

2/22/21

**MINUTES MEETING
Town of Halfmoon Planning Board
February 22, 2021**

Those present at the February 22, 2021 Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Charlie Lucia
Brendan Nielsen -absent

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:

Joel Bianchi

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

Don Roberts: Good evening,

Don Roberts: Okay, thank you. Has everyone had a chance to review the minutes from the last meeting?

Rich Berkowitz: I make a motion to approve the minutes

Tom Koval: Ill second

2/22/21

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

Public Hearing(s):

Lineback Subdivision, 121 Ushers Rd – Minor Subdivision & Special Use Permit (20.152 & 20.153)

Duane Rabideau: Duane Rabideau from VanGuilder and Associates representing Les Lowdon the applicant before the Board for a proposed 2 lot subdivision, the parcel is located at 121 Ushers road. The applicant is proposing to subdivide a 1.22 acre parcel into 2 single family residential lots. Lot A which is a larger lot of 36,000 sq. ft. and would encompass the existing residence, and all of the improvements onto this lot. Lot B would be a little over 17,000 sq. ft. and that would be for the newly proposed single family residential house. Both homes will have on-site septic, on-site wells. I did receive area variances from the Zoning Board of Appeals for lot sizes and lot width at their February meeting and we were also requesting to be granted a special use permit to allow residential use in a light industrial commercial zone, and that is our proposal before the Board.

Don Roberts: At this time I would like to open the public hearing, I would like to start by saying we received a letter from a resident and we are going to enter that letter into the record right Rich?

Richard Harris: Yes.

Don Roberts: Okay, that's done, the public hearing has been opened if anyone out there would like to speak please say your name and address and any comment you may have. Once again anyone from the public that wishes to speak on this application? (No comments) seeing as no one wishes to speak we will close the public hearing, comments by the Board members?

Rich Berkowitz: Now Duane they realize this is an industrial zoning?

Duane Rabideau: That is correct the actual residents of the parcel and the people that are going to build the new house are very aware.

Rich Berkowitz: Okay, I'll make a motion to have a negative declaration on SEQR

Marcel Nadeau: I'll second

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

Rich Berkowitz: I'll make a motion to approve the minor subdivision and special use permit.

Marcel Nadeau: Ill second.

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

Duane Rabideau: Thank you.

2/22/21

Lineback Subdivision – Minor Subdivision & Special Use Permit

APPROVED. Board approved the two-lot Minor Subdivision and Special Use Permit.

Moore’s Tree Service & Company, LLC, 1000 Hudson River Rd – Change of Use/Tenant & Special Use Permit (21.025 & 21.026)

Marcel Nadeau recused himself.

John DuCharme: Hi my name is John DuCharme Im an attorney representing Moore’s Tree service and I believe Keith Moore is on as well.

Keith Moore: Yes correct, I’m on as well, I’m in.

John DuCharme: As I said my name is John DuCharme and I’m an attorney here it Clifton Park, I represent Moore’s Tree Service, my client is under contract to purchase the real property located at 1000 Hudson River road in the Town of Halfmoon. The property is currently operated as a car repair shop named Marcel’ Corvette Shop. It consists of .7 acres, its located in M2 clean manufacturing zoning district, and following my clients purchase he plans to use the property as his business office, and he will also park company vehicles there when they are not in use. Some of the vehicles will be parked inside of the building, and a couple of the vehicles are larger in size and they won’t fit in the building so they would be parked outside, in conducting our due diligence I contacted the Town of Halfmoon and was advised that in order for us to use the property in this manner we would need a special use permit, a site plan approval and a change of use. On February 2nd my client submitted applications for those permits and on February 8th we had our first virtual meeting with the Town Planning Board and we are here for the public hearing.

Don Roberts: Thank you Sir. At this time we will open the public hearing, would anyone from the public like to speak, please come up and say your name and address and any comment you have? Once again anyone out there wish to speak on this application? (No comments) Since no one wishes to speak Ill close the public hearing, comments from the Board? One comment I have, any vehicle stored outside, we like to see them done in a neat manner so the site does not get unsightly, you understand please?

Keith Moore: Yes, completely, we would operate in that manner anyway.

Don Roberts: Okay thank you very much, comments by the Board?

Rich Berkowitz: Anything about the wood boiler that could be built in the rear of the building?

Keith Moore: No that’s something we would do in the future, we’ve got quite a few things that we are gonna do but the main thing was to get through this process and have the bank give us the money so we can move forward and then our plans are yes to do some improvements, but that’s a ways from now but yes we will take all the necessary steps to go through with the Town to make this a more enjoyable property for us and our business.

Rich Berkowitz: So would they need a separate approval for that boiler?

Richard Harris: Usually those kinds of things I take a look at it with Don and determine is it a significant change in the site plan, and if we both kind of question it we would like then bring it to a pre-meet check with you guys.

2/22/21

We've had a couple things over the years where people extended a roof line at a commercial business over some outside h-vac equipment and we haven't brought that before the Board. It kind of depends on the size, the visibility of it from the Sewer Department driveway and or Hudson River road, it's kind of one of those that could go either way, usually on those I consult with Don and then bring it to you guys and Lyn so I guess we will take a look when it comes in I mean the way the zoning code says is a significant change in a site plan, so it's a little loose on that so.

Rich Berkowitz: Okay so there is no storage of wood or trimmings or mulch or anything outside is that correct?

Keith Moore: No correct.

Rich Berkowitz: Okay.

John Higgins: Okay now at the previous meeting I believe the applicants said that the storage of the big trucks would be in the fenced in area, am I remembering that correctly?

Keith Moore: Yes you are, yes

John Higgins: Okay thank you.

Keith Moore: And can I just say to the Board I mean, like we did even when we were looking at purchasing this property, if we were going to make any significant changes to this property, we would reach out to the Building department to see what permits we needed before we did any work.

John Higgins: Great.

Don Roberts: Anyone else?

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

John Higgins: Ill second.

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

Keith Moore: Thank you.

Moore's Tree Service & Company, LLC– Change of Use/Tenant & Special Use Permit APPROVED. Board approved the use of the site for a tree service company.

New Business:

Marchese Ford, 1003 Hudson River Road – Sign (21.022)

Carl Wheeler: Yes, this is Carl Wheeler with AJ Signs how are you. ?

Don Roberts: Good how are you?

2/22/21

Carl Wheeler: Good, we are here to propose removing the existing Jack Byrne sign and replacing it with the Marchese letters. The current Ford and Service letters will stay, the only thing we are changing is the name.

Don Roberts: Okay thank you, it meets Town code and you heard what I just said a minute ago, chance they could advertise Halfmoon? If you could relay that to them please.

Carl Wheeler: That's not up to me

Don Roberts: Yes, but mention that to them if you could? Just an idea alright.

Richard Harris: They might want to be accurate of where they are, this is the Town of Halfmoon

Don Roberts: This is the Town of Halfmoon Planning Board, not the Mechanicville Planning Board. That being said the sign meets Town code, any questions by the Board?

Rich Berkowitz: I'll make a motion to approve the sign

Tom Koval: I'll second it.

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

Carl Wheeler: Okay, thank you.

Don Roberts: You're welcome

Marchese Ford– Sign

APPROVED. *Board approved the new signage for the Marchese Ford dealership at 1003 Hudson River Road.*

TNT Fireworks, 1549 Rt. 9 (Walmart) – Seasonal Outdoor Fireworks Tent – (21.027 & 21.028)

Linda Macay: Linda Macay and we are just looking for approval again this year to put the temporary fireworks tent in the parking lot. Same organization that has been there for the last couple of years. We will follow all Covid 19 protocols, we are there for about 2 ½ weeks from set up to tear down

Don Roberts: Questions by the Board?

