

March 8, 2021

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

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

**Planning Board Members:**

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

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

**Don Roberts:** Good evening everyone we had a little technical difficulty that's why we are a little bit late getting back on hope everyone can hear me, I would like to call the planning board meeting to 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

**Don Roberts:** Can I have a second?

March 8, 2021

**Tom Koval:** Ill second

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

**New Business:**

**21.016                    Envision Salon, 1673 Rt. 9 (Healthplex) – Sign**

**Cindy Walker:** Cindy Walker, I am just placing a sign on Route 9 with the rest of the signs , I already had the meeting last month for the approval of tenancy there so I just needed to have the sign approved.

**Don Roberts:** Okay the sign meets Town specifications , any questions by the Board?

**Tom Koval:** I'll make a motion to approve the sign panel.

**Mike Ziobrowski:** Ill second.

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

**Cindy Walker:** Okay thank you.

*Envision Salon-(Healthplex) – Sign (21.016)*

*APPROVED. Board approved the new signage for Envision Salon (Heathplex).*

**21.033                    Fast Lane Automotive, 1540 Rt. 9 – Sign**

**Don Roberts:** Sir please state your name.

**Yevgeniy Litvinov:** Yevgeniy Litvinov

**Don Roberts:** Are you the owner?

**Yevgeniy Litvinov:** Yes

**Don Roberts:** Okay go ahead., sir

**Tom Koval:** So you want to put up a new sign in the front of the property, is it an existing sign that you are replacing the panel on or is it a brand new sign?

**Yevgeniy Litvinov:** It's an existing sign that you see right there in that picture.

**Tom Koval:** And you are just changing the panel, the same , no internal lighting?

March 8, 2021

**Yevgeniy Litvinov:** Yea no internal lighting, and yup we are putting it in the pavement I think and you can see in the black , the location on the birds eye view.

**Tom Koval:** So it's in the existing location and that's not in the state right away correct?

**Yevgeniy Litvinov:** Not in the state right away , yea there was no sign there to begin with.

**Tom Koval:** Oh okay so it's not an existing sign it's a brand new sign?

**Yevgeniy Litvinov:** it is an existing sign but it does not exist at that location because this sign was from a different property.

**Tom Koval:** So it's the sign they had down in Latham and your moving it up here .

**Yevgeniy Litvinov:** Yes basically,

**Tom Koval:** and are you putting it in the same spot where the old sign was ?

**Yevgeniy Litvinov:** The sign we had , the locations we had before was a different location so we can't really compare the two.

**Tom Koval:** Right I know where you were before, I am asking are you putting this sign in the same spot that fast lane had their sign or is it going into a different spot?

**Yevgeniy Litvinov:** Yea I can't really compare the two because this location is pretty much all pavement so , pretty much maybe, we are just sitting on the same exact line as the sign , Time For Paws, but I don't know the distance from the road ( unintelligible)

**Tom Koval:** Okay

**Rich Berkowitz:** Is your sign replacing the Time for Paws sign? In the exact same location?

**Yevgeniy Litvinov:** Yea parallel, perpendicular distance, parallel with the Time for Paws sign.

**Tom Koval:** How tall is this ?

**Richard Harris:** A Time for Paws is over here (unintelligible)

**Rich Berkowitz:** So he is moving it a little bit more north and closer to route 9

**Richard Harris:** He is not moving anything , this is a new tenant, it's a brand new sign, the tenants in this building using a brand new sign, right here

**Tom Koval:** Oh okay, sorry I was on the wrong property, how tall is this sign going to be?

**Rich Berkowitz:** I believe 8 feet

March 8, 2021

**Richard Harris:** 8 ft. that's what it says on the application

**Tom Koval:** Im sorry I didn't hear that

**Marcel Nadeau:** 8 ft.

**Tom Koval:** 8 ft. okay

**Yevgeniy Litvinov:** Yea 8 ft. I think once it goes into the ....

**Rich Berkowitz:** I'll make a motion to approve the sign granted that it's not taller than 8 ft. and it's not on the state right of way

**Tom Koval:** Ill second

**Don Roberts:** Okay before we close , remember when you advertise , please advertise Town of Halfmoon alright?

**Yevgeniy Litvinov:** Oh , when I advertise , advertise Town of Halfmoon?

**Don Roberts:** This is a Halfmoon Planning Board, alright

**Yevgeniy Litvinov:** Okay how do we advertise Halfmoon?

**Tom Koval:** Anything you say instead of saying in Clifton Park put Halfmoon

**Yevgeniy Litvinov:** Oh okay I don't know where I would put Clifton Park but yea I will change whatever I wrote .

**Don Roberts:** I have a motion and a second, all in favor aye? (All were in favor) Opposed? (None were opposed)  
Motion carried, good luck

**Yevgeniy Litvinov:** Okay thank you.

**Don Roberts:** Your welcome.

*Fast Lane Automotive – Sign (21.033)*

***APPROVED. Board approved new signage for Fast Lane Auto with conditions related to height and location.***

March 8, 2021

**Eric Cooley:** Good evening its Eric Cooley from Cooley Commercial Trucks, and Im requesting approval to install a sign at the location of Cooley Commercial Trucks. It will be installed in the same location that the previous tenant had a sign which was fast lane.

**Mike Ziobrowski:** Eric your simply replacing, putting another sign where the old one was right ?

**Eric Cooley:** Correct, it was removed by Fast Lane

**Tom Koval:** I make a motion to approve the change of sign panel

**Rich Berkowitz:** Ill second.

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

**Eric Cooley:** Thank you.

*Cooley Commercial Trucks – Sign (21.037)*

**APPROVED. Board approved the new signage for Cooley Commercial Trucks.**

**21.034                    Precision Valve & Automation (Support Site), 5 Corporate Dr. – Change of Use/Tenant**

**Brian Lockman:** Hi , how you guys doing? This is Brian Lockman representing Precision Valve & Automation.

**Don Roberts:** Go ahead please sir, please state what you want to do please.

**Brian Lockman:** Yup , so basically we own 6 Corporate drive now across the road and we are going to move Precision Valve & Automation from our Cohoes location up to 6 Corporate drive, and the way the building worked out that building is roughly 70,000 sq. ft. we didn't have enough space to fit our machine shop and our fabrication shop so we are looking at leasing 5 Corporate drive for a machine shop and fabrication shop. As you can see the larger building would be where it would be, that's like 16,403 sq. ft. , the other space is, is the other tenants and that is office space so we are looking to take our machine shop that directly supports PVA and put it into 5 Corporate drive.

