

Planning Board Minutes - November 10, 2003

Those present at the November 10, 2003 Planning Board meeting were:

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

Secretary: Tara Anuszewski

Planner: Jeff Williams

Town Attorney: Bob Chauvin

Deputy Attorney: Lyn Murphy

CHA Representative: Mike Bianchino

Liaison: Walter Polak

Mr. Watts called the meeting to order at 7:02 pm

Mr. Roberts made a motion to approve the October 27, 2003. Mrs. Patenaude seconded. Motion carried. Mr. Nadeau abstained.

Public Informational Meeting:

03.143 Halfmoon Sports Complex, 6 Corporate Drive, Commercial Site Plan – PDD. Mr. Watts opened the public informational Meeting at 7:03 pm and asked if anyone wanted the notice read. No one responded. Mr. Tom Andress of ABD Engineers presented the site plan for the Halfmoon Sports Complex proposed to be located at 6 Corporate Drive in the Capital Region Business Park. The proposed site plan consists of a 76,000 square foot building to be utilized as an indoor recreation center. The facility will be capable of allowing soccer, field hockey, lacrosse and other field type sports. The building will have three playing fields, a mini-field, concession area, offices, locker rooms and a physical training area. The site is proposed to have 201 parking spaces. The site will have one access to Corporate Drive, which leads to Route 9 or Sitterly Road. Mr. Paul Fullum, Chief Executive Officer for Auto Mate, stated he has no concerns with the proposed use but has concerns with the site issues for the indoor sports facility. Mr. Fullum handed the Planning Board a synopsis of his concerns and discussed each topic. (Attachment #1). Mr. Robert Abendschein, 1566 Route 9, submitted a letter to the Planning Board in his absence (Attachment #2). Mr. Don Derosa, Manager of the Frito-Lay, stated he has concerns with the security of his site and the safety of the area with regards to the amount of truck traffic generated from Frito-Lay, Freihofer's and Vermont Pure.

Mr. John Oneski, Central Business at 10 Corporate Park, stated his concern is the safety of the existing businesses in the Cap. Region Business Park with the increase of traffic. Mr. Howie Charbonneau, Owner of Charbonneau's Indoor Soccer in Malta, stated he has submitted a letter to the Planning Board dated May 21, 2003 that states most of his concerns. Mr. Charbonneau stated there are inconsistencies with the traffic report. The Charbonneau Indoor Soccer facility has 151 parking not 121 spaces as stated in the traffic study. There are also another 50 auxiliary spaces with shared parking with an adjacent commercial site with some of the auxiliary spaces used for snow storage. Mr. Charbonneau also stated that all of the area's existing indoor sport facilities are not at there maximum capacity and that there is not an "un-met" demand for an indoor soccer facility in the area with regards to practice times, league play and tournaments. Tournaments are the largest generator of traffic with average team sizes in the range of 14-22 people per team depending on the age group. Mr. Watts closed the Public Informational Meeting at 7:30 pm. Mr. Watts stated that there is no need for a rebuttal from the applicant on the public comment and that the concerns raised by the public reflect the same concerns of the Planning Board. Mr. Roberts stated that he feels the project is good for the Town if done right but cautioned if the

project is not engineered correctly (i.e. parking) then it would be detrimental. Mr. Roberts added that is not the Planning Board's responsibility to limit competition, that issue is for the applicant to decide, but the Planning Board will review issues concerning the site plan regarding compliance and safety issues. Mr. Watts stated this item would be tabled to continue the development and engineering of the project.

Public Hearings:

03.207 Red Robin Restaurant, Halfmoon Crossings, Minor Subdivision.

03.208 Red Robin Restaurant, Halfmoon Crossings, Commercial Site Plan. Mr. Watts opened the Public Hearing at 7:34 pm. Mr. Watts asked if anyone wished to have the notice read. No one responded. Mr. Address, ABD Engineering, presented the minor subdivision plan to create a 4.025-acre parcel from the existing 8.071-acre lot in the Crossings. The proposed lot will be situated at the intersection of Route 9 and Halfmoon Crossing. The proposed lot will be the site for the proposed Red Robin Restaurant. Mr. Watts asked if anyone from the public wished to speak. No one chose to speak. Mr. Watts closed the Public Hearing at 7:35 pm. Mr. Roberts made a motion to approve the minor subdivision as proposed. Mr. Nadeau seconded. Motion carried.

