

Town of Halfmoon Planning Board

January 28, 2008 Minutes

Those present at the January 28, 2008 Planning Board meeting were:

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

Alternate

Planning Board Members: Bob Beck
Gerry Leonard

Senior Planner: Jeff Williams

Town Attorney: Lyn Murphy

Town Board Liaisons: Walt Polak
Paul Hotaling

Mr. Watts opened the January 28, 2008 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the January 14, 2008 Planning Board Minutes. Mr. Roberts made a motion to approve the January 14, 2008 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried. Mr. Higgins abstained due to his absence from the January 14, 2008 Planning Board Meeting.

Mr. Beck replaced Mr. Ouimet in his absence.

Public Hearings:

07.121 PH Charlew Subdivision, 80 Ridgewood Drive/56 Cary Road – Lot Line Adjustment

Mr. Watts opened the Public Hearing at 7:01 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Percy Cotton, of Chas. H. Sells, Inc., stated the following: I am here tonight representing Charlew Construction for a minor lot line adjustment between Lot #29 and the adjoining Lands of Walter. The subdivision of the minor lot line adjustment is to convey 30 FT of land from Lot #29 to the Walter property. The area is 30 FT wide, 300 FT long with a total of approximately 9,000 SF of area. This is to amend an existing encroachment of the Walter's driveway onto Lot #29. Lot #29 would be 1.12-acres so it would meet the Town's minimum lot requirements. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the public hearing at 7:02 pm.

Mr. Nadeau made a motion to approve the lot line adjustment for the Charlew Subdivision. Mr. Higgins seconded. Motion carried.

07.123 PH Boleski Subdivision, Farm to Market Road – Minor Subdivision

Mr. Watts opened the Public Hearing at 7:03 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Duane Rabideau, of Gilbert VanGuilder & Associates, stated the following: I am here tonight representing Mr. Walter Boleski in his request to subdivide a 4-acre parcel on the north side of Farm to Market Road from the 43-acre parcel. The parcel is located approximately 2,000 FT east of Pruyn Hill Road. The 4-acre parcel is proposed for a single-family residence with on-site septic and on-site water. This parcel is located directly across from the homestead on Farm to Market Road. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the public hearing at 7:04 pm. Mr. Nadeau stated I have looked at this site and there are no issues with this subdivision.

Mr. Nadeau made a motion to approve the minor subdivision for the Boleski Subdivision. Mr. Higgins seconded. Motion carried.

New Business:

08.006 NB Bast Hatfield Commercial Park, 1399 Vischer Ferry Road – Major Subdivision

This item was removed from the agenda per the applicant's request.

08.007 NB Martin's Point Health Care, Inc., 28 Corporate Drive – Change of Tenant

Mr. Brian Sleasman, of ABD Engineering, stated the following: The applicant wishes to occupy 1,700 SF of vacant office space located at 28 Corporate Drive. The proposed use for this tenant is office use that handles billing claims for Health Care Professionals. Mr. Watts asked how many employees would there be. Mr. Sleasman stated 7 employees. Mr. Watts asked if their hours would be 8:00am to 5:00pm Monday through Friday. Mr. Sleasman stated correct. Mr. Watts asked Mr. Williams if there would be adequate parking. Mr. Williams stated yes. Mr. Watts stated please make sure that they indicate that they are located in the Town of Halfmoon in any of their advertising. Mr. Sleasman stated okay.

Mr. Berkowitz made a motion to approve Martin's Point Health Care, Inc. Mr. Ruchlicki seconded. Motion carried

08.008 NB Soft-Tex, 428 Hudson River Road - Sign

Mr. Art Perry, of Soft-Tex, stated the following: We are proposing 2 signs. One is to be located on the street and the other on the building. Mr. Roberts stated 428 Hudson River Road should be Halfmoon. Mr. Perry stated our mailing address is Waterford. Mr. Watts stated unfortunately this is one of our issues with the U.S. Postal Service in that the Town does not have its own zip code yet but it wouldn't hurt if you put Halfmoon on the sign because you are in the Town of Halfmoon. Mr. Perry stated it wouldn't be a problem for us to change it. Mr. Watts asked if people would get your address off of the sign or other things. Mr. Perry stated our letterhead is Waterford, NY and our mailing address is Waterford, NY. Directions could get a little confusing. Mr. Roberts suggested to only say 428 Hudson River Road. Mr. Watts stated

the following: Some day we will prevail upon the zip code issue. Mr. Roberts stated the following: We are trying to have our identity as Halfmoon and your site is in Halfmoon. Don't say Waterford because it is not Waterford. Just say 428 Hudson River Road. Mr. Perry asked if the Board wanted them to leave Waterford off of the sign. Mr. Watts stated yes and if you have a problem call us and we will figure something out and asked Mr. Perry if that would work. Mr. Perry stated that works. Mr. Watts stated the following: We are glad to have you in Halfmoon. This is a good business and a good business for the Town of Halfmoon. Mr. Roberts asked how the sign would be lit. Mr. Perry stated not to start but I will come back with that if I need to. Mr. Roberts stated they could not use exposed neon. Mr. Perry stated no, definitely not.

For the record: Mr. Williams' topics stated there would be 2 signs. The building sign dimensions would be one-sided, 2 FT x 8 FT for a total of 16 SF. The freestanding sign dimensions would be two-sided, 8 FT high and 4 FT x 8 FT for a total of 32 SF.

Mr. Roberts made a motion to approve the sign application for Soft-Tex conditioned it would not be placed in the State right-of-way. Mr. Ruchlicki seconded. Motion carried.

