

**MINUTES MEETING
Town of Halfmoon Planning Board
September 26, 2022**

Those present at the September 26, 2022, Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Brendan Nielsen- absent
Chuck Lucia

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

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

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

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

Tom Koval: I second.

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

Marcel Nadeau: Don Ill abstain

Don Roberts: Okay Marcel abstains he was not present, thank you Marcel

Public Hearings:

Noradki Subdivision (north side), 3 Tabor Road – Minor Subdivision (22.067)

Don Roberts: Would anyone like the notice read? (No comments) go ahead Sir.

John Hitchcock: John Hitchcock with ABD Engineers, a two-lot subdivision located at 3 Tabor Road, the lot is dissected by the Pan Am Railroad tracks, there's about 32 ½ acres to the north of the tracks and 28 ½ acres to the south. The lots mainly mostly vacant with the exception of the single-family house located to the west of the lot right there on Tabor Road. The owner and the applicant are working to subdivide this as you can see in red and blue there into a two-lot subdivision. Lot A will be the lot shown in red which is all the lands north of the rail track that 32 ½ acres there, and then 4 acres where the owners occupy that house, so shall retain ownership of that property. The blue the applicant is proposing to buy, it is 24 ½ acres and we are just here tonight for the public hearing and move forward with the approval, and as was stated earlier it has nothing to do with the application you have for site plan that is separate from this.

Don Roberts: Right, correct, okay thank you, at this time we will open the public hearing, would anyone in the room wish to speak? Come up and say your name and address and any comment you may have please.

Bob Degnan: Good evening my name is Bob Degnan and I live on 10 Northern Sites Drive, just on the northern part of Tabor Road where the proposed subdivision would be. I've been in front of you before three different times consistent with messaging is 17 years where we live, we moved out here in the country to get away from congestion the noise and the traffic, that's number one, secondly to live and drive on a road that's safe. Tabor Road in this case has been our problem that we raised up, I started to do the power points tonight but the last time I went over some of the traffic data that I had before and the third thing is to continue to maintain and or improve the value of our homes so, first thing I want to point out, I don't know if you've driven on Tabor Road lately but either the owners, and this is, Ill try to link everything because I know its about the subdivision not what would follow but to the safety of Tabor Road, either the owners or their neighbors have had a sign up for over a year now 2 bid signs on the bottom of Tabor Road right around where the subdivision is going to be and its, drive slowly, slow down children etc. so that's the either the owners or neighbors of the proposed subdivision so that's first and foremost. I have a question for the Board, linked to the traffic and the amount of traffic, do you ever go back on items that were approved a year or two years ago and do a postmortem on them? And by that Ill site, Ill give you an example. So Twin Bridges so 2 years ago it was approved in their plan when they said they would have 20 trucks in the morning, 20 in the afternoon that's about 20 an hour now, so and the reason I raise that up and I know this isn't about Twin Bridges and I don't mean it to be, its that amount of traffic that happens and it goes up Tabor Road which and there's another I think 113 Tabor Road, I think a new warehouse going there. Subsequent incremental traffic which creates further problems on the corner of Tabor Road, so you've got the owners of the property,

you've got a lot of the neighbors including myself saying that's a big concern and then, so Im sorry Don you were going to answer my question about postmortems.

Don Roberts: I don't think we've done that, have we in that area?

Richard Harris: No typically if a project comes in, they factor in the existing development sometimes they will have the counter strips that will help measure that but, my question back to you though the mentioning of 20 by the applicant, I don't recall exactly but was that in reference to peak hour traffic in the morning and evening? That's typically what the engineers focus on and others and Im not saying your doing this but others I've had come before the Board may hear 15 peak hour and they interpret that to mean 15 all day.

Bob Degnan: Right

Richard Harris: I don't know if that was the discussion you're referencing

Bob Degnan: Could have been Rich, it could have very well been, but it's a big difference from 20 an hour than peak hours, its

Richard Harris: Well, they only focus on peak hour traffic during a traffic study, so they typically wouldn't look from 8 am or 9 am till 3 pm. I don't remember what that conversation was so maybe the reference was, but I do kind of doubt it meant 20 all day, and 20 at night

Bob Degnan: It may not have, and I don't want to lose site of my point is, if in their plan its 20 in peak hours and it grows to 40 in peak hours no one knows about that right, so I don't want to get caught up in the

Richard Harris: Yea, correct, I meant we don't go back and independently commission something a year later or 2, the best answer to that is if another development came in the traffic engineers for that project would hopefully incorporate the numbers, put traffic counters in the road or something like that.

Bob Degnan: And their projections.

Richard Harris: Correct yea and their projections.

Bob Degnan: Right, so also on the corner of Tabor Road the last discussion here was about can tractor trailers navigate around that corner, and again this is linked to potential approval of a subdivision which of course there is something behind the approval of the subdivision right? Or we wouldn't be here tonight so during that meeting I think it was Jason's company did the proposal for an engineering firm but you an outside study was conducted and the outside study came back and Ill read it to you, and Ill read it to you so Im not mincing words here but, the conclusion of that study was, the analysis revealed that currently that turn in question Tabor Road will WB-67 trucks trailers with track across the gravel shoulder of the road. So there is a house, they would pass the house they would try to cut the corner and go over the gravel and then there is a ravine so there is not a lot of room for error there, and or the cab would be required to cross over the middle of the road to make the turn, so that still hasn't changed a darn thing right that concern on Tabor Road continues to be a problem, this is a year and a half later on. I know the Boards plan was hey as that moves forward , we'll come back and take a look at it now that warehouse is being built so there is going to be more traffic on a country road.

Richard Harris: We were going to revisit it when the tenants are named, and they haven't come before the Board yet.

Bob Degnan: I understand that, and actually it brings up another question, why would you not just lay out hard fact here's our requirements for any tenant as opposed to tenant to tenant, because if you say for me I want no weekends, because we tried to move up here to get away from the noise and the beeping that we have from Twin Bridges but so be it, but here's another one and maybe this subdivision would be three more warehouses so you know where does it end, right, with respect to that, and so why would you have different rules for different tenants in those warehouses?