Mr. Address presented the site plan for the proposed Red Robin Restaurant. Mr. Address stated that the proposed restaurant would be 7,500 square feet with 120 parking spaces provided. Mr. Address stated that the applicant received CHA's comment letter that stated the need for the landowner of the Crossings to reevaluate the storm water management areas to determine if they comply with the new State regulations. Mr. Bianchino stated that there are still lands in the Crossings to be developed and that the existing storm water management areas should be reevaluated to determine the meet the standards set by NYS and the new MS4 regulations. Mr. Bianchino stated that the reevaluation of the existing storm water management areas in the Crossing should be performed prior to the next project in the Crossings appears before the Planning Board. Mrs. Patenaude stated she is pleased to see the extra evergreen plantings to be added to improve the buffer to the adjacent apartment complex. Mr. Polak asked if the fire department's comments have been addressed. Mr. Watts stated yes.

Mr. Roberts approved the site plan contingent on the suggested architecture from the Planning Board be in place. Mrs. Patenaude seconded. Motion carried.

Old Business:

03.191 Rekucki Plaza, 1581 Route 9, Pylon Sign. Mr. Mark Rekucki proposed to place a pylon sign with tenant slots near the existing entrance of the plaza located at 1581 Route 9. The signs height is 12 ft. with the address of the plaza on top with five tenant panels below. Mr. Roberts stated he has reviewed the sign and has discussed the sign with the Planning Board. It is the Planning Board's decision that all area of the sign, including the address, will need to be calculated for total signage. The sign application, as presented with the address would be over the total signage allowed for the plaza. Mr. Rekucki stated he would need to re-design the sign so that the total square footage met what is allowed by the Town's sign ordinance. Mr. Williams stated that it is very important to have the address located on the building to properly identify the site in case of an emergency. Mr. Williams stated that when the Planning Department calculated the proposed pylon and because the address is an important attribute to the site, only the five tenant panels were used in the calculation. If only the five tenant panels are used in the calculation, the total signage for the plaza is in conformance on total signage allowed according to the Town's sign ordinance.

Mr. Roberts made a motion to approve the proposed pylon sign contingent on the address portion of the sign be removed, the total height of the sign is no higher than 12 feet, the applicant places the address on the plaza building and the total area of the sign equals the area of the "five tenant panel" as proposed. Mr. Nadeau seconded. Motion carried.

03.198 Pingelski Subdivision, Fellows Road, Minor Subdivision. Mr. Derek Pingelski presented the proposed subdivision that consists of subdividing 4.51-acres of land from the existing 120-acre family owned parcel located on Fellows Road. Mr. Pingelski stated that the ZBA has granted him a use variance to allow a residential use in the commercially zoned area.

Mr. Nadeau made a motion to set a Public Hearing for November 24th at 7:00pm or soon thereafter. Mr. Berkowitz seconded. Motion carried.

03.209 Advanced Energy, 1 Parkford Drive, Addition to Existing Site. Mr. Gil VanGuilder of VanGuilder and

Associates presented the addition to the existing site plan for Advanced Energy in the Parkford Industrial Park. An 8,512 square foot addition to the existing 31,097 square foot manufacturing facility is proposed. Mr. VanGuilder stated that they have made minor changes to the site plan for the access to the site so that trucks can utilize the loading docks more efficiently. Mr. VanGuilder stated they received the comment letter from CHA and have added a handicap ramp and parking to the site. There is a small area of wetlands on the site, which would be minimally disturbed. Mr. Bianchino stated the existing PDD legislation is not clear on setbacks but the proposed addition is at the same setback as the existing building and wanted the Planning Board to be aware of the issue but does not see any problem with it. Mr. VanGuilder stated they have looked into the comments raised by CHA and see no problem with addressing them.

Mr. Roberts made a motion to approve the addition to the existing site plan contingent on CHA's comments being adequately addressed. Mr. Berkowitz seconded. Motion carried.

New Business:

03.212 Master Engine Services, 15 Dunsbach Road, Sign. Mr. Faverau is proposing an 8 square foot sign for the pre-existing, non-conforming legal site on Dunsbach Road. The sign is in the shape of a riding lawn mower. Mr. Roberts stated he has reviewed the sign and sees no problem with the sign application as presented.

Mr. Roberts made a motion to approve the sign application as presented. Mr. Ruchlicki seconded. Motion Carried.

03.213 Bella Viaggio Hair Salon, 1589D Route 9, Sign. Mrs. Laura Fullo was present for a sign application for her hair salon located at the Stewart's plaza on upper Route 9. Mrs. Fullo stated she would like to have a 13 square foot sign above the storefront and a 20 square foot sign on the existing pylon sign. Mr. Roberts asked if there was to be any exposed neon for lighting. The applicant responded no. Mr. Roberts stated he has reviewed the sign application and sees no problem with it.

Mr. Roberts made a motion to approve the sign contingent of no exposed neon lighting. Mr. Berkowitz seconded. Motion carried.

