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**MINUTES MEETING
Town of Halfmoon Planning Board
November 12, 2019**

Those present at the November 12, 2019 Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
John Higgins
Tom Koval
Richard Berkowitz
Thomas Werner
Mike Ziobrowski-absent

Planning Board Alternates:

Charlie Lucia- absent
Brendan Nielsen-absent

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobný-absent

Town Board Liaison:

John Wasielewski
Jeremy Connors

Town Engineer / CHA:

Joe Romano

Chairman Don Roberts opened The Planning Board Meeting at 7:00 pm

Don Roberts: Good evening, I would like to call the meeting to order, have the Board members had a chance to review the minutes from the last meeting?

Rich Berkowitz: I make a motion to approve the minutes.

John Higgins: I'll second.

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried.

New Business:

19.176 Tironi One Realty, 3 Cemetery Road – Change of Use/Tenant

Tamara Sullivan: Hi Tamara Sullivan for Bruce Tanski Construction, we have a new tenant and I do actually mean new this time he has not moved in. Tironi One Realty wants to utilize 253 sq. ft. of office space at 3 Cemetery road. The business is operated by Frank Tironi, he has two sales people who work with him and he also has a part time assistant who is seasonal. Office hours are Monday, Friday and Sunday from 12 to 3, Tuesday through Thursday by appointment only. The office space is shared with Clifton Court Apartments and Sharon Massage.

Don Roberts: Now will there be a sign?

Tamara Sullivan: At some point, not right now the existing sign there are spaces for like a plaque, so I had spoken with Rich about that, he was going to possibly take a look at the sign and tell me what I needed to do.

Don Roberts: Ok, questions by the Board?

Rich Berkowitz: I'll make a motion to approve the change of tenant/use.

Tom Koval: Ill second.

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried.

Tamara Sullivan: Thank you.

Don Roberts: You're welcome.

Tironi One Realty, – Change of Use/Tenant

APPROVED. Board approved the applicant to use vacant tenant space for a real estate office.

19.174 Bast Hatfield Lot Line Adjustment, 5 & 6 Rexford Way- Minor Subdivision

Duane Rabideau: Duane Rabideau from VanGuilder & Associates here tonight representing Kings Crossing LLC. Before the Board for a proposed Lot Line Adjustment between lot D and lot E. The lot line adjustment between lot D which is this larger lot right here, that's lot D and also this is lot E right here existing as it is now. These are located at 5 and 6 Rexford Way. The proposal is to annex approximately 28,000 sq. ft. parcel portion of lot D to lot E. Lot E will decrease in size from 1.72 acres to 1.08 acres and lot D would increase in size from 5.4 acres to 6.05 acres in size. Basically there is no improvements are being proposed, strictly a lot line adjustment.

Don Roberts: Thank you. Duane, questions from the Board?

John Higgins: What's the reason for it?

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Duane Rabideau: I have no idea.

John Higgins: I mean it appears that a lot of it is wetlands.

Duane Rabideau: I really don't know, but I wasn't involved with the reason for it.

John Higgins: Now what businesses are on these lots now?

Duane Rabideau: That I don't know, no I don't know who they are.

Tom Koval: You're kind of asking for a blank check here without having any information why you want to do this

Don Roberts: Well we are going to have to schedule a public hearing anyway, so I would suggest that when the public hearing takes place have all of these answers

Duane Rabideau: Yes I will, fair enough.

Don Roberts: Any other questions?

Rich Berkowitz: I make a motion to schedule a public hearing on November 25, 2019.

Marcel Nadeau: I second.

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried, see you on the 25th.

Duane Rabideau: Thank you.

Bast Hatfield Lot Line Adjustment - Minor Subdivision

PUBLIC HEARING SET. Board received a presentation for a lot line adjustment between two lots and set a Public Hearing for November 25, 2019.

