

**MINUTES MEETING
Town of Halfmoon Planning Board
November 28, 2016**

Those present at the November 28, 2016 Planning Board meeting were:

Planning Board Members: Don Roberts –Chairman
Marcel Nadeau- Vice Chairman-absent
John Ouimet-absent
Tom Ruchlicki
John Higgins
Tom Koval
Richard Berkowitz

Planning Board Alternates: Margaret Sautter-absent
Cory Custer
Mike Ziobrowski-absent

Director of Planning: Richard Harris
Planner: Paul Marlow

Town Attorney: Lyn Murphy
Deputy Town Attorney: Cathy Drobny

Town Board Liaison: John Wasielewski
Jeremy Connors

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

John Higgins made a motion to Approve the Minutes from the October 24, 2016 meeting with corrections. Tom Ruchlicki seconded. Motion Carried.

Public Information Meeting:

16.170 Elite Ride Inc. 17B Woodridge Circle - In Home Occupation

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

Jamal Mohammad: Good Evening my name is Jameel Mohammad I live at 17 B Woodridge Circle Clifton Park , and I was here last three years in a building and now (garbled) medical transportation company and (garbled) service. We are providing this service to the medical transportation (garbled) these last 2 years (garbled) three years as a driver and my son (garbled)

Don Roberts: That’s it? Alright thank you, I’d like to open the public hearing and I just ask if anyone wants to speak to please come up and say your name and address for the record because these meetings are recorded, so that being said would anyone like to speak?

Margaret Gregory: Hello my name is Margaret Gregory I live at 3 Giorgio Court in Clifton Park but I am the owner of 10 Woodridge Circle which is directly across the street, I have 2 tenants in that building and I have asked them about the taxi cab service that it appears it has been running there the past 2 years. It has affected me as far as renting

one of my duplex apartments when I was questioned if there was a taxi cab service being run across the street it was pretty obvious as there were cars there, my tenants have also said that the cars, there's more than 2 cars they are parked outside when it is snowing, they're not in the driveway. They've also mentioned there's children in and out of the apartments getting on and off the bus and cabs are going in and out and we, the people in this neighborhood invested in a residential neighborhood not a neighborhood where there's a taxi cab service being run across the street. So I'm opposed, and I believe I sent a note saying so, an email saying that I'm opposed to it.

Don Roberts: Ok thank you. Would anyone else like to speak? Ok, even though Mrs. Gregory spoke I think we should read the email into the record.

Paul Malow: So we received an email from Mrs. Gregory the 21st. It says "*Dear Mr. Harris I'm the owner of 10 Woodridge Circle, I've owned the property for approximately three years and in the course of the three years there already has been a taxi cab service run from 17B Woodridge Circle, so apparently now they decide they need to make it legal. The cabs are always parked outside and there have always been more than 2 vehicles which are parked on the lawn and on the street. This has been a cause of concern for some time I have lost prospective tenants due to the fact that their cab service being run across the street. There are many occupants that seem to go in and out of the duplex at all hours. There are many school aged children in the neighborhood getting on and off the bus; certainly a cab service racing in and out isn't in the best interest of the children or the neighborhood. The neighborhood was designed for residential living not to have a cab service run in the middle of the neighborhood. This has de valued the properties as my property is directly across the street. I am opposed to granting permission for this business to continue their operation as I feel it is a deterrent to the entire neighborhood. It benefits only Mr. Jamal and his pockets and serves to destroy the residential neighborhood that the rest of us have invested in. Thank you for your time. Margaret Gregory*

Don Roberts: Thank you Paul, ok one more time would anyone like to speak? I'll close the public hearing. Board members any comments?

Tom Koval: I have a question, In your letter Mrs. Gregory your stating that its a duplex in the application it says its a single family home.

Margaret Gregory: Ok, it is a duplex and all of the homes in that circle and in that area were all built as duplexes.

Tom Koval: Is the driveway shared by the, the driveway that's shown shared by both sides of the duplex?

Margaret Gregory: All of the driveways have, there's one driveway per duplex.

Tom Koval: Ok, I think we should probably address these to the applicant as well these questions if you could come up and answer on the microphones.

Don Roberts: Sir.

Jamal Mohammad: We have the same driveway our neighbors, I don't know what she's saying that maybe across the street and our house so our neighbor has the one car and we have the four cars we (garbled) on the driveway and then when guests comes in our home so then they park on the street its not always the car is parked in the streets.

Tom Koval: So then the one driveway shares both sides and you have 4vehicles yourself, 2 personal vehicles and 2 company vehicles.

Jamal Mohammad: Its not so much, only 2 is commercial and 2 is private, one my wife and one my daughters so it will be fit on the driveway and my neighbors have 1 truck and his wife have 1 car so we park in 1 driveway

Tom Koval: so your neighbor has 2 vehicles and you have 4 vehicles?

Jamal Mohammad: Yes sir

Tom Koval: So its 6 vehicles and in all likelihood something is going to get parked in the street so your not jockeying vehicles around all the time.

