

Planning Board Minutes - January 27, 2003

Those present at the January 27, 2003 Planning Board meeting were:

Planning Board Members: Steve Watts - Chairman

Marcel Nadeau

Cindy Patenaude

Rich Berkowitz

John Higgins

Tom Ruchlicki

Secretary: Tara Anuszewski

Town Attorney: Bob Chauvin

Deputy Town Attorney: Lyn Murphy

CHA Representative: Michael Bianchino

Liaison: Walter Polak

Planner: Jeffrey Williams

Mr. Watts called the meeting to order at 7:11 pm

Mr. Higgins made a motion to approve the January 13, 2003 minutes. Mr. Ruchlicki seconded. Motion carried.

Public Hearings:

02.200 Drake Subdivision, Cemetery Road, Lot Line Adjustment. Mr. Watts opened the public hearing at 7:12 pm and asked if anyone wanted the notice read. No one responded. Mr. Gil VanGuilder was present and stated this is a lot line adjustment between three parcels of family land. Mr. VanGuilder stated they wanted to reconfigure the lots to conform to Town standards. Mr. VanGuilder stated they needed a variance for the center lot and they received that in December and they are looking for final approval for this subdivision. Mr. Watts asked if anyone wished to speak. No one responded. Mr. Watts asked if anyone from the Board had any comments. Mr. Nadeau asked Mr. VanGuilder if there was an easement from one lot to another. Mr. VanGuilder stated there is an ingress/egress easement to cross lots. Mr. Nadeau stated he looked at the site and sees no problem. Mr. Higgins questioned who the easement was signed by. Mr. VanGuilder responded the land would be granted to the son and then when the center property gets sold he would grant the easement to the buyer. Mr. VanGuilder stated it would be depicted on the map and it will become public record and filed with the County Clerks Office. Mr. Higgins stated the easement would be conveyed by the lot on the left and granted to whomever buys the center lot. Mr. Higgins asked if a note should be added to the plan reflecting the easement for the driveway. Mr. Chauvin stated he would prefer to have the note on the plan. Mr. Watts closed the public Hearing at 7:15 pm.

Mr. Nadeau made a motion to approve the subdivision as present contingent upon a note being added to the plan for the easement. Mr. Higgins seconded. Motion carried.

02.234 Borecki Subdivision, Ushers Road, Minor Subdivision. Mr. Watts opened the public hearing at 7:15 pm and asked if anyone wanted the notice read. No one responded. Mr. Rick Borecki was present and stated he and his wife are purchasing two lots that will be combined to make a buildable lot. They have been before the ZBA for a use variance and have been granted the approval. Mr. Borecki stated he is looking for final approval. Mr. Watts asked if anyone from the public had any comments. No one responded. Mr. Watts asked if anyone from the Board had any comments. No one responded. Mr. Watts closed the public hearing at 7:16 pm.

Mr. Nadeau made a motion to approve the subdivision as presented. Mr. Berkowitz seconded. Motion carried.