Tom Koval: Because we don't know whether the tenants can have tractor trailer delivery, straight truck deliveries. Unfortunately this area's zoned commercial, I've said it at many meetings to you and the other residents you should be petitioning the Town to change the Zoning over there, it's the only way your going to stop this but I haven't heard of anybody coming and asking for that to be done, and I feel for you, I truly do but from a Planning Board Position we have to abide by the Zoning what's allowed to go in there so of course I'm on your side when it comes to future tenants you probably remember my comments at the earlier meeting because I'm one of the ones talking about tractor trailers on that road

Bob Degnan: Absolutely I do remember

Tom Koval: I absolutely feel for you but we have limitations to what we can do and enforce if it fits the zoning so until you come in front of the Town or start petitioning to get that zoning changed back to what it should have been right from the beginning years ago, our hands are really tied on a lot of it, we can set some stipulations but we are bound by the law.

Bob Degnan: So, I'm glad you brought that up because I took the liberty and went back and read your long-range plan, I read your vision statement and I read the conclusions and recommendations going forward out of that long range plan and here is an excerpt out of there. It says the Route 9 corridor including, and this was under Global, Economical and Fiscal Health, it's like chapter 3 section B, the Route 9 corridor including Ushers Road has been identified as an appropriate location for the development of Mixed Commercial, office use as well as light industrial uses, right that's where we are today. Next sentence, an exception to this use and this is in your plan not mine, the exception to this use is the Tabor Road area which has developed into a residential neighborhood and should remain so. I've got a copy of it over there if you need to see it so I don't know what else can I do if that's in your plan, and you don't adhere to your plan.

John Higgins: We're not the Town Board

Richard Harris: That's the comprehensive plan from the early 2000's

Bob Degnan: Right, yea

Richard Harris: This Board has no authority to enact laws to implement that Zoning, that would be a change for the Town Board, I can tell you the Town Board Supervisor has initiated a new comprehensive plan because, that's been 20 years or so since that was written, so I'm confident that will be one of the areas looked at by the Town Board, but this Board can't take the words from that and enact them, that would be a Zone change from the Town Board, not this Board.

Bob Degnan: So, any advice Tom? I know you were saying help us help you, but what can I do ?

Tom Koval: As Rich, it's over my head we get overruled on a lot of things, but the Town Board is who you need to be speaking to and the Town Supervisor

Bob Degnan: Kevin, right?

Tom Koval: As said they are working on it, they are looking at it again but Im not privy to any of that information, you know how it is, it flows downhill.

Lyn Murphy: That's part of the comprehensive plan and the Town Board has always consistently had several public meetings together with opening the committees to residents so they get a varied opinion, or they get various opinions from all throughout the town so becoming part of that process which is again starting to get going right now, so 2 years ago we re-did the ordinances themselves not the underlining zoning for the most part but the contents of the ordinances themselves, now we are moving onto the next step, the Town Board is to look at the Zoning itself, so I would encourage you and Im sure the Town Board would encourage you to get involved in that process.

Bob Degnan: Yea, okay thanks for that advice.

Tom Koval: Town Board and Supervisor in the end want the residents to be happy, none of us are happy if you have to come here and be mad at us.

Bob Degnan: Im not mad but you need to understand our position, it's like hey

Tom Koval: We want you to live in peace just like we do.

Bob Degnan: Yea, because you know that's the Town also in that same report it talked about the vision was lifelong community, we want you to be here for to enjoy recreational economic opportunities, in Halfmoon, home of the future generations, but right now my feeling is that we're being squeezed and this is something that you can impact, starting with tonight's vote. We are being squeezed from Liebich Road, and Im on Northers Sites Drive and Im down near Twin Bridges and there is not , there is a handful of houses between them, between maybe 15, we're getting squeezed with every subdivision approval so I would just ask that you seriously consider not approving this for the reasons about traffic safety, about noise, about environment, about congestion, we moved up here probably like many of you to get away from it not to be overtaken by it. and if we are going to be long term residents at Halfmoon its not feeling really good right now, and then I have to share one last thing for you now then Ill go away. I want to pass a couple of pictures, again this is not you but it's out of the longer plan, one of their comments, these are the same pictures, one of the comments is that, identify the desire to mix and scale business and commercial districts in a manner that recognizes and is sensitive to neighborhood settings. The pictures that I just distributed show the new warehouse and the burm being jammed right up against a house down the street. That's not sensitive to neighborhood settings, the best I can tell, so I would ask you to seriously consider that , look at that and imagine if that was your home, and now we're saying lets approve this subdivision and three more warehouses behind it, its going to be a problem and I don't know where it ends so that's my plea and request to you, and Ill follow up with Keving Tollisen and let him know we had that conversation tonight and you steered me towards him, fair enough.

Don Roberts: Okay thank you. John, do you have a response to that or no?

John Hitchcock: I mean I understand where he is coming from but the fact is that we all know there is a site plan in front of the Board, but the fact is that the owner has a right to subdivide this if that site plan was never to move forward a single family house could go in there, so I mean the owner does have a right to subdivide it.

Don Roberts: Okay anyone else wish to speak?

Ryan Greenburgh: Hello everyone, my name is Ryan Greenburgh Im from Northern Sites Drive as well, so you brought up 2 points I just wanted to, maybe someone can educate me a little bit. What is the regulatory authority, what are the decisions made on by this Town? What do you put into consideration when you look at a proposal like this and move something forward or not move it forward?

Don Roberts: First of all make sure it meets the Zoning requirements that's the first thing, and then concerns from the neighbors come into play as well and if we can take any action to alleviate those concerns we do that, so a lot of review goes into this before it gets to this point, this has been reviewed, this didn't appear tonight, this has been before us before you know, so we do try and do what's best for everyone and the best we can, but as you heard earlier we are restricted to a point, we cant, just because we don't like something we cant say no, you know, I mean there has got to be a reason.

