

9/10/18

**MINUTES MEETING
Town of Halfmoon Planning Board, 2018
September 10, 2018**

Those present at the September 10, 2018 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Mike Ziobrowski

Coordinator Building, Planning and Development:

Richard Harris

Planner:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison:

John Wasielewski
Jeremy Connors

Town Engineer / CHA:

Joe Romano

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

Marcel Nadeau made a motion to Approve the August 27, 2018 Planning Board Minutes. Tom Werner seconded. Minutes Approved.

Mike Ziobrowski recused himself from the minutes vote.

New Business:

18.152 Effies Boutique Sign , 1 Birchwood Drive - Sign

9/10/18

Effie Vasilokas: Effie Vasilokas for One Birchwood Drive. We are requesting two signs on the building, one on the front on Birchwood and one in the back which will be visible on route 9. I believe we have pictures with the actual signs.

Don Roberts: Yes, yup.

Effie Vasilokas: They will be mounted on the building so we wont need to do a sign on the lot.

Don Roberts: Questions by the Board?

Rich Berkowitz: Yea I have just one question its unrelated to the signs but for the construction, are you going to be done in time to put the screening in for the residents

Effie Vasilakos: For the fence?

Rich Berkowitz: For the residents

Effie Vasilakos: Yea the fence has already, we already have our quotes we gave them a down payment, they poured the concrete yesterday for the driveway we are just waiting for our landscape because we are going to be putting a fence and also bushes.

Rich Berkowitz: So you're landscaping and fencing will be completed before the winter?

Effie Vasilakos: Yes, yes before the opening, we are planning to open the end of October; we should be done before that.

Rich Berkowitz made a Motion to Approve Effie's Boutique Sign application. Tom Koval seconded. Motion Carried.

Effie Vasilakos: Thank you have a good day

18.147 Bobby Z's Automotive , 1516 Crescent Road - Change of Use/Tenant

Noah Zort: Hello Im Noah Zort with Bobby Z's Automotive detailing Center and Im here to request additional parking and additional time a car is allowed to be left on the lot. I'm requesting parking for 16 spots instead of 9 and 5 days instead of 24 hours per car. Im just really getting busier and cant get through all of the work at the right time.

Don Roberts: Personally I have concerns about the number you are requesting ,but I think we should have a committee go out and look at the site and see what's going on but before we set that are there questions by the Board?

Noah Zort: Ok

John Higgins: Has something changed in your operation because I was on the original committee when we went and you said you were doing detailing and that most of your customers dropped their car off and one day later you were done with them and that you were doing like 2 or 3 cars at a time, so now all of the sudden you want 16 cars and 5 days so obviously something is different.

9/10/18

Noah Zort: Yea I'm just getting a little busier going into it I didn't calculate all the aspects of actually running a business because I have always worked for somebody so the time it's taking me to get through the vehicles are taking a little longer than that.

John Higgins: Ok how many people do you have working there now?

Noah Zort: I have myself and I just hired two people to try to speed things up a little bit

John Higgins: Don I agree I think a site visit, you know let us go out and take a look again

Noah Zort: Yea No, Problem

Don Roberts: Does anyone else have any questions before we set up the site visit?

Rich Berkowitz: Unless you can just schedule a little more properly, are people left 5 days without a car?

Noah Zort: No I do a lot of wholesaling like I do dealers and wholesalers more commercial end, so they kind of drop it off and

John Higgins: Just to let you know we have had problems with that before in different locations around the Town, what you have to do is tell the people that, the dealers that you are dealing with that your not a storage lot for them because dealers love to do that, they love to dump cars all over the place and then just go and get them when they take them to the auction or they have a customer for it.

Noah Zort: Ok

John Higgins: This is not a storage area for dealers, we just had the dealer in front of you was just in and he requested more vehicle space and we denied him so just letting you know we are going to take a serious look because we know we've had trouble with your spot before I'm not saying it's happened recently but you know we just don't want to have cars parked all over Town.

Noah Zort: No, no I agree, I agree with you a 100%

Don Roberts: Couple volunteers?

John Higgins: I'll go.

Don Roberts: John, anyone else?