**Don Roberts:** Thank you Sir, questions by the Board?

**Tom Koval:** You're not adding any additional employees and we had already discussed your other property correct?

**Brian Lockman:** We're only moving 20 employees to this facility, all the other property would have all our other employees and this property would just have the employees that support the machine and fabrication shop.

**Tom Koval:** Okay so it's pretty much same operation you just need a little more room.

March 8, 2021

**Brian Lockman:** Yup , exactly we just need a little more room it wouldn't fit in the layout in the other building.

**Mike Ziobrowski:** And you have ample parking with both parking lots of two different buildings for your employees?

**Brian Lockman:** Yes, we actually have 22 parking spots onsite, and then up in the upper right corner we actually own that parking lot, if you go across that little street there that's part of 6 Corporate so if we needed to park employees there we could but we have 22 spots for the actual property on 5 Corporate and we only have 20 employees at max there so we should have ample parking.

**Tom Koval:** Yea , this property was set up for large venues there originally so parking was much larger than required for what they are doing now.

**Tom Werner:** The wright up indicates that you are going to be moving product from between the two buildings by box trucks ?

**Brian Lockman:** Yea , we have a 20 ft. box truck and basically our machine shop and our fabrication shop we make small intricate parts for robots and then we make like sheet metal bodies for the robots so they would be manufactured at 5 corporate drive and then they would be brought over to 6 Corporate drive to be assembled.

**Tom Werner:** So that's what a truck a day or so ?

**Brian Lockman:** Yes so we will probably run a box truck back and forth once or twice a day max.

**Tom Werner:** Okay thank you.

**Tom Koval:** I make a motion to approve the change of tenant

**Rich Berkowitz:** Ill second it.

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

**Brian Lockman:** I appreciate it , thank you guys, have a good night.

***Precision Valve & Automation (Support Site) – Change of Use/Tenant (21.034)***  
***APPROVED. Board approved the use of the site to supplement their production facility at 6 Corporate Drive.***

**21.038                      Upstate Canine Academy, 24 Corporate Dr.- Change of Use /Tenant**

**Tom Davis:** My name is Tom Davis I'm representing Upstate Canine.

March 8, 2021

**Don Roberts:** Can you say what you want to do on the site?

**Tom Davis:** We are going to be doing dog training on the site.

**Don Roberts:** Hours of operation , employees , what you plan on doing we need more than this?

**Tom Davis:** Sure I don't have the narrative in front of me I don't have a copy of it unfortunately, but hours of operation would be Monday through Friday from about 9 am to probably 8pm sometimes later but mostly 9 to 9 or 9 to 8 sorry, and then on the weekends , Saturday and Sunday will be around the same hours.

**Tom Koval:** So on the days of the week 9 to 8 ?

**Tom Davis:** Yea so actually Sundays we are only there , I guess I need to understand the question , when you say hours of operation you mean when employees are at the facility not when customers are at the facility?

**Tom Koval:** Im going to ask you some more specific questions, are you going to be boarding animals there overnight ? we'll start with the basics.

**Tom Davis:** Yes

**Tom Koval:** How many dogs do you plan on boarding?

**Tom Davis:** Anywhere from 10 to 20.

**Tom Koval:** Do you have an exercise area outside of the building?

**Tom Davis:** Yes there is going to be an exercise area but all of the dogs will be leashed and handled by a canine handler .

**Tom Koval:** Im more concerned about animal waste to be honest with you, how are you handling that?

**Tom Davis:** Understood , so like I said all of the dogs are going to be accompanied so there will be clean up after the dogs after every potty break. We already have a pre-existing facility owned by VanPatten over in Clifton Park that we operate out of and that's the system we have now, all of the dogs that go out are accompanied by somebody and every time that they go out to go potty they are disinfected and cleaned up by a handler.

**Tom Koval:** What type of traffic are you going to have clients bringing dogs in, picking up dogs , is it daily occurrence , is it a weekly occurrence ?

**Tom Davis:** Yea, for the most part it will be daily operations but we also have boarding and training program where dog owners come in and they drop their dogs off for 3 to 4 weeks at a time and stay with us but we also do have local clients that come in and train with us in a daily operation , but it's nothing like a doggie daycare where you're getting 20, 30 cars in at a certain window and then leaving at a certain window it's very , by appointment only every hour.

**Tom Koval:** Okay , so no dogs are going to be kenneled outdoors?

March 8, 2021

**Tom Davis:** As of right now there are no kennels on the property but we do plan on having a kennel that has an outdoor run, but the dogs do not have access outside without the operations being open so they won't be able to be out.

**Tom Koval:** No dogs will be sleeping outside or free outside without a handler?

**Tom Davis:** Correct, yea and there is going to be certain hours of operation that the dogs won't be outside at all during inappropriate hours for our neighbors.

**Tom Koval:** There is a residential property behind that.

**Tom Davies:** Yup

**Mike Ziobrowski:** Thomas one of the things that Tom Koval had asked was about the picking up of the waste now at your current site, I know where you are you are by Main St. right?

**Tom Davies:** Yup

**Mike Ziobrowski:** How often do you pick up that waste at that particular site and do you notice is there any smells in the air from the feces and so forth and does it get picked up daily ?

**Tom Davis:** Yes it's a great question , actually every dog that we bring outside is going to be monitored because it's a very one on one type of , it's not like a kennel where you would think that we are going to have all of these dogs staying while their owners go on vacation it's a very one on one very tailored customized approach where each dog that comes in is going to be accompanied so each time a dog goes outside the handler comes and picks up the waste , puts it in a bag and puts it in the dumpster immediately within 10 minutes just like you would going on a walk with your dog down the road.

