

## Planning Board Minutes - November 22, 2004

Those present at the November 22, 2004 Planning Board meeting were:

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

Town Attorney: Bob Chauvin

Town Board Liaison: Mindy Wormuth

CHA Representative: Mike Bianchino

Mr. Watts opened the November 22, 2004 Planning Board meeting at 7:01 pm. Mr. Watts stated that due to technical difficulties the November 8, 2004 Planning Board minutes were not received by all of the Planning Board Members for review. Mr. Watts stated that the November 8, 2004 Planning Board Minutes will be held until review of said minutes are complete.

Public Informational Meeting:

04.172 PIM Clemente PDD, Route 146 – Major Commercial Subdivision-GEIS

Mr. Watts opened the Public Informational Meeting at 7:02 pm. Mr. Watts asked if anyone would like to have the Public Notice read. No one responded. Mr. Scott Lansing of Lansing Engineering proposes the Clemente PDD located on Route 146 just west of Routes 4 & 32 and west of the County's Waste Water Treatment Plant. Mr. Lansing stated the site is approximately 104 acres, currently zoned Agricultural/Residential. Mr. Lansing stated that currently on the proposed site is a permitted mining activity of sand. Mr. Lansing stated the parcel is a mix of woods and open areas where the mining activity is located. Mr. Lansing stated the wooded areas are along the parameter of the parcel where there are steep slopes and ravines. Mr. Lansing stated that drainage for the parcel is generally to the south and to the west toward a drainage channel that runs down past the Old Champlain Canal and down to the river. Mr. Lansing stated the proposal is for a Planned Development District consisting of a Commercial Light Industrial Park with a single access road off of Route 146. Mr. Lansing stated they are proposing 14-lots ranging in size from 1.62 acres to 24.04 acres. Mr. Lansing stated they are working with the Planning Board and Town Board to make the lot sizes variable so that when prospected tenants came in the lots may be reconfigured to their specific needs. Mr. Lansing stated that on each site plan they are proposing that the buildings be per the Zoning Ordinance and space regulations for each applicable use. Mr. Lansing stated they are estimating approximately 600,000 SF total of build out for all the parcels. Mr. Lansing stated they are proposing architectural enhancement along the Route 146 corridor. Mr. Lansing stated the applicant is proposing a 6,000-foot extension of water from Pruyn Hill. Mr. Lansing stated that storm water management will be on site. Mr. Lansing stated the site would utilize the gravity sewer toward the trunk line that has recently constructed along Route 146. Mr. Lansing stated that natural gas would also be available. Mr. Lansing stated that a traffic study has been submitted to CHA for their review. Mr. Lansing stated that the traffic report has outlined certain steps that need to be taken to mitigate the traffic impacts. Mr. Lansing stated that after the 100,000 SF of build out occurs on site, a proposed turning lane will be located on Route 146 and when another 100,000 SF of build out occurs on site, a traffic light is proposed at the intersection of Route 146 and the entrance to the site. Mr. Lansing stated that as part of the PDD the applicants are proposing community benefits. Mr. Lansing stated the first benefit would be a water extension of approximately 6,000-foot along Route 146 at a cost of approximately \$300,000. Mr. Lansing stated that he had spoken to Mr. Tironi of the Water Department and he has indicated that the extension area would be benefit to him and it would be a portion of a redundant loop in the system for maintenance repairs and performance of the system overall. Mr. Lansing stated that another benefit would be a low impact of the community resources as a commercial type park, low impact to the schools and an increase to the tax base for the Town. Mr. Lansing stated the proposed PDD does conform with the comprehensive master plan that is under consideration with the Town. Mr. Lansing stated the phasing of the project the applicant would like to pursue first is the self-storage units. Mr. Lansing stated the indoor storage would be similar to the Exit 9 storage on Route 9 and the outdoor storage is storage that would be accessed with garage doors on the outside of the building. Mr. Lansing stated there would be no outdoor storage in form of

