

Town of Halfmoon Planning Board

February 12, 2007 Minutes

Those present at the February 12, 2007 Planning Board meeting were:

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

Alternate

Planning Board Members: Bob Beck
Jerry Leonard

Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Mindy Wormuth
Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the February 12, 2007 Planning Board Meeting at 7:01 pm. Mr. Watts asked the Planning Board Members if they had reviewed the January 22, 2007 Planning Board Minutes. Mr. Roberts made a motion to approve the January 22, 2007 Planning Board Minutes. Mr. Higgins seconded. Motion carried. Mr. Beck and Mr. Leonard sat in for absent Planning Board Members, Mr. Ruchlicki and Mr. Ouimet.

New Business:

07.011 NB Bast Hatfield Comm. Park (General Mechanical), Lot "C" – Addition to Site Plan

Mr. Jim Reeks, of Bast Hatfield, stated the following: I am representing Bast Hatfield for the Lot "C" site plan modification review. We are proposing a 4,000 SF addition for an office in the rear of the General Mechanical building. We will add 16 more parking spaces, which is shown on the revised plan to the 2.49-acre site. All the original elements to the site approval are being maintained. We have made changes to the lighting plan; layout and stormwater management feature and these changes have been submitted to CHA. The Environmental Assessment Form (EAF) has been updated to show that the site statistics are consistent with the original plan at build-out with the total building area of 18,000 SF, which is 14.1% building and 27.32% pavement area that has a total of 62 parking spaces with 13 spaces being land banked along the parameter. We have kept over 58% green space buffer. The stormwater and pollution prevention reports were updated and I submitted these to Mr. Bianchino from CHA. Mr. Higgins asked if there would be any outside storage. Mr. Reeks stated no. This item was tabled and referred to CHA for their review.

07.012 NB Reilly Family Cemetery, 49 Ushers Road – Site Plan

Mr. Timothy Reilly, property owner at 49 Ushers Road, stated the following: I am presenting this application for the proposed Reilly Family Cemetery, which is located on Ushers Road. The cemetery would be located on the north side of Ushers Road just east of the existing residence. I have supplied the Board with maps of the cemetery location, which were created by Dave Flanders. This would be a private family cemetery. The cemetery would be set back approximately 150 FT from the pavement and would be inside a 40 FT x 80 FT cemetery plot and a 10 FT right-of-way is proposed for access to the plot from Ushers Road. The proposed location would not impact any ground water. The cemetery plot area would be less than 1,600 FT from any of the existing residences. I have talked to one of the residents and they have no problem with the cemetery site and if you need this stated in writing, they will submit this to the Planning Board. Mr. Roberts asked how many graves were being proposed. Mr. Reilly stated the area would be 40 FT x 80 FT and at total build-out there would be a maximum of 28 plots. This would leave room around the inside as well as the outside for maintenance and setback from any type of fence that would be erected. Once this goes to the Saratoga County and we start to utilize the facility, obviously you will want to know where people would be buried and I have a small hand-sketched diagram of this. Mr. Nadeau asked if there would be a fence. Mr. Reilly stated yes. Mr. Watts stated Mr. Bianchino looked at the site and he did not have any issues with this proposed application. Mrs. Murphy stated the following: This is a private family cemetery, which we do not have a regulation regarding, however, New York State does. Mr. Reilly was talking about the 1,600 FT from the nearest house and this is something that Mr. Reilly has to have waived by New York State as this is not something that this Board has control over. Although our regulations do speak of cemeteries, we do not have jurisdiction over a private family cemetery. I have had conversations with Mr. Reilly and he is aware that he cannot sell these plots as this is not a public cemetery and it is for family members only. There are some regulations from New York State that Mr. Reilly is going to have to comply with in order to go forward with his desires. Mr. Reilly stated I am aware that coming to this Board was the first step and once I get the authorization through the Planning Board, I am aware there are other steps that I will have to undertake to finalize the cemetery plot.

Mr. Nadeau made a motion to approve the site plan for the Reilly Family Cemetery. Mr. Berkowitz seconded. Motion carried.

