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**MINUTES MEETING
Town of Halfmoon Planning Board
June 22, 2020**

Those present at the June 22, 2020 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Charlie Lucia- absent
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 / CHA:

Joe Romano

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

Don Roberts: Good evening can everyone hear me, 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?

Mike Ziobrowski: I make a motion to approve the minutes from the last meeting.

Marcel Nadeau: Ill second the minutes

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

Public Hearing:

20.048 McBride Subdivision, 12 McBride Road – Minor Subdivision

Fred Metzger: Good evening ladies and gentleman Fred Metzger land surveyor here this evening for the McBride subdivision, here for the public hearing portion. Mr. McBride would like to cut out two lots one for each of the grandchildren and then at the same time with each lot having frontage off of Pruyn Hill road to be serviced by town water and septic systems and then at the same time we are also taking the project that was approved last year that had a kind of a two piece part of it coming from his dad and the other portions of the lands that were created with that flag lot and we are going to undo that and take each portions of those lands and convey and combine them back to their original owners as well.

Don Roberts: That's it right?

Fred Metzger: Yes sir.

Don Roberts: Okay we'll open the public hearing, I realize it's an awkward situation so I'll ask a few times here, would anyone from the public like to speak? Again would anyone from the public like to speak? (No comments) Seeing no one wants to speak we will close the public hearing, comments by the Board members. (No comments)

Rich Berkowitz: I make a negative declaration pursuant to SEQR.

Don Roberts: Can I have a second?

Mike Ziobrowski: I second

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

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

Mike Ziobrowski: Second.

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion carried you are all set Fred.

Fred Metzger: Thank you very much ladies and gentleman have a great night.

Don Roberts: You too.

McBride Subdivision, 12 McBride Road – Minor Subdivision (20.048)
APPROVED. Board held a Public Hearing and approved the request for a Minor Subdivision of an existing lot for two new single-family homes at 12 McBride Road.

19.172 Martin Lot Line Adjustment (Synergy PH 2) 1906 Rote 9- Minor Subdivision

Sean Farrell: Sean Farrell from Lansing, I'm here tonight to present the Martin Minor Subdivision to the Board, the project is also known as the Synergy Phase 2 minor subdivision. The applicant for this project is MJ Properties of Clifton Park. The project is located at 1906 route 9 in the Town of Halfmoon, the project borders the Halfmoon – Clifton Park town line to the west, the existing tax map parcels included in this are number 260.-1-27.4 lands of Martin containing .9 acres, tax map number 260.-1-27.2 lands of Martin containing 1 acre, tax map number 260.-1.049 lands of Ruczjinski containing 5.1 acres and approximately 4 acres of lands that were formerly in the Town of Halfmoon right of way of Roberts lane. The parcels are zoned LI-C, light industrial commercial, this project is part of an overall development that has received approval by the Town of Clifton Park. The project contains a private roadway that will include the construction of approximately 850 feet of road, In order to accommodate a private roadway proposed is a minor subdivision of the existing four parcels to create 2 proposed parcels. Proposed lot 1 will includes the northern most area that contains 2.1 acres, proposed lot 2 will include the southernmost area and contain a total of 7.2 acres. Of the 7.2 acres 5.3 acres are included within the Town of Halfmoon, and 2 acres are included within the Town of Clifton Park. Also to be included with lot 2 will be ingress, egress easements associated with the proposed roadway to allow access to the lots within the Town of Clifton Park. In summary we are here to answer any question the Board may have and to ask the Board for approval of this subdivision thank you.

Don Roberts: Thank you Sean, at this time we will open the public hearing, would anyone from the public like to speak? Would anyone from the public like to speak? Once again we are hearing something but we can't make it out, would anyone from him public like to speak please say something, since we are not really hearing anything I will close the public hearing comments by the Board members?

Rich Berkowitz: What did the County say about this?

Paul Marlow: The County looked at it and it had no county-wide impact. They had seen this project between the site plan that we had given them and the Synergy Park itself from the Clifton Park referral, so they are very familiar with this project.