03.103 Office Building – Abele, 7 Corporate Drive, Commercial Site Plan.

03.104 Abele Subdivision, 7 Corporate Drive, Minor Subdivision. Mr. Watts opened the public hearing at 7:17 pm and asked if anyone wanted the notice read. No one responded. Mr. Tom Address was present and stated this is a subdivision request in the Capital Region Business Park. There is a larger lot know as lot 5 which would be divided to create lot 7. Lot 5 would have 2.7 acres and lot 7 would be 1.5 acres. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts asked if anyone from the Board had any questions. No one responded. Mr. Watts asked Mr. Bianchino if he had any comments. Mr. Bianchino stated he did not have any comments on the subdivision only the site plan. Mr. Watts closed the public hearing at 7:19 pm. Mr. Watts stated they would now review the site plan. Mr. Address stated this site plan is essentially the same plan that was at the last meeting. Mr. Address stated it would be a 12,000 square foot office building with two entrances. They have water and sewer connections and the storm water is managed on site. Mr. Address stated they have received a letter from CHA and have addressed their comments. The only issue they had was the height of the trees. The trees in the park all followed the same planting pattern and a statement has been provided to reflect that. Mr. Watts asked Mr. Bianchino if he had any comments. Mr. Bianchino stated they had some comments that have been addressed. Mr. Watts asked Mr. Bianchino when he received his comments back from Mr. Address. Mr. Bianchino responded at the meeting this evening. Mrs. Patenaude asked if the plans have been submitted into the Planning Office because she was in the office this morning and did not see them. Mr. Address responded they have not been submitted in and he stated he was told to submit them the night of the meeting. Mr. Bianchino stated they asked that the plans clarify the separation distance between the water service and the storm sewer and see if there was a conflict between some exiting services and to verify that there were no separation problems. Mr. Bianchino stated the other issue they had asked about was the existing connection into the storm sewer because they have had experienced other problems in other subdivisions where connections are made to existing structures. Mr. Bianchino stated Mr. Address is revising the curb cut that is on the adjoining lot to accommodate both lots and also there were a couple of trees that needed to be relocated so they asked to have them relocated not just removed. The grading of the handicap spaces was a question to make sure they complied with the standards. They also had a question about concentrated runoff behind the building that would enter the parking lot they did not want to have an icing problem. Mr. Bianchino stated he would have to look at the previous plans approved for the tree caliper. Mrs. Patenaude stated she would like to have a chance to look through the plans and satisfy for herself that they have met all of the requirements. Mr. Address stated he could go through all of the comments because there wasn't much to them. Mr. Watts stated the Board is uncomfortable at this time and would like to hold it over until the next meeting so they could do an adequate review. Mr. Watts would like to table this until February 10, 2003 so the members have time to review the plans.

Old Business:

02.201 Mike Abele Subdivision, Boyack Road, Major Subdivision. Mr. Tom Address was present and stated this plan was before the Board in September as a concept plan. They have brought this plan to preliminary level and it has been sent to CHA for their review. They have generated a comment letter. Mr. Address stated this was originally approved as a 4-lot subdivision and 2 lots have been built on. Lots 2 and 3 are being redesigned for a 15-lot subdivision. There will be a cul-de-sac off of Boyack Road. Mr. Address stated they are being supplied water from the Clifton Park Water Authority and they do have an approval letter to supply the subdivision with water. There were 4 previous water lines and sewer lines. They are proposing to create an 8-inch water line to supply the entire subdivision and would also include the two existing lots they are also doing the same with the sewer. Mr. Address stated everything falls from the top to the bottom for the storm water management and it will be handled on a lot in the subdivision. Mr. Address stated there are a number of issues that CHA had and they have not had an opportunity to go through all of them now. Mr. Address stated he did review them and did not see any major issues. Mr. Address stated they have previously submitted letters from the adjacent landowners on each side and they do not have any objections with the subdivision. Mr. Address stated at the last meeting it was questioned whether both husband and wife signed the papers and they are both sole owners of the property. Mr. Nadeau is concerned with the noise from the traffic and asked if a note could be added to the plan stating that. Mr. Address stated that would not be a problem. Mr. Higgins asked if there was any discussion about the storm water retention pond being by the road. Mr. Bianchino stated he would have to review the comment letter. Mr. Higgins asked Mr. Address if there was any other place it could be put other then along side the road. Mr. Address explained it would not be possible due to the slope of the site. Mrs. Patenaude stated on a positive note it would give some green space along the road. Mrs. Patenaude feels with the additional buffering it would be acceptable. Mr. Higgins asked how large the lot was. Mr. Address responded the same size as any of the other lots. Mr. Polak stated on the original subdivision there were neighbors in with problems of possible flooding and asked Mr. Address if that has been addressed. Mr. Address responded yes it has and they have not had any other complaints. Mr. Watts stated at this point a public hearing needs to be set.

Mrs. Patenaude made a motion to schedule a public hearing at 7:00 pm or as soon there after on Monday February 10, 2003. Mr. Berkowitz seconded. Motion carried.

