

Town of Halfmoon Planning Board

March 14, 2011

Those present at the March 14, 2011 Planning Board meeting were:

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

Senior Planner: Jeff Williams
Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the March 14, 2011 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the February 28, 2011 Planning Board Minutes. Mr. Roberts made a motion to approve the February 28, 2011 Planning Board Minutes. Mr. Berkowitz seconded. Motion carried.

New Business:

10.010 NB Provident Development, 1654 Route 9 – Extension of Site Plan Approval

Mr. Nicholas LaFountain, of Provident Development, stated the following: We are here tonight requesting an extension to our site plan approval for our site located on Route 9. I believe our site plan approval was granted last year around this time and tonight we are asking for a 1-year extension to the original approval. Mr. Watts asked have you started any activity at the site? Mr. LaFountain stated the following: No activity has been started. We have a potential client interested in the site and we want to keep that as a possibility.

Mr. Roberts made a motion to extend the site plan approval until March 8, 2012 for Provident Development. Mr. Berkowitz seconded. Motion carried.

11.015 NB Community Bank, N.A., 1685 Route 9 – Change of Tenant **(formerly Wilber National Bank)**

Mr. Michael Joyce, Director of Facilities for Community Bank, N.A., stated the following: We have proposed to merge with Wilber National Bank and absorb their 22 branches. There would be very little in the way of change in your community. The square footage of the sign that exists would be replaced with our logo and branding. I think there would be very little change in personnel as well. We're simply a bank just as they are. Mr. Watts stated when you advertise please let people know that you are located in the

Town of Halfmoon because sometimes people get confused and say they are in some other Town who we share the same zip code with. Mr. Joyce stated I couldn't find Halfmoon on my GPS today so I think the satellites need to know that you exist as well. Mr. Watts stated good luck and welcome to Halfmoon.

Mr. Berkowitz made a motion to approve the change of tenant application for Community Bank, N.A. Mr. Ouimet seconded. Motion carried.

11.017 NB SenCare USA, 1471 Route 9 (Crescent Commons) – Change of Tenant

Mrs. Murphy recused herself this item. Mr. Tom Richardson, the applicant, stated the following: I'm renting some space at Crescent Commons. The company name is SenCare and it is a senior care business. Primarily administrative duties would function out of the office and there may be 1 or 2 staff people at the most. SenCare is senior care. SenCare is a business that is designed to keep people in their homes longer. The services provided include home alterations, property maintenance, in-home medical care, transportation services and independent living supplies. Mr. Watts asked are you referred by hospitals? Mr. Richardson stated absolutely, hospitals, rehabilitation clinics and those types of facilities. Mr. Watts asked would you have any storage of materials or any vans or trucks parked at the site. Mr. Richardson stated no. Mr. Roberts asked would you have any type of sign in the future? Mr. Richardson stated nothing external on the building, only internal in the out foyer.

Mr. Roberts made a motion to approve the change of tenant application for SenCare USA. Mr. Ruchlicki seconded. Motion carried.

11.018 NB Lowe's Seasonal Outside Storage, 476 Route 146 – Change of Use

Mr. Michael Welch, Manager of Lowe's, stated the following: We are looking to store merchandise on the side of the building facing Route 146. We would store fencing, pallets of mulch, etc. Mr. Watts stated the following: One of the reasons that we require this change of use every year is to make sure that the places are in compliance with the general upkeep of their grounds, site plans and everything else. As far as we know, everything has been good at the Lowe's site. Lowe's is working on the continual improvement of your grounds because I know you had some trouble at your site. Mr. Welch stated the following: Yes, when I took over this store, I had to make sure that the sprinkler system got put in when I met with the Town. One of my focuses was to make sure that we comply with whatever you ask. I put a rush on getting the sprinkler system done, it's working and it's all in order. It should be pretty and green this year. Mr. Watts stated good. Mrs. Zepko stated the following: Mr. Welch and I had met a couple of times when he first moved to this store. We talked about how this process worked and that is why he is before the Board tonight. Usually when the Board does grant this approval, we grant it to a specific date. Mr. Welch stated, if possible, my request is September 30, 2011.

Mr. Nadeau made a motion to approve the change of use for Lowe's Seasonal Outside Storage from March 14, 2011 to September 30, 2011. Mr. Ouimet seconded. Motion carried.

11.019 NB Koval Electrical Contracting, 10 Guideboard Road – Sign

Mr. Tom Koval, the applicant, stated the following: I was previously before the Board getting my approval for Koval Electrical Contracting. Tonight I am proposing to erect a small sign that conforms to the Town's requirements. The sign would be 2 FT x 3 FT for a total 6 SF. The sign would be placed in the peak area of my garage that faces Church Hill Road. Currently there is a streetlight type of fixture on the front of the building and I'm going to put the sign under that so that the sign wouldn't be backlit, it would be lit from the front. The current light would be changed out to something a little more decorative but nothing extravagant. The light would be less bright than the light that is currently there because I don't need all

that light. I have submitted to the Board a rendering of my sign which would read "Koval Electrical Contracting, Halfmoon, NY" with my phone number.