**Mike Ziobrowski:** So for clarity, how often does that dumpster get picked up?

**Tom Davis:** Weekly

**Mike Ziobrowski:** Weekly , even in the summer time?

**Tom Davis:** Yea definitely in the summertime

**Mike Ziobrowski:** So its weekly, not like twice a week not 3 times a week its weekly?

**Tom Davis:** Yea , we haven't had any problems with it being , I mean we're there every single day and if we thought that there was a feces problem or some sort of smell we would definitely have it picked up more than that but we have never had a problem, everything is sealed in a bag, we are not putting feces in a dumpster everything is locked in bag and then put in the dumpster so it's not exposed feces.

**Mike Ziobrowski:** Alright

**Marcel Nadeau:** When you bring the dogs outside what kind of noise can we expect?



March 8, 2021

**Tom Davis:** Well you can definitely expect some barking, but when we are training dogs outside there is going to be limited barking because the dogs that we are going to be training are going to be working on these things, there is defiantly going to be barking but it's not going to be habitual bark to a point, you know we are very conscious of that as we , I mean we're there just as our neighbors are there so we always make sure and are mindful that the dogs aren't habitually barking and things like that especially when they are outside.

**Marcel Nadeau:** And how many dogs would be outside at one time?

**Tom Davis:** I guess it would depend on the day, I would say 5 at the max , because again I want to clarify because I know the big difference between a dog training facility and a day care , these dogs are not there to hang out and socialize , these dogs are there for individual structured routinely based training so it's not going to be a socialization pack type playing , it's going to be very structured. The dogs are going to be outside and every once in a while the dogs want to play if they are friendly with each other then, certainly they can do so but it's not going to be anything crazy.

**Marcel Nadeau:** Okay so you won't be seeing 20 , 30 dogs out there?

**Tom Davis:** Absolutely not

**Marcel Nadeau:** Okay thank you.

**Don Roberts:** Im concerned about the dogs staying overnight and the barking having a negative impact on the neighbors , can you address that please?

**Tom Davis:** Absolutely , I mean like I said before I would be silly to sit here and say that the dogs aren't going to bark because they are because they are dogs but like I said before the dogs are not going to be left unattended outside ever so it's a big warehouse space , its 15,000 sq. ft. and we are going to make sure that the dogs are in a sectioned off area in the building and they are never going to be outside at all barking. So you could expect dogs to be barking just as you would expect dogs to be barking at the apartments behind us, it's going to happen but like I said before they are not going to be left alone outside ever unattended, just for our responsibility and the dogs safety so I fully understand I guess questions about that but like I said the dogs are not going to be left outside at all un attended.

**Marcel Nadeau:** If there is 5 or 10 dogs barking inside will you hear that from the outside?

**Tom Davies:** I really don't know because we have not done any sound checks or anything like that so I really can't answer that question.

**Tom Werner:** You mentioned the dogs would all be housed in one corner of the building, it might be possible to put some sort of sound proofing in that portion of the building.

**Tom Koval:** Is it an insulated building?

**Tom Davis:** Yes

**Tom Koval:** It's a heated insulated building?

**Tom Davis:** Correct

March 8, 2021

**Tom Koval:** So the chance of noise getting out of the walls of an insulated building are no different than if you are having a heated argument in your house and one of your wild children , people aren't really hearing anything unless your windows are open at night I can't imagine these building being fairly new age that they are , are going to be that loud from the outside in, unless they start opening up the windows and stuff , what type of HVAC do you have , are you going to have this air conditioned in the summer are you going to leave windows open , doors open ?

**Tom Davis:** Yea that's a great question , there is air conditioning in the front of the building where the offices are but right now there is no air conditioning so the doors will be open and we do plan on doing air conditioning in the summer before we actually start getting dogs in there, we have actually started the process of getting air conditioning in there.

**Tom Koval:** Yea because once you start opening doors and windows then you are going to have noise issues, especially at night if your keeping dogs there , what are you going to do in the off hours is there someone onsite taking care of these animals.

**Tom Davis:** No, normally what we do is we have cameras and the dogs are monitored in their own kennels, so they are all separated in their own little kennels and we have an actual kennel with heat and air conditioning within the kennels when the dogs aren't going to be supervised they are going to be monitored. So just to go over it again the dogs are going to be monitored and they are going to be there completely overnight without somebody they are in their separate kennel that they can't get out of , as well that area is going to be air conditioned , it is going to be sectioned off from the rest of the building.

**Tom Koval:** For security purposes there are no windows are going to be left open even barred windows or anything like that, no doors?

**Tom Davis:** No , some of the dogs that we work with are police and military dogs that are very sought after if you will so all of the location is going to have a very secure , security system as well as monitoring via video cameras and sensors as they do now in our other facility as well .

**Tom Koval:** Okay thanks.

**John Higgins:** I have a question about the outside area the fenced in area are you going to be using that at 8 o'clock at night?

**Tom Davis:** Are we going to be leaving the dogs out at night in the fenced in area is that the question?

**John Higgins:** The outside exercise area , even though the dog is going to be accompanied by a handler , there is a residential complex near where you will be exercising these dogs, what Im concerned about is dogs barking t 8 , 9 o'clock at night especially during the Summer or Spring and Fall with their windows open, do you have to exercise them outside that late at night?

**Tom Davis:** No we don't have to exercise them late at night , we have been in business for about 13 years now and we have never had a dog at the end of a leash habitually barking for any period of time so it's a valid question, but like I said as professional dog trainers our ultimate goal is to immediately stop any unwanted behaviors and barking would be one of those behaviors. And so what we like to do is when we get the dogs out and we work with them, and we are

March 8, 2021

never , and I understand the question and we are never going to have a dog accompanied by a trainer habitually barking at any time of the day, any day.

**John Higgins:** Okay thank you.

**Tom Davis:** Sure

**Don Roberts:** Anyone else?

**Tom Werner:** Don you said you don't think we need a public hearing on this?

**Don Roberts:** No, no we don't .

**Tom Koval:** No, not with the industrial or heavy commercial area this is going into, not industrial but

**Tom Werner:** I thought there were residential units behind there ?

**Tom Koval:** We do, but it's a very commercial, anybody that's moved into those apartments right next door it's all heavy commercial.