07.013 NB Bove Storage Center, S. Main Street & Larkspur Ave. – Commercial Site Plan

John G. Gay, of Northeast Land Survey & Land Development Consultants, P.C., stated the following: With me tonight is the applicant, Mr. John Bove. The site is located on S. Main Street across from Larkspur Avenue on the Town line of Mechanicville and Halfmoon. This parcel is bounded by the railroad on the west side, the American Legion on the north side and Lands of Alonzo on the south side. The request for the self-storage units is a permitted use within the Industrial (M-1) zone and we have complied with the setbacks. The M-1 zone also specifies the maximum areas for building, which is 50% and we are proposing 27% of building coverage on this site. We are proposing 50% of blacktop area, which is required to support the facility and the remaining 23% would be open space or green space. We anticipate that we are going to do plantings and fencing around the outside of the site. This site would also require security and an office where it can be controlled. The units within the site would be 10 FT x 20 FT with the exception of some smaller 5 Ft x 10 FT units along the end for minor storage and a couple of larger units which would accommodate a boat and that type of equipment. We have

depicted on the drawings another project that is located in the Town of Ballston, which looks a lot like what we are proposing. Mr. Nadeau asked what type of lighting would be used because there are residences in that area. Mr. Gay stated the following: We would be using wall packs on the units that would shine down over the front door of each of the units. The only other major lighting would be secondary with lighting around the office that would be house type posts and light fixtures. I don't anticipate high lighting on this site as in our research we found out that people don't use the storage units at night to any great degree. Mr. Nadeau asked what the hours of operation would be. Mr. Gay stated I am not sure that the hours have been set at this point but I would guess probably 7:00 am to 6-7:00 pm depending on the season and what time it gets dark. Mr. Nadeau asked if they would be open until 10:00 pm or 11:00 pm. Mr. Gay stated no. Mr. Roberts stated he knew of other storage units in the area that have a combination lock on the entrance gate and people can go in any time of the day or night and asked if they were planning on having anything like this. Mr. Gay stated the following: This was an option but to start out with I don't believe we're going to do this. I think we are going to have it manned to start out with until we get our rentals set up and at this point we would have the option of either a pass card or punch combination pad as Mr. Roberts described. Mr. Higgins asked if there would be any outside storage. Mr. Gay stated the following: They did not anticipate any outside storage on this site as we feel this is not fair to the neighbors. I have discussed this with the Bove's and I think the answer is no. Mr. Higgins asked if the boat storage units would have a door with sidewalls. Mr. Gay stated yes, they would have a garage door and would be sided. Mr. Gay further stated the sides of the building would be pretty much maintenance free and a color combination has not been selected as of yet but the colors are available in beiges, greens and various other colors. Mr. Higgins asked what the height of the storage units would be. Mr. Gay stated the units would be about the height of a garage. Mr. Higgins asked the height of the boat storage units. Mr. Gay stated the following: My guess on the boat storage is it would be higher than a garage with about 10 FT inside maximum on these units that are 10 FT x 20 FT and the roof would be sloped to bring the drainage to both sides. It is my guess the boat storage would probably be 15 FT to 16 FT internally and the boats could be stored on the trailer. Mr. Berkowitz asked if the storage units could be designed to look more residential as the storage facility would be in a residential area. Mr. Gay stated if the small units in the front of the site were eliminated then we could put windows and shutters on the fronts of the units. Mr. Watts stated the following: At this point we have provided you with some information relative to architectural standards when you met with us in the office. I am not prepared to refer this project to CHA for technical review until we have more specificity relative to the hours of operation, the buffering, the architectural look of the buildings and the impact upon the neighbors. This proposed commercial site plan would be in a residential area and we need more information regarding the items I just mentioned. We have concerns that were evidenced before relative to the look of the buildings and while I recognize that we do not have an architectural standard in Halfmoon, we do like to make these places look as nice as possible. Again, we need more information relative to the hours of operation, the architecture, the outside storage, the height of the buildings and the proposed buffering. Mr. Nadeau asked the size of the proposed trees and shrubs. Mr. Gay stated the following: We anticipated getting into a landscaping plan after we received concept approval. The trees would probably be a variety of Scotch pine, White pine and Norway spruce and these trees would start out to be 5 to 6 FT high and then mature at about a rate of 1 FT per year. Mr. Nadeau asked what the distance is to the Alonzo property. Mr. Gay stated it was quite some distance but I can get this information for the Board. Mr. Nadeau stated the Board might want to see more buffering along the Alonzo property. Mr. Watts stated another thing they may want to consider is the fencing and what it would look like and what kind of buffering the

fence would provide. Mr. Gay stated I think we might consider putting colored slats in the chain-linked fence. Mr. Watts stated this would be helpful because self-store units are unattractive and if there is a need for the storage units then the site should be made as attractive as possible. Mr. Gay stated I could give you a higher degree of what the units would look like and what the buffering is going to look like. Mr. Watts stated I recognize we are at the concept point but before we refer this to CHA, the Planning Board would like to hear a little bit more in terms of the issues that we have raised.

