

Town of Halfmoon Planning Board

August 13, 2007 Minutes

Those present at the August 13, 2007 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 Members: Bob Beck
Jerry Leonard

Senior Planner: Jeff Williams

Town Attorney: Lyn Murphy

Town Board Liaison: Paul Hotaling

CHA Representative: Mike Bianchino

Mr. Watts opened the August 13, 2007 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the July 23, 2007 Planning Board Minutes. Mr. Roberts made a motion to approve the July 23, 2007 Planning Board Minutes. Mr. Higgins seconded. Motion carried. Mr. Ruchlicki abstained due to his absence from the July 23, 2007 Planning Board Meeting.

New Business:

07.057 NB Brown Pump Station Subdivision, 125 Dunsbach Road – Minor Subdivision

Mr. Mike Bianchino, of Clough Harbour & Associates LLP, presented the Brown Pump Station minor subdivision. Mr. Bianchino stated the following: This minor subdivision is for a 2-lot subdivision. This Board previously approved a 2-lot subdivision for the Lands of Brown at the April 23, 2007 Planning Board meeting. The parcel is on the west side of Dunsbach Road and north of Crescent Vischer Ferry Road. This proposal is to create a 4,732 SF parcel to be subdivided off of the 53,031 SF (Lot B) parcel created from the previously 2-lot subdivision. The 4,723 SF parcel is proposed to house a pump station for a sewer project that is underway to extend a sewer line down to the Springbrook Mobile Home Park. This 4,732 SF parcel that is being subdivided would be dedicated to Saratoga County Sewer District in order for the County to take over the pump station. The map shows a small parcel being subdivided out of Lot B of the previously subdivided Brown parcel. The map also shows an easement that was approved to provide a sewer extension to the existing Brown residence. This subdivision would be for the

Town of Halfmoon to ultimately be dedicated to the Saratoga County Sewer District. We are before the Board to schedule a public hearing for this proposal.

Mr. Roberts made a motion to schedule a Public Hearing for the August 27, 2007 Planning Board Meeting. Mr. Higgins seconded. Motion carried.

07.082 NB Bouchard/Town of Halfmoon Subdivision, Route 236 – Minor Subdivision

Mr. Jeff Williams, Town of Halfmoon Senior Planner, presented the Bouchard/Town of Halfmoon minor subdivision application. Mr. Williams stated the following: The Bouchard's own an 18.98-acre parcel in a R-1 Residential zone. The parcel is located between Harris Road and Route 236. The Bouchard's have agreed to sell off a 16.81-acres to the Town of Halfmoon. The Bouchard's wish to retain a 2.17-acre parcel with their existing single-family residential dwelling located off of Harris Road. The Town wishes to obtain the 16.81-acre parcel and combine it with their existing 6.11-acre parcel of Town lands to the north where the Town's gazebo is located. I am before the Board to schedule a public hearing for this proposal.

Mr. Berkowitz made a motion to schedule a Public Hearing for the August 27, 2007 Planning Board Meeting. Mr. Nadeau seconded. Motion carried.

