

9/28/20

**MINUTES MEETING  
Town of Halfmoon Planning Board  
September 28, 2020**

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

**Planning Board Members:**

Don Roberts –Chairman  
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***

**Don Roberts:** Good evening, I would like to call the meeting to order, I apologize for the hold- up we are having some technical difficulties as you can see. Before we start we've got a number of public hearings because there may be people online that may want to comment we are going to hold the public hearings, people here can speak

9/28/20

however we are not going to be able to take any action we are going to keep the public hearings open until next meeting and send the notices out again because we cannot move forward without giving people who are online a chance to speak. So sorry for any inconvenience this may cause anybody but again people here tonight can speak but we can't take any action. That being said have the Board members had a chance to review the minutes from the last meeting?

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

**Don Roberts:** Can I have a second?

**Mike Ziobrowski:** Ill second

**Don Roberts:** All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, I abstain I was not here.

**Public Hearings:**

**20.032 & 20.033 Pagoda Duplex, 315 Grooms Road – Minor Subdivision & Special Use Permit**

**Don Roberts:** Would anyone like the notice read? Anyone here for Pagoda? Please come up and say your name and address and what you plan on doing, you can either leave the mask on or take it off whatever you wish.

**Aaron Vera:** Aaron Vera with Verity Engineering, I represent the applicant Ed Pagoda, the proposal in front of the Board tonight is to subdivide the existing parcel at 315 Grooms road create two lots with a duplex proposed on each lot. We did receive four variances for this project from the ZBA about two months ago so if the Board has any question or any members of the public have any questions I'm available.

**Don Roberts:** Okay thank you, at this time we will open the public hearing would anyone from the public wish to speak? (No comments) Even though we can't take any action Board members any questions for the applicant or any comments?

**John Higgins:** The driveway, has the fire department looked at that to see whether or not it needs any modifications such as a turnaround?

**Richard Harris:** We sent it to the fire department we believe we have not heard comments back but it will be required to meet fire code for weight and, I forget the sections of the fire codes for emergency vehicle.

**John Higgins:** Yea I was just, it doesn't show any area for turnaround for a firetruck that's why I was questioning it thank you.

**Aaron Vera:** We will reach out to the fire department and coordinate with them, the intent was to use part of the driveway at the dead end to accommodate that if what's shown doesn't accommodate that we have a little bit of room to tag in some additional pavement for them.

**Don Roberts:** Anyone else?

9/28/20

**Richard Harris:** We will try to get in touch with the fire department before the next meeting since you can't act today.

**John Higgins:** Yea like I said the drawing the way it's drawn presently does not show any area for turnout that's the only reason I questioned it.

**Don Roberts:** Okay so we are keeping the public hearing open and we will see you again on Tuesday October 13<sup>th</sup>. Okay, thank you

**Aaron Vera:** Excellent, thank you.

***Pagoda Duplex – Minor Subdivision & Special Use Permit***

***ADJOURNED. Board held and adjourned a Public Hearing for a proposed two-lot Minor subdivision and Special Use Permit to allow two residential duplex homes. The Public Hearing will continue at the next meeting on October 13, 2020***