boats or cars. Mr. Lansing stated the second phase of the project would involve the water line extension from Pruyne Hill to the project site and perhaps the site plan approval for 2-lots. Mr. Lansing stated that all the buildings along Route 146 would be implementing architectural improvements on the buildings. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:22. Mr. Watts asked the Planning Board Members if they had any comments. Mr. Higgins stated that at a previous meeting, he suggested for the applicant to research the idea of placing a possible connector road for the lands to the west of the proposed site. Mr. Higgins stated this would allow any future development on the lands to the west to utilize the future proposed traffic light. Mr. Lansing stated he was unsure if the applicant would be agreeable to that due to the location of the connector road and the possibility of losing some buildable land. Mr. Bianchino stated that the applicant should look the possibility of placing a connector road and that the idea is a good planning tool. Mr. Higgins inquired whether the extension of the waterline, with an approximate cost of \$300,000.00, would be part of the GEIS fees that the project has to pay. Mr. Lansing stated that the \$300,000.00 was not part of the GEIS fees. Mr. Higgins asked why the waterline not being run for the storage unit. Mr. Lansing stated that the storage units would not require water usage. Mr. Lansing stated that there might be one office located in that complex that could be supplied with a well. Mr. Lansing stated that for cash flow reasons on the project the applicant would like to postpone the construction of the waterline until some revenue is raised from the storage units. Mr. Higgins stated that if the waterline is to be one of the benefits of the project for the Town, the Town could wait for years to build out the remainder of the project. Mr. Lansing stated that Mr. Chauvin suggested that a bond be setup for the waterline so that if in a certain time frame the waterline was not executed then the bond could be executed to construct the waterline. Mr. Berkowitz asked whether the traffic study was done with the prediction of future growth in Stillwater, Mechanicville and Schaghticoke. Mr. Lansing stated that there may have been some background numbers but didn't know if they anticipated the growth in Stillwater or Halfmoon. Mr. Lansing stated that they looked more at the project and the impacts from the project. Mr. Berkowitz stated that he understood the traffic light would not be done initially but when would the turning lanes be finished. Mr. Lansing stated that the turning lanes would be done after the storage units and approximate 100,000 SF of build out. Mr. Lansing stated the traffic study outlined that there would be no mitigation required for the storage units. Mr. Berkowitz inquired if the turning lane would be in once the tenants are present. Mr. Lansing stated that it would be looked at on a case-by-case basis because it is unknown what tenants would be in which sites. Mr. Lansing stated that if there were a high volume of traffic, they would have to coordinate with CHA to see if at that time it did warrant a turning lane. Mr. Higgins asked Mr. Bianchino if there would be a bond for the traffic light. Mr. Bianchino stated that there would be a bond for the turning lane and traffic light and another bond for the waterline. Mr. Nadeau asked what type of turning lane is proposed. Mr. Lansing stated that it was a left-turn lane where cars would pull off out of the main traffic lane. Mr. Watts stated that the traffic study indicated an accident history evaluation conducted on New York State Route 146 adjacent to the project site indicates there is no existing accident pattern. Mr. Watts stated that no improvements are warranted based on the accident history. Mr. Berkowitz asked how many trucks come in and out every day. Mr. Clemente stated there were about 300 to 400 trucks per day. Mr. Watts asked Mr. Bianchino if he had any comments. Mr. Bianchino stated the proposed project is within the Northern Halfmoon GEIS and is consistent with its findings. The GEIS recommended commercial PDD's in the area of the proposed project is to be located. Mr. Bianchino stated the open space requirements have been met and the required GEIS mitigation fees will be obtained depending on the individual uses of each site of the project. Mr. Bianchino stated that he has reviewed the submitted traffic study and it appears to be in accordance with the present standards and has set certain thresholds of build out with traffic improvement. Mr. Higgins stated that the Planning Board would make a recommendation to the Town Board to determine the appropriate Public Benefit of the project. Mr. Berkowitz made motion for a positive recommendation for the proposed PDD to the Town Board with recommendation to the Lead Agency that the proposed project would not have any significant impacts for the environment. Mr. Higgins seconded. Motion carried. Mr. Watts closed the Public Informational meeting at 7:22 pm.

#### Public Hearings:

##### 03.204 PH Westbrook Subdivision, Harris Road – Major Subdivision

Mr. Watts opened the Public Hearing at 7:25 pm. Mr. Watts asked if anyone would like to have the Public Notice read. No one responded. Mr. Ivan Zdrahal of Ivan Zdrahal and Associates presented a proposal for a residential subdivision with 18 residential lots located on approximately 32.4 acres of land off of Harris Road. Mr. Zdrahal stated that the light green area on the map depicts the area used for the residential lots; the dark green area of map depicts the area of land preservation. Mr. Zdrahal stated there would be a single access road. Mr. Zdrahal stated the storm water management area would be deeded to the Town of Halfmoon. Mr. Zdrahal stated the waterline would be connected to the Town's existing water main. Mr. Zdrahal stated the sanitary facilities will be gravity sanitary sewer which will be connected through off site improvements on adjoining Lands of Mullins down to a proposed subdivision called Farmview. Mr. Watts asked if anyone from the public wished to speak. Mr. James