07.076 NB Harvest Church, 303 Grooms Road – Special Use Permit/Addition to Site Plan

Mr. Scott Lansing, of Lansing Engineering, stated the following: I am here tonight for the Harvest Church special use permit and a site plan extension. The Harvest Church is a non-denominational church that was founded in 1985. The church offers traditional ministry with worship services on Sunday, Tuesday and Thursday. The church also offers Christian education classes and youth group services. Harvest Church currently employs 10 full-time employees, 4 part-time employees and approximately 25 to 50 volunteer workers. The addition to site plan that they are proposing is to meet both current and future needs. The parcel is located at 303 Grooms Road approximately 3,000 FT east of I-87 exit 8A. Vegetation, an open field and a parking area surround the existing facility. The facility is located in the center portion of the parcel. The site topography has moderate slopes. No wetlands were found on the parcel. There could be a wetland down in the ravine area, which we did not delineate due to no proposed disturbance in that area. The surrounding uses that are shown in the aerial photograph show single-family residential homes along Grooms Road and toward the east and duplexes to the rear of the property. The parcel is zoned Professional Office/Residential (PO-R). All minimum lot requirements for the PO-R zone would be met. The minimum green space for a PO-R lot is 20%. Currently the Harvest Church is operating under an existing special use permit. The site has an existing 27,535 SF facility. There is a multi-room type space, which is converted on a regular basis from sanctuary to gymnasium to a meeting room and things of that nature. Also, with the parcel there is associated parking for that space. The parcel has existing public water that is provided by the Town of Halfmoon and existing public sanitary sewer that is provided by the Saratoga County Sewer District. Once again, the applicants are proposing an extension to the facility. This proposal would involve reconfiguration of the existing space and additional space for multi-use. The church would now have a dedicated sanctuary area. The proposed building expansion would be for 48,720 SF. This would allow Harvest Church to have a permanently dedicated sanctuary space and the new sanctuary space would be designed to reflect more of a spiritual type space. Within the expansion would be classrooms, cafeteria, expanded office space, prayer room, nursery, chapel, kitchen, bathrooms, studio, bookstore, a TV/audio room and other miscellaneous uses throughout the parcel. The

sanctuary they are looking for would have approximately 1,750 seats. The proposal is also for a 15,000 SF warehouse which would be located toward the back portion of the parcel that would have a loading dock area. The applicants intend to store non-perishable food, clothing, furniture and other supplies to be stocked in the proposed warehouse. The applicants are anticipating 15 full-time employees, 6 to 8 part-time employees and about 50 to 75 volunteer employees. As a part of the building expansion, they are also proposing site reconfiguration for the parking area. Currently there is parking to service the existing building and they propose to expand the parking and modify the existing curb cuts. Currently there are 2 curb cuts. One curb cut would remain and the other curb cut would be shifted toward the east to optimize site distance. There would be circulation within the parcel and there is also parking in the rear of the building for employees. There would also be a circulation path for trucks unloading in the rear of the parcel. Parking would be part of the building expansion. We used the highest scenario for the parking, which would most likely be a Sunday morning, and we came up with 644 parking spaces required. We are proposing 436 parking spaces with 208 land banked parking spaces. The land banked spaces would be used in the later stages around the perimeter of the parcel. We would preserve the green space and decrease the asphalt. The applicant anticipates when those parking spaces are needed around 80% built out. The calculations that we performed for the full 644 parking spaces with everything built out to meet the requirements for the full facility is 36% green space. With the 436 parking spaces with the 208 land banked parking spaces we have approximately 48% green space for the overall parcel. Stormwater would be managed on site. We are showing a stormwater management area in the front portion of the parcel and on the downside of the ridge that is in the center of parcel and another in the rear of the parcel. We are here tonight to introduce the project to the Board and to obtain questions and comments from the Board and a referral to CHA. Mr. Nadeau asked what types of classes were held at this facility. Mr. Lansing stated the operators of the facility referred to the classes as Christian education classes. Mr. Nadeau asked how often these classes were held. Mr. Lansing stated I do not have the hours but these classes would be during regular mass services. Mr. Nadeau asked if they were Sunday school type classes. Mr. Lansing stated yes, that is correct. Mr. Berkowitz inquired about the truck traffic situation at this site. Mr. Lansing stated the applicants are anticipating 4 to 6 truck trips per week in the off peak hour. Mr. Berkowitz asked what types of trucks would be utilizing this site. Mr. Lansing stated sometimes there are tractor-trailers. Mr. Berkowitz asked if the neighbor to the east of this site had any objections to the entrance in that area. Mr. Lansing stated that entrance could be shifted slightly if we have to. Mr. Berkowitz asked if there would be any land banked parking on that side and if there would be a buffer in that area. Mr. Lansing stated we will look at that. Mr. Higgins asked how close the storage building would be to the residences in the rear of the site. Mr. Lansing stated the following: It is probably about 250 FT and in another area it was about 750 FT to the closest residence. There also is a ravine in the rear of the storage building. Mr. Higgins stated that Mr. Lansing mentioned a nursery and asked if the nursery was used strictly during the church services or are they planning on having a day care nursery school during the week. Mr. Lansing stated the following: It is my understanding that it is just for when the sanctuary is in operation for parents who want to go into the mass and there would be someone there to watch their children. I will verify this question for you. Mr. Roberts asked for further explanation on the idea of the proposed storage building to house, organize and distribute non-perishable goods to the needy. Mr. Lansing stated the following: They would like an area of storage for goods for the community if there were some sort of emergency or disaster or for people in need. It would be a place to stock pile the goods to be distributed. This is the way it was explained to me. Mr. Roberts asked if there would be in and