**20.092                      Fluffy Paws Dog Grooming, 18 Cambridge Ave. – In Home Occupation**

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

**Samantha Russell:** Hi I'm Samantha Russell I live at 18 Cambridge Avenue I was here a month ago I'm looking for a home occupation permit to do a small scale dog grooming business out of my house. I'm a dog groomer and I'm looking just to do a little bit out of my house so I can stay home and start a family. It would be small scale just me working about 4 days a week grooming 4 to 5 dogs a day. The concerns we had last time were the impact to the neighborhood the barking dogs and the impact to the traffic. I know I did receive some letters from neighbors saying, some of them in support, some of them asking questions. As far as to address these concerns, I would be limiting appointments so that way it was one dog on the property at a time so that there isn't a huge and there's no extra dogs barking, it would be one dog from the driveway to my home, from my home back to the driveway. They are not loose in the yard, they are not running around crazy nothing like that. I have been in my house now for 5 years I have 2 dogs of my own, I've never had any issues with noise with any of the neighbors with them as it is so I am very respectful to my neighbors. For the couple extra cars that will be, that's the other issue is the couple extra cars in and out, because it will be a drop off, pickup thing and the traffic wouldn't be a huge increase to me it's the same as if I were a stay at home mom running in and out with the kids, wouldn't make a difference I don't have to ask neighbors if I'm doing that. As far as parking my driveway is plenty big, on the corner location we have sent out letters to everyone, we didn't get anybody from the immediate corner having an opinion either way. Pretty much my neighborhood really it's a nice quiet neighborhood but it's very dog filled, I can tell you anytime you look out the window someone is walking by with a dog your hearing the neighbors dogs barking at them walking by so It's not an unheard thing in the neighborhood, and any questions, comments?

**Richard Harris:** I just wanted to note for the record know I did provide the Board members and the applicant with I think its 3 emails and one written letter we received regarding the project so they have received them, one came today about 5 o'clock but that's in your packet, we will provide responses to questions that came in a 5 o'clock for the next meeting.

**Don Roberts:** Thank you Rich, at this time we will open the public hearing, would anyone from the public wish to speak? Please come forward say your name and address and any comment you may have. (No comments) As Rich

9/28/20

said we have received written correspondence we will enter them as part of the record, we will leave the public hearing open Board members like to comment?

**John Higgins:** I have a couple of questions, you said you had two dogs presently?

**Samantha Russell:** Yes

**John Higgins:** Where will your dogs be while you are doing the grooming on another dog?

**Samantha Russell:** The way my house is situated I have an in-law suite so I am able to divide my house into two and keep my own dogs separate in another room , when I have another dog there .

**John Higgins:** Okay so they will be inside the house they won't be on the run outside.

**Samantha Russell:** Yes, inside

**John Higgins:** And I know when we have our dog groomed it usually takes like 2 hours

**Samantha Russell:** Yes

**John Higgins:** You're talking 4 or 5 dogs a day how are you going to do it, you working 14 hour days?

**Samantha Russell:** No my goal is to be, my hours about 8 to 4 it would depend on the size of the dog, there are some dogs that only take an hour so I might be able to do that four dogs or if they have 2 dogs I might be able to do more in that time span, if there is larger dogs I may only get one or 2 dogs in a day.

**John Higgins:** Okay yea cause I know we have small dog and it takes like 2 hours to do him so, those are the only questions I had thank you.

**Don Roberts;** Okay thank you John, anyone else? (No comments) Okay we will leave the public hearing open, we will see you on Tuesday October 13, alright, thank you.

***Fluffy Paws Dog Grooming. – Home Occupation***

***ADJOURNED. Board held and adjourned a Public Hearing for the proposed Home Occupation request for a dog grooming business. The Public Hearing will continue at the next meeting on October 13, 2020***

**20.098                      Impact Athletic Center, Rt. 146 – Minor Subdivision (Lot line adjustment)**

**Jason Dell:** Good evening my name is Jason Dell I'm an engineer with Lansing Engineering I'm here on behalf of the applicant for the Impact Athletic Center Lot line adjustment. This project was most recently before the Board at the last meeting where this Board did issue an approval for the site plans and we are back this evening for the lot line adjustment portion of the project, so the lot line adjustment is between the lands of Litchfield Holdings, and the lands of Boni Enterprises, this area and this area. The area to be annexed to Litchfield Holdings is about 1.49 acres and the area to be annexed to Boni Enterprises is about 3.5 acres so the Litchfield Holdings lot will wind up being adjusted from 32.65 acres down to approximately 30.6 acres and the Boni Enterprises lot will be adjusted

9/28/20

from approximately 80.99 acres to about 83 acres. So we are here this evening for the public hearing for the lot line adjustment.

**Don Roberts:** Thank you, so at this time we will open the public hearing anyone from the public wish to speak? (No comments) Any comments by the Board members?

