

11/14/22

**MINUTES MEETING  
Town of Halfmoon Planning Board  
November 14, 2022**

**Those present at the November 14, 2022, Planning Board meeting were:**

**Planning Board Members:**

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

**Planning Board Alternates:**

Brendan Nielsen- absent  
Chuck Lucia

**Coordinator- Building, Planning and Development:**

Richard Harris

**Senior Planner / Stormwater Management Technician:**

Paul Marlow

**Town Attorney:**

Lyn Murphy

**Deputy Town Attorney:**

Cathy Drobny

**Town Board Liaison(s):**

John Wasielewski  
Eric Catricala

**Town Engineers:**

Joel Bianchi

---

***The Chairman opened The Planning Board Meeting at 7:00 pm***

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

**Mike Ziobrowski:** I make a motion to approve the minutes.

11/14/22

**Rich Berkowitz:** I second.

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

**Public Hearings:**

**22.143                    Greene Subdivision, 217 Fellows Road - Minor Subdivision (Continued)**

**Don Roberts:** Please come up, is anyone here from Greene's? Please come up and say your name and what you plan on doing.

**Brian Holbriter:** Good evening, Brian Holdberger, licensed land surveyor. Ron Greene residing at 217 Fellows Road, there he has a two-family home that he purchased in 2001. He is looking to subdivide this property into two parcels, parcel 1 will be the parcel with the existing two-family home which will be 0.96 acres and he will have a second parcel lot 2 which will be 1.30 acres which he plans on building a new single-family residence on. Thank you

**Don Roberts:** Sir, please stay up here in case there are any questions. At this time, we will open the public hearing, would anyone from the public wish to speak? (No comments) would anyone online wish to speak? (No comments) since no one wishes to speak we will close the public hearing, comments by the Board members?

**Rich Berkowitz:** I make a motion to have neg dec on SEQR

**Marcel Nadeau:** Ill second that

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

**Rich Berkowitz:** I make a motion to approve the minor subdivision contingent on an approval of a building permit of the single-family home submitted to the Town prior to stamping and signing by the Chairman

**Don Roberts:** You understand that right? (Nods in agreement)

**Marcel Nadeau:** Ill second it.

**Don Roberts:** Okay we have a motion and a second, all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, all set, thank you.

***Greene Subdivision - Minor Subdivision***

***APPROVED. Board held a Public Hearing and approved the proposed two lot subdivision with a condition requiring submittal of a building permit prior to signing and stamping of the plans.***

**22.154                    Staniak Subdivision, 26 Staniak Road- Minor Subdivision (Lot-Line Adjustment)**

**Don Roberts:** Would anyone like the notice read? (No comments)

11/14/22

**Bruce Tanski:** Bruce Tanski Clifton Park. The purpose of this proposal is to add 27 2/10 of an acre to the rear of the western boundary lines of the pre- approved 2.05 acres from the residential parcel 39.02 acres Both parcels are unimproved and owned by myself.

**Don Roberts:** Okay at this time I will open the public hearing would anyone from the public wish to speak? (No comments) anyone online wish to speak? (No comments) since no one wishes to speak we will close the public hearing, comments by the Board members.

**Rich Berkowitz:** I make a motion to have a neg dec on SEQR

**Tom Werner:** Second

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

**Rich Berkowitz:** I make a motion to approve the minor subdivision

**Tom Werner:** Ill second it.

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, all set your welcome

**Staniak Subdivision- Minor Subdivision (Lot-Line Adjustment)**

**APPROVED. Board held a Public Hearing and approved the proposed lot-line adjustment at 26 Staniak Road.**

**New Business:**

**22.158                      Graybar Electric Sign, 2 Werner Rd – Sign**

**Don Roberts:** Just in time, your name please and what you want to do.

**Shawn White:** Shawn White, Fast Signs of Colonie New York and I would like to install a lit channel letter at 2 Werner Road for Graybar. The sign is a total of 133.58 sq. ft.

**Don Roberts:** And they are aware that this pretty much takes up the signage?

**Shawn White:** Yea that would be the end of it.

**Don Roberts:** Okay, comments by the Board members?

**Rich Berkowitz:** This matches the other sign basically?

**Shawn White:** It's exactly the same but 20 % smaller

**Rich Berkowitz:** I make a motion to approve the sign

**Mike Ziobrowski:** Ill second

11/14/22

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, all set.