Jamal Mohammad: No we left in the morning in 7 'o'clock and 6'oclock we come back home , 5 o'clock its not all day we are going and coming in our home and when we left in the morning work and we take our vehicle with us and then we come back like 6 o'clock today I came about 5:30 we came back from work, so we shared the driveway with the neighbors and there's always when there is the snow we of course we park drive our car on the driveway when we clean the snow , there's no we cannot park on the streets.

Tom Koval: Right, ok thank you.

John Higgins: Excuse me, I've got a couple of questions are you the owner of the duplex?

Jamal Mohammad: No sir I'm tenant.

John Higgins: You're a tenant?

Jameel Mohammad: Yes sir.

John Higgins: Does the owner of the duplex has he provided the application? The owner signed?

Richard Harris: Yes the owner signed it.

John Higgins: Ok , I just want to make sure, now previously the letter that the board received , did you previously work for a taxi company and have taxi's parked at the sight?

Jamal Mohammad: That was before I was company taxi upstate, taxi and Limo service I was working with that , the taxi was already Margaret she mentioned its not a regular public taxi its special for only Medicare , medical transportation people.

John Higgins: But the previous vehicles actually said on the side.

Jamal Mohammad: It said on that Upstate Taxi , on my taxi there's no sign even on the outside even in the car there's a sign and we go to work and we have a sign magnet sign we put it there , we put it in the trunk and that is when we started that when the neighbor not complain because the taxi is going and coming otherwise I was working in this upstate taxi and limo put it in all the way in the car.

John Higgins: Ok, but now this is your own company?

Jamal Mohammad: I did not write anything on the car we use a little small sign, magnet sign, when we come back then we put it in the trunk. The car is not there is no sign outside.

John Higgins: And do you ever park on the lawn?

Jamal Mohammad: the rain and the snow in the side and there and yes when is a guest comes and we have you know the weekend and family like thanksgiving when more people visit and then we park on the side we will be a wide that one if we have any problem, the neighbor have any problem this is our own there's no grass and our 8 years, previous no grass there.

John Higgins: So if the owner agreed you could extend the driveway so that you have double driveway on the one side or not?

Jamal Mohammad: The driveway of the owner is I don't understand your question sir?

John Higgins: ok, in other words you have single lane driveways for each duplex is there any reason if the owner agreed is there any reason why you couldn't put another driveway next to your single driveway so you have a double driveway so that you'd only be parking 2 vehicles in each half of the driveway, does that make sense? I'm trying, cause as tom mentioned ya know jockeying four vehicles all of the time and parking vehicles on the street is not what is intended for that area. its intended to be residential with a limited number of vehicles for each residence, so all I'm asking is if you made it a double driveway at least that way you'd only have 2 cars in each driveway;

Jamal Mohammad: The driveways are designed like that for the every tenant and we shared the driveway and half is our neighbor , the neighbor is the left in the morning and we don't have any disturbance with , we need to be active because my wife is no work and she is home and our car is always home , 2 cars we are not move only myself and my son in law , we use 2 cars only , 2 cars is private car they stay home once a week when we grocery shopping or doctor appointment the family use that one. That's a private car, so we are not using 4 cars for as a company, I each ride only going to use 2 cars.

John Higgins: I understand that but its still 4 vehicles in a driveway that's not intended for 4 vehicles. Ya know we're just trying to make it less disruptive for the neighborhood because obviously you're asking for an exception to run a business in a residential area, so thats why I'm asking the questions.

Jamal Mohammad: I can move one car from there I can park in the one car in the garage and then there will be 3 vehicle on the driveway, I can do that if there is no allowed to be 4 vehicle, I can, there's the garage I can park one car there inside the garage which we use and once a while we use when family go.

John Higgins: Thank you.

Jamal Mohammad: You're welcome Sir.

Don Roberts: You're saying that your vehicles will be used for only transporting people to medical appointments and it will not be used for public transportation.

Jamal Mohammad: This is not for the taxi, no.

Don Roberts: So it's not a taxi service?

Jamal Mohammad: Before was Upstate Taxi and Limo they use that but we , my company only for medical transportation, we see the paperwork tonight online we give them service in the morning, we come back home ,there's no like public transportation yes.

Don Roberts: So you won't be going out all hours of the day or night?

Jamal Mohammad: No , no this not, because we already been scheduled 3 days one week before with people with patient we are taking them dr. appointment . Thats not we be receiving a call everyday thats not like that its business run like that 3 days 2 days before we see all the paperwork's so we go plan out our invoices and we go to give them service and bring them back home for the patient , thats it. Its only 4 or 5 people a day and we will be give them service only one driver its not many all day run we are not like that.

Rich Berkowitz: You were running a taxi cab service out of their prior.

Jamal Mohammad: Sorry?

Rich Berkowitz: You were running a taxi cab service out of there prior to this?

Jamal Mohammad: This is no taxi service no.

Rich Berkowitz: No, prior to this was there a taxi service on that block?

Jamal Mohammad: There's no taxi service on the block what she said what was here Upstate taxi service and Limo that was the writing on the cars that was there before I was driving those people also were medical transportation but the company name was Upstate taxi and Limo. They was doing same thing, medical transportation.

