

## Planning Board Minutes - August 23, 2004

Those present at the August 23, 2004 Planning Board meeting were:

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

Town Attorney: Bob Chauvin

Town Board Liaison: Mindy Wormuth

CHA Representative: Mike Bianchino

Mr. Watts opened the August 23, 2004 Planning Board meeting at 7:00 PM. Mr. Watts asked if the Board has reviewed the August 9, 2004 Planning Board Minutes.

Mr. Roberts made a motion to approve the August 9, 2004 Planning Board Minutes. Mr. Higgins seconded. Motion Carried.

Old Business:

### 03.158 OB Pirates Hideout, 175 Guideboard Road – Addition to Site Plan

Mr. Tom Andress, ADB Engineering, presented an Addition to Site Plan for the Pirate's Hideout miniature golf facility located at 175 Guideboard Road. Mr. Andress stated that the proposal consists of expanding the existing parking area for an additional 22 parking spaces, building an addition on the existing building in order to have inside seating and offering additional foods, and adding a pavilion to the site for birthday parties and other gatherings. Mr. Andress stated he met with the project review team of Mr. Nadeau and Mr. Roberts at the site to discuss the proposal. Mr. Andress added that the food to be offered would be Hot Dogs, Hamburg, Pizza and Fries and that the operation will remain seasonal and not yearlong. Mr. Andress stated the additional food is to allow the applicant to remain competitive with other miniature golf parks in the area. Mr. Roberts stated the committee review team did not have any major issues but asked the applicant to be sensitive toward the residential uses in the area. Mr. Watts stated a Public Informational Meeting may be warranted. The committee review team stated that is what they suggest.

Mr. Roberts made a motion to set a Public Informational Meeting for September 13, 2004. Mr. Nadeau seconded. Motion carried.

### 03.228 OB Mobil On The Run, Route 9 & Church Hill Road – Commercial Site Plan

Mr. Watts informed the public and the Board that the applicant has withdrawn its application entirely. Mr. Watts stated that a letter has been submitted to the Planning Department stating the applicant wished to no longer pursue the proposal.

### 04.142 OB Cardin Acres PDD, Plant Road – Major Subdivision - PDD

Mr. Nadeau and Mr. Berkowitz recused themselves and Mrs. Jordan replaced them. Mr. Duane Rabideau, VanGuilder and Associates, presented a proposed residential PDD consisting of 38 residential lots off of Plant Road. Mr. Rabideau stated he has a response letter to CHA's review letter dated June 9, 2004. Mr. Watts stated instead of going over each point of the letters, he would rather give CHA a chance to review the letter prior to any discussion. Mr. Watts stated he would like to establish a committee review team and recommend a Public Information Meeting to allow the area residents to voice their opinion on the proposed project. Mr. Watts asked the Board for volunteers. Mrs. Patenaude and Mr. Higgins stated they would act as the committee review team. Mrs. Patenaude asked for a more detailed topographical map to be furnished. Mr. Rabideau stated he would submit the topo maps to the Planning Department.

Mrs. Patenaude made a motion to set a Public Informational Meeting for September 13, 2004. Mrs. Jordan

seconded. Motion carried.

#### 04.200 OB Non Stop Sales & Service Inc., 16 Corporate Drive – Change of Tenant

Mr. Andress presented a change of tenant to allow a carwash maintenance and supplies company to move in to 16 Corporate Drive of the Capital Region Business Park. Mr. Andress stated this application was on the last Planning Board agenda and was tabled to allow the Board and CHA to review the Material Safety Data sheets in order to determine if the chemicals proposed to be stored at the site were safe and did not present any hazards. Mr. Andress stated that CHA has reviewed the information and have determined the products to be safe. Mr. Roberts made a motion to approve the change of tenant application. Mr. Berkowitz seconded. Motion carried.

#### New Business:

#### 04.196 NB Advisor Mortgage, 4 Corporate Drive – Sign

Mr. Patrick Smith, applicant, presented a sign proposal to the Board to place a sign at 4 Corporate Drive in the Capital Region Business Park. Mr. Smith stated the proposed 3 ft x 8 ft sign will replace the existing sign and incorporate the two tenants, Auto Mate and Advisor Mortgage, located at 4 Corporate Drive. Mr. Roberts asked if the sign is lit. Mr. Smith stated yes and that it is replacing the existing sign with a new face. Mrs. Patenaude asked if the sign's height is remaining the same. Mr. Smith stated yes. Mr. Roberts made a motion to approve the sign as presented. Mrs. Patenaude seconded. Motion carried.