out on a regular basis for these goods. Mr. Lansing stated I am sure there will be some turnover as it is used but it is not anticipated to be a regular thing that is used every single day. Mr. Higgins asked if this operation was strictly donations and there would be no retail. Mr. Lansing stated correct. Mr. Watts asked if people would come in on a regular routine basis for food distribution or will it be sent out to other places. Mr. Lansing stated I believe it would be sent to other places but I will verify this for you. Mr. Berkowitz asked if people would come to the site to deliver food or products there. Mr. Lansing stated the following: I am not sure but I will check on this. The way it was explained to me was that there would be truckloads in and truckloads out. Mr. Berkowitz asked if the applicants would be coming to the Board to explain the operations to us. Mr. Lansing stated the applicants did plan on being here tonight but they couldn't be here until 7:30 pm and I told them that Halfmoon was very quick in conducting their meetings. Mr. Watts stated the following: I remember from a couple years ago that the applicants explained that they do get donations from companies of surplus materials and supplies that are not sold and then they pass those along to other places. I don't think that there is any plan to have it there but we don't need to see what has gone on up on Route 9 where people were dropping off items at the Salvation Army and it looked like a junk yard. The Salvation Army had to fence off the area because the site became so unattractive. I think we would have trouble approving anything like that just because of the nature of the fact that people may toss debris in these areas as they did up on Route 9. Mr. Lansing stated I don't believe that is the applicants intentions. Mr. Ouimet asked if Mr. Lansing had any knowledge about the proposed kitchen and cafeteria use that they have listed. Mr. Lansing I think it is for after sanctuary mass or after a wedding events. Mr. Ouimet asked if it was incidental to the services. Mr. Lansing stated correct. Mr. Berkowitz asked if wedding receptions would be held at the site. Mr. Lansing stated I don't know about receptions but the kitchen/cafeteria could be used after a mass event or a baptism. Mr. Watts stated when a public hearing is scheduled for this item; we would need more definitive answers to our questions. This item was tabled and referred to CHA.

07.077 NB Halfmoon Vitality Center, 1659 Route 9 - Sign

Dr. Richard Herbold, the applicant, stated the following: I would like to replace the existing sign with a new sign of the same dimensions. The sign dimensions are 4 FT x 8 FT, two sided and flood lit.

Mr. Roberts made a motion to approve the Halfmoon Vitality Center sign application contingent upon applicant obtains a building permit and the sign is not placed in the NYS right-of-way. Mr. Nadeau seconded. Motion carried.

07.078 NB Otto Mitsubishi/Mangino, 1658 Route 9 – Sign

Mr. Tony Mangino, of Mangino Mitsubishi (formerly Otto Mitsubishi), stated the following: We are applying for a change to our channel letters on the front façade of the building. The sign current says "OTTO" and we would like to change that to "MANGINO". The signage would have the exact same size lettering. The sign dimensions are 2.5 FT x 17.5 FT, sign area 43.75 SF, one-sided and internally lit. Mr. Roberts stated the "O" in "OTTO" would remain and asked if the color would match the new lettering. Mr. Mangino stated I was told that the color would match identical. The "O" is only about a year and a half old. The letter is a translucent panel and if it is faded we would replace the panel so it would match perfectly.