Bold of 105 Harris Road asked if the water pump station would be fenced in. Mr. Zdrahal stated that it would be. Mr. Bold stated he had concern with the traffic on Harris Road with the 2 proposed subdivisions. Mr. Bold stated that the traffic has already increased on Harris Road over the years. Mr. Bold stated that his particular area of concern was at the intersection of Harris Road and Middletown Road. Mr. Bold stated that in the future a traffic signal would need to be installed at that particular intersection. Mr. Bold asked if the Town and the applicants could move toward partial funding to provide monies into an escrow account for the future installation of the traffic signal. Mr. Zdrahal stated he would be open for further discussion regarding the installation of the traffic signal. Mrs. Judy Vanderwerken of 134 Harris Road asked if the Westbrook Subdivision would be directly adjacent to her home. Mr. Zdrahal stated the proposed road would be across from Stage Run. Mrs. Vanderwerken asked what would be done with the two ponds located on the proposed subdivision. Mr. Zdrahal stated the wetlands would be untouched. Mr. Mullins of 115 Harris Road stated his property would adjoin the proposed subdivision and asked if all the wetlands were protected lands and would not be disturbed. Mr. Zdrahal stated the wetlands would be preserved. Mr. Watts closed the Public Hearing at 7:32 pm. Mr. Watts asked the Planning Board Members if they had any questions. Mr. Higgins stated he mentioned at the last Planning Board Meeting that making provisions for a future traffic light as two major subdivision projects were proposed for Harris Road which will contribute to the traffic at the intersection of Harris and Middletown Roads. Mr. Higgins stated he definitely feels this issue needs to be discussed prior to the approval of this project. Mr. Higgins asked if the wetland delineation would have deed restrictions on each of the lots with "no disturb" buffers on the wetlands. Mr. Zdrahal stated the wetlands preservation would be on each deed with the language that would require protection of the land preservation areas. Mr. Higgins stated that each specific deed requires wetland delineation. Mr. Zdrahal agreed. Mr. Ruchlicki asked for Mr. Zdrahal where the location of the pond was located and the storm water management. Mr. Zdrahal stated that the storm water would drain into an existing drainage that leaves the site through the culvert. Mr. Berkowitz asked if the drainage would be connected to the Farmview project. Mr. Zdrahal stated that it would. Mr. Zdrahal stated the comprehensive drainage study for the water shedding on the Farmview project and the Westbrook project has been submitted to the CHA. Mr. Marcel asked Mr. Bianchino what the maintenance would be for the storm water management area. Mr. Bianchino stated that a gravel driveway is proposed for access of vehicles that will be required on the final project submittal. Mr. Higgins asked if the entire sewer line was going to be a gravity feed. Mr. Zdrahal stated that it would be. Mr. Higgins asked if Mr. Zdrahal's in his negotiations with Mr. Mullins did he state to Mr. Mullins that he could tie into the water line if he desired. Mr. Zdrahal's stated that during the negotiations of the easement with Mr. Mullins, he stated that provisions would be made for Mr. Mullins to tie-in to the water line and sewer line. Mr. Watts asked if Mr. Mullins property was in the district. Mr. Zdrahal stated that it would be just one service. Mr. Watts stated that he would check with Mr. Tironi regarding this matter. Mr. Higgins asked who would acquire ownership of the big pond. Mr. Zdrahal stated that the pond was part of Lot #14 that is all on one lot. Mr. Watts asked Mr. Bianchino where they stood on this project. Mr. Bianchino stated that the preliminary plans are complete with regards to the Engineering for preliminary at this phase. Mr. Bianchino stated that review has been made with comments on the storm water management that were fairly technical. Mr. Bianchino stated the plans themselves are in good shape for preliminary approval subject to the usual conditions for final approvals from DEC and the Health Department. Mr. Bianchino stated that from the SEQR standpoint they reviewed the project, they reviewed the EAF and the project does not appear to have a significant impact on the environment and a NEG DEC for SEQR is in order. Mr. Higgins stated that provisions for a future traffic light still needed to be addressed. Mr. Watts stated that once all the issues have been addressed then they would be reviewed at the next Planning Board meeting. Mr. Watts closed the Public Hearing at 7:32 pm.

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

Mr. Watts opened the Public Hearing at 7:41 pm. Mr. Watts asked if anyone would like to have the Public Notice read. No one responded. Mr. Ken Messier proposes to reconfigure lot lines involving four existing parcels to a three-lot parcel. Mr. Watts asked if anyone from the Public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:43 pm. Mr. Watts asked if the Planning Board Members had any questions. Mr. Roberts made a motion to approve the lot line adjustment for the Minor Subdivision. Mr. Berkowitz seconded. Motion carried.