Ryan Greenburgh: Understandable I mean, I apologize what was your name? John , John had brought up before too like absolutely someone has their property nd they are going to want to do something with it, I was just trying to understand what do you consider when you sit here and make a decision and you sit here do you go through 10 things and check a box or do you just turn and say feels good, we will go with this.

Don Roberts: No, we don't do that

Ryan Greenburgh: You never know I mean

Lyn Murphy: The Town has local laws that you can look up online that detail exactly what they look at when they are looking at a subdivision, they also hire professional engineers to review when we are doing site plan or any other kind of development for the most part, tell us what will work in an area, what wont work in an area. We also employ a 3rd party traffic engineer who goes over the traffic studies so that its not just the applicants and engineer who tells us oh this will work, there are many safeguards in place, and I encourage you to go online and look at those local laws.

Ryan Greenburgh: Excellent, so there are 3rd parties that will come in its not just one sided

Lyn Murphy: Correct

Ryan Greenburgh: And there's Town, and all those documents are made public?

Lyn Murphy: Absolutely, correct.

Ryan Greenburgh: Excellent, so my side is more on the safety side, you know I understand there are things that are going to happen, and we all live in the community and everything else, so I guess from a safety point

of view maybe you can point out to me if this is in the regulations as well or the ordinances. How do they determine the safety of something that's happening, you know whether it be, number of accidents that have happened on the road, number of vehicles that have gone you know.

Lyn Murphy: Alright, our engineers can better answer that question, but basically there is a National Traffic Safety Board who determines the parameters that are looked at in determining whether or not during peak hours there is too much traffic or not too much traffic, so they use the standards that are set forth by that Board.

Ryan Greenburgh: And then they would consider whatever development or construction that would be going in there when they are doing that evaluation?

Lyn Murphy: Correct, correct they typically look both backwards at things that have been approved but not yet built and forward, things that are on the table that have not yet been approved just to account for everything that's going on in the area.

Ryan Greenburgh: And would it be on this council, on the Planning side or on a different Board that would evaluate from a safety point of view, well this is going to increase traffic by 50 % and we need to add a sidewalk on this side for pedestrians or we need to add something else that would go along with it in order to make sure that the community, look we are going to live in a mixed environment is what your saying and totally understandable but is it one of those situations to where this Board would say, this is okay but we suggest?

Lyn Murphy: This Board does have the ability to do things like that within the local law, but its all based on our recommendations from our engineer because those are the people who we rely on to give us that information.

Ryan Greenburgh: Sure, they are subject matter experts.

Lyn Murphy: Correct

Ryan Greenburgh: This is what they went to school for, so who's the engineer?

Marcel Nadeau: And to that point we don't always like the engineer's answer

Ryan Greenburgh: I completely understand

Marcel Nadeau: Myself as one but again as engineers, they have more knowledge than supposedly we do.

Ryan Greenburgh: Joel is there anything you want to say?

Joel Bianchi: You have very appropriate questions, I want to remind the Board this application, albeit an extension of what you're mentioning, are not triggered by this application. The subsequent application that I believe is still on hold will trigger our other Board to take the deep dive that you mentioned. Physically creating the second lot does not trigger all those topical areas that you mentioned.

Ryan Greenburgh: Excellent, and yes and I apologize for taking up your time, first time being at a planning board meeting, right I just wanted to give you some inquisitive questions today so you didn't have to go through all the same stuff over and over again, but no, so understanding that part from our safety side you know as you look at this application or future ones that are pending or not pending or what your going to do with it, I think safety is something amongst an entire community.

Mike Ziobrowski: May I remind you we are looking at a subdivision right now.

Don Roberts: Right, that's all we are looking at nothing else.

Tom Koval: You'll find our questions to be much more probing when they come in front of us for something, what they intend to do here or what they would like to do here. Right now, this is just breaking a lot in half.

Ryan Greenburgh: Sure

Tom Koval: So, its

Ryan Greenburgh: It's separating out the one person who is selling a portion of their lands

Tom Koval: Bottom line is if the landowner decided to sell the whole thing to him, we wouldn't be here tonight we wouldn't be here until they came in front of us again. That's when the hard questions get answered or asked, they don't always get answered, rarely do they get answered

Don Roberts: And again this has happened before, or I mean its not the first time, happened before where we are just looking at a simple subdivision and something else to come and everyone gets all upset about it so I mean, we have to look at a subdivision tonight that's all we are looking at nothing else, but these comments and concerns, we're hearing you okay, its good your saying them because we're hearing you but keep in mind this is just a subdivision, its all it is.

Tom Koval: So bottom line is we are not plopping anything in your backyard

Ryan Greenburgh: And Ill be honest and Ill say take the subdivision off the table for a second, my questions are more again, community safety, what's that process going forward, so that I know next time for whatever the inquisitive one is I said , I think that you said it has a couple more challenges to it or more questions but what would that look like what would we need to do to advocate for safety within our community to make sure that my 4, and 6 year old you know are okay.

Tom Koval: Keep your eyes on the agendas online, and if you really, really want to get involved keep your eyes open for when we have an opening on the Planning Board and you can help.

Ryan Greenburgh: I mean that just sounds like too much fun, Im kidding

Tom Koval: Listen doesn't it look like Im having a great time.

Ryan Greenburgh: I mean Im enjoying the conversation

Marcel Nadeau: You'll lose some friends Ill tell you that.

Ryan Greenburgh: One last question I apologize, when you've considered other ones, like the warehouse that's being built or anything else in Halfmoon have you ever made a suggestion to you know, adding speed bumps or adding sidewalks, things that are going to cost the town something but are going to increase the community safety and the community in the whole?