**Don Roberts:** No I don't think we need a public information on this at all.

**Tom Koval:** I make a motion to approve the change of tenant

**Rich Berkowitz:** Ill second

**Don Roberts:** Now before we vote Sir you know that if you want a sign you must come back to the Board right?

**Tom Davis:** Yes

**Don Roberts:** Thank you, we have a motion and a second, all in favor? (All were in favor) Opposed? (None were opposed) Motion carried, good luck.

**Tom Davis:** Thank you so much.

**Don Roberts:** Your welcome

*Upstate Canine Academy– Change of Use/Tenant (21.038)*  
**APPROVED. Board approved the applicant to operate a dog training facility at 24 Corporate Drive.**

March 8, 2021

**Jason Nicholas:** Im Jason from Abele Builders , 518 Acupuncture is now Ashley Wells she was a prior tenant at 9 Corporate drive she is solo , she moved into 12 Corporate , again she is solo, just one employee. Her hours of operation are 8 to 5, Monday through Saturday, and there is no fit up required from the previous tenant she just moved into the space.

**Don Roberts:** Questions by the Board?

**Tom Koval:** So it was an existing acupuncture space and she is just moving in?

**Jason Nicholas:** It was an existing space from a psychologist originally, the space prior and she moved into it we did nothing she just moved in.

**Tom Koval:** Just moved in?

**Jason Nicholas:** She moved in about 2 ½ months ago yea.

**Tom Koval:** Okay so once again your coming to get a change of tenant after the fact , correct?

**Jason Nicholas:** Yes

**Tom Koval:** We had this discussion before with you and several other people, don't wait until you get caught, come in and get your change of tenants prior to your tenants moving in, because at some point it's going to become a problem, and your tenants shouldn't have to pay a price for you not doing your due diligence.

**Jason Nicholas:** Agreed, Im representing but Joe was going to be on this call , I don't have too much more information than that .

**Tom Koval:** I understand, I just want it on the record that this is the second time that I've had this discussion about somebody moving into one of this developers buildings way after the fact, getting caught and then coming in asking us for it , at some point it could be a tenant that we're not going to approve and they are already in there and now your tenant is going to have to make other arrangements, this isn't the way business should be done .

**Jason Nichols:** Duly noted , I will report that to my boss.

**Tom Koval:** Thank you.

**Jason Nicholas:** Your welcome

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

**Tom Koval:** Ill second

**Don Roberts:** All in favor? (All were in favor) Opposed? (None were opposed) Motion carried, now once again I echo Toms comments but also we don't want any signs going up without approval either so if you want a sign for this use you have to come back to this Board understood?

March 8, 2021

**Jason Nicholas:** Yes understood

**Don Roberts:** Thank you , good luck

***518 Acupuncture, 12 Corporate Dr. – Change of Use/Tenant (21.041)***

***APPROVED. Board approved the applicant to offer various acupuncture services at 12 Corporate Drive.***

**21.042                      Edward Jones, 21 Corporate Dr. Change of Use/Tenant**

**Jason Nichols:** Edward Jones is a national company they moved in same situation nothing was changed , there is 5 to 8 employees, they are actually working remotely at the moment, no permit was needed.

**Don Roberts:** That's not true , a permit is needed.

**Richard Harris:** This is another one we caught on a fire inspection.

**Tom Koval:** A change of tenant , let's just clarify this , and you can relay this to the powers that be. A change of tenant is required every time someone new moves into a space, it doesn't seem like, this is getting through to the powers that be in your company, but once again, it could become a problem later on if we do not approve of who you are trying to move in there if it doesn't fit with our ideas of the proper tenant , so from now on and I hope to not have this conversation one more time , before you move someone in come in and seek our approvals, and once again signs all need to have an approval and I saw something coming in for this Edward Jones drawings come out a while ago for this I didn't know it actually happened, so it can't keep going this way , it's getting tiresome.

**Jason Nichols:** I agree, I will report back to my boss .

**Don Roberts:** Very good , any more questions by the Board?

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

**Tom Koval:** Ill second

**Don Roberts:** Once again if you want a sign you must come back before the sign goes up, we have a motion and a second , all in favor? (All were in favor) Opposed? (None were opposed) Motion carried.

**Jason Nichols:** Alright thank you.

***Edward Jones, 21 Corporate Dr. – Change of Use/Tenant (12.042)***

***APPROVED. Board approved the applicant to offer various financial services at 21 Corporate Drive.***

**21.032                      T-Mobile Upgrade, 13 Solar Drive- Telecommunications Co-Location**

March 8, 2021

**Kelly Cross:** Good evening my name is Kelly Cross, I represent American Tower and we are proposing to upgrade the T-Mobile equipment on the existing tower.

**Don Roberts:** Is there going to be a height change?

**Kelly Cross:** No , no height change, T-Mobile is at 157 feet and the tower is actually 196ft.the top of the pertinence at the top. We are proposing to swap out 6 antennas and add 3 antennas and then we are going to be removing our tower mounted amplifiers and the tma's and adding 6 radios, we're swapping out 6 of the tma's for 6 radios and then adding 6 radios, but all at the same height that we are at now.

**Don Roberts:** Thank you, comments by the Board?

**Tom Koval:** There was some ground work getting done as well?

**Kelly Cross:** Oh , Im sorry yes we're adding a battery cabinet and another cabinet, within our existing compound.

**Tom Koval:** No expansions to the ground area.

**Kelly Cross:** No expansions

**Tom Koval:** So you are adding 6 new units how are , size wise what's the tma's you said ? Your taking 6 off and adding 6 radio antennas and 6 new radio additional, size wise are they a lot bigger or basically the same size what's already there ?

**Kelly Cross:** They are like square boxes and they go behind

**Tom Koval:** Okay , same kind visually ?

**Kelly Cross:** No, they go behind the antenna so you probably with the naked eye wouldn't be able to see much of a difference. The antennas , the size of the antennas right now we have 3 , 8 footers and we are replacing those with 3 8 footers we have 3 , 4 footers and we are replacing those with 3 six footers, so not a lot of change and volume.

