

Town of Halfmoon Planning Board

June 12, 2006 Minutes

Those present at the June 12, 2006 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

Deputy Town Attorney: Bob Chauvin

Town Board Liaisons: Mindy Wormuth
Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the June 12, 2006 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they have reviewed the May 22, 2006 Planning Board Minutes. Mr. Roberts made a motion to approve the May 22, 2006 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried.

Old Business:

05.201 OB Provident Development, 1652 & 1654 Route 9 – Commercial Site Plan

Mr. Ed Esposito is representing Dr. Ken Rotundo for Provident Development's commercial site plan application. *Mr. Esposito stated the following:* They have been before the Board for the conceptual presentation of this project for a shared parking agreement. They have now decided to go with the stand-alone site. They are proposing force main connection plans from Berger Engineering and a water connection, which was submitted to Mr. Frank Tironi, Director of the Town's Water Department. They have addressed all of CHA comments. They have submitted a site plan showing the parking on the side and rear of the building with green space and a storm water management area in the front of the proposed building. Handicap parking would be clearly visible at the site. They would reinforce landscaping buffers and they agreed to preserve the existing trees. Lighting would be shielded from the adjacent properties. Mr. Watts stated he appreciates the cooperation the applicant has had with the Board and the improvements that would be made at this site.

Mr. Roberts made a motion to approve Provident Development's commercial site plan application. Mr. Berkowitz seconded. Motion carried.

06.124 OB Grosky Route 146 Office Building, 436 Route 146 – Commercial Site Plan

Mr. Frank Fazio, of C.T. Male Associates, is representing Mr. Mark Grosky for a commercial site plan application for the Grosky Route 146 Office Building. *Mr. Fazio stated the following:* They anticipate in the future adjoining the adjacent parcel. They have located the driveway entrance across the middle of the two sites at 436 and 438 Route 146 so there would be access to both sites. They have discussed this with DOT and they accepted the plan. The proposed office building would be a little less than 5,000 SF. They have met the required parking, which would be in the front and the rear of the site. The main entrance would be in the front and employee parking would be in the rear of the site. There would be an employee entrance in the rear of the building. They are proposing landscaping in the front and the rear of the building. Sanitary sewer and water are accessible from Route 146. A detention basin is proposed in the rear of the site for storm water management. They have discussed the storm water management with CHA and they have agreed to modify the plan to create more of a sump to settle the swale prior to discharge. There would be a small retaining wall to protect and existing drainage swale. Because of the setbacks and the residential zone in the rear of the site, they have incorporated a row of arborvitaes along the back to providing screening.

Mr. Berkowitz made a motion to approve the commercial site plan application for Grosky Route 146 Office Building. Mr. Roberts seconded. Motion carried.

06.145 OB Tucker Subdivision, 259 Lower Newtown Road – Minor Subdivision

Mr. Larry Tucker, the applicant, stated the following: He wishes to subdivide his 3.86-acre of land located at 259 Lower Newtown Road. He recently appeared before the Zoning Board of Appeals where he obtained a variance for his substandard frontage on Allen Drive. *Mr. Nadeau stated the following:* He had not reviewed this site because he was not sure on how the Zoning Board would act on it. He recalls there is a dip near the proposed driveway and he would like to visit the site to look at it. *Mr. Tucker stated the following:* He has had his surveyor and a builder state that the proposed driveway on the right hand side would not be an issue. There is a little runoff from the road but the property on the left is not where the proposed driveway or the house would be located.

This item was tabled for Mr. Nadeau's review.

06.160 OB Rainbow Direct, 1625 Route 9 – Commercial Site Plan & Sign

Mr. Bill Snide, the applicant, stated the following: He proposes to relocate his Rainbow Direct business from St. John's Plaza to 1625 Route 9 near Affordable Homes. Since his last appearance before the Planning Board, an issue regarding an existing structure was resolved as being a permanent structure. They have submitted a revised site plan showing a green-coated chain link enclosure display for swing sets, basketball goals and a trampoline in the front of the site with 6 inches of shredded cedar mulch around the displays. They will be painting the existing building. *Mr. Ruchlicki stated the following:* Mr. Roberts and I were the committee for this site. When we visited the site the applicant did not describe some details regarding the fencing that were now on the site plan. Mr. Roberts and I had a concern with the parking and this also is different than the way it was described to us when we were visited the site. Mr. Snide stated that they moved the fence to allow for adequate parking and vehicle movement in the parking area. Mr. Ruchlicki asked how many employees there would be. Mr. Snide stated

