

Town of Halfmoon Planning Board

August 28, 2006 Minutes

Those present at the August 28, 2006 Planning Board meeting were:

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

Alternate

Planning Board Members: Bob Beck
Jerry Leonard

Senior Planner: Jeff Williams
Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Mindy Wormuth

CHA Representative: Bob Lockwood

Mr. Roberts-Vice Chairman sat in for Mr. Watts-Chairman in his absence. Mr. Roberts opened the August 28, 2006 Planning Board Meeting at 7:05 pm. Mr. Roberts asked the Planning Board Members if they have reviewed the August 14, 2006 Planning Board Minutes. Mr. Ouimet made a motion to approve the August 14, 2006 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried. Mr. Higgins abstained due to his absence from the August 14, 2006 Planning Board Meeting. Mr. Leonard sat in for Mr. Roberts.

Public Hearings:

06.204 PH Halfmoon Heritage Apartments, Fellows Road – Fellows Rd PDD/Major Subdivision

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06.205 PH Pointe West Town Homes of Halfmoon, Fellows Road – Fellows Rd PDD/Major Subdivision

Mr. Roberts recused himself from both of the proposed projects as they are related to the Fellows Road PDD. Mr. Nadeau conducted the Public Hearings. Mr. Nadeau opened the meeting to both Public Hearings at 7:06 pm. Mr. Nadeau asked if anyone would like to have the Public notice read. No one responded. Mr. Scott Lansing, of Lansing Engineering, stated the applicant is before the board seeking preliminary approval. Mr. Lansing stated the Town Board approved the Fellows Road PDD several months ago. The overall parcel includes approximately 84.2-acres and there are 21.7-acres of DEC and Army Corp wetlands on the parcel. The PDD was approved for 147 townhouse units of 49 buildings and the application

now includes 47 buildings with 141 townhouse units. The reduction in the number of townhouse units was due to grading and reduction in the wetland impact. The approved PDD also included 200 apartments and 8 duplex units and the application now includes 176 apartment units with 16 buildings and 4 duplex units. Again, reduction was due to grading, drainage and reducing wetland impact. The total number of units has decreased from 355 units to 319 units. Water would be supplied by Town of Halfmoon water from Fellows Road. Sanitary sewer would go towards Route 236 and Route 146 to the public sewer main. Storm water would be managed on-site. Community benefits would be consistent with the approved PDD. The application does include 60-acres of donated passive recreational parkland on Vosburgh Road. Approximately 6.71-acres of land on the apartment side would be donated to the Town. Sanitary sewer improvements would include a trunk sewer that would go through the project and down through Town land to Route 236 as well as a pump station that would be designed to take the flows from this project and from the Town parkland. There would be a realignment of Fellows Road to increase safety on the eastern side of the Fellows Road connection to Route 146. They have addressed the comments made by CHA. Mr. Higgins asked if the roads going through the apartments and the townhouses would be public or private. Mr. Lansing stated the roads through the apartment side would be private and through the townhouses they would be public roads that would be built to Town standards. Mr. Nadeau asked if anyone from the Public wished to speak. No one responded. Mr. Nadeau closed the Public Hearing at 7:10 pm.

Mr. Berkowitz made a motion to approve the major subdivision for Halfmoon Heritage Apartments contingent on the comments by CHA being addressed. Mr. Ouimet seconded. Motion carried.

Mr. Berkowitz made a motion to approve the major subdivision for Pointe West Town Homes of Halfmoon contingent on the comments by CHA being addressed. Mr. Ouimet seconded. Motion carried.

Mr. Berkowitz made a motion to grant preliminary site plan approval for Halfmoon Heritage Apartments contingent on the comments by CHA being addressed. Mr. Ouimet seconded. Motion carried.

Mr. Berkowitz made a motion to grant preliminary site plan approval for Pointe West Town Homes of Halfmoon contingent on the comments by CHA being addressed. Mr. Ouimet seconded. Motion carried.

Old Business:

04.117 OB Kevin Hedley Professional Office Bldg. Phase I, 1593 & 1595 Route 9 - Commercial Site Plan

Mr. Chris Millington, of Mill West Engineering and Landscaping Architecture, PLLC, presented Kevin Hedley Professional Office Building. Phase I would consist of building a new 4,000 SF structure and removing an existing residential building of approximately 1,000 SF. They will construct a parking lot in the rear of the building with 20 parking spaces. A stormwater infiltration basin would be constructed in the back and landscaping would be added to enhance the property. They plan to add an additional 4,000 SF building in Phase II. Mr. Higgins asked what the time frame would be for the phasing of the project. Mr. Higgins stated that due to the sensitive nature of the stream in the rear, the Town would want to be sure that the stormwater system is functioning properly. Mr. Millington stated that they are looking at between 18 and 24 months. Mr. Higgins stated that the septic system is designed strictly for office type functions and a more intense use would not be suitable. Mr. Millington stated that the applicant

intends to use the site for office space only. Mr. Higgins stated that during the construction phase the runoff would need to be monitored to be sure that there is no runoff to the stream. Mr. Berkowitz asked if the architecture of the new building would match that of the existing structure. Mr. Millington stated that the existing building would be resided to match the new building. Mr. Higgins asked if the building that was to be demolished would be removed prior to the construction of the new building. Mr. Millington stated yes.

Mr. Nadeau made a motion to approve Phase I of the Kevin Hedley Professional Office Building contingent on the siding of the existing structure matching that of the new building. Mr. Ruchlicki seconded. Motion carried.