#### 04.228 PH Vasilakos Subdivision, Grooms/Woodin Rds. – Minor Subdivision

Mr. Watts opened the Public Hearing at 7:43 pm. Mr. Watts asked if anyone would like to have the Public Notice read. No one responded. Mr. Address of ABD Engineering proposes a three-lot subdivision at the Corner of Grooms and Woodin Roads. Mr. Address stated the parcel has an existing single-family dwelling. Mr. Address stated the applicant wishes to subdivide the parcel to create two additional lots which would be approximately 30,000 SF each. Mr. Address stated the applicant proposes to build a duplex on each lot. Mr. Address proposes a common driveway for the proposed duplex parcels. Mr. Address stated that the subdivision would connect into the existing sewer on Woodin Road and there is an existing water line along Grooms Road. Mr. Watts asked if

anyone from the public wished to speak. Ms. Diane Hopper who resides at 151 Woodin Road asked that no trees be removed from the property. Ms. Hopper stated that this would eliminate some of the vehicle noise and headlights from Grooms/Woodin Rds. and the Northway. Mr. Address stated this parcel was in front of the Planning Board for a proposed Day Care Center recently and the Board was very concerned with the overall development of the property. Mr. Address stated that this is why the applicant has submitted a new proposal for residential development of this parcel. Mr. Address stated that the lot had a tiering affect so, therefore, the logical placement of the duplexes would be on the upper tier and the lower area that runs along the stream would remain the same. Mr. Watts asked what amount of buffer would remain. Mr. Address stated that he did not have any specific buffer shown on the plans but there is a building setback because the parcel is zoned Professional Office/Residential. Mr. Address stated because the parcel is zoned Professional Office/Residential; they did look to place a buffer line along the stream. Mr. Address stated that they could have 25/30-foot setback that would have no affect on the parcel from a buffering standpoint. Mr. Address stated there would be no problem with putting a no-cut buffer along the wood line and extend a 30-foot setback. Mr. Address stated that he felt the 30-foot setback was reasonable due to the Grooms Road 70- foot front yard setback. Mr. Higgins asked if Saratoga County had given approval for the sewer. The Planning Board Members stated that the moratorium had been lifted and the County has given the approvals.

Mr. Berkowitz made a motion to approve the Minor Subdivision contingent upon a 30-foot buffer backyard setback. Mrs. Jordan seconded. Motion carried.

#### Old Business:

##### 02.218 OB Sheldon Hills PDD, Route 146 – Major Subdivision – PDD

Mr. Gordon Nicholson of Environmental Design is representing Abele Builders and the Michael's Group known as A&M Holdings. Mr. Nicholson stated that the proposed Planned Development District (PDD) was passed to the Planning Board for recommendation from the Town Board. Mr. Nicholson stated they were working with CHA on preliminary engineering plans. Mr. Nicholson confirmed that the subdivision layout consists of 323 units on 215 acres of land. Mr. Nicholson stated there are approximately 107 acres of open spaced throughout the site. Mr. Nicholson stated they are proposing three phases. Mr. Nicholson stated that he was before the Planning Board for approval of Phase I in terms of the lots. Mr. Nicholson stated they are still working on the design of the project and are currently working with CHA on the engineering. Mr. Nicholson stated that the pump station would service the entire project that will be installed in Phase I of the project in connection with the County Sewer District. Mr. Nicholson stated the Town Water would be extended throughout the site. Mr. Nicholson stated that the on-site storm water management would be located in a several areas on the site. Mr. Nicholson stated they had received a jurisdictional determination from the Army Corp. of Engineers stating they agree with the configuration and location of the wetlands. Mr. Nicholson proposes approximately .39 acres of disturbance. Mr. Nicholson stated the Army Corp. of Engineers have been to the site. Mr. Nicholson stated they have submitted a complete application, responded to their comments and they are expecting a permit from them on or about December 12, 2004. Mr. Nicholson stated that Crayton Manning Engineering is continuing to work with the NYDOT for a commitment on a northbound left-turn lane and a southbound left-turn lane at the intersection of Route 146 and Vosburgh Road. Mr. Nicholson stated the turn lanes would be constructed in advance and in place before the first CO is issued. Mr. Nicholson stated that discussions are in progress with CHA and the DOT regarding the need for a traffic light and at what point and time it will need to be installed at Route 146 and Vosburgh Road. Mr. Nicholson stated that he would like the Board to set a date for a Public Hearing at the December 13, 2004 Planning Board Meeting. Mr. Nicholson stated they were in receipt of CHA's comment letter and hopes to have those issues addressed prior to the Public Hearing. Mr. Watts asked the Planning Board Members if they had any questions. Mr. Berkowitz asked if the contributions to the Guideboard Road intersection fees would have any affect. Mr. Nicholson stated no. Mr. Nicholson stated that they are proposing approximately \$930,000 in mitigation fees. Mr. Higgins stated that the \$930,000 mitigation fees were for GEIS. Mr. Nicholson agreed. Mr. Higgins stated that the applicant stated that they would be paying the GEIS fees for the entire project for every unit. Mr. Nicholson agreed. Mr. Higgins stated that the Guideboard Road intersection fees are different from the GEIS fees. Mr. Higgins stated that the Guideboard Road intersection has been an ongoing discussion about the make up of the mixture of residential and townhouses. Mr. Higgins stated that he thought that these negotiations were in process. Mrs. Wormuth stated that she would review the Town Board minutes for clarification in regards to the GEIS fees and Guideboard Road intersection fees prior to the Public Hearing. Mr. Higgins stated that he believed that discussions were being pursued with the Town Attorney and Mr. Watts in regard to escrowing fees for the traffic light. Mr. Higgins stated that this project was forwarded to the Town Board with a positive recommendation with the understanding that the Sheldon Hills PDD project would be responsible for the traffic light installation. Mr. Watts stated that the issue was a matter between Mr. Abele and Mr. Tanski at this point. Mr. Watts stated that he agreed with Mrs. Wormuth's comments relative to the mitigation fees. Mr. Higgins made a motion to schedule and Public Hearing for the December 13, 2004 Planning Board Meeting. Mr. Roberts seconded. Motion carried.