#### 04.197 NB Messier Subdivision, 165 Guideboard Road – Minor Subdivision

Mr. Ken Messier, applicant, presented a subdivision proposal involving three family-owned parcels located near the intersection of Lape Road and Guideboard Road. Mr. Messier stated the proposed action is to "clean up" the lot lines between the parcels and also to alleviate an encroachment of an existing garage. Mr. Watts asked Mr. Williams if he reviewed the proposed action. Mr. Williams stated that the three involved parcels are all substandard with regards to required lot areas. Mr. Williams stated that there are two parcels that front on Guideboard Road, which are zoned commercial. One of the commercial parcels has a pre-existing, non-conforming residential use and the other is the site for Ken's Kustom Kar Kare. The third involved lot fronts on Lape, which is zoned residential and is where the applicant's father resides. Mr. Williams stated that the proposed lot line adjustments would cause the already existing substandard, pre-existing, non-conforming, commercial lot to become smaller in size. Mr. Williams stated that due to the substandard lot being reduced in size, he believes the action would be required to gain a variance from the ZBA. Mr. Chauvin agreed. Mrs. Patenaude made a motion to deny the proposed subdivision on the basis that the proposed action will cause an already substandard lot to be reduced in size. Mr. Roberts seconded. Motion carried.

#### 04.202 NB Thayer Subdivision, 57 Spice Mill Blvd. – Minor Subdivision

Mr. Cal Thayer, applicant/owner, presented a proposed subdivision plan to the Board to create one parcel from an existing parcel located at the corner of Anthony Road and Spice Mill Blvd. Mr. Thayer stated he wishes to create a 0.64-acre lot from his existing 2.65-acre lot. The area is zoned Agricultural/Residential with public water and sewer available.

Mr. Roberts made a motion to set a Public Hearing for the September 13, 2004 Planning Board meeting. Mr. Ruchlicki seconded. Motion carried.

#### 04.203 NB Shevchik Subdivision, 721 Hudson River Rd. – Minor Subdivision

Mr. Shevchik, owner/applicant, presented a subdivision proposal to create a flag lot from an existing residential zoned parcel located on Hudson River Road. Mr. Shevchik stated that the existing parcel has an existing single-family home on the parcel and wishes to create a flag lot for the rear portion of the property with 24.74 ft of frontage on Hudson River Road. Mr. Shevchik stated the existing parcel will have an area of 0.795-acres and the proposed flag lot will have an area of 0.795-acres. The area is zoned Residential with public water and private septic.

Mr. Berkowitz made a motion to set a Public Hearing for the September 13, 2004 Planning Board meeting. Mr. Nadeau seconded. Motion carried.

#### 04.204 NB First National Bank of Scotia, 1693 Route 9 – Sign

Mrs. Jessica Petraccione, Assistant Vice President Northern Area Manager for First National Bank of Scotia, presented a proposed sign application to the Board to re-design their existing free standing sign for the bank located on Route 9. Mrs. Petraccione stated the sign is proposed to be larger in size and increased in height than what is currently exists. Mrs. Petraccione is proposing to place a 69 SF sign with a total height of 18 ft. Mrs. Petraccione stated the reason for the request to increase the size and height of the sign is due to a NYS

Thruway sign blocks the view of the current sign. Mrs. Pettraccione stated that other signs in the area have heights in the range of 16-18 ft. Mr. Roberts stated he has a concern with the proposal and that he does not believe a bank type use needs a large freestanding sign to attract customers. Mr. Roberts believes the bank will be able to increase the visibility of their sign by trimming an existing tree in the area. Mr. Roberts stated he feels he can work with the applicant by suggesting an larger area sign but keeping the existing height of 12 ft. This item was tabled in order to allow Mr. Roberts and the applicant to work together by developing an alternative design to the proposed sign.

