

MINUTES MEETING
Town of Halfmoon Planning Board
March 9, 2020

Those present at the March 9, 2020 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Charlie Lucia
Brendan Nielsen

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy-absent

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, I would like to call the 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: I'll second.

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

New Business:

20.029 T&T Carfinder LLC, 461 Rt. 146- Change of Use/Tenant

Don Roberts: Please come up and say your name and address and what you plan on doing please because this is recorded for the minutes so...

Anthony Crocetto: My name is Anthony Crocetto, I opened up a new business T&T Carfinder on 461 route 146. I had a business 25, 26 years, closed it up.

Don Roberts: What do you do?

Anthony Crocetto: Cars, sales, I used to be in car sales so I just opened up this to do a little bit of wholesaling a little bit of retailing.

Don Roberts: Cars on site?

Anthony Crocetto: Yep, I only have, I haven't been doing anything lately, and I'll buy something on sale and sell it and deliver it to whoever.

Don Roberts: How many cars on site at one time?

Anthony Crocetto: 2, 3 Im allowed 4 but I've only had one or two.

Tom Koval: Allowed 4 by who?

Anthony Crocetto: By Motor Vehicle.

Tom Koval: Oh ok, I was going to say because that site has almost no approvals for anything on it.

Anthony Crocetto: That's not my building not my place I understand what you are saying also I just got in there

Tom Koval: So there's a lot of cars there already.

Anthony Crocetto: Most of it's a detail shop, out back there just getting tons and tons of cars there so it's just full.

Don Roberts: Now are you independent or are you connected with the T&T in Cohoes?

Anthony Crocetto: No, Im independent.

Don Roberts: Independent, okay.

John Higgins: So you plan on parking cars out front with for sale signs on them?

Anthony Crocetto: No I plan on wholesaling, like I said I'll buy something if I have a customer, like I said I was in business a long time, if I have a customer that needs a car I'll go to the sale bring the car back, deliver it, I don't have anything out there for sale, I could but I don't.

John Higgins: As Tom mentioned the approvals on that site are older approvals that do not allow for cars to be parked out front with for sale signs on them , it is not a used car lot its developed into that but it's not approved for that and that's what this Board is trying to determine exactly what your planning on doing there to make sure, the previous tenant told us when he came in for his approval he was not going to have any cars onsite at all at any time it was strictly an office that he was using for his paperwork.

Anthony Crocetto: Yup and that's basically what I've got there , you can tell by my books or get into my verify and see I've got one car on the books for a whole year so far so if you want to look into that im not going to lie to you.

Tom Koval: Don't you have to have 5 sales per year to maintain your license?

Anthony Crocetto: No , no I've got one car on my books and you can look and see get into my books and look I'm still working part time for other dealers and stuff but.

Rich Berkowitz: Do you do any repair work or detailing?

Anthony Crocetto: No, no none of that, just sales.

Don Roberts: Im wondering since this site has been neglected on our part for years should we have someone go out and look at this?

Tom Koval: We need to bring the owners in on this.

Don Roberts: We've got to do something, I think maybe Code should look at this, nothing against you sir nothing against you at all but this

Rich Harris: We don't have any like site plan for the site, I searched in storage, online on our laser fiche I couldn't find anything to compare to, so I don't know what our standard would be to say they are violating or not violating it if it might pre-date our zoning ordinance I don't know off hand but I couldn't find any records that said they can only have 10 cars, 20 cars no sales.

Don Roberts: Well we should still have a site plan shouldn't we?

Richard Harris: We don't have one.

Don Roberts: We should get one, wouldn't you think?

Tom Koval: How many years ago did we start requiring change of tenants?

Richard Harris: I could probably look back into the, I don't know what date it started but definitely in the late 90's I've seen.

Tom Koval: All those since then because it was Krystal Motors prior, and it's changed and they've done it without approvals for change of tenants then, if you have nothing on the record, so she, so the owner needs to come in here.

Mike Ziobrowski: I mean the one thing about this application is there will be no stored vehicles onsite.

Richard Harris: That's what the owner of the property indicated to me at the counter, that there was no planned sales, at the site or storage of cars.

Mike Ziobrowski: Yea so that kind of makes us a little that's not the position that we are in right now, we are saying that we may have several vehicles onsite so that complicates things.

Richard Harris: Yea 2 to 3 vehicles.