Rich Berkowitz: That's what you were doing prior to this?

Jamal Mohammad: I'm doing this is only medical yes sir

Rich Berkowitz: Before you were getting calls for a cab?

Jamal Mohammad: I was doing the same providing patient service so the name of the company is it feel like this is a taxi service but it is not taxi service , it was also same medical transportation

Rich Berkowitz: So you will be leaving in the morning

Jamal Mohammad: So you will leave in the morning sometime I leave at 6 'o'clock 7 o'clock I come back 4 or 5 O'clock I get home

Rich Berkowitz: So you are not returning home during the day 3 or 4 times?

Jamal Mohammad: because I am work all the way in Fort Plane and I work in Fort Plane and Saratoga we go so far one hour drive and we go to work it doesn't make sense we come back and (garbled) at home. When we get, when we take a patient we stay with them one hour Dr. appointment we bring them home, so we drive like 100 miles a day and then going to pick up somebody else you think we are going to car fort plane we go Amsterdam Gloversville those are patient where I stay all day long there Gloversville, Amsterdam and fort plane.

Rich Berkowitz: Now do you own the home or do you rent?

Jamal Mohammad: I rent sir.

Rich Berkowitz: You rent, cause I agree with John , if they could even put a wing on there on the outside of the driveway then that could hold 2 cars and it would probably solve a lot of your problems and putting a wing on , an extension to the driveway isn't that expensive.

Jameel Mohammad: I can move one car and then we can have three cars

Rich Berkowitz: Yea but you are still 3 cars in one driveway is a lot. So you are still jockeying for position between all the cars.

Jamal Mohammad: There's always the people leaving our neighbor is in they have 4 cars, 5 cars and the car sitting even if the car is (garbled) you can visit tomorrow I can show you and every house there 4, 5 cars and the cars parked

Rich Berkowitz: I believe you if a family has 2 kids with cars or husband, wife have a car each you can run into that.

Jamal Mohammad: The car you want is to park on the street of my neighbors, so I will be not shes complaining previously, I will be careful and not park in the grass and I will be sure my car will be in the garage and we will be using 3 cars , because it is my duty to be not have a problem for the neighbors, we have to take care of our neighbors and I am sorry I apologize from her if they have a complaint they will be talk to me in the previously directly , I love to be in cooperate with them , I'm not this kind of person and our neighbor is (garbled) im here for.

Rich Berkowitz :Ok.

Jamal Mohammad: Thank you very much Sir.

Don Roberts: Any other questions?

Rich Berkowitz: Would you object to having a one year approval and if there is any problems, and then if there's any problems, well if there's no problems we can extend the approval but if there are problems we can discuss that in another year when you come up for another approval and we have done this with other businesses in the area.

Jamal Mohammad: I really appreciate if you give me one year and if there is any complanint and I will be moved for business to office or other building somewhere and so I dont want to be I have a problem with my neighbors so is that (garbled) is the board give me one years approval I really appreciate for that give me time little bit i can grow my business and then I can rent someplace and I can move this business someplace else.

Rich Berkowitz: Ok.

Jamal Mohammad: Ok, thank you very much.

Rich Berkowitz made a motion to Approve Elite Ride Inc.'s In Home Occupation application with a 1 year contingency to revisit the application after 1 year to get permit approval, if there are no problems, no on street parking and no parking on the lawn, John Higgins seconded with the contingency of one of the vehicle being kept in the garage. Motion Carried.

New Business:

16.178 Northway Surgery and Pain Center, 1596 Rt. 9 - Sign

Tom Pascarella: Hi my name is Tom Pascarella, I am a health care administrator associated with the Norhtway Surgery and Pain Center. Here to take any questions with regard to the sign.

Don Roberts: So its 6 ft high?

Tom Pascarella: I think it's a 4' x 8'

Don Roberts: What about the structure itselfs another 2 feet.

Rich Berkowitz: 72" from grade.

Tom Pascarella: 6'x 8' right.

Don Robeerts: Ok and it's going to be flood lit? Flood lights?

Tom Pascarella: I believe it's back lit if im not mistaken, or

Don Roberts: It says flood light in here.

Tom Pascarella; I dont know for sure.

Don Roberts: If its with flood lights we are gonna have to make sure that the lights are not turned toward route 9 traffic, because we dont want anyone to be distracted by those lights.

Tom Pascarell: Correct what I do know is that the sign is going to be perpinducular to rt. 9 so therefore if any of the flood lights are gonna be flashing at it , it will go in either direction north and south headed toward the sign. And I can't imagine that the lights are gonna be too far from the sign if you will, obviously I dont represent the sign company so I dont know specifics.

Don Roberts: You will also have to make sure the sign is on private property not on state road right of way because they will make you move it and that would be expensive.

Richard Harris: They did submit a drawing showing it outside the state right of way.

Don Roberts: ok, alright, any other questions?

Rich Berkowitz made a motion to approve Northway Surgery & Pain Centers Sign application. Tom Koval seconded it . Motion Carried.

Don Roerts: You're in Halfmoon now dont forget

Tom Pascarell: Pardon me?