Tom Koval: Ye we have, and we've also made suggestions to deny it, deny a proposal, not they've always gone through, but we have denied some proposals. We're on your side believe it or not, because we are also residents.

Ryan Greenburgh: I was going to say I hope you live here or most of you.

Tom Koval: We all do

Tom Werner: I would mention that a couple of towns have town – highway safety committees that are advisory to the Town Board so that might be something you might want to suggest to your Town Supervisor here or in conjunction with the comprehensive planning that is starting up, the same way with trails and pedestrian bicycle trails, you have a trail committee.

Tom Koval: So, the more you get involved the better off we all are.

Marcel Nadeau: It makes our decision easier

Ryan Greenburgh: And when you make a suggestion regarding safety does that then go to the Town Board, and they decide if they want to do it or if you make a recommendation based on safety then that would follow through?

Lyn Murphy: It all depends on the application that is before this Board, there are some, if it's a site plan this Board has jurisdiction to do conditional approvals to put in things that should be done. If its going to be done by the applicant. This Board does not have the authority to tell the Town Board you as a Town Board are putting in a 3-lane highway because that turning lane is going to make it safe, they don't have the authority to do that. If it's a Planned Development District, then this Board makes recommendations and then the Town Board makes a determination as to what recommendations should be followed or not followed. So, it all depends on circumstance.

Ryan Greenburgh: Terrific, do any of you have any questions for me Im happy to answer anything?

Don Roberts: No, we're good, thank you.

Ryan Greenburgh: Alright, thank you very much.

Don Roberts: Thank you, would anyone else wish to speak in the room? (No comments) would anyone online wish to speak on this project, the subdivision? Anyone online wish to speak? (No comments) okay at this time we will close the public hearing, I must say we got a lot of good comments, but I have to say this has to be the longest public hearing on a subdivision I think we have ever had, we set a record thank you,

okay public hearing is closed, comments by the Board? And again, its only a subdivision is all we are dealing with.

Tom Koval: I will make a negative dec on the subdivision for SEQR

Mike Ziobrowski: Ill second

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

Tom Koval: Ill make a positive rec on the subdivision only

Mike Ziobrowski: Ill second

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, we will see you again.

John Hitchcock: Thank you.

Lyn Murphy: You heard all the concerns that were raised so you may want to talk to your applicant about them.

Noradki Subdivision (north side) – Minor Subdivision

APPROVED. Board held a Public Hearing and approved a two-lot subdivision at 3 Tabor Road.

Lands of Tanski Subdivision, 68 Cemetery Road – Minor Subdivision (22.133)

Don Roberts: Would anyone like the notice read? (No comments) You all take care, go ahead Sir.

Pat Jarosz: Good evening my name is Pat Jarosz with Van Guilder associates Im here tonight to answer any questions for the public hearing regarding the minor subdivision Lands of Tanski on 68 Cemetery Road. I could recap the project If you like.

Don Roberts: Short re-cap

Pat Jarosz: Okay, so the applicant proposes to subdivide into 3 lots for construction of 3 single family homes, each home will be connected to existing public water and sewer, lots B&C will utilize a common driveway access to cemetery road with a common driveway easement. This subdivision was previously approved by the Halfmoon Planning Board in the latter part of 2020 during the pandemic, it never filed with the County Clerk and has since expired. The only change from the original submittal was the demolition and removal of the existing home that was on the property. Thank you.

Don Roberts: Thank you, at this point we will open the public hearing would anyone from the public wish to speak? (No comments) Would anyone online wish to speak? (No comments) Seeing no one wishes to speak, we will close the public hearing, comments by the Board?

Tom Koval: I make a negative recommendation on SEQR

Marcel Nadeau: I second

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

Tom Koval: I will make a positive recommendation on the approval of the subdivision

Marcel Nadeau: I second it.

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

Lands of Tanski Subdivision – Minor Subdivision

APPROVED. Board held a Public Hearing and approved a three-lot subdivision at 68 Cemetery Road.

Hank's Hollow Subdivision Lot Line Adjustment, 28, 30 & 50 Staniak Rd (Lots 107, 108 & E) – Amendment to Final Subdivision (22.139)

Pat Jarosz: Good evening my name is Pat Jarosz again with Van Guilder associates Im here again to answer any questions for the public hearing tonight for the subdivision Lands of Hanks Hollow. So, we are proposing the lot line adjustment involving lots 107, 108 & Lot E in Hanks Hollow Subdivision on Staniak Road, Lot 107 has an existing home and the other two lots are vacant. Lot 107 area before

Don Roberts: Sir, just for one second excuse me, go ahead Rich

Richard Harris: If someone's online can you please mute we can hear you coughing it kind of messes up the mikes here, please mute until it's your turn, thank you.

Don Roberts: Sorry Sir, go ahead

Pat Jarosz: That's okay, so lot 107 the area before adjustment is 2.15 acres and 2.89 after. Lot 108 the area before adjustment is 2.74 and 2.69 after and then Lot E the area before the adjustment is 39.71 and 39.02 after, thank you.

Don Roberts: Thank you, at this time we will open the public hearing if anyone wishes to speak? (No comments) would anyone online wish to speak? (No comments) okay we will close the public hearing, comments by the Board ?

Tom Koval: I make a negative declaration on SEQOR.

Mike Ziobrowski: Ill second

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

Tom Koval: Positive approval of the subdivision

Tom Werner: Ill second it.

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

Hank's Hollow Subdivision Lot Line Adjustment (Lots 107, 108 & E) – Amendment to Final Subdivision . APPROVED. Board held a Public Hearing and approved a lot-line adjustment at 28, 30 & 50 Staniak Road.

New Business:

Mack X Barbershop, 1410 Route 9- Change of Tenant/Use (22.141)

Walid Nema: My name is Walid Nema, Im here on behalf of Mack X LLC.

Don Roberts: Okay you want to run a barber shop?

Walid Nema: That's correct Sir

Don Roberts: Okay just explain what you want your plans are, how many chairs, hours of operation.