Tom Koval: There is a discrepancy between what you are telling us right now and what your land lord filled out on the application so the, not problem per se' but the concerns we have are your land lords, our concerns are with what your land lord has done so far, possible with out

Anthony Crocetto: I mean my landlord is seventy six years old he has bone cancer he is not going to last too much longer.

Richard Harris: I do want to add I did meet with the owner

John Higgins: It's a she isn't it?

Anthony Crocetto: No its Kenny Kiethner and he's sick and Im helping him out that's what im doing right now and this is basically the reason I got my license to be honest with you so that's what Im doing.

Marcel Nadeau: Are you saying Kenny owns the property?

Anthony Crocetto: Kenny runs the property yea he has for I don't know how many years he has been there for 45 years, so I couldn't tell you any more than that except you know.

John Higgins: Pete Murray's widow is the one that owns the property.

Anthony Crocetto: I understand I don't know Pete Murrays widow, she was I heard that she was put in a home somewhere because the kids put her in a home somewhere, so the kids took over, so the kids I don't know if they know what to do now or whatever but this has been a car place forever so I don't know so I can't tell you about the place or unless they come in and tell you but it's been a car place forever since I've known it.

Tom Koval: Well we have to at some point because that section is getting developed up we need to reign this in, right now you look at an aerial view of it, it looks like a salvage yard with cars parked every which way so and It's one of our main corridors for developing so I think it's time and nothing against you or what you do, I have a

lot of friends that do the same thing you do, and I don't think you are going to affect the overall project , it's the rest of that site that needs to get reined in , whether it's Kiethner or whoever the rest of the people are that are operating out of there , we don't have change of tenants , a lot of them , Kenny's been there for a long time but the other ones haven't been.

Anthony Crocetto: Well Krystal motors I mean they've got, I don't even know how many cars but that's what you're seeing all of those cars in the back.

Tom Koval: They're not calling it Krystal Motors anymore it's...

Anthony Crocetto: No its Krystal Motors.

Tom Koval: I thought they went by Halfmoon something or other.

Anthony Crocetto: Halfmoon Trading is Kenny Kiethner.

Tom Koval: Okay so Krystal must be out in back then?

Anthony Crocetto: Krystal's got the whole side and up and around, that's Krystal Motors, till the other building, yes, yea whatever the number is I don't know.

Don Roberts: And we have nothing on them either right? Now do we know how many cars are allowed there at Krystal Motors?

Richard Harris: I'd have to check that I don't know off hand, I looked for these tenants in 461.

Tom Koval: We need to come up with some kind of plan, some kind of numbers on this property.

Don Roberts: And again Sir this has nothing against you it's just that we do have to get this straightened out.

Anthony Crocetto: I understand I mean like I said I did this to help somebody out and I might not even have any have any cars there but if I do buy a car it goes there and its delivered so, you'll never see anything, there won't be anything for sale outside of the front of that you know for me.

Tom Koval: And that's what's been happening for the last few years is they have been selling cars out in front of the place , it's becoming a car dealership.

Anthony Crocetto: The place has been like that forever, I mean I used to go to the sales there years ago

Marcel Nadeau: So he is replacing Condor?

Don Roberts: Right but now this all came to light to us so we have got to straighten it out somehow.

Mike Ziobrowski: I think we have to deny the application, it's tabled, and I don't want to say denied necessarily where we can't approve it.

Don Roberts: We can't take action right now that's all.

Mike Ziobrowski: So no further action at this time until we determine the likelihood of having vehicles on the property.

Richard Harris: I need clarification from the Board, if I have no site plan for this are you saying we need to require a site plan for the existing tenants?

Don Roberts: We have done this in the past where people come in like this, I think we should don't you?

Richard Harris: I just want to clarify

Don Roberts: I think we should don't you? I mean we need to stay in some sort of organization here.

Richard Harris: Okay.

Tom Koval: They've kind of had carte blanche for a long time now, and they keep adding, obviously they have added tenants that they haven't even come in for any approvals on its time to rein it in.

Don Roberts: You can see it is getting out of hand.

Richard Harris: Okay that is what we will inform the owners of.

Don Roberts: Okay so we will table this and then we will try and get it straightened out a bit and see what we can do for you , now you said how many cars did you have that's allowed?

Anthony Crocetto: Honestly one at the most, approved for four supposedly from DMV, but I have a set of books out of that office and that's where I've got my dealer plates out of that office.

