

Town of Halfmoon Planning Board**December 13, 2010**

Those present at the December 13, 2010 Planning Board meeting were:

Planning Board Members: Steve Watts – Chairman
Don Roberts – Vice Chairman
Rich Berkowitz
Marcel Nadeau
Tom Ruchlicki
John Higgins
John Ouimet

Senior Planner: Jeff Williams

Town Attorney: Lyn Murphy
Deputy Town Attorney: Matt Chauvin

Town Board Liaisons: Paul Hotaling
Walt Polak

Mr. Watts opened the December 13, 2010 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the November 22, 2010 Planning Board Minutes. Mr. Roberts made a motion to approve the November 22, 2010 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried.

Public Hearings:**10.095 PH Mielewski Subdivision, 108 & 104 Woodin Road – Lot Line Adjustment**

Mr. Watts opened the Public Hearing at 7:01 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Rick Andriola, property owner of 104 Woodin Road, stated the following: I am representing Mr. Frank Mielewski for a proposed lot line adjustment. We are taking a pre-existing, non-conforming lot to make it a more conforming lot. Mr. Watts stated the following: Your proposal is to convey 9,375 SF of the property that would then create a 16,780 SF parcel, which is more conforming to the 20,000 SF lot size requirement. The neighboring property has an existing 33,413 SF of area and will be 24,038 SF after the propose lot line adjustment occurs. Does this lot have public water and sewer? Mr. Andriola stated this lot has public water and septic, however, public sewer is available to tie into. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:03 pm.

Mr. Ouimet made a motion to approve the Mielewski Subdivision/Lot Line Adjustment. Mr. Berkowitz seconded. Motion carried.

10.101 PH Olesen Subdivision, #28 & #30 Route 146 – Minor Subdivision

Mr. Watts opened the Public Hearing at 7:03 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Fred Metzger Jr., of Frederick J. Metzger Land Surveyor, P.C., stated

the following: I am here tonight to represent Mr. Olesen for a minor subdivision. Mr. Olesen has two parcels at 28 and 30 Route 146, which is a little over 11-acres. The proposal is for a 3-lot minor subdivision to separate the 2 homes in the front; each with just a little over an acre of land. Lot #1 would be 1.04-acres, Lot #2 would be 1.08-acres and the remaining lot in the rear would be 9.045-acres. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:04 pm. Mr. Watts stated we spoke with the Saratoga County Planning Department this afternoon and they indicated that they had reviewed this proposal and it was in conformance with our memorandum of understanding.

Mr. Nadeau made a motion to approve the Olesen minor subdivision. Mr. Ruchlicki seconded. Motion carried.

New Business:

10.105 NB Edward Jones, 1471 Route 9 (Crescent Commons) – Sign

Mrs. Murphy recused herself from this item. Mr. Peter May, of Hanley Sign Co., stated the following: We are proposing 2 signs for the new Edward Jones located at the Crescent Commons. There is an existing monument sign out front that is a directory and we are proposing lettering one of the empty panels with the Edward Jones logo. Also, there is an existing box sign on the building and we also want to letter that with the Edward Jones logo that has an area of 9 SF. Mr. Roberts stated I have received all the sign information and it does conform to all the other signage at the plaza.

Mr. Roberts made a motion to approve the sign application for Edward Jones. Mr. Nadeau seconded. Motion carried.

10.106 NB Pipino/Vosburgh Subdivision, 127 Vosburgh Road – Minor Subdivision

Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated the following: I am representing Pipino Builders, LLC in their request for a 3-lot subdivision located at 127 Vosburgh Road. The parcel is approximately 1,500 FT east of Smith Road. The proposal is to create 3-lots. They would like to construct a duplex in each of the front 2 lots. Lot #1 will be 1.3-acres. Lot #2 will be a little over an acre. Lot #3 will have a single-family residence in the back. Lot #3; will be a flaglot with the required 20 FT frontage on the western edge of the "mother" parcel to meet the zoning requirements. There will be an easement through Lot #2 to access Lot #3 in the back. This easement and this lot line is setup for the best location for the driveway. All 3-lots will come out onto Vosburgh Road on one curb cut. This curb cut would be setup so that there is adequate sight distance both ways and a clearing easement to maintain the sight distance. We have provided the easement language to Mr. Williams. A Stormwater Pollution Prevention Plan (SWPPP) is now being prepared by Lansing Engineering to address the stormwater issues. Also, because of the poor quality of the deed, Mr. Pipino has talked with the neighbor and they have come to an agreement for a boundary line agreement to straighten the shared boundary line out. Basically, it would be an even swap of land. Mr. Nadeau stated regarding the sight distance in that area, there is a very sharp turn on Vosburgh Road and asked if that is located further down the road? Mr. Rabideau stated the following: It is located right between the 2 sharp curves. The Vosburgh Mobile Home Park is located to the west and as you are headed east there is Lucarelli's operation. Mr. Nadeau asked is this across from the mobile home park where the farthest entrance is? Mr. Rabideau stated it is probably about 500 FT down from that easterly entrance to the mobile home park. Mr. Nadeau stated okay and you do have proper sight distance? Mr. Rabideau stated the following: That is correct. That is why we have the clearing easement in order to keep the brush out of there so you can see right through the easterly most entrance of the mobile home park. Mr. Higgins stated as far as the change on the property line; because the drawing we have has several jogs in it; did you say they are straightening that out? Mr. Rabideau