Don Roberts: When you advertise you're in Halfmoon.

Tom Pascarell: Halfmoon absolutely, I live in Halfmoon, I love it.

16.179 The Core Group, 8 Executive Park Drive- Sign

Debbie Tosure : Hello my name is Debbie Tosure I'm the director of Admin for the Core Group.

Tom Koval: Your simply replacing the face of the sign with your new logo and no changes to the structure or the sign or the lighting ?

Debbie Tosher: That is correct.

Don Roberts: Any questions?

Tom Koval made a motion to Approve The Core Groups Sign application. Rich Berkowitz seconded. Motion Carried.

Debbie Tosher: Thank you.

16.177 Padgett Business Services, 1657 Rt. 9 - Change of Use/Tenant

Tom Glass: Board members I'm Tom Glass of Mabe Self Storage and we're requesting to have a new tenant indoor building, our office building which is, has been rented in the past and we've, haven't had it rented in a long time but we've decided that we might as well try to have some more income from the property so we're approximately 500 sq ft with a single accounting company. There is 1 husband and a wife business and that's all that there is going to be there. And they are not there all the time.

Fay Inovlotska: Because if I bake I will have to be there and my helper will also live there.

John Higgins: Ok, how many helpers do you have one other or two?

Fay Inovlotska: At the beginning only one, and then if it goes well maybe two, it depends how it will go.

John Higgins: Now your gonna have to have NYS Dept. of Health inspections

Fay Inovlotska: I have it, I can provide right now.

John Higgins: ok for this site because they have to issue one for this site when, before you start operation.

John Higgins: So if necessary I will do that but I have NYS on me right now handling, food handling certificate right now on me.

John Higgins: Ok , but before you can go into business and actually start producing a product that you ship off site NYS Dept. of Health has to issue an inspection and issue a certificate.

Fay Inovlotska: Absolutely, I understand that.

John Higgins: Ok

Rich Berkowitz: And currently your located in a commercial zone between what is it Rite Aid and McDonalds ?

Fay Inovlotska: Yes

Rich Berkowitz: There are no other residences there that would

Fay Inovlotska: Yes thank you. If necessary I can show you my certificate right now I have it?

John Higgins: No that's fine.

Rich Berkowitz: You know its the Dept. of Health's problem not ours

John Higgins: Yea but the Dept. of Health of NYS has to inspect it.

Don Roberts: Oh no not yet your not getting off that easy

Fay Inovlotska: Im sorry

Don Roberts: Anyone else? I guess we can't really take action tonight we're gonna have to refer this to Clough Harbor our town engineer for review.

Fay Inovlotska: What did you say, Im sorry? You have a question?

Don Roberts: No.

Richard Harris: No the Site Plans require review by the town engineer, new construction , a question about the special use permit and public hearing are we going to hold off a little off on setting that ?

Don Roberts: I think we should wait till Joe reviews it.

Jeff Williams: Yes

Don Roberts: And they'll look similar to what we've seen in other light industrial areas right?

Jeff Williams: I think so , I guess, I did give a rendering to Rich I dont know if he shared it with you or not , but typically steel building with four garage bays and one access door each.

Don Roberts: Ok, any questions?

John Higgins: There's no storm water disturbances or wetlands disturbed?

Jeff Williams: There's no wet land disturbances at this point , there is a storm water management area that we are proposing on the north side of the access road.

Rich Berkowitz: So does this change the PDD at all or is this all set or is this different?

Jeff Williams: We had a different idea with what's going in front and along rt.9 but the rest of the lot was to be kind of industrial so we may even expand this type of use it does give Mr. Tanski ability to get some return on a piece of property He's owned for over 10 years and see how this use works we may expand it into that PDD light industrial park when we get settled.

Rich Berkowitz: So you are taking this part out of the PDD?

Jeff Williams: No, it will be incorporated in it, its a permitted use at this point , the site plan so we're asking to do this through site plan but when we come back for the PDD when we come back we will incorporate hopefully this improved site plan into that PDD.

Lyn Murphy: So basically there is no PDD

Tom Ruchlicki: oh, there is nothing?

Lyn Murphy: No there is nothing it's just like a straight up site plan for an approved use in that area.

Tom Ruchlicki: Ok,

John Higgins: It's just an approved use with an awful lot of green space.

Lyn Murphy: Correct.

Jeff Williams: Right at this point.

Tom Koval: Jeff is that a stream?

Jeff Williams: There is a stream that runs through there, its well buffered, we are, the buildings are actually 50 ft off the boundary line you can actually see the light dash line and then there's probably another 200 ft from the stream from there.

Tom Koval: So where the road crosses the stream

Jeff Williams: That's an existing road it has an existing culvert to it.

Tom Koval: It is an existing road already

John Higgins: It's a driveway that's been used for years.

Jeff Williams: It's an old mining site.

Tom Koval: Oh alright.

Don Roberts: anyone else?

John Higgins: And obviously because of the sensitive nature of having a classified stream nearby as far as the tenants be careful not to have anyone that's going to have any kind of run off concerns or any kind of materials that would damage that stream.