**Mike Ziobrowski:** We haven't received any other notices?

**Richard Harris:** You mean an email or letter about this project?

**Mike Ziobrowski:** Yea

**Richard Harris:** We have not

**Mike Ziobrowski:** Okay

**Don Roberts:** Once again we will leave the public hearing open and we will see you Tuesday October 13<sup>th</sup> alright

**Jason Dell:** Thank you.

**Don Roberts:** Thank you, and that's it for the public hearings

**Lyn Murphy:** Just so the people who are here are aware our IT person just handed me a memo, Microsoft itself is having issues so it's not a Town issue or a system issue here its Microsoft globally is what this says.

**Don Roberts:** Thank you Lyn

***Impact Athletic Center – Minor Subdivision (Lot Line Adjustment)***

***ADJOURNED. Board held and adjourned a Public Hearing for the proposed Minor Subdivision (lot-line adjustment). The Public Hearing will continue at the next meeting on October 13, 2020***

**New Business:**

**20.100                      Sump Pump Geeks, 1604 Route 9 – Sign**

**Greg Bombard:** How are you doing my name is Greg Bombard I'm here today for the approval for my signs at the Sump Pump Geek retail store on route 9 in Clifton Park, Halfmoon, and its right in front of Trick Shots Billiards on route 9 and there is three signs total, one in the front, one on the side, one on the back, that's it.

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

**Richard Harris:** Can you just explain what they are going to say on them because you didn't give us a rendering of the words, oh I forgot I scanned this , I apologize sorry about that, just tell us what it says

9/28/20

**Greg Bombard:** It just says Sump Pump Geeks and then it says powered by Kinetic Basement Solutions in the bottom right hand corner and it's basically got a picture, I don't know if you go back to the next picture if my van is there , I showed my van.

**John Higgins:** Is that the white van in the back?

**Don Roberts:** Are they going to be lit?

**Greg Bombard:** No the street light will light this one so if I do any lights it will be like a solar light on it because we are not running any power to anything, and out back there is already a light on the back side if you go to the next screen , right there above that window in the back on the back side where there are no windows there's a light right there under the top window under the a-frame there so there is one light which will light that the other ones are just , I'm going to put like a solar powered light or something in there because it's just mainly for the day , I'm not going to be open at night so it's not going to bother me if anyone sees it at night really.

**Richard Harris:** If anybody wants to see it we do have a copy of the rendering, I apologize for that.

**Don Roberts:** Any questions by the Board?

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

**Mike Ziobrowski:** Ill second it.

**Don Roberts:** All those in favor? (All were in favor) Opposed? (None were opposed) Motion carried, don't forget you are in Halfmoon. Thank you.

***Sump Pump Geeks – Sign***

***APPROVED. Board approved three new wall-mounted signs for Sump Pump Geeks.***

## **20.100                    Barnum Subdivision, 84 Tabor Road- Minor Subdivision**

**Greg Barnum:** Hello I'm Greg Barnum from 84 Tabor road I just have a minor subdivision I'm trying to accomplish , 7 acre roughly lot breaking it in two , single family home lots, one consisting of about two and a half acres and the other about four and a half acres.

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

**Richard Harris:** I do just want to add that the applicant has agreed and his surveyors are revising it and correct me if I'm wrong , this area right here he has his existing driveway to a single family home back here , that was allowed to be constructed probably ,obviously I don't know how old it is but prior to laws requiring , or prohibiting landlocked parcels right now his lot that his home is on is landlocked down here , he has agreed and I've talked to surveyor before we send out the public hearing notices we will get a revised plan taking this at least a 20 foot strip out of , you guys agreed to but code requires minimum 20 to then take this piece and add it to the lot in the back.

