

9/14/20

**MINUTES MEETING  
Town of Halfmoon Planning Board  
September 14, 2020**

**Those present at the August 28, 2020 Planning Board meeting were:**

**Planning Board Members:**

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

**Planning Board Alternates:**

Charlie Lucia  
Brendan Nielsen

**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:**

John Wasielewski  
Jeremy Connors

**Town Engineer:**

Joe Romano  
Joel Bianchi

---

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

**Marcel Nadeau:** 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? Can I have a motion to approve please?

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

**Mike Ziobrowski:** Ill second the minutes

**Marcel Nadeau:** I have a motion and a second for the August 24<sup>th</sup> Minutes all those in favor? (All were in favor) Opposed? (None were opposed) Motion carried.

**20.084                      Lands of Tanski Subdivision, 68 Cemetery Road – Minor Subdivision**

**Marcel Nadeau:** Would anyone like the notice read? (No comments) we will open the public hearing, (no public comments)

**Duane Rabideau:** Duane Rabideau from VanGuilder and associates here representing Bruce Tanski before the Board for a three lot single family residential subdivision. It's located at 68 Cemetery road, which is just north of the Turf trailer park and just south of Carol Jean Estates. The proposal is to subdivide the two acre parcel which is this piece right here into three single family residential lots. Lot A is basically 20,000 sq. ft. this is this lot there, lot B is this portion right thee that's about 25,000 sq. f.t and lot C a flag lot which is this configuration right here is approximately 33,000 sq. ft. Lots B and C which are this one and that one, would utilize a common driveway for access and utilities on Cemetery road. All the proposed lots would tie into public water, public sewer. The existing building that is on the parcel now that one right there is going to be torn down, since the last meeting we have addressed the fire departments concern about the common driveway with the ability to hold the ladder truck we increased the size to 22 feet wide and added in 05 up here basically meeting the 84,000 lb. weight limit for the ladder truck and that is our proposal before the Board tonight.

**Marcel Nadeau:** Would anyone in the room like to speak? (No comments) Anyone online? (No comments) Ill close the public hearing, member's comments?

**John Higgins:** Duane I asked last time about drainage on the site and I believe Bruce said that it's pretty much the existing but there is elevation changes is there any provision for any kind of onsite retainage?

**Duane Rabideau:** Not really because it's all sand there is no really offsite drainage that also, there apparently is a wetland complex on the other side, it really doesn't go anywhere we have the mobile home park across the road and then we have the Turf trailer park to the south

**John Higgins:** I assume the driveway is going to be paved?

**Duane Rabideau:** That's correct, Im not certain of that, it's being repurposed.

**John Higgins:** Well, being its right along the property line I would assume that it's got to go somewhere, I mean

**Lyn Murphy:** Wait you just said it was going to hold a fire truck?

**Duane Rabideau:** That's correct.

**Lyn Murphy:** So I assume it's going to be paved.

**Duane Rabideau:** It may be paved but

9/14/20

**Lyn Murphy:** I prefer it not be because you're over a waterline

**Bruce Tanski:** Hi Bruce Tanski , Clifton Park, on the west side of the property there is an easement to Turf trailer park and it drops off probably 8 to 10 feet and there is an easement that goes to the road all the way back 3 , 400 feet past the property. It is all sand and drainage is an issue we will put black top.

**John Higgins:** No Bruce I was just concerned about being it's the driveway is going to have an elevation, water running down and onto the road that's all I was concerned about was that.

**Bruce Tanski:** I mean if I have to we can put porous blacktop in and it is all sand we did some test holes down 15 feet and its raw sand all of the way down.

**John Higgins:** Thank you.

**Marcel Nadeau:** Board members any more comments?

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

**Mike Ziobrowski:** Ill second

**Marcel Nadeau:** All those in favor (all were in favor) Opposed? (None were opposed) Motion carried.

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

**Tom Werner:** Ill second

**Marcel Nadeau:** All those in favor (all were in favor) Opposed? (None were opposed) Motion carried.

**Bruce Tanski:** Thank you very much

*Lands of Tanski Subdivision – Minor Subdivision*

*APPROVED. Board held a Public Hearing and approved the request for a three lot residential Minor Subdivision at 68 Cemetery Road.*

**Old Business:**

**20.094                      Upstate Cars LLC. 457 Route 146 – Sign**

**Jennifer Khan:** My name is Jennifer Khan, my address is 3 Anna Lane, Halfmoon NY 12065.

**Marcel Nadeau:** So this is for a sign application?

**Jennifer Khan:** This sign is going on 457 route 146 for a business.

**Marcel Nadeau:** Board members any comment?

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

**Tom Koval:** I second

**Marcel Nadeau:** I have a motion and a second to approve the sign all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

**Jennifer Khan:** Thank you very much.

*Upstate Cars LLC– Sign*

*APPROVED. Board received a presentation and approved a new wall-mounted sign for Upstate Cars LLC.*

**20.014                      1620 Rte.9 Office Building- Site Plan**

**Richard Harris:** I do want to mention we have received two comment letters, one very late this afternoon that we provided to the applicant, we will get copies to the Board after the meeting and the other was from a resident on Sitterly road that's been provided to the applicant and discussed at our pre-meeting and that will also be provided to the Board members.

**Jason Dell;** Good evening my name is Jason Dell I am an engineer with Lansing Engineering here on behalf of the applicant for the 1620 route 9 Twin Bridges operation center, also here with me this evening is John Brady with Twin Bridges. We are here tonight to provide the Board a project update as last time we were before the Board for this project I believe was back in February of this year, since then the program for the property has been revised , so to bring the Board up to speed. The project site is a 12.7 acre parcel located at 1620 route 9. It is zoned as part of the Boyajan PDD and you can see the surrounding land uses, you've got the Twin Lakes apartment complex to the west, you've got Cole's Collision in the current 1626 Twin Bridges operation to the north as well as Grecian Gardens to the east and additional apartments to the south. So for the proposed project the applicant would like to construct a 20, 100 sq. ft. building that will serve as the operation center for the Twin Bridges currently at 1626 route 9 and they are out of space. The operation is expanding very rapidly and now the headquarters is here in Halfmoon, they would like to build an expanded facility to further expand their business. The main entrance into the facility would be off of route 9, this is an existing entrance that currently serves the property to the back as well as Coles Collision at 1626 so trucks will enter and employees will enter they will come into the site into the building, there will be employee parking as well as parking for garbage trucks on the facility. There is a total of 174 parking stalls there will be 85 typical Town of Halfmoon standard parking stalls that are 10 x 20's with the remainder approximately 87 parking stalls for refuse trucks that will be about 12 feet wide by 35 feet wide. There is also on the back side you will see there is a loading dock area on the back side of the building as well. Between the building and the Twin Lakes facility there will be a large landscape berm that we are proposing its shown on the landscape plan that we have provided to the Town for review you can see along between the building, the proposed building and the Twin Lakes apartment building this is about a 14 foot high berm it will come up behind the apartment buildings and then it will be dug down to the existing grade for the facility. The hours of operation will be the same as what is going on at Twin Bridges now which is Monday through Friday 5am to 7 pm and Saturday 6 am to 1pm with no operations on Sunday. Water will be provided through a connection through the municipal system that's out there right now we are showing a septic system on the proposed building however we will be re-engaging with Saratoga County Sewer district about the possibility of extending the force main along Sitterly road up into the facility. Stormwater will be managed onsite in large stormwater management basin on the south side of the site. There will be no outdoor storage, refuse, this will be strictly parking for the trucks and employees. The operation center that will have the ability for people to go there and pay bills. All of the transfer operations will be done over at the Tabor road transfer station that's recently been constructed and run that

9/14/20

operation as well as the recycling facility that is over there for 21 Flex so this will strictly be for truck parking and operation center for the company, so we are here tonight to bring the Board up to speed on the revisions for the project and answer any questions that you may have in hopes of moving the project forward.

