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**MINUTES MEETING
Town of Halfmoon Planning Board
November 22, 2021**

Those present at the November 22, 2021 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Brendan Nielsen-absent
Chuck Lucia- absent

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

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.

Mike Ziobrowski: I'll second it.

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

Public Hearing(s):

21.118 Dorrough Subdivision, 93 Cemetery Rd/5 Brantwood Dr. – Minor Subdivision(Public Hearing continued from August 9, 2021 meeting)

John Romeo: Good evening everyone my name is John Romeo with Insite Northeast , it's been several months since I've seen you all here to present this project , in that time we have worked through any open items with the Army Corps, we've cleaned up the project site and have a nice remediation plan form the project. The project proposed is a three lot minor subdivision , we are proposing there , is one house currently under construction , we are proposing to create three lots from this single site, the smallest site I over two acres , the next largest is three acres and from that we have the remainder of the twelve acres on the property. Site will be serviced by public water and sewer m as part of the remediation on the site and everything we're going to do , we are proposing 18 trees and various plantings throughout, Im sure that the client will propose several more and with this being noted I am here to answer any questions that you have this evening, there have been no major changes to the site since we last have been in front of you , other than like I said the 0lantings which are now proposed as part of the Army Corps, thank you.

Don Roberts; Thank you , as I said a public hearing remained opened so would anyone from the public wish to speak? (no comments) Once again would anyone from the public wish to speak? (no comments) anyone online wish to speak? (no comments) no , okay so we will close the public hearing, comments from the Board members?

Mike Ziobrowski: Can you further explain the necessary drainage easements required?

John Romeo: The drainage easements themselves?

Mike Ziobrowski: Yea

John Romeo: So the site right now is drained internally. There is a culvert pipe that storm drain that comes from the street on Brantwood, that drains into the project site. What happened was during construction that pipe kind of had leaves and debris over it and no body kind of knew it was there , it wasn't showing on any of the record maps, that site , that area was covered over and we had a blow out of the soil. So what we're proposing is going to be an easement to allow this pipe to drain legally onto the property , it will not be relocated we will provide , or a stabilized outlet will be provided so that way it doesn't discharge and further erode the site.

Don Roberts: So that easements not in place yet?

John Romeo: That easement is not in place yet. It Would need to be granted as part of the approval process.

Lyn Murphy: Just so we are clear , there is an easement on the original set of stamped plans, the deed says that its subject to any easements that were created as part of the development. I think its clearer if we have a brand spankin new easement that fully sets out all of the parameters, so you could argue it either way but this is at my request.

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John Romeo: Okay, so I will relay that to the client , I know that we've already talked about that and that's part of the approval and we are happy to grant that .

Don Roberts: Okay anyone else?

John Higgins: Which is the house that's presently under construction?

John Romeo: It is the southern -most house, right here.

John Higgins: Okay

Rich Berkowitz: I can't remember was there any construction equipment being stored there?

John Romeo: Only when it was necessary to construct the property

Rich Berkowitz: And that's all gone once the houses are constructed?

John Romeo: Yes absolutely, the intention with this is to have nicer looking homes to fit the character of the neighborhood.

Rich Berkowitz: Okay so no outside storage of okay for businesses or anything, for his business?

John Romeo: No they do not plan to store any large equipment beyond construction.

Rich Berkowitz: Okay

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

Tom Werner: Ill second

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried.

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

Don Roberts; Contingent

Rich Berkowitz: Contingent on what Lyn said.

Don Roberts: On Easements, on easements being finalized.

Mike Ziobrowski: Ill second

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried.

John Romeo: Thank you very much.

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Don Roberts: Your welcome.

*Dorough Subdivision. – Minor Subdivision
PUBLIC HEARING HELD/APPROVED. Board continued the Public Hearing from 8/9/21 and approved the three (3) lot subdivision, with a condition that the applicant grant a drainage easement to the Town.*

21.176 Watkins Plaza Sign, 1675 Route 9 – Sign

Russ Hazen: My name is Russ Hazen Im with Ray Sign Company. We're looking to remove a 4x10 double face Lowe's sign and replace it with a 3'x10' digital display. Its 9mm its very crisp and clean so we are looking to reduce the square footage. It's really a good marketing tool for Plaza's today within this area here alone , there's probably two or three other digital displays, most of them being in the Town of Clifton Park. We're not looking for flashing and scrolling information but we're just looking to come up on the times with the advertising. Not much different than the digital sign as you enter the Town here.

Don Roberts: And you know the Town requirements as far as the changing ?

Russ Hazen: Yea this is self -dimming so at night it will dim down about 25 to 30 percent, self- dimming so again we're not looking to have messages that are moving and scrolling but just to advertise with the businesses that are in there we're are also willing to if the Town of Halfmoon has some public information they want to display on there , whether its fund raisers or red alerts or any other type of events we'd be willing to advertise.