**Greg Barnum:** Yea, exactly that's what I've got them working on now with VanGuilder.

**Tom Koval:** I'll make a motion to set a public hearing for October 26<sup>th</sup>.

**Mike Ziobrowski:** Ill second.

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

***Barnum Subdivision – Minor Subdivision***

***PUBLIC HEARING SET. Board set a Public Hearing for October 26, 2020 for a proposed two-lot subdivision.***

**20.101                    Karratt/Vaid Lot Line Adjustment, 23 & 25 Siena Drive – Minor Subdivision**

**Duane Rabideau:** Duane Rabideau from VanGuilder Associates here tonight representing the landowners of lot 23 & 25 Siena Drive for a proposed lot line adjustment the proposal is to transfer 921 sq. ft. parcel here from lot 25 to lot 23 and then the other part of the proposal is to transfer a triangular piece of the same size right here from 23 to 25. The result in lots will have the same areas as they currently have, the revised lots will meet the R-1 Zoning requirements, and that is the proposal before the Board tonight.

**Rich Berkowitz:** Duane where is the driveway in the house on 23?

**Duane Rabideau:** The driveway is right here that's the garage it comes straight out here.

**Rich Berkowitz:** I make a motion to set a public hearing for October 26<sup>th</sup>.

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

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

***Karratt/Vaid Lot Line Adjustment – Minor Subdivision***

***PUBLIC HEARING SET. Board set a Public Hearing for October 26, 2020 for a proposed lot-line adjustment***

**20.105                    421 Halfmoon Flex Park (Generators) – Site Plan**

**Jason Dell:** Good evening my name is Jason Dell , an engineer with Lansing Engineering here on behalf of the applicant Mr. Earl for the 421 Flex Park and modifications to the site plan. The Board is aware the Flex Park is under construction and the building out there is pretty near ready to open up and we are before you this evening to request a couple of modifications to that site plan. The first of which you will notice on the plan we did add a small ramp to the side of the building to allow access up and into the finished floor of the building from the concrete parking area on the south side, we also added a ground level scale along the western side of the Building and we relocated some of the parking stalls from this area to other areas around this site so we still have the same required per code 60 parking stalls they are just shifted a little on the site. The other issue we are here for this evening for is the generators that were constructed on the site. They're two fully enclosed generators, colors or the generators or of the enclosures match pretty similarly to the building so as they are visible from route 146 I don't feel like they're overly visible from route 146. The generators will be blocked in the future from visibility on 146 as you recall 413 route 146 is a proposed building that we got approved and re- approved last year which will block the view of 146 from those generators and for the original site plans that we had for the project included a landscaping

9/28/20

area here with trees that has yet to be constructed. I know the questions and concerns has been brought up to us with regards to sound. The generator, the specs from Cat indicate that the generator will produce about 80 decibels 23 feet from the generators and that sound will reduce by about 6 decibels every doubling of the distance so the nearest sensitive receptor being the house over here is about 400 feet away so the sound when it gets to that property line will be reduced to about 55 decibels. Which is about an electric for example an electric toothbrush generates between 50 and 60 decibels, a dishwasher is about 60 decibels so by the time you know we get away from the generator the sound is significantly reduced. So we are here this evening to request those modifications to the site plan.

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

**Tom Werner:** You mentioned the generators are enclosed what does that do for your sound attenuation, can't you address all of the sound right at the site of the generator?

**Jason Dell:** Yea the

**Tom Werner:** Are you still propagating this 80 DB?

**Jason Dell:** The 80 DB is at 23 feet, and that's from CAT the enclosure here and I'll read to you from the CAT. Galvanized steel factory installed sound attenuated enclosure, so it is an attenuated sound.

**Tom Werner:** With the enclosure in place, it still provides 80 DB?

**Jason Dell:** Yes

**Mike Ziobrowski:** What size is that generator that produces that amount of sound is like a 13 kW and how often is it running?