Mike Ziobrowski: Has CME looked at the access drive as far as the turning lanes going out on route 9?

Richard Harris: I think you mean VHB?

Mike Ziobrowski: Yea has Clough Harbor looked at it Im sorry.

Don Roberts: Joe have you looked at it?

Joe Romano: We have looked at the curb cut as it pertains to the site distance, when it came out that was part of the VHB study and was mentioned the project received a negative declaration from SEQR when they did the overall review from the Town of Clifton Park which at that time DOT would have been involved, and DOT will be involved with the review of the curb cut.

Don Roberts: Anyone else?

Tom Werner: Yes, has there been any response from the DOT to the VHB report? Have they looked and approved it.

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Sean Farrell: DOT submitted to VHB and they had received a conceptual approval letter from DOT and we have since submitted design drawings to DOT to obtain the curb cut.

Tom Werner: The traffic analysis seems to indicate that there aren't any issues with the near term build out of that park, well there's actually two parks but when it reaches full build out there its unquestionable levels of service specifically northbound on route 9 at Ushers road has that been noted by DOT ?

Sean Farrell: Yes that is correct.

Tom Werner: And something about the requirement there might be a dual left turn lane required there for northbound route 9 to west bound ushers?

Sean Farrell: Yes that was all in part of the other Synergy Phase 1 project those requirements were outlined in that traffic study now as the two projects are developed simultaneously or as tenants come each site plan will be looking at where the traffic stands and when those thresholds are hit between the two projects.

Tom Werner: Initially the two sites will be developed with no internal connection is that correct? Do you know when the roadway within the overall site will be connected?

Sean Farrell: Yes that is correct, initially there is not an inner connection there is an emergency access inner connection only at this point initially, and there is a threshold of I believe its 105 or 110 thousand square feet then that second access needs to be connected to a full access not emergency only.

Tom Werner: Okay and that's another 2nd connection on route 9 you're speaking of?

Sean Farrell: It would connect to phase 1, phase 2 project would inner- connect to phase 1 which in turn has the connection across from Stewarts onto route 9, phase 1 does.

Tom Werner: Thank you.

Don Roberts: Would anyone else from the Board have a comment?

Rich Berkowitz: I make a motion for a negative declaration on SEQR.

Don Roberts: Can I have a second?

Mike Ziobrowski: I second.

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

Rich Berkowitz: I make a motion to approve the proposed consolidated lot line adjustment and subdivision.

Tom Werner: Ill second that.

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

Sean Farrell: Thank you.

Martin Lot Line Adjustment (Synergy Ph. 2), 1906 Route 9- Minor Subdivision (19.172)
APPROVED. Board held a Public Hearing and approved the request for a consolidation and subdivision/lot line adjustment related to the Synergy Park Phase 2 development.

New Business:

20.059 Capital Flooring LLC. 40 Farm to Market Road – Change of Use/Tenant

Tamara Sullivan: Tamara Sullivan for Bruce Tanski Construction, Capital Flooring would like to utilize two of the new storage units over on 40 Farm to Market road so that totals 3,000 sq. ft., its entirely storage there is no retail use, anything of that nature, just storage.

Don Roberts: Okay, so before we start there are three applications for the same site here so for the record im going to ask the same questions starting off for all three but just for the record, there will be no outside storage and no outside work done correct?

Tamara Sullivan: No outside storage at all, nothing going outside, no outside activity at all outside of the storage units what so ever

Don Roberts: Okay any questions by the Board members?

Mike Ziobrowski: Tamara It's been a while since we have seen this site plan are there any fire hydrants nearby of the storage units that are built off of Farm to Market?

Tamara Sullivan: I would have to double check on it I would certainly imagine so, but I can double check with Bruce on that however.

Mike Ziobrowski: Okay, it's good to know, this is just one building of several that are going in, and the storage unit is not sprinkled, it's just a standard butler building if you will just a storage unit?