**Mike Ziobrowski:** And Kelly the batteries you are replacing is it like a ups system?

**Tom Koval:** Just battery back up

**Mike Ziobrowski:** Battery backup so it's not full time on battery

**Kelly Cross:** No, it's just battery back up in case we had a loss of power that was real short before the generator would kick on if there is a generator there.

**Mike Ziobrowski:** Okay , it's an uninterrupted power supply is what that would be.

**Kelly Cross:** Correct, sorry I don't have an electrical background.

**Marcel Nadeau:** There is no need for a public hearing is that correct?

March 8, 2021

**Don Roberts:** No there is not, if you want to approve this you will have to make a declaration for SEQR first.

**Mike Ziobrowski:** I would like to make a motion for a negative declaration pursuant to SEQR

**Tom Werner:** Ill Second

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

**Mike Ziobrowski:** and a motion on the final decision, the request , or the upgrades.

**Marcel Nadeau:** Ill second it.

**Don Roberts:** All in favor? (All were in favor) Opposed? (None were opposed) Motion carried ,okay your all set good luck.

**Kelly Cross:** Thank you so much , have a good night.

***T-Mobile Upgrade, 13 Solar Drive – Telecommunications Co-Location (Upgrade) (21.032)***  
***APPROVED. Board approved new antenna equipment and associated ground structures on the existing tower.***

## **21.035                    Forest Lane Apts., 300 Forest Lane – PDD Amendment Recommendation**

**Ben Lussier:** My name is Ben Lussier , I am the owner of Forest Lane Apartments, located off of Dunsbach road. Im here tonight because the Halfmoon Town Board has approved a referral to the Planning Board for recommendation to amend the existing planned development district for the property at Forest Lane. The original PDD was created in 1983, times have changed and so some of the expectations of the renters in this area, and some of the rules set forth in the PDD, the existing , the original Pdd had just become obsolete, they are not really relevant, so Im requesting to amend the local law for the PDD under the section 166-48 titled Apartments to remove the square footage limitation, which limits the size of all of the apartment units to be each of them to be approximately only 624 sq. ft. 624 Sq. ft. is a very small sized apartment especially in comparison to a lot of the other apartment complexes in the area, thus making it kind of harder to rent the smaller units and appeal to perspective renters who want to move into the area . So we are trying to keep our existing residents there and keep them happy and also get new residents to move in, but again it's hard to appeal to them with this size, such a small size apartment. When the time is right what Im looking to do is to eventually obtain a building permit to put additions onto several of these smaller older buildings which would increase the size of the apartment living space. More and more people are starting to work from home obviously we have had a lot of changes in 2020, a lot of shifts towards more economical ways of doing business and of course Covid, but I think we are going to see a lot of a lot more people working from home because businesses are seeing they can actually do this and its cost effective. We've seen a large number of residents that come in looking for an apartment that are requesting a one bedroom with an office or a den and most of perspective leads on residents that don't end up renting at Forest Lane when we call back or follow up with them , they are letting us know that they feel the apartment is just a little too small, there is a lack of closet space or storage space, and many people have just indicated that they would be more inclined to rent if we offered a one bedroom with an office. I currently have two long term vacancies in my oldest building in the complex, it's been kind of difficult to get them rented , they're fairly outdated and a small size, but if I were to spend a significant amount of time and money and effort into upgrading

March 8, 2021

them, making them better , making them more appealing to rent , it kind of only seems rational to consider what these perspective renters are telling me that they need to be bigger they need to have more space, closet space and storage space and obviously the office, so I think the most effective thing to do at this point would be to build additions on either side of each of the buildings, and would increase the living space, add an office , add the walk in closet add a storage unit for each unit in the building. So an important point to consider would be that this request for the amendment is to remove the limiting square footage stipulation, will not impact any crucial aspect of the property., or the environment , the utilities going to the complex or anything like that, for example we wouldn't be increasing the number of bedrooms in any unit therefore it wouldn't be affecting the number of residents in the complex. You know it's not going to change traffic patterns it's not going to change the number of vehicles on the property , it's not going to change the septic output, it won't change the water usage at the property, there literally will be no change with the exception of making the units sizes larger and just to clarify it was in the pre-meeting as well we are not looking at all to expand unit numbers or to increase the number or apartments in the complex, we are not looking to do that . But in my research of other local PDD's for several other apartment complexes in the area I've been unable to find any size restriction placed on each individual unit, of course every property has its own specific limitations based on the property , the site plan and such but an actual size limitation per unit doesn't seem applicable for today's standards at least by these other PDD's. Two additional yet lesser parts to the amendment being requested in addition to the size restriction being lifted is that we want to amend the local law to expand the multiple dwelling unit provision to include, allow additional non-habitable dwellings on the property so the purpose of that will be to allow for a designated office building, a designated mail collection structure, possibly garages or possibly recreational facilities, as seen fit and within the physical limitations and confines of the property if course that would be something we would discuss in the future but right now we are just looking to change the actual wordage of the PDD. So the second thing Im looking to do is also request to amend the local law to allow for the construction and placement of a sign or signs for the name of the complex in accordance of course with the Town guidelines, on installing and displaying signs and so forth. So in closing Im hoping that the Planning Board will agree to approve the amendments presented and allow me , to help me facilitate a plan to grow and upgrade the property, make it better , make it more appealing, provide a more comfortable home for the residents moving in and hopefully as a result it welcomes hard working, respectable citizens that will contribute to the community, and that's basically all I have.

**Don Roberts:** Okay, just to start the standing apartments is one thing, if you want to do the outbuildings as you said , garages, recreational facility, whatever, you would have to come back to this Board for site plan approval on that , you understand that right?

**Ben Lussier:** Yes

**Don Roberts:** Okay thank you, that being said , any questions by the Board?

**Tom Koval:** I do think and I don't know what the reasoning was way back when and I do think they seem to be awfully restrictive regulations that were set upon this one property, however I would like to hear some input from neighboring properties so I think a public information meeting should be scheduled.

**Marcel Nadeau:** I would agree with that Tom

**Don Roberts:** We could do that

**Tom Koval:** Im very familiar with that area and Im sure it's changed quite a bit, since the 80's back then it's a lot of the original families for that area and that might have been some of the restrictions that were set on and now it's like every neighborhood, its changed so I think some input from the current residents would help us clarify the impact



March 8, 2021

which I don't see as being a huge impact but I would just like to for clarity and for sake of everyone having their fair say we should set public meeting , not sure what our schedules like if the next meeting is fine or we have to go out another meeting from there?