**Scott Earl:** Scott Earl with Twin Bridges, these are 1000kw generators, these are built for an industrial area, for manufacturing facility of this nature. It is expected but not limited to our normal business hours of operation we will be onsite around 7 am every morning, generators will fire up about 9:45 one generator possibly two they are there to work in tandem if the effect that one is not operating the second one kicks in and takes over. The generators are there for the sole purpose of operating the recycling sorting equipment so that it does not come off the grid, its 100% very positive energy using natural gas over that volume of electric in that area, the last thing we want to do is cause a brown out on 146. We have two very large bailing operation inside the building that bail your corrugated or bail your plastics, they draw a lot of power as that bail becomes mature. The generators as we spoke about they reduce the sound level every 23 feet you double the 46 feet it comes down 6 if the second generator is running simultaneous add back 3 so the worst case scenario at the closest residential site which is zoned commercial is 400 feet and it will hit to Jason's point 55 be 58 if both were running simultaneous, question had come up why didn't we site them behind the building or in between buildings, that amplifies the sound, you want them out where the sound can dissipate and not affect anyone. The closing of the business every day is between 7 and 7:30 in the evening about 7 o'clock the generators go down and the building is cleaned for the evening everyone is off site by 8 o'clock.

**Mike Ziobrowski:** So it will be on



9/28/20

**Scott Earl:** Off peak hours

**Mike Ziobrowski:** From 7 to 7?

**Scott Earl:** No they will be on from 9:45 to 7 o'clock

**Rich Berkowitz:** If there are any trucks there do they dampen the sound?

**Scott Earl:** They do dampen the sound, trucks would absorb the sound there will be three trailers on the loading dock at all times receiving corrugated cardboard and old newspaper and transferring that out on a daily basis.

**Rich Berkowitz:** And they'll be fenced in also or no?

**Scott Earl:** There is no fence, no

**Rich Berkowitz:** For the generators?

**Scott Earl:** The generators are actually inside this building if you had a chance to see it, it's got doors it's like an apartment building.

**Rich Berkowitz:** So they are enclosed?

**Scott Earl:** They are totally enclosed

**Mike Ziobrowski:** Have you thought about putting a map together as to what the decibel reading will be in the surrounding properties so you basically put a circular map together so we could have a clear understanding how it impacts all the surrounding sites?

**Scott Earl:** By the time you get to a 1000 feet I don't even think you can hear it and I think that would be Parkford road.

**Mike Ziobrowski:** Okay well let me put it this way so

**Scott Earl:** Parkford Drive, I own all the buildings around it.

**Mike Ziobrowski:** If we have a blasting operation which has sound and vibration that's required by the city to get a permit okay

**Scott Earl:** We had a blasting operation and yea

**Mike Ziobrowski:** So that would be just so you understand all you've got to do is a surrounding map so we can understand what the impacts are on the surrounding properties, it's hard for me to say and judge what the impacts are and what I'm hearing here

**Tom Koval:** Scott told us decibel levels earlier , I pulled up some information on my phone just to get a grip for myself and the small residential generators that everybody has these days those Generax that I sell , they are 69 decibels themselves , I don't know if you have one in your neighborhood and you hear it run but

**Mike Ziobrowski:** The neighbors do I don't.

**Tom Koval:** Yea but they are not, it's like a small push mower really so I was amazed that it was only 80 decibels when I saw the units I thought they were going to be much more, now that I see the sound attenuation enclosures it certainly makes sense why they got noise.....

**Mike Ziobrowski:** Yea to me hearing it, it doesn't sound like much but I just don't know what the impacts are to make a determination , I could say if everyone wants to make a determination but I don't have enough information to truly understand it .

**Tom Koval:** Well they just presented

**Mike Ziobrowski:** It sounds like a lawn mower from

**Tom Koval:** Everything is based on footage from what I just looked up on my phone so a lawn mower is I think 78 decibels standing at the lawn mower so if this is 80 decibels at 23 feet and it's down to 50 decibels at the nearest closest residence then it's far less than even having a push mower going into your yard, 26 disables

**Scott Earl:** Outside the closest residence, when you go inside the house you hear even less.

**Tom Koval:** Right yea well we've got to accommodate everybody if they are having a picnic out in their yard.

**Mike Ziobrowski:** Right, right I think there is only one residence here right? Is there only one residence?

**Scott Earl:** There is one residential property adjoining zoned commercial correct, commercial overlay zone. Over a 1000 feet north, heavy vegetation and trees

**John Higgins:** I understand, there's vegetation and trees

**Scott Earl:** And six other businesses in the same industrial park with generators, I've never heard a complaint yet

**John Higgins:** Excuse me none of those generators are prime power in that park they are stand by generators, there is no prime power generators, number one, number two the question I said earlier it's a combination now you are going to have two generators running, originally I thought it was just one and the other was going to be back up so you are going to have a live back up running all of the time also?