Mr. Roberts made a motion to approve the sign application for Koval Electrical Contracting. Mr. Berkowitz seconded. Motion carried.

11.021 NB RGH Enterprises, Liebich Lane (Rolling Hills PDD) – Concept-Commercial Site Plan/GEIS

Mr. Gavin Vuillaume, of the Environmental Design Partnership, stated the following: I'm here tonight representing RGH Enterprises. Also with me tonight is Mr. Greg Seifert from GEIS Companies. Mr. Seifert is the project architect and he will be available to answer any questions that the Board may have on the proposed project. Tonight we would like to present to you the conceptual site plan for this project. We have had some general conversations with the Town and most of you may be familiar with it. The proposal is for a medical supply warehouse building that is looking to locate within the Rolling Hills Planned Development District (PDD), which is actively being developed today. This proposed project would be located to the east of SYSCO on Route 9 and Liebich Lane. We have a very large haul road that is being actively used by R.J. Valente as a mining permit. R.J. Valente currently has a permit with the New York State Department of Environmental Conservation (NYSDEC) to mine that area in preparation for future development and beyond that is the residential portion of this PDD. I think the overall development district was 254-acres; Phase I, which is almost buildout was constructed by Charlew Construction and it looks to be getting into Phase II and III probably this season if all goes well with the sales and that has a separate entrance that is separate from our project. But they are combined in the fact that they are part of the PDD legislation. If there are any questions on that, I do have a copy of the PDD legislation. Essentially, it does allow for Light Industrial land use on this property and that is exactly what we would be proposing. We are looking to occupy approximately 8.2-acres of land when you first come into the Light Industrial section of the project. You can see that it is a very small lot compared to some of the other future development. But hopefully it is a start for this Light Industrial Park, which I think people have really looked very favorable upon and they are kind of anticipating it to grow as time goes on. The road itself would have to be extended about 1,000 FT from the SYSCO building in order to provide access to our site. We are proposing a 75,000 SF building. It would have an area just to the east of it that could be reserved for a future building expansion if they need it. Right now I think they are looking to hopefully employ about 40 to 50 people at this facility. There would be a separate entrance for both the visitors and the employees. Right now we have an area reserved there for 58 proposed parking spaces but after having some discussion with the Planning Department, it seems that there might be a need for additional parking based on the zoning code. So, what we would like to try to do is to landbank some additional parking. I know the site plan that you have doesn't show any landbanked parking but we did add a couple areas over near the loading dock and over off to the side of the proposed parking area for some future parking expansion if it is needed. Again, we would prefer to keep that greenery now unless it is really needed for parking in the future. We have the separate entrance for the visitors and the employees and another entrance for both the service area and the loading docks. Currently, I believe the building plan shows approximately 10 loading bays for vehicles that would be entering and exiting the site 5 days a week and occasionally they may have some deliveries on a Saturday. Primarily the business would be conducted during the week. There would be municipal sewer and water available. The sewer was extended through that road that I spoke about to provide sewer service to the residential section of the PDD. The water would have to be extended with the pavement once that gets built. There would be on-site stormwater management, which is going to be utilizing the new green infrastructure drainage techniques that we're all excited to start using. Mr. Nadeau asked would it be 8:00 am to 5:00 pm for the anticipated 42 employees? Mr. Vuillaume stated yes. Mr. Nadeau asked how many vehicles would be