19.173 Frank Warehouse Addition, 574 Hudson River Road – Site Plan

Dave Kivort: Good evening everybody Dave Kivort from ABD Engineers, Im here on behalf of Bill Frank 574 Hudson River Road LLC. Bill the applicant currently owns a 6,000 sq. ft. manufacturing facility at 574 Hudson River Road he is looking to add a 7,500 ft. addition to the building with a small pavement addition in front of the building to accommodate a few extra vehicles and entrance , overhead door into the building. Minimal site work is proposed, there is no changes in the existing utilities, the site is relatively flat, drainage will continue to a small storm water management area in the front of the property and on the side of the property. That is essentially it and im here to answer any question that you have about this proposed building addition.

Tom Werner: What is the building going to be used for?

Dave Kivort: It's a precision industrial tools, medical equipment.

Tom Koval: Manufacturing?

Dave Kivort: Manufacturing.

Tom Koval: Projected, are you going to be hiring more people?

Dave Kivort: Right yes the business is expanding, the number of employees that currently work there is less than 10 at any given time it's not a particularly high manpower intensive operation, they mostly just need more space.

Tom Koval: In a ball park it's not doubling in employees?

Dave Kivort: No

Tom Koval: Thy have plenty of parking?

Dave Kivort: Right the applicant is considering setting up the addition to potentially lease out part of it to another business, its speculation at this point, so

Tom Koval: Then you would have to come back for a change of tenant

Dave Kivort: Right if there was some sort of unusual use or whatever that warranted more parking than obviously that would be up for the Board to consider.

Don Roberts: Yea we are going to refer to all the other agencies, are there any other questions?

John Higgins: Yea I don't see any loading docks or anything like that for that back building?

Dave Kivort: Right there are no proposed loading docks

John Higgins: Well if he is going to lease it out to another company what's there access going to be just one overhead door?

Tom Koval: We would have to cross that path when they get a change of tenant.

John Higgins: Right Im just saying regardless of what its being used for.

Dave Kivort: At this point there's no plan set to do that.

John Higgins: okay.

Don Roberts: That would be up to them, whoever is going to come in they have got to make the necessary...

John Higgins: Right, and as Tom mentioned, sufficient parking, and things like that.

Dave Kivort: Right and the site has more than enough parking for us

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Don Roberts: This is going to be referred to Clough Harbor John, we are just looking at this for the first time.

John Higgins: Oh Okay

Don Roberts: So I guess that being said Paul we have got to refer this to the Fire district for review, Clough Harbor for review, and Saratoga County Planning for review, right, and any other questions. Okay all set, thank you.

Dave Kivort: thank you.

Frank Warehouse Addition, – Site Plan

TABLED/REFERRED TO AGENCIES. Board provided feedback on a 7,500 SF addition to the existing warehouse building and referred it to various agencies for review.

19.158 Nichols Marina/TNT Boat Tops, 929 Hudson River Road- Change of Use/Tenant

Jim Nichols: Good evening Jim Nichols, Nichols Marine

Anthony Zalinski: Anthony Zalinski of TNT Boat Tops

Jim Nichols: And we are looking to get a change of occupancy or tenant for 929 Hudson River road. Nichols Marine, we currently operate out of 931, we are looking for a little additional shop space, and Tony is looking to have his operation in the front of the building. Our hours are generally 9 to 5 Monday through Friday limited hours on the weekend on Saturday,

Anthony Zalinski: We operate with just one employee and myself and maybe two part time employees, when seasonal needs. Just basically a one man operation.

Don Roberts: Now Mr. Nichols I just want to forewarn you here when you first came last year before us you came from Cohoes and we looked at the site in Cohoes and it was a mess, our concern is we don't want to see this site become like that site

Jim Nichols: Correct.

Don Roberts: Alright just so you know that up front, okay, any questions by the Board?

Tom Koval: I am trying to remember when we approved you last time?

Jim Nichols: Spring time, spring of this year

Tom Koval: ok, so we still have to look at your place before we give you your next approval, how many boats you have down there right now?

Jim Nichols: I probably have about 20 maybe a couple of more, we have boats coming and going on a daily basis, I've even had a few times I'll be honest we have been over it so I moved boats down to my marina location to try keep that number at 20 or under. Business has been good we've had a very good uptick in our location. So with

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our approval we are hoping to be able to get room for 10 more boats being we are occupying the other side of the property.