#### 02.233 OB Farmview Subdivision, Harris Road – Major Subdivision

Mr. Ivan Zdrahal of Ivan Zdrahal and Associates proposes a 69 single-family lot Major Subdivision including the existing Farm site. Mr. Zdrahal stated that all the comments that Mr. Jim Bold had regarding the subdivision's traffic issues have been incorporated into the plans. Mr. Zdrahal stated that the two storm water management areas will be located on a parcel of land which will be owned by the Town of Halfmoon. Mr. Zdrahal stated they have added landscaping along the drainage basin area to enhance the esthetic quality of the area where the detention basin will be located. Mr. Zdrahal stated that the New York Department of Health has indicated that they are ready to sign the plans. Mr. Zdrahal stated that a document was prepared by the Marini Builders Attorney regarding HOA documents, for the Home Owner's Association who will own and maintain the open space, was submitted to the CHA for review. Mr. Zdrahal stated they agree with the mitigation fees for a traffic light that was addressed by Mr. Bold. Mr. Zdrahal stated that the wetland permit is being drafted by the DEC and will be completed in the near future. Mr. Zdrahal stated that all of CHA comments have been addressed to their satisfaction. Mr. Watts asked Mr. Bianchino to comment. Mr. Bianchino stated that all comments were covered to their satisfaction and CHA had sent a letter on November 16, 2004 signing off. Mr. Watts asked the Planning Board Members if they had any comments. Mr. Higgins stated he wanted to reiterate for the minutes that the mitigation fees of the traffic light were not initially part of this project. Mr. Higgins stated that there would be contributions toward the future traffic light at Harris and Middletown Roads. Mr. Chauvin stated that before the Planning Board grants an approval, he would like it to be subject to final review approval of the traffic light documents that Mr. Zdrahal has agreed on with Mr. Bold. Mr. Chauvin stated he is not in possession of these documents. Mr. Chauvin stated he had received the Home Owner's Association plans. Mr. Chauvin stated the he and Mr. Bianchino would be settled with those documents in a few days. Mr. Chauvin further stated that the approval is subject to review and approval of all documents including the documents regarding the outside water district user agreement that have been sent to Mr. Tironi and Mr. Bold.

Mr. Higgins made a motion to approval the Farmview Major Subdivision contingent upon final review and approval of all required document from NYSDEC, NYSDOH and County Sewer, along with the Town's water agreement to the Town Attorney and CHA and the traffic light contribution agreement being in place to the satisfaction to the Town Attorney. Mr. Berkowitz seconded. Motion carried.

#### 04.191 OB Campbell Subdivision, 405 Hudson River Road – Minor Subdivision

Mr. John Campbell who is representing Mr. DeWitt Campbell proposes a Minor Subdivision located at 405 Hudson River Road. Mr. Campbell stated that he had previously appeared before the Planning Board July 12, 2004 at which time the Planning Board denied the application due to the proposed subdivision would create non-conforming lot sizes. On November 1, 2004 the Zoning Board of Appeals granted the requested variances. Mr. Campbell proposes to create two lots, in order to separate the two existing residential units. Mr. Campbell stated the total lot size is 0.81-acres and requests that the parcel be subdivided into two lots. Mr. Campbell stated that one lot size would be 0.31-acres and the second lot would be 0.50-acres. Mr. Campbell stated the road frontage on Route 32 there is a deeded 15 ft. access would serves both parcels. Mr. Watts asked the Planning Board Members if they had any questions.

Mr. Roberts made a motion to schedule a Public Hearing for the December 13, 2004 Planning Board Meeting. Mr. Nadeau seconded. Motion carried.