**Marcel Nadeau:** Jason I think I, may have when you proposed it previously had asked about moving the project closer to route 9 what's the status on that were you able to do that ?

**Jason Dell:** In speaking with the applicant this morning he would be willing to explore shifting the building to the more eastern side of the property thus pulling it further away from Twin Lakes so we will look into that.

**Marcel Nadeau:** Okay, and what it to the south next to the emergency access, that area right there, what's there?

**Jason Dell:** There are apartments there right now, 2 apartment buildings and then this is the new, New Meadow School that was constructed not too long ago.

**Marcel Nadeau:** Okay, any comments from the Board?

**Tom Werner:** Jason, operationally; all the trucks in there, do they expect them to all depart at the same time in the morning?

**John Brady:** John Brady with Twin Bridges, so to kind of address that as far as the sound goes with the trucks when they come in we have them at the end of their shift everyday back their trucks in so that's kind of when you're getting the sound anywhere between 1:30 pm and 4 O'clock the majority of trucks will be coming in so that in the morning when they leave to go out and do rounds they are all facing forward there is no reverse sounds coming from the trucks at all.

**Tom Werner:** So they'd all be trying to get out on to Route 9 roughly the same time? They may come back randomly...

**John Brady:** Exactly yea it's a little bit more sporadic in returning but in the morning we typically get the bulk of them leaving typically within an hour window probably 5:30 probably to 7.

**Tom Werner:** *\*\*\*this portion of tape is inaudible\*\*\**

**John Brady:** Yea we found that with where we are currently located it does for the most part they are out there early enough to not have any issue with out on 9

**Mike Ziobrowski:** So they come back at 7 o'clock at say between 6 and 7 roughly or 5 and 7 at night and they back up in their spots?

**John Brady:** Their typically coming back earlier than that, most of the routes are coming in and especially with the transfer station open now even earlier but typically right now we are seeing them come in, they start coming in around 12:30, 1:00 o'clock and by honestly 3:30, 4 o'clock 90 percent of the trucks are in, there might be a few that trail in after that.

**Rich Berkowitz:** And they are coming in clean? There is no garbage in the trucks?

9/14/20

**John Brady:** Oh yea, no they dump everyday no storage inside the trucks, everyday it's dumped.

**Rich Berkowitz:** No odors emanating from the trucks?

**John Brady:** No and as a matter of fact if anybody's had a chance to go over to the 1626 operation you can walk with the yard filled with trucks you can walk around through them all you really can't smell anything there is no msw stored on the trucks.

**Rich Berkowitz:** Have you had any noise complaints at all from Twin Lakes where you presently are?

**John Brady:** No, not that I'm aware of, but again I think a lot of that has to do with backing the trucks in the afternoon and then having no noise in the morning.

**Mike Ziobrowski:** What's the proximity of the parking lot to the apartment building what's your distance there, the ones to the west?

**Jason Dell:** So this line here is a 50 foot buffer that was established for the Boyajan PDD so between this building and the parking lot is about a 100 feet, 105 feet.

**Rich Berkowitz:** Is that presently burmed or no?

**Jason Dell:** Here now no, it's all raw land but this slope does go up and this is actually a hill right not that will be taken down by the project.

**Rich Berkowitz:** So you said it's going to be a 14 foot elevation change?

**Jason Dell:** Yes, on the grading plan you can see the burm that is being constructed along here will come up on the Twin Lakes side and then down here to the facility here so it's between the finished floor of this building and the top of the burm is about 15 feet.

**Rich Berkowitz:** Will there be a fence on top of that also for security?

**Jason Dell:** I believe so yes that will be in the next go around, we will have those details we are working on now

**Marcel Nadeau:** So Jason the view from the apartments that would be the second floor would you see the complex or no?

**Jason Dell:** That's correct we did provide a visual cross section from the second floor of the Twin Bridges, Twin Lakes excuse me so you would see the top of the building yes.

**Richard Harris:** Jason for reference point what's the height of the new burm at 12 Tabor road at Mr. Earl's facility, is that comparable to this?

**Jason Dell:** That burm I believe is about 16 feet , 14 to 16 feet , yes and if not , if we do indeed pull the building forward further we would be able to enhance that burm a little bit more.

**Marcel Nadeau:** Yea that would be good.

9/14/20

**Tom Werner:** Regarding the view from Route 9, you mention there is existing vegetation there. The trees there, are they deciduous or coniferous? What's going to happen in the winter time?

**Jason Dell:** Right now there is a mixture it's pretty heavily wooded forest in there so we will look as we move forward, if we are going to shift the building a little bit we will provide some additional landscaping along that side.

**Tom Werner:** \*\*\**this portion of tape is inaudible*\*\*\*

**Jason Dell:** Yes, shifted will also add some additional landscaping along there.

**John Higgins:** The two truck bays along the back are they going to be 4 foot elevation typical loading dock?

**Jason Dell:** Yes

**John Higgins:** Okay so then it's not going to be used for truck repairs or anything like that just strictly

**Jason Dell:** No the grading plan that we provided does show this as a recessed loading dock

**John Higgins:** Thank you.

**Marcel Nadeau:** Any other comments? Gentleman in back, this is not a public hearing this is a site plan review

**Lyn Murphy:** So there is no public hearing, so the Board members will get a copy of your letter and concerns, is that what you wanted was to hand out the letter?