**Mike Ziobrowski:** Don I think we have a March 22<sup>nd</sup> on the calendar for the next meeting

**Don Roberts:** We have to push it out to April 12<sup>th</sup> , we have 2 public hearings on the next agenda already, we will have to do it April 12<sup>th</sup>.

**John Higgins:** Do we want to do extended?

**Don Roberts:** I don't think we have to on this, not where they are.

**Tom Koval:** I know the neighborhood I don't think so either.

**Don Roberts:** No , we don't need to. Okay we need a motion for public hearing , anyone else have any questions first?

**Mike Ziobrowski:** I agree the times have changed so ,

**Tom Koval:** I make a motion for a public hearing meeting for April 12<sup>th</sup> on my Birthday marvelous.

**Mike Ziobrowski:** I second

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

**Richard Harris:** I tried , I was shocked I had to re-read it 3 or 4 times to make sure I was seeing it correctly the PDD which is from the early 80's I tried to look for Town Board , Planning Board to see any clue of why they put that restriction and there was nothing that I could find, Town Clerk records of how they came up with that number , so Im at a loss as to why???? I talked to Lyn about it to make sure I was reading it correctly but , It is a very strange and unique thing and Ben's correct I don't see that mitigation in other apartment PDD's so this is some type of strange history that none of us know how it originated.

**Tom Koval:** It seems extremely unfair and restrictive without further knowledge.

**Ben Lussier:** I have one other thing I would also mention, hopefully it's not sticking my own foot in my mouth, but somewhere along the line something did not get checked properly about the property, there are several buildings in there that received a building permit from the Towns Building Department and a c/o on those buildings that do not meet that requirement and that restriction. It was all done properly , nothing I was not the owner at the time , my family was the owner when they did that but there are multiple buildings in there that do not conform to that 624 foot restriction. I don't know why the proper motions weren't set in place why this wasn't caught originally. Already we were granted permission by the Town but we're already non –conforming. So I guess that kind of strikes me as odd or possibly that there is some confusion there or something I don't know but

**Don Roberts:** We are taking steps to correct that so we should be alright.

**Ben Lussier:** Okay , alright , very good thank you, have a good night everybody be well.

March 8, 2021

***Forest Lane Apts.– PDD Amendment Recommendation (21.035)***

***PUBLIC HEARING SET. Board set a Public Hearing for April 12, 2021 for a proposed PDD recommendation.***

**21.040 / 21.044     Shops of Halfmoon Drive thru Restaurant, Rt 146- Site Plan & Special Use**

**Jason Dell:** Good evening, can everybody hear me? Good evening, my name is Jason Dell, I'm an Engineer with Lansing Engineering here on behalf of the applicant for the Shops of Halfmoon, drive-through restaurant. I think everybody's familiar with the Shops of Halfmoon at the intersection of Route 9 and Route 146, and Old Route 146. The Town originally approved the Shops of Halfmoon overall site plan back in 2007 and at that time it included Snyder's Restaurant, a 9,100 sq. ft. retail building, about a 13,300 sq. ft. retail building, a Key Bank, a Rite Aid, and 2 - 5,600 sq. ft. restaurants out in front along Route 146. And in 2016, the Planning Board approved a site plan for the 7,300 sq. ft. Auto Zone that was in the place of the original 5,600 sq. ft. restaurants and we're back this evening to start the process rolling for the remaining portion or remaining, undeveloped portion of the Shops of Halfmoon for this drive-through restaurant. So, the project is proposing construction of a 2,100 sq. ft., 46 seat, drive-through restaurant located on the eastern side of the parcel. It's anticipated that the proposed restaurant will require a maximum of about 9 employees per shift and the anticipated hours of operation are about 10:30 am to 11:00 pm. Access is provided by an existing curb cut that's currently on Route 9. There are also 2 existing curb cuts on Old Route 146 and an existing curb cut on 146 that's a full access and shared with the existing Wellness Spa. The parking will be provided for the restaurant in accordance with the Town of Halfmoon requirements. We are required 33 parking spaces and that is what is provided with the current site plan. The project will be served by municipal water by connection to the water main's that are out there. Sanitary sewer will be provided for the project by a connection to the Saratoga County Sewer District system and storm water will be managed in accordance with all DEC requirements. So, we're here this evening for the initial concept presentation to the Board, answer any initial questions you may have in the hopes of being referred to MJ to begin the Engineering Review.

**Donald Roberts:** Thank you Jason, starting that's a good point. Starting out, we're gonna refer this Joel Bianchi at MJ for site plan as well as traffic issues because we know there are going to be some traffic concerns, we're gonna refer it to Joel, we're also gonna refer it to Saratoga County Planning Board, we're also gonna have a Public Hearing along the way here. That being said, comments by the Board?

**Thomas Werner:** I think we'll need a Traffic Impact Analysis for sure.

**Tom Koval:** Yeah, we definitely will, but, Jason, didn't, when we approved the Auto Zone, that exit onto 146, didn't we have them put in a left-turn only on the exit, I'm sorry, right-hand only?

**Marcel Nadeau:** Right-turn only.

**Jason Dell:** I am not aware of that.

**Tom Koval:** I think we did and I just, obviously, I think that it's gonna be critical, I know we have a lot to go through on this, but we certainly don't want people cutting out and going across all that, two-lanes of traffic in that median, to get over, to head east.

March 8, 2021

**Thomas Werner:** Well, the traffic analysis will show that.

**Tom Koval :** Yeah.

**Tom Werner:** My question Jason, is this a local restaurant or some sort of a national firm coming in?

**Jason Dell:** I am not, I'm not authorized to indicate the end user at this time. It is a fast food style restaurant as you can tell by the layout. And as we move forward with the process, ya know, hopefully, ya know, we'll be able to discuss that end user at some point.

**Thomas Werner:** Yeah, because they could have a significant impact on the traffic obviously.

**Jason Dell:** Understood, and I will say the, obviously, the existing entrance, and there lease obligations that they currently have with the Auto Zone. But, we'll certainly have to look into all of that.