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

Mr. Daniel Hershberg of Hershberg and Hershberg Engineering is representing Peter Gullo who is the owner of CHEP. Mr. Hershberg stated CHEP is currently a tenant operating their business at a warehouse located at 430 Hudson River Road. Mr. Hershberg proposes additional trailer parking spaces to meet the growth level of their operation. Mr. Hershberg stated CHEP proposes the need to enter into a long-term lease with the parent operating company Millwood. Mr. Hershberg stated the proposal with Millwood is for a 5-year lease at a 5-year extension. Mr. Hershberg stated that CHEP's operation is trucks bring in trailer loads full of pallets and CHEP refinishes and repairs the pallets. The repaired pallets are put back on the trailers and sent out for distribution. Mr. Hershberg stated the trucks unload the trailer and the trailer remains at the site until another truck drops off a trailer of pallets and this truck then picks up a trailer of repaired pallets. Mr. Hershberg stated that there is consistent movement of the trailers. Mr. Hershberg stated that the currently operation has a daily need for approximately 35 trailers and a storage capability at peak use may require the need for 50 trailers. Mr. Hershberg stated that there are seasonal periods that may require up to 64 parking spaces. Mr. Hershberg stated there may be a 10% growth over the next 5 to 10 years. Mr. Hershberg stated there is a small isolated wetland area that and the storm drainage flows toward the NYS drainage corridor on Route 4. Mr. Hershberg stated there was a problem at the end of the drainage pipe that he proposes to repair the end of the pipe. Mr. Hershberg proposes the construction of the pavement to be broken stone over fabric. Mr. Hershberg stated the applicant is required to maintain the parking area under their lease agreement. Mr. Watts asked the Planning Board Members if they

had any questions. Mrs. Jordan asked if the trailers would be used for storage at the site. Mr. Hershberg stated that the trailers were not for long-term storage. Mr. Hershberg stated that sometimes the operation does back up due to a large quantity of dropped pallets usually before and after the holiday periods when truck drivers are unavailable for service. Mr. Hershberg stated this was not a storage facility and there was plenty of storage area inside the site. Mr. Hershberg stated that proposed addition to the site plan is strictly for trailer storage and not material storage. Mr. Gullo stated that CHEP is the largest manufacture of pallets in the world and Millwood is the management company for the facility. Mr. Higgins stated there was a letter that talks about outside storage of pallets. Mr. Higgins stated that the Town does not allow outside storage of inventory. Mr. Higgins inquired if various companies owned the trailers. Mr. Gullo stated CHEP contracted with several stores such as; The Home Depot, Price Chopper, Lowe's and Target. Mr. Higgins asked if all the trailers were registered by the DMV. Mr. Gullo stated that they were. Mr. Gullo stated that the only time pallets would be outside of the facility is when the pallets were being loaded on the trailers and no pallets would be stored outside. Mr. Hershberg stated that all waste material was put into a dumpster and taken off site.

Mr. Berkowitz made a motion to approve the addition to site plan contingent upon no outside storage of pallets and all trailers were for the pallet repair business only. Mr. Roberts second. Motion carried.

#### 04.216 OB Bladez, 1387 Vischer Ferry Road – Site Plan/Change of Tenant & Sign

Mr. David Taylor proposes a revised sketch plan for a hair salon. Mr. Taylor stated that the new sketch shows the traffic entry and the existing curb cut instead of new curb cut. Mr. Taylor stated the traffic flows to the right of the building not through the parking lot on the opposite side of the building. Mr. Taylor proposes 14 parking spaces including 1 handicap parking space

which would be located in the rear of the building. Mr. Roberts asked if there was a sign application. Mr. Taylor stated that he is also proposing a revised sign application for a flood lit sign. Mr. Roberts stated that the floodlights are to be aimed at the sign and not on Vischer-Ferry Road. Mr. Taylor stated they would be.

Mr. Roberts made a motion to approve the Site Plan/Change of Tenant use and the sign application is contingent upon the lighting not be directed toward the road and the sign location is not in the New York State right of way. Mr. Nadeau seconded. Motion carried.

#### New Business:

#### 04.229 NB Mohawk Terrace Apts., Crescent/Vischer Ferry Road – Addition to Site Plan

Ms. Jean Hoffman proposes an addition to the current parking at Mohawk Terrace Apartments. Ms. Hoffman stated that 30 years ago only one parking space per apartment was required. Ms. Hoffman stated that now many of the tenants own two vehicles. Ms. Hoffman stated that while they were in the process of repaving improvements they added an additional 6/7 additional parking spaces. Ms. Hoffman stated she was unaware that she needed a building permit for the additional parking spaces.

Mr. Watts asked the applicant if she proposed to plant six Austrian Pines to block the headlights from their tenants in order to alleviate the concerns with a neighbor. Ms. Hoffman agreed she would be planting the trees.

Mr. Watts asked the Planning Board Member if they had any questions.