New Business:

06.206 NB St. John's Plaza, 1683 Route 9 – Sign

Mr. Greg Dawhare, of Nick Sign Co., stated that the applicant wishes to remove the existing sign and leave the two brick columns up and reconstruct the sign to include tenant panels for the tenants of the plaza. The new sign will be internally lit. Mr. Higgins asked what the overall height of the sign would be. Mr. Dawhare stated that the top of the new sign would be approximately the same as the existing sign, but the overall square footage of the sign would be less. Mr. Roberts stated that the application states that the sign would be 12 ft high. Mr. Dawhare stated that he could drop the overall height of the sign to the height of the existing columns, which would lower the sign approximately 2 FT. Mr. Williams asked if the street number could be included in the sign. Mr. Dawhare stated that he could add street numbers to the columns, but not to the lit portion of the sign. Mr. Roberts stated that this would serve for emergency purposes.

Mr. Nadeau made a motion to approve the sign contingent on a total height of 18 FT and the applicant submitting a new application to those dimensions. Mr. Higgins seconded. Motion carried.

06.207 NB Fairview Lane (Summit Hills), Lots 23 & 25 – Lot Line Adjustment

Mr. Gil VanGuilder, of Gilbert VanGuilder and Associates, stated that the applicant wishes to make a lot line adjustment to convey a 5 FT strip of land from Lot 25 to Lot 23 so that the home on Lot 23, which has a side load garage, would have the adequate turn space for vehicles. Both lots would still conform to lot size standards. Mr. Higgins asked if this would affect the buildable area for Lot 25. Mr. VanGuilder stated no, there is significant area on that lot that is buildable. Mr. Higgins stated that he had discussed this lot with Mr. Lockwood and that this lot could be a difficult lot to work with. Mr. VanGuilder stated that it would most likely require a specially designed home to work with the lot layout.

Mr. Higgins made a motion to set a Public Hearing for the September 11, 2006 Planning Board meeting. Mr. Nadeau seconded. Motion carried.

06.208 NB Rome Center Gallery, 1471 Route 9 (Rome Plaza) – Change of Tenant

Ms. Kathie Smith, the applicant, stated that they have been tenants of Rome Plaza for approximately 10 years. There are five artists who rent the space to paint. About 2-3 artists are in the building at any given time. There are no retail sales. Mrs. Romano stated that she teaches a class on Thursdays for 2 to 7 students. The most parking spaces required would be 9 at one time.

Mr. Nadeau made a motion to approve the change of tenant. Mr. Berkowitz seconded. Motion carried.

06.209 NB Oak Brook Commons, LLC, Bldg. 15A, Route 9 – Commercial Site Plan

Mr. John Gay of, of Northeast Consultants, stated that the applicant wishes to make an amendment to the PDD. He wishes to add a 4-unit apartment building and a 4-unit parking garage and adding a new parking area with 5 spaces for overflow parking. Mr. Roberts stated that he was on the committee when this project was originally proposed and asked if this would be the final addition to the site. Mr. Hoffman, stated that this would be the last building added. Mr. Nadeau asked if the secondary entrance was used for emergency only or was it being utilized as an entrance. Mr. Gay stated that the access was being used for an entrance for most of the buildings on the south end of the property. Mrs. Wormuth asked if the entrance was in Halfmoon or Clifton Park. Mr. Gay stated it was in Clifton Park. Mr. Nadeau stated that he believes the secondary entrance was supposed to be for emergency use only, but he may be mistaken. Mr. Hoffman stated that both points of access were to be used for ingress/egress for the apartment complex. Mr. Berkowitz asked if the second entrance was marked. Mr. Hoffman stated that he was never required to do so. Mrs. Wormuth stated that the entrance was in Clifton Park and the applicant would need to check with Clifton Park if he were to make any changes there. Mr. Lockwood stated that he was glad to see that the mailboxes would be relocated to a new location as they did cause a traffic issue where they are currently located. Mr. Williams asked for an upgraded site plan showing the new location of the mailboxes. Mr. Gay stated he would provide a new site plan.

This item was tabled and referred to CHA for review.

06.210 NB Halfmoon Jewelers.Com, 1690 Route 9 – Commercial Site Plan

Mr. Gil VanGuilder, of Gilbert VanGuilder and Associates, stated that the property lies on the westerly side of Rt. 9 between Crossing Blvd and Hoffman's Carwash. There is an existing building that was previously a single family home and is approximately 800 SF in size. Mr. Curto, the applicant, wishes to utilize the structure for a jewelry design business that would be Internet based. There would be a part time person that would manage the website to process orders and a part time person to meet with customers to view the jewelry that was designed for them on an appointment basis. There would be one full-time employee. There would be 5 parking spaces available and 1 handicap parking space. There is public water, and the applicant wishes to hook up to the County sewer when the County provides the best route to do so. There is an existing paved pad that will be utilized to construct the driveway. There is no driveway now at the site as it has been abandoned for some time and there is only grass. The wooded area at the rear of the parcel would not be disturbed. Mr. Ruchlicki asked if the vegetation along the slope at the rear would remain. Mr. VanGuilder stated that it is the applicant's intention to leave that growth as buffer. Mr. Nadeau stated that he believes that there were past applicants for this site that faced difficulties and he feels that the Board should review those minutes as the lot is substandard and difficult. Mr. Roberts stated that they could refer the plan to CHA for review now or wait to review the past records. Mr. VanGuilder stated that they would like the records reviewed first to be sure that there are no restrictions on it. The applicant feels that the use would be low impact use and that the site needs something that would not generate a lot of traffic. Mr. Nadeau asked if he had checked with the NYSDOT for the driveway. Mr. VanGuilder stated no.

This item was tabled to allow time to review the history of the parcel.

Mr. Ruchlicki made a motion to adjourn the August 28, 2006 Planning Board Meeting at 7:52 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,

Milly Pascuzzi
Planning Board Secretary