**Resident:** I've got copies

**Lyn Murphy:** Perfect that would be great, thank you.

**Marcel Nadeau:** Thank you Jason

**Jason Dell:** Thank you.

**1620 Rt. 9 Site Plan (Operations Center) – Site Plan**

***TABLED. Board received a presentation on an updated site plan for 1602 Route 9 and referred it to the necessary agencies for review.***

**20.073/ 20.098      Impact Athletic Center, Rte. 146 – Site Plan & Minor Subdivision**

**Scott Lansing:** Good evening my name is Scott Lansing with Lansing Engineering Im here tonight with Chris Litchfield from Litchfield holdings. We are here for a couple of things this evening one is to review a lot line adjustment that we are proposing for the project and then the second thing is to review the site plan I think the Board is very familiar with this project so I will not go into the intricate details of the project unless the Board does require that. Overall acreage is 32.65 acres and we are proposing an indoor recreational complex, approximately 80,000 sq. ft. in size. As far as the lot line adjustment, Rich if I could ask you to go to the third sheet on this, this

sheet right here summarizes what the lot line adjustment entails this right here is the parcel , Litchfield Holdings in this area there is an area up in the north west corner approximately 1.5 acres that would be conveyed from the body parcel on the west to Litchfield Holdings and then on the southwest corner there is about 3.5 acres that would go from to the Boni parcel so the swap up lands between the two still will be only two lots associated with this application. The purpose of the lot line adjustment or Lichfield holdings is up in the northwest corner as far as the building , the building does meet the setbacks that are outlined in the Town code in the planned development district it does meet everything as far as those area requirements , by providing that additional land on that corner it does provide flexibility with the architecture of the building and then they could do a different type of a firewall which would save some money for the structure so that is the primary purpose for this ancillary to that with that lot line adjustment is not necessary or the site plan is not something that is needed for the site plan to advance I can work around it this is just a better solution for them and works out better for both the Boni parcel and for Lichfield Holdings. As far as the site plan itself we did receive technical comments , engineering comments we have responded to all those comments we feel that all the technical comments have been addressed on the parcel and with that we are here tonight for as I said first we would like the Boards consideration for setting a public hearing for the next meeting on the 28<sup>th</sup> and given that the lot line adjustment is not affect the site plan it is something that the site plan can advance without the lot line adjustment , we would like to request the Boards consideration of approval of the site plan , the applicants are very eager to advance forward with at least getting organized on site work at least organizing some clearing , grading and any kind of jump start they could get on that would be greatly appreciated. We understand the delays on this were not the fault of this Board that it's been something with Covid and delays with the project in that regard but if possible we would like to ask for the Boards consideration, Thank you very much.

**Marcel Nadeau:** Comments from the Board?

**John Higgins:** Scott that area in the back where Boni is going to be getting the property there are a lot of wetlands back there?

**Scott Lansing:** There are wetlands back around that area in that area there is an upland pocket so they are picking up some uplands in that area but you are right there are a lot of wetlands in that back yard but where that 2.5 acre is located there are upland areas in there so there is a benefit to Boni.

**John Higgins:** Thank you

**Scott Lansing:** You're welcome

**Marcel Nadeau:** Any other comments?

**Mike Ziobrowski:** Did you further set back the building from 146?

**Scott Lansing:** It does meet the set back from 146

**Mike Ziobrowski:** Okay but it wasn't further set back in this new site plan approval I think that was the question we had last time , the distance from 146 does it remain the same or with this new site plan did you move it back?

**Scott Lansing:** Okay no the building is in the exact same location I just on the western side by adding that land on you can do a different fire wall there and save some money on the firewall, without the lot line adjustment we still meet the set -backs.



9/14/20

**Rich Berkowitz:** I make a motion to set a public hearing September 28<sup>th</sup>,

**Mike Ziobrowski:** Second

**Marcel Nadeau:** I have a motion and a second for a public hearing, all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

**Richard Harris:** Im just checking on the County review for a site plan, I think you're asking for a site plan tonight also?

**Scott Lansing:** If we could yes please, the questions with the County have been addressed

**Richard Harris:** Okay so we've got County review in on the site plan and I think Scotts asking if we can consider approving the site plan, the site plan didn't change because of the lot line adjustment, if they didn't do it they would still putting the building in the same spot so barring any outstanding engineering concerns that Joe Romano might have, Clough in remote there is no reason we..

**Mike Ziobrowski:** There is no issue with SEQR?

**Richard Harris:** The Town Board PDD covered SEQR on this, it's consistent with what the Board saw so it doesn't necessitate you guys taking a separate SEQR action

**Mike Ziobrowski:** Okay

**Richard Harris:** Joe do you have any objections or are you okay?

**Joe Romano:** Im good as long as the conditioning on our final sign off on the technical review, I've briefly gone through Scotts response and I think he addressed a majority of the comments so I think we will be okay

**Mike Ziobrowski:** I would like to make a motion to approve the site plan

**Lyn Murphy:** Subject to the condition that they abide by any final

**Mike Ziobrowski:** Subject to the conditions that they can review the final site plan and no conditions exist.

**Rich Berkowitz:** I second

**Marcel Nadeau:** All those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

**Scott Lansing:** Thank you very much.

**Mike Ziobrowski:** Thank you.

**Lyn Murphy:** Just so your client is aware, I will probably ask them to do a re-approval of the Site Plan when and if they approve the lot-line adjustment.

***Impact Athletic Center – Site Plan & Minor Subdivision***

***APPROVED (Site Plan) & PUBLIC HEARING SET (Subdivision/Lot Line Adjustment). Board approved the Site Plan application for the Impact Athletic Center and set a Public Hearing for the September 28, 2020 meeting for the proposed Minor Subdivision (lot-line adjustment).***

**20.077 / 20.078      Warehouse Distribution Facility, 4 Liebich Lane – Amendment to Site Plan & Change of Use/Tenant**

**Joe Dannible:** Good evening Joe Dannible, Environmental Design Partnership here to present the expansion of the existing warehouse distribution facility located at 4 Liebich Lane. We are here tonight for a change of tenant as well as site plan review. The property location again as I said is located on 4 Liebich Lane approximately a half mile to the east of the intersection with NYS Rt. 9 in early 2000 we obtained an approval for a medical use warehouse and distribution facility totaling 75,000 sq. ft. with approximately 60 parking spaces with an additional 50 parking spaces land banked in the front and room was left in the rear of the building to the east, southeast side for an additional 25,000 sq. f.t expansion to the facility. The medical warehouse use has left, has been vacant now for a few years we are not looking at putting a new tenant in there that will have a very similar use, warehouse and distribution what we are looking to do is go into the parking, the land banked parking that was approved as part of the original application provide an additional 50 spaces there. Look into the north corner, northeast corner of the building put an additional 13 to 14 parking spaces there and then we are going to go around the rear, the south east side of the building where the future expansion was proposed and we want to pave that for delivery and access vehicles to come in on that side of the site. We have provided a set of plans we review those plans with MJ and provided a response to those comments. We are filling in some of the storm water area providing for porous surfaces within the expanded parking lots both again the 55 space parking lot to the west and again the 14, spaces to the east of the building. We've modified the stormwater basins to accommodate the area that was filled, associated again with the expansion of the parking areas. We have had VHP Engineering look at the traffic associated with the potential need for a warrant for a traffic signal to be installed at the intersection of Liebich and route 146, the response from DOT is that no traffic signal is warranted at this time or with the completion of this project. We also looked at some of the potential noise concerns from this facility , I just want to point out we are within the Rolling Hills PDD this is an approved industrial park with a residential portion further to the , again to the east . Since the time that this was approved there are two other subdivisions that have been approved one is under construction , one has yet to start construction we are talking about the Angle road subdivision, located between here and the rest of the Rolling Hills residential PDD. We are also talking about the Klearsy Subdivision located immediately south of this project. When we look at noise one of the things that is great about the placement of this building in particular it is cut into an existing slope, there is an approximately 30, 35 foot bank to the south and east of this parcel you can see it in the topography on the plan there, on top of that is a hard section of forested land that leads in to the residential subdivisions. We mapped it out based upon the location where we think the houses will be placed on those lots we are looking somewhere in the range of 700 feet to the south or a 1000 ft. to the east again through the grade change and through the trees before new residence could or would be disrupted so I think with that with the noise traveling through the trees and the bank that noise is mitigated from this site. Again we are here tonight looking for the change of tenant and site plan approval, thank you.