Tamara Sullivan: Yes to my knowledge it is not sprinklered.

Mike Ziobrowski: Okay

Don Roberts: Anyone else? Anyone else from the Board with comments?

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

Don Roberts: Second?

Marcel Nadeau: Ill second it

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

Capital Flooring, LLC, 40 Farm to Market – Change of Use/Tenant (20.059)

APPROVED. *Board received a presentation and approved the Change of Use/Tenant application to allow a flooring company to use 3,000 SF of warehouse space to store supplies/materials.*

20.060 Capital Plumbing & Heating, 40 Farm to Market Road – Change of Use/Tenant

Tamara Sullivan: Capital Plumbing wants to utilize one unit for storage, once again entirely inside the unit no outside storage what so ever, and they are utilizing one unit so that is 1,500 sq. ft.

Don Roberts: No outside work either right?

Tamara Sullivan: Correct.

Don Roberts: Tom Koval are you still here or did you leave? He must have left in that case, Charlie Lucia are you here?

Charlie Lucia: Yes

Don Roberts: Okay and how about Brendan?

Brendan Nielsen: Im here

Don Roberts: Im sorry for the confusion, okay I don't know what happened there

Richard Harris: The status said he's leaving the meeting I don't know what happened, he is still showing up and it says leaving

Marcel Nadeau: Can you verify are they using 1,500 sq. ft. or are they using 3,000 sq. ft.?

Tamara Sullivan: Capital Plumbing is utilizing 1,500 sq. ft. so just one storage unit

Marcel Nadeau: And Capital Flooring is using?

Tamara Sullivan: 2, so their total is 3,000 sq. ft.

Marcel Nadeau: Okay alright

Tom Koval: My only question and I guess it pertains to all three of these and am sure it's spelled out somewhere, where are their dumpsters? I don't think Capital Plumbing produces a lot but Capital Flooring do they have a large box for the used carpet they take out or are they a wholesaler, I wasn't quite clear on what that was?

Tamara Sullivan: So you are asking where dumpsters are on the site.

Tom Koval: Yes, because most flooring sales places have 30 yd. dumpsters that they put the old flooring in when they get done with the job, I was just curious as to where the disposal site is on this.

Tamara Sullivan: I don't believe that they will be using this site for any sort of disposal they will be using it for storage only so just their material.

Tom Koval: So at the end of the day they don't bring back the old flooring that they took out from the spot?

Tamara Sullivan: That is correct

Tom Koval: Okay thank you.

Don Roberts: Anyone else?

John Higgins: Yea Don John Higgins, when we originally looked at this we were questioning the amount of daily traffic in and out of the storage units now do we have any idea whether they are going to be visited on a daily basis or whether they will be visited 10 times a day because we were concerned about the amount of traffic generated, I realize that these are the first of the units but we do need to take a look and be concerned with the traffic

Tamara Sullivan: That is definitely something we are going to monitor, as I understand it for the most part people are going to be in at the beginning of the day to get whatever supplies they need and possibly at the end of the day to put their supplies back for the following day, there really should not be traffic per se in and out it would be you know one van one picking up their stuff in the morning and one returning in the afternoon/ evening.

Tom Werner: Was there a traffic study for the entire site can you recall Joe?

Joe Romano: Yea I don't think that there was.

Tom Koval: Tamara I think that the nature of both of these businesses, you know being that im in the same field type of work its morning and afternoon, your guys leave in the morning and your guys come back in the afternoon, and I can't imagine that they're going to be , maybe once or twice if they forget something but I don't think it's going to be a continuous throughout the day type of traffic concern that we are going to have to deal with, and in construction, anybody that's in it knows your guys start at 7 and then they are done generally 3:30 , 4:00 o'clock so they are not even really peak hours of 9 and 5 so I don't have a large concern with that.

Tom Werner: Tom I was thinking about the whole site this is just one of several buildings and

Tom Koval: Right and I agree with you Tom but right now we are looking at these two businesses and I don't think that they would be the problem children, but as we get future applicants certainly we have to look at what their trip generation is but I don't think these are going to be the problem we have to deal with.