**Scott Earl:** John you put those words in my mouth, I said to you I have a generator running with a mirrored back up and if by chance both generators were running at the same time for the purpose of illustration the noise worst case scenario by all the written of your company its 3 decibels higher.

**John Higgins:** I've been retired from that company for four years, no I thought you just said, so you are only going to run one generator at a time?

**Scott Earl:** One generator, why would I need two?

**John Higgins:** Because you mentioned....

**Scott Earl:** Constant power , one generator goes down we are waiting on a switch gear so we can run in tandem and talk to each other , one down maintenance period the other ones up.

**John Higgins:** Scott your saying two different things, excuse me I did this for 35 years.

**Scott Earl:** You're retired now you said, you've forgotten what you used to know

**John Higgins:** Yea I don't forget, generators in tandem mean both generators are running

**Scott Earl:** Correct, that's not what we have, not what we have

**John Higgins:** Okay so you're going to have one generator running if that fails, all your equipment shuts down the second generator starts and then re-starts the equipment correct?

**Scott Earl:** Wrong, the automatic switch gear which happened since you retired , they came out with this brand new computer stuff now , believe it or not that tells the generators about the failing , when the first one goes down the second one's running there is no interruption.

**John Higgins:** Scott it can't react that quickly I'm sorry but you're wrong

**Scott Earl:** Thank you, I appreciate that, I've been wrong a lot.

**John Higgins:** Also I mentioned earlier the noise that we are talking about for the generators is in combination with the noise that's already going to be generating from the building itself,

**Scott Earl:** Inside the building

**John Higgins:** Inside the building, so what we as a group cannot anticipate what the total noise levels are going to be for the site when you have both your machinery inside the building running plus the generator running, and that's my concern is there are residents in the area not just the one you're talking about , there's other residents and yes they are a long ways away but they also will still hear it and that was my concern, I mentioned earlier and It's still a concern of mine , thank you.

**Don Roberts:** Anyone else? Go ahead Tom

**Tom Koval:** I think it would be , we do have to keep in mind this is light industrial or an industrial area , so yes there is residents in the area but especially Timberwick , was built after this was already an industrial area so I'm not condoning extra loud noise but It's like buying a house next to a railroad tracks you know there's going to be noise, so I mean we can't ask everybody that builds or comes into these light industrial areas not to make any noise that's why they are light industrial areas that's why it was zoned that , that's why they pay taxes on the light industrial its , we can't change the code , we can't change the zoning or make people do things that are against

zoning that we already have it's no different than Ushers road with all the neighbors complaining every time we allow something commercial to go in up there yet they are the ones that have benefitted from their properties being worth higher values and they didn't complain when it was getting transferred over to commercial. Now that they don't like somebody going in next to them we get all the complaints so the public can't have it both ways and the public has to be diligent when they build or buy right next to an industrial area.

**Don Roberts:** Thank you Tom I agree with you, thank you.

**Scott Earl:** I would tell you on my reputation I don't think I've built one project in the Town that's offended anyone and nor would I continue to offend anyone with this one, if the sound decibels got out of hand we would address them immediately, we've had an outside engineering firm review this we've gone to DEC, we've got air emissions permits, discharge everything, it's been checked 7 ways from Sunday so

**John Higgins:** What I'm saying Scott and Tom and Don is I just want to make sure if there is a problem down the road we can show by the minutes that we did address it we did discuss it and that we openly.