Mr. Roberts made a motion to approve the Mangino sign application contingent upon applicant obtains a building permit and the sign is not placed in the NYS right-of-way. Mr. Nadeau seconded. Motion carried.

07.079 NB Monmouth Way Condominiums, Mayfield Dr. (Knox Woods) - Sign

Mr. K. Lee Lounsbury, of Maxwell Property Management, stated the following: We manage the Monmouth Way condominiums located off of Route 236 in Knox Woods. There is no existing sign at this site. The sign dimensions would be 3.5 FT x 6 FT, 7 FT high, one-sided and flood lit. Mr. Roberts stated that other signs in Knox Woods have shrubbery by the sign and asked if this sign would have the same. Mr. Lounsbury stated yes.

Mr. Roberts made a motion to approve the Monmouth Way Condominiums sign application contingent upon applicant obtains a building permit and the sign is not placed in the NYS right-of-way. Mr. Berkowitz seconded. Motion carried.

07.080 NB Beckwith Subdivision, 77 Smith Road – Minor Subdivision

Mr. Duane Rabideau, of Gilbert VanGuilder's & Associates, stated the following: I am representing Mr. Terry Beckwith in his request to subdivide his residential lot at the corner of Smith Road into 2 residential lots. Mr. Beckwith's lot was originally part of a 3-lot subdivision several years ago. The applicant wishes to subdivide the existing 69,008 SF lot to create a 32,837 SF lot with the existing single-family unit and a new 36,171 SF lot. Both parcels would be tied into public sewer and public water. The public sewer is connected to the Harvest Bend subdivision. Mr. Watts asked if all the minimum lot requirements have been met. Mr. Williams stated yes. Mr. Nadeau asked if there were any wetlands on the property. Mr. Rabideau stated yes, in the corridor in the rear of the property. Mr. Higgins asked if there was a stream that ran through the property. Mr. Rabideau stated yes, but there will be no impacts to the wetlands. Mr. Nadeau asked about the site distance for the proposed driveway. Mr. Rabideau stated the site distance is good both ways.

Mr. Nadeau made a motion to schedule a Public Hearing for the August 27, 2007 Planning Board Meeting. Mr. Ouimet seconded. Motion carried.

07.081 NB Westbrook Subdivision, Harris Road - Sign

Mr. Bill Kurtzer, site foreman for Paulsen Development, stated the following: We would like to propose a sign for the entrance of our Westbrook development. The sign would be located 14 FT in from Wesley Court and 16 FT in from Harris Road. The sign dimensions would be 1.7 FT x 5 FT, on a 10 FT wide x 4 FT high monument of brick façade with end pillars. Mr. Roberts asked if the sign would be lighted. Mr. Kurtzer stated no.

Mr. Roberts made a motion to approve the Westbrook Subdivision sign application contingent upon applicant obtains a building permit and the sign is not placed in the NYS right-of-way. Mr. Nadeau seconded. Motion carried.

07.083 NB County Waste PDD, 1927 Route 9 – Amendment to Site Plan/GEIS

Mr. Joe Bianchine, of ABD Engineering & Surveyors, stated the following: I am here representing County Waste. A couple of years ago County Waste had a site plan approval for an amendment to the PDD. They have been doing some work at the site but they have not proceeded with the building construction. This application is for some modifications to the previously approved site plan. Most of the modifications are located in the Town of Clifton Park. The C&D and MSW transfer building location would remain the same. The previously approved 58,000 SF C&D and MSW transfer building is proposed to be reduced to 50,350 SF. We are proposing to eliminate an existing entrance road. The truck scales that are located in Halfmoon would be moved to another location. Parking and circulation around the building would remain the same. When we did earth work calculations on the site it was discovered that