Richard Harris: When the Town Board did issue a neg dec for this when the PDD got created either the Town Board or the Planning Board ordered an independent traffic study , im digging in my memory bank but I think numbers were provided based on light industrial commercial, tenants, there were no tenants named at the time there was a list of uses and think we got some numbers for a lack of a better way to put it for the ITE manual back at that time two or three years ago but a traffic impact study was not done like we did for Impact Athletic recently or like some of the other like Betts Farm and that type of stuff

Joe Romano: Like what I think we have is a trip generation.

Richard Harris: Yes, but this Board or the Town Board did not request a traffic impact study at that time.

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Don Roberts: Any comments?

Tom Koval: I'll make a motion to approve the change of tenant.

Marcel Nadeau: Ill second that.

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

Capital Plumbing & Heating, 40 Farm to Market Road – Change of Use/Tenant (20.060) APPROVED. Board received a presentation and approved the Change of Use/Tenant application to allow a plumbing and heating company to use 1,500 SF of warehouse space to store supplies/materials.

20.061 PMA Comfort Solutions, 40 Farm to Market road – Change of Use/Tenant

Tamara Sullivan: PMA is also looking to utilize just one unit 1500 sq. ft. they are a heating and cooling company so very similar to the first two tenants. They just want to store their equipment, come in in the morning and come back in the afternoon or evening and again no outside storage what so ever.

Don Roberts: Okay no outside storage no outside work right?

Tamara Sullivan: No

John Higgins: Don one quick question, no outside storage and they are not going to be parking vehicles on the site overnight correct?

Tamara Sullivan: No there will be no parking overnight there will be strictly a vehicle vehicles there to get whatever they need in the morning if they make a second trip back in the evening and that's it there will be no cars parked there overnight there should be no cars parked there for any length of time.

John Higgins: So even during the day they are not going to meet there and leave vehicles there and then go off in a company truck?

Tamara Sullivan: No that's something that we are completely prepared to act on and make sure that they do not do that.

John Higgins: Okay thank you.

Tom Koval: Yea that's my only concern that we don't end up with pipe racks set up outside the building that type of thing and I think you're on board with us on that you want to keep it clean we want to keep it clean.

Tamara: Yup

Don Roberts: Anyone else?

Marcel Nadeau: I'll make a motion to approve it.

Tom Werner: Ill second it.

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

Tamara Sullivan: Night.

PMA Comfort Solutions, 40 Farm to Market Road – Change of Use/Tenant (20.061)

APPROVED. Board received a presentation and approved the Change of Use/Tenant application to allow a heating/cooling company to use 1,500 SF of warehouse space to store supplies/materials

20.060 Santore's World Famous Fireworks, 1428 Rt. 9 (Tire Warehouse) – Change of Use/Tenant

John Higgins: I assume this is the one that's already set up and already in business correct?

Don Roberts: I don't think they are in business.

Richard Harris: John, John we allowed them to start ahead of time they were coming in for a tent permit for one to two days starting on Saturday pending appearance before the Board tonight, it turned out that the building code does not require a tent for the 12 x 12 pop up that they are using so I gave them permission I guess for a lack of a better way to put it pending approval by the Board Monday night to set up, given the lateness of their request. The applicant was going to explain that normally they put on events, a number of them have been cancelled in recent weeks and they were turning to an alternate business model for this season to allow for State authorized sale of fireworks so I told them that it would be okay to get it up pending on Monday night's agenda.

Tom Koval: Were they aware they had to attend the meeting?

Richard Harris: They were yes, we spoke to them, sent them the link they dropped off material on Friday they were aware, I will try to reach out to them if you want to table it if he is not on.

Don Roberts: If we table it, it will be too late anyway.

Richard Harris: We have one more item, just for right now.

Don Roberts: Okay let's do that we will come back to that afterward okay.