**Tom Koval:** And deliveries for tractor trailers, when they get their food deliveries, dumpster locations, all that.

**Jason Dell:** Yes, the dumpster location is shown on the plan, it's up on the north end of the site.

**Tom Koval:** Oh yeah, I do see it, I'm sorry.

**Michael Ziobrowski:** Yeah, Jason, my only concern with that dumpster location is that whoever takes out the garbage is, they're gonna have to go across the traffic, ya know, whenever they need to throw anything out in that dumpster so, just something to look into and maybe there is something a little bit more feasible and safer.

**Jason Dell:** Certainly, we'll take a look at all of that, ya know, as we move forward and especially as we go through the engineering review. Obviously, ya know, with input, ya know, we can certainly tweak quite a few things on the site plan.

**Marcel Nadeau:** Jason, where do you think the bulk of the traffic will exit?

**Jason Dell:** It depends, ya know, if you want to go north on Route 9, then I obviously, ya know, you'd head over to Old Route 146 and take the light, ya know, if you wanted to go east, knowing the area, ya know, you'd head over to Old Route 146 and utilize the light that's across the street from the Lowe's entrance right there. If you wanted to head south on Route 9, ya know, you could head over to entrance that's over, opposite Key Bank or, ya know, the, you could make a right turn out of here, go over to the light and head south on Route 9. So, I think the way this is currently set up with all of the existing curb-cuts that are utilized for the facility, I think you could take the pick in which way you wanted to go.

**Marcel Nadeau:** Do you feel 146 is the road they're gonna mostly use?

**Jason Dell:** I think if you're coming along Route 146, you'd be heading westbound, you'd pull in there. If you're coming

**Marcel Nadeau:** Do you feel they're gonna using Old 146 more than the other entrance?

March 8, 2021

**Jason Dell:** Well, if you're coming south on Route 9, yes you would enter the facility over on Old Route 146. If you were coming westbound, ya know, you obviously you would turn in the right-hand turn. So, we can certainly ask the traffic engineer to take a look at, ya know, what they feel would be the predominant location and that would obviously be looked at by trip generation, where most folks would be coming from.

**Tom Koval:** Yeah, the way that the drive-thru's and everything dump out, it's gonna push people more towards 146 and that's one of my big concerns is if you try to head east on 146 out of that exit.

**Thomas Werner:** That's a very busy intersection 9 and 146. I would have a concern with any amount of traffic coming in off of the Route 9 entrance and navigating through the parking lots of Walgreen's or AutoZone. I don't think that's a good idea at all.

**Jason Dell:** I think you've got the correct spot right next to the parking lot over to Old Route 146 and what we could certainly look to do as we move through the process, at the exit of the drive-thru we could look to put directional signage that would assist people. Because I think in knowing the area and if you travel the area and are familiar with it, ya know, you'd head north, you'd go to, like I said Old 146 and utilize the lights the best you could over there.

**Tom Koval:** Yeah, the problem is, you'd have to drive all the way back around the buildings, either AutoZone or Popeye's to get to that exit because you've already gone through the drive-thru and now you're looking at 146. Now, people are going to take the path of least resistance. I've gone through there a few times. Stopping at AutoZone, it's a pain in the read-end, either going to AutoZone or the drugstore, whatever the name of it is today and to navigate all the way back to Old 146, it's a lot of extra driving. People are gonna try and jump out on that little, narrow exit onto 146 that you have in front of the Spa.

**Michael Ziobrowski:** I agree with Tom, if they're gonna try to jump out, if they're gonna head towards Mechanicville, they're gonna try to cross traffic to do so.

**Tom Koval:** Exactly.

**Jason Dell:** We'll certainly look into that.

**Michael Ziobrowski:** Jason, the problem is right there, in that area, what happens is people also try to get, if people coming on, heading basically west on 146, they're trying to turn into Advanced Auto Parts, so you kind of have one of those medians that people are gonna be using to go both ways. So, sometimes you have people heading to the east or trying to like Advanced Auto Parts, go that back way. It's just, there's a lot going on at that one intersection and the light.

**Donald Roberts:** Jason, as you can hear, to no one's surprise, you can hear a lot of concern about the traffic issues, so I think the best way to go here is to have, that the Town authorize our own traffic study and see what develops from there.

**Thomas Koval:** Absolutely. That's really my only concern with this project, my only major concern. Everything else we can work through, but it's a tough little corner, that property, for traffic.

**Donald Roberts:** If we can have our own traffic study done, we can take it from there, everyone agree?

March 8, 2021

**All:** Agree.

**Donald Roberts:** Hey Jason , John has a question for ya, go ahead John.

**John Higgins:** Looking at the diagram, I don't know how you're gonna get tractor trailers there, making deliveries, especially during the operational hours. The tractor trailers would have to definitely be there off hours, making deliveries, otherwise they'd be permanently interfering with all the parking.

**Jason Dell:** Understood, and we'll look into that. We'll see what kind of delivery schedules they have and if need be we can provide a diagram as to how they would access the facility.

**Marcel Nadeau:** Jason, to control that traffic on 146, is it possible to change that exit and make an angle direction towards Route 9? In other words, stop it from where it is at this point and move it over a little bit and force the people in only one direction. Do you see what I'm saying?

**Jason Dell:** I didn't quite follow you on that one.

**Marcel Nadeau:** Ok. So, we would stop them from where it is currently. If you could move it over a little bit and force the direction towards Route 9 only.

**Michael Ziobrowski:** So, what you're saying is force the them to the east.

**Marcel Nadeau:** At the east. We're going west. We want the traffic to go west. We don't want them crossing 146.

**Michael Ziobrowski:** Oh yeah, sorry, you're right, west, yup

**Jason Dell:** Again, we'd have to take a look at into that because...

**Tom Koval:** That could be done with an island in the middle of the entrance, a directional island, something like that.

**Thomas Werner:** I think you ought to sit down with the Department of Transportation early on this one.

**Jason Dell:** I do know that there are current lease obligations with the existing AutoZone that we'd have to take into account to with that entrance so again, it's all stuff, I hear the Board loud and clear on this one with the traffic relay issues. So, we'll definitely look into that further.