coming in and out at full buildout? Mr. Vuillaume stated the following: It would be just the employees coming to and from work and I don't think they would get a lot of visitors there. There would be roughly 24 trucks in and out during the day. Mr. Nadeau asked what size trucks would they be? Mr. Vuillaume stated tractor-trailers. Mr. Higgins stated the following: You talked about some landbanked parking over on the opposite end of the truck area. How do you propose the employees parking in that area get into the building? Are they going to have to walk out on Liebich Lane? Mr. Vuillaume stated no, I think there is another door entrance near those docks. Mr. Higgins stated we were looking at this earlier and it just seems like you're trying to orient the building in what might be a hard way with the elevations you're dealing with behind the building. Mr. Vuillaume stated the following: Actually it works out pretty good because it is higher on one side so the building would obviously be at a higher grade there and then you'll have the 4 FT drop off on the lower end of the site. So it actually works out very well for the loading docks and those would all be 4 FT below. So this is the lowest portion of our site when you compare it to the hill that is currently there. We do have R.J. Valente who obviously can pretty much do anything with the grading that needs to be done there. Mr. Higgins asked is there anyway to landbank some spots anywhere closer to where the other parking area is so that you don't have people walking through. Mr. Vuillaume showed the Board where most of the landbanked parking would be on the site plan and stated I have about 40 spaces right next to the entrance because that is really where most people would be entering and exiting. Mr. Higgins stated okay, because I was concerned about the people's safety walking through that area. Mr. Vuillaume stated some of the landbanked parking probably wouldn't ever be used but if they really needed the parking, it would be located there. Mr. Higgins stated so you can almost double the size of the parking area in that area. Mr. Vuillaume stated yes. Mr. Watts asked how many parking spots are on the original plan without the landbanking? Mr. Vuillaume stated I show 58 for the first phase of this and then ultimately we could go up to 110 parking spaces if we needed it. Mr. Seifert stated the anticipated number of employees is 42 and they hope to grow that to about 52. Mr. Higgins asked is this part of the water district? Mr. Vuillaume stated I believe it should be. Mrs. Murphy stated there is an out-of-district water agreement that was part of the PDD and that actually involves the creation of water tanks. Mr. Vuillaume stated yes, but the waterline itself does need to be extended physically. Mr. Higgins stated you mentioned about connecting to the residential Liebich Lane and asked do you have any idea what they are looking at as far as the time frame on completing that road? Mr. Vuillaume stated the following: Not really. I think the only thing that we're going to do is that we are bringing the road up to our site and then you'll have a good stretch of probably 2,000 to 3,000 FT of Light Industrial road that I don't believe will go in right away. I think the only thing they're doing right now is that they're in the middle of constructing some of the Phase II and Phase III road. I think it is just for the residential homes. I don't think there are any plans to make any connection right away between the two. Mr. Higgins stated it has to be made before the end of Phase II. Mr. Vuillaume stated the following: Is that what it is for the PDD? It's probably for emergency services, traffic, and things like that. Yes, so at some point it looks it will probably happen in the near future. Mr. Bianchino stated the following: Going back to the parking; we were kind of talking about the numbers with 42 employees and per code with Phase I with just the original 75,000 SF, the required parking per code is 129. Mr. Vuillaume stated yes, and again, there is a little duplication there because I do think they are asking for both parking based on a certain square footage for the offices, which assumes there are going to be employees in those offices and then they hit you again with the one space per employee for this part. I think there is a little duplication in requiring both the office part of it and the warehouses. Mr. Bianchino stated I suppose what we can do based on what you are saying is how many people are on the maximum shift in the warehouse. Mr. Seifert stated there are probably 10 in the office. Mr. Williams asked 10 of the 42 employees? Mr. Bianchino stated yes so 32 for the warehouse. Mr. Vuillaume stated 32 and 10 for a total of 42 employees sounds about right. Mr. Bianchino stated so it is about 119. Mr. Vuillaume stated yes that sounds about right and right now I'm showing 110 so I can find 9 more spaces just to meet the code. Mr. Bianchino stated the following: The second part of the question is, if in fact you want to accommodate for future build, then we are going