himself and one other employee. Mr. Ruchlicki asked how many customers would be at the site at one time. Mr. Snide stated there would be an average of 2 to 3 families at any given time. Mr. Watts asked where would the customers park if they had more than 2 to 3 families. Mr. Snide stated that there would be parking in the rear of the site. *Mr. Roberts stated the following:* The new site plan is completely different from what Mr. Ruchlicki and I seen when we visited the site. The original proposal was for two fenced rectangular areas for the displays and he feels the original plan would work better than what they are now proposing. Mr. Ruchlicki asked if they connected the fence to the building as an added security measure. *Mr. Snide stated the following:* The whole point of the changes were for security reasons, to keep all the sets up front for a good presentation and so they would be able to see the customers as they come in. Originally the plan was to put all the displays in the rear of the site, but the boss wanted the displays in the front of site for a good presentation and this is what he has at other locations. Mr. Berkowitz asked if the fenced area needed to be that large. Mr. Snide stated that they are proposing to put an average of 15 displays in that area and the number of displays will be determined by the size of the display they are showing. Mr. Berkowitz asked the square footage of the display area. Mr. Snide stated about 9,000 SF. Mr. Berkowitz asked if more parking spaces were needed, could he reduce the square footage of his display area. Mr. Snide stated yes he could reduce the display area if more parking spaces were needed however, they are trying to get the maximum amount of display area that they can to allow the customers to try the sets out. Mr. Ruchlicki asked if the entrance to the back area would be affected with the new layout. *Mr. Dan Cummings, the owner of the property, stated the following:* No, in the back there is a septic system but there is room behind the office building to park another 4 cars. This is where the employees would park and this is not shown on the plans. Mr. Roberts asked if this would interfere with the septic system. Mr. Cummings stated no. Mr. Snide stated the parking in the front of the site would be for customers only. Mr. Cummings stated that he would like to have the pavement redone in the future. Mr. Snide stated that the pick-up truck deliveries would only be at the site for set-up only. Mr. Roberts asked if the sign would be floodlit. Mr. Snide stated the sign would be two-sided, 8 FT x 8 FT, 12 FT high and internally lit. Mr. Roberts stated neon is not allowed and the sign is not to be placed in the State's right-of-way. Mr. Watts stated they should advertise as being located in Halfmoon.

Mr. Ruchlicki made a motion to approve Rainbow Direct's commercial site plan application contingent upon extra parking, employee parking and, if necessary, possible expansion of parking is shown on the site plan in the rear of the site. Mr. Nadeau seconded. Motion carried. Mr. Roberts made a motion to approve Rainbow Direct's sign application. Mr. Nadeau seconded. Motion carried.

New Business:

06.168 NB Jack Byrne Ford & Mercury, Inc. – 1003 Hudson River Road - Sign

Mr. Chauvin recused himself from this item. Mr. Jack Byrne, the applicant, submitted a sign application for a 15.4 FT x 6 FT, two-sided, internally lit, refaced sign on the existing 30 FT sign. Mr. Roberts stated the Town's sign ordinance does not allow signage to be higher than 20 FT, however, the applicant is proposing to use the existing sign which is 30 FT high. The Board made an inquiry in regards to a grandfather clause for the existing 30 FT high sign. *Mr. Nadeau stated the following:* The sign has been located there for many years and the applicant has made needed improvements to the sign. The sign is a heavily built sign and it would require major work to remove the sign to drop it to 20 FT. Mr. Roberts recommended that this issue be reviewed by the Town Attorney.

This item was tabled for the Town Attorney to review the pre-existing 30 FT. high sign.

