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**MINUTES MEETING
Town of Halfmoon Planning Board
May 23, 2022**

Those present at the May 23, 2022, Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Brendan Nielsen
Chuck Lucia

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

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

Don Roberts: Good evening, I would like to call 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.

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Mike Ziobrowski: Ill second

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

Public Hearing(s)

22.076 1613-1615 Subdivision, 1613 – 1615 Rt. 9 – Minor Subdivision

Don Roberts: Would anyone like the notice read? (No comments) Go ahead Sir.

Pat Jarosz: Good evening my name is Pat Jarosz I work for Gil VanGuilder Associates, Im here tonight on behalf of the applicant Scott Earl to propose to subdivide a 5.25 acre parcel it's on the east side of Route 9, into three lots. The land is located in a C-1 Commercial Zone. The existing lot is served by public water and private septic. Lot number one is 1.97 acres, it's vacant and it will have public water and private septic. It is proposed as a vacant commercial lot and the applicant and owner are aware that any future developmental lot will need Planning Board approval at that time. Lot number two is the Halfmoon Sandwich Shop, and it is 1.4 acres, and it has an existing 3049 sq. ft. building with public water and private septic and lot number three is 1.88 acres, it has two existing buildings, the northern building is 8859 sq. ft., and the southern building is 10, 066 sq. ft. that's also served by public water and private septic, and that concludes my presentation.

Don Roberts: Very good, thank you. At this time, we will open the public hearing would anyone in the room wish to speak. Again, would anyone in the room wish to speak? (No comments) Would anyone online wish to speak? Nobody on? Okay at this time we will close the public hearing, any comments by the Board members?

Marcel Nadeau: Yea, just lot number three, I'm seeing two number threes?

Don Roberts: Go ahead

Pat Jarosz: I've got to open this one I can't see this one.

Richard Harris: Yea the one with the warehouses is labeled three and the vacant one is labeled three.

Pat Jarosz: I think the vacant lot is lot 1, Yea the vacant one is lot 1

Richard Harris: One is the vacant one in our topics.

Don Roberts: Alright Marcel?

Marcel Nadeau: Yea

Don Roberts: Anyone else from the Board wish to speak?

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

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Mike Ziobrowski: Ill second

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

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

Marcel Nadeau: Ill second.

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

Pat Jarosz: Thank you very much.

1613 – 1615 Subdivision – Minor Subdivision

APPROVED. Board held a Public Hearing and approved a three-lot subdivision at 1613 and 1615 Route 9.

New Business:

22.080 Aurora Tattoo Society, 457 Rt. 146 – Sign

Michael Bruce: Good evening, ladies and gentlemen, my name is Michael Bruce. Im here representing my business Aurora Tattoo Society. Looking to get a sign approved.

Don Roberts: How many employees are you going to have?

Michael Bruce: I have five in total.

Don Roberts: Five, okay and yea okay yea thanks, I forgot about that, that's right we did, sorry.

Rich Berkowitz: It's not in the right of way?

Michael Bruce: It's not in the right of way?

Rich Berkowitz: For the highway, Town right of way?

Michael Bruce: No

Mike Ziobrowski: Is this replacing the existing sign that is there?

Michael Bruce: Yes.

Mike Ziobrowski: I would like to make a motion to approve the sign application.

Rich Berkowitz: Ill second.

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

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Michael Bruce: Thank you guys.

Don Roberts: You're welcome.

Aurora Tattoo Society– Sign

APPROVED. Board approved new signage for the approved tenant at 457 Route 146.

22.086 Watkins Plaza, 1657 Rt. 9 – Sign

Tom Wheeler: Hello Im Tom with AJ Sign Company. Basically, what we are looking to do is replace the existing sign with a new one. The same tenants the digital display that's on the old sign will be brought up and used in the new sign, same post, same planter so we're just updating what is there and do a new sign.

Don Roberts: Now one thing I have to really say is, you said for the tenant's right, this sign is for the tenants?

Tom Wheeler: The digital?

Don Roberts: Right

Tom Wheeler: It should be

Don Roberts: The point Im trying to make is Twin Bridges is not in that facility, so there should be no Twin Bridges advertising on this sign.

Tom Wheeler: Okay I can pass that along

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

Rich Berkowitz: I'll make a motion to approve the sign contingent that it's only for the tenants in the plaza.

Mike Ziobrowski: Ill second.