03.214 Ciepiela Subdivision, Staniak Road, Minor Subdivision. Mr. Terry Hummelston was present and stated the applicant is proposing to subdivide 1.01-acres off of the remaining 27 acres of the lands of the Ciepiela Estates located on Johnson Road and Staniak Road. Mr. Hummelston stated that the involved lands have been subdivided numerous times within the last 10 years with two lots most recently created in 2001. Mr. Hummelston has added a note of the history of subdivisions on the subdivision plan. Mr. Berkowitz stated it appears to be a major subdivision with nine lots being created through the years. Mr. Nadeau stated the last subdivision in 2001 the applicant was asked to present to the Planning Board a master plan for the remaining lands of the Ciepiela Subdivision. Mr. Nadeau asked if the back lands of the estate are buildable. Mr. Hummelston stated in order to do so a Town road would need to be created. The Planning Board asked Mr. Chauvin to research the issue of minor subdivision's definition of creating 4-lots within a 5-year time limit and applicants continuing to subdivide lands that appear to be a major subdivision. Mr. Watts stated that he would like the Town Attorney to research the issue before moving forward with the present minor subdivision as proposed. This item was tabled.

03.215 Ideal Body Personal Training, 381 Hudson River Road, In-Home Occupation. Mr. Roberts recused himself from this item and Planning Board alternate Mrs. Daphne Jordan replaced Mr. Roberts. Mr. Chauvin also recused himself from this item. Mr. Shawn Boschelli was present and stated he wishes to operate a one on one personal training business by utilizing an existing garage of an existing duplex on Hudson River Road. Mr. Boschelli stated they are under contract to buy the duplex contingent on the personal training being allowed. Mr. Boschelli stated he and his sister would occupy the duplex. Mr. Boschelli stated he wishes to utilize the 1,300 square foot garage for training purposes and possibly to add another trainer sometime in the future. The site has previously been granted variance to allow the operation of a real estate office. Mr. Boschelli was asked by the Planning Board to provide information on off street parking for the site.

Mr. Berkowitz made a motion to set a Public Hearing for November 24 at 7pm or soon thereafter. Mr. Ruchlicki seconded. Motion carried.

03.216 Halfmoon Heritage Townhouses & Halfmoon Medical/Commercial Center, Vosburgh Road, PDD/GEIS. Mr. Roberts recused himself from this item and Planning Board alternate Mrs. Daphne Jordan replaced Mr. Roberts. Mr. Bruce Tanski was present and stated the application before the Planning Board is a proposed Planned Development District (PDD) to create 15,000 square feet of medical/commercial offices and 165 townhouse units

on a parcel off of Vosburgh Road. Mr. Tanski stated that it is his intention to dedicate 12-acres of land to the Town to be incorporated with the adjacent parcel identified as a possible passive recreation park according to the North Halfmoon Generic Environmental Impact Statement (GEIS). Mr. Tanski stated the application was referred from the Town Board to the Planning Board on September 16th 2003. Mr. Tanski stated they have received a response from the County from the Town Board referral to approve the project with comment. Mr. Nadeau stated he feels the GEIS study does not call for PDD's. Mr. Nadeau stated there is "X"-amount of lands in the Town designated for single-family uses and each multi-family proposal decreases the available land for the single-family purpose. Mrs. Patenaude stated she feels the density requirements are not met and asked CHA to review the density issue. Mrs. Patenaude asked if there is information of wetland delineation for the site. The applicant responded that he would have wetland information available in the future. Mrs. Patenaude asked if public sewer is proposed. The applicant responded yes. The applicant stated there is a high demand for town homes and personally feels the lay of the land for the target site does not lend to single-family purposes. Mr. Higgins stated the GEIS requires the applicant to provide information on steep slopes and wetlands to determine the density allowed for the site. Mr. Higgins asked the applicant if there has been any discussion with any medical facilities to utilize the proposed medical/commercial offices. The applicant stated he has been in discussion with an area physician but there is no commitment at this time. Mr. Higgins stated one of the requirements of the GEIS is to provide green space along the existing road frontages. Mr. Tanski stated the dedication of the open space in rear of the parcel to the Town for the possible passive park seemed to be more of a benefit for the Town. Mr. Berkowitz stated he would like to see a boulevard entrance for the townhouses. Mr. Nadeau stated that there is a concern with traffic safety and that the decrease in densities of the Heritage Townhouse project and the Sheldon Hills project has negated the need for a traffic signal at the Vosburgh Road and Rt. 146 intersection. Mr. Watts stated he feels there is a need in the Town to provide mixed types of residential units such as single-family, condominiums, town homes and apartments. The item was referred to CHA for engineering review.

Mr. Watts asked if anyone had anything else for the Board. Mrs. Patenaude made a motion to adjourn at 8:02 pm. Mr. Berkowitz seconded. Motion carried.

The next Planning Board meeting will be November 24, 2003

Respectfully Submitted

Tara Anuszewski, Secretary
Town of Halfmoon Planning Board