Tom Koval: I wouldn't be able to go for a few weeks so

Don Roberts: Anyone else? Ok, we will work around you, ok John and Rich, will be your committee?

Noah Zort: Ok no problem

Don Roberts: And someone will get a hold of you and schedule a time to visit

Noah Zort: Alright, sounds good

9/10/18

Don Roberts: Ok thank you

Noah Zort: Thank you

The Board tabled Bobby Z's application until a site visit can be made to look at viable parking options.

18.145 JGS Recycling, 392 Hudson River Road- Site Plan

Mike Bianchino: Good evening my name is Mike Bianchino with Lansing Engineering I am here representing JGS Recycling and Hauling. The project was before the Planning Board a Year ago August for a change of use, I asked to just show the Board, and remind the Board, this was the concept site plan that we had submitted with that change of use application which showed basically the existing building in the front, the existing garage in the back the site plan did show a proposed future car port , garage located here and then the insulation of a new security fence along this area. The applicant after the change of Use has obviously started utilizing the site he has not completed the rest of the work and apparently as part of; I haven't been involved by the way since we originally got approvals last August just so the Board is aware. The applicant came to me about two months ago and just asked if I could help him out with the site plan because he apparently didnt realize that he needed a building permit for the installation of the garage as it turns out the garage was constructed in this location here, this is the proposed site plan, we put together an application for a site plan, this is where they installed the carport basically its a pole barn garage structure here, the applicant has not installed the fence ,the stockade fence as yet , but that was going to be in the works. The Town , because he didnt get a building permit did red tag him and ask that he come in and get approvals after we made our application for site plan , of course because the existing buildings dont meet set backs , and we are adding a new building the site does not meet zoning and its an expansion of that non conforming site so , what we are here for is ultimately a site plan review but I understand that at some point the Board will need to deny the application so we can go to the Zoning Board, and thats where we are at this point.

Don Roberts: Thank you Mike, before we get too far ahead here there is some concerns on the Board about the sightliness of the property right now. It appears that it may not be, may not be conforming to what the intention was but I will let others take care of that.

Tom Koval: I drive by this property often, every time I drive up Hudson River road I'm looking up the side street and there is a line of trucks parked in the Town road that services the neighbors house, it wasn't at all what we were told it was going to be, you can see piles of old appliances above the fence line from Hudson River road and it looks like a full fledged scrap yard which was not what we were told it was going to be. I have huge reservations about allowing any changes to this without first off cleaning up his act , meeting the original approvals we gave him and I dont even know how to say it nicely but you really need to clean up the yard, a carport is not a garage, what you gave us a picture of is a garage so we cant I find it offensive that they are trying to say its a carport when they put up a garage in something in a totally different area than was approved, it smacks of someone trying to get away with something, please tell your client that they need to go back to the drawing board with this and operate this business as they told us they were going to operate this business or they have got to come for all of the approvals, we have to deny this tonight and you are going to have to, I almost want to put this back out to, refer this to the fire department once again because of the way the site looks now we are asking our fireman to go into a yard thats full of a lot more than it was originally told, we

9/10/18

have , it looks like a rough cut wooden structure that was built as a garage, I'm leaning towards a full on re- approval of this to be honest with you

Don Roberts: Mike, We are not going to even take action tonight on this ok and the reason being we did not approve a junk yard and thats what its becoming, and I am not blaming you for this at all , but it is becoming a junk yard, we dont want a junk yard there.

Mike Bianchino: So just, an I want to make sure I've got, so the observation has been that the vehicles, the trucks your seeing are parked in the right of way, because obviously there is a lot of open area that was supposed to be parking and there was going to be some trucks but the majority of things at the end of the day were going to go back behind the fence, now the fence originally was not a stockade fence it was a chain-link which I think is what's still there if Im not mistaken.

Tom Koval: What I've witnessed materials stockpiled in front of the fence, so there is materials stock piled in front of the fence where the trucks should have been the trucks are parking in the Town road, he's got other customers bringing in materials , they are lining up to wait to unload and the Town road is getting blocked.