Walid Nema: So, we decided to install 6 chairs, 4 on the right side, Im sorry its 4 on the right side and 2 on the left side, also we have 6 waiting area, waiting chair, plus reception desk. There is only furniture we put in there.

Don Roberts: And how many parking spaces do you have?

Walid Nema: We do have 20 parking spaces over there.

Don Roberts: And hours of operation?

Walid Nema: Hours is from 10 to 5 Monday to Friday and Saturday from 10 to 1.

Don Roberts: Okay, questions by the Board?

Tom Koval: So, you have 6 chairs but you're only having 3 people working is that?

Walid Nema: That's correct.

Tom Koval: And you haven't come yet, you don't have a sign yet?

Walid Nema: Yes

Tom Koval: So, you're going to come in front of us again when you have a sign?

Walid Nema: The sign is going to be installed by the landlord, so he has to file for the sign permit and all of that.

Tom Koval: Yea, you, or him one of the two has to come in and put in a sign permit.

Walid Nema: That's correct

Walid Nema: Regarding the chair I actually try and put 4 chairs, but the architect went ahead and just drew 6 chairs, so I just went with that, and I have that.

Don Roberts: That way you won't have to come back

Tom Koval: You can keep somebody waiting in the other 3.

Marcel Nadeau: I make a motion to have a change of use and tenant.

Tom Koval: Ill second.

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, and Sir remember when you advertise your in Town of Halfmoon.

Walid Nema: Yes

Don Roberts: Thank you, good luck

Mack X Barbershop- Change of Use/Tenant

APPROVED. Board approved the use of vacant space at 1410 Route 9 for a barber shop.

Verizon Wireless, 15 Parkford Drive- Addition to Site Plan (22.130)

Don Roberts: Your online I believe M'am?

Deborah Burke: Yes, Deborah Burke representing Crown Castle and Verizon. Our proposal is to remove 6 antennae's and replace them with 9 antennae's also remove some co-ax cable and other miscellaneous equipment and install the new equipment along with the antennae's.

Don Roberts: The height is not changing right? The height of the tower is not changing, correct?

Deborah Burke: No, the height is not changing, and the ground equipment will be within the existing shelter.

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

Tom Koval: Ill make a negative declaration on SEQR

Marcel Nadeau: Ill second.

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

Tom Koval: Ill make a motion to approve the co-location upgrade request going from 6 panels to 9 panels.

Marcel Nadeau: Ill second it.

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

Deborah Burke: Thank you very much, thank you for allowing me to attend online I appreciate it.

Don Roberts: You're welcome, okay good night.

Verizon Wireless Co-Location Upgrade – Site Plan

APPROVED. Board approved new co-location and ground equipment at the tower at 15 Parkford Drive.

Henry's Detailing, 40 Farm to Market Road #4D- Change of Tenant/Use (22.132)

Bruce Tanski: Hi Bruce Tanski, Clifton Park. Tamara Sullivan is out of town on business. Henry's Detailing wishes to utilize an additional storage unit of 1500 sq. ft. next to their existing unit at Farm to Market Storage Center for equipment and supplies related to their auto detailing business. The additional unit was formerly occupied by LPS Landscaping, who is vacating. The proposed tenant has been advised that the unit is strictly for storage and that no outside storage or disposal, or waste is permitted on the property, and I hope this is right, the tenant is also aware that an office desk is permitted but there will be no partitioning for office space.

Don Roberts: Thank you, questions by the Board?

Marcel Nadeau: Where does he do his detailing?

Bruce Tanski: I don't know it was approved last time, I don't even know what he does to be honest my brother handles that.

Marcel Nadeau: Im just asking

Tom Koval: Bruce, I find it strange that a detailer would need that much space for storage, are you absolutely positive he is not detailing cars in this building?

Bruce Tanski: When I was in there two weeks ago, he had, 1,2,3, almost 5 cars in there waiting to go someplace, Ill double check it, Im not going to let him work in there, if he is going to work in there he can't stay there.

Tom Koval: Yea, because if I personally find out that he is operating a business out of there, its gonna look badly

Bruce Tanski: I understand, and I fully agree with you and ill make sure that doesn't happen.

Tom Koval: Okay

Don Roberts: Anyone else?

Rich Harris: Bruce are you saying the cars are his businesses cars?

Bruce Tanski: Pardon me?

Richard Harris: You said there's 4 cars or so in the existing unit, his cars you're saying to go to the job site, not customers

Bruce Tanski: Right

Richard Harris: I just wanted to make sure that was on the record

Bruce Tanski: Just like some of the guys that do roofing and gutters they bring their cars there and then they go to the jobs.

Don Roberts: They weren't cars that were detailed?

Tom Koval: Is this like mobile detailing?

Bruce Tanski: Pardon me?

Tom Koval: Is this mobile detailing?

Bruce Tanski: As far as I know it is he goes to certain places and does detailing at peoples' homes

Tom Koval: Okay

John Higgins: Bruce I've been by the site several times in the last couple of weeks, at various hours there seems to be an awful lot of vehicles that are there over night are people

Bruce Tanski: The only vehicles that are there over night is the Sheriff that's got 2 trucks that he uses there every day, they're parked on the side and sometimes when guys get home late at night, they leave their vehicles and they ride home with somebody else, but I mean as far as I know, as far as I see the vehicles change on a daily basis.

John Higgins: I agree during the day but Im talking about 10, 11 o'clock

Bruce Tanski: Like I said some of these guys don't come in till 11, 12 o'clock at night from what they are doing and sometimes their wife picks them up the vehicles there for a day or 2. A couple weeks ago we ha a guy drop off a boat with a motor and we told him to get it out of there we don't even know who's it is, but we towed it out so anything without plates is gone, I try and run a tight ship, I've had some issues but we try and do the best we can.

John Higgins: Okay well its just you know its not designed or approved for

Bruce Tanski: It's not a used car lot

John Higgins: Exactly

Bruce Tanski: And I agree with you because I've got to plow it.