**Marcel Nadeau:** Any comments from the Board?

**Richard Berkowitz:** With the increased parking are you anticipating an increased number of employees or an increased use than what was there previously?

9/14/20

**Joe Dannible:** Certainly there is going to be an increase of the number of employees , the previous building only had about 50 to 60 parking spaces we are now bringing that parking up to 135 total but we do anticipate having somewhere in the range of 100 to 125 employees on the property

**Richard Berkowitz:** This is a 24 hour facility?

**Joe Dannible:** I do not know the answer to that I can certainly get that I am not sure if he is on Kevin, the question was is this a 24 hour operation?

**Kevin Watts:** At this time I don't believe it is but I would need to verify that with the Town unfortunately I don't have that answer at this time.

**Rich Berkowitz:** And the reason Im asking is it says it operates postal, similar to a postal office so if it's a 24 hour distribution center will there be trucks coming in and out 24hours are they going to be limited to business hours?

**Kevin Watts:** The vehicle trips are limited to the morning and evening, so there is a, from the previous years there is a projected increase in the 15 trips in the morning and 8 trips in the evening which is consistent with the letter that VHB our traffic engineer put together for us, so they are not in and out all evening

**Rich Berkowitz:** Was that tractor trailer usage or was that just regular box trucks plus the tractor trailers?

**Kevin Watts:** Primarily box trucks the tractor trailer is consistent with the previous use

**Rich Berkowitz:** So you will have box trucks similar to UPS or FEDEX trucks coming in and out?

**Kevin Watts:** That is the sort of vehicle that will be in and out yes.

**Marcel Nadeau:** So you're saying these vehicles won't operate 24 hours, I'm concerned with the beep, the beepers on the back if they are backing up, someone?

**Richard Harris:** Yea I mean the application has indicated 24 hours a day I mean maybe they are just maximizing the potential but the applications did indicate 24/7

**Joe Dannible:** I think the way that I understand it is the box trucks will be leaving on scheduled time both in the morning and returning in the evening , we've tractor trailer deliveries coming to the site for distribution could probably occur at any hour on the property.

**Mike Ziobrowski:** And I guess the real concern is the box trucks have back up alarms, or no are they small enough that they don't have back up alarms?

**Tom Koval:** All commercial vehicles are required to have back up alarms.

**Mike Ziobrowski:** Are you answering for him? Im asking do the vehicles have back up alarms?

**Joe Dannible:** Again commercial vehicles will have back up alarms

**Mike Ziobrowski:** Thank you Tom

**Tom Werner:** So these will be operating, at least we are understood to be 24 hours a day 7 days a week now I think the concern was there would be noise propagated in the residential areas, I think one of our Board members said he can hear the noise from the trucks at Sysco which is a nearby tenant yet he is further away so that was our concern, but your saying there will be no noise that will be received by residences in Rolling Hills, Pinebrook Hills?

**Joe Dannible:** I think this is slightly different that the Sysco , again we're cut in , benched into the site, we have a noise barrier more so than just vegetation we have a vertical elevation change which is the best noise barrier you can possible have , and again we are within an industrial park , within an industrial zone. The subdivisions that were approved after the zoning of this property for an industrial zone and they are aware of the facilities there they are aware of the Sysco facility, certainly the Sysco facility operates at a much higher frequency with many, many more tractor trailers coming in and out of the site than the proposed use here.

**Tom Werner:** Can you just basically just describe the operation how this works, the box trucks would pull into the facility to be loaded up to go to their destinations and the large trailers I understand there were roughly 40 of those that would be coming in and out during the day would pull in the day, unload in the back at the docks?

**Joe Dannible:** So the tractor trailers would come in unload at the docks the merchandise will then be brought into the facility redistributed into its carrier roots if you will and then distributed and placed onto box trucks every morning for distribution, and the box trucks would return at night for the next morning to be filled.

**John Higgins:** The trucks, the multiple trucks that will be going and coming where are they going to be parked because I think the question is if they are going to be backed in to a loading dock and they are going to be loaded and their just pulling out in the morning obviously they back up alarm question would be negated quite a bit by the fact that they are just pulling out , if they are going to be parked in the parking lot and have to be backed up to the loading docks at different times in the middle of the night as a neighbor there we can agree Sysco , but Sysco has done quite a bit to try and minimize the back -up alarm problem, it seems like this could potentially , I know you're talking about a 30 foot hill behind you but believe me that doesn't make a difference because a lot of the houses are above that , if the operation is to have these trucks back up to the loading docks and just pull out obviously that is going to make a huge difference as far as the back-up alarm question.

**Joe Dannible:** So the majority of the trucks that will be loaded will be occurring on the northeast wall of the site that's where all of the existing loading docks are there will be an anticipated maybe two , three additional overhead non loading dock doors that will be placed along the proposed asphalt that is what was asphalt on the southeast portion of the site but we have done everything that we fan to have the majority of the loading and the unloading occurring on the northeast façade of the building which would further mitigate the noise traveling in the eastern and southeastern direction from the site.

**Tom Koval:** So the building between the loading docks and the neighboring residences?

**Joe Dannible:** To the south, certainly the neighbors to the east still have somewhat of a line of site but again we are doing everything we can to minimize the use of the east side of the building as the primary point of loading and unloading at the facility.

**John Higgins:** Do you have any idea what time those trucks will be backing in to be loaded?

**Marcel Nadeau:** I think we need to get clarification is it a 24 hours or is it not?

**Joe Dannible:** So again it is a 24 hour facility, trucks exiting the site will be loaded in the morning and out for delivery so your standard delivery

**Marcel Nadeau:** I think the Boards concern is are trucks going to be beeping at 1:00 o'clock in the morning I think is what we are looking at, or wondering?

**Mike Ziobrowski:** Yea are they going to be dropping loads off at 1:00 in the morning then during the day?

**Joe Dannible:** Gavin I don't know if you have an answer for that or if that is something we are going to have to get further clarification on?

**Kevin Watts:** Yea so your right it's a 24 hour facility you know the loading of the last box truck occurs in the morning and they return in the evening and then both packages are delivered via semi- trailer and that could be at any point throughout the day and you know semis are backing up into the loading docks that exist now and but the bulk of the traffic on this property will occur right around the 9 am hour right after everybody gets in and as trucks get loaded as everyone slowly starts to trickle out and then when they return to trickle back return as well.

**Marcel Nadeau:** So are you saying that the trucks won't be backing in in the late evening hours, or morning hours, one o'clock in the morning?

**Kevin Watts:** You're talking the small distribution vans or the semis?

**Marcel Nadeau:** Any of them, any of them that would have a beeper on it at one, two or three in the morning.

**Kevin Watts:** There is a potential they could be, yes but the last truck, vehicles UPS, or FedEx type vans operate during normal working hours, you don't receive FedEx or UPS deliveries at 2 in the morning you receive them during normal business hours.