John Higgins: Besides that Mike the applicant at the time if you take a look at the minutes from when he was here, we asked a lot of questions he told us that the materials were going to be brought in the freon taken out and then they were going to be loaded onto a trailer and taken out, obviously he is stock piling, its right in the minutes

Mike Bianchino: What the minutes say John is the area in the back was going to be an area where they were going to stock pile

John Higgins: In trailers it says Mike

Mike Bianchino: in, no the area in the back was a flat area where there were going to be pallets, but regardless I'm not trying to argue with the...

John Higgins: It's obviously a totally different operation than what he portrayed to us

Mike Bianchino: No Question, I mean that fact that they are storing material in the front, we can take a look at that and certainly

John Higgins: Jason Thompson, the material stock piled out doors will be mostly air conditioners and de-humidifiers, which is what my primary business is, obviously stuff comes in through out the day but it is directly loaded into a trailer and at the end of the day the trailers go behind the fence.

Mike Bianchino: Right, which is what I said, behind the fence...

John Higgins: No you said on pallets, he said trailers

Mike Bianchino: Well the original narrative that we submitted did indicate that there would be an area of pallets in the back here where there would be material that got moved to the back and would be stored but it would be behind the building and out of site and which is ultimately everything was supposed to be behind the fences out of site and blocked by a stockade fence which has not been installed at this point.

9/10/18

John Higgins: But the fence along the main road the material wasn't supposed to be visible above it and its obviously visible now.

Mike Bianchino: Your, right, absolutely.

Don Roberts: Anyone else? Well I guess at this point we will take no action as I said have your client clean up the site to what it is supposed to be like get a hold of Rich

Marcel Nadeau: What items need to come into compliance?

Don Roberts: We just told him.

Marcel Nadeau: He is aware of all of it.

Mike Bianchino: Thats why it sounds to me obviously like I said the vehicle parking in the right of way, any storage of material on the outside of the fence any storage of material that is above the height of the fence where it is visible from the road.

Don Roberts: Yea we dont want it visible from the road.

Mike Bianchino: Right.

Tom Koval: We don't want, we don't want trucks parked on the Town road, not to unload or load

Don Roberts: Right, right

Tom Koval: The Town road is not his loading dock

Don Roberts: Right and then once its in compliance get a hold of Rich, right, Rich will have Code Enforcement go out and look at it if thats all back to what we think it should be we will take it from there

Mike Bianchino: Ok

Don Roberts: Fair enough?

Lyn Murphy: The fencing should be in compliance with what was approved not what he hasn't fixed yet.

Mike Bianchino: Yes, well I think the whole last year what he has been trying to do is do that work as he has been running the business and he just hasn't, obviously the garage, lets just call it a garage was one of the issues he is supposed to be doing which he did but the fence has not been done yet so we will

Tom Koval: If he had put the garage where he originally said it probably would have blocked a lot of this building from Hudson River road, so putting it wherever he decided was a good spot for his own purposes wasn't what we approved at all, and a carport is not a garage.

9/10/18

Mike Ziobrowski: I guess to answer your question though there it calls for a 10 foot tall white vinyl fence, that's not in now?

Mike Bianchino: No it isn't, it is not in now, correct

Mike Ziobrowski: In the minutes it did say that it was currently in so I guess

Mike Bianchino: There is a, there was an existing fence along the rear of the property, I think that's in that white vinyl was along here and I think there was an existing fence here but I don't think it was that height along the front, but the rest of the fence is certainly not in what was proposed to be in.

Mike Ziobrowski: Ok I just wanted to clarify that that's the case.

Mike Bianchino: Got it.

Don Roberts: Alright, thank you Mike good seeing you.

The Board tabled JGS application pending a site visit to look at the original site plan and fencing.