Mr. Andress stated they did submit a long form EAF and asked if the Board would take Lead Agency. Mr. Bianchino stated it would make sense if the Board wanted to take Lead Agency he would send the notices out.

Mrs. Patenaude made a motion to accept the Planning Board as Lead Agency. Mr. Higgins seconded. Motion carried.

02.129 Fairway Meadows, Johnson Road, Major Subdivision – GEIS. Mr. Scott Lansing was present and stated this is a proposal for 75 lots and they are looking for preliminary approval. Mr. Lansing stated there were two outstanding comment letters from CHA and since the last meeting they have addressed them. Mr. Lansing stated they have submitted new drawings and CHA still has a few things that need to be worked out and Mr. Lansing stated they are more then willing to work with them on these issues. They are looking for preliminary approval so they can go forward with DEC and DOH. Mr. Berkowitz asked if there were sewer and water agreements in place. Mr. Tanski was present and stated it is his understanding that they are just about set but would like to defer to counsel. Mrs. Murphy stated they have not yet been executed. Mr. Higgins stated after the last meeting he had talked to a few of the members regarding traffic improvements to some of the roads in the area. Mr. Higgins stated as of now he doesn't think the Town has any plans for improvements to any of the roads in that area. Mr. Higgins stated considering the amount of development in that area he has concerns about the amounts of traffic in that whole upper end of Town. Mr. Higgins would like this area watched so problems do not occur. Mr. Lansing stated this project is in the GEIS area and as part of the mitigation fees on phase one alone they will be contributing approximately \$56,000.00 for traffic improvements. Mr. Nadeau agreed that this area needs to be watched for traffic issues. Mr. Watts stated these issues are of concern to the Board and will be addressed. Mr. Watts asked Mr. Bianchino if he had any additional comments. Mr. Bianchino stated they had two letters, one was for the subdivision and the other was regarding storm water management and Mr. Lansing did supply them with responses to both letters and a revised plan. Mr. Bianchino stated Mr. Lansing has addressed the subdivision plan comments. There are a few comments relating to the storm water management but they can be worked out between now and final approval. Mr. Bianchino stated he is comfortable with preliminary approval with it conditional upon those two letters. Mr. Watts asked for any other comments from the Board. No one responded.

Mr. Berkowitz made a motion to preliminarily approve the subdivision contingent upon the water and sewer letters and also the two comment letters from CHA being addressed. Mr. Ruchlicki seconded. Motion carried.

02.213 Transport International Pool Inc. & GECMS, Route 9, Commercial PDD.

02.214 Boyajian Subdivision, Route 9, Minor Subdivision/PDD. Mr. Joe Bianchine was present and stated there were a couple of letters from CHA and he review the changes on the plan. Mr. Bianchine stated at the entrance it would initially be built as a private road with an easement to lots one and three. There is also a note on the plan stating they would provide an easement to the Lee's Plumbing Plaza subject to a written agreement that will need to be worked out with the lawyers. They have also added a note regarding a note stating there will not be any commercial access to Oak Hill Drive from any of the lots. Mr. Bianchine stated that is the changes that were made to the subdivision and the rest of it stayed the same. In regards to the Site Plan, they have extended the buffer and have added landscaping with an opaque fence. They now have a 100-foot buffer instead of 50 feet. Mr. Bianchine stated there was an issue with drainage and they have met with CHA and addressed those issues. The drainage on site will be retained on site by retention basins. Mr. Bianchine stated they are the changes and they are requesting subdivision approval. Mrs. Patenaude questioned the access to Oak Hill Drive. Mrs. Patenaude stated Mr. Bianchine mentioned no commercial access to Oak Hill Drive. Mr. Bianchine stated there is a note added to the plan stating there would not be any commercial access from Oak Hill Drive. Mr. Higgins asked what commercial access was. Mr. Bianchine responded anything from this element. Mr. Higgins asked why they couldn't say no to any access. Mr. Bianchine stated they might want to access this property for maintenance. Mr. Higgins stated they could say access for maintenance purposes only. Mr. Bianchine stated that would be fine. Mrs. Patenaude asked if they could maintain this from another direction, she does not understand why they need to maintain it from Oak Hill. Mrs. Patenaude feels they are opening a door that could be widened. She would prefer it to say no access and be accessed through the main entrance. Mr. Nadeau agreed with Mrs. Patenaude and stated originally there would be no access to Oak Hill. Mr. Bianchine stated it is not their intent to have an access to oak Hill. Mr. Nadeau is concerned that once it is built and people do not know what it was approved for that it would become a main thoroughfare. Mr. Nadeau would like to protect the neighbors and say no access.