Don Roberts: And your aware it can only change every 20 seconds? No quicker than 20 seconds?

Russ Hazen: If that's the requirement then we'll meet that requirement

Don Roberts: And also I noticed right now there is a Lowe's sign there and you're going to be putting this where the Lowe's sign was , so Lowe's will no longer be advertised on that sign?

Russ Hazen: I don't know if they will be advertising I think that's probably not, I also want to mention too it's a very highly commercial area up there , the sign won't be disturbing residential homes or apartments. It's a key piece of parcel up there so it's pretty simple

Don Roberts: Any questions?

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

Tom Werner: Ill second it..

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Russ Hazen: Thank you very much I appreciate it.

Don Roberts: Your welcome

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Watkin Plaza Sign- Sign

APPROVED. Board approved the request to replace a portion of the existing plaza sign with an LED sign.

21.187 Dish Wireless Antennae, 12 Dunsbach Rd – Site Plan(Telecommunications Co-Location)

Dan Vadney: Good evening my name is Dan Vadney I work for Crown Castle. Im here on behalf of Dish Wireless regarding the antennae installation at 12 Dunsbach rd. Specifically Dish Wireless is proposing to install 3 antennae's at 120 foot level of the existing 170 foot Crown cell tower. Dish is also proposing to install a 5'x 7' ground equipment platform to accommodate equipment cabinets and additional ancillary equipment. No ground compound expansion or tower height increase associated with this scope of work and this project classifies as an eligible facilities request under section 6409 of the rules of the FCC. So with that I believe Rich Zajack had provided some drawings which you have up there also a structural that they showed in the past.

Don Roberts: Height of the tower is not going to change?

Dan Vadney: No the height of the tower is not going to change.

Don Roberts: Okay thank you, questions by the Board?

Rich Berkowitz: I make a motion to have a negative declaration for SEQR

Mike Ziobrowski: I second

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Rich Berkowitz: I make a motion to approve the co-locator.

Tom Koval: Ill second.

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried.

DISH Wireless Antenna – Telecommunications Co-Location

APPROVED. Board approved the request to install new antennas and ground equipment on the existing tower.

21.198 Brow Rx Beauty Studio, 1581 Rt. 9 (Fireside Plaza) – Change of Use/Tenant

Samantha Przybylo: Good evening my name is Samantha , I am the owner of Brow Rx, doing business as the Rx Beauty Studio. We've been in business since 2017 and we are looking to re-locate to 1581 Route 9 , unit 2 in Clifton Park which is the new Fireside Plaza.

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Don Roberts: Your in Halfmoon

Samantha Przybylo: Im sorry Town of Halfmoon , Clifton Park address. Im seeking a permit change of tenant and change of use.

Don Roberts: How many employees?

Samantha Przybylo: We have three total employees including myself , we work on a by appointment basis only so there is no excess of 6 people at any given time.

Don Roberts: Okay questions by the Board.

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

Mike Ziobrowski: I second.

Don Roberts: Before we vote on this are you going to have a sign , yes that will be applied for next meeting if that's alright.

Don Roberts: Yes that's fine , just a reminder for advertising , you're in Halfmoon.

Samantha Przybylo: Sounds good thank you.

Don Roberts: We have a motion and a second, all in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried, all set.

Samantha Przybylo: Thank you so much for your time.

***Brow Rx Beauty (Fireside Plaza) – Change of Use/Tenant
APPROVED. Board approved the use of approx. 1,195 SF of space for an aesthetics boutique
business.***

21.200 Liberty Mutual Insurance Co. Expansion, 28 Corporate Dr.- Change of Use/Tenant

Joe Abele: Hi my name is Joe Abele, Im here for Abele Builders. Im seeking a change of use for a tenant that has actually already been a long standing tenant in our building but they are going to taking over a significant amount of space that's been vacant for quite some time , its Liberty Mutual. They will not be adding any additional employees just more employees will be coming back from working remotely. Regular office hours 8 to 5 roughly and again they are already a tenant of ours so it's just going to be moving and expanding upstairs.

Don Roberts: Okay great , questions by the Board?

Mike Ziobrowski: How many parking spaces do you have available for the employees there now?

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Joe Abele: Like 125 around that.

Mike Ziobrowski: So 66 % you have right now , so of the 44 you've got 120 parking spots?

Joe Abele: Yes , there is enough room.

Don Roberts: Anyone else?

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

Rich Berkowitz: Ill second

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried

*Liberty Mutual Insurance Co. Expansion– Change of Use/Tenant
APPROVED. Board approved the use of approx. 8,992 SF for an insurance business.*

21.199 / 21.203 QM Power, 3 Corporate Dr. – Change of Use/Tenant & Sign

Joe Abele: Joe Abele , Abele Builders again , so another 3 Corporate Dr. we have QM Power , they're an Engineer Company they're coming to 3 Corporate Dr. it's going to be around 9 full time employees, regular business hours, on the second floor of the building.