to need to accommodate for the future even if it is landbanked. Based on code I would think that we want to accommodate for the future parking as well. So, I guess you have to look at the site and figure out if you have enough to handle the full buildout on the existing parcel or would it be your plan in the future to enlarge the parcel by adding on to it. Mr. Vuillaume stated okay, we can look into that. Mr. Polak asked is that going to run 3 shifts? Mr. Seifert stated 1 shift. Mr. Bianchino stated I don't know if you know building types and occupancy yet but I don't think we talked to the Building Department about the requirement for access around the building and I know that is usually dictated by occupancy and building types so that is something that we need to know. Mr. Seifert stated obviously the building would meet the requirements of the Building Codes and I don't believe that the building needs an access road all the way around it. Mr. Vuillaume stated we shouldn't have trouble on 3-sides so I imagine we should have a good level access throughout the 3-sides. Mr. Bianchino stated the following: Just as a reminder, this project is in the GEIS area and the PDD is subject to mitigation fees to mitigate cumulative impact and development in the north end. With your next submission we would ask for the proposed water usage and the trip generation at the peak hour so that we can estimate what the equivalent dwelling units are for the use and that would determine what the mitigation fee total would be. Mr. Vuillaume stated okay. Mr. Nadeau asked are there any hazardous chemicals being stored there? Mr. Vuillaume stated it is all medical supplies. Mr. Nadeau asked which includes what? Mr. Seifert stated there would not be any chemicals and if there were, they would be manageable amounts such as iodine. Mr. Nadeau stated so there wouldn't be any tanks or anything like that. Mr. Roberts asked what are the materials that you would have on-site? Mr. Seifert stated the following: Edge Park is a home medical supplier. So, if you have someone that is coming from a hospital situation and you move them to their home to take care of them, they would supply the beds, the wheelchairs and things like that. They might go as far as provide the supplies that go with them like linens and various things you would use to take care of some in their home that was ill. Mr. Higgins asked how is that equipment delivered? Mr. Seifert stated this would be a distribution facility for the most part and the truck generation here would be full semi-loads and then they would ship out equipment in smaller trucks, which would be like box trucks or UPS trucks. There would be no one coming to the site to pick up products themselves. Mr. Higgins asked is that all included in your 24 trucks a day? Mr. Seifert stated that is correct. Mr. Higgins stated I have a question regarding the vegetated buffer; obviously there is some fairly steep hillsides back there and right now it was pretty much just barren hillsides and are you anticipating some kind of trees or shrubs? Mr. Vuillaume stated the following: Yes, certainly once we have the area completely graded, if what's left isn't acceptable or you think that we need additional plantings, I don't see any problem with going in there and maybe planting either some seedlings or some evergreen trees in critical spots. Again, if you look at the overall plan, usually you like to have that 100 FT buffer which is more in association with the mining right now but I do know that the PDD calls out for the 100 FT buffer against residential areas. Mr. Higgins stated the following: Obviously, we are also concerned about runoff and things like that but also that hillside is going to be fairly steep so I don't even know how you would mow it. So, just throwing a bunch of grass on there obviously over time you're going to have a bunch of tall weeds. I, for one, would like to see some kind of a description of what you're planning on doing to prevent erosion and also make it so it looks nice. Mr. Vuillaume stated once we get the next phase of the drawings, we'll have an erosion control plan, which obviously will detail which areas would have to be re-graded and which won't. At that time I can do a quick inventory of some of the plant material that is there now that could be saved and is worth saving and then we can enhance on based on what's there. Mr. Higgins stated okay. Mr. Nadeau asked on Liebich Lane; will this be built so when the continuation is finished it will blend in with this area or will this have to be redone? Mr. Bianchino stated the following: I'm assuming what Mr. Vuillaume has on the plan is consistent with what the original PDD showed. If you recall, when they did the original PDD design and then they had to take it to the next level when they did the subdivision, they had to plan a profile the roadway in order to get the sewer line in. The road has been designed all the way through. Mr. Nadeau stated okay. Mr. Vuillaume stated the following: We did survey it and it is based on the profiles that were done. The manhole covers

all appear to be at the correct grade so certainly that will all be built prior to us even getting to the site. R.J. Valente had made that promise that they would have that road built. Mr. Bianchino stated speaking of Valente; this parcel is within the original mine permit. Mr. Vuillaume stated yes, it is, and it would probably be taken off at some point. Mr. Bianchino stated presumably the development of the parcel, which is what we all talked about during the PDD, would be consistent with reclamation plan that is required for any mining permit. Mr. Vuillaume stated again, I would like to point out that as part of this application there is not only the site plan, but we also will have a subdivision plan that would also be submitted with the detailed plans.

This item was tabled and referred to CHA for their technical review.

11.022 NB Halfmoon Crossings, Route 9 & Halfmoon Crossings – Sign

Mr. Todd Fischer, of Equinox, stated the following: Tonight I'm here on behalf of the Halfmoon Crossings to get an approval to put a Wheatfield's Bistro copy on the sign board that is the Home Depot sign that is located right next to the Red Robin. If you recall, several months back, the Board re-approved a 10 FT x 10 FT sign which we added the Exit 9 Wine and Liquor sign to and we are asking for a panel which is a little over 2 FT x 6 FT at that location. It would be a simple sign advertising Wheatfield's Bistro. Mr. Roberts asked how the sign was lit. Mr. Fischer stated the sign is backlit. Mr. Roberts asked if there would be any exposed neon. Mr. Fischer stated there is no neon; it's just vinyl-applied lettering. Mr. Roberts asked if it had LED or regular lighting. Mr. Fischer stated it is regular.

Mr. Roberts made a motion to approve the sign application for Halfmoon Crossings conditioned on there is no exposed neon. Mr. Nadeau seconded. Motion carried.

11.025 NB Wal-Mart (Seasonal Outdoor Sales), 1549 Route 9 – Change of Use

Mr. Dwayne Hazel, Assistant Manager for Wal-Mart, stated the following: We are before the Board for our seasonal outdoor sales at the garden center. Our inventory would consist of plants, soil, stone and anything for outdoor use. We would have the same set-up as we have had in previous years. As far as keeping the site clean, we always try to be a good neighbor and we have our maintenance people go through periodically throughout the day to clean up soil or any little messes that may occur during the day. If possible, we are requesting to run through September 30, 2011.

Mr. Nadeau made a motion to approve the change of use for Wal-Mart Seasonal Outside Storage from March 14, 2011 to September 30, 2011. Mr. Higgins seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the March 14, 2011 Planning Board Meeting at 7:32 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Board Secretary