

Town of Halfmoon Planning Board

October 27, 2008 Minutes

Those present at the October 27, 2008 Planning Board meeting were:

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

Alternate

Planning Board Members: Bob Beck
Jerry Leonard

Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

CHA Representative: Mike Bianchino

Due to audio recording difficulties, the October 27, 2008 Planning Board Meeting Minutes were not recorded. The following meeting minutes were transcribed exclusively from notes taken by the Planning Department during the meeting.

Mr. Watts opened the October 27, 2008 Planning Board Meeting at 7:02 pm. Mr. Watts asked the Planning Board Members if they had reviewed the October 14, 2008 Planning Board Minutes. Mr. Roberts made a motion to approve the October 14, 2008 Planning Board Minutes. Mr. Higgins seconded. Motion carried.

New Business:

08.093 NB Rafferty Subdivision, Middletown Road & Brookwood Road – Minor Subdivision

Mr. Rick Anderson stated that he is the developer for this project. Mr. Anderson stated the following: Mr. Rafferty, the property owner, asked him to come before the Board to present the proposal. The applicant is in the process of selecting a new engineer to complete the plans on the project. The applicant wishes to subdivide a 3.99-acre parcel to create 4 lots. Lot A will front on Middletown Road with 41,198 SF and is proposed as a duplex lot. Lot B is a single-family, 30,326 SF corner lot and will have dual frontage on Brookwood and Middletown Roads.

Access to Lot B will be off of Middletown Road. Lot C is proposed as a 47,515 SF duplex lot with frontage on Brookwood Road. Lot D is a proposed flaglot with access on Brookwood Road and is proposed as a 41,173 SF (54,892 SF with stem) duplex lot. There will be public water and private septic systems servicing the lots. Mr. Higgins asked if there were wetlands on the site. Mr. Anderson stated that they have not been delineated yet. Mr. Berkowitz asked if the existing home to the south was on public water or a well as that would make a difference to the placement of the septic systems. Mr. Anderson stated that a percolation test had not been performed on the proposed lots and he was unsure as to whether the lot to the south was on public water. Mr. Watts stated that it was clear that the Board needed further engineering details in order to be able to fully review the project and render a decision.

This item was tabled for the applicant to provide additional information on wetlands, perc. test and stormwater and for more detailed engineering plans.

08.096 NB Birch Briar Apartments, 1639 Route 9 – Sign

Mr. Jim Murtlow is representing Mr. William Hoffman for the Birch Briar Apartments sign application. Mr. Murtlow stated the following: The applicant is proposing to place a 35 SF sign at the front of the parcel on Route 9 to identify the development. The proposed monument sign will be a total of 4.375 FT high and 35 total square feet. There will be solar powered lights directed at the sign for illumination. Mr. Roberts stated that the sign couldn't be placed in the State's right-of-way. Mr. Murtlow stated that the sign is proposed to be placed well out of the right-of-way for Route 9.

Mr. Roberts made a motion to approve the sign application for Birch Briar Apartments contingent upon the old existing sign is removed at the time the new sign is installed. Mr. Nadeau seconded. Motion carried.

08.104 NB Ruchlicki Subdivision, 362 Farm to Market Road – Minor Subdivision/Lot Line Adjustment

Mr. Ruchlicki recused himself from this item and Mr. Beck sat in for Mr. Ruchlicki. Mr. Gil VanGuilder, of Gilbert VanGuilder and Associates, stated the following: The applicant is proposing to subdivide a 43.64-acre parcel to create 2 new lots. Lot A will have 199.09 FT of frontage and will be 21.82-acres. The second new lot created, Lot B, will be a flaglot. The applicant is proposing a lot line adjustment of .17-acres from a 1.59-acre lot (Lot C) with an existing residence on it to be added to Lot B for a total acreage of 21.99-acres. There is a possible future road connection to Arlington Heights to the east of Lot B. The existing single-family home lot in the front was originally subdivided in 1998. At that time the owner had reserved a 35 FT easement for ingress and egress for access to the rear property, as that is where an existing farm road is located. This easement will be retained with this subdivision.

Mr. Berkowitz made a motion to set a public hearing for the November 10, 2008 Planning Board Meeting. Mr. Higgins seconded. Motion carried.