John Higgins: Okay thank you.

Marcel Nadeau: Ill make a motion for the change of use and tenant

Tom Koval: Ill second

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

Henry's Detailing- Change of Use/Tenant

APPROVED. Board approved 1,500 SF for storage of supplies related to their automotive detailing business.

Next Generation Roofing, 40 Farm to Market Road #2A- Change of Tenant/Use (22.131)

Bruce Tanski: Next Generation Roofing wants to use a unit to store roofing supplies unit at Farm to Market the unit was formerly occupied by Hydro Sanit who's moving to a building #9. The proposed tenant has been advised that the unit is strictly for storage and that no outside storage or waste we're strict about that again the tenant is also aware that if he does have an office desk there will be no partitioning for office space.

Don Roberts: There will be no trucks there either?

Bruce Tanski: Pardon me?

Don Roberts: There will be no trucks stored there either, no trucks.

Bruce Tanski: No, they don't have any trucks there at all

Don Roberts: Okay, I see them up on Route 9, they've got a ton I want to make sure we don't have the same thing down here.

Bruce Tanski: They're all up on Route 9.

Mike Ziobrowski: I would like to make a motion to approve the change of use, tenant

Marcel Nadeau: Ill second

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

Bruce Tanski: Thank you

Next Generation Roofing- Change of Use/Tenant

APPROVED. Board approved the use of 1,500 SF for storage of supplies related to their roofing business.

Next Generation Roofing, Route 9 (adjacent to 1878 Rt. 9) - Commercial Site Plan (22.134)

Brian Ragone: Good evening, Brian Ragone landscape architect with Environmental Design Partnership, and Im here representing the Next Gen Roofing. The site is 2 acres it resides just south of the intersection of Route 9 and Liebich Lane and along the westerly side. The majority of the site is within the Town of Halfmoon, however a small portion of the site is just over a tenth of an acre is in the Town of Clifton Park. The Zoning for both Halfmoon and Clifton Park is light industrial, we did reach out to Clifton Park as we mentioned in the workshop, and they deferred the review to Halfmoon since not much was taking place within their municipality. I only anticipate some minor grading within the Clifton Park area. The existing sites mostly wooded with deciduous vegetation and some coniferous trees throughout. A small clearing exists around the middle to the southern portion of the site. The Dwaas Kill runs along the western and northern sides of the site, to the south there is a single family existing single-family house. The current topography has a burm within the Route 9 right of way, which then slopes down to the flat area that I was talking about, the clearing and then it continues to slope towards the Dwaas Kill. There is a small wetland of maybe 300 sq. ft. at the northern end of the site that was delineated earlier this year, we don't plan any disturbance with this proposal of that, so the proposed site plan is for 2 buildings. The first which is a 6,000 sq. ft. storage warehouse area, the second is a 1000 sq. ft. office for the administrative and daily scheduling for the business operations. There will be 28 parking spaces proposed and we would like to land bank about half of those for now. The proposed plan is to clear and grade the site starting within the DOT right of way and flatten that burm that is in front of this site. We will then expand that flat area on the site using retaining walls and the building around the perimeter to make up for any grading needed. We have a report from Creighton Manning that says we have enough sight and stopping distance for the proposed driveway, this will be submitted during the pre-liminary stage we have reached out to DOT about the right of way grading and the location and they've actually approved what we have showed them conceptually but obviously we'll need to go for permit when the time is right. There will be landscaping throughout that includes coniferous screening along the southern side against the existing residents, stormwater management will be held onsite, it will need a SWPPP because it will be over an acre. Right now, for the utilities we were planning on private water and sewer, however we know that municipal sewer exists at the intersection of Liebich Lane and Route 9 and if its within 200 feet the Towns requirement for us to extend the sewer down to Route 9 and hook up to the municipal system, we'll have to figure that out during the preliminary phase if it comes to that. And I think one of the questions was in the workshop in that area is about 1000 maybe 1500 sq. ft. in the back there where he plans on storing more materials. It wouldn't be garbage it would be probably roofing type materials. They do have a mobile dumpster that we call out onsite that he says he brings to the job site every day and then disposes of it, so that's a place where the mobile dumpster could go, I mean he might move it around site during the day and then take it with them is what he is saying.

Tom Koval: How are you going to access that area if you have trees right up against the corner of the building and the back is off grade?

Brian Ragone: He will go through the building, there is going to be a garage on the back of the building.

Tom Koval: There's going to be doors on both ends?

Brian Ragone: Correct

Don Roberts: Okay, this will be referred to our Town engineer first of all, the fire department as well as the Saratoga County Planning Board as well, so they are going to all get referrals and a chance to look at this so any other questions by the Board.

Tom Koval: Is your storage area going to be crushed stone or black topped or?

Brian Ragone: We haven't determined exactly, I've got to find out exactly weight he plans on putting there and then we will have to determine whether it's going to be

Tom Koval: If you are going to do it

Brian Ragone: It's probably going to be crushed stone I guess, you're not going to be able to see that area at all because that is actually a lot lower than Route 9

Tom Koval: Right, just show it on your drawings as crushed stone instead of green space

Tom Werner: How many truck trips in and out in a day?

Brian Ragone: I don't think I have that information, ill get that for you

Tom Koval: They leave in the morning and don't get back until the afternoon.

Brian Ragone: Yea, it's all in the morning.

Tom Werner: So, it's the same truck that's in and out?

Brian Ragone: What's that?

Tom Werner: It's the same truck in and out?

Brian Ragone: No, well they'll have the delivery truck come in and drop off the roofing materials

Tom Werner: What type of delivery truck, box trucks or big trailers?

Brian Ragone: No, they're a little bigger than that

Tom Koval: They are tractor trailers

Brian Ragone: I forgot what size I put on there, but they are probably like 50 ft.

