It's not showing it holds about 75 cars, I don't think you were privy to this but when we used to do the brunches we used to also have tournaments and stuff and at that point in time we've had to park on the five acres but Saturday night we had a 182 people for a comedy show, the restaurant was open, the Brew Pub was full, and we never had an issue.

John Higgins: But, what Duane said earlier about the hours of operation is that correct?

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Bruce Tanski: Our plan is not to use this at night, like here is the problem, we get a golf tournament and they are outside all day long they don't want to come in the building because they have been outside so they would like to come to a pavilion or something like that.

John Higgins: Right but so the hours of operation are correct as Duane expressed them till 5 o'clock?

Bruce Tanski: Yea , but im not going to make a promise that it's never going to be used maybe we'll have a wedding that doesn't want to be inside they want to be outside.

John Higgins: But a wedding you could go till 10 o'clock at night

Bruce Tanski: 10, 11 o'clock the latest.

Rich Berkowitz: Golf tournaments don't end until 7, 8 9 o'clock

Bruce Tanski: Some don't, exactly

John Higgins: Well that's the reason I ask because that's what I envisioned originally but then when Duane said till 5 o'clock at night I thought maybe something had changed about what you proposed.

Bruce Tanski: 90 percent of the time that will probably be the way it is but sometimes at a golf tournament we don't tee off till some 4 o'clock and they are 4 or 5 house they don't get done until 8 clock at night

John Higgins: I understand that and like I said I just wanted to make sure that we understood exactly what we are dealing with.

Mike Ziobrowski: I think that you've answered the question, my thoughts would be like so say I built a museum or something like that, they establish on the design documents where the overflow parking area is so, the question was where is the overflow parking area if you get crowded well the plan doesn't show an area for overflow parking, okay.

Don Roberts: Could you show that on the plan?

Bruce Tanski: Sure absolutely

Don Roberts: Now before we go any further, I've got to say we want to refer this to our Town Engineer , MJ Engineering for further review also we are going to refer it to Saratoga County Planning Board for review and the fire department for review, okay any other questions?

Rich Berkowitz: I make a motion to have a public hearing

John Higgins: With expanded notice

Rich Berkowitz: With expanded notice.

Lyn Murphy: I just want to inquire on that maybe I misunderstood you but I thought you were saying that because there were so many properties that abounded it, it kind of

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Don Roberts: How far do we go here?

Richard Harris: If they want to leave it to your discretion, Don we can look at a map

Bruce Tanski: If I may just to let the Board know Im kind of under a time constraint if I can't get this in a reasonable amount of time I lose my time slot and I can't get this done until November

Don Roberts: You're having a public hearing March 28th that's not going to affect nothing

Bruce Tanski: That's great if we can do that, that's all I can ask for, because my price has already gone up 12,000 since January

Don Roberts: The public hearing is going to be the date that we determined already here so don't worry about that

Bruce Tanski: Thank you very much.

Don Roberts: Okay so we'll work out the expanded notice Rich

Richard Harris: We'll look and see what, you know, at your discretion is that's okay with the Board.

John Higgins: Rich mentioned expanded notice at the pre-meeting

Don Roberts: So again we will refer it to the Town engineer the fire department and Saratoga County Planning Board and go ahead Rich

Rich Berkowitz: I make a motion to have a public hearing with extended notice up to the determination of the Planning Department.

Mike Ziobrowski: Ill second.

Don Roberts: For March?

Rich Berkowitz: For March 28th, I'm sorry.

Don Roberts: Okay we've got a motion and a second for a public hearing on March 28th all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, see you the 28th.

Bruce Tanski: Thank you very much folks

Don Roberts: Take care, anything else?

Fairways of Halfmoon Pavilion - Site Plan & Special Use Permit

PUBLIC HEARING SET. Board received a presentation on a revised site plan to construct a pavilion and set a Public Hearing for March 28, 2022.

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Brendan Nielsen: I would like to make a motion to adjourn the meeting.

Charlie Lucia: I second it.

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