**Shawn White:** Thank you.

**Don Roberts:** You're welcome

*Graybar Electric Sign – Sign*

**APPROVED. Board approved new signage for the existing tenant at 2 Werner Road**

**22.164                    Extra Space Storage, 1406 Rt. 9 – Sign**

**Ron Lavesque:** Ron Lavesque of the Sign Studio, here for Extra Space Storage on Route 9, basically what we are going to do is take the existing free- standing sign and place the side panels on it so it's a modification of the free-standing sign. The second sign we'd like to do is the....

**Richard Harris:** Its okay, that's alright we like it.

**Ron Lavesque:** It's the location of the free-standing, just changing some panels out, on this one here that building is as you are coming into the facility straight in on the drive lane, even though the office is just to the left of the second building you'll notice the sign that we're putting up as the modification of office, it's a little more visible for way finding and that will also identify the extra space for us on that facility which is located on the back of the lot, and not up front.

**Don Roberts:** That's it?

**Ron Lavesque:** That's it we have no other building sites other than what you see there

**Don Roberts:** Okay

**Ron Lavesque:** There might be a couple little small information signs there that are located on the site.

**Don Roberts:** Comments by the Board?

**Rich Berkowitz:** I make a motion to approve the sign.

**Mike Ziobrowski:** I second

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

**Ron Lavesque:** Thank you

**Don Roberts:** You're welcome

*Extra Space Storage – Sign*

**APPROVED. Board approved new signage at 1406 Route 9.**

**22.162                    Verizon Wireless Antenna Upgrade, 7 Vosburgh Rd – Telecommunications**

**Co-Location**

**Richard Harris:** Don, can I just ask, there appears to be someone online, were you planning to speak on one of the two public hearings that we held? If you wanted to please let us know if you wanted to speak on one of the two public hearings on the agenda, if not are you online to present one of the items? I assume if you say nothing it's neither of those but if you would like to speak up now to let us know if you plan to speak on one of the public hearings.

**Don Roberts:** Okay, sorry for the interruption, your name and what you want to do.

**Deborah Burke:** Deborah Burke with NPC representing American Tower and Verizon for the existing tower on Vosburgh Road. Verizon is at centerline 119 feet on the 150-foot tower and they are looking to remove six antennas and replace it with nine antennas and supporting equipment to go along with that. The tower won't be extended and the compound area won't be increased either.

**Don Roberts:** Okay thank you, I guess for the record the again, the height will not change.

**Deborah Burke:** No, it will not change.

**Don Roberts:** Thank you, comments by the Board?

**Rich Berkowitz:** I make a motion for a neg declaration for SEQR

**Mike Ziobrowski:** Ill second

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

**Rich Berkowitz:** Ill make a motion to approve the co-location

**Marcel Nadeau:** Ill second it.

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

**Deborah Burke:** Thank you

**Don Roberts:** You're welcome

***Verizon Wireless Antenna Upgrade– Telecommunications Co-Location***

***APPROVED. Board approved the proposal to upgrade equipment on the existing tower at 7 Vosburgh Road.***

**22.163                      Trucking Association of New York, 3 Corporate Dr. – Change of Use/Tenant**

**Don Roberts:** Say your name and what you want to do please.

**Dan Lill:** Yes, my name is Dan Lill with Abele Builders. The Truckers Association of New York is an existing tenant at 7 Corporate Dr. they're relocating and expanding to 3 Corporate Dr.

11/14/22

**Don Roberts:** Okay that's it?

**Dan Lill:** Do you have any questions, its office space

**Don Roberts:** How many employees are you going to be having there?

**Dan Lill:** I filled out the application I think approximately 10

**Don Roberts:** Comments by the Board?

**Rich Berkowitz:** Just changing one office one office to the other?

**Dan Lill:** Yes

**Rich Berkowitz:** I make a motion to approve the change of use and tenant

**Tom Werner:** Ill second it.

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

**Dan Lill:** Thank you.

**Don Roberts:** You're welcome

***Trucking Association of New York– Change of Use/Tenant***

***APPROVED. Board approved the tenant to occupy the vacant space at 3 Corporate Drive for an office.***

**22.165                    Skinkle Construction Group, 40 Farm to Market Rd. – Change of Use/Tenant**

**Bruce Tanski:** Bruce Tanski, Clifton Park Skinkle Construction wishes to utilize one storage unit, 1,500 sq. ft. in the Farm to Market Storage Center, for equipment and supplies related to their construction business, this unit was formerly occupied by Saratoga Moving. The proposed tenant has been advised this storage unit is strictly for storage purpose and no outside storage or disposal of waste on the property.is permitted. The tenant is also aware that an office desk is permitted but there will be, no partitions.