**Rich Berkowitz:** Is it safe to say you'll have tractor trailers coming in early in the morning, say four, five, six o'clock in the morning, offloaded, redistributed the box trucks the box trucks leaving during normal business hours.?

**Kevin Watts:** I wouldn't say that's safe to say, I would say the majority of the trucks would be during normal business hours but you know there is always the potential so that you know a tractor trailer arrives early or late I mean there is off peak Hour personnel there to receive the bulk of this operation is 9 to 5 you know that said the trucks arrive when they need to arrive and packages need to be delivered and especially during the busy season, that's just kind of the nature of the beast unfortunately. Those loading docks that they are backing into are existing docks and the traffic that is going out of the facility is not an impact to the traffic stop there, the signal.

**Rich Berkowitz:** With the previous tenant when did they receive most of their tractor trailer drop offs?

**Kevin Watts:** I'm Sorry I don't know that one I'd have to go back and get that information for you.

**Rich Berkowitz:** Because if it's a similar operation then it probably would be fine if there is a lot of increased traffic early in the morning when people are sleeping that might be more of an issue.

9/14/20

**Kevin Watts:** I understood , I just can't say with confidence what the previous tenant did, I don't know that with confidence I would have to get back to you on that one but it is a similar use

**Rich Berkowitz:** Is Sysco 24 hours?

**Richard Harris:** Yes

**Rich Berkowitz:** Okay so

**Richard Harris:** I was there recently at 11 on a Saturday and they were open

**Rich Berkowitz:** Have we had any complaints about Sysco from the neighbors besides?

**Richard Harris:** No not that Im aware of. I do want to remind the Board, Joe you might have pointed this out there is another industrial zoned parcel that is part of this, and right here it's owned by Clifton Park Materials, it's not developed

**Rich Berkowitz:** Isn't the whole park industrial?

**Joe Dannible:** Yes

**Richard Harris:** It is but right here is part of Pinebrook Hills being developed, being developed right now.

**Rich Berkowitz:** A housing development?

**Richard Harris:** Correct

**Rich Berkowitz:** Which is buyer beware because they know they are next to an industrial park

**Richard Harris:** In addition to Rolling hills

**Rich Berkowitz:** Right, correct, I think we are just trying to nail down the hours of operation I don't think there is much of a problem for me personally with the project

**Joe Dannible:** I think what Im hearing from the applicant and what I know is again the majority of the box trucks will be moving around the site probably between the hours of 8 and 10 in the morning and then returning to the shop in the evening hours probably before 9 pm, tractor trailers I think what we are hearing is that they tend to come to the site 24/7 for delivery

**Rich Berkowitz:** You'll obviously have a busy season versus a non- busy season, it's always busy but a busier season versus non

**Joe Dannible:** Correct

**Tom Werner:** You mentioned excavation at the back into a burm or land whatever it is what is the elevation difference from the trees at the top and where the trees are from at the bottom?

**Joe Dannible:** I can't see the contours but you are probably in the range of 35 feet, it's taller than the building

**Tom Werner:** Okay and then on top of that would be trees?

**Joe Dannible:** Existing mature forest, again I can't stress enough that it's an industrial zone none of the residential properties that are being considered were in place prior to the establishment of the industrial zone.

**Rich Berkowitz:** And when you said the traffic study you said DOT knew the type of business you were attempting to put in there?

**Joe Dannible:** Yes

**Rich Berkowitz:** Number of trucks, number of tractor trailers, number of box trucks?

**Joe Dannible:** That was all outlined, correct.

**Richard Harris:** They did a VHB did a traffic analysis based on this tenant's numbers

**Rich Berkowitz:** Okay and the engineers are fine with this as far as the engineering?

**Joel Bianchi:** As far as the site plan yes.

**Rich Berkowitz:** As far as traffic study

**Joel Bianchi:** Traffic study was not provided to us it was sent directly to DOT as they would have the ultimate call on the need for the traffic signal.

**Rich Berkowitz:** So you have not seen it personally?

**Joel Bianchi:** I have not seen it.

**Rich Berkowitz:** But you've seen not the study but you've seen the compilation of it?

**Joel Bianchi:** No, that was not forwarded to us

**Rich Berkowitz:** But that was all done as part of the PDD originally?

**Richard Harris:** No recently VHB was hired for this tenant to do that analysis which was forwarded to DOT I did receive the confirmation from DOT that they agree with the findings of the engineer and that it does not warrant a traffic signal nor any improvement to the area based on their findings.

**Richard Berkowitz:** I make a negative declaration pursuant to SEQ

**Tom Koval:** Ill second

9/14/20

**Marcel Nadeau:** I have a motion and second, all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

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

**Tom Koval:** I second

**Marcel Nadeau:** Motion to approve all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

***Warehouse Distribution Facility – Amendment to Site Plan & Change of Use/Tenant  
APPROVED. Board received a presentation and approved Change of Use/Tenant and Site Plan  
applications to allow the operation of a warehouse/distribution facility at 4 Liebich Lane.***

**Richard Harris:** I did want to mention Brendan your still on correct? Brendan Nielson another alternate you're still on correct?

**Brendan Neilson:** Yea Im on Rich

**Richard Harris:** Okay we are going to have Charlie step out and you'll come in for the second half of the meeting, okay you good with that?

**Brendan Neilson:** No problem Im good

**Richard Harris:** Okay good, great.

### **New Business:**

#### **20.085 All in Barbershop, 15 Route 236 (Woods Plaza) – Change of Use/Tenant**

**Melissa Hill:** Hi, I'm Melissa Hill and I would like to open a barbershop in the plaza of Route 236. I would like to name it All in Cuts because I'm all in this. This is my dream. I'm completely, 100% dedicated into making my business succeed. I would be starting the business with 4 employees adding, hopefully, 2-3 more to make it complete. I will offer men and women haircuts and color services. I will also be selling barber and beauty supplies there. I created a hairclip 2 years ago at Paul Mitchell's and I attended school. It is now in 30 different states and I just came out with a 2<sup>nd</sup> version. I hope to land a home for it at the barbershop. Monday through Sunday besides Tuesday will be the operation hours. It will be from 10:00 to 7:00 and Tuesday it will be closed. Sunday it will from 9:00-2:00. That's basically it.

**Richard Harris:** No sign plans at this time, correct?

**Melissa Hill:** I haven't done the sign yet. I am going to look into that. I know I have to do the permit first. But, I don't have a sign yet. Yeah, that's going to be within the month or so. It's just taking time. I just want to make sure this was approved before I kinda get ahead of myself.

**Marcel Nadeau:** Comments from the Board.



9/14/20

**Richard Harris:** I just want to add that she's been extremely patient in this process. I hope she leaves here happy.

**Melissa Hill:** I hope so too.

**Richard Berkowitz:** We're good with parking?

**Melissa Hill:** Yeah.

**Richard Harris:** Yeah. They actually re did the parking lot

**Melissa Hill:** We just redid it.

**Richard Berkowitz:** I make a motion to change the use of tenant.

Tom Werner: I'll second it.

