

Town of Halfmoon Planning Board

October 26, 2009 Minutes

Those present at the October 26, 2009 Planning Board meeting were:

Planning Board Members: Steve Watts – Chairman
Don Roberts – Vice Chairman
Rich Berkowitz
Marcel Nadeau
Tom Ruchlicki
John Higgins
John Ouimet

Alternate
Planning Board Member: Jerry Leonard

Senior Planner: Jeff Williams

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

Mr. Watts opened the October 26, 2009 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the October 13, 2009 Planning Board Minutes. Mr. Roberts made a motion to approve the October 13, 2009 Planning Board Minutes. Mr. Berkowitz seconded. Motion carried.

New Business:

09.088 NB Adirondack Basement Systems, 4 Jones Road – Amendment to Site Plan

Mr. Kevin Koval, the applicant, stated the following: We would like to make very minor changes to the site plan from the original site plan that we had filed. On the original site plan we had stone storage bins located at the end of the parking lot. After the winter I decided that it would be a very difficult location for the stone bins due to snow removal. So I would like to relocate the stone bins closer to where some of the parking is. Also, the drawing shows that the parking has been pushed out a little bit instead of a very narrow band of parking. We would still have all of our green space. One other thing that I would like to do near the little jog in the building where we store pipe is to put a roof over that to enclose it to keep snow off of it and also to shield it more from the road. To date from the original site plan, the only things that have not been completed were the stone storage bins because we now want to change the location and the placement of the rest of the trees along the parking lot. We didn't need that parking because we have downsized with the economy the way it was. We have gone from 20 employees down to 12 employees. We still want to do this parking for future expansion but that is why that has not been completed as of yet. Mr. Higgins asked what kind of a timeframe do you anticipate for getting the site completed and into compliance? Mr. Koval stated I could have this complete within 30 days. Mr. Higgins asked does that include the tree planting? Mr. Koval stated the

following: Yes, there are 10 trees to plant and that would not be an issue. The stone bins I haven't done because I am waiting to move them to another area and that is the only reason that has not been completed. The shed roof is a simple structure and we would need to go to the Building Department to get a permit. Mr. Higgins asked would the trees take at this time of year? Mr. Koval stated right now trees are on clearance and if they don't take I will replant them in the spring. Mr. Nadeau asked if all of the Board's concerns had been taken care of. Mr. Watts stated the following: Yes, Mr. Williams, Mr. Stevens and I have discussed with the applicant the issues and I have had no complaints at this site. There has been no traffic, neighbor complaints, or any other issues.

Mr. Berkowitz made a motion to approve the amendment to site plan application for Adirondack Basement Systems and the Board asked the applicant to bring the site into compliance as soon as possible. Mr. Higgins seconded. Motion carried.

09.090 NB DCG Development Co., 1542 & 1544 Route 9 – Minor Subdivision

Mr. Gavin Vuillaume, of Environmental Design Partnership, stated the following: I am representing the applicant, DCG Development. This project proposed to subdivide a 29-acre parcel of land located on Route 9. The parcel is located on the west side of Route 9 almost immediately across from Wal-Mart. This site was given site plan approval for the Capital District Youth for Christ who proposed to construct a youth challenge course, which is a wooden structure that they have constructed out in the field per the site plan. On the site plan drawing where it shows the word "entry", there are several large structures there with post and a lot of ropes and things that they use for the challenge course. So, that was constructed and it is presently being used by the Capital District Youth for Christ Organization and they use the existing driveway that is there on Route 9 and they park at the front and then they have a stone/dirt path that runs to the back. We would be subdividing that parcel off for the Capital District Youth for Christ for more future development that may occur. We would be reserving a 15-acre parcel in the front along Route 9 for future commercial development. What we would do for now is we would run the easement right over the existing dirt path and this easement could change in the future most likely when it gets further developed. We would have 20 FT of frontage on Route 9 and I have shown a conceptual site plan for the possibility of a future building and a parking lot for the second parcel in the back. This parcel is zoned C-1 Commercial. Mr. Higgins stated my only concern is the limited access to the piece in the back and if they decide to sell it down the road, a 20 FT easement really isn't appropriate if it is going to be some kind of a fairly large commercial application back there. Mr. Williams stated the 20 FT easement is a flaglot to make it a legal parcel but they are going to access the lot through a 30 FT easement that goes right through the middle of the parcel itself. Mr. Vuillaume stated the 20 FT is just to give it frontage and it crosses a pretty substantial New York State Department of Conservation (NYSDEC) wetland and they would never put a driveway through that location. Mr. Higgins asked is that the official easement for that piece in the back? Mr. Vuillaume stated the flaglot gives it frontage and they would access the parcel through a 30 FT easement. Mr. Higgins stated agreed but if it is only a 30 FT easement through that parcel, what if they decided to do something else with it in the future? Mrs. Murphy stated the following: It is legal and I understand Mr. Higgins' point that it doesn't, from a business standpoint, make much sense, but this Board doesn't make those decisions for the applicant. Mr. Vuillaume stated the following: For instance; if we took this 20 FT parcel and put it in another location it would be usable there for possibly a driveway, but we are trying to reserve as much land as possible along the frontage of Route 9 for a commercial development. I don't think there would be any commercial development in the back anyway because the terrain goes up and down quite a bit and it is severely restricted with some steep slopes and a hundred foot adjacent area. It is great for a recreation area but it is not really great for a

commercial development. Mr. Berkowitz asked if they could restrict traffic from going back there. Mr. Vuillaume stated no.

Mr. Ouimet made a motion to set a public hearing for the November 9, 2009 Planning Board Meeting. Mr. Higgins seconded. Motion carried.

**09.091 NB Law Office of Julie Michaels Keegan, 1471 Route 9 (Crescent Commons) –
Change of Tenant**

Mrs. Murphy recused herself from this item. Mr. Michael Klimkewicz, owner of Crescent Commons, stated the following: I am here on behalf of Attorney Keegan who specializes in educational law and future planning for children with disabilities. Along with Attorney Keegan there would be a social worker, Mr. Steven Szalowski, who would be working with the families and the children with needs. They're going to be occupying 765 SF and they would require 3 parking spaces. The hours of operation would be 9:00 am to 6:00 pm Monday through Friday. Mr. Ouimet asked would this be one business or two? Mr. Klimkewicz stated they are separate businesses, Mr. Szalowski would be working out of Attorney Keegan's space. Attorney Keegan has a space that she has leased and Mr. Szalowski would be working out of her space with her. There is a synergy with their businesses. Attorney Keegan would be counseling her clients. Mr. Ouimet stated so basically it is two separate businesses. In theory Mr. Szalowski could do his own thing separate and apart from the law office part and asked if that was correct. Mr. Klimkewicz stated correct but not likely because that is why Mr. Szalowski is there. Mr. Szalowski is there to work with Attorney Keegan's clients.

Mr. Nadeau made a motion to approve the change of tenant application for the Law Office of Julie Michaels Keegan. Mr. Berkowitz seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the October 26, 2009 Planning Board Meeting at 7:12 pm. Mr. Nadeau seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Department Secretary