This item was tabled for the applicant to provide more information regarding the hours of operation, buffering and architecture of the building.

07.014 NB Fortress Partners, LLC, 10 Enterprise Ave. – Addition to Site Plan

Mr. Jeffrey McCarthy, of Ivan Zdrahal Associates, PLLC, stated the following: I am here representing Fortress Partners on their application to amend the site plan for 10 Enterprise Avenue. The site is located at the northern end of Enterprise Avenue. Enterprise Avenue connects to the north side of Route 146 between Parkford and Werner Road. In 2002, 10 Enterprise Ave. was approved for a 48,000 SF warehouse facility and a 10,080 SF of office space. Creatacor is the current tenant in the existing building. Creatacor is a tradeshow display, design, build and storage facility. Part of the 2002 site plan process identified a possible future 32,000 SF addition to site plan. The applicant wishes to place an approximate 28,000 SF building addition and accommodating parking to accompany this development. Currently there are 112 parking spaces on-site. At build-out presently, the required parking would be 98 parking spaces and we are proposing to add additional parking for a total of 162 parking spaces. The requirement, based on the proposed build-out on the parking ratios would be 154 parking spaces. Currently there is not a demand for the existing parking spaces. Marini Builders would occupy approximately 20,000 SF of office space. Marini Builders would move their current operation located in Albany to Halfmoon and occupy this space with their sales and building business and they would use the warehouse space for their building materials. Of the remaining 7,200 SF of space, 6,000 SF of space would be used as warehouse space and the remaining 800 SF would be used for office use that could be divided to serve two tenants that are undesignated at this time. Public water and sewer currently serve the site. Lot #10 Enterprise is part of the NYSEG PDD and the lots were developed with on-site stormwater management areas. As proposed the new building would occupy approximately 24.2% of the lot. The NYSEG PDD allows you to occupy up to 50% of the plot area and 35% of this site would be occupied. The NYSEG PDD requirement dictates that you have at least 25% green space and we would have 41% green space. Mr. Higgins asked if there would be any outside storage. Mr. McCarthy stated no. Mr. Higgins asked where the tractor-trailers would be stored as I was on the site and there were 5 tractor-trailers parked out back and it looks to me like you are taking the area where the tractor-trailers were parked and making it into a building area. Mr. Robert Marini, Jr., the applicant, stated the following: I have only seen one tractor-trailer that is stored on the side parking area as you drive around the back of the building. There is plenty of parking in the back of the building that would accommodate that. What they do is retrofit the displays and they ship those tractor-trailers back out. The day that Mr. Higgins was at the site they could have been receiving materials or sending trailers back out. Mr. Higgins stated there were 2 G.E. units there and another unit that they were working on for another customer and it looks to me like where the new building is going to be is basically where those units were and I was wondering if the building was going to be extended there, where would you park those trucks? Mr. Marini stated the building is proposed for a grassed area that is not paved. Mr. McCarthy stated the area in back of the building would remain the same and the additional paving would extend all the way across the back. Mr. Higgins asked if

the area where the loading docks are currently located would remain the same. Mr. McCarthy stated this was correct.

This item was tabled and referred to CHA for their review.

07.017 NB Jay's Auto Repair, 457 Route 146 - Sign

Mr. Jay Sitterly, owner of Jay's Auto Repair, stated the following: I am proposing a 4 FT x 8 FT double-sided 6 FT high freestanding sign on the front eastern corner of the site. Mr. Roberts stated the following: I looked at this sign application and the sign would not be lit. I spoke to the owner of the property and the owner is aware that a building permit is required and also that the sign cannot be located in the State's right-of-way.

Mr. Roberts made a motion to approve the sign application for Jay's Auto Repair contingent upon the sign is not located in the State right-of-way and the applicant gains a building permit to construct the sign. Mr. Higgins seconded. Motion carried.