Tom Koval: Yea they are flat bed tractor trailers, but they, Im going by what I've seen up on that site, I keep kind of an eye on it just because they're so visual, I think they get a couple tractor trailers a week and you know how it is, it only takes half a tractor trailer to do a house so

Tom Werner: Yea but I mean we've got to look at the effect in here there is going to be a lot of new truck traffic in this corridor.

Tom Koval: On Route 9 across from SYSCO?

Tom Werner: Yup, you've got that whole tech park that's developing

John Higgins: Is this the applicant's house that's shown?

Brian Ragone: This is not the applicant's house; the applicant house is further south, and I think that's where he runs most of his operations.

John Higgins: Right now, is he planning on taking that whole operation

Brian Ragone: I believe he is planning on moving his operation here.

John Higgins: Yea because that other location he has at least 3 or 4 of those trailers, plus the trucks, and I've seen

Tom Koval: That's in Clifton Park, isn't it?

Brian Ragone: No, is it?

John Higgins: Yea, but I just asked if he is going to move that operation to here so that gives us an idea of what he plans on putting on this site.

Tom Koval: If you look at this compared to what he has, he is operating next to his house, Im sure that's his whole plan is to get it out of his house and that section of Route 9 I know there is a lot of truck traffic on it but its probably the least congested unless you go past Ushers, Route 9 in my opinion, there is lot of truck that come out of SYSCO but they all head up to the Northway

Tom Werner: What its going to mean is your going to need to have some improvements eventually at Ushers Road, because they all want to turn left and go to the Northway and so, there will have to be something done eventually.

Don Roberts: Anyone else? Okay so we will make the referrals

Marcel Nadeau: There is no curb cut there at this time, right?

Brian Ragone: No, it's all wooded

Don Roberts: They will have to go through DOT for the curb cut, right. Anyone else? Okay as I said we will make the referrals and we will get back to you thank you.

Brian Ragone: Thank you.

Next Generation Roofing - Site Plan

TABLED/REFERRED TO AGENCIES. Board received a presentation for a proposed 6,000 SF warehouse and 1,000 SF office building and referred it to the Town Engineer and other agencies for review.

Crescent Commons PDD Lot Line Adj., 17 Circle Ln - Minor Subdivision (22.135)

Don Roberts: Lyn is going to recuse herself from this one.

Brian Ragone: Once again Brian Ragone landscape architect with the Environmental Design Partnership, we're her asking for a lot line adjustment within the recently passed Crescent Commons PDD. Both the parcels reside in that PDD, the first parcel is located at 475 Route 9, its owned by the applicant MRK and is approximately 1.4 acres, the second parcel is located at 17 Circle Drive near the mobile home park. It's owned by Frank Benjamin and its 4/10 of an acre. The proposal is to take about 2/10 of the Benjamin parcel and combine it with the MRK parcel, this leaves the Benjamin parcel with about .2 acres and makes the MRK parcel about 1.6 acres, its basically being don't just to expand the commercial area and potentially use it for parking or stormwater management area in the future, we don't have the exact plan for it yet.

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

Tom Koval: It's not nothing to do with changing Zoning because of MRK being commercial, and Circle Lane being residential?

Brian Ragone: No

Richard Harris: It's all part of the one

Brian Ragone: It's all part of the PDD

Richard Harris: If they hadn't enacted the PDD, great question, because they removed it from the mobile home park but, it's all now one PDD

Tom Koval: Okay, it just popped into my head

Brian Ragone: It's all one part of the Zoning

Tom Koval: Just so we don't get into a jam later

Richard Harris: Could you go over what you're proposing there, possible stormwater management?

Brian Ragone: Yea I mean, Im thinking if I had to guess now it would be stormwater management but there could be some parking in that area as well, because we haven't come up with a site

Tom Koval: Yea, that's mostly wet that area he is taking so

Brian Ragone: Because we haven't come up with the full site plan yet we're still preparing all of this stuff.

Marcel Nadeau: I would like to make a motion to set a public hearing for October 24th.

Mike Ziobrowski: I second

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, see you the 24th.

Brian Ragone: Thank you very much.

Crescent Commons PDD Lot Line Adjustment- Minor Subdivision***PUBLIC HEARING SET. Board set a Public Hearing for October 24, 2022, for a proposed lot-line adjustment.*****Hanks Hollow Cluster Subdivision Phasing, Staniak Rd – Amendment to Final Subdivision (22.126)**

Jason Dell: Good evening name is Jason Dell engineer with Lansing Engineering, here on behalf of the applicant for the Hanks Hollow Proposed Phasing. The subdivision was approved by the Planning Board back in April of 2022. The infrastructure and roads are currently being constructed out there and we're here this evening tonight to request the project to be broken into 3 phases moving forward for road dedication and what have you. So, the plan you have before you denotes the extent of phases 1,2, and 3 for the project. No number of lots have changed, the configuration of all of the roads, everything stays the same as what was previously approved, we're simply looking to phase the project for dedication.

Don Roberts: Thank you Jason, questions by the Board?

John Higgins: Phase II has some work done that's outside the, that's a trail connection, that's over

Jason Dell: Right here John, right here?

John Higgins: Yea

Jason Dell: That's the proposed trail connection for the County

John Higgins: Oh, okay thank you.

Don Roberts: Anyone else?

Richard Harris: I don't know maybe Bruce can answer this, are you looking to do a pr-construction meeting for the phase I soon, or in the spring? The pre-construction to start infrastructure when are you looking to start that do you know yet?

Bruce Tanski: When are they going to start construction?

Richard Harris: Yea, water, sewer?

Bruce Tanski: They haven't started yet they are doing the retention ponds

Richard Harris: Okay, we need to have a pre-construction meeting on it, just so you know

Bruce Tanski: We had a pre-construction meeting

Paul Marlow: Yes, I was not there

Richard Harris: Okay, alright Ill have to check what we've had, sorry I thought we just discussed the soil disturbance part of it.