Tom Koval: Are you going to have a dumpster for your trash onsite?

Linda Macay: We can if you want to, generally we don't have that kind of trash, but if you require it.

Tom Koval: We've had problems in the past with other, not with you but with other fireworks places that the cardboard boxes that all fireworks come shipped in, end up in a big pile and blowing around, what was your intention to do with all of the cardboard boxes?

2/22/21

Linda Macay: Well, a lot of the boxes have to be kept because that's the only way you can transport fireworks, so at the end of the sale when they are able to return the fireworks they have to have those boxes because they are already marked with the correct designations, the other ones we take

Tom Koval: When you sell fireworks you're going to have a lot of empty boxes without product that needs to go back that's

Linda Macay: That's right and our groups know that they have to return those boxes to us or dispose of them, we never leave them onsite, and Im not sure that you have ever seen that we have done that because we are very, very adamant about that.

Tom Koval: Not at your site but I have seen it at other sites.

Linda Macay: Yes we are very good about it Sir, and if there was any problem we would be there with in the hour cleaning it up.

Tom Koval: Okay

Don Roberts: Now what's the time frame you are going to be there again for the record?

Linda Macay: We will start right around the 19th of June and we have some leeway on that because of when the tent company can put the stand up, or the tent, and then we are always down by the 10th of July , and I say the 10th just to give us, our sales are over on the 4th but we give them a few days to get the tents down because we have 62 tents in the Connecticut , New York , Rhode Island area, you give me dates that you want and I'll stick to them.

Don Roberts: How is June 19th to July 10th?

Linda Macay: You got it.

Don Roberts: Other questions by the Board?

Rich Berkowitz: I make a motion to approve the seasonal outdoor fireworks tent from June 19th to July 10th

Tom Koval: Ill second it.

Don Roberts: Now before we vote once again the signage

Linda Macay: We sent you a picture of the signage that you have approved in the past that we will abide by.

Don Roberts: Alright now we've got a motion and a second, all in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, your all set.

Rich Berkowitz: Do we need a second motion for the signs?

Don Roberts: We did it as all part of it okay.

Rich Berkowitz: Okay

2/22/21

Don Roberts: You're all set, thank you, good luck.

Linda Macay: Thank you Sirs, have a great day.

TNT Fireworks (Walmart) – Seasonal Outdoor Fireworks Tent

APPROVED. Board approved the temporary use and related signage for the sale of legalized fireworks from June 19 – July 10, 2021.

Native Sun Flowers, 1470 Route 9 – Change of Use/Tenant & Sign (21.023 & 21.024)

Timothy Emanuel: My name is Timothy Emanuel and I would be the owner and President and what we would like to do is we would be a small lawn and garden retail outlet.

Don Roberts: Explain what is going to be onsite?

Timothy Emanuel: All spring bedding plants, hanging baskets, vegetables, stuff for perennials, for shade gardens I plan to fill up the whole place with as much as possible with flowers.

Don Roberts: As you are aware in the pre-meeting a concern arose about the green house can you explain that in more detail?

Timothy Emanuel: Yes, sure, well if you have been to the site the green house there is very small and the standing structure next to it is very small, and I really need some outdoor, just seasonal, all I'm asking for is just Spring time, you can decide, probably by when the weather gets warmer, by June I would have this structure dismantled it would just be a temporary hoop house, to harden off my spring bedding plants. Also it would give me an outdoor shopping area, due to the Covid 19, you know due to the Pandemic and social distancing I really need that extra space and that's why I'm asking the Board for that.

Don Roberts: Is that going to be a stationery thing, or solid or what?

Timothy Emanuel: It would be a hoop structure with metal hoops probably ten feet apart and it would have a poly covering, a plastic covering probably just the beginning of April to June 1st.

Tom Koval: Is it going to be a clear plastic covering cover or solid?

Timothy Emanuel: I can do clear or solid, it's really, I'm fine with either way.

John Higgins: How big is the structure going to be?

Timothy Emanuel: 20 x 50

Don Roberts: Tom would you be okay with a clear structure Tom?

Tom Koval: It's Don it is not the color of the structure, and I have no issue with this customer, this person, I have an issue with a hoop structure being allowed right on route 9 when you personally told me you didn't want

2/22/21

one right down the road , 300 feet back off of the road. I understand it's a different size but it's still the same type of structure that you said would look terrible right down the road.

John Higgins: And 20 x 50 is a substantial structure. Now you said you were going to take it down, that means you are going to take the hoops and everything totally out?

Timothy Emanuel: I promise to take the hoops down and everything, okay Ill roll it up I can store it away and like I said I really just need it, for the spring for the weather, this spring.

Tom Koval: Is this something you're planning on putting up every winter?

Timothy Emanuel: This time of year, I'm going to be signing a hopefully a 2 year lease so it would be this winter and next winter.

John Higgins: Now you are not going to put it up until April 1st correct?

Timothy Emanuel: That's correct

Marcel Nadeau: So it's basically there for only a month?

Timothy Emanuel: Two months April and May.

Rich Berkowitz: Now if Covid wasn't a concern would you need this?

Timothy Emanuel: Honestly yes.

Tom Koval: So we can't call this a Covid necessity, it's a business necessity, you're building another structure, whether it be temporary or not right, going right in front of the building, right alongside route 9

Timothy Emanuel: It is not along route 9 Sir.

Tom Koval: Then where is it on the map.

Timothy Emanuel: If you look at where the building sign is, it's behind the building sign, in between the building sign and the pathway to the green house to the front door of the building.

Tom Koval: Rich for some reason, for the meeting on the screen all I have is a diagram I can't see the map.

Richard Harris: Okay thanks for letting me know Paul was just saying the same thing to me.

Tom Koval: From this map it appeared like it was on route 9 to me.

Timothy Emanuel: No it's not Sir

Tom Koval: Wait until I see the map and then Ill

Rich Berkowitz: What's being sold under the hoop tent?

2/22/21

Timothy Emanuel: Just flowers, all I'm having is bedding plants, pansies, petunias and vegetables it's going to be a garden center. I have seeds for sale inside.

Rich Berkowitz: Seeds are for sale under the tent?

Timothy Emanuel: Just seasonal bedding plants, and hanging baskets

John Higgins: What side is on the route 9 side? The 20 ft. side, or the 50 ft. side?

Timothy Emanuel: No Im running it parallel to the store and the green house

John Higgins: You didn't answer my question, which face is on route 9, is it the 20 ft. side or the 50 ft. side

Timothy Emanuel: It will be the 20 ft. side

John Higgins: So in other words the 50 ft. is going at a 90 degree angle away from route 9 correct?

Tom Koval: That driveway we are seeing is that out into the mobile home park entrance?

Timothy Emanuel: Yes

Tom Koval: Okay, so Im going to call it a greenhouse just to save my anger level here.

Timothy Emanuel: Those should be squished tighter

John Higgins: What Im looking at Tom is the yellow outline is that what this building is going to be?

Tom Koval: They just switched that again on me.

Richard Harris: Yea so we just tried to, because its black and white it was kind of difficult you could see on this black and white the hoops of the hoop house correct me if I'm wrong.

Tom Koval: Could you go back to the one with the yellow?

Richard Harris: Yea we did that just to help you kind of see things better

Tom Koval: Its two different pictures you've got here, this is showing that hoop house going right parallel to route 9

Timothy Emanuel: Yes its parallel to route 9 but not on route 9

Richard Harris: This is route 9 here correct Timothy?