Don Roberts: Could we approve him for one car and then go about getting the site plans rather than hold this gentleman up.

Tom Koval: I would say that would be reasonable.

Marcel Nadeau: That was my question, that's what I was getting at.

Don Roberts: Why don't we do that?

Rich Berkowitz: We could also give him a temporary one also if it doesn't work out.

Tom Koval: Right we can give you a temporary approval for 12 months and then in the meantime we'll talk and try to work out everything else with your landlord.

Don Roberts: Do you have two cars?

Rich Berkowitz: Well you need a parking spot and you need a spot for...

Anthony Crocetto: Well like I said if I have two it's a good day , usually I go buy something for somebody , its delivered but my own personal I have a plate on it , so yea two cars if you are going to go that way with it I drive a car.

Don Roberts: Three cars, your car and two cars.

Anthony Crocetto: Yea , even my car and one car it don't matter, like I said my plates are there my books are there, I mean there is enough cars that my two cars you won't even see them probably.

Don Roberts: So that's why we need to do something exactly see.

Rich Berkowitz: Okay I'll make a motion to approve the change of use and tenant with the condition that there is only three parking spots for you one for your own personal car and ones for two cars that are for sale and it's conditional for 12 months.

Anthony Crocetto: That's fine.

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

Rich Berkowitz: And then we will send the code enforcement officer there.

Don Roberts: Now the other thing is if you are going to have a sign you've got to come back in for a sign if you are going to have one.

Anthony Crocetto: There is a sign there.

Don Roberts: Are you going to replace it?

Tom Koval: It's not your name on it.

Don Roberts: Are you going to replace it?

Anthony Crocetto: With what?

Don Roberts: With your company?

Anthony Crocetto: It's on there already

Tom Koval: You're in there already?

Anthony Crocetto: Yea

Don Roberts: We will need approval on that too right?

Tom Koval: You've got to come in for a sign permit.

Anthony Crocetto: It's on the door it's not a sign, sign it's just printed on the door it's a DMV permit. It's just numbers on the door with my name.

Don Roberts: Oh okay then don't worry.

Anthony Crocetto: Just a motor vehicle number I needed that.

Don Roberts: Okay.

Richard Harris: I do want to let the Board know the building did pass the latest fire inspection just so you are aware.

Don Roberts: Well that's good.

Richard Harris: It's been the same tenants in there other than Condor for a long time, because I searched back several years' worth to try and figure out what approvals may have been done for this Board and it's been consistently Halfmoon Auto Traders, and Keitners in this Building, it was Condor trading for a little while but they are up to speed on, Code does inspect it every year for fire.

Don Roberts: Good alright, so you are all set, good luck to you.

Anthony Crocetto: Alright, thank you.

Don Roberts: You're welcome.

T&T Carfinder LLC – Change of Use/Tenant

APPROVED. Board received a presentation and approved the use of the vacant 200 SF space in an existing 4,200 SF building for a wholesale automotive dealer office, with the following conditions: (1) the use is approved for one (1) year; and (2) the tenant is permitted a total of three parking spaces, with one for staff and two for wholesale automobiles.

20.031 Window Genie, 21 Solar Drive- Change of Use/Tenant

Joe Consolo: My name is Joe Consolo 21 Solar Drive , Im using the property , im a franchise so window cleaning franchise, I would be using it to just store my trucks there , my guys come to work get their trucks they leave that's what we do.

Don Roberts: Questions by the Board?

John Higgins: Is everything else that has been going on there for years, their moving out, in other words the truck cap sales and the Renter-Ex that's all out of there now?

Joe Consolo: When I purchase it I hope he gets it out of there, I don't want anything there , I don't want anything else but my business.

John Higgins: Okay so your business is going to be the only business based there?

Joe Consolo: Correct.

John Higgins: Yea but Im talking about everything else that is based there, that is going to be vacated?

Joe Consolo: Yes.

John Higgins: Okay

Don Roberts: Any other questions?

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

Mike Ziobrowski: I second.

Tom Koval: You have no sign yet?

Joe Consolo: No I probably won't even put a sign because again we don't have customer come there it's just my employees.

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

Joe Consolo: Thank you.

Window Genie – Change of Use/Tenant

APPROVED. Board received a presentation and approved the use of the existing 1,200 SF building and site for a window cleaning, pressure washing and gutter cleaning business.