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

Watkins Plaza – Sign

APPROVED. Board approved a new plaza sign for the existing tenants at 1675 Route 9 with a condition that the sign shall only advertise approved tenants in the plaza.

22.087 Thermally Yours, 149 Plant Road – Sign

Tom Wheeler: This is basically a simple two post sign, vinyl graphics, flat reflective so when headlights hit it, it will look basically like a highway sign, that's about it.

Don Roberts: Easy one huh

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Rich Berkowitz: So, it's not lit?

Tom Wheeler: Not lit, nope

Rich Berkowitz: No flood lights?

Tom Wheeler: Not that I know of, no.

Rich Berkowitz: Yes, or no?

Tom Wheeler: Well at this point we're not doing flood lights so if they are I don't know about it.

Lyn Murphy: If they do flood lights they will have to come back.

Rich Berkowitz: There is a residence right next door to that

Tom Wheeler: Okay so no flood lights, okay.

Rich Berkowitz: Okay, I'll make a motion to approve the sign contingent on no flood lights or internally lit or anything.

Marcel Nadeau: Ill second.

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

Thermally Yours – Sign

APPROVED. Board approved the new free-standing/monument sign for the approved tenant at 149 Plant Road with a condition that there shall be no sign lighting.

22.088 **Popeye's Louisiana Kitchen, 485 Rt. 146 – Sign**

Tom Wheeler: I was here before for Popeye's their open and they are finding that they are having trouble getting people to Popeye's

Don Roberts: No chicken

Tom Wheeler: There's no chicken, so we're looking, as you're coming from the north you see the drive through, we want to get a sign over the drive through so that people know that that's Popeye's. You really don't know what that building is when you're coming from the north. They also said they had people making illegal left hand turns on 146 because they see it too late, so we ideally want to get people to go to the back of the building and that's where you can safely come in, the back of the building you don't even know it's a Popeye's so if we put the sign over the drive-through hopefully people can identify the building and get to the back of it, see the sign and go in here to get to Popeye's. So, I guess basically what they are telling me is it's a lot of illegal left turns and people just not finding Popeye's in general so it's more of a safety thing, these are more for directional use than anything.

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Don Roberts: Before we go any further, Joel do you have any comment or any recommendation on that?

Joel Bianchi: No

Don Roberts: No, thank you.

Mike Ziobrowski: I would like to make a motion to approve the sign application.

Rich Berkowitz: Ill second

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

Popeye's Louisiana Kitchen – Sign

APPROVED. Board approved new wall-mounted signage for the existing fast food restaurant at 485 Route 146.

22.077 Craig & Carolyn Hayner PDD Barn Conversion, 148 Rt. 236 – Site Plan

Jason Dell: Good evening my name is Jason Dell an engineer with Lansing Engineering here on behalf of the applicant for the Hayner PDD Amendment site plan. We're back before the Board this evening seeking site plan approval as the Town Board did approve amending the PDD to allow for the development of the pavilion, as far as the public benefit goes for the project the stone dust trail, I did correspond with the applicant this afternoon and did indicate that they're ready to get to that right away they were just waiting on an approval and one other question Mr. Higgins you had from the pre-meet, there are no intentions right now to pave, or excuse me to stripe any of the parking areas, its just to remain gravel, so with that we're here this evening to request an approval to the site plan.

Don Roberts: As far as the trail goes, would July 1st be a good time to get that in by July 1st?

Carolyn Hayner: We will start that right away.

Don Roberts: Okay thank you very much. Questions by the Board.

Rich Berkowitz: I make a motion to approve the site plan contingent on the trail being completed by July 1st.

Marcel Nadeau: Ill second.

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

Jason Dell: Thank you.

Craig & Carolyn Hayner PDD Barn Conversion – Site Plan

APPROVED. Board approved the site plan to enlarge the existing parking lot and utilize the reconstructed barn, with a condition requiring the trail connection to be constructed by 7/1/22.

22.074 Kpb Architecture, 1426 Crescent Vischer Ferry Rd. - Change of Use/Tenant

Keith Buff: I just want to say you guys are one of the most efficient Boards I've ever seen.

Don Roberts: Thank you, we try, we try

Keith Buff: I don't see this many smiles on a Board but, my name is Keith Buff I'm owner, architect at KPB Architecture. I recently purchased a property at 1426 Crescent Vischer Ferry Road, and I am just seeking a change of tenant.