Timothy Emanuel: Yes.

Richard Harris: Here's route 9 here's the rows of plants and so it's in the same location

2/22/21

Timothy Emanuel: I didn't measure exactly how many feet it was but there is a whole green buffer, a ditch

Tom Koval: I understand that but this thing is going between the buffer and your building parallel to route 9?

Timothy Emanuel: That is correct but it's not this yellow circle isn't very accurate because you have to squish it together or a little closer because there is a pathway from one parking lot to the other parking lot that will be clear an then there is a pathway where the sign is it's not going as far as the sign, it's going in between the hard walkway and the sign so it's a lot narrower.

Richard Harris: It's going in here

Timothy Emanuel: It's really not a very descriptive picture

Rich Berkowitz: I see five rows of merchandise there between which rows was it going?

Richard Harris: Im gonna put back up the one he gave us, we were just simply trying to show that the hoop house on a clear picture is within this area. We weren't trying to measure exactly so Im just going to go back to his, here is his picture and you can take a look at what he drew.

Tom Koval: Regardless though, the long side of the hoop house is parallel to route 9

Timothy Emanuel: Yes it is that is correct

Tom Koval: Okay so if this goes I would want it at minimum to be clear plastic so it looks like a green house.

Timothy Emanuel: Okay that's fair.

Tom Koval: And I could give it one season and you could come back next year for the same approval if you want to do it, we can't just give a blanket temporary, in my opinion.

Timothy Emanuel: I just want to see this thing up, that's fine I agree to that totally, Im for reevaluation next spring.

John Higgins: You said you could live with it going up April 1st and coming down May 31st correct?

Timothy Emanuel: Yes, June 1st. yes

Don Roberts: You okay with that Tom?

Tom Koval: Im okay with this person, and Im alright with this temporary thing, you know my opinion on the rest of it, you know my opinion on allowing it in one spot and not it in the other. It's not good practice and that's going to get the Town sued eventually.

Don Roberts: We will just have to disagree on that, that's all.

John Higgins: Hold on Don, its saying on the drawing 25' x 50' he just said 20 x 50, which is correct?

2/22/21

Tom Koval: 5 feet is really not going to make much of a difference

John Higgins: I understand but me

Timothy Emanuel: I'm shopping for a structure right now Sir but Im sure I can whatever the Board decides, 25' x 50' or 20' x 5'0 I can make it work I promise

Tom Koval: It doesn't matter.

John Higgins: No, Tom I agree but if we are putting stipulations on the gentleman for timeframes and color and everything else, I just think we should have the size on the stipulation also.

Tom Koval: Okay, I'll make the stipulation 25' x 50' if that's alright with everyone? (Everyone agreed)

Tom Koval: That way he's got maximum, we're not limiting him if a 20'x 50' isn't available or vice versa, can't go any bigger than 25' x 50'.

John Higgins: April 1st to June 1st correct?

Tom Emanuel: That's correct.

John Higgins: And that means on June 1st the total structure is down including the hoops and they are taken to another area is that correct?

Timothy Emanuel: That is correct.

John Higgins: Tom is that okay with you.

Tom Koval: Yup , I'll make a motion to approve the addition of the hoop house no larger than 25' x 50' with a construction date of April 1st and a dismantling date of June 1st. the year 2021 , if he wants to put it up again next year he has to come back again for a temporary approval.

John Higgins: And it's got to be a clear plastic material.

Don Roberts: Tom your motion also includes a change of tenant right?

Tom Koval: Yes

Don Roberts; Thank you

Don Roberts: Thank you, okay we have a motion and a second, all in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, now how about the sign.

Timothy Emanuel: The sign is going to be in the same template as the original sign was there, Im making it 4' x 4' something like that, 5' x 5' maybe and it will fit over that R & K Nursery thing.

2/22/21

Rich Berkowitz: You want it 4' x 4' or 5' x 5'?

Timothy Emanuel: Well the bigger the better, I would like to make it 8' x 8' but I don't think we can fit it in the store

Rich Berkowitz: Well how about we make it 6 x 6 and then if we come in shorter then it's not going to be an issue.

Rich Berkowitz: What are we allowed here?

Richard Harris: You'd be allowed 200 sq. ft. the ordinance allows one sign in this zone for one business to be 200 sq. ft. so 20' x 10'.

Rich Berkowitz: What is the size of the sign now that was there for R & K?

Timothy Emanuel: It was about something like 11x 11 almost, it was almost 100 sq. ft. because the bottom part of the sign is where the lettering went to give them the hours.

John Higgins: Is the sign 2 sided?

Timothy Emanuel: Yes, it's going to be hand painted, and we're going to have 2 signs one on one side one on the other, so because we have to leave the basic structure that is there right now, and Im going to leave that and all Im going to do is install a sign, on either side of that sign, but it will be painted and it will look nice I promise you that.

Tom Koval: Are you going to have lights shining on it?

Timothy Emanuel: I hope to, I hope to have electricity shining on it yes

Don Roberts: If you do that just make sure it's not shining out into the road

Timothy Emanuel: Okay that's not a problem.

Rich Berkowitz: I make a motion to approve the sign not to exceed the present sign that is already there, with lighting not to shine on route 9.

Tom Koval: Ill second that.

Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, good luck.

Timothy Emanuel: Thank you, I appreciate it, come shop and buy flowers

Native Sun Flowers– Change of Use/Tenant & Sign

APPROVED. Board approved the Change of Use/Tenant and Sign applications to allow a garden center to operate at the site with conditions related to the size and duration of the proposed hoop house.

Automotive Marketing Concepts/CP Cars LLC, 1414 Rt. 9 – Change of Use/Tenant (21.017)

Mark Kislowski: Yes, hello Mark Kislowski here

Don Roberts: What would you like to do sir?

Mark Kislowski: I apologize Im stuck in an airport and I am working on my phone so I apologize if I am a little in and out. I am looking to increase parking space my business is expanding , fortunately and I need more parking space for vehicles, and looking to park vehicles in the space that was previously used for shed display.

Don Roberts: Okay now your application says 50 cars, personally I think that's too many cars to approve right now, Board members anybody have any feelings?

John Higgins: Is that 50 cars total Don?

Mark Kislowski: Yea I measured it out quick and I can park probably 80 to 90 cars there and I just took that and cut it in half basically to space properly and have room.

Don Roberts: Because as you know when you are coming across the river on the bridge into Town that's one of the first sights you are going to see and we want to make sure it looks neat and slightly so again in my own personal opinion I can be off on this but I think 50 cars is too much, that's why I want input from the Board

Rich Berkowitz: Yea I tend to agree.

Marcel Nadeau: Well we are talking 50 plus the 7 that he has correct?

Mark Kislowski: It would be 50 total, I would probably not be parking cars currently where I am. I would be parking them all in that area in a neat orderly fashion and then just pulling the cars over when a customer is coming to pick them up or when I need to show a car, it kind of seems like a much better flow as well with the traffic and the parking lot as it is.

Tom Koval: What are you planning on doing on the ground, you are not just parking these in the grass are you?

Mark Kislowski: No, I'm going to expand the lot, slowly probably one or two rows at a time, I was just going to put down gravel for now.

Tom Koval: Gravel or crushed stone?

Mark Kislowski: Crushed stone, whatever, probably crushed stone.

Tom Koval: Gravel will turn to mud.

Mark Kislowski: Yea something that will pack decently im not a soils guy so.