Tom Koval: Is that what you are proposing? You want to move 10 more boats behind this place?

Jim Nichols: Not so much behind it but would on the property yea, we have 20 now and we occupy half of the property, we figure we are working with Tony on the other side, between with what I have...

Tom Koval: It seemed like a whole lot when I went by the other day the lot was already filled with boats.

Jim Nichols: it is we are moving around constantly.

Tom Koval: So you are already using the other buildings parking spaces?

Jim Nichols: We are always moving around, he has some boats that are there now, we have some boats that get dropped off, and we are always moving boats around.

Rich Berkowitz: He is operating out of there now?

Jim Nichols: He has been down there for about a month now, we have had a delay on our application.

Rich Berkowitz: We didn't approve that, remember I was on the committee that went out there and we were pretty strict on what you could do on that property, and if I remember right the other building was unoccupied.

Jim Nichols: It was at the time and...

Rich Berkowitz: And now he is there without our approval.

Jim Nichols: We turned in our application.

Rich Berkowitz: Just because you turned in the application doesn't mean you have approval to operate that business.

Jim Nichols: I understand that

Rich Berkowitz: And how many boats, we approved you for 20 boats if I remember correctly?

Jim Nichols: Yes

Rich Berkowitz: And you were going to move them in and out depending on how busy you were.

Jim Nichols: And I have been doing that right along this fall.

Rich Berkowitz: Right, and you can keep an unlimited number of boats inside your building but you said you would never overflow on the other property, so now you're overflowing on the other property?

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Jim Nichols: Im overflowing on the other property and Im moving boats down to our other marina location to keep that number as low as I possibly can.

Rich Berkowitz: So basically you're breaking your arrangement that you had with us?

Jim Nichols: Correct.

Rich Berkowitz: Which you said you would not do because if I remember right we were going to be pretty strict with this site.

Jim Nichols: I understand that.

Don Roberts: I think we should have a committee to go down and look at this thing again before we go any farther, volunteers for a committee?

Rich Berkowitz: I was on the last one.

Tom Koval: I can go but I can't go until after the 27th.

Don Roberts: That's okay right? Okay then Rich and John again?

Tom Koval: I won't be able to go before the next meeting again.

Don Roberts: That's alright.

Paul Marlow: Tom, Rich and who else?

Don Roberts: John Higgins, alright so we are not going to go any farther with this until the committee goes and looks at it and again we don't want it to become unsightly like the other spot was.

Jim Nichols: I understand that and in all fairness when we had our discussion in April I also expressed that the location that we were at was not all of me, I don't feel I have that now either.

Tom Koval: You're surpassing what we agreed to initially, you just told us.

Jim Nichols: I did that, I did Tom your right.

Don Roberts: That's why we are concerned, we can see the same thing happening here and we don't want it.

Tom Koval: That's why we gave you a conditional so we could see how you acted.

Don Roberts: Okay so we will have the committee go and look and then report back and then we will take a look from there, okay thank you.

Jim Nichols: Thank you.

Nichols Marine/TNT Boat Tops– Change of Use/Tenant

TABLED. Board received a presentation and tabled a request for TNT Boat Tops and Nichols Marine to operate in a vacant building. The Board also set up a subcommittee to visit the site.