**Marcel Nadeau:** I have a motion and a second all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

**Melissa Hill:** Thank you.

*All in Barbershop (Woods Plaza) – Change of Use/Tenant  
APPROVED. Board received a presentation and approved a Change of Use/Tenant application to allow a barbershop to operate in the vacant portion of 15 Route 236.*

**Marcel Nadeau:** Lyn Murphy's recusing herself from the next application.

**20.093      Capital Disc Jockeys, 1471 Route 9 (Crescent Commons) – Change of Use/Tenant**

**Michael Klimkewicz:** Good evening. Michael Klimkewicz the owner of 1471 Route 9, Crescent Commons. I'm here on behalf of the Applicant for change in use Capital Disc Jockeys they've been in business about 20 years and they've leaving Clifton Park for Halfmoon. They've got 3 employees they've got, it's gonna be a back room/office operation. They'll be actually meeting with clients out at the field that's about the extent of it no sign.

**Marcel Nadeau:** Comments from the Board.

**Richard Berkowitz:** I make a motion to change the use of tenant.

**Tom Koval:** I'll second.

**Marcel Nadeau:** I have a motion for a change of use and Tenant, second, all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

*Capital Disc Jockeys (Crescent Commons) - Change of Use/Tenant*

***APPROVED. Board received a presentation and approved a Change of Use/Tenant application to allow a DJ to operate an office in the vacant portion of 1471 Route 9 (Crescent Commons).***

**20.090      Architectural Glass & Metal, 3 Liebich Lane – Amendment to Site Plan (outside storage)**

**Mike Haverly:** Hi, Mike Haverly from Architectural Glass. Applying for outdoor storage at 3 Liebich Lane for the northwest corner of the lot for construction material. Presently we don't have enough room inside for our materials. I do feel that might be a little short lived given the economy that we're in right now, but we would still like to apply for outdoor storage when things turnaround for us.

**Marcel Nadeau:** Comments from the Board.

**John Higgins:** You are only showing outside storage between approximately 60% of the back building. How about Adams on the end and in around the corner?

**Mike Haverly:** He presently parks all of his equipment on the pavement he doesn't haul his trailers, he doesn't park anything that's off the pavement or store all his material is stored in his space.

**John Higgins:** Ok, and there's not gonna be any containers, either 20 or 40' containers parked outside of the area that you're showing as

**Mike Haverly:** No. There's nothing there that I'm aware of.

**John Higgins:** No, I'm just, we're just asking questions.

**Mike Haverly:** No, there wouldn't be any need for that. He's never asked for any additional storage.

**John Higgins:** Ok. Because, I know, there's like a boat stored over there now.

**Mike Haverly:** He has a boat that he takes inside. He keeps the boat inside and out, he takes it out sometimes.

**John Higgins:** No, I was just asking questions because I know that area gets kina congested at times, that's all.

**Mike Haverly:** Yeah, the storage that I'm asking for is for my company, Architectural Glass and Advanced Power for Generators.

**John Higgins:** Ok. Thank you.

**Marcel Nadeau:** Any other comments?

**Tom Koval:** I'll make a motion for the request for additional outside storage on the property.

**Richard Berkowitz:** I'll second.

**Marcel Nadeau:** Motion to approve all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

**Mike Haverly:** Thank you.

***Architectural Glass & Metal – Amendment to Site Plan (outside storage)***

***APPROVED. Board received a presentation and approved an Amendment to Site Plan request to allow additional outside storage in the rear of the existing building.***

**20.095      11&13 Corporate Drive – Amendment to Site Plan (outside storage)**

**Luigi Palleschi:** Good evening, Luigi Palleschi with ABD Engineers representing Ed Abele, Sitterly Associates, LLC. We're here tonight for 11 & 13 Corporate Drive. It's an existing building. 11 Corporate Drive is known as Crystal Rock Vermont Pure Water Company and 13 Corporate Drive is an existing building but it's currently vacant right now. What we're proposing is some outdoor storage in the shaded areas as shown up on the screen. That outdoor storage will be on existing pavement. We're not proposing to disturb any soils on the site. Currently, Vermont Pure stores their water containers on the, it would be the south, the east end of the 11 Corporate Drive and they'd like to relocate it on the north side of the building keeping it between the two buildings where you have your tractor trailer parking area. Fortunately, as you drive up and down Corporate Drive, it's....has some landscaping there so it does help buffer the storage areas that we're proposing and we're looking to keep the outdoor storage areas within the tractor trailer vehicle parking area to minimize, not only for visual but also to keep the maneuverability for the loading docks and access between the 11 and 13 Corporate Drive. That's pretty much it. Just here tonight hoping for approval on the site plan amendment for outdoor storage as shown on the site plan so I'll turn it over for any questions.

**Marcel Nadeau:** Thank you, comments from the Board?

**Richard Berkowitz:** Are these empty or full water bottles?

**Luigi Palleschi:** They would be empty, so they'd sit on the storage racks.

**Richard Berkowitz:** So, they secure within the racks?

**Luigi Palleschi:** Yeah, they're, what do you call it, not tieback but saran wrap, shrink wrap.

**Richard Berkowitz:** Oh, ok, ok.

**Tom Koval:** Is there any kind of closure, no fence or nothing?

**Luigi Palleschi:** That's correct, no and instead of storing them like they have been storing them on the east end of the building, they're gonna store them on the north end of the building.

**Richard Berkowitz:** How long do they stay there?

**Luigi Palleschi:** They recycle them pretty quickly, I would say a couple days, a week at tops, and when we were out there walking the site, this time of year is obviously the most busy for them so winter time you won't see them in the outdoor.

**Richard Berkowitz:** Before they're shrunk wrapped, where they keep the empties:

**Luigi Palleschi:** They're mainly in the trucks. So, as they come in and out of the trucks, they get packaged up, shrink wrapped and then outside.

**Richard Berkowitz:** So they get shrunk wrapped inside then they move them outside?

**Luigi Palleschi:** That's correct.

**Richard Berkowitz:** Ok.

**Tom Koval:** I make a motion to approve the additional outside storage.

**Richard Berkowitz:** I'll second.

**Marcel Nadeau:** I have a Motion and a second all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

**Luigi Palleschi:** Excellent, thank you.

***11 & 13 Corporate Drive – Amendment to Site Plan (outside storage)***

***APPROVED. Board received a presentation and approved an Amendment to Site Plan request to allow additional outside storage in the existing parking lot.***

**20.102      JW Danforth Company, 5 Liebich Lane – Amendment to Site Plan (outside storage)**

**Frank Scottie:** Good evening, I'm Frank Scottie and I'm with JW Danforth Company. I'm the facilities manager and right now JW Danforth is very fortunate in having two large, large projects that will go into March of next year. We are now offloading enormous amounts of pipe, not enormous there's quite a lot of pipe and we are storing it on the grass and the pavement at the facility. We're looking to put in 38 bollards that are reinforced with baring plates and 6" I beam on them. They will be 9' in parallel, one in back of the other, 4' off the pavement at the northwest side of the facility. With this said, we will be able to get all the pipe off the ground it will be neat, orderly and be able to plow without hitting anything, everything off the ground for the winter. The bollards will be 2' in diameter, 6" in the ground, 2' reveal with the baring plates and eyebeam on top.