2/22/21

Tom Koval: Right, yea, I mean if you start parking cars on the sod, it's gonna be a wet sloppy mess in a hurry, especially when the frost starts coming out.

Mark Kislowski: Actually the gentleman Paul Sicko who owns the property is actually going to help me with that and we are going to do it in a step process, as revenue grows, I'll expand the lot.

Rich Berkowitz: Now you are doing this at a step practice, what's your first step, how many cars is your first step? Probably going to be looking at 25 to 30 cars.

Rich Berkowitz: That's about the number I was thinking of.

John Higgins: Previously there was about half a dozen sheds there? I don't understand how you are going to fit that many cars in that little area.

Mark Kislowski: Well a parking space is 8 feet wide

John Higgins: 10 feet in the Town of Halfmoon but that's alright, but besides that you planning on what, 2 rows, 3 rows I'm trying to picture how big that property is.

Mark Kislowski: Yea it's pretty deep it's almost like a, it almost looks like a pyramid shape, I guess is the best way to describe it. So I was going to do a row parallel to route 9 and the row behind that and then a row behind that and then a row behind that.

Tom Werner: What about landscaping along route 9 to soften the view? Are you proposing any type of landscaping?

Mark Kislowski: There is a natural ditch there, I think it's at least 20, 25 feet, before I could even park cars because of the right of way for the road.

Richard Harris: This is all DOT property from here, from this blue line

Mark Kislowski: Yea we are naturally going to be set back about 25 feet, whatever that distance is.

Tom Koval: I personally don't mind the Tire Warehouse or any of the other car dealerships we have going up that stretch, to limit him to 35 cars, especially we are allowing the guy over by exit 8 25 cars on that postage stamp lot, I don't know why we are going to try limit him with a much bigger space to that small amount of cars, I think we are imposing some rules on him that we are not imposing on everyone else.

Marcel Nadeau: What are you saying Tom 40 cars?

Tom Koval: If he is asking for 50 and he's got the space, now it would have been helpful if we actually had measurements on this drawing, because it's hard for me, yes as we said a parking spot, yes a parking spot in a shopping center is 10 feet wide a used car lot you don't have in and out, in and out, in and out parking where you got to worry about people loading in so I agree 8 feet is probably plenty for that but you know part of the issue with 50 cars is, is he gonna be as long as he is giving up those other spaces further over and have a total of 50 vehicles for his business.

2/22/21

Marcel Nadeau: The only thing is we don't know what that actual dimension is on that site plan there, the black lines.

Tom Koval: We just, well we probably could figure it by the parking spots that are already down there.

Rich Berkowitz: I think it's about 150 ft.

Tom Koval: 8,9,10 let me grab a

Richard Harris: You could fit I would say about 22 to 25 here, probably more like 20ish here and this is probably about 10 to 18 in here, if you just look at this right here, 1,2,3,4,5,6,7,8,9

Tom Koval: In the picture 2 inches is 10 spots and that frontage he has there is 4inches so there is 20 spots just on the front, so you figure there is 20 spots in the back there is 40 ten more in the center

Marcel Nadeau: He does have the room.

Don Roberts: So what do you want to do?

Tom Koval: I have no problem with him doing 50 there.

Marcel Nadeau: The 7 that he already has will be included in the 50 correct?

Richard Harris: Correct.

Marcel Nadeau: So we are really giving him 43 more spots?

Tom Koval: Exactly.

Marcel Nadeau: I can go with that.

Tom Koval: I make a motion to approve the expansion of the parking lot with the condition that the tenant has no more than 50 vehicles on the entire site.

Marcel Nadeau: Ill second that.

Tom Koval: And that he puts some crushed stone base down.

Mark Kislowski: Thank you.

Don Roberts: Your welcome, have a safe trip home.

Mark Kislowski: Thank you, thank you very much.

Marcel Nadeau: Don Just one thing, I don't know who brought up the idea of the landscaping or whatever but that lot you have to look up to that lot so landscaping is kind of tough to do there.

Tom Koval: And behind all that parking area it is a nice treed lot and he is not taking the trees down, so your maintaining that whole look of that hill, I don't think it's going to look bad I don't think it's going to look near as bad as Tire Warehouse or that next mess going on further up the road where they are using the landfills.

Automotive Marketing Concepts/CP Cars LLC – Change of Use/Tenant

APPROVED. Board approved the sale and display of up to 50 vehicles at the site.

37 Staniak Road – Amendment to Final Subdivision Plan/Site Plan (21.029)

Duane Rabideau: Duane Rabideau from VanGuilder and Associates representing Fairways of Halfmoon LLC. before the Board for a land preservation area amendment for lot 37 Staniak road, the proposal is to adjust the location of the LPA area from one that was approved by the Fairways Meadows Phase 1 subdivision which basically had the entire parcel at 37 Staniak road as an LPA area except for a 200 x 200 area on the southwest corner for construction of a single family residential home. The LPA area approved then was a little bit over 13 acres in size, the proposal is to move the LPA line so that the only the northern six acres of 37 Staniak that will only be affected by the LPA restrictions. This is so that the potential buyer of the parcel will be able to legally keep the barn and the paddock areas onsite and utilize the parcel as working horse farm and it would also allow clear title for the property for the potential buyers, and that is our proposal before the Board.

Don Roberts: Okay thank you Duane, starting out Duane , we're gonna let you know we're going to be having a public information meeting on with expanded notice just so you know ahead of time, that being said comments by the Board please.

John Higgins: Duane you mentioned that the applicant plans on running this as a horse farm , in other words having riding lessons and boarding horses and having people come and go?

Duane Rabideau: No my understanding, I really need to get this little bit clarified this is more or less for their own personal use, both of them have other professions and this is their home and basically the gentleman's horses.

Tom Koval: Im unfamiliar with where it crosses from commercial to agricultural to , I mean it's not a working farm if it becomes a stable where people , I have neighbors that have horses and they board other peoples horses and who cares you know, but if they start giving lessons and there is on weekends, whatever even if they have full time jobs and it starts to become more of a business, how is that , I guess it's a legal question, at what point does it become commercial or is it just because it's an agricultural type of business its allowed?

Lyn Murphy: We were hoping the applicant would flesh that out more. We were hoping that the applicant would be clearer about what their intentions were for the use of the property if they were granted the extension.

Duane Rabideau: The intent is to basically board their horses and use it as their little farm. For some reason if I think it became more intense I would probably be subject to a site plan to go before the Board.

Lyn Murphy: Are they planning to show horses there, have competitions there or just people boarding horses can use them?

2/22/21

Brady Patenaude: Duane, Brady Patenaude here I am on the call, the potential buyer. It's strictly horse boarding which does fall under the agricultural laws. There will be no shows done there, no lessons given, just boarding and keeping horses.

John Higgins: How many horses do you plan on having?

Brady Patenaude: There is currently 15 horses there now.

John Higgins: In my opinion that's a business, that is not just boarding horses.

Brady Patenaude: It's still agricultural, it qualifies as a farm as a horse boarding facility, and the land is also zoned agricultural –residential.

Tom Koval: Yea and that's why I asked the question and Im not familiar with what the agricultural laws are, and at what point it becomes, what's the tipping point where it becomes a business, it's no big deal.

Don Roberts: Now Sir you said that there is 15 horses there currently do you plan on adding any more or no?

Brady Patenaude: Not that I know of off- hand but some may come and go but roughly around 15 would probably be the average of what's going on there.

Rich Berkowitz: How many horses can be boarded there?

Brady Patenaude: Plus or minus one or two. There is the ability to have 21 horses there.