19.177 Impact Athletic Center, Route 146- Planned Development District Recommendation

Mike Bianchino: Thanks Mr. Chairman Mike Bianchino from Lansing Engineering here representing Chris Litchfield from Litchfield Holdings regarding the Impact Athletic Planned Development District. As Chairman mentioned this was heard at the last Town Board meeting and referred to the Planning Board for a recommendation. We are here tonight to provide a concept presentation, get any questions and comments from the Planning Board, we would like to work with the Planning Board and the staff and the consultants to address any comments that are raised and then ultimately return back to the Town Board with a recommendation from the Planning Board. The site itself it's a 32.65 acre parcel located on the south side of route 146 across from the NYSEG PDD. Its located midway between the intersection of 146 -236 and route 9, it's just south of the intersection of Werner road which you can see here. It is east of the Halfmoon Medical Campus, the Bonne PDD and its just west of the Fellows road PDD which is a townhouse development. The parcel itself is currently vacant, there have been some former agricultural activities on the site. The parcel is zoned R-1 residential and it's also within the route 146 performance overlay district. The majority of the site really is made up of Army Corps wetlands which are located along the north central of the site and NYS DEC wetlands which are down in this area here. The site itself, the upland areas have some loamy fine sand and some silty clay loams. The proposed project we are proposing an indoor recreation facility, it's a two story building approximately 55,000 sq. ft. footprint. It's got a 17,785 sq. ft. mezzanine area on the second floor which makes the total square footage 72,885. The interior of the building will be made up of six basketball courts , a large training area , several small exercise studios, locker rooms and daycare, snack bar, office space, small retail area and several general congregation areas. The general site layout as you can see is a single point of access to route 146, it has a drop off area in here and then parking is located here and primarily in the rear of the building, the plan shows a 300 parking spaces in our analysis breaking down the various uses in the building we get a requirement per code of 261 spaces. The parking as proposed for 300 spaces would be appear to be consistent with the Town zoning. It is also consistent with the ITE standards in terms of the range of uses, and we also did an inventory of similar facilities in the Capital District and we are certainly within the range of those facilities. The parking again as I said is primarily at the rear of the building, there is a potential upland area located down here which we may at some point come back for a potential outdoor volleyball area, again that's upland area but we would have to cross the wetlands, basically this area is all wetland here it's all Army Corps wetland and the majority of the developable area of this site is about 5 acres of the 32 acres. Signage what you would expect down the road when we get there is some monument signage and building signage along the front. Our proposal as it exists right now shows no wetland disturbances we've got about 87 ½ % greenspace. Utilities, water we will tie into Halfmoon water district water which is located along here, sewer we will tie into an existing Saratoga County Sewer district main which services the NYSEG PDD and runs to the east or to the west excuse me and stormwater our proposal is to handle all stormwater in accordance with DEC standards onsite in accordance with DEC and Town standards. We did discuss with the Town Board a community benefit for the project based on input from the Town Board their feedback Litchfield Holdings committed to provide \$25,000 to be used for the Town of Halfmoon for general recreation purposes, basically at this point there is no specific project that they had in mind so they felt that a contribution of \$25,000 would suffice for their needs in the future and that payment would be made and this offer has been made to the Town Board in writing at the point of certificate of occupancy. The next step we are here to answer any questions , get any Board comments , one of the things that did come up at the Town Board during our presentation was the location of the driveway , there was a discussion about the potential for locating a driveway across from Werner road, our initial based on some history of the site and discussions many years ago with DOT about the potential for a signal at that location and the likelihood that that would not be something that they would consider we chose as our initial

proposal to put the driveway here. The Town Board did ask that to be considered one of the things that I asked the Town Board was can we get referred to the Planning Board so we can get the consultants involved and the Town can bring a traffic consultant on board if that's the way they wish to go, we have not hired a traffic consultant at this point because we wanted to wait and see what the Town wanted to do but we did contact DOT and ask for some input which they are a little bit less negative about that, a driveway in that location, I wouldn't say it was a ringing endorsement or a guarantee of timing for a future signal, that's why I would like to put together some additional data and studies on the traffic so we can estimate when the warrants may be met for a signal at that location. So just a little background on where we came from with the Town Board. Based on their recommendation we have looked at a couple of alternatives for locating a driveway there, the site doesn't work as well but I think we could accommodate it if that's where it ends up and certainly we will work with the Town and but we would like to get a little bit firmer input from DOT on it as we go forward.

Don Roberts: I think we would definitely want to see the main driveway line up with Werner road.

Mike Bianchino: Which again our original discussion was if there was ever going to be a signal at that location our client would love that as well, my concern is based on input from many, from the development basically of this project next door the input from DOT back then was they are never going to see a signal at that location because they don't want a signal between 236 and the one at Lowe's, but again if we can we will certainly, we would like to study this thing and look at the numbers and look at the future development potential and see what the timing would be on a signal and obviously it helps our client as well if we put a signal, if we put a driveway there and there is a traffic signal there it makes getting in and out of the site much easier.