#### 04.205 NB CHEP, 430 Hudson River Road – Addition to Site Plan

Mr. Phillips, employee of the land manager for the site, presented a plan depicting a proposed 51 tractor trailer parking area to be placed in the rear of the existing warehouse located on Hudson River Road. Mr. Phillips stated that the extra parking area would allow the tenant to pre-load trailers instead of storing the repaired pallets inside the warehouse. Mr. Phillips stated the proposed parking area would be constructed by placing 10 inches of crusher run gravel. Mr. Berkowitz asked the applicant on how the current operations work. Mr. Phillips stated that a tractor-trailer would bring in pallets to be repaired. The repaired pallets are stored inside the warehouse and placed in a tractor-trailer once the tractor-trailer is emptied. Mr. Phillips stated that the ability of storing tractor-trailers on site would allow the tenant to pre-load the pallets, which will make the operation more efficient. Mr. Ruchlicki asked if the trailers will be registered. Mr. Phillips stated yes. Mr. Berkowitz asked if the stored trailers would be used for any other purposes. Mr. Phillips stated no – strictly pallet storage. Mr. Higgins stated the proposed 51 parking spaces would have 4 to 5 days of inventory stored there. Mr. Phillips stated that the pallet business has peaks of highs and lows depending on the retail season. Mr. Phillips stated he doubted all of the proposed parking spaces will be utilized. Mr. Chauvin stated he would like the applicant to submit a more detailed narrative explaining the specific uses for the tractor-trailer spaces, the existing operation of the facility and additional information regarding the peak periods. Mr. Watts set a committee review team of Mr. Berkowitz and Mr. Ruchlicki to review the proposal.

This item was tabled for further review and referred to CHA.

#### 04.206 NB Trick Shot Billiards, Shamrock Plaza 1602 Route 9 – Change of Use

Mr. Tim Berlin, owner, presented a change of use application to the Board to operate a full service bar by expanding the area in the existing building located on Route 9. Mr. Berlin stated he gained prior approval to serve wine and beer in the existing pool hall but now wishes to operate a full service bar. Mr. Berlin stated there is an existing paper supply company in the same building and that they wish to down size there lease space. Mr. Berlin is proposing of utilizing the 1,200 SF of space available for the proposed bar operation. Mr. Watts asked if there would be food served. Mr. Berlin stated he would offer order in pizza, Hot Dogs and pre-packaged foods in order to accommodate customers waiting for tables to be available. Mr. Berlin stated he wishes to operate the full service bar but wishes to keep it separate from the existing pool hall, somewhat like a bowling alley set-up. Mr. Berlin stated that the bar would have 14 seats and four tables with two seats each. Also, the proposed bar will have two pool tables, a foosball table and dart boards. Mr. Watts asked what were the hours of operation. Mr. Berlin stated the same for the pool hall, which is M-F 2pm to 2am and Sat and Sun 12pm to 2am. Mr. Berlin stated their busy time is in the evening when the other tenants are closed. Mr. Berkowitz asked if the customers would be allowed to bring alcohol into the pool hall. Mr. Berlin stated yes as they do now with beer and wine. Mr. Berkowitz asked if live entertainment is being proposed. Mr. Berlin stated no not at this time. Mr. Higgins asked if septic or public sewer served the site. Mr. Berlin stated septic. Mr. Higgins stated the existing septic system may need to be looked at if the bar use will increase the use of the bathrooms. Mr. Watts asked in the State Liquor Authority (SLA) has been contacted. Mr. Berlin explained that the SLA directed him to gain local approval and that they would amend his current Beer and Wine license to a full alcohol license after a review. Mr. Higgins asked about whether or not there were sufficient emergency exits for the use. Mr. Watts stated the Code/Fire Enforcement office would do an inspection of the facility after approval is granted. Mr. Roberts stated the existing sign for the pool hall has neon incorporated on it and feels it should be removed as a condition of approval. Mr. Berlin stated he gained approval for the sign some time back.

Mrs. Patenaude made a motion to approve the change of use application contingent on the applicant gaining necessary licenses from the State, a more descriptive narrative being supplied and the applicant works with Mr. Roberts over the neon issue. Mr. Ruchlicki seconded. Motion carried.

Mr. Berkowitz made a motion to adjourn the August 23, 2004 Planning Board meeting at 7:49 PM. Mrs. Patenaude seconded. Motion carried.

Respectfully Submitted,

Jeffrey R. Williams  
Town Planner