Rich Berkowitz: Okay so the most you can expand is by 6

Brady Patenaude: Yes

Tom Koval: What do you plan on doing with all of the horse waste? Because I know another stable in Clifton Park they have a mountain of it by the barn and there is a lot of neighbors around this place so we have to worry about that.

Brady Patenaude: I store it there temporarily and it will be trucked out and usually sold off to a landscaping company as part of top soil and fertilizer.

Rich Berkowitz: Have you had any complaints from neighbors at all before?

Brady Patenaude: We've just been in there for a couple of months for right now, we are still in the process of getting all of this set for now for the closing.

Rich Berkowitz: Do you have 15 horses there presently?

Brady Patenaude: Yes.

John Higgins: Now the whole reason for moving the line is because the barn and the paddocks are on what is supposed to be forever wild? I just want to understand why the line has to be moved?

2/22/21

Sue Patenaude: Because it's illegal right now.

John Higgins: Oh it is illegal, okay so the barn and the paddocks were put in there without a building permit?

Lyn Murphy: No that's inaccurate, where they are right now they are within their own building lot, but there was an expansion that was done that has been since torn down that went onto Town property. So this is a totally different issue than what you're thinking of John.

John Higgins: Okay then Im just asking why they need to alter that line then.

Lyn Murphy: Because they want to add accessory buildings into that area that at this point in time not allowed to be in.

John Higgins: Okay so they want to add paddocks or another barn or?

Brady Patenaude: No we would like to be able to purchase this property with a clear title, as of now these buildings were built with building permits issued by the Town, however they were on land preservation area, so right now to be able to have a clear title to buy this property that land preservation line needs to be moved.

Tom Koval: Yea I've heard the term and I cringe every time I hear it, the forever wild, there is no forever wild once you get out of the Adirondack park or State parks, its land preservation , because I have people use it on some land I own telling me its forever wild , it's not.

Richard Harris: This plan Fairway Meadows has a note on the plan defining land preservation area and it is extremely limited on what you can do, basically you can farm it, and that's about it.

Tom Koval: Right so it's not forever wild, its land preservation

Lyn Murphy: If you look at the definition, it allows for farming, agriculture etc. Use on the property so I think that this is an allowable use., at one point they had gone into Town property they have since rectified that so I don't think that they are in a non-conforming position as we sit here today.

John Higgins: Isn't horse boarding more of a business rather than agricultural or is it in part considered agricultural?

Brady Patenaude: It's still considered agricultural.

John Higgins: I was asking for a legal interpretation Sir, go ahead Lyn

Lyn Murphy: I am looking it up right now.

John Higgins: No problem thank you.

Marcel Nadeau: I think some of those restriction were put in there basically because of the residents in the area if I recall.

2/22/21

Don Roberts: That's correct Marcel that's why when we do the public information meeting we are going to have to send a notice so any concerns may be addressed.

Richard Harris: And I do want to clarify on this may you can see, see this dashed line, this is the rear portion of those lots from Bent Grass up, here is where the house is, his structures up here is land preservation as is over here land preservation and then this is a storm water area over here, the connection to another storm water area.

Lyn Murphy: My assistant co-council as I used to refer to Mike B but permitted uses in a AR , agricultural residence district are farms, equestrian facilities and customary uses incidental thereto as well as commercial reforestation.

Don Roberts: this is to be considered to be equestrian right?

Tom Koval: Absolutely

Rich Berkowitz: If what they have there is legal and what they want to do is legal correct?

Tom Koval: Right, so it all boils down to we're deciding on the lot line adjustment.

Lyn Murphy: ***This portion of tape is inaudible*** be aware of that and I think you should let the neighbors have an opportunity to comment because they are expanding the area.

Don Roberts: Yes we are definitely going to have a public information meeting that's for sure, that being said we would like to set a public information meeting for 4 weeks out can I have a motion for that please.

Tom Koval: I'll make a motion to have a public information meeting for March 22nd is our next one?

Don Roberts: Yes Tom.

Tom Koval: Yes March 22nd.

Brady Patenaude: Can I jump in here for a second guys, I don't know where you are getting the expansion that you feel is, other than, nothing is being expanded than what's already there.

Don Roberts: No, no you might have misunderstood Sir, our public information meeting will have an expanded notice, and we will be notifying people who are not exactly adjacent but maybe affected by it. That is the expansion notice okay.

Brady Patenaude: I understand that, I don't know what you are informing them of, nothing is changing that is already non- existent. That's what we are asking to do this and that's what we are doing.

Richard Harris: I think the Board was trying to clarify do you ever intend to build another barn or any other structures beyond what's there right now?

Brady Patenaude: Not presently no.

Richard Harris: In the future then you will have to come back.

2/22/21

Brady Patenaude: At this point I would have to come before the Board again in the future if that was ever the case, I can see that but as it stands now , no.

Richard Harris: I think the Board is approaching this, correct me if Im wrong but, Board members, this is Rich talking, I think they are viewing it as if they end up approving your ability to move that line, that LPA line that would then allow you to build structures just through a building permit not have to come back to this Board if you want to build a barn, or a shed, or a garage, correct.

Lyn Murphy: Legally that is correct.

John Higgins: Could the property also be legally subdivided in the future?

Richard Harris: They would have to come back here to you.

Don Roberts: The subdivision is an approval.

John Higgins: There is that potential, correct?

Don Roberts: Well sure, yes

Tom Koval: Yes, potential exists everywhere, that's a piece of land.

Brady Patenaude: That is not our intention because we like to have all of the acreage we have

Don Roberts: Okay that being said, I have a motion and a second for a public information meeting with expanded notice for March 22nd. All those in favor Aye (all were in favor) Opposed? (None were opposed) motion carried, we will see you on March 22nd thank you.

37 Staniak Road – Amendment to Final Subdivision Plan/Site Plan

PUBLIC HEARING SET. Board set a Public Hearing for March 22, 2021 for a proposed amendment to final subdivision/site plan to relocate the existing boundaries of the land preservation area.

Ballard & Halliday Lot Line Adjustment, 145 & 149 Vosburgh Road – Minor Subdivision (21.30)

Lyn Murphy recused herself.

Donald Roberts: Go ahead Duane, I know there's confusion going on with this stuff, but go ahead.

Duane Rabideau: That's me, Duane Rabideau from VanGuilder and Associates representing Tom Ballard before the Board for a proposed lot line adjustment between 145 & 149 Vosburgh Road. The proposal is to adjust the common property line between 149 Vosburgh. That's the lands of Halliday and 145 Vosburgh Roads which is the lands of Tom Ballard where the easterly 6 feet lands of Halliday would be annexed to the lands of Ballard. The two parcels after the proposed lot R-1 zoning requirements. The 60 feet would be added to the portion just near Vosburgh Road and that is our proposal before the Board.

2/22/21

Donald Roberts: Before we get going here, we're gonna need a Public Hearing on this, ok, so, that being said, comments by the Board.

Richard Berkowicz: Duane, what are the plans for this lot?

Duane Rabideau: Basically, it's not gonna be the proposed 9 lot subdivision, whatever intention will be planned there will be minimal impact and a lot more pleasing than what's been proposed before.

Richard Berkowicz: And how long is it been since any of this area of his property been developed?

Duane Rabideau: This area right here has not been developed, there were, we did a...

Richard Berkowicz: I know, but was this subdivided off another parcel before? You've got a minor instead of major subdivision.

Duane Rabideau: Well, it's a, the only thing that was done was basically annexing the two pieces together. That was the last proposal and that was 3-4 years ago anyway.