Tabled

Old Business:

20.000 Cole's Collision Building & Parking Addition, 1624 Route 9 – Site Plan

Dave Kilmer: Dave Kilmer here from ABD Engineers on behalf of Cole's Collision, this project we presented to the Board back in January I believe Cole's is looking to put on a roughly 4200 sq. ft. addition in the back of their existing body shop they are also looking to expand the parking area in the back and add a dumpster enclosure that's really all there is to it, they are also going to add a few parking spaces in the front to address the concerns that there isn't enough customer parking out in front, that's really about it, they are planning on adding some

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additional storm water infiltrates to help with drainage that is going to be caused by the additional impervious surfaces.

John Higgins: How many parking spaces are being added in the front for customers? Because I was the one that brought up the problems that I experienced there.

Dave Kilmer: Right, so there is going to be five additional spaces and they are also if they haven't already planning on removing three reserved spaces that were previously reserved for state farm vehicles. So now there is going to be a total of twenty-two spaces I believe in the front.

John Higgins: So the State Farm is not going to be there anymore, they are not going to have the dedicated office?

Dave Kilmer: That's right.

Don Roberts: Okay now Saratoga County Planning Board is okay with this?

Paul Marlow: Yes I had sent it to the County, no significant countywide impact

Don Roberts: Joe are you all set?

Joe Romano: Yea we are all set , he did go through a couple of rounds of reviews and one thing ill note is that he did get comments from the fire department regarding access around the building and Dave provided truck turns for around the building for two different sized vehicles , so I think they are all set.

Don Roberts: Any other comments by the Board?

Tom Koval: I make a motion for a negative dec

Don Roberts: And a second.

Rich Berkowitz: Ill second

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

Tom Koval: I'll make a motion to approve the addition and the change to the parking

Rich Berkowitz: Ill second

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

Cole's Collision Building & Parking Addition, 1624 Rt. 9 – Site Plan (20.000)

APPROVED. The Board approved the site plan amendment for an approx. 4,200 SF building addition and additional parking spaces for the existing Cole's Collision Center.

Don Roberts: I was going to do this at the end of the meeting but im trying to buy time here also, but I've got two things here I would like to discuss, first of all as everyone should know by now effective July 1st the Town Board has elected to go with a new town engineer, so this is Clough Harbor and Joe Romano's last full time

meeting with us and Im sorry about that and at this time I would just like to thank Clough Harbor but especially Joe Romano for all of your years of dedicated service to our Town, you were always there for us all , Rich , Paul ,myself, Lyn everybody anytime we had a problem or a question we got to you and you got right back to us and we couldn't have asked for a better engineer and through these years we've become friends and I am going to miss seeing you, so thank you for all you've done . Joe will still be seen on occasion, he is going to finish up the projects he has in front of him but he will no longer. After tonight he will no longer be the lead engineer but we will still see him for a while, but Joe thank you very much for all of your service we really appreciate it.

Joe Romano: Thanks a lot Don.

20.060 Santore's World Famous Fireworks, 1428 Rt. 9 (Tire Warehouse) – Change of Use/Tenant

Don Roberts: Now before we go any further are they on?

Richard Harris: He's calling in, he is in the car so I gave him the number he should be calling in if we can give him a couple of minutes because it works a little different he's got to punch in a conference ID

Jeff Ward: Hi guys

Richard Harris: Jeff this is Rich so you made it in,

Jeff Ward: Hi Rich how are you?