08.009 NB Back In Balance, 1673 Route 9 (Healthplex) – Change of Tenant & Sign

Mr. Berkowitz recused himself from this item. Mr. Leonard sat in for Mr. Berkowitz. Mr. Stephen Burke, owner of the Healthplex, stated the following: We are proposing to change the signage panel on the freestanding sign. We would replace the "Specific Chiropractic" panel sign to the "Back in Balance". Back in Balance is currently located in Clifton Park and they are moving to Halfmoon. Back in Balance has been in business for 10 year. They have 7 employees but the parking volume would be down because they book by the hour instead of by the 15-minute chiropractic structure. Mr. Watts asked Mr. Williams if there would be adequate parking. Mr. Williams stated yes. Mr. Watts stated welcome to Halfmoon and please have the applicant use Halfmoon in their advertising.

For the record: Mr. Williams' topics stated Back in Balance would re replacing the existing signage panel on the freestanding sign. The proposed sign dimensions would be 2 FT x 10 FT for a total of 20 SF.

Mr. Ruchlicki made a motion to approve the change of tenant and sign application for Back In Balance. Mr. Higgins seconded. Motion carried.

08.010 NB Sushi Thai at the Park, 1701 Route 9 (Shoppes of Halfmoon) - Change of Tenant

Mr. Watts represented the applicant for this change of tenant application due to Mr. Bruce Tanski, the applicant, was unable to attend the meeting as his plane was stuck in Baltimore. Mr. Watts stated the following: Sushi Thai at the Park is proposed to be located in the new Shoppes of Halfmoon Plaza. This is a Thai restaurant that would be open from 11am to 11pm and would be open 7 days a week. They would have 3 full-time employees and 2 to 4 part-time employees. They will be serving Asian-Thai cuisine. There are 70 seats and take-out will also be available. At this point there will not be a sit down bar but they will be applying for their State Liquor Authority license and their NYSDOH permit. Mr. Roberts asked if they had a sign application. Mr. Watts stated there would be one coming.

Mr. Roberts made a motion to approve the change of tenant application for Sushi Thai at the Park. Mr. Berkowitz seconded. Motion carried.

Old Business:

08.002 OB Rite Aid, 1701 Route 9 (Shoppes of Halfmoon) - Sign

Mr. Tim Prescott, of Ray Sign, stated the following: We are the fabricators for the sign. I was here at the last Planning Board Meeting.

For the Record: Mr. Williams' topics stated the following:

Rite Aid, 1701 Route 9 (Shoppes of Halfmoon)- Sign

Sign #1 and #2

Sign Size: 47.02 SF each stating "Rite Aid with emblem"

Sign Dimensions: 31 ½" x 20"

Sided: ☒ one-sided ☐ Two-sided

Location of Sign: to the left and right of entrance

Lighted: ☒ Internal ☐ Flood

Sign #3

Sign Size: 13.46 SF stating "Pharmacy"

Sign Dimensions: 20" x 10'-5 ½"

Sided: ☒ one-sided ☐ Two-sided

Location of Sign: over front entrance

Lighted: ☒ Internal ☐ Flood

Sign #4 and #5

Sign Size: 17.08 SF each stating "Drive Thru Pharmacy"

Sign Dimensions: 16.5" x 15'-8.5"

Sided: ☒ one-sided ☐ Two-sided

Location of Sign: far right and far left of walls to either side of entrance

Lighted: ☒ Internal ☐ Flood

Signs #3 a-c, #6, #7, #7a-c, #8, #9, #10

Signs --3a --"1 Hour Photo" (5.52 SF), 3b- "Drive Thru" (5.18 SF), 3c- "Food Mart" (5.6 SF)

Signs--6- "Drive Thru Pharmacy" (15.08 SF)

Signs--7a- "Clearance 10'-0" (1.5 SF), 7b- "Pick Up" (3 SF), 7c- "Drop Off" (1.5 SF)

Signs-8 & 9- ""Thank you for shopping Rite Aid" (4.0 SF ea.)

Sign- 10-"Exit Only" (2.25 SF)

Mrs. Murphy stated the following: We have not seen a development before in Town where there are multiple separate buildings in one complex. At this point in time I am advising the Board that they have the ability to treat each stand alone building when calculating the amount of signage permitted per building as oppose to per subdivision. The Board can react based on that legal opinion. Mr. Watts stated in other words it is our first "shopping center" per se and we are not setting a precedent for other plazas. It does allow for a bit more signage square footage and the applicant is really doing some good things with the signage and it is going to look very nice at that plaza. Mrs. Murphy stated the difference with the Shoppes of Halfmoon is that there are stand alone buildings comprising the plaza as oppose to a strip mall where everything is connected. Mr. Watts stated right; this is why our attorney has made that interpretation. Mr. Roberts asked how the signs would be lighted. Mr. Prescott stated several of the signs would be lit with internal neon and some of them would be lit with LED lighting. Mr. Roberts asked what LED stood for. Mr. Prescott stated the following: LED is light emitting

diodes, which are small little lights that go within the channel letters and they are supposed to be a little more energy efficient and they are a little safer than some neon applications from years ago. A lot of people are switching over to the LED signs now. Mr. Roberts asked if there would be any exposed neon. Mr. Prescott stated there would be no exposed neon. Mr. Watts stated welcome Rite Aid of Halfmoon and the Shoppes of Halfmoon.

Mr. Roberts made a motion to approve the sign application for Rite Aid. Mr. Nadeau seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the January 28, 2008 Planning Board Meeting at 7:18 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi,
Planning Board Secretary