Bruce Tanski: The guys from J&K Excavating, I will keep you guys apprised of what we are doing, inspections....

Richard Harris: Okay, do you plan water soon or no? Do you plan water before Winter, the water lines, you're not sure?

Bruce Tanski: I don't know, Im going to leave that up to him, we've just got to get inspections

Richard Harris: Okay

Don Roberts: Okay, anyone else?

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

Marcel Nadeau: Ill second it.

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

Jason Dell: Thank you.

Don Roberts: You're welcome

***Hanks Hollow Cluster Subdivision Phasing – Amendment to Final Subdivision
APPROVED. Board approved a revised phasing plan for the approved subdivision.***

CapitaLand Flooring, 1605 Route 9 - Change of Tenant/Use (22.140)

Bruce Tanski: Bruce Tanski, Clifton Park, I don't know if this is premature because right after this, we have the site plan would you rather do the site plan first and then come back to this?

Don Roberts: I think so, yes, good idea.

1605 Rt. 9 (Lands of Tanski) – Site Plan (22.096)

Pat Jarosz: Hi my name is Pat Jarosz with Van Guilder Associates Im here tonight on behalf of Bruce Tanski regarding 1605 Route 9. During the June 27th meeting our request was denied to convert the residence into a business due to the pre-existing nonconforming status of the site. We went through the ZBA process of obtaining the variances for the non-conforming items as requested by the Planning Board. The three variances were approved on September 6th by the ZBA, and we are requesting to move forward with the site plan approval tonight

Don Roberts: Questions by the Board? Joel, do you have any questions on this at all (indicated no answer) Okay ill make a motion to approve.

Tom Koval: Second

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

1605 Rt. 9 Showroom – Site Plan

APPROVED. Board approved a Site Plan for a proposed flooring showroom (see above item).

CapitaLand Flooring, 1605 Route 9 - Change of Tenant/Use (22.140)

Bruce Tanski: Clifton Park, Capital Land Flooring wishes to occupy the space on 1605 Route 9. This space is about 884 sq. ft. which will be utilized as a showroom for his flooring business. This showroom will be open by appointment only during the following hours. Tuesday 10 -2, Thursday 3-7, Saturday 9-3. Peak hours of operation are expected to be during the morning hours on Tuesday and Saturday, in total there will be 4 employees, 2 full time, 2 part time with 2 employees only working at a given time. No dumpster will be added to the property, just office trash that he will dispose of at his own personal home.

Don Roberts: Thank you, questions by the Board?

Marcel Nadeau: Bruce where abouts is that on Route 9?

Bruce Tanski: Pardon me?

Marcel Nadeau: Bruce where abouts is that on Route 9?

Bruce Tanski: Its right next to Self Storage place across from the restaurant.

Marcel Nadeau: Okay yup

Mike Ziobrowski: Bruce how many parking spaces do you have?

Bruce Tanski: Pardon me?

Mike Ziobrowski: Bruce how many parking spaces?

Bruce Tanski: Looks like 6, 6 plus 2 handicapped or 1 handicapped.

Mike Ziobrowski: Thank you

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

Don Roberts: Can I have a second

Tom Koval: I second

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

Bruce Tanski: Thank you

Don Roberts: You're welcome

CapitaLand Flooring- Change of Use/Tenant

APPROVED. Board approved the use of vacant space at 1605 Route 9 for a flooring showroom.

Old Business:

Bridgewater 1 Solar, 6 Brookwood Rd. – Site Plan & Special Use (22.050 & 22.043)

Bridgewater 2 Solar, 4 Brookwood Rd - Site Plan & Special Use (22.051 & 22.042)

Bridgewater 1 Solar & Bridgewater 2 Solar , 4 & 6 Brookwood Rd - Minor Subdivision (22.044)

Don Roberts: We are going to do them all at once, make it a lot easier on everyone alright.

Anna Rehder: Anna Reader with Environmental Design Partnership, I've got Sean Ryan from Eden Renewables here too if you have any questions related to the solar aspect.

Don Roberts: Very good go ahead

Anna Rehder: Actually, you can go to the next screen if it's easier for you guys to see, the next one I think it's easier to see on the aerial, just so you can see what's around it, just as a quick review. These are technically two separate applications for two solar fields. The access is off of Brookwood Road, however I believe the frontage will actually be on Route 4, we've created a subdivision with 2 flag lots to create 2 conforming lots, where there's currently non -conforming lots because they have no frontage. The solar farms will have connection to the grid along the Canal, the Canal walking path where the poles are now. It's a gravel access road, 2 solar farms, there's some wetlands onsite but there is no roads running through them, there are some panels over top there's some streams and stuff through there but we're avoiding disturbance where at all possible to the water features.

Don Roberts: That's it?

Anna Rehder: That's it yea, I guess we're requesting if we could go to a public hearing

Don Roberts: It's going to be a joint public hearing for all three a lot easier, right.

Richard Harris: It is a little confusing, but we've had this with other solar projects, so it's a special use permit for 1, special use permit for 2, and then its one overall subdivision, lot line adjustment, it's pretty much the bare minimum without making it overly complicated.

Don Roberts: We need a motion for a public hearing, somebody?

Marcel Nadeau: Ill make a motion to set a public hearing

Mike Ziobrowski: Ill second it.

Don Roberts: I've got a motion and a second for a public hearing October 24th, all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, see you the 24th

Anna Rehder: Thank you.

Bridgewater 1 Solar, 6 Brookwood Rd. – Site Plan & Special Use

Bridgewater 2 Solar, 4 Brookwood Rd - Site Plan & Special Use

Bridgewater 1 Solar & Bridgewater 2 Solar, 4 & 6 Brookwood Rd - Minor Subdivision

PUBLIC HEARING SET. Board set a combined Public Hearing for October 24, 2022, for a proposed two lot Subdivision & Special Use Permits related to a solar farm proposal.

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

John Higgins: Ill second it.

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