Jeff Williams: Understood and also again, our tenants you'll have a chance to meet the tenants as we come in.

John Higgins: Right, I just wanted to mention that, ya know I'm sure you already considered that but.

Don Roberts: Ok, I guess we will refer this to Clough Harbor for review as well ok Jill. Ok, thank you Jeff

Jeff Williams: Thank you.

The board is referring Route 9 Flex Space to Clough Harbor for further review.

16.111 Falcon Trace Lot 4 Parking Lot Expansion, 175/177 Rt. 236 - Addition to Site Plan

Jason Dell: Good evening I'm Jason Dell an engineer with Lansing Engineering I'm here on behalf of the applicant Mr. Tanski for the Falcon Trace addition to the Site Plan for the parking addition, its part of the original project. The original project there were 2 3,000 sq ft buildings that were constructed as part of the originally approved site plan there were 22 parking stalls proposed as well as 8 bank stalls. So we are here this evening and we've been before the board previously is that we would like to construct those bank parking stalls, however in a slightly different configuration they were originally along the eastern side of the parking lot, there were 5 stalls to be constructed on the eastern side as well as here, however there's a significant amount of fill that would be required over here to construct those stalls so there so we in turn would like to shift those stalls to the north side of the building where we'll construct 6 stalls on this side as well as the three in here for 9 additional parking stalls. We did submit the plans to CHA for review, we got a couple of minor remaining comments from Joe, one pertaining to just coordinating the site lights with what's currently out there. The wall packs and we'll certainly get that done and the one other outstanding comment was that we are awaiting a DEC adjacent area disturbance permit right now for the work with in the DEC buffer right here so as far as the DEC application went they were the last remaining item in order for them to complete that application was a SHPPO sign off, we have received the SHPPO sign off and that's been submitted to the DEC so we are just currently awaiting the permit. So we're here tonight to request an approval from the board contingent on receiving that DEC approval for the adjacent area disturbance, where again we are not impacting any of the wetlands it just the adjacent buffer area

Don Roberts: Thank you Jason. Any comments from the board?

Rich Berkowitz: Who are the current tenants who are in there now?

Jason Dell: Current tenants?

Rich Berkowitz: Yea

Jason Dell: Current tenants with in the building?

Bruce Tanski: Bruce Tanski, Clifton Park, sorry, the only tenant in that building is a gentleman who does Veteran mortgages, VA mortgages.

Rich Berkowitz: In both buildings or?

Bruce Tanski: Just that one building.

Rich Berkowitz: How about the other building?

Bruce Tanski: The other building there is 2 tenants in there, there's an accountant and a mortgage broker.

Rich Berkowitz: So is the first building on the right they have enough parking its fine?

Bruce Tanski: Well once we move the cars over there they'll be fine.

Rich Berkowitz: So which tenant is taking up all the spots?

Bruce Tanski: The building on the left, the mortgage guy.

Rich Berkowitz: And those were originally land banked

Jason Dell: Right, right

John Higgins: Bruce there's a lot more than 9 cars parked across the street, I mean is 9 spots gonna satisfy your parking?

Bruce Tanski: It will because some of them are carpooling.

John Higgins: Well they are not carpooling now, that's the reason I'm...

Bruce Tanski: I dont know but we figured it out and 9 should work out more and if I can fit more in I'll just come back to the board if I have to , there's gonna be enough room cause once we get the permit it should be ok.

John Higgins: Well if you remember when you came in before us originally you had parking in front and we asked you to put it in the back cause we were trying to make it aesthetically pleasing and now we're gonna have the same situation with the parking right along side the building visible from the road there's no place else you can put it? In the back?

Bruce Tanski: No because then you get into the, it drops off quite a bit and I planned on putting evergreens and stuff along the parking lot so you wouldn't see the cars anyways.

Tom Koval: We are being asked to approve a smaller amount of parking spots with the assumption people are going to car pool. I dont think thats an acceptable answer we cant possibly imagine that they are always gonna car pool , right now they are currently parking in a town park which is also not acceptable.

Bruce Tanski: It's a public park.

Tom Koval: And it closes at a set hour

Bruce Tanski: And until I get a ticket they'll continue to park there, there's no reason why they cant park there.

Tom Koval: We then have pedestrians crossing 236.

Bruce Tanski: 9 parking spots will take care of my issue, ok.

Tom Koval: Ok so if we approve these change of tenants based on x amount of people working in the building now we have more and its requiring more parking.

Bruce Tanski: Correct Sir I did not know they were going to have that many people, they.

Tom Koval: So should we re look at the approval of your tenants?

Bruce Tanski: Do what you want.

Tom Koval: And I also have the concern with the parking being in front of, exposed to rt. 236 it's not what we're going for in this town.

Bruce Tanski: Then what about Hayner down the road, they're exposed to rt. 236 come on were trying to keep business in town here, I'm about ready to lose my tenant, why are you busting my b*****, every time I come here you bust my b*****,

Don Roberts: Bruce, Bruce, we dont need that.