Don Roberts: Questions by the Board?

Brendan Nielsen: You have 2 employees?

Keith Buff: I have myself and one other employee.

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

Mike Ziobrowski: Ill second

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried if you want a sign you'll have to come back, right?

Keith Buff: Yes, sign and building.

Don Roberts: Yes

Keith Buff: Thanks guys

Don Roberts: Good luck

Kpb Architecture, 1426 Crescent-Vischer Ferry Rd. – Change of Use/Tenant (22.074)

APPROVED. Board approved the request for an architectural firm to operate at 1426 Crescent-Vischer Ferry Road.

22.085 Robleno Parking Expansion, 7 & 9 Parkford Drive – Site Plan

Jason Dell: Jason Dell an engineer with Lansing engineering here on behalf of the applicant for the Robleno parking expansion. The parcel proposed for development is located on the eastern side of Parkford Drive, approximately 1,200 ft. north of the intersection of Parkford and 146. Both the one parcel is 1 .92 acres, and the other is about 1 acre in size and are both part of the Parkford PDD and both of these parcels were included on the 421 Flex Park Development we had done. All of the utilities and storm water management utilities were all sized to accommodate development on the lot where we are intending on developing the parking lot. So, for this project the applicant is proposing to construct 2 additional parking areas. One will have room for approximately 47 trailer parking spaces on the southern side and there will be room for an additional parking stalls on the northern parcel. The Care Access was mentioned at the pre-meet they were here about a month ago where you guys approved the tenant for them, and they require additional space for

parking of their fleet trailers as well as additional employee parking areas. So that's what the intent is for the parking stalls. They will be about 35 feet long 10 feet wide. We will encircle the parking area with the fence, as questioned at the pre-meet we would entertain and look into some landscaping and screening along the frontage with Parkford. So, we are here this evening to introduce the project to the Board and advance as the Board sees fit.

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

John Higgins: The two parcels are going to be combined into one?

Jason Dell: Yes

John Higgins: What's the time frame for that?

Jason Dell: The applicant, I was in contact with them last week and they already have their attorney working on that.

John Higgins: Okay, Don does that have to be, does the approval have to be contingent on both parcels being combined?

Lyn Murphy: It should be

Don Roberts: That would be best yes.

Richard Harris: Yea he could have gone in that zoning district for a special use permit and kept them separate but they had the two options or consolidate and Jason told me last week they're going to consolidate so I would make it contingent, we've had issues in the past where people didn't take care of that right away and we have to track them down for a while so it would be helpful to have that.

Mike Ziobrowski: Jason is the parking lot intended to have lighting?

Jason Dell: Yes.

Don Roberts: That's all-down lighting?

Jason Dell: That's correct

Mike Ziobrowski: You know I think just making sure its downlit, so its not making its way to the adjacent roadway, shed itself from the drive as much as possible.

Don Roberts: Anyone else?

Mike Ziobrowski: Any thoughts on the earth n burm, what are they thinking for that is it some Pines?

Jason Dell: For the project to the north there that just opened up we did propose I think it was 5 or 6 trees along the frontage there. So, we would look to continue that along there and if you guys would prefer, we

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could also include some form of a small berm there with trees on top of it., the applicant was open to what the Board wanted to do there.

Don Roberts: Because at the pre-meeting you heard what our concern was and you know you can address that, right?

Jason Dell: Yes

John Higgins: John should our engineer take a look at that because of the lighting?

Don Roberts: Joel what do you think do you want to look at this or what?

Joel Bianchi: Sure

Don Roberts: Okay

John Higgins: I just want to make sure that we don't have a problem later on that's all.

Richard Harris: Yea, get us a lighting plan

Jason Dell: Sure

Richard Harris: And with the revisions showing the berm and the landscaping, and since Joel didn't do the original stormwater review can you provide all of that information to show that it was already reviewed, we don't have to reinvent the wheel on that.

Don Roberts: So, we will have Joel look at it and get back to you alright?

Jason Dell: Sounds good.

Don Roberts: Okay anything else, okay thank you.

Jason Dell: Thank you.

Robleno Parking Expansion – Site Plan

TABLED/REFERRED TO AGENCIES. Board received a presentation for the proposed parking lot expansion and referred it to the Town engineer for technical review.

Marcel Nadeau: I make a motion to adjourn

John Higgins: Ill second

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