Mr. Higgins made a motion to approve the addition to site plan. Mr. Roberts seconded. Motion carried.

#### 04.231 NB Salty's, 215A Guideboard Road – Change of Tenant

Mr. John Marzilli proposes a change of tenant application as the new owner of Salty's Restaurant located in the Country Dollar Plaza. Mr. Marzilli stated the restaurant operation is status quo and there would be no interior renovations and no change in signage. Mr. Marzilli stated as of the first of the year the restaurant would be operating 7 days a week with working hours Monday through Thursday 11 am to 10 pm, Friday and Saturday 11 am to 11 am and Sunday 4 pm to 8 pm. Mr. Marzilli stated the only changes would be made in the quality of the food and service.

Mr. Marzilli stated he would be creating a new menu and he is very excited about the new operation of Salty's.

Mr. Watts stated to Mr. Marzilli that all his advertising should be stated as being in Halfmoon.

Mr. Roberts made a motion to approve the Change of Tenant application. Mrs. Jordan seconded.

Motion carried.

#### 04.238 NB Dance Department, Stone Quarry/Woodin Rds. – Commercial Site Plan

Harold Berger P.E. proposes a Commercial Site Plan for a dance studio. Mr. Berger stated that the Dance Department is a functioning business located in Plaza 8. Mr. Berger stated the applicant wishes to construct a new building for the Dance Department located between Crescent-Vischer Ferry, Stone Quarry and Woodin Roads and adjacent to the Assist to Sell site. Mr. Berger stated that the new site would be on a 1.02-acre lot. Mr. Berger stated this was a 2-lot subdivision of David Taylor and James and Janet Irwin are the current landowners. Mr.

Berger stated the new construction would be an 80 SF x 40 SF building. Mr. Berger stated that his originally plans showed 35 parking spaces and stated he didn't believe 35 parking spaces would be utilized. Mr. Berger stated that he calculated that the maximum number of parking spaces required would be 24. Mr. Berger stated that the new plans show the building, parking, storm water management area and an on-site sewage disposal system that will provide service for approximately 300 gallons per day. Mr. Berger stated that it would be a raised septic system. Mr. Watts asked the Planning Board Members if they had any questions. Mr. Higgins stated that 300 gallons a day seemed to be minimal for sanitary facilities. Mr. Berger stated that a calculation was done and he believes the 300 gallons a day was on the conservative side. Mr. Berger stated that he could show how the calculations were done in writing and he believes it is a reasonable number. Mr. Watts stated that the water usage would have to be submitted to CHA for review. Mr. Berger agreed. Mr. Nadeau asked how many people there would be per class and what kind of traffic would it generate. Mr. Berger stated the classes consist of about 10 to 12 student of various ages and the time schedules are staggered. Mr. Berger stated that there is never any more than between 20 and 22 people at this facility at any one time. Mr. Berger stated that no recitals would be held at this facility. Mr. Berger stated that the applicant leases the Schenectady High School gymnasium for the recitals. Mr. Berkowitz asked if there would be parent observance at the classes. The applicant stated that there was. Mr. Berkowitz asked how many. The applicant stated there are no more than 4 at each class and the classes are staggered. Mr. Berkowitz stated that there can be no parking on Stone Quarry Road. Mr. Berger stated that he was before the Planning Board to get feedback on the plans before they commit to any engineering work on the project. Mr. Berger stated that with the Board's feedback it would enable him to revise the plan. Mr. Berger stated that if the site is too small, he would submit another project. Mr. Berger stated that the 35 parking spaces that were on the original plans were with no calculations on storm water management. Mr. Watts asked how the site was zoned. Mr. Nadeau stated it was zone C-1. Mr. Watts stated that he wanted to check to make sure that this use was permitted in the C-1 zone before they go any further. Mr. Watts stated that the engineering issues, traffic issues and water issues needed to work on before the project is referred to CHA for review. Mr. Berger stated that he was going to give Mr. Bianchino his current plans for review at this time. This item was tabled for further information.

#### 04.239 NB The Country Hair Hut, 1408 Route 9 – Change of Tenant & Sign

Lisa Fowler, co-owner of the Country Hair Hut, stated she is proposing the change of tenant application due to the current owner of the property she leases is selling the land. Ms. Fowler stated she wishes to re-locate their business at the Garden Gate Florist in the space formerly used by the Pottery Passion located at 1408 Route 9. Ms. Fowler stated that the other former use was a hair salon use prior to the Pottery Passion. Ms. Fowler stated the services the Country Hair Hut would be providing haircuts, permanents and hair coloring. Ms. Fowler stated that there would be 2 hairdressers. Ms. Fowler stated they schedule the appointments and usually work different hours. Mr. Watts asked Ms. Fowler if there was a sign application submitted as well. Ms. Fowler stated the sign application is to replace the existing Pottery Passion sign with the Country Hair Hut sign. Mr. Roberts asked if the sign would have the same dimensions and how would the sign be lit. Ms. Fowler stated the sign would be the same dimensions and would be floodlit.