Mr. Higgins asked if the site would be serviced by Town water or well. Mr. Bianchine responded yes by Town water. They are bringing the water line in from Route 9 into a fire hydrant with a 6-inch line. Mr. Higgins asked how wide the entrance way was. Mr. Bianchine responded the pavement would be 28 feet. Mr. Higgins stated that at the last meeting he specifically mentioned they need an extra wide entrance way. Mr. Higgins is concerned that with the limited entranceway it would cause back up on Route 9 and they would need to make extra large swings into the second lane and stop all southbound traffic. Mr. Higgins specifically mentioned that for that reason and to have a wide landscaped entrance. Mr. Bianchine stated they could do that it is just a matter of working it out with DOT. Mrs. Patenaude asked if there were other copies of this plan because there are no copies of the one being presented in the file. Mr. Bianchine stated they just finished that plan after a meeting with CHA today. Mr. Bianchine stated the plans would be distributed into the Planning office tomorrow. Mr. Watts asked if Mr. Bianchino had any comments. Mr. Bianchino stated they did have a meeting and went over the two comment letters and they showed how the items would be addressed on the plan and CHA was ok with all of the changes contingent upon final sign off. Mr. Bianchino stated the issue Mr. Higgins raised is going to be a concern and a curb cut permit is going to be required from DOT. Mr. Bianchino stated they could work with DOT to make sure that issue is addressed. Mr. Higgins stated they also talked about dressing up the entranceway with maybe a stone monument with the street number on it but that would all be part of the sign application. Mr. Berkowitz stated he would be more comfortable holding off until the next meeting to see the final prints with the wider access. Mr. Berkowitz asked if they had spoken to the owner of Saratoga Sweets for an access. Mr. Bianchine responded no. Mr. Bianchino stated there is a 6 – 8 foot ravine that would make it impossible. Mr. Higgins asked if the easement for Lee's plaza would be better at the rear of the site. Mr. Bianchino stated they did not specify that but it could be an option to have it anywhere. Mr. Watts asked if anyone else had any comments. No one responded. Mr. Watts stated this item would be tabled until February 10, 2003.

02.233 Farm View, Harris Road, Major Subdivision. Mr. Ivan Zdrahal was present and stated this is an application for a residential single-family homes conventional subdivision. Mr. Zdrahal stated this project includes approximately 96.4 acres of land on Harris Road. This project was before the board in 1997 for preliminary approval. The project was tabled due to no water or sewer services. At the present time it seems there could be water in the near future and also the sanitary sewer situation seems to be resolved. The applicant would like to continue with the review of the project and stated they are proceeding at their own risk. Mr. Zdrahal stated the total number of lots is 80. One difference from the original proposal is the common space open area, which will be owned by the Home Owners Association. The builder of the homes would like to establish a sidewalk system with streetlights. As far as the layout they will be 40,000 square feet or larger. Storm water management will be maintained on site. The water will be extended from Harris Road. Mr. Nadeau asked what the area was at the end of the cul-de-sac. Mr. Zdrahal responded it is a possible future extension for a Town Road. Mr. Higgins asked how long the road was. Mr. Zdrahal responded 1,000 feet. Mr. Higgins asked if the Fire Department had a requirement of so many feet. Mr. Bianchino stated the subdivision regulations have a requirement of 800 feet or 18 lots but this whole subdivision is being proposed with only a single point of access initially. The way Mr. Zdrahal is suggesting they address that issue is to provide access to the adjoining parcels at such time as those parcels would develop. Then there would be three points of access. Mr. Nadeau stated if nothing became of those future lots then there would be only one access. Mr. Bianchino responded correct. Mr. Nadeau remembers this project only having a single access was an issue. Mr. Watts asked Mr. Williams if this has been referred to County Planning. Mr. Williams responded it would be tomorrow. Mr. Watts would like to establish a committee and refer this to Saratoga County and CHA for their review.