18.150 / 18.151 Parker Subdivision(Duplexes), 291 Grooms Road - Minor Subdivision & Special Use Permit

Marcel Nadeau recused himself

Duane Rabideau: Duane Rabideau from VanGuilder Associates here representing STB Builders Incorporated before the Board for a proposed 4 lot subdivision and for special use permit to construct duplexes on these lots. The parcel is located at 291 Grooms road, the proposal is to subdivide a 5.69 acre parcel into 4 residential lots now the parcel consists of this strip here, up through here around, down through here and a flag lot out to Grooms road back up and down here along this lot in Aspen Ridge subdivision. Now these three lots A, B, and C will have a common driveway access onto Poplar drive, these three proposed lots, these are in the R-1 residential zone, right here this project is split this parcel right here is in the professional office residential zone, because it butts against Grooms road. We are proposing these three duplexes right here they will have public water tied into the Aspen Ridge subdivision and public sewer, this other lot here we are proposing is an existing duplex now, at one point in time this was the lot that existed, this was subdivided this lot and this lot here was part of the subdivision, what happened was that Mr. Parker bought, this used to be Town lands here, they bought that and he annexed this parcel here to make it one parcel, now we are in the process of subdividing out this house parcel again and then plus creating these three duplex lots right here. We are also asking for a special use permit so that duplexes can be constructed out on these three new lots right here, Paul can you show the GEIS photo, ok this is the GEIS photo, the Aspen Ridge subdivision, our parcel is this parcel right here, down through here like that, these x's represent the three proposed duplexes, the reason for the GEIS photo is to show that these all are duplexes in this parcel this is a duplex, this is the Harvest Church and this is the Deer Run Residential subdivision. Now what we have here is a cleared area here so what we've done is to put, minimize the clearing that is going to take place in here, right here we are going to cut some trees here for the duplex, this right here is a mound of dirt probably 15 feet high and we have the same buffering right here so that basically you cannot see any of these three buildings from any neighboring parcels, so and just basically this whole site is flat that is in here, it was probably mined at one point in time so that's why there's a hill here and a hill here which we are retaining all of that so basically our concept is to minimize impacts, visual

9/10/18

impacts basically there is none because you cant even see the buildings and that is our proposal before the Board tonight .

Don Roberts: Thank you Duane, now who will own the duplexes?

Duane Rabideau: This duplex is owned by Duane Parker he lives here with his son I believe these are going to be three proposed ones right here that will be built by STB Builders incorporated.

Don Roberts: Will he retain ownership of them or sell?

Duane Rabideau: Yes he will.

Don Roberts: Questions by the Board?

John Higgins: Duane where is the access to the Town road?

Duane Rabideau: The Town road is right here that is kind of a stub street so he would have access right here so our frontage is right along this strip right here.

John Higgins: Well who owns that property?

Duane Rabideau: The Town does, well the Town owns this piece here, its part of the dedicated right of way and Parker owns all of this right here.

John Higgins: And you said he bought that land from the Town?

Duane Rabideau: Thats correct , that was one of the parcels that was up for sale it was initially was going to be used for parklands for the Aspen Ridge Subdivision but the Town sold it probably 6 or 7 years ago maybe.

John Higgins: And he has a deeded right of way to go through the Town to put a road? Or driveway?

Duane Rabideau: This is already deeded right of way right here so his land abuts the Town right of way right along this strip right here.

Don Roberts: So up to that point that will be a shared driveway?

Duane Rabideau: That is correct.

Tom Koval: So right now it's going to be owned by the same person but

Duane Rabideau: Yea it's going to be owned by STB Builders.

Tom Koval: So they can all be sold individually at any time?

Duane Rabideau: That is correct.

Tom Koval: So we will have the same issue we have always had, the shared driveways.

9/10/18

Duane Rabideau: Yea there will be language to make sure that's not an issue, so it works.

Tom Koval: It does but you should have the language.

Duane Rabideau: Ok.

Don Roberts: If there are no other questions, at this time we will refer to Joe to Clough Harbor for review, the fire department also Saratoga County Planning right Rich?

Richard Harris: Yes.

Don Roberts: And then we will schedule a public hearing down the line.

Duane Rabideau: Ok.

Don Roberts: Ok, thank you.

Duane Rabideau: thank you.

The Board tabled The Parker subdivision for review by Clough Harbor, the Fire Department , and Saratoga County Planning Office.