Lyn Murphy: Dont use that language

Don Roberts: We dont need that, now back up a little bit, is there still a dentist office in one of those buildings?

Bruce Tanski: Pardon me?

Don Roberts: Is there still a dentist office on one of those buildings?

Tom Koval: That's a separate building, that's on the other side of the street.

Don Roberts: Ok, alright so that plays no role in this at all

John Higgins: No that was probably sold

Don Roberts: Alright Ok.

Bruce Tanski: And some of those people are still parking over here on our side when they get full so I have, that's also part of the problem. We have already thrown out three or four people, not thrown out, asked them to park over on their other side so not only have we got a problem with that I think putting the parking spots in the back was not a good move we should have put the buildings back farther like every other business in town and put the parking in front like every other business in town, bless you, and we wouldn't be going through what we are going through.

Don Roberts: Anyone else? You really believe by doing this it will alleviate the need to park over in the town park?

Bruce Tanski: Yes, let me ask you this if when we get out there if the permit allows us and we could put more parking there instead of the 9 do I have to come back to the town or should I just put them in? I dont know what to do anymore?

Don Roberts: I think you have to come back.

Lyn Murphy: You have to come back, it's an approved site plan you can't modify the site plan with out previous approval. That would probably alleviate everyone's concerns.

Bruce Tanski: ok, so can I put them in and then come back?

Lyn Murphy: No. nice try

Don Roberts: That's what you usually do.

Rich Berkowitz: Bruce where were the original land banked spots?

Bruce Tanski: The land banked spots were along the, he can point them, they were right along there.

Jason Dell: There was 5 along here and 3 right along the front of the building so we just shifted them from there , 6 will go on the north side of the building and those 3 will still remain on the east side of the building.

Rich Berkowitz: And you're gonna put coniferous plants there?

Bruce Tanski: I planned on putting 10 or 12 white pines which spread out so you can't see the automobiles but on the same token, pardon me?

Rich Berkowitz: Would you mind berming that up a little?

Bruce Tanski: pardon me?

Rich Berkowitz: Would you mind berming that up a little?

Bruce Tanski: I dont have a problem with that.

John Higgins: Is there enough room to berm it, where is the dumpster stockade going to?

Jason Dell: The dumpster is right in here.

Bruce Tanski: No it's over...

John Higgins: where is it going to is what I asked

Bruce Tanski: we are going to move it to the back corner. It doesnt show on there

John Higgins: oh ok back corner over there, ok I couldn't tell on the little drawing that we have

Bruce Tanski: You know our plan is also to put the landbanking spots in too , so we're gonna have more than the 9 spots , maybe that was the confusion, so if we put the land bank spots in and we put the other spots in we are going to have like 15 , 16 spots.

Don Roberts: As was stated earilier we really need to get the people to stop

Lyn Murphy: That's not on the plan,

Bruce Tanski: Pardon me?

Lyn Murphy: That is not what is depicted on the plan.

Bruce Tanski: No but the landbanking spots were already approved on the original site plan

Lyn Murphy: You just have to let them know that we are un-land banking them and I think there part of the DEC issue? I mean I don't care, I'm just saying we have to have a site plan that accurately reflects what you're doing.

Bruce Tanski: I understand, but I was always under the impression if its land banked and you need to use it you just put it in, we already got it approved.

Lyn Murphy: But they looked at the change of the new parking based not on opening up the land banks. Thank you.

Rich Berkowitz: So we are going to go with this plan? Does it show the landscaping on it, or will that be placed on it later?

Jason Dell: So the plans that were submitted to the CHA do show landscaping along here we will also berm it.

Bruce Tanski: If you want a berm in I'll just put the berm in.

Rich Berkowitz: No, maybe just like a little.

Rich Berkowitz: I don't think a fence would...

Bruce Tanski: Hold on hold on, what about, what about a fence?

Rich Berkowitz: I think the trees would look better than the fence, personally I think the trees would look better.

Joe Romano: I was waiting to hear, from the plans that were submitted to us cause one of our comments was landscaped screening for that spot.

Tom Koval: Two sides, front and west

Bruce Tanski: I dont think I've ever done a sight that doesnt have nice landscaping, so believe me I want to make it as nice as everybody here wants to.

Tom Koval: So just make it a condition that we have a 3 ft berm

Bruce Tanski: I'll put up a 3 ft berm

Tom Koval: And some trees, something that's acceptable and

Bruce Tanski: Not a problem

Marcel Nadeau: Whatever berm fits, 3ft might cause any drainage problems or anything

Tom Koval: Right, a berm.

Bruce Tanski: If we are going to put a 3ft high berm in we have to make it at least 6 or 7 ft wide so we can put the trees on it, right.

Tom Koval: and do west and north sides so you're not seeing the cars

Bruce Tanski: Again , again I think that not to be , I think the planning board should look at putting, doing these buildings differently because ya know I know what the towns trying to do but ya know , if we , these buildings were back where I wanted to put them , could put them then you'd have enough parking in the front.so.

Rich Berkowitz: Well that's neither here nor their now. I'll make a motion to approve the additional parking with the added bump in the north and west side and also landscaping.