02.237 New Country Chrysler Jeep, 202 Route 146, Sign. Mr. Peter May and Bob Antonelli were present. Mr. Antonelli stated they would like to replace the existing signage on the Chrysler Jeep location. Mr. Antonelli stated there were some issues that he was not aware of but they have been straightened out and letters have been forwarded to the Town addressing the issues. The letters about the stopping of after hour and overnight deliveries were sent to all of the transportation companies. Mr. Watts asked if the Board had received those letters. Mr. Williams responded they are in the file. Mr. Higgins stated that he met with the maintenance supervisor and Mr. Williams and they addressed several problems. Mr. Higgins stated as of now some of the issues have not been resolved and they are in violation of their site plan. Mr. Antonelli asked what they were. Mr. Higgins stated they are parking on the sidewalks in front of the buildings. Mr. Higgins stated the sidewalks are not designated display areas. Mr. Antonelli stated they are designated display areas for the vehicles. Mr. Higgins stated they looked at the original site plan and it is shown as sidewalks not display areas. Mr. Higgins stated the maintenance manager stated he would look into that and only park cars in the display areas. Mr. Higgins stated as of two or three weeks ago there was a sign advertising oil changes that was down in the right of way. Mr. Higgins stated he couldn't tell if it had been removed because of the snow. Mr. Higgins stated that sign is not part of the approved signage for the site. Mr. Higgins stated the other thing was an issue of the lighting. Mr. Antonelli stated that has been corrected. Mr. Antonelli stated this is the first time he is hearing of these concerns. He has

been with New Country for 16 years and did not know of these problems. Mr. Antonelli stated he knows they are not allowed to park cars on the main driveway of the facility and that has also been eliminated. There are also no cars parked in the grass. Mr. Antonelli stated the cement areas in the front on the sides of the showroom were intended to be used for display pads for vehicles. Mr. Higgins stated the reason the Board requested a manager to be present was because every time they are before the board an Engineer is present and the issues are supposedly being referred back to the managers by them. Mr. Higgins stated he wanted someone present that could take care of the Board's issues. Mr. Antonelli stated the issues never got back to him. Mr. Watts asked if he was the person who would take care of the issues. Mr. Antonelli responded yes. Mr. Watts stated the issues are important issues and safety issues. Mr. Nadeau stated it was Mr. Dan Tompkins who said the information would be taken back to Mr. Antonelli. Mr. Antonelli stated he would make sure he spoke to Mr. Tompkins and make sure the issues are resolved. Mr. Antonelli stated as soon as they see a truck trying to unload the vehicles they are immediately stopped. Mr. Higgins stated one other thing they discussed is that they are in the Town of Halfmoon and they are advertising for Mechanicville and Clifton Park. Mr. Antonelli stated if they could work that into their advertising they would. Mr. Antonelli stated the people they surveyed didn't know how to get to Halfmoon. Mr. Antonelli stated he would do his best. Mrs. Patenaude stated on the original plan the concrete pad is not labeled as display area. Mr. Chauvin stated Mr. Antonelli would need to come back before the Board for an approval to have the cars on the pad to be used as display areas. Mr. Antonelli will come back with a revision to all three site plans.

Mr. Higgins made a motion to approve the signs as presented. Mr. Berkowitz seconded. Motion carried.

03.100 Target, Corner of Route 9 & Crossing Blvd., Sign. Mr. Pat Bonnie of Saxton Signs was present and stated they are proposing a 96 square foot double faced illuminated sign on the existing pylon sign. Mr. Watts asked if Mr. Roberts looked at the sign. Mr. Williams responded yes. Mr. Chauvin stated they are coming very close to being at the allotted amount of signage.