06.169 NB Dudek Dairy Farm Subdivision, 127 Brookwood Road – Major Subdivision

Mr. Chauvin recused himself from this item. Mr. Gerry Gray, of Ingalls and Associates, is representing Barbara and Stanley Dudek for a subdivision of the Dudek Dairy Farm. *Mr. Gray stated the following:* The proposal is to subdivide 2-lots from the Dudek Dairy Farm located on the north side of Brookwood Road. Approximately 7.5-acres would be conveyed to a 1.54-acre parcel of lands of Barbara Dudek and approximately 14-acres would be conveyed to a 1.50-acre parcel of lands of Stanley Dudek. No development is planned on these 2 parcels at this time.

Mr. Roberts made a motion to schedule a Public Hearing for the June 26, 2006 Planning Board meeting. Mr. Nadeau seconded. Motion carried.

06.171 NB Tire Warehouse, Inc., 1428 Route 9 – Addition to Site Plan

Mr. Al Mugrace, of Albert S. Mugrace-Architect, proposed an addition to site plan for the Tire Warehouse located at 1428 Route 9. *Mr. Mugrace stated the following:* The proposed building would be an addition to the existing Tire Warehouse building. The proposed building addition would be 16 FT x 60 FT. The purpose of the proposed addition is to provide more working space and to bring in some wheel alignment machines. The proposed addition would be constructed on existing pavement and will not take away any existing green space. No additional runoff would be generated by the proposed addition. Currently the drainage goes to a detention basin, which drains into a swale in the rear of the property. They also propose to add an additional 24 parking spaces, which would bring the total parking spaces to 47. The zoning ordinance requires 42 parking spaces for this site. Mr. Watts asked if they would be adding more employees and why they are proposing the additional bays. *Mr. Mugrace stated the following:* The primary purpose for the addition is because the existing space is getting too cramped to perform the work functions efficiently and safely. The additional space would allow them to add more wheel alignment machines so they could remain competitive. *Mr. McCall, the application, stated the following:* There would be no additional employees. The biggest problem with the existing building is because it is only 50 FT wide and it gets very cramped with vehicles in the middle with the nose-to-nose bays. With the proposed addition they would be able to offer different types of services; such as wheel alignments and front-end work, which they are not able to do at the present time. Mr. Roberts asked if they would be abandoning some of the existing bays in favor of the new bays. Mr. McCall stated no, there would be 6 bays in the front and 3 bays in the rear and adding 2 bays to the rear. Mr. Ruchlicki asked if the gap in the middle of the building would be used for additional workspace. Mr. McCall stated yes and the tire changing equipment would be on the south side of the building. Mr. Ouimet asked what type of equipment was in the 3 existing bays in the rear. Mr. McCall stated there were two 3 FT lifts and one 8 FT lift. Mr. Ouimet asked if the lifts would be moved when they move the wall out 16 FT. Mr. McCall stated yes. Mr. Ouimet asked if they would be installing new lifts. Mr. McCall stated yes. Mr. Berkowitz asked if they performed bodywork at this site. Mr. McCall stated no. Mr. Berkowitz asked with the new addition would they now be doing bodywork or painting. Mr. McCall stated no. Mr. Roberts asked if any of the proposed additional space would be used for storage of tires. Mr. McCall stated the new space would be for service bays only.

This item was tabled and referred to CHA for review.

06.172 NB Freedom One Funding, Inc., 21 Halfmoon Executive Park Drive – Change of Tenant & Sign

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

06.173 NB Stenner Pump, Vischer Ferry Road – Concept-Commercial Site Plan

No representative was present for this item.

Mr. Roberts made a motion to adjourn the June 12, 2006 Planning Board Meeting at 7:44 pm. Mr. Berkowitz seconded. Motion carried.

Mr. Watts stated that normally meetings are not re-opened, but he would re-open the meeting.

Mr. Ruchlicki made a motion to re-open the June 12, 2006 Planning Board Meeting at 7:45 pm as the applicant was present. Mr. Berkowitz seconded. Motion carried.

06.173 NB Stenner Pump, Vischer Ferry Road – Concept-Commercial Site Plan

Mr. Frank Palumbo, of C.T. Male Associates, proposed a conceptual site plan in the Bast Hatfield Industrial Park. *Mr. Palumbo stated the following:* This commercial site plan would be located on a 1.74-acre parcel where the applicant is seeking to place a 7,200 SF facility, which would be a regional office building for Stenner Pump. Approximