

## **Town of Halfmoon Planning Board**

### **Meeting Minutes – March 25, 2013**

Those present at the March 25, 2013 Planning Board meeting were:

**Planning Board Members:** Steve Watts – Chairman  
Don Roberts  
Tom Ruchlicki  
John Higgins  
John Ouimet

**Director of Planning:** Richard Harris  
**Planner:** Roy Casper

**Town Attorney:** Lyn Murphy  
**Deputy Town Attorney:** Matt Chauvin

**Town Board Liaisons:** Walt Polak

**CHA Representative:** Mike Bianchino

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Mr. Watts opened the March 25, 2013 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if the February 25 and March 11, 2013 Planning Board Minutes were ready for review and approval. Mr. Harris indicated that they are not ready for Board review and approval. Mr. Watts explained that due to the length of the minutes, staff personal matters and staff transition, there has been some delay. Mr. Harris stated he expects the draft minutes to be distributed to the Board for consideration at the next meeting.

**There was a malfunction with the recording systems, therefore, the March 25, 2013 Planning Board Minutes were not recorded. The Planning Board meeting minutes were summarized by Richard Harris and Roy Casper.**

#### **Public Hearing:**

##### **13.029 PH William Monast, 131 Vosburgh Road – Special Use Permit (Duplex)**

Mr. Watts opened the Public Hearing at 7:05 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. William Monast, the applicant, provided a brief overview of the proposed project to construct a duplex, intended for his mother-in-law. He indicated that the plan has been updated to address comments raised at the last meeting by Mr. Bianchino, related to the location of water and septic systems on this and adjacent properties. Mr. Bianchino confirmed that the plan and proposed septic on the property appears acceptable. Mr. Higgins reminded the applicant that a utility easement will need to be granted to the Town. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:10 pm.

Mr. Ruchlicki made a motion to approve the Special Use Permit for (1) duplex for William Monast. Mr. Higgins seconded. Motion carried.

**New Business:****13.030 NB      Wal-Mart (Outdoor Seasonal Sales), 1549 Route 9 – Change of Use**

Mr. Watts stated there are three applications for Outdoor Seasonal Sales on the agenda: Wal-Mart, Home Depot and Lowe's. Mr. Dwayne Hazel, Assistant Manager for Wal-Mart, stated that they are displaying in the same manner and location as the last five years (side and front of building). Mr. Watts stated that Code Enforcement and the Planning Department have monitored the sites (Wal-Mart, The Home Depot and Lowe's) and all appears to be in compliance. Mr. Higgins requested the applicant ensure the berm and trees along the property line are maintained as discussed previously. Mr. Hazel stated he would look into the matter.

Mr. Higgins made a motion to approve the change of use application for Wal-Mart's seasonal yard supply storage and display from March 26, 2013 to September 1, 2013. Mr. Roberts seconded. Motion carried.

**13.031 NB      Suchocki Subdivision, 51 Harris Road – Minor Subdivision**

Mr. Dave Flanders, of David A. Flanders Surveying & Site Consultant, PLLC, stated this is a Minor Subdivision for the purpose of constructing a home for William Suchocki. He stated he has already spoken to the County DPW to discuss access along Harris Road, and they indicated it is acceptable. Mr. Higgins requested an explanation of the location of the existing home on the site; Mr. Flanders discussed the existing conditions.

Mr. Roberts made a motion to schedule a public hearing for the April 8, 2013 Planning Board meeting. Mr. Higgins seconded. Motion carried.

**13.032 NB      The Home Depot (Outside Seasonal Sales), 4 Halfmoon Crossing Blvd. – Change of Use**

Mr. John Gray, Manager of The Home Depot, stated that they are proposing a similar use of the site for seasonal displays as has been approved in recent years. Mr. Watts reiterated that Code Enforcement and the Planning Department have monitored the three sites on the agenda for outdoor seasonal sales and all appears to be in compliance.

Mr. Ouimet made a motion to approve the change of use application for The Home Depot's seasonal yard supply storage and display from March 25, 2013 to September 30, 2013. Mr. Higgins seconded. Motion carried.

**13.033 NB      Carosello Bakery Treats & Sweets, 1602 Route 9 – Sign**

Ms. Lia Lowell, the applicant, stated they are seeking a permanent sign to replace the existing temporary banner/sign presently on the building. She explained they are also adding a panel to the existing Plaza Sign along Rt. 9. Mr. Roberts asked for clarification that the building sign will be located on the front of the building, and not on the roof; Ms. Lowell confirmed that is correct.

Mr. Roberts made a motion to approve the wall-mounted Business Sign as proposed, provided the sign is mounted on the building front façade and not the building roof. The two-sided free-standing/monument sign, to be located on the existing Plaza Sign, was also approved. Mr. Higgins seconded. Motion carried.

**13.034 NB      Synergy Tech Park – Phase I, Route 9 – Minor Subdivision**

Mr. Ivan Zdrahal, of Ivan Zdrahal Associates, PLLC, stated that a majority of the project is located in the Town of Clifton Park and there is a small portion for access to the site from Rt. 9 that is

located in Halfmoon. Mr. Higgins asked if there will be any new signs proposed along Rt. 9 located in the Town of Halfmoon? Mr. Zdrahal stated no additional signage, only the road name sign. Mr. Watts asked for clarification on the need for curb cuts along Rt. 9; Mr. Zdrahal stated the curb cuts have been reviewed by NYSDOT and are acceptable. Mr. Higgins asked for clarification on the lots in Halfmoon and whether/if they are being combined with the other lots in Clifton Park; Mr. Zdrahal indicated they would be combined. Mr. Higgins stated that originally the Board was going to deny approval of the subdivision, but upon further review the Town Code provides the Board with the ability in unique circumstances to waive certain provisions, such as lot size. Ms. Murphy read the relevant section of the Town Code (Sec. 143-15 Waiver of Requirements).

Mr. Higgins made a motion to schedule a public hearing for the April 8, 2013 Planning Board meeting. The Planning Board determined that the unusual circumstances of the shape and size of the subdivision warranted a waiver of the normal subdivision requirements, as provide in Sec. 143-15 of the Town Code. Mr. Ouimet seconded. Motion carried.

**13.035 NB      Cross Fit (Pai's Tae Kwon Do), 1580 Route 9 – Sign**

Mr. Caleb Nelson, the applicant, stated that the project involves a 2'x10' sign, to be located under the existing Pai's Tae Kwon Do sign, with no lighting.

Mr. Roberts made a motion to approve the two-sided free-standing/monument Business Sign, to be located below the existing Pai's Tae Kwon Do sign. Mr. Ruchlicki seconded. Motion carried.

**13.036 NB      Lowe's (Outdoor Seasonal Sales), 476 Route 146 – Change of Use**

Mr. Michael Welch, Manager of Lowe's, stated that Lowe's is proposing a similar seasonal display as prior years and have worked hard to ensure they meet all town codes and requirements. Mr. Watts reiterated that Code Enforcement and the Planning Department have monitored all three sites on the agenda for renewal of outdoor seasonal sales and all appears to be in compliance.

Mr. Higgins made a motion to approve the change of use application for Lowe's seasonal yard supply storage and display from March 1, 2013 to September 30, 2013. Mr. Ruchlicki seconded. Motion carried.

**13.037 NB      Amann Subdivision, 211 S. Central Ave., - Minor Subdivision**

Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated that the applicant is seeking a Minor Subdivision to construct a single family home; access to be provided by easements over the existing parcel; access to S. Central Ave. also shown to meet the minimum 20' frontage/access requirement in State law. Mr. Higgins requested that the wells and septic systems of adjacent parcels need to be shown on the plan; Mr. Rabideau indicated he would add that and submit it.

Mr. Ouimet made a motion to schedule a public hearing for the April 8, 2013 Planning Board meeting. The Board recommended that the plans be amended to show the wells and septic on adjacent properties. Mr. Higgins seconded. Motion carried.

**Old Business:**

**08.067 OB      Arlington Heights Subdivision Phase II, Farm to Market Road - Major Subdivision/PDD/GEIS**

Mr. Mike McNamara, of the Environmental Design Partnership, is requesting final subdivision approval for Phase II of this Major Subdivision and provided a summary of the project; Phase II is

an amendment to Phase I and consists of 27 units with a reconfiguration of lot lines and creation of an additional single-family lot in Phase I of the development; all required approvals, including NYSDOH, NYSDEC and SCSD, have been received and issues raised by CHA have been addressed; that a soil disturbance permit was obtained from the Town for some initial clearing of land. Mr. Watts asked if all parcels will contain single family homes; Mr. McNamara confirmed that. Mr. Watts provided a brief history of the project, stating that in 2008 when the project began, duplex homes were proposed and the Planning Board expressed concerns and objections. Mr. Watts noted that the applicant responded to the Planning Board concerns by revising the project to include all single-family homes, and that is the project the Board is considering tonight. Mr. McNamara confirmed this history.

Mr. Ouimet made a motion to grant final approval of the Major Subdivision/PDD application for the Arlington Heights Subdivision-Phase II. The action is classified as a Type I Action and a Negative Declaration under SEQR will be issued. Mr. Watts seconded. Motion carried.