**Don Roberts:** What did the man just say to you , any issue he will take care of it , I trust him I believe him he has never done nothing to make me not trust him.

**John Higgins:** Don I am not arguing that, I'm just saying at least if someone comes in later on and questions why it was approved we can show them that as Tom said it's a light industrial area

**Don Roberts:** It's an allowed use

**John Higgins:** It's an allowed use and we took our due diligence and looked at the different items.

**Don Roberts:** I think we're covered

**John Higgins:** I am not arguing I agree with you thank you.

**Tom Werner:** Is there additional noise attenuation that could be constructed around it, above it or some sort of I'm thinking not so much a fence but some sort of sound absorbing material that could further attenuate it if necessary?

**Scott Earl:** Above you wouldn't want you'd want sound to dissipate above on the outside edge It's totally we've also increased it to the internal silencer which is now hospital grade so this is not, we didn't just see two guys driving by on 146 with a stolen generator out of Decresente, this is two million dollars, two million dollar generator, this is not, this is part of NASA's program, this thing is ready for the moon so Tom if it's too loud it will be headed there.

**Tom Koval:** On that note with screening to the units John will second it, they require a lot of free air movement, in and around them to keep they cool, so you can't close in on them.

**Tom Werner:** I wasn't thinking of closing but you know like a sound, you know like you build a sound wall around a highway that would further attenuate it.

**Rich Berkowitz:** This is also on route 146 which is constant traffic going back and forth so there's already noise that is going to cancel out some of that noise anyway, because there is ambient noise in that area the whole time.

**Mike Ziobrowski:** I mean I think that from my perspective I was only saying, what the decibels were and the factor determination just me and Tom looked up what the decibels would be it's a lawn mowers it's not excessive but just so we understand visually we can see the representation of the sound, I don't think anyone is here to say no it's just a matter of how the facts are represented, there is nothing here that's factual.

**Scott Earl:** I would fully support that request, we are fully transparent 100% of our engineering can be paired with the Town, 100% of Caterpillars stuff that we pulled offline and everything they've handed to us that would tell you that I fully share and empathize with every concern I've heard tonight I did that quite a few months ago, when we started in this project.

**Lyn Murphy:** So I'm a little bit at a loss the engineers said and you both go it on your phones what the decibels are at what distance, so you're asking for a map?

**Mike Ziobrowski:** So I don't have a scale on this drawing either do you want me to lay out what the radius is going to be Lyn?

**Lyn Murphy:** He just told you told you what the closest building was, I'm just confused as to what you're asking for?

**Rich Berkowitz:** I mean our Town engineer is experienced this is a proper use of a generator, the distance between the generator and the residents and other buildings is a proper distance?

**Joel Bianchi:** Yes when you consider what he is presenting you give the Board perspective on background noise in residential neighborhoods is 40 DB , what are you getting at in what it is your saying, how quickly does it dissipate?

**Jason Dell:** At the property line about 400 feet away it's down to about 55.

**Joel Bianchi:** So you're starting replicate a residential neighborhood, the decibel readings in here right now are probably 55, so that gives you a perspective of the sound levels you'd get. So to answer your question, yes. What he's doing meets the industry standards and he's probably going above and beyond it.

**Rich Berkowitz:** Okay I'm good with that.

**Richard Harris:** What is the decibel level of the generator at a, is it a gas turbine which is closest to the Deet's residence, would there be an estimate of what that is do you happen to know?