Mr. Berkowitz made a motion to approve the sign as presented. Mr. Nadeau seconded. Motion carried.

03.105 Office Warehouse – Abele, 16 Corporate Drive, Commercial Site Plan. Mr. Address was present and stated this proposal was referred to CHA at the last meeting for general review as a concept plan. They do have a comment letter from CHA and they are working on the comments. Mr. Address stated the general hours of operation would be from 6 am – 12 pm. They do not know who the tenant will be so the hours may change. Mr. Berkowitz asked Mr. Bianchino if he had any comments. Mr. Bianchino stated Mr. Address touched on the comments he had. Mr. Bianchino stated the hours of operation were the only issue. Mr. Address stated they would make an amendment to the application when they know the tenant. Mr. Watts asked if anyone had any comments. Mr. Watts stated they would set the committee and table this until February 10, 2003.

New Business:

03.107 Soup Doggy Dog, 1617 Route 9, Change of Use, Tenant & Sign. Mr. Bill Hunt was present and stated he wants to sell hot dogs and soup like he was previously approved for. Mr. Hunt stated they had another tenant and use approved in that space a few months ago and would like to have it approved as the original use. Mr. Hunt stated the Blackberry Cottage would be out as of February 1st. Mr. Higgins stated the previous approval is for take out only. Mr. Hunt responded it would still be take out only. The hours of operation will be from 11 am until 6 pm Monday thru Friday and 11 am until 4 pm but they would change in the summer. Mr. Watts asked if there was an issue with picnic tables. Mr. Hunt stated there were 4 tables and he has parking for 30 cars. Mr. Hunt stated he had no problem with cars. Mr. Watts asked if anyone had any questions. Mr. Higgins asked if he needed Health Department approval. Mr. Hunt stated he does need the Health Department to come in for an inspection. Mr. Higgins asked if they needed rest rooms. Mr. Hunt responded no, he only needs a rest room for his help. Mr. Nadeau asked if the Blackberry Cottage was still there. Mr. Nadeau is concerned with approving two sites. Mr. Hunt assured the board he was leaving as of the first.

Mr. Berkowitz made a motion to approve the use as presented. Mrs. Patenaude seconded. Motion carried.

Mr. Berkowitz made a motion to approve the sign as presented. Mr. Nadeau seconded. Motion carried.

03.108 Halfmoon Getty, 1493 Route 9, Change of Tenant. The applicant was present and stated he is not changing anything to the site. The hours will be the same from 6 am to 11 pm. The applicant noted he is proud to be in Halfmoon and will advertise that.

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

03.109 St. Mary's Church, 86 Church Hill Road, Addition to Site Plan. Mr. Michael Convortino was present and stated they are proposing an addition and renovations to the church. The addition will be to the church and also a connection to the existing parish. Mr. Watts asked Mr. Bianchino if he has reviewed this yet. Mr. Convortino stated they have had preliminary meetings with the Planning and Building Department. Mr. Polak stated he spoke to Mr. Roberts about this and he was willing to be on the committee. Mr. Watts would like to refer this to CHA and Mr. Roberts will do a site visit.

03.110 Info Label, 12 Enterprise Avenue, Sign. Mr. Bob Marini was present and stated they are proposing a 3 foot by 7 foot sign. Mr. Watts asked Mr. Williams if they were ok with the square footage. Mr. Williams responded yes. Mr. Marini stated it would be internally lit.

Mr. Berkowitz made a motion to approve the sign as presented. Mrs. Patenaude seconded. Motion carried.

Mr. Watts asked if anyone had anything else for the Board. Mrs. Patenaude made a motion to adjourn at 8:50 pm. Mr. Nadeau seconded. Motion carried.

The next Planning Board meeting will be February 10, 2003.

Respectfully Submitted

Tara Anuszewski, Secretary
Town of Halfmoon Planning Board