**Don Roberts:** Comments by the Board?

**Tom Koval:** I make a motion to approve the change of tenant

**Rich Berkowitz:** Second

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried

**Bruce Tanski:** Thank you.

**Don Roberts:** You're welcome.

*Skinkle Construction Group, 40 Farm to Market Road – Change of Use/Tenant (22.165)*  
*APPROVED. Board approved 1,500 SF for storage of supplies related to their construction business.*

**22.168                      Care Access Temporary Use, Parkford Dr – Change of Use/Tenant**

**Lauren Lavise:** Representing Care Access for a Temporary Use Permit on 9 Parkford Drive, to Conduct a Trial Study on Lyme Disease.

**Don Roberts:** Okay and it's a temporary use, how long are you proposing to use this?

**Lauren Lavise:** I believe we're looking for six weeks.

**Don Roberts:** Six weeks, so we say three months, comments by the Board?

**Rich Berkowitz:** So, their permanent trailers or temporary trailers there, I mean as far as, are the trailers staying on site, or are they?

**Lauren Lavise:** They are temporary its part of the parking lot that's next to, adjacent to where we rent the space, that those trailers that we have set up there, those are temporary, they would move to new locations

**Rich Berkowitz:** Once you're done they move?

**Lauren Lavise:** Correct

**Rich Berkowitz:** Now are there mobile units?

**Lauren Lavise:** Like the size of the trailers?

**Rich Berkowitz:** There's two it's essentially the vans they stay stationary because that's where we load the truck

**Rich Berkowitz:** Now you're doing clinical trials for vaccine?

**Lauren Lavise:** For a Lyme disease vaccine

**Rich Berkowitz:** Okay, are there medical personnel there?

**Lauren Lavise:** Yes

**Rich Berkowitz:** Emergency services?

**Lauren Lavise:** Yes

**Rich Berkowitz:** Is there access, easy access in and out for that?

**Lauren Lavise:** Yes

**Rich Berkowitz:** And what is the tent being used for?

**Lauren Lavise:** The tent that is out check in station for the participants and one of the trailers is for staff. Participants come in they check in and you can wait in the tent, it's heated all of that and then they get placed into one of the compartments in the mobile units to be studied.

**Rich Berkowitz:** Observed

**Don Roberts:** Do you know how many participants, any idea what that would be?

**Lauren Lavise:** So, this in itself is around 3 hours but we have 30 participants scheduled space

**Don Roberts:** 30 per day, okay

**Mike Ziobrowski:** Do the tents have exit signs?

**Lauren Lavise:** The tents?

**Mike Ziobrowski:** Just want to make sure that they meet life saving safety code, okay.

**Richard Harris:** So, the applicant you're aware that if you are approved tonight you have to apply for a building permit for the tent. I know one of our inspectors is out today, yea he took a look at it he didn't give it a final inspection.

**Lauren Lavise:** We changed the tent

**Richard Harris:** Correct, yup so we will need if they approve it tonight a tent application and then the code, the building code will be reviewed, the tent will be reviewed for compliance with the code. Exit signs, fire extinguishers including snow load to ensure its secure, so we understand you have it up, he went out there and looked today, you guys have been good working with us the last couple of weeks so there is that step after tonight, its on emails to Octavio, is he the site manager?

**Lauren Lavise:** He is the warehouse manager, but from here whatever you guys decide that is essentially relayed to our director of real estate so that she can make sure that all further applications are sent in

**Richard Harris:** Is that Esther?

**Lauren Lavise:** Esther or Linda, Linda is our *\*\*this portion of tape is inaudible\*\**

**Richard Harris:** Oh, okay gotcha, alright.

**Tom Koval:** So how many staff members do you anticipate being on the site?

**Laura Lavise:** Around 8 to 10 staff

**Tom Koval:** 8 to 10 staff and you are going to have 30 patients per day?



11/14/22

**Laura Lavise:** Correct

**Tom Koval:** There's going to be 38 more vehicles I can assume where are they going to be parking?

**Laura Lavise:** The staff or the participants?

**Tom Koval:** Both

**Laura Lavise:** So, when you enter to the right, we have it sectioned off to where the participants staffing is in the middle and then the staff parking is to the side, they are aware that they are carpooling to the site to help limit taking up parking spots to make sure that it is not congested and in a respectable manor.

**Tom Koval:** Right because I was by there a few weeks ago and just your own vehicles and the tenant next door to you had that parking lot full

**Laura Lavise:** A few weeks ago?

**Tom Koval:** A few weeks ago, in front.

**Richard Harris:** Before you set up for the event, it was prior.

**Tom Koval:** Yes, before you were approved for that extra parking off to the side.

**Laura Lavise:** Okay, that I'll be honest I'm not sure what that is about but I know I drove up to grab something for a completely different site of mine near the boroughs in Manhattan and I saw parking was an issue but I'm not sure what it was related to.