Tom Koval; I'll second it.

John Higgins: Subject to?

Marcel Nadeau: Subject to the DEC permit approval.

The board Approved Falcon Trace Lot 4 Parking Lot Expansions Addition to Site Plan Application contingent to DEC permit approval. Tom Koval seconded. Motion Carried.

Bruce Tanski: Mr. Koval I apologize

Tom Koval: Its fine Bruce, it's not the first time I've been yelled at.

16.186 Alliance Worldwide Investigative Group, Inc. 23 Executive Park Dr. - Change of Use/Tenant

Mario Pecararo: Good evening , Mario Pecararo I'm the President of Alliance Worldwide Investigative Group, I'm personally a resident of Halfmoon and I've had a business in the town since 2008 moved here from the town of Colonies so I've grown my business in the office park , in Halfmoon Executive Park since 2008 and I've purchased a building at 23 Executive Park Dr. so I'm looking for the towns approval to move directly across the street , the same use that I currently have and with an additional request for space for my wife which will be presented after , next.

Don Roberts: Yea, we will do them separately yea.

Richard Harris: Yea, two separate applications here.

Don Roberts: Ok, any questions? Its just you or how many people?

Mario Pecararo: We have about 16 employees.

Don Roberts: 16, ok, parking is no issue?

Richard Harris: No , we discussed in the hallway , reiterated what we talked about last week, beforehand , when asked , most of your work is off site, they're in and out and you dont receive customers onsite so pure formula of the town code both this use and the next is adequately handled by the 27 lined spaces, I dont think you need more than 23 spaces I know you questioned you had a couple concerns , you have 16 employees and each of them have one customer at the exact same time but they really dont operate that way.

Mario Pecararo: It's not what you see on TV. No, no, we do all corporate investigative work so all of our clients are around the country and it's done with computers so we dont see any people live; we try not to any way.

Don Robertson: and no signs?

Mario Pecararo: There will be a sign I'm going to set up an application for that

Don Roberts: You have to come back you know that right?

Mario Pecararo: Yep

Don Roberts: Any other questions? Can I have a motion to approve

Tom Koval made a motion to approve Alliance Worldwide Investigative Groups application for a Change of Use/Tenant. Tom Ruchlicki seconded. Motion Carried

16.187 Facials by JoJo, 23 Executive Park Drive - Change of Use/Tenant

Mario Pecararo: Thank you, Im going to stay right up here. So facials by JoJo is my wife JoJo, she's here this evening she's an esthetician so she performs facials and skin care for individuals just herself working , and I'm carving out one space in the building about 200 sq ft for her use. She has generally sees 1 person at a time , generally no more than 3 to 4 people a day , 2 to 3 days a week and she's also currently in the town of Colonie and Latham, trying to recruit her to come up to Halfmoon and bring her revenue to the town.

Don Roberts: Any questions?

John Higgins: Is there licensing or certifications from the State that is required?

Mario Pecararo: Yes there is licensing.

John Higgins: Ok and they will obviously have to inspect the site, make sure it has the appropriate equipment.

Mario Pecararo: Yea there is no inspection required for her particular license but as an esthetician she is licensed as a cosmetologist so there is not any equipment inspection requirement

John Higgins: Ok, well I would imagine we'll have an inspection from the code guys.

Richard Harris: What the dept. will do what they call tenant set up for the c/o but they want to see you set up in there and your wife set up and then they make sure exits aren't blocked and everything like that.

Mario Pecararo: Sure

Rich Berkowitz: How many stations in the room?

Mario Pecararo: Just one

Rich Berkowitz: Just one station, ok.

Mario Pecararo: It's technically just a facial bed its not even a station so it's just one room, one bed in the room.

Rich Berkowitz made a motion to approve Facials by JoJo's Change of Use/Tenant's application. Tom Koval seconded. Motion Carried.

Old Business:

16.173/16.174 Al-Arqam Center of Saratoga , Inc.,183 Guideboard Road - Change of Use/Tenant & Sign

Raheem Mohammad: Hello everyone my name is Raheem (unintelligable)Mohammad , I'm one of the Board members of Al-Arqam's Center of Saratoga and I have the President and the Secretary here.

Danish Feruki: Danish Feruki

Raheem Mohammad: So in our meeting last time on 14th I think board members requested us to put some kind of additional parking lots on this site plan so thank Paul and Rich who helped us come up with this kind of art work where it shows additional 10 , 12, parking lots actually

Don Roberts: Rich can you explain that a little bit, or Paul?

Paul Marlow: So, we sat down as I said with the applicants and kind of came up with a parking lay out we believe will work for what they want to do. As part of this new plan , you will see in the middle a lot we put about a dozen or so parking , about 10 - 15 spots there and then again a couple along the front there and then the large highlighted areas would be considered land banked parking and between the new lined parking about 15 spaces or so and then Rich and I kind of ball park figured you could probably fit anywhere from 20 to 30 in that land banked area depending on how you arrange those cars specifically so we feel that , that should be adequate enough for what it is they are looking to do on the site.

Don Roberts: Ok, thank you Paul and good job in staying between the lines with your coloring there it looks good.