**Richard Berkowitz:** So, is this a temporary situation?

**Frank Scottie:** Well, it is and it isn't a temporary situation. It can be removed very easily. It will be augured out and a sona tube put in, poured with a steel cage and the baring plate on top of the concrete sona tube.

**Richard Berkowitz:** So, you're basically gonna make this permanent then?

**Frank Scottie:** Yes. It will be 2' off the ground.

**Rich Berkowitz:** You're not gonna take this up and then.....

**Frank Scottie:** No. It's not really.....it would be more of a problem to remove it then to install it.

9/14/20

**Richard Berkowitz:** Ok, so it's permanent.

**Frank Scottie:** It's permanent.

**Tom Koval:** What's the actual side of the structure that gonna be holding this pipe?

**Frank Scottie:** It's

**Tom Koval:** You probably said it Im sorry

**Frank Scottie:** 125' long, the bollards will be one in back of the other, 19 different spaces, right, with steel, 6" steel on top and the pipe lays on top of that.

**Tom Koval:** So, it's 125'.

**Frank Scottie:** its 4' off the pavement and the piers will be 8' on center, one in back of the other.

**Tom Koval:** Ok. So, 125' long by 90' long

**Frank Scottie:** By, no, by 4' off the pavement. A bollard, or a pier and then in back of that 9' or 8' in back.

**Tom Koval:** 8'.

**Frank Scottie:** Yes.

**Tom Koval:** So, you're stacking 12' lengths?

**Frank Scottie:** No, they're actually 20' lengths. Yes. You'll have 4', 8' on the two beams and them 8' in the back.

**John Higgins:** The drawing looks like it's gonna be about half way, the back of the building.

**Frank Scottie:** It's more of a, close to half way, yes.

**John Higgins:** Now, presently you have storage across the entire back of the building as you can see from Liebich Lane there's containers back there. There's all kinds of storage, all the way across the whole back of the building, are you asking for the whole back of the building to be storage?

**Frank Scottie:** No. Most of the, most of that in the back on the south side is where all the trucks are parked. Between the trucks in that pipe storage facility, pipe storage, we're asking for is where we store the equipment that goes to the job sites we have your end units all kinds of equipment, roof top units It's stored there then they get loaded on the truck and distributed to the projects.

**John Higgins:** Ok, and then how about the containers that are back there?

**Frank Scottie:** Pardon.

**John Higgins:** The containers that are sitting on the ground, the 20' containers the gray ones?

**Frank Scottie:** We removed the one, ok.

**John Higgins:** I'm just....

**Frank Scottie:** Yeah, we have

**John Higgins:** All I'm saying is that you really, your Application should be for the entire back of the building to be a storage area because that's what you're presently using is the whole back of the building for storage. I mean you can see it right from Liebich Lane It's not hidden but I understand you visit Regeneron and other projects I know what you have going on and all I'm saying is you really should ask for the whole back of the building to be storage area because that's presently what you're using.

**Frank Scottie:** It's a removable container it's just got some...

**John Higgins:** Not just the one container there's, ya know any time you drive by there, there's always a lot of items stored there. New equipment that's waiting to go to a job site so all I'm saying is really, the whole back of the building should be designated as an outside storage area because that's what you're using it for.

**Frank Scottie:** Well, this would be more permanent the rest of it is temporary storage just for offloading equipment that gets distributed to job sites.

**Marcel Nadeau:** But it's still stored on site.

**Richard Harris:** John what about similar to what we've dealt with some other, usually change in tenants where they just literally, I mean most of the times it's an aerial google image, but would it be acceptable if they kind of drew a bubble area for this

**John Higgins:** Agreed I'm not arguing

**Richard Harris:** No, but at least so you can get it on a plan I think it might satisfy what you're asking. Obviously, his plan shows us the more permanent outside storage you're almost like a work yard area. I think what you're talking about ebbs and flows I mean, that's what we've done with some other sites where they couldn't give us an exact, well for three months it's gonna be, ya know, this and then, ya know, like kind of a, we've done that with, I know the Mechanicville Industrial Park down there on Elizabeth Street we had asked that, what's their name, Troy Ironworks just give us a bubble area where they're gonna store vehicles, store outside equipment. So that we have an idea of where stuff could be. Maybe they could do that to this plan to at least get it on paper, ya know, on I don't know what you call it, like

**Frank Scottie:** Maybe what you're talking about what we just received a 24' rooftop units for Regeneron and we have to accept delivery they're not ready for us on site so, we store them there and we ship them to the site.

**John Higgins:** I agree. But, all I'm saying is on your site plan, it should say, outside storage whether it's temporary or

**Frank Scottie:** So bubble that area where

**Richard Harris:** Yeah, I would, yeah, I mean because obviously you can't make parking spaces or designated for these different types of very unique things so what we've done in some areas is like a big bubble area give us on this plan so that we know you're basically, it's your playground for your work setup.

**Frank Scottie:** Should I separate the two areas the pipe storage and equipment storage?

**Richard Harris:** I mean it looks like

**Tom Koval:** I would do just, I would do it as one

**Frank Scottie:** One complete storage area.

**Richard Harris:** Yeah.

**Frank Scottie:** You need it stamped?

**Tom Koval:** Later on maybe you can, you don't have to get it done

**Richard Harris:** I mean we haven't gotten it stamped in other cases unless. Something like this we wouldn't if it's a definitive area where the measurements matter on close to property lines then we would ask for it stamped I think for this we would accept right over this.

**Richard Berkowitz:** Rich, can't we just accept this whole shaded area?

**Richard Harris:** Well, that's the buffer area.

**Lyn Murphy:** He can just designate it with Rich.

**Richard Berkowitz:** You don't need to get it stamped.

**Richard Harris:** No, no we wouldn't need it stamped we haven't required others there's been cases where it's close to the property line and you made them do a buffer and we've wanted it stamped.

**Richard Berkowitz:** Yeah, but this isn't anything like that.

**Richard Harris:** No.

**Richard Berkowitz:** Yeah.

**Richard Harris:** It's your call.

**Richard Berkowitz:** I'll make a motion to approve the amendment to the site plan with, including the outside storage.

**Mike Ziobrowski:** I'll second.

9/14/20

**All:** Aye.

**Marcel Nadeau:** I have a Motion and a second all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.

**Frank Scottie:** Thank you.

**Richard Harris:** I'll follow up with you tomorrow on what I'm talking about so

**Frank Scottie:** Thank you very much

*JW Danforth Company– Amendment to Site Plan (outside storage)*

***APPROVED.** Board received a presentation and approved an Amendment to Site Plan request to allow for additional outside storage in the rear of the lot on a storage rack structure, with a condition that the plan be revised to show an additional storage area along the rear of the building.*