Don Roberts: Parking is all set right?

Joe Abele: Parking is all set yea.

Don Roberts: Questions by the Board?

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

Tom Werner: Ill second it.

Rich Berkowitz: Do you have a sign?

Joe Abele: Yes for this tenant we're just seeking it's just a small plaque that is on an existing monument sign we're not constructing anything new, so it's in an area where there is a vacant space and we're just going to be putting a new plaque on it. It's like 3 inches tall , 20 inches wide.

Rich Berkowitz: Okay ill make a motion to approve the change of use, tenant and the sign.

Don Roberts: Do I have a second?

Tom Werner: Ill second that

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried

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QM Power – Change of Use/Tenant & Sign

APPROVED. Board approved a sign change and the use of approx. 2,795 SF of space for use as a design engineering office for a company that specializes in electric motors and control circuits.

21.201/21.202 DeAngelus & Goralczyk, 3 Corporate Drive – Change of Use/Tenant & Sign

Joe Abele: Joe Abele, Abele Builders Im here for a change of tenant request for a law firm moving to 3 Corporate Dr. they would be on the second floor. 14 full time employees and Im going to add, this wraps up and area of the building that has been vacant for a few years since a very large tenant of our lapsed so now we are going to be full so we are really happy about it, but yea just a law firm regular working hours a little bit later than 9 to 5 they go to 6 or 7 , 14 employees , plenty of parking and that’s really it, the sign , the same deal with the sign for this they’re just seeking a small plaque to go on the existing monument sign with the company name. That’s it.

Don Roberts: Okay , questions by the Board?

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

Mike Ziobrowski: Second

Don Roberts: We have a motion and a second for the use and the sign , all in favor say aye? (all were in favor) Opposed? (none were opposed) Motion carried, all set.

Joe Abele: Thank you very much.

DeAngelus & Goralczyk – Change of Use/Tenant & Sign

APPROVED. Board approved the use of approx. 3,716 SF of space and a sign change for a law office.

21.190 Twin Bridges Parking Expansion #2, 1626 Rt 9 & 4 Oakhill Dr.(corner) – Site Plan

Jason Dell: Good evening my name is Jason Dell , an engineer with Lansing Engineering here on behalf of the applicant for the Twin Bridges parking expansion and site plan amendment. Most recently we were before the Board for this project where the Board approved the construction of the burm along route 9 at the intersection of route 9 and Oakhill as well. We’re here this evening to request an amendment to that site plan to construct a new parking lot on the back side of that burm. So the parking lot will consist of 21 12 x 30 foot garbage truck stalls as well as 21 typical 10 x 20 parking stalls for employees vehicles. The two parcels that this parking expansion are proposed on are proposed to be consolidated with the remainder of the parcels for the overall project including Twin Bridges as well as the most recent parking expansion on the other side of the street. Access to this new parking lot will be through the existing curb cut, that they currently have on route 9, and as I mentioned before this parking lot will be on the western side of the burm that’s under construction out there right now so it will be pretty well secluded from view from route 9 . A question that came up in the pre-meet was whether or not there are pedestrian accommodations to go to the Twin Bridges building, right now we are not proposing any kind of pedestrian crossing of the creek, this is intended for

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employees to pull into this lot park , hop out , jump in a garbage truck and head out on a route so there is no need for a pedestrian accommodations at this time. So with that I would like to open up to any questions with the hope of moving the project forward.

Don Roberts: Okay first of all this application has got to be referred to our Town engineer for review and also the fire dept. for review

Jason Dell: Understood

Don Roberts: Okay , any questions by the Board?

Mike Ziobrowski: Jason in regards to the stormwater impact can you further explain that ?

Jason Dell: That's part of what will be going to

Mike Ziobrowski: Its part of the expanded parking lot?

Jason Dell: Yup , it's part of the project we'll be submitting to MJ a SWPPP amendment and basically what we're proposing is in this area right here will be another stormwater management feature similar to this small pond that was constructed , so all stormwater will be mitigated immediately adjacent to that small parking lot and that will all be documented in accordance with all DEC requirements and a SWPPP amendment that will be reviewed by MJ.

Rich Berkowitz: Jason are all of these trucks cleaned off site before parking here?

Jason Dell: Yes

Rich Berkowitz: So no maintenance , no cleaning will be done in the parking lot?

Jason Dell: That's correct

Rich Berkowitz: Okay

Tom Werner: Jason is this in addition to what your proposing at the NPPM site ?

Jason Dell: This is completely separate from NPPM

Tom Werner: Completely I understand that but will this be retained if that project is approved and goes forth? Will you need this capacity for both sides?

Jason Dell: Yes

Tom Werner: It will stay?