**Tom Koval:** Yea you had several trailers out front, and then the Bath Fitter or somebody else that is next to you. They had all of their trucks there in the morning and it was difficult to navigate at that point and I'm wondering you know 38 more vehicles

**Don Roberts:** I guess the good news is they are not going to be there all at once, I guess

**Laura Lavise:** Yea there is no way we can only accommodate 6 participants at a time and it's by appointment only; and that is if they show up

**Rich Berkowitz:** So, you'll have 6 there per hour, basically?

**Laura Lavise:** 6 participants per hour and that's if they show up and if they made it past the screening portion of the test so

**Mike Ziobrowski:** So, you have 6 participants, vehicles, and then staff, how many again?

**Laura Lavise:** 8 to 10

**Mike Ziobrowski:** 8 to 10 that's 16, how many spots are there?

**Laura Lavise:** In the center for participants, I believe there is 15 and there is 11 for staff

**Mike Ziobrowski:** Okay

**Don Roberts:** So, it should be okay then

**Mike Ziobrowski:** Should be

**Tom Koval:** So, you have to get a building permit for this so we would look at the generators whatever you are doing

**Don Roberts:** And if we approve this it's only for three months, if we approve it.

**Tom Koval:** What was the start date, the anticipated start date on this?

**Laura Lavise:** We're hoping to start on Wednesday

**Tom Koval:** Okay

**Marcel Nadeau:** Don I thought she mentioned 6 weeks, you said three months?

**Don Roberts:** Well, she said about 6 weeks so give lee way in case they go longer they don't have to worry about coming back in here.

**Laura Lavise:** I will say that that 6-week time frame is at the mercy of Pfizer I know it supposed to end December the 22<sup>nd</sup> but they may extend the EF portion of the trial

**Don Roberts:** But so, three months will be, I think we are safe at three months alright

**Rich Berkowitz:** So how does Pfizer do follow up do they come back to you or does Pfizer do that on their own?

**Laura Lavise:** As far as the site itself?

**Rich Berkowitz:** No, no no, say somebody gets vaccinated and obviously you have to find out if they have any immunity so do they come back to you for that or do they go somewhere else? Say on day one you vaccinate somebody, how long does it take before they acquire antibodies that you can measure, and do they come back to you to get that measured or does Pfizer do that separately?

**Laura Lavise:** This is actually a four-part study so if you were to enroll when you get the dosage, I have no clue if you get the vaccine or a placebo.

**Rich Berkowitz:** It's a double blind?

11/14/22

**Laura Lavise:** Yes, and you come back in 60 days for your second visit where they do a blood draw to compare it to your original blood draw before you receive whatever it was and then you get a next dose and then a year from then you do it again.

**Rich Berkowitz:** So how do you, if you're only there for three months how do you do the follow up?

**Laura Lavise:** The follow up can be conducted at a different one of our sites and or depending on if you have adverse reactions or anything like that we will come to the home

**Rich Berkowitz:** So, the last person in your doing follow up in another area?

**Laura Lavise:** Yes, depending on how perfectly everything goes locations for example we were on Martha's Vineyard and now those follow up visits are happening in Warwick Rhode Island.

**Rich Berkowitz:** So, they drive to Warwick, or you go there?

**Laura Lavise:** Yea, they ferry to Warwick and then *\*\*this portion of tape is inaudible\*\**

**Don Roberts:** Anyone else?

**Tom Koval:** I make a motion to approve with an expiration date of February 28, 2023

**Don Roberts:** Okay we have a motion

**Rich Berkowitz:** Ill Second

**Richard Harris:** Yea condition for building permit for the tent, generator indoor or anything else

**Rich Berkowitz:** They can't open up without that anyway

**Richard Harris:** Correct, yea the tent you wouldn't give them a C/O on the tent.

**Don Roberts:** You understand that right?

**Richard Harris:** We've had daily communications for a couple of weeks now.

**Rich Berkowitz:** Do you have people lined up already?

**Laura Lavise:** So, we do like a pre, like a, we facilitate with other providers and get their patient pools and then funnel them into a waiting dock essentially, those folks have been waiting for us to open In Halfmoon and that's who's on the schedule for right now but for some reason I have to post pone ill reschedule it.