there is a lot of fill that would have to be removed from the site. Rather than haul it off the site, we are making a larger berm that would help us screen from Route 9. We will still be doing some landscaping planting to make sure it is screened well from Route 9. These were conditions put on the site by both the Town of Halfmoon and the Town of Clifton Park as part of the original site plan review. They received a letter from CHA indicating that there weren't really any substantial changes in Halfmoon portion of the site. Mr. Higgins asked where the berm would be located because in the late fall or wintertime you can see right into the site. Mr. Bianchine stated the following: The berm and trees would be placed in the area Mr. Higgins referred to. When the building is built, we will go back to decide where to put the trees. Mr. Higgins asked if the trees would be evergreens. Mr. Bianchine stated the trees would be evergreens and about 6 FT high. Mr. Ruchlicki asked if the spruce trees in that area would remain. Mr. Bianchine stated yes. Mr. Watts asked Mr. Bianchino if the site plan had been reviewed by CHA. Mr. Bianchino stated the following: Yes, and the revised plan is not that big of a change. In fact, some of the circulation changes in regards to the driveway location are an improvement. Mr. Bianchine stated there would be less building and less pavement and we have accomplished the same thing.

Mr. Ruchlicki made a motion to approve the amendment to site plan/GEIS for the County Waste PDD. Mr. Higgins seconded. Motion carried.

Old Business:

**02.118 OB Rolling Hills PDD Phase II & III, Cary Road – Major Subdivision/
PDD/GEIS**

Mr. Ruchlicki and Mr. Higgins recused themselves from this item. Mr. Beck sat in for Mr. Ruchlicki and Mr. Leonard sat in for Mr. Higgins. Mr. Percy Cotton, of Percy B. Cotton Engineering, stated the following: This proposal is for Phases II & III of the Rolling Hills Subdivision. As part of Phase II, Liebich Lane will be continued all the way down through the project. The sewage would flow down to an easement and connect to the existing sewer on Route 9. Stormwater would also run through the same easement to the stormwater management areas. We have an agreement to extend water to Phase II & III of the project. Mr. Bianchino stated the following: We have reviewed the final preliminary plans and found all outstanding concerns addressed. The only issue is that the applicant needs to verify the depth of the groundwater during the construction of the two proposed catch basins and construct them accordingly.

Mr. Berkowitz made a motion to grant final approval for Rolling Hills PDD Phase II & III major subdivision/PDD/GEIS contingent upon the development is in accordance to the Rolling Hills PDD legislation, the applicant gains final approval stamps from NYSDEC, NYSDOH, SCSD#1 and the Town Water Department prior to the Planning Board Chairman stamping and signing the plans. Also, the applicant confirms the depth of ground water and constructs the SWMA 3 & 4 accordingly. Mr. Beck seconded. Motion carried.

07.075 OB Johnson Subdivision, 11 Crew Road – Minor Subdivision

Mr. Joseph G. Malinowski, of M.J. Engineering and Land Surveying, P.C., stated the following: I am here representing Mr. Rob Johnson for his minor subdivision application. Mr. Johnson wishes to subdivide his property to create an additional building lot. Prior to the subdivision the applicant is proposing to convey land to his father's parcel. The new lot that would be created would be approximately 33,000 SF. Mr. Johnson's current lot is zoned Agricultural/Residential (A/R) and the surrounding land is zoned Commercial (C-1). The applicant wishes to create a residential lot by subdividing a portion of his A/R zoned property and a portion of the

neighboring father's C-1 zoned parcel in order to create the proposed residential lot. The applicant also wishes to convey a portion of his A/R property to the neighboring C-1 property as a land swap to offset the amount of land transferred from the C-1 property. The new single-family home that would be built on the newly created lot would be within the portion currently zoned A/R.

Mr. Ouimet made a motion to schedule a Public Hearing for the August 27, 2007 Planning Board Meeting. Mr. Nadeau seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the August 13, 2007 Planning Board Meeting at 7:40 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi,
Planning Board Secretary