20.026 Bethon (Part 1) Rivercrest Estates, Guideboard Rd. /Clippership Ln.-Minor Subdivision

20.027 Bethon (Part 2) Dahoda Subdivision, 126 Guideboard Rd. – Minor Subdivision

Jason Bethon: Im Jason Bethon this is my wife Erin, so part 1 we're working with Rivercrest Estates Homeowners Association to get approval for them to transfer us a small parcel of land that runs along Clippership. On the 126 Guideboard property side we are currently going through the voting process with the residents now to gain the full approval where that's more or less done on our behalf, our final meeting with them is just to sign off on everything is March 31st when they will make it all official. With that consolidation, when that's in my name Mr. Dahoda who lives at 8 Clippership is going to sell us the, yep on that map is about a little less than half of an acre lot, so that's why we need also not only for the road frontage and the driveway but the square footage for a buildable lot that we are going to consolidate with the lot that he sells us to have a half acre buildable lot within the Rivercrest Association.

Don Roberts: Okay then the second part is going to be the, the second part is the house itself, the first part is the HOA subdivision.

Jason Bethon: Yes okay and then once we get the HOA land subdivided and we own that with Dahoda then we would be looking to build it's a 2100 sq. ft. colonial on the site. We've got drawings and elevation drawings of the house already and we've got the architect put them on all of the required set-backs that the Town has at the new

set back rules it accords to all of those so I've got, I don't know if you've got copies of the house on, with the set-back lines but I do have copies of that if you want to see them tonight as well?

Don Roberts: No we don't need to see that tonight, okay questions by the Board? (No comments) We need a public hearing for these two items.

Richard Harris: Can we do a joint, one public hearing notice, we will do it as one project with two notes?

Don Roberts: Yea you can explain as you did tonight and we will just have one public hearing on both items.

Jason Bethon: Okay.

Rich Berkowitz: Your neighbor the Corrigan's have a shed that is close to the line, it's not your problem but as long as you are alright with that it's only 6 inches from the property line.

Jason Bethon: Yea correct we've, I'm going to leave, there is a big area of trees like privacy trees there that are there any way that we don't want them removed because it's nice privacy so it's not a problem to us, I'd rather, she's a very nice lady I don't really want to bother her over 6 inches.

Rich Berkowitz: No, but some people do and ...

Jason Bethon: Yea for us it's fine, it is not going to make a difference to us

Don Roberts: Better to get it straightened out now than later on.

Jason Bethon: Yea right.

Don Roberts: Anyone else?

John Higgins: You mentioned that Mr. Dahoda is at 8 Clippership now is he also part owner with Paul of the piece on Guideboard is that how it works?

Jason Bethon: The one that is on the same side as 8 Clippership so I think it's 118 Guideboard or 116 Guideboard whatever it is on there, I think it's 118 that is in a family trust.

Rich Berkowitz: He just passed away.

Jason Bethon: Yes his father just recently passed away so now it's in a trust, it's he his brother and I think two sister that I think that are retained that property and then Louis the property that he is going to subdivide for us he owns that property across the street.

John Higgins: With Paul Dahoda, or was that the father that died?

Jason Bethon: I think his father was also Lewis, his brother is on that one, on the other side so his brothers involved in all of this because he is also...

John Higgins: That's why I was a little confused because it has two names on the 126 Guideboard and the 8 Clippership is him alone. I just was questioning.

Jason Bethon: Yea either way I know his brother is involved in this whole process because he is also when this all shakes out as the second phase survey map shows when the HOA consolidates their land it's going to be another little strip on the other side of the road too that's going to be absolved into Dahodas land to give them, to clean up their property, that's just another thing that we did with them so Paul's been a part of this along the way as well.

John Higgins: I was just a little confused with names that's all okay.

Don Roberts: Okay so we will need a motion.

Rich Berkowitz: I make a motion to set a public hearing on March 23rd for both part 1 and part 2 subdivisions.

Marcel Nadeau: Ill second.

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

Jason Bethon: Thank you.

Bethon (Part 1)/Rivercrest Estates HOA – Minor Subdivision

PUBLIC HEARING SET. A joint Public Hearing with application #20.027 (below) was set for March 23, 2020.

Bethon (Part 2)/Dahoda Subdivision – Minor Subdivision

PUBLIC HEARING SET. A joint Public Hearing with application #20.026 (above) was set for March 23, 2020.

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

John Higgins: Ill second it.

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