Old Business:

16.154 16.169 Fay Inovlotska wholesale Bakery & Residence, 10 Route 236 - Site Plan & Special Use Permit

Fay Inovlotska: Good evening, my name is Fay Inovlotska and I'm number 10 Route 236. I hope its about the time I plan to have a bakery at this property and I was lucky enough to get Town sewage connection which is incredible and yes I was able to invest money and build a brand new basement which is a high ceiling and very spacious and beautiful with windows and now hopefully I will be starting baking bread and thats all basically.

Don Roberts: This is your last hurdle right here right, any questions by the Board?

Tom Koval: I personally feel that I've heard every little aspect of this project so many times that I'm comfortable making a negative declaration on SEQR and making a positive approval.

Tom Koval made negative declaration pursuant to SEQR. Tom Werner seconded. Motion Carried

Tom Koval made a Motion to Approve Fay Inovlotska Site Plan application. Rich Berkowitz seconded. Motion Carried.

Don Roberts: Good Luck.

Fay Inovlotska: God Bless, thank you , thank you.

Don Roberts: I hope you bake some good bread you know.

9/10/18

18.142 Griner Subdivision (Lot line adjustment & 2 lots) , 32 Linden Park Drive - Major Subdivision

Casey Crowley: Yea hi I'm Casey Crowley and this is Dan Griner so what we are looking to do is we purchased the Keyhole lot in the Linden Woods subdivision and we are looking to subdivide to be 2 residential lots, both lots meet the required dimensional standard and we would also be purchasing 10 ft from lot # 39 in order to meet the road frontage requirements.

Don Roberts: Now we usually don't get involved in this but there was a little mistake about the no cut buffer was disturbed and your willing to make up for that right

Ben Griner: Yes, yea I talked to the neighbor and I talked to them and I said I would put trees up to make up for it, it was an honest mistake.

Don Roberts: Ok so that will become part of the site plan right?

Ben Griner: Ok thank you very much, any questions?

Rich Berkowitz: Now what month should we have a public hearing on , October?

John Higgins: Im sorry , being that this is going to be a shared driveway are they going to have the same requirements that we have seen for other shared driveways for a fire truck ? Rich, Is their driveway going to be required to take care of an 80,000 lb fire truck?

Richard Harris: We said at the fire if it's over at least 300 ft, Im not sure the full length of that

Ben Griner: The current driveway its 177'.

John Higgins: Ok

Richard Harris: The fire department may ask for that so if you want to refer it to fire we can

John Higgins: Oh well that's up to Don but I just

John Higgins: I mean long driveways and flag lots have historically been sent to the fire dept. for comment and 9 times out of 10 they come back with this is an 80,000 lb vehicle

Don Roberts: We didn't do this one?

Richard Harris: No, we just got this.

Rich Berkowitz: We have a public hearing

Don Roberts: But we probably should I think, just to follow suit.

Richard Harris: I have it; I know it's in minor subdivision.

Don Roberts: Because we have time before the Public Hearing

9/10/18

Richard Harris: We will get their feedback but most likely they will come back with, that the driveway needs to be built to hold an 80,000 lb.

Don Roberts: Alright, ok so anyone else?

Rich Berkowitz: made a Motion to set a Public Hearing for Griner Subdivision On October 9th

Marcel Nadeau: I seconded.

Don Roberts: See you October 9th that is a Tuesday right, that's a Tuesday not Monday, same spot okay?

Richard Harris: Hey guys we have a little problem with that , we have to send out lead agency notice because technically called a type 1 under SEQR and just the fact that its been lived in through the years, so when you through out the date of the 9th , this is already the 10th so its less than 30 days.

Rich Berkowitz: I am going to have to make the Public Hearing October 23rd, I'm sorry the 22nd.

Don Roberts: Monday, it will be on a Monday then ok?

Casey Crowley: Ok

Rich Berkowitz made a Motion to Set a Public Hearing for Griner Subdivision on October 22, 2018. Tom Werner seconded. Public Hearing set.

Don Roberts: See you October 22nd

Casey Crowley: Thank you very much

Don Roberts: Ok, take care

Mike Ziobrowski made a Motion to Adjourn the Planning Board Meeting at 7:30pm. Rich Berkowitz seconded. Meeting Adjourned.