**Donald Roberts:** Ok. Thank you Jason. Also, and so save us work besides having our own traffic study done we are going to have a public hearing it's going to be referred to the Saratoga County Planning Board, we're gonna have Joel Bianchi review this from a Town Engineer standpoint and Im going to refer it to the fire district, alright?

**Jason Dell:** Understood.

**Marcel Nadeau:** Jason, you're aware that's Scott Earl's intersection there, correct?

**Jason Dell:** I'm sorry.

March 8, 2021

**Marcel Nadeau:** You're aware of what he's doing in his new intersection or what will be done?

**Jason Dell:** Yes, yes. I've done that layout work for that project. This would have no impact on that.

**Marcel Nadeau:** Right. I just wanted to make you aware of it, that's all.

**Jason Dell:** Yup.

**Donald Roberts:** Ok, Jason thank you very much.

**Jason Dell:** Thank you.

**Donald Roberts:** Take care.

*Shops of Halfmoon Drive-Thru Restaurant – Site Plan & Special Use Permit  
(21.040 & 21.044) TABLED & REFERRED TO AGENCIES. Board received a presentation on an updated plan for a 2,100 SF drive-thru restaurant and requested an independent traffic study be undertaken by the Town.*

**Old Business:**

**21.007      293 Middletown Road Re-Use, 293 Middletown Road – Change of Use/Tenant**

**Donald Roberts:** Go ahead please.

**Jennifer Manny:** Hi. My name's Jennifer Manny. I am representing myself in that we are in the process of purchasing the property at 293 Middletown Road from the Town of Halfmoon and we have applied for a Change of Use on the property. Currently, it's a Water Department facility and we would like to be able to use the 900 sq. ft. garage located at the back of the building for business asset storage and to park our business truck next to the garage. We recently were granted approval from the Zoning Board to be able to have a zoning variance for this purpose so we're back to the Planning Board seeking approval from you.

**Donald Roberts:** Thank you, Jen, comments by the Board?

**John Higgins:** Now, there's not gonna be any outside storage other than your one box truck, all of the equipment will be stored inside, you won't be using any of that back area to dry wet tents or anything like that? Correct?

**Jennifer Manny:** That's correct. Yep. All of our other assets will be stored inside of the garage and we don't put our equipment up for drying purposes or anything like that. Tents should not be erected on that property at all.

**John Higgins:** Thank you.

**Donald Roberts:** Anyone else?

March 8, 2021

**Marcel Nadeau:** I make a motion to approve the Change of Use and Tenant.

**Michael Ziobrowski:** I'll second.

**Don Roberts:** Okay I have a motion and a second, all in favor? (All were in favor) Opposed? (None were opposed) Motion carried, you're all set. Good Luck.

**Jennifer Manny:** Thank you so much, we greatly appreciate it.

**Donald Roberts:** You're welcome. Take care.

**Jennifer Manny:** You too. Thank you.

*293 Middletown Road Re-Use, 293 Middletown Road – Change of Use/Tenant (21.007)*

*APPROVED. Board approved the request to utilize the property for storage related to their tent business*

**20.149      22 Corporate Drive Parking Expansion, 22 Corporate Drive – Site Plan**

**Jason Dell:** Hello again. Jason Dell, Engineer with Lansing Engineering here on behalf of the applicant for the 22 Corporate Drive Parking improvements. The project is located at 22 Corporate Drive. The parcel is, one parcel having a total area of 1.98 acres and the site is currently occupied by Atlantic Testing Laboratories (ATL). The current site consists of approximately 10,000 sq. ft. of commercial building and an approximate 18,000 sq. ft. parking area. The existing parking area is inadequate for the existing needs of ATL and is in need of repair. With that repair a better traffic flow design. So, the project, the proposed project looks to expand and reconfigure that existing parking lot. Now, the current parking lot includes about 22 stalls and the proposed improvements will increase that to about 52 stalls and will have a more organized parking structure along with it. Along with those improvements, they're also looking to improve the dumpster pad area which will include the construction of a concrete pad to allow for a recycling dumpster, a refuse dumpster and a materials dumpster. So, no improvements or modifications to the existing building are proposed at this time and the existing curb cut onto Corporate Drive will also continue to be utilized. So, we did submit engineering plans to the TDE. We have received comments and we have addressed all comments to date for the project so we're here this evening to request an approval for the parking improvements.

**Donald Roberts:** Ok. Thank you, Joel, are you ok with all this?

**Joel Bianchini:** Yes, he, Jason provided updated plans later, towards the end of last week and all of comments have been addressed with that submission.

**Donald Roberts:** Thank you very much, now, if we're gonna approve this guy's we're need a SEQR determination first, just so you know.

**Michael Ziobrowski:** I'd like to make a motion for a negative declaration of SEQR.

**Thomas Werner:** I'll second it.

March 8, 2021

**Don Roberts:** Okay I have a motion and a second, all in favor? (All were in favor) Opposed? (None were opposed)  
Motion carried.

**Jason Dell:** Thank you very much.

**Mike Ziobrowski:** I'd like to make a motion for approval on the site plan.

**Tom Werner:** I'll second that.

**Don Roberts:** Okay I have a motion and a second, all in favor? (All were in favor) Opposed? (None were opposed)  
Motion carried, you're all set. Good Luck

**Jason Dell:** Thank you very much.

**Mike Ziobrowski:** Thank you Jason.

***22 Corporate Drive Parking Expansion.– Site Plan (20.149)***

***APPROVED. Board approved the proposed parking lot expansion at 22 Corporate Drive.***

**Donald Roberts:** Before we adjourn I'd like to say, we're hoping, we'll let you know for sure, we're hoping the next meeting is going to be all here, ok. I sure hope so because this virtual stuff is getting as old to Marcel to me so I hope we're all back together. Alright. Motion adjourned.

**Michael Ziobrowski:** I make a motion to adjourn.

**Don Roberts:** Okay I have a motion and a second, all in favor? (All were in favor) Opposed? (None were opposed)  
Motion carried, thank you, stay safe. Goodnight.



March 8, 2021