Don Roberts: Hey Rich I think we want to hire a traffic consultant.

Rich Berkowitz: Mike since there probably won't be a signal there has there been any thoughts in putting in a turning lane?

Mike Bianchino: Again if it makes sense and a widening in that location certainly to allow at least, you're thinking turn lanes on 146 maybe a left turn slot so people can get in and out of Werner road?

Rich Berkowitz: What's the peak use of this, Saturday, Sunday and evenings?

Mike Bianchino: Probably it's not really going to be peak hour use, but Saturdays potentially, but again I think the volumes on 146 are probably less on Saturdays than they are peak hours. That's why again we didn't do any study at this point because we felt in talking with staff early on we knew that the Town would probably want to hire a consultant to look at it.

Don Roberts: So what's the main use going to be again?

Mike Bianchino: It's basically indoor recreation facility like, basketball courts and volleyball, indoor basketball, indoor volleyball.

Rich Berkowitz: Are they going to do indoor field hockey, indoor lacrosse?

Don Roberts: Soccer?

Rich Berkowitz: Is there all hardwood there is not going to be any turf?

Mike Bianchino: No turf.

Marcel Nadeau: Rich I think we were looking at a turning lane for the Boni project next door.

Rich Berkowitz: That's in the future.

Marcel Nadeau: No, I know but what Im saying I think we were considering that at that point, which would be the same here possibly, yea that's in the future.

Mike Bianchino: Is that project going anywhere by the way, can I just ask I haven't heard anything lately but?

Rich Berkowitz: We will have a whole new planning board by then.

John Higgins: What's that in front of the building between that and the road what is that 50 foot?

Mike Bianchino: It's a little less than 50 I think it's on the plan, I apologize but I can't read it , I think it's 42, 42.

John Higgins: Is there any reason why you couldn't turn the building 90 degrees and put it long ways and give a little more buffering in the front?

Mike Bianchino: Interesting when you drive by the site and you'll look at it because of the length of this building we did look at a potential to do it this way John as your suggesting, and when you drive by the site it looks pretty flat but there is about an 8-10 foot drop off over a 300 foot wide building it would mean that building would be , there would be a significant grade difference between the front and the back so from the stand point of a layout and a grading I think this layout works the best .

John Higgins: Is this the new owner or is this the same owner that has owned this property for years?

Mike Bianchino: Mr. Litchfield has purchased this property from Bolinski, Bolinski was the original owner.

John Higgins: Okay, yea because he did quite a bit of modifying.

Mike Bianchino: He did some farming on that site.

John Higgins: Yea cranberries I think.

Tom Werner: Can you share with us a concept that has the driveway access lining up across from Werner road?

Mike Bianchino: I did not, I don't have it with me and it was just a couple of in-house sketches but I can certainly give some of what we have to the Town, and they can distribute it.

Tom Werner: You've got parking space for 300 vehicles here correct?

Mike Bianchino: Yes

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Tom Werner: And they probably turn on the hour, you know you've got games are over people leave people come.

Rich Berkowitz: It depends if its tournaments or not also.

Tom Werner: So I mean that adds considerably to the traffic at that signal that helps you build the warrants

Mike Bianchino: that's why we want to look at it.

Tom Werner: It definitely does.

Mike Bianchino: That's why we want to look at it, certainly as I said the site from a layout standpoint works better this way but from an access and for our client it would be certainly be preferable to have a signal at that location and we would certainly welcome one.

Tom Werner: If we had that concept then we could have the traffic engineers look at it.

Mike Bianchino: Sure

Rich Berkowitz: Mike I just have a question about the large training area is that going to be open to the public for like a gym?

Mike Bianchino: Mr. Litchfield says we are not sure yet, because I know the meeting is recorded.