**Rich Berkowitz:** And do you test these people if they antibodies from Lyme previously or does it make a difference?

**Laura Lavise:** Through the screening process there is a blood draw prior to any usage.

11/14/22

**Rich Berkowitz:** It's my own curiosity

**Mike Ziobrowski:** Are you anticipating 3000 people.

**Laura Lavise:** Pfizer would like us to get 3000 people, we are at about 1800 now so far for participants

**Don Roberts:** Okay we have a motion, and an approval may I have a second

**Rich Berkowitz:** Ill second

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, good luck.

*Care Access Temporary Use– Change of Use/Tenant*

*APPROVED. Board approved the temporary use through 2/28/22 for medical trial studies with condition related to obtaining required building permits.*

**22.156                      Summit at Halfmoon Amendment, 1620 Rt. 9 & 29 Sitterly Rd - Amendment to Site Plan**

**Paul Lubera:** Good evening, Paul Lubera Lansing Engineering representing the applicant, we're here tonight to go over a few minor site plan amendments to the project as you are aware the Summit of Halfmoon Senior Living Facility is under construction currently, they want to do, we've outlined the whole thing, the small minor amendments they want to do so. They added a dog park and some community gardens. They revised the pickle ball court lay out so it's more user friendly, with that they increased the size of the building, it has a bathroom. They also increased the size of the maintenance garage and has a bathroom there too, to better maintain the property. They added a Bocce Ball court, an emergency generator, and they revised the lighting to make it more esthetically appeasing and less commercial, more in line with the other lighting they have.

**Don Roberts:** First of all, we are going to refer this to our Town Engineer for review MJ right Joel? You'll look at that? (Nod yes) Thank you, questions by the Board? See you made a good presentation, no questions, okay so we'll have Joel look at it and we'll get back to you, alright.

**Paul Lubera:** Alright, thank you.

**Don Roberts:** Thank you very much.

**Lyn Murphy:** I just have one comment, Im the Town Attorney Im not on the Board but on Facebook kids have like decided they are going to climb up your elevator shaft thing and take pictures

**Richard Harris:** The scaffolding

**Lyn Murphy:** The scaffolding

**Paul Lubera:** I will let Peter know

**Lyn Murphy:** Thank you. obviously I saw it and was a little concerned.

***Summit at Halfmoon - Amendment to Site Plan***

***TABLED. Board tabled an application for several changes to the Summit of Halfmoon Site Plan and referred it to the Town Engineer for review.***

**22.161 Toyota Service Building Addition, 202 Rt. 146 – Amendment to Site Plan**

**Dan Tompkins:** Hi, Dan Tompkins from Environmental Design and I want to accomplish two things today, introduce the project and we will probably get a denial from you folks, I anticipate applying for a variance for a front yard set back. It's a 2100 sq. ft. addition we are proposing it's the north side of the front of what is now used for Toyota service, it's going to have two functions. It's going to allow them to expand the parts department, okay it's also going to allow them to have a proper place for photo and video imaging space if you will. This is something they do in a lot of their dealerships. Their internet sales are increasing, its importance and it involves equipment that requires a certain dimension which is why we are going to request a variance. Its just the way the site is set up the front of property line is slightly askew with the building and as you travel to the north corner of the building at the addition, you do violate the 70ft. set back off of 146 by just under 2 ft. They need a minimum dimension because they literally drive the car onto a large disc, the disc rotates, they have cameras setup, lighting that type of thing and if it's too cramped it just doesn't look very well. The reason they want this is because it would be a nice isolating space away from the activity of the service department, and the body shop that also occupies a portion of that building. It's where we will put the lighting and everything else that we need to do the job for that. So that's why we are asking for it because the depth of the addition needs to be 29 ft. and 9 inches, and that's what we end up with a need for a variance just under 2 ft. There is not going to be any change in impervious surface, you posted that drawing you may have also put up the elevation, what they'll do is they'll re-do the front and side for the building and make it blend in, it will look like it did always belong there, and that's my presentation.

**Don Roberts:** Okay thank you Dan and as you said it got to be denied because it doesn't meet the setback requirement, but any other comments by the Board before we act? (No comments)

**Rich Berkowitz:** Motion to deny the application because it doesn't meet setback requirements

**Mike Ziobrowski:** I second

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, application denied.

***Toyota Service Building Addition– Amendment to Site Plan***

***DENIED. Board denied the application for the proposed building expansion due to a failure to meet the minimum front yard setback requirements on Rt. 146.***

**Mike Ziobrowski:** I make a motion to adjourn the meeting

**John Higgins:** I second

**Don Roberts:** All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried thank you, good night.