08.105 NB Northeast Mobile Detailing LLC, 392 Hudson River Road – Change of Tenant & Sign

Mr. John Arpey stated the following: I am here tonight representing Mr. Frederick Young, the applicant, who is a young entrepreneur wishing to locate his business in Halfmoon. He is proposing to utilize the A-1 Septic site on Hudson River Road for his auto body repair and

detailing business. The site has a 2,400 SF garage and an 840 SF building that is office space. There are two sides of the business proposed for use on this site. The detailing side of the business will include exterior and interior washing, buffing, and waxing. The narrative states that the wastewater is discharged to a holding tank that is then professionally removed off-site. They will provide service to new and used car dealers and the public. Cars would be stored on the site for no longer than 48 hours. The other side of the business will perform minor auto body repair and will sell auto accessories, such as bed liners and factory add-ons. These items would be available to dealers and the public. The narrative states that the business will operate under DEC regulations for chemical exposure with the use of high volume, low-pressure spray guns, enclosed spray gun cleaners, and enclosed metal containers for contaminated towels, solvents, paints, etc. There are no physical changes proposed for the site. Mr. Higgins asked if the sewer was also directed to the holding tank. Mr. Young stated that the office building was the only structure with a bathroom and that had it's own septic tank. The holding tank only received wastewater from the garage. Mr. Ruchlicki asked how many cars would be parked on the site at any given time. Mr. Young stated that he has a fairly quick turnover and should only have 12 cars on the site at a time. Mr. Higgins asked if the parking area was striped. Mr. Young stated no, it was stone dust and gravel. Mr. Watts stated that rather than ask the applicant for a new site plan he thinks that the Board should place a condition on the approval for the maximum number of cars to be stored on the site at a time.

Mr. Roberts made a motion to approve the change of tenant and sign application for Northeast Mobile Detailing, LLC contingent upon the sign is not located in the State's right-of-way and that there would be no more than 12 cars stored on the site at any one time.

Old Business:

08.051 OB Loomis Subdivision, 116 Harris Road – Minor Subdivision

Mr. Gil VanGuilder, of Gilbert Van Guilder and Associates, stated the following: The applicant wishes to create a 4-lot subdivision from an existing 2.60-acre parcel that is located at the corner of Harris Road and Lape Road. All proposed lots are to be serviced by public water (located at the corner of Harris Road and Lape Road) and public sewer by extending the line up from Sprucewood Subdivision along Harris Road. The following are proposed lot sizes for each lot: Lot 1-21,318 SF, Lot 2 –30,462 SF, Lot 3 – 30,406 SF and Lot 4 – 31,017 SF. As a response to comments from the Public Hearing, they have revised the plans to move the sewer line in the rear of the proposed lots 10 FT north to create a 20 FT no-cut buffer between the new lots and the existing lots to the south. At this time, the owner is hoping to restore the dilapidated house on Lot #3 and reserve the ability to place duplexes on Lot #2 and Lot #4. Lot #1 is too small in area and width to meet code for a duplex and would, therefore, be a single-family home. Mr. Roberts stated that he remembers several comments from the public hearing regarding duplexes. He does not feel that they would go with the character of the neighborhood. Mr. Van Guilder stated that he was aware of the comments, but the lots meet the zoning requirements for duplexes and his client wishes to reserve the right to place them on these lots. Mr. Ouimet stated that he had some concerns with the safety of the traffic that would be generated with the increased density if duplexes were to be built and the use of the shared driveways. Mr. Van Guilder stated once again that his client's wish is to reserve the right to place duplexes on the lots. Mrs. Murphy stated that what she is hearing from the Board is that there are concerns with the health and safety regarding traffic and that there are concerns with changes to the character of the neighborhood regarding the use of duplexes on the lots. Mr. Van Guilder stated that he could have his client's engineer review those concerns.

Mr. Higgins stated that he believed they should also review the placement of the water line near the sewer line in the right-of-way to indicate that there would be adequate separation between the two public utilities. Mr. Van Guilder stated they would do that.

This item was table for the applicant to provide additional information on the proposed utilities and traffic information.

Mr. Roberts made a motion to adjourn the October 27, 2008 Planning Board Meeting at 8:00 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Lindsay Zepko, Town Planner
Milly Pascuzzi, Planning Department Secretary