**12.079 OB      The Kensington at Halfmoon PDD, 127 Stone Quarry Road – Major Subdivision/PDD**

Mr. Bill Hoblock, of Capital District Properties, provided a summary of the project; 90 apartment units consisting of 9 apartment buildings on the 17.39-acre parcel, with 23% of the site for buildings and infrastructure leaving 77% as open, natural area; the site will consist of a circular roadway with all nine apartment buildings fronting the road and a single access off of Stone Quarry Road; public water will be provided from the proposed water line on Stone Quarry Road to be built as part of the Moorings project, also owned by the applicant; public sewer will be extended from the Moorings development across the road; the proposed apartment buildings will be similar to the Moorings and residents of the proposed development will be allowed to use the community clubhouse at the Moorings. Mr. Hoblock turned the presentation over to Ken Wersted, Creighton Manning Engineering, to discuss the traffic studies and data gathered from The Paddocks of Saratoga, a project of the applicant similar in scope/style as Kensington. Mr. Wersted summarized the traffic study provided to the Town in January and supplemental information related to traffic. Mr. Higgins questioned the use of The Paddocks and information garnered in January, as an article recently stated that 20% of residents of The Paddocks are seasonal; Mr. Hoblock acknowledged there are some seasonal residents, but not close to 20%. Mr. Roberts and Mr. Higgins questioned the traffic generation numbers and believes the counts provided by the applicant are low. Mr. Ouimet questioned the applicant's assertion that 90 units may be constructed and stated the Board already objected to his methodology before and that "buildable" acreage must be used for such calculations; Mr. Hoblock responded with his interpretation of the ordinance utilizing "gross" acreage for such calculations and stated the Town Code appears to conflict in this regard; Mr. Ouimet reiterated that he believes the density is too much and that amenities will be dependent upon acreage. Mr. Higgins questioned the traffic information provided today, stating that CME consistently uses the national ITE standards for trip generation, but in this case chose to use The Paddocks, which is approx. 50% the national standard. Mr. Higgins agreed with Mr. Ouimet that Stone Quarry will need improvements to handle what he believes the traffic will be resulting from this project. Mr. Watts discussed noise and dust/dirt concerns raised by nearby residents, including himself; Mr. Hoblock stated that blasting has been occurring and will end this month (March). Mr. Watts discussed potential options for the Board, including whether they believe it is ready for a Public Informational Meeting and whether the applicant wishes to reconsider and/or revise the project in light of the comments received tonight.

This project was tabled. The Planning Board expressed concerns regarding the project traffic information provided by the applicant and the applicant's engineer, along with the proposed project

density. The Board indicated a Public Informational Meeting will not be scheduled until the developer has addressed these concerns.

**12.110 OB      Halfmoon Assisted Living/Special Needs Assisted Living Facility, 410 Route 146 – Commercial Site Plan**

Mr. Scott Lansing, of Lansing Engineering, and Mr. Jay Hopek, of Pike Construction, were present to discuss the project and explained the changes in the PDD needed and the type of care and facility to be built; this would be the first site built in what was established as the Halfmoon Healthcare and Biomedical Facility PDD (Boni PDD); the building will front along Route 146 with a four-story, 27,521 SF 'L'-shaped structure with 133 assisted living units; the lot is located along Route 146 and to the east of the proposed primary access to the "medical campus", which is depicted as a boulevard entrance and cul-de-sac; there are 4 access points shown on the plan accessing this new road; the proposed building is 100 ft off of the front property line with the parking on both the side and back of the proposed facility as the entire site is within the Route 146 Performance Overlay District. Mr. Watts asked about use of the term "hospital", and that this is not a proposal for a hospital; he asked for the applicant to explain the status of the hospital previously mentioned. Mr. Lansing stated he could not provide an update on the hospital, and would defer to Mr. Dailey (not present). Mr. Roberts asked about the proposed height of the facility; Mr. Hopek stated approx. 40'. Mr. Watts asked about vegetation and that the proposed concept plan shows a buffer along Rt. 146 and different areas; Mr. Lansing confirmed that significant landscaping, berms and buffers areas are proposed. Mr. Higgins asked if the proposed road would be dedicated to the Town; Mr. Lansing confirmed. Mr. Ruchlicki asked about the appearance from Rt. 146, and existing vegetation and wetlands; Mr. Lansing stated that they are trying to keep the appearance along Rt. 146 similar and not alter it much, but will clean it up. Mr. Bianchino raised the issue of parking raised by the Board previously and if the applicant had information from other similar facilities; Mr. Hopek stated they plan to use national standards for these facilities, which would result in approx. 60-62 spaces needed; He added they would land bank spaces if the Board desired. Mr. Watts asked if the Board wished to schedule a Public Informational Meeting. Mr. Roberts made a motion to schedule a Public Informational Meeting for the April 8, 2013 Planning Board meeting to further review the proposal. The Planning Board discussed concerns regarding adequate land banked parking. Mr. Higgins seconded. Motion carried.

Mr. Ouimet made a motion to adjourn the March 25, 2013 Planning Board Meeting at 8:45 pm. Mr. Higgins seconded. Motion carried.

Respectfully submitted,

Richard Harris - Director of Planning  
Roy Casper - Planner