**20.097                      Rocks Two Holding (Rock's Automotive), 190 Route 146 – Amendment to Site Plan**

**Duane Rabideau:** Duane Rabideau from VanGuilder and Associates here representing Rocks Automotive before the Board tonight for a site plan modification of the existing vehicle repair shop. The parcel is located at 190 NYS Route 146. We are proposing to modify the existing site plan to relieve the parking and congestion around the existing shop and have an improved traffic flow within the site. The revised site plan would include a new parking area. The original site plan encompasses this area here we are proposing adding 28 spaces in this section right here. The existing parking area that was originally approved will be reconfigured for better traffic flow and less congestion. Now, there is a correction in our application of how many additional parking spaces we were requesting. We stated we were looking for 30 additional, when in all actuality we're only looking for 22. We failed to take into consideration that we took a bunch of parking spots out of here and we lost some right here, the original site plan had a total of 21 spaces that included the land banks spaces so the land banking was down here and over here obviously, they're being used. Now the original parking area, which is this area right here, will only have 15 spots for a total of 15 and 28, 43 total parking areas. So, basically on the reconfigure existing part we are taking out these parcels, like I said before, and these right here. Also, in this proposed plot plan, we're missing something here, but the dumpster used to be right here. We're proposing to move it over here. There was an issue with the truck pick-up here in this position it'd be a better location because now the truck can go in, back up and come out. Apparently, now the truck backs up onto Route 146 so that's a definite improvement. On this plan we did update, I think, the Board has a plan where we're showing a proposed shed right here for storage. The, also, a part of this site plan approval, that is a 2-story building and they are proposing to build the mezzanine section level in the building for tire storage. This would alleviate the outside storage where the tires are now, which is in a tractor trailer right here that will be taken off-site. So, the mezzanine should take care of that issue. We are proposing arborvitae along the front of this, this section. At this point in time there is an enforcement action against this site now and part of the solution we feel is working with the Planning Board for approval of this modified site plan that addresses some of the existing issues that are on site now and that is our proposal before the Board.

**Marcel Nadeau:** So Duane, you're approved for 22 correct as it is? 22 spots?

**Duane Rabideau:** It's 21.



**Marcel Nadeau:** And you're asking for 22 more?

**Duane Rabideau:** That's correct.

**Marcel Nadeau:** I counted it two weeks ago, I think I counted over 51 units on the lot there, they were all over the place so I guess I question, what's going?

**Duane Rabideau:** 51 units of....

**Marcel Nadeau:** Of everything which is trucks, all kinds, whatever. It kinda looked like a junkyard.

**Duane Rabideau:** That is correct that's why we're, granted, I know the Board's not pleased with what's going on out there. I went by there tonight and I'd look straight ahead.

**Marcel Nadeau:** You would agree, right?

**Duane Rabideau:** I agree, he agrees

**Duane Rabideau:** I agree, he agrees, so, obviously we need some kind of solution. Part of the problem, obviously it's been somewhat of an ongoing problem, but the problem's been modified because of COVID problem, the fact that he can't get vehicles off the site that are left there because he's trying through DMV to get titles. He can't get those so the vehicles have to stay on the site. He has trouble getting parts because most of the parts are shipped in. So, we're having problems with not enough people in the warehouses to get the parts out.

**Marcel Nadeau:** But I think these problems were prior to January.

**Duane Rabideau:** It's been intensified. And he's trying, ya know, we're not making excuses for it, the problem's been there. But, it's gotten worse because of the situation's there. So, basically with this plan we got here what I think it really does is it opens this area up here right now you can't even hardly get in here, so if you the vehicles over here this opens this all up through here, granted, yes, many vehicles on site, we're asking for more sites but I don't really see how we can address this problem unless we add more spots. He is somewhat a victim of his own success. There's no easy answers but I believe this would, some kind of site plan like this would improve the situation greatly with input from the Board, restrictions, things of that nature.

**Tom Koval:** Duane, many, many of these vehicles have been there for multiple years, not 6 months, not 7 months, years, so saying that it's Covid or that he's a victim of his own success is in my opinion not accurate he is using this as storage for a lot of years and it's not the type of facility that you have storage on one of our most visible corridors. As Marcel said, he's got 51 vehicles and he's only still gonna end up with 47 spots. We're gonna still end up with stuff parked all over the lawn. It's just, he's gotta get rid of some stuff.

**Duane Rabideau:** Right, that's what he's trying, he's working at that now it's not an easy list.

**Tom Koval:** But we've been asking for over a year.

**Duane Rabideau:** Correct, that's why there's an enforcement action, we're trying to work this problem out.

**Tom Koval:** Why did you wait until enforcement action to do anything?

**Duane Rabideau:** We didn't know anything about it, so, it's come to a head and we're trying to deal with it.

**Tom Koval:** Is this parking all gonna be paved and striped or is it just gonna be willy-nilly.

**Duane Rabideau:** It's gonna have to be some kind of striping of some sort, whether it's, I'm not sure if he's paving it or crushed stone.

**Tom Koval:** I would like some clarification on that because if you just put in a stone parking lot, there's gonna be no organization and it's gonna look like a scrap yard again

**Duane Rabideau:** Ok, yeah, something to enforce more continuity, yes.

**Mike Ziobrowski:** But, with this area there'd be stone, is it or, is it going to be paved, what's being done to remedy any impacts on the storm water itself?

**Duane Rabideau:** Basically, this

**Mike Ziobrowski:** How do you know that we're not gonna have water all of the sudden running into 146?

**Duane Rabideau:** I guess the intent of this is to get input back from the Board to, because I know it's a touchy situation so we want

**Lyn Murphy:** This will be referred to the engineers they will get back to you.

**Mike Ziobrowski:** I would hope so, right, I don't see anything on this little sketch right now.

**Tom Koval:** We're gonna take a look at green space and everything

**Duane Rabideau:** That's correct, yes.

**Marcel Nadeau:** Are we comfortable with 22 more spots on this site?

**Tom Koval:** He's already using them.

**Marcel Nadeau:** Is it the case that the site is too small for his operation?

**Tom Koval:** No. I've seen, are those the arborvitaes you've got drawn in there. One every 5 spots, in about 130 years you might not be able to see all the cars there.

**Tom Werner:** I'd like to see an ambitious landscaping plan.

**Duane Rabideau:** I know, I know.

9/14/20

**Tom Koval:** I think you should come back with some more answers on what you are planning on doing as far as black top

**Richard Berkowitz:** There's a drainage corridor right there.

**Duane Rabideau:** I guess what we want to know is a plan in this general configuration is that a good starting point?

**Tom Koval:** It's a good start. It's more palatable then the stacking is currently

**Marcel Nadeau:** I think it's still too close to the road.

**Mike Ziobrowski:** You might want to recommend some coarse paving so you don't have any water infiltration falling off of 146.

**Marcel Nadeau:** Alright, we're gonna refer this to the Engineers.

***Rocks Two Holding (Rock's Automotive), – Amendment to Site Plan***

***TABLED. Board received a presentation for an Addition to Site Plan request to expand the existing parking area and referred the project to the necessary agencies for review.***

**Mike Ziobrowski:** I'd like to make a motion to adjourn the meeting.

**John Higgins:** I'll second it.

**Marcel Nadeau:** I have a Motion and a second all those in favor? (All were in favor) All those opposed? (None were opposed) Motion carried.