Rich Berkowitz: Can I just make one suggestion, can we move the one handicapped spot closer to the building?

Raheem Mohammad: Yes there is one

Rich Berkowitz: Yea there is one by the building and then there's one across

Tom Koval: I think this was a cut and paste job, there are signs everywhere (laughing)

Rich Berkowitz: I think he forgot it, but you'll move it? Do they need just 1 or 2?

Richard Harris: they need 2

Rich Berkowitz: 2.

Don Roberts: So they could move the one closer to the building like Rich says? Ok.

Richard Harris: Over here, oh ok, yea sorry.

John Higgins: There's an area in the back, land bank parking, there's a note to be conveyed by to Stewarts, has that, and this is all part of the property now correct? Ok. I realize this is an older drawing that's why I just want to make sure

Richard Harris: Two tax parcels

John Higgins: ok

Richard Harris: I got to tell you the record was a little confusing in that there was approval that showed a potential phase II building right here then there was like a drawing that wasn't stamped after that said , it was hand written, only building this.

John Higgins: I understand but I just want to make sure that the area that's marked land banked parking is actually part of the site.

Richard Harris: Oh correct it is.

John Higgins: Ok

Richard Harris: This goes back

John Higgins: I realize that but that's why Im asking the question.

Richard Harris: You are still 200 ft away

Raheem Mohammad: 3.21 acres all together.

John Higgins: And another item was you mentioned was that there was gonna be a P.A. system inside the building we want to make sure that the P.A. system inside the building is inside the building so that it doesnt bother neighbors outside ok.

Raheem Mohammad: Ok

Don Roberts: And you know outside announcements or call to prayer being all inside.

Raheem Mohammad: There won't be any speakers outside the building.

Don Roberts: Ok, thank you.

Raheem Mohammad: And there was sign

Don Roberts: Ok, you've got a sign too right?

Raheem Mohammad: Right, so we gonna lower it to 6ft.

Don Roberts: Thank you, cause we saw the rendering before , so its going to be the same rendering you had before its just going to be down to 6ft now right.?

Raheem Mohammad: Yes, that's correct.

Don Roberts: That should be adequate.

Raheem Mohammad: It is 11 ft now so we are going to lower it to 6 ft.

Don Roberts: 6 ft good thank you.

Rich Berkowitz: How is it going to be lit?

Raheem Mohammad: I'm sorry what?

Rich Berkowitz: How is it going to be lit?

Raheem Mohammad: Its 8ft x 4 ft is the size

Rich Berkowitz: No, no no, how are, at night time that sign is gonna be lighted

Raheem Mohammad: there is a tube inside

which means there's damage greater than 2,000 and no injury and then of course fatality and of course none of us wants to see anywhere but , so any of those we would get all of those records after the facility is open and occupied and evaluate them to , at the access point.

Rich Berkowitz: Do you have to ask for them or they just automatically send them to you?

Wendy Hultzberger: No you , I mean typically they are foiled from the Department of Transportation but , the Department of Transportation they do the entire states , there's a time line differential so for this case we would get whatever DOT has available and then we will ask the Sheriffs Department and any for actual reports themselves too. So they're available.

Rich Berkowitz: Now do you know how many have occurred across the street? Where?

Wendy Hultzberger: I don't have that, no we didn't document that as part of our study, I dont think.

Don Roberts: Thank you Wendy. Joe you are all satisfied with everything.

Joe Romano: Yea.

Don Roberts: Good answer

Joe Romano: Yea just a couple things the conditions that Clifton Park had, one is the analysis between 12 and 15 months after the office building is open so our letter had requested that we also received that information when it is provided and then additionally there was a condition regarding internal signs for the site, where we want to encourage vehicles heading north on rt. 9 to use Fire Rd. access to that signal on Fire Road.

Ed Abele: Right and thats a good points in fact the town John Scavo had suggested some way finding signs we thought was a good idea and we were incorporating and then of course the study , your welcome to a copy of any study thats produced.

John Higgins: Im going to be a pessimist for once...

Don Roberts: For once?

John Higgins: For once, if in fact after 12 to 15 months we find that there have been a number of accidents and for safety sake Clifton Park and Halfmoon recommend that it be no lefts out of that exit its just strictly a right, right in right out. Does the applicant understand that may in fact be something that happens down the road? Just for the record I just, I'm not saying its gonna happen but if it happens thats one of the things that our engineers said would be the possibility down the road.

Wendy Hultzberger: Yea its understood that the reason for that study is to see if there are any issues just to note the Department of Transportation did not require us or ask us for any type of study so.

John Higgins: I understand that but this is what our town engineer mentioned that , thats a possibility of , the town of Clifton Park and the town of Halfmoon find that its a dangerous situation that would be one of the remedies and I just as soon go on record now so that a year from now if and in fact its the case the applicant cant say well we never knew that so I just as soon go on record and just say hey maybe its not going to happen but if it does happen that is probably going to be the outcome.

Wendy Hultzberger: Right, that is understood and certainly we wouldn't take a record that shows that and ignore it either.