Richard Berkowicz: And is there a plan for, is there gonna be single family or is it gonna be duplexes or, what's their plan?

Duane Rabideau: Well, will them not having the land just yet. Nothing's, been a lot of talk, there's nothing been set, but it's definitely a lot more appealing than what has been proposed.

Richard Berkowicz: Well, what has been proposed and what's being proposed are two different things and if you plan on putting duplexes there, I personally think you're gonna have a more difficult time with me.

Duane Rabideau: My understanding, it's not going to be duplexes because the Town's very clear on where they want their duplexes and this site will definitely not be acceptable to the Town standards.

John Higgins: This applicant put duplexes right on Smith Road, which is adjacent to this.

Duane Rabideau: That's correct. That's a different atmosphere over there. Right here, I don't see that happening. Especially when you have single family, residential all in front of it.

John Higgins: Well, I agree with Rich. I think it would be beneficial for the Board to know what the applicant plans.

Tom Koval: Well, right now they're just here for this. If they came to subdivide three extra lots, we'd have another go at it.

Richard Berkowicz: No, I understand, no problem

Tom Koval: agree with John and Rich.

Marcel Nadeau: At this time, we just looking at a subdivision, so we can hold you to that the next time they come in to change it.

2/22/21

Rich Berkowitz: Yeah. I have no problem with a subdivision, but I would like to know future plans if they have that in mind which they do.

Duane Rabideau: If it's going to be anything, it should be single family homes.

Donald Roberts: Duane, are you free to discuss what's going to be happening here at all or no?

Duane Rabideau: Not really.

Donald Roberts: Ok.

Duane Rabideau: I think the Planning Department is very intuitive though.

Marcel Nadeau: The problem is that at this time, they can tell us whatever we want to hear.

Richard Berkowicz: That's the problem.

Marcel Nadeau: The only way we can control it is when they come in again.

Donald Roberts: Anyone else?

Mathew: Hi my name is Mathew, can you guys hear me okay?

Richard Harris: This is not a public hearing

Don Roberts: This is not a public hearing Sir Im sorry.

Mathew: Okay, Im sorry I just wanted to make sure that there wasn't any kind of voting or anything prior to a public hearing.

Don Roberts: No we are going to be having a public hearing in 4 weeks out from here okay so that's when you can talk at that point alright.

Mathew: Thank you Sir.

Donald Roberts: You're welcome, okay, so guys, we're gonna need a public hearing four weeks out again. That'd be March 22nd.

Richard Berkowicz: I'll make a motion of a public hearing.

John Higgins: Hold on, hold on Rich, are we doing an expanded notice on that?

Richard Berkowicz: Yeah, we should.

Donald Roberts: Yeah, we can, yup.

2/22/21

John Higgins: Thank you.

Don Roberts: You're welcome.

Richard Berkowicz: I make a motion with an expanded notice.

Marcel Nadeau: I'll second it.

Donald Roberts: All those in favor Aye (all were in favor) Opposed? (None were opposed) motion carried, Public hearing, expanded notice March 22nd. Thank you Duane.

Duane Rabideau: Thank you.

Richard Harris: And to the person that spoke feel free to reach out tomorrow to Paul Marlow or myself Rich Harris we can send you a copy of this. If you live adjacent or nearby, you'll get a first class, Im sorry a certified letter within prior to 10 days before the meeting you'll get a letter announcing the meeting and a summary of the proposal, but please feel free to reach out to us or staff tomorrow and we will get you copies so you can understand the project.

Don Roberts: Did you hear that Sir?

Mathew: Yes, thank you, thank you very much.

Don Roberts: Your welcome, your welcome, take care.

***Ballard & Halliday Lot Line Adjustment – Minor Subdivision
PUBLIC HEARING SET. Board set a Public Hearing for March 22, 2021 for a proposed Minor
Subdivision (Lot-Line Adjustment)***

Old Business:

113 Tabor Road Warehouse/Office Building, 113 Tabor Road – Site Plan (20.121)

Sean Farrell: Good evening. I'm Sean Farrell with Lansing Engineering and also logged in is Elena Moran from VHB to address any traffic related questions. I'm here tonight to give a brief overview and update to the Board on 113 Tabor Road project. The project site encompasses 5 acres and is located at 113 Tabor Road in the Town of Halfmoon. The entirety of the property being considered for development is located in the Light Industrial Commercial LIC zoning district of the Town of Halfmoon. The property surrounding the project site are all zoned Light Industrial Commercial. The proposed project will include the construction of 43,250 sq. ft., warehouse and office building with an associated driveway and parking lot. Previously proposed, there was 4,000 sq. ft. office space and 39,250 sq. ft. of warehouse space. The revised current proposal provides 1,400 sq. ft. of office space and 41,850 sq. ft. of warehouse space. Access to the site will be from once access point off of Tabor Road. The proposed building will have a potential to be used by multiple entities. We first introduced the project to the Board on October 26, 2020. At that time, the project was referred to MJ Engineering. On January 29, 2021, we prepared a letter to the Planning Board addressing comments from MJ Engineering dated December 23, 2020. At this point, we feel we've address all the Engineering comments and are here tonight to answer any questions that the Board may have. Thank you.

2/22/21

Donald Roberts: Thank you Shaun, comments by the Board?

Richard Berkowicz: How do you plan on buffering this from the surrounding neighbor?

Sean Farrell: As you can see, on the eastern property line, there's existing spruce trees and there's a gap, kind of at the start of the beginning of the building there where we're proposing to fill in that gap with additional spruce trees that will buffer this property to the neighboring parcel to the east.

Richard Berkowicz: What about noise.

Sean Farrell: We situated the building so that the rear of the building is facing toward the east and that the traffic coming and out would be on the west side of the building so the building itself would act as a buffer to neighboring, existing resident.

Richard Berkowicz: Do you have anything in the back of the building? Generators, HVAC, garbage, anything like that?

Sean Farrell: No.

Tom Koval: You would keep dividing at that point because those houses would be. Flooded by any wall packs or any type of rare building lighting.

Richard Berkowicz: No. I don't want anything going behind it but sometimes you'll hide a generator back there. On the roof you'll put the HVAC units toward the back of the building instead of the front and it won't be buffered for noise.

Sean Farrell: We don't anticipate anything in the back of the building.

Richard Berkowicz: How about, where's the HVAC's units on the roof.

Sean Farrell: I'd have to clarify that or we can

Richard Berkowicz: And can they be buffered noise wise?

Sean Farrell: We can certainly put them up on the west side of the building if requested.

Marcel Nadeau: What's the height of the building?

John Higgins: Has the fire department seen that they have no access at the rear of the building?

Tom Koval: You could possibly put refrigeration air conditioning units at the west side of the building. That length of a refrigeration lines would never reach to the front or even to the center. So, I don't feel as though you have complete knowledge of how they're planning on doing the mechanical systems of this building.

Sean Farrell: Yeah, that is correct, I mean it's a conceptual building at this time, we don't have detailed designs, but we can certainly try and incorporate anything the Board requests.

2/22/21

Tom Koval: Is the person putting these up, the developer building these, is his intention to build the same type of structures that he has over, across the Northway?

Sean Farrell: On the Synergy Park in Clifton Park project? Yes.

Tom Koval: So, aren't they mostly steel buildings?

Sean Farrell: Correct.

Tom Koval: So, you're not gonna put anything on the roof of them, that's for sure and you don't have any, you can't possibly run refrigeration lines that length of the building so your only option is going to be, with all that parking in front of the building you're only option for those refrigeration units are gonna be on the rear of the building.