Old Business:

06.102 OB Lawrence Circle Commercial Site Plan, Lawrence Circle – Commercial Site Plan

Mr. Warren Longacker, of Lansing Engineering, stated the following: I am here tonight with the applicant's, Louis Arruda, Dinart Serpa and their Attorney, MaryBeth Slevin. The current site plan under consideration is located east of Old Route 146 and the Route 146 intersections on the north side of Route 146. The project consists of 3 separate parcels which are zoned C-1 Commercial and consists of 1.54-acres. The Town of Halfmoon would provide water to this site and the Saratoga County Sewer District would provide sewer. Stormwater management would be provided on-site. Access to the site would be provided by an in and out curb cut made to the westerly side of Lawrence Circle and an in only curb cut made to the easterly side of Lawrence Circle. Two travel lanes are proposed; one lane primarily used for cueing for the proposed 2,000 SF Dunkin Donuts and the other lane would be for through traffic. The cueing lane, which is the interior loop, would have room for 17 vehicles. The requirement for parking spaces is 40 and we are proposing 40 parking spaces. The green space requirement is 20% and we are proposing 44% green space. Two options were presented to the Board at the November 13, 2006 Planning Board meeting and this plan is the preferred alternative. At that meeting the Board expressed concern over 3 issues. The 3 issues were in regards to the safety at the proposed intersections, vehicles coming through Lawrence Circle to avoid the traffic light and school bus traffic. The NYSDOT was contacted to get accident data at the intersection of Old Route 146 and Route 146. Based on this data the existing accident rate is .14 and the State average for this intersection is .56. It is difficult to tell how the accident rate would increase based on the proposed use. What we have done is take the volume of traffic experienced and what would be developed from this project and added it to the yearly daily traffic at that intersection and if we increase the accident rate by approximately .10 the total would still be below the .56. The second concern we investigated was the possibility of vehicles coming through Lawrence Circle to avoid the traffic light at the intersection of Old Route 146 and Route 146. To help alleviate this problem we are proposing improvements to Lawrence Circle just beyond the proposed intersection. We would maintain a substandard curb and the substandard width of Lawrence Circle behind it making Lawrence Circle unattractive for vehicles that want to go around. The applicant is also requesting an in only on the eastern side of Lawrence Circle. The original application was for an in and out on both accesses and the Board expressed concern over safety exiting the site. We feel the one-way access road would be an internal drive with appropriate signage indicating that vehicles would not exit through this site and would alleviate the possibility of a vehicle wanting to enter Lawrence Circle without

traveling all the way around the road to access the westerly side. The third concern was in regards to the school bus traffic that showed counts that were made in March of 2006 representing approximately 14 vehicles at the intersection of Old Route 146 and Route 146 which is approximately 1.04 percent of the average traffic during the AM peak hour and during the evening hour 8 vehicles were represented equaling about .8 percent of the average traffic. In discussion with the Shenendehowa School District Transportation Department, they indicated that there were no school buses that travel on Lawrence Circle. There is the potential to add a sidewalk with the road improvements to help a student travel to the intersection. The applicant is representing the same plan that the Board expressed concerns with at the last meeting. The Board also expressed to the applicant that an alternative use should be considered at this site. The applicant has responded that Dunkin Donuts would make the site viable for them. The applicant is now requesting that the Board make a recommendation at this time for this site. Mr. Roberts stated that he still has concerns about this site with safety and traffic that have not been resolved and the use is too intense for this site. Mr. Higgins stated the following: I agree with Mr. Roberts. The proposed addition of the sidewalk for pedestrian traffic in combination with the road improvements would be a major impact on the residents on Lawrence Circle, but the main concern in that area would be traffic and safety. Mr. Berkowitz stated that the traffic study did not take into account the changes that were approved to the Star Plaza site or the homes that are being built on Cemetery Road. Mr. Longacker stated that the traffic study performed by Creighton Manning did take into affect those two sites but in Lansing Engineering's report we did not. We looked at only changes to this site and suggested that changes be made to the signal timing at Route 146 and Old Route 146 and Route 9 and Old Route 146. This that does not address the safety issues, just the level of service at those intersections. Mr. Berkowitz asked if the other two sites were included with Lansing's review of the site. Mr. Longacker stated no. Mr. Nadeau stated that he drove down there today and concurs that the intensity that is being proposed with the addition of a Dunkin Donuts in this area would only add concerns in regards to public safety. Traffic is already a safety concern in this area. Mr. Watts stated that the intensity proposed for the site is a health and safety issue. Mr. Roberts made a motion to disapprove the Lawrence Circle Commercial Site Plan based upon health; safety and traffic concerns raised tonight as well as discussions at prior meetings. Mr. Nadeau seconded. Motion carried.