Jason Dell: Yes

Tom Werner: Okay

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John Higgins: Jason I know the trucks go out at 4 in the morning so it's not a traffic problem , but coming back in , I know they come back in 2:30 , 3 o'clock, Im just concerned about the trucks heading north on route 9 and having to cross traffic to access the parking lot.

Scott Earl: Licensed garbage man Halfmoon. The trucks come from the recycling plant on 146 south bound on route 9 or the Tabor road transfer station, they head southbound on route 9. 99 % of those trucks are southbound, nothing northbound.

John Higgins: Okay and how about the trucks that deliver the dumpsters , they'd all be heading southbound

Scott Earl: Southbound yea, there is no dumpster storage on this property , so they wouldn't be going in and out all day, these are roll off trucks , once they leave they pick up their bins and they go to different sites and they come back at the end of the day , they fuel in the back fueling station , right onto the property.

John Higgins: If they are fueling at the fueling station

Scott Earl: In the morning when they go out

John Higgins: Ah okay so they fuel before they go out

Scott Earl: There is no time in the afternoon, so

John Higgins: Like I said I was just concerned

Scott Earl: We lost a major curb cut , we lost major access on Oakhill. We wiped that out , that was wide open access , we burmed that , we knocked down , we took three curb cuts and switched to one, so again in another , in all the projects we do on route 9 , we're very conscience of those curb cuts and any time we can reduce some and then widen the expanse that's what we look to achieve.

John Higgins: Do you have to get DOT approval to increase the size of the curb cuts?

Scott Earl: It's an existing curb cut we actually reduced the size of that curb cut its was a u shaped curb.

John Higgins: Okay thank you.

Rich Berkowitz: Is there enough room to fit two trucks in that curb cut?

Scott Earl: No , one truck

Rich Berkowitz: So what happens if one's coming out and one' going in?

Scott Earl: They go out in the morning and they come back at night. Most of those would be winter time trucks , roll off drops way down in the winter if you've got 15 out of 21 parked there , maybe 8 or 9 will go out.

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Don Roberts: Okay anyone else? Okay as we said we will refer this to our Town engineer and the fire department and get back to you , alright .

Scott Earl: Thank you.

Don Roberts: Okay thank you.

*Twin Bridges Parking Expansion #2) – Site Plan
TABLED/REFERRED TO AGENCIES. Board received a presentation to expand the existing parking lot and referred it to various agencies for review.*

Old Business:

21.103 DCG Development, 1542 Route 9 – Minor Subdivision

Brian Rangone: Good evening Brian Rangone, landscape architect with the Environmental Design Partnership, Im also here with Donald McElroy from DCG Development the applicant for the project. So the sites located at 1542 route 9 its just south of the Walmart along the westerly side of the road , or the opposite side for the road from Walmart, its directly in front of the Youth for Christ Church and the indoor rock climbing facility. It's in the C-1 commercial zone and its approximately 15 acres . The applicant is seeking a lot commercial subdivision and deed or convey a portion of his land in the rear to the churches property. There will be three lots in the front area lot A will be approximately 9.9 acres , Lot B will be 1.3 acres and Lot C will be 3.3 acres. None of the lots have been determined for uses yet , but each one will conform to something within the C-1 district. The current curb cut will most likely remain where it is along route 9 in existing location however the access road back to the church and the rock climbing facility most likely will be relocated within the sites so any existing wetlands can be avoided to the furthest extent possible for any of this future development. Future stormwater will be managed individually on each lot or as a combined system and that's yet to be determined again and we can establish this when we submit for a future site plan with these lots, and each lot will be connected to municipal sewer and water, and that's it.

Don Roberts: That's it, okay thank you. Have we heard back from Saratoga County Planning on this?

Paul Marlow: They met last Thursday , I just have not spoken to them about their decision yet, but we will have a note before.

Don Roberts: The public hearing.

Paul Marlow: Yea.

Don Roberts: Okay , questions by the Board?

Rich Berkowitz: Is the house still there is it being used?

Brian Rangone: The house is presently rented.

Rich Berkowitz: Okay, I'll make a motion to set a public hearing on December 13th.

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Mike Ziobrowski: Ill second.

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) see you December 13th, thank you. And for once very unusually we have no old business so.

DCG Development – Minor Subdivision

PUBLIC HEARING SET. Board received a presentation on a 3 lot subdivision and set a 12/13/21 Public Hearing.

Richard Harris: Yea I apologize Lamar asked Friday late to be pulled from the agenda, they will be on December 13th

Don Roberts: Okay, very good.

Mike Ziobrowski: I would like to make a motion to adjourn the meeting

John Higgins: Ill second it.

Don Roberts: All in favor say aye? (all were in favor) Opposed? (none were opposed) remember next meeting is the only one for December so good night and Happy Thanksgiving.