Sean Farrell: And, like I said, we can try and incorporate it and work with the architect and the HVAC Engineers to try to situate them where the Board would feel comfortable.

Donald Roberts: Anyone else?

Marcel Nadeau: Right here on the traffic pattern, I believe on the recycling they restricted the traffic on Tabor Road, is that correct Don? Didn't we have them going only in one direction?

Donald Roberts: Yes, that's correct Marcel. Yes.

Marcel Nadeau: Will that be the same with this operation, which would be east on Tabor?

Sean Farrell: Yup, we anticipate all the traffic coming, traveling east towards the Northway, coming from and to the Northway.

John Higgins: And its west, that's west.

Sean Farrell: Excuse me, west.

Marcel Nadeau: Ok, so no further into Tabor Road in the residential area?

Sean Farrell: Correct.

John Higgins: My question earlier was, has the fire department looked at this with no access to the rear of the building?

Sean Farrell: We presented it to the, Rich, do you want to touch on that?

Richard Harris: Go ahead Sean, but yes we did present it to the fire department. They presented a few questions and Shaun, I'll let you discuss that, I know the emails were going around today and last week on it.

2/22/21

Sean Farrell: Yes, they, the fire department, referenced the entrance and a potential of widening the entrance to as grade as possible and that was their major comment.

Richard Harris: And they did not bring up access around all sides of the building, but also had a question about the hydrant location and Sean responded that there is a hydrant proposed at the southwest side of the building, about 10' from the building. They did not bring up access to the east side though.

Tom Koval: Rich, do you know off hand if this is a sprinkled building?

Richard Harris: Yes. It'll be sprinkled, correct Sean?

Sean Farrell: Correct, that is correct.

Tom Koval: So, that makes a big difference right there.

Donald Roberts: And Sean you're prepared to follow the fire department's recommendation, right?

Sean Farrell: Yes.

Marcel Nadeau: The question I have on the flex space, so, what type of turnaround traffic are we gonna see, because we don't really know what type of business is coming in there, so how do we determine what the traffic pattern's going to be and how many vehicles will be operating? How do we determine that?

Alanna Moran: Hi. Good evening. My name is Alanna Moran with VHB. We completed the traffic evaluation for this study. At this point because the specific tenants are unknown, what we did was estimate the traffic to and from the site based upon a warehouse land use code and that was based upon the number of employees that are anticipated at the site. So, it's roughly 15 trips during the a.m. peak hour and roughly 13 trips during the p.m. peak hour. That's the typical standard that we do, that any Transportation Engineers do when specifics are unknown for a particular site.

Marcel Nadeau: Ok, so how many flex space businesses would we have, potentially?

Alanna Moran: Again, our estimate was based upon the number of employees, so it could have been, it can be broken up into, and I guess any number of size facilities itself, as long as those employees are roughly around a total of 20 employees:

Sean Farrell: The total number of anticipated tenants, at max, it would be between 6 and 7, based on

Rich Berkowitz: 7 tenants, and you're basing the traffic study on warehouse, but it's flex space so it could be potentially be any type of tenant that could have people coming and going all the time, whereas warehouse is typically an 8 hour shift, then, you're there and not coming and going, am I correct, or am I incorrect with that?

Alanna Moran: So, a warehouse, you can have people in and out throughout the day. The same with like a light industrial type of use, but you're generally going to be, when you're working with a land use of this type, whether it's a warehouse, whether it's a light industrial, whether it's manufacturing. Unless you have various site specific information that tells you that there are going to be shifts, ya know, then otherwise you anticipate that the most

2/22/21

traffic to and from the site is going to incur during the morning peak hour when employees are arriving and during the evening peak hour when employees are leaving the site.

Donald Roberts: Maybe it's just me, but based on what you're saying here, I think 20 employees for this site, based on what you're saying, is awfully low to me. I don't know.

Alanna Moran: So, actually.....it's really not unusual to have roughly, say 50,000 sq. ft., 40,000-50,000 sq. ft. incorporated for roughly 20 employees. I was just working on a site in down in Coeyman's where it's a 150,000 sq. ft. of warehouse space and 50 employees. So, there's really a lot more square footage than employees when you're working with almost any of these types of land uses.

Donald Roberts: Anyone else?

Marcel Nadeau: Just to clarify that again, so were saying the trip generation would only be 15 vehicles?

Alanna Moran: During the peak, during the morning peak, and then during the evening roughly 13 vehicles.

Tom Koval: And as tenants change we will get, to take a look at them, I suppose.

Alanna Moran: Yes.

Marcel Nadeau: Well, we need to know up front what we're developing.

Donald Roberts: It's hard for them to say right now, but we'll get a look at it as we're coming in, but, Tom Werner, you've been awful quiet, you got something to say out there?

Donald Roberts: Go ahead Tom.

Thomas Werner: I'm sorry, I'm having problems, and can you hear me?

Donald Roberts: Yes, we can hear you, go ahead.

Thomas Werner: Ok, yeah. I looked, Rich sent me the traffic study

Donald Robert: Tom, go on, sorry.

Thomas Werner: Can you hear me?

Donald Roberts: Go ahead. Now we can, yes.

Tom Werner: Alright, yeah, the traffic study was done just on the employees, yet I know that there's parking for 50 cars. I think it's important to do, ya know, to get a clear picture to know who the tenant is, or are. And then when they did the site distance analysis, they referred to heavy vehicles coming in and out and then there was no heavy vehicles in the traffic analysis. So, I think there's a lot more, that this is kind of premature to be judging this site on the traffic that we have at this point.

2/22/21

Alanna Moran: I would just like to clarify for you that when it comes to the heavy vehicle portion of this, the purpose of doing the site distance analysis based upon a heavy vehicle and in this case, a multi-unit truck, was to make sure that if that type of land use is included, if there are tractor trailers coming into and out of the site because the exact tenants are not known, we wanted to make sure that the site distance is adequate for those types of users, entering and exiting the facility. Additionally, the response to comments letter that was completed, so MJ completed a comment letter, and they had asked about the number of trucks that might be anticipated during a typical day. We looked at ITE for a, the Institute of Transportation Engineers trip generation estimate for heavy vehicles for trucks at a land use like this with 20 employees and it was roughly 15 truck trips per day on average for a facility with this number of employees. So, the study and the follow up letter did include truck trips to and from the site.

Tom Werner: But wasn't the total traffic on Tabor Road at about 15 vehicles? So, you gotta do the employees trucks that may come in and out throughout the day.

Alanna Moran: The trip generation estimate, just the basic trip generation estimate, not specific to trucks itself which is an addendum to the trip generation manual already accounts for trucks. So, of those, say 15 trips that go into and out of the site maybe one or two of them actually based upon the ITE data, it's probably one of those, may be a truck. It doesn't separate out between passenger vehicles versus truck trips when it's just overall trip generation for the site. It's inclusive of that number.

Tom Werner: Ok. Well I just think that not knowing who the tenant is, is going to have a bearing on the traffic.

Alanna Moran: It's certainly helpful to know exactly

Tom Werner: And you don't know yet and I understand, you don't either at this point.

Alanna Moran: Yeah. Right. Exactly.

Lyn Murphy: Jay, are you comfortable with her analysis?

Tom Werner: Yeah, I think the analysis was solid.

Lyn Murphy: Now, not you Tom, I'm wondering if our Engineers, looking at what they've submitted are comfortable.

Marcel Nadeau: I guess that was my question, wouldn't we want to do our own traffic analysis?