**Tom Koval:** It is 20kw and that's what I looked up earlier which is 66 or 69 decibels...

**Scott Earl:** Approximately 30 feet from the house, from the bedroom window, that's how close that is.

**Don Roberts:** Okay what's the Boards desire here?

9/28/20

**Tom Koval:** I make a motion to approve the change of site plan.

**Rich Berkowitz:** I second.

**Don Roberts:** All those in favor? (All were in favor) Opposed? Motion carried, Thank you.

**Scott Earl:** Thank you.

***421 Halfmoon Flex Park (Generators) – Site Plan***

***APPROVED. Board received a presentation and approved an Amendment to Site Plan request to allow two generators to be located on site at 417 Rt. 146, within the 421 Halfmoon Flex Park.***

**20.106                      Farm to Market Self – Storage Center (Halfmoon Self Storage PDD) Sign**

**Tamara Sullivan:** Hi Tamara Sullivan, for Bruce Tanski Construction, we want to put a sign up at the storage units located at 40 Farm to Market Road. The sign is going to say Farm to Market Storage Center, with the telephone number and our website. Dimensions will be 4 x 8 and it's going to be double sided and no illumination and it will be on the west side of the driveway.

**Don Roberts:** Will it be lit?

**Tamara Sullivan:** No

**Don Roberts:** Okay questions by the Board?

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

**Mike Ziobrowski:** Ill second

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

***Farm to Market Self-Storage Center (Halfmoon Self-Storage PDD) – Sign***

***APPROVED. Board approved a free-standing/monument sign for the Farm to Market Self Storage facility.***

**20.099                      Farm to Market Self Storage Center (Halfmoon Self –Storage PDD) Phase II – Site Plan**

**Tamara Sullivan:** Tamara Sullivan for Bruce Tanski Construction. We would like site plan approval for the second phase for the storage units at 40 Farm to Market. We would like to construct the next 3- 6,000 sq. ft. buildings which are marked in blue.

**Richard Harris:** So I just want to add just so the Boards aware , Scott Earl has done this a couple of times , where he comes in with an overall concept plan showing buildings and impervious storm water and the same thing happened on this project , engineering that was done by Town engineer reviewed it , reviewed the entire project but the applicant only wanted approval at the time under site plan for the 5 buildings within the yellow phase 1, and for illustration purposes showed additional phases, they now would like to move on which you explained to these three buildings so they have redesigned to phase II to get final site plan on that in case there were any new

9/28/20

issues or outstanding issues but the engineering the SEQR and Scotts done this on a few of his sites , is already done for the entire parcel and they are not changing any of the impervious surfaces unlike Scott does which often will require a little bit of an engineering review , but on this it's simply really changing the phasing lines so no change in size of buildings , locations of buildings is that correct ,?

**Tamara Sullivan:** Yes correct

**Richard Harris:** So I actually added the yellow and the surrounding areas just to illustrate to the Board that it got approval for phase I , they built these three buildings, are built or under construction they would like to move to these , these are still in phase I there is no requirement they finish phase I and move onto phase II but they never got final site plan for these building or any of the others shown as proposed down here so they will have to come back if and when they want to build these two and then whatever there are five more over here.

**Don Roberts;** Okay, questions by the Board?

**Tom Koval:** So just to clarify all the engineering is complete, greenspace and everything is done?

**Richard Harris:** Correct

**Rich Berkowitz:** And the other three buildings would be a proposed phase III?

**Richard Harris:** I mean depending on , to be honest so this happens actually with some residential , you did it with Glenn meadows too, where they might change , the market might change , the owner may decide to change one of the phases so they don't want to waste necessarily money on paying for site plan approval for buildings they may change so as of right now they're just proposing to start construction on these three, and that could change, but they will have to come back for any of the other changes, but all the engineering's been reviewed , if they start changing sizes of buildings and locations that probably require some engineering review to some extent but it's really a change in phasing I guess.

**Mike Ziobrowski:** And fire looked at this before when we approved it last time as well so

**Richard Harris:** Correct and nothing changed so we did not re-send it to fire but ...

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

**Richard Berkowitz:** Second

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

**Tamara Sullivan:** Thank you.

***Farm to Market Self-Storage Center (Halfmoon Self-Storage PDD) Phase II – Site Plan (20.099) APPROVED. Board received a presentation and approved the final Site Plan for a revised Phase 2 to include three 6,000 SF flex space/warehouse buildings pursuant to the approved PDD.***

**Branden Nielsen:** I would like to make a motion to Adjourn

9/28/20

**Mike Ziobrowski:** Ill second

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