Mr. Roberts made a motion to approve the change of tenant and sign applications. Mr. Nadeau seconded. Motion carried.

#### 04.240 NB Marchand Subdivision, 91 Devitt Road – Minor Subdivision

Mr. Steven Elsbree L.S. who is representing Francis and Marie Riberdy proposes a minor subdivision of Lands of Marchand located at 91 Devitt Road. Mr. Elsbree stated that the parcel consist of 122-acres. Mr. Elsbree stated that the parcel is bisected by the Niagara Mohawk Power Corp. easement right of way that runs through the property. Mr. Elsbree stated that there is a 116-acre parcel that is to the north of the NiMo easement with a remaining 8-acres is to the south of the easement. Mr. Elsbree stated the proposal is to subdivide the southern portion into a 5.881-acre parcel to be conveyed to Francis and Marie Riberdy. Mr. Elsbree stated the Marchands would retain 150 feet of road frontage. Mr. Elsbrees stated this parcel of land is serviced by the Town of Halfmoon water and in-ground sewage disposal system. Mr. Nadeau questioned whom Mr. Elsbree was representing. Mr. Elsbree stated he was representing the Riberdy's and an owner authorization form was submitted for him to represent the Marchand's.

Mr. Higgins asked if it would be a separate lot. Mr. Elsbree state that it would be a separate lot. Mr. Watts stated a Public Hearing needed to be scheduled for the December 13, 2004 Planning Board Meeting.

Mr. Roberts made a motion to set a Public Hearing for the December 13, 2004 Planning Board Meeting. Mr. Berkowitz seconded. Motion carried.

#### 04.241 NB Zava Hair Studio, 1505 Route 9 – Change of Tenant & Sign

Mr. Christopher Mango proposes to locate his Hair Salon business in the Halfmoon Plaza at 1505 Route 9 in

Halfmoon. Mr. Mango stated the salon operations would be hair and nails. Mr. Mango stated that there are three owner operators, two booth renters and two employees. Mr. Mango stated that his currently hair salon is called New Style Salon and they would be changing the name to Zava Hair Studio. Mr. Watts asked Mr. Roberts about the sign application. Mr. Roberts stated that the Halfmoon Plaza businesses have a pylon sign and a sign on each storefront. Mr. Roberts asked the applicant if his proposal was to have a separate sign from the existing freestanding sign. Mr. Mango stated that the existing freestanding sign does not have room for their proposed sign. Mr. Mango stated the freestanding pylon sign had room on the southbound side of the sign but not the northbound side.

Mr. Roberts made a motion to approve the change of tenant application. Mr. Berkowitz seconded. Motion carried. Mr. Watts stated that the freestanding pylon sign and storefront sign will be tabled until further review. Mr. Watts stated to the applicant to please use Zava Hair Studio of Halfmoon in their advertising.

#### 04.242 NB Law Offices of Colleen H. Whalen, 20 Solar Drive – Change of Tenant

Ms. Colleen H. Whalen, Atty. proposes a change of tenant application for office space to operate a Law Office located in the Parkford Industrial Park. Ms. Whalen stated the office space was previously occupied by Colony Craft Homes. Ms. Whalen stated she would be occupying the space for a six-month period. Ms. Whalen stated she was in the process of building an office in Malta and would only need the space temporarily.

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

#### 04.243 NB S & T Flooring, 1581 Route 9 – Change of Tenant

The applicant proposes a change of tenant application for retail sales located at 1581 Route 9 in the I Love My Heart Plaza. The applicant stated the floor covering business would be located in the storefront that was previously occupied by 1-800-Mattress. The applicant stated the proposed storefront is 2,500 SF. The applicant stated that S & T Flooring currently are doing commercial work and they would now be a retail sales business. Mr. Higgins asked if the business would be strictly sales with no storage or inventory. The applicant stated that there would be no storage or inventory at this time. Mr. Higgins asked if the applicant has submitted a sign application. The applicant stated the sign application would be submitted at a later date.

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

Mr. Watts stated to that he had the Town of Halfmoon Planning Board Meeting schedule for 2005, which include the application deadline dates.

Mr. Roberts made a motion to approve the 2005 Town of Halfmoon Planning Board Meeting and application deadline schedule. Mr. Nadeau seconded. Motion carried.

Mr. Higgins made a motion to adjourn the November 22, 2005 Planning Board Meeting at 9:01 am. Mrs. Jordan seconded. Motion carried.

Respectfully Submitted,

Milly Pascuzzi  
Planning Board Secretary