Donald Roberts: Yes, Marcel, we've had so many comments and concerns from residents in the Tabor Road area. No offense to the Traffic Engineer here but I think we need to have another Traffic Engineer study done by the Town just to verify what's going on here, because again, the neighbors are concerned and we want to make sure we do our due diligence here and make sure we get the information that we need. So, Rich, we'd like to request a traffic study be done, alright?

Richard Harris: So, you want a traffic study be done from scratch, or do you want a traffic study or traffic or analysis of what BHB did or a combination of the two?

Donald Roberts: A combination of the two would be good, alright?

Marcel Nadeau: Could we get an analysis based on the maximum number of occupants on this site? Because, again, we don't know, ya know, somebody might come in with 5 and somebody might come in with 55.

Richard Harris: Yeah, I mean, well you would look at, I mean, I want to explain, they look at, I think a typical use that's allowed in the zoning district, look at the square footage and go from there. I mean what we could direct the Engineer to do is, and Elana maybe you could clarify what you did exactly. We can look at the most intense traffic generating type of use, I don't know if that's proper English, allowed in the zoning district and maximum number of employees, but I take it Elana, what'd you do in that regard?

Alanna Moran: So, we did our trip generation estimate based upon what was shown on the site plan, which was a basic planned use for this location. Twenty employees, roughly 43,000 sq. ft. of warehouse use. Right, so it's not unusual for the Town of Halfmoon to request an additional traffic study. This is normal. But, if your goal is to make sure that you are addressing the public concerns, then it seemed to me in reading through their comments that it was more about the truck traffic on the road or where are these trucks going to go and what is the volume of that truck traffic that could be to and from the site. Without the actual known users, it's very hard to determine that, but what you may be able to do is say that there's maybe, for a site of this size, you could probably estimate that there might be a maximum of 6 trucks per hour, based upon a more intense land use, as you said Rich, something maybe like light industrial, might generate a bit more traffic, but it's not going to have more trucks. You're more likely to have like a little box come in and out as opposed to a tractor trailer. So, it's really a matter of getting down to and digging what it is that the community is looking for and making sure that's what's studied as opposed to just doing the exercise of more trips because, I can tell you this roadway, Tabor Road, is a local, it's a local road. Local roads can handle roughly 1,000 to 1,200 trips during a single peak hour. Tabor Road has roughly 1,500 trips on an entire day. It is not a capacity constraint for this roadway itself, it's making sure the neighbor's concerns are addressed. So, maybe it's just a matter of what the maximum truck potential is at this location, Rich.

Donald Roberts: Thank you now, many of the Tabor Road area residents listening in, we're going to be having a, a public information meeting at a future date, we just do not know what that date is yet. That will be determined in the future and we'll let people know about that as it gets closer...

Tom Koval: And they will be notified?

Richard Harris: Yeah, we'll do an expanded notice and obviously include the nearby residential street or the sites. That's who we've gotten a couple of comment letters from, and I'll look at a map with Don to go a rationale distance to the east along Tabor and obviously out to Route 9.

Donald Roberts: Right. Thanks Rich.

Richard Harris: Ok.

Donald Roberts: Any other comments by the Board members?

Joel Bianchi: Don, this is Joel Bianchi, I don't know if you can hear me, I was, and I was listening to what Rich said.

Donald Roberts: Go ahead.

2/22/21

Joel Bianchi: I was having some minor difficulties.

Donald Roberts: Go ahead.

Joel Bianchi: I'll be quick. I know MJ properties has a very similar facility on Fairchild, Fairchild Square, and here in Clifton Park. Tom Warner may be familiar with this. I'm curious as to, did they look at how that flex base was fitted out and what was the resulting traffic patterns there? Because that's been in operation for several years now. The concerns that this Board is hearing, both from the Board and the public are very similar there and in that circumstance, the Town, I believe, created a traffic study that examined the worst case scenario and then as tenants came in, they always had to redo the traffic study based on what the use was to make sure the maximum worst case scenario was never upset because there the issue was twofold. It was the traffic itself and then the type of traffic and its' impact on the physical road, whether it could handle the volume of traffic and the load capacity that that traffic brought in. So, I think what Clifton Park may have done and did, may have some applicability to this use because it's the same developer, same sort of issues that are coming up. That's all I have to say. Sorry.

Donald Roberts: Thank you Joel.

Marcel Nadeau: Joel, where is that site?

Joel Bianchi: Fairchild, it's off of Usher's Road when you go over, right over the bridge at Exit 9. It's the first right-hand turn, left-hand turn after the Northway Church.

Tom Koval: Yeah, it's on the corner of, basically it's on the corner of VanPatten, that's the project I was referring to earlier. It's a series of metal warehouses. It's some are owned by this person, some have been sold to other people and yeah, that's exactly the project I was referring to.

Joel Bianchini: And I think in aggregate that might be a little.....

Lyn Murphy: Thank you Joel, that was very helpful.

Joel Bianchini: I heard you Lyn when you called me, and I couldn't get on, but I that project, the square footage, because I think it's 4 or 5 buildings may be slightly larger but the same topic is of importance and germane to this conversation.

Donald Roberts: Thanks Joel. We'll have to take a look at that too, we'll have to find out, alright, thank you very much. Anyone else? Anyone else have anything on this? Ok, very good, like I said there will be a public information meeting at a future date, but we just don't know when that's going to be yet, okay thank you, Sean

Joel Bianchi: Thank you.

Donald Roberts: Thank you.

Alanna Moran: Bye.

113 Tabor Road Warehouse/Office Building, 113 Tabor Rd – Site Plan (20.121)

2/22/21

TABLED & REFERRED TO AGENCIES. *Board received a presentation on an updated plan for a 43,250 SF warehouse/flex space building and requested an independent traffic study be undertaken by the Town*

Donald Roberts: Ok, thank you. Take care. Anyone else got anything else to say tonight? The agenda's done.

Richard Harris: So, I mean this will be tabled pending traffic analysis study done by a Town Designated Traffic Engineer Firm, so, I take it you want to get those results back from that Engineer before we put this back on and before you schedule a public information hearing.

Donald Roberts: Correct.

Richard Harris: Just so, everyone listening here.

Donald Roberts: Yeah.

Richard Harris: Ok.

Donald Roberts: I want to make sure we're doing the right thing here.

Richard Harris: Yup.

Donald Roberts: Anyone else got anything else to say out there or no?

Marcel Nadeau: No, because I think we know we're gonna get a lot of people in for that meeting.

Donald Roberts: Well, if we're meeting in public, I hope we are meeting in public because it's gonna be a nightmare on line, if we don't have to.

Marcel Nadeau: Exactly, exactly.

Lyn Murphy: Rich, I think we are getting close to public meetings.

Marcel Nadeau: Getting close Lyn.

Lyn Murphy: Yeah, very close we opened up Town Hall on Monday. We kept this meeting over at the Senior Center because the Public Notices have already been out and the same thing with the ZBA, but starting on the 3rd, we'll be back at Town Hall and its open.

Tom Koval: I can get my tuxedo pressed.

Donald Roberts: Yeah, we're in the Senior Center tonight and there's no Senior Citizen here.

Lyn Murphy: I actually like the setup at the seniors. I was there, today, for a meeting and it actually is more convenient or more conducive as far as the echoing goes and, ya know, the weirdness, than the Town Board. But, we should be back in person, the first meeting in March.

2/22/21

Donald Roberts: Ok, very good. Anyone else got anything?

Marcel Nadeau: I make a motion to adjourn.

John Higgins: I'll second it.

Donald Roberts: All in favor, Aye, Opposed. Motion carried. Thanks everyone. Stay safe. Goodnight.

2/22/21