06.212 OB Schuyler Hollow Subdivision, Pruyn Hill Road – Major Subdivision/GEIS

Mr. Lyn Sipperly, of L. Sipperly and Associates, stated the following: The applicant, Mr. Dennis Deeb, is also present at tonight's meeting. We were last before this Board on November 27, 2006 and we presented a revised subdivision plan. At that time the revised plan reduced the number of lots from 112 lots to 89 lots. The major change to the subdivision was to remove the proposed Green Mountain Drive, which was a road that was located on the westerly side of the property and brought us access down to the southerly side of the property. This road presented a concern from CHA in that it would impact the environment by crossing a number of watercourses and some wetlands. Also, the plan also presented an emergency access ingress/egress to the development by use of part of the proposed trail system. We proposed to increase the trail width to 18 FT and it would be paved. This would be constructed in accordance with the Town specifications so this emergency access could support emergency vehicles and heavy equipment. We also proposed to continue the trail system down to the easterly border and this would be developed as a paved multi-use trail and would connect to the Town's trail system as it proceeds further east and further north of the development. One major concern is that we do show one mean of ingress/egress to the property. The property

layout has a large meadow field where we had proposed development occurring separated from Pruyn Hill Road by a ravine system. This creates a problem in regards to coming across a Town road by the fact that we are crossing the ravine and it would have more wetland impacts. Also, when we come out to Pruyn Hill Road we would have an entrance where sight distance is limited and this is probably not the best situation to bring the highway out. We chose a location at the westerly end of this site where there would be greater sight distance in both directions. To overcome this we proposed on the plan to make the first section of Schuyler Blvd., approximately 500 FT, a boulevard street. The boulevard street would have two lanes on each side. The two lanes on each side, the in and the out, would be 24 FT wide so that should something happen on one side of the boulevard the other side of the boulevard would be fully operational and would be wide enough to accommodate traffic in and out of the development. Once you get to the site at the 500 FT, we do have a circulation type system occurring. The only part of the site that wouldn't have circulation would be the two cul-de-sac streets at the very east end of the site. Again, part of the trail system would be upgraded to become an emergency ingress/egress route. After the last meeting, the plan was referred to CHA for re-evaluation and re-review and their comments came back that the eliminating of Green Mountain Drive was a great improvement to the development with regard to its impacts to the environment. Also, filling in the emergency ingress/egress was satisfactory to CHA for the second access out to Pruyn Hill Road. After the November meeting, we submitted our plans to the Town Engineers and to the Saratoga County Planning Board. We are before the Board tonight to request concept approval so we can move forward. Mr. Nadeau asked if the emergency road was being built to the Town's specifications. Mr. Sipperly stated the following: The emergency road is being built to the Town's specifications with regard to the depth of the pavement, the type of payment and the sub-base under the pavement. The only difference now is that we are proposing to build it 18 FT wide rather than the normal pavement width of a Town road. The primary function of the emergency access is really a trail system. This road would like a trail rather than an actual street that is not used. Mr. Nadeau stated the following: The Town always likes to see two entrances for this size development. Has there been any thought of making that a one-way in because you are saying that the sight distance going out of the site is not very good. The one-way in would at least possibly mediate some of the traffic within the site should there be a situation at the other end and the emergency vehicles could come back in. Mr. Sipperly stated the following: There hasn't been any thought about the one-way in, but the width that we are proposing would allow that to happen. What we had thought was that this piece of trail would be barricaded at either end so that we wouldn't encourage vehicles to use it. These would be temporary barricades that could be knocked down to provide emergency vehicle access without difficulty. The 18 FT wide width would be adequate for one lane coming in, so we probably could convert that to a one-way roadway if that was the Board's position. The only problem would be that we might create a situation where people would use this as a short cut. Mr. Higgins stated that note #4 states that there are no agricultural district boundaries with 500 FT of the property and there is agricultural all along that edge of the property. Mr. Bianchino stated that the area may be used for agricultural purposes but it is not identified as agricultural. Mr. Nadeau stated generally we like this concept but the only thing I would have to say is that this looks well here, but once we get into the technical review you may find you have to remove some of those lots so keep this in mind. Mr. Sipperly stated as we proceed and start to do the road profiles and grading, we might find that some of the lots don't work.

This item was tabled and referred to CHA for their review.

Mr. Roberts made a motion to adjourn the February 12, 2007 Planning Board Meeting at 7:49 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi,
Planning Board Secretary