Chris Litchfield: Chris Litchfield, Litchfield Holdings, we are not sure yet if it is going to be specific for team use or, we haven't decided yet if it will be open to the public for memberships most likely not it will be specifically for team use for training.

Rich Berkowitz: But if it was that would be a small part of this?

Chris Litchfield: Correct.

Rich Berkowitz: Okay.

Don Roberts: Now somewhere down the line we are going to be scheduling a public hearing but in the meantime Im going to refer it to Clough Harbor, the fire district ,and we are going to hire a traffic consultant too, any other questions?

Mike Bianchino: And start the SEQR process at least get, are we doing that?

Don Roberts: And Saratoga County Planning Board also right?

Mike Bianchino: I know we have a long way to go and I want to make sure we get the traffic going and that is certainly the important part.

Don Roberts: Any other questions by the Board? I guess we are all set.

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Mike Bianchino: Anything else?

Don Roberts: I guess we are all set right?

Mike Bianchino: Great thank you very much, appreciate it.

Chris Litchfield: Thank you.

***Impact Athletic Center – Planned Development District Recommendation
TABLED/REFERRED TO AGENCIES. Board provided feedback on a concept plan for a new 72,885 SF indoor
athletic facility and referred it to various agencies for review.***

Old Business:

19.030 Halfmoon Heights Community Center – Site Plan

Joe Dannible: Good evening Joe Dannible with the Environmental Design Partnership, here on behalf of Garden Homes and their application to construct a community center along with a pool and a playground at the Halfmoon Heights Mobile Home Park. We last presented to this Board several months ago probably closer to a year, at which time we were referred to Clough Harbor we've made some minor site modifications but as a result of that Clough Harbor has provided a letter signing off on the project as presented tonight. The main change in the plans between what was presented and what we currently have is the parking area along the front, so what we have coming down the middle of the site in front of the building is an access road traveling up and down north and south that accesses the maintenance barn and septic system, community septic system for the area. On the previous plan we had the driveway pulled off of that access road and parking spaces there and in this plan we've pulled the parking lot closer to the road the spaces now come off of that access road, significantly reduced the impervious area on the site, it still provides ample parking plus we have available overflow parking on the adjacent land to the east which was approved as a RV and boat storage area several years ago. The maintenance barn-sewage treatment facility is very low volume traffic so we don't have anything to worry about any types of conflicts there. The pool area will be enclosed with a 4 foot high fence, self-closing gates corresponds with all appropriate DOH approval or requirements for fencing and pools. The playground area fall protection associated with that, and again the community center full handicapped accessible, two access points, to the pool one from the community center, one from an exterior entrance. Im here tonight hoping to get a final approval for these plans.

Don Roberts: Thanks Joe, Joe your all set with that right?

Joe Romano: Yes

Don Roberts: Okay, questions by the Board?

Chuck Lucia: I've got one real quick, I notice you have a frog bouncer thing in the recreation area, you may have also noticed I'm sort of vertically challenged, are you going to limit that so much that I can't get the frog bouncing? Haha

Tom Koval: They'll shorten the spring for ya

Joe Dannible: The playground is obviously designated for children ha.

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John Higgins: The parking spots in front of the building , you're going to be backing out onto that access road directly , you have any concerns about that or do you think the traffic is going to be so little?

Joe Dannible: Very minimal, it's the maintenance barn and sewage plant, I'd say if there is 10 to 20 trips of the same two or three people in and out of there a day it's a lot

John Higgins: Okay, I just had concerns about backing out onto an active road that's all.

Joe Dannible: That's a dead end road there is very minimal traffic, just staff of the facility goes up and down.

John Higgins: that was the only thing I had Don.

Rich Berkowitz: I make a motion to approve the site plan.

Tom Koval: I second it.

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried

Halfmoon Heights Community Center – Site Plan

APPROVED. Board approved the application for a new 2,200 SF community center and pool at Halfmoon Heights mobile home park.

Chuck Lucia: I'll make a motion to adjourn.

Tom Koval: Ill second it.

Don Roberts: All In favor? (All were in favor) Opposed? (None were opposed) Motion Carried, thank you, good night.