Richard Harris: everyone this is Jeff Ward we just spoke he is calling in from the car so he is not on video

Don Roberts: Go ahead please

Richard Harris: Jeff if you just want to give us a summary of the location where you're setting up, your hours of operation, everything you put down in the summary with the pick- up and set up each day, number of employees, if you want to just give a quick summary to the Board

Jeff Ward: Yea absolutely, so we are just doing the New York State sale of fireworks so it is all regulated by Office of Environmental Control for New York State. We are looking to use the location at the Tire Warehouse on route 9 in Halfmoon. Unlike the other firework stands like Phantom and stuff like that what we are looking to do is we are going to is set things up in the morning , we would like to do the operation from 10 in the morning to 6 pm, we would take up two parking spots in the Tire Warehouse parking lot , we would have two employees set it up its pretty much like a 10 x 10 , 12 x 12 pop up tent there would be no free standing signs or anything like that the signs would be attached to the tent itself, there is two tables of product we would have fire extinguishers we have all of our stuff. Any excessive fireworks , any back log fireworks we have would be stored in the truck, nothing would be stored on the site overnight, everything would be taken up at the end of the day ,packed away and taken away from the site and taken back to our facility in Stillwater just outside of Schaghticoke's, so we don't have any security issues or anything like that and like I said everything is regulated through OFPC as far as the fireworks go, we are just looking for permission to use those two parking spots for a temporary tent and the time frame would be obviously this weekend past, until July 4th its only for a two week time period.

Marcel Nadeau: Just a question on that, so the tent will be removed on July 4th?

Tom Koval: I's an easy up its not staying there at night.

Tom Werner: Will there be any type of temporary sign out at the entrance at route 9 so people will know your there or is that going to be self-evident from your location?

Jeff Ward: There is going to be a 4 x 8 vinyl banner that's attached to the tent itself there is nothing free standing, there is nothing that is going stay there, at the end of the night when we take everything down that disappears it goes in the truck, goes home with us, in the morning we set up so it's only set up for that 10 am to 6 pm time so that's what we are doing.

Don Roberts: Anyone else?

Tom Koval: I make a motion to approve the change.

Mike Ziobrowski: Ill second

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

Santore's World Famous Fireworks, 1430 Rt. 9 – Change of Use/Tenant (20.067)

APPROVED. Board received a presentation and approved the Change of Use/Tenant application to allow a fireworks company to operate a mobile retail site from June 20, 2020-July 4, 2020.

Jeff Ward: Thank you guys I appreciate it, thank you very much, have a good night

Don Roberts: Now before we adjourn , I already mentioned Joe Romano, at long last we are now going to be able to meet here July 13th for our meeting and we are going to have a pre- meeting also , there are going to be some restrictions but we will get into that later but the thing is the pre-meeting is going to have to be in the room we are in now our main meeting room, and if anyone feels reluctant to come to the meeting in person you can still do it online alright, so if anyone feels like they don't want to be here just let Rich or Paul know and we will make sure to get you online

Richard Harris: Yea we will set up the room , we had one televised during the day meeting with a bunch of staff so we set up one format so that everyone viewed but everyone is 6 feet apart around like a U shaped bunch of tables we may or may not do that but the thought is as of right now I talked to Lyn and she talked to Supervisor Tollisen that Board members and applicants would start coming together in July but applicants would wait in their car and we would one of us, have myself or Paul we would call them or escort them in just to make sure we are abiding by all of the spacing requirements needed, we have a public hearing scheduled for July 13th, we will still broadcast and the public will still be able to participate by Microsoft teams, but our plan is to only as of right now, unless things change, you could ask Lyn things change almost daily, the rules coming down from the governor's office so you never know but as of right now we are planning board members are comfortable , the applicants if not there will still be Microsoft teams, but the public will participate through Microsoft teams at this time.

Lyn Murphy: Don the idea is to possibly keep Microsoft teams up and running for the foreseeable future which Rich just said so that way there is that comfort zone, we are limited in occupancy so even if we set up for the Board at a social distancing if we have a public hearing and 30 people show up we will be in violation of the governors regs, so we have to just be careful of the way we let the public in.

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Don Roberts: Now also I said if anyone feels uncomfortable and wants to stay at home just let us know so we can account for you that's all.

Richard Harris: Yea you could just email me if you know you're not going to be coming in person so we have a head count and know what to expect online

Don Roberts: Okay anyone else have anything?

Tom Koval: I'll make a motion to adjourn

Rich Berkowitz: Ill second

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion carried and everyone have a good night.

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