stated the following: Yes, they have talked with the neighbor and basically what they are going to do is hold this configuration here following an existing stockade fence and then extend it straight up to this point. Mr. Higgins asked Mrs. Murphy if the Board would need something from the neighbor agreeing to the lot line configuration? Mrs. Murphy stated the following: The Board acting on a subdivision is not going to affect the exterior border of the property. The Board is deciding what's going on in the interior of the property. If the applicant could get us that, that would be fine but if they are going to engage in long-term civil litigation, it's not something this Board has to be concerned with. Nothing that you do is going to alter where that line is because you're altering in the middle. He is showing an ambiguity and there is a map note on there that says that those are not legal boundary lines. Mr. Higgins stated okay, but as long as the minimum square footage is sufficient, then we are okay? Mrs. Murphy stated correct and Mr. Williams' has verified that the minimum square footage are legal subdivision lots pursuant to the regulations of the Town of Halfmoon. Mr. Nadeau asked what are the diagonal lines on the western side and to the north at the top? Mr. Rabideau stated they are Army Corp. wetlands. Mr. Higgins asked are all 3 of the lots hooking up to public water? Mr. Rabideau stated yes. Mr. Higgins asked do you know if the neighbors are on wells or on Town water? Mr. Rabideau stated we have all the wells shown on the plans. Mr. Higgins stated we would need to know if there are going to be septic tanks because I don't see a well shown on Hildebrand's property. Mr. Rabideau stated we could not find one on Hildebrand's property. Mr. Higgins asked are the Hildebrand's on Town water? Mr. Rabideau stated I'm not sure but we will find out. Mr. Higgins stated we would need to know that. Mr. Rabideau stated okay. Mr. Ouimet stated the following: Originally I had a question regarding the sight distance but I think Mr. Nadeau addressed that with Mr. Rabideau. I know you talked about the clear-cut easement as improving the sight distance there but what about the other direction? Mr. Rabideau stated we can see 430 FT. Mr. Ouimet stated it looks to me, if the road is accurately depicted there, that you're looking into a curve. Mr. Rabideau stated yes, you are looking across the road; so that makes it better because you're on the outside of the curve and you're looking down the road. So you would be picking up more sight distance. Mr. Ouimet asked so you're saying that by cutting that corner clear, you have sufficient sight distance? Mr. Rabideau stated yes, you can actually see that distance now through the brush. Mr. Ouimet stated because there is no foliage on it, right? Mr. Rabideau stated right, but they intend to clear it out and fortunately it's all on this lot. Mr. Ouimet stated I am concerned about the sight distance but I would feel better if our engineer took a look at it and determined it to be sufficient. If there is going to be an engineering review, because of the stormwater management issues, I would ask that we have our Town engineer take a look at the sight distance. Mr. Watts asked Mr. Williams to make sure that we do that as part of the review. Mr. Williams stated okay. Mr. Watts asked how long is this driveway? Mr. Rabideau stated probably about 600 FT. Mr. Watts asked what is the width of the driveway? Mr. Rabideau stated we have it at 20 FT now and if we could get it smaller, it would be better but I'm not sure what the Town requires as far as a standard width; 16 or 18 FT? Mr. Watts stated the following: We need to make sure that our fire trucks have access and we will also have that looked at. Regarding the houses on either side on the front of the property or across the road; what do you have there for the type of homes in that generally vicinity? Mr. Rabideau stated the following: They are standard single-family homes in the medium price range of \$200,000-\$300,000. Mr. Pipino anticipates that each duplex would be around \$350,000 and the house in the back would be around \$500,000. So, it would not be devaluing the neighborhood per say. Some people think that duplexes devalue the neighborhood. Mr. Watts asked is the \$350,000 for the duplexes for one or two? Mr. Rabideau stated for both duplexes. Mr. Watts stated so that would be \$175,000 per duplex. Mr. Rabideau stated correct. Mr. Watts asked are the homes across the street or next-door single-family homes? Mr. Rabideau stated correct and there is a wide mix of values. Mr. Watts asked how many mobile homes are in the Vosburgh Mobile Home Park? Mr. Rabideau stated I believe there are at least 50. Mr. Watts asked how far is the mobile home park from that road entrance? Mr. Rabideau stated the following: It's probably about 500 to 600 FT. On one of the lots with this proposal a mobile home will be moved.

Mr. Watts asked Mrs. Murphy at this point based upon the information that we have relative to that boundary issue, can we go forward at this point or are we going to refer this to CHA? Mrs. Murphy stated the boundary issue with the map note isn't a real concern but the SWPPP definitely is together with the concerns regarding sight distance and the length of the driveway together with its ability to support emergency vehicles will all have to be reviewed. Mr. Watts stated at this point we wouldn't schedule a Public Hearing until we have more definitive information. We will refer to this CHA. Once we have all that information, we will schedule a public hearing.

This item was tabled and referred to CHA for their review of the Stormwater Pollution Prevention Plan (SWPPP), sight distance, the use of one common driveway for all three lots versus three separate driveways and emergency access for the proposed long driveway.

Mr. Ruchlicki made a motion to adjourn the December 13, 2010 Planning Board Meeting at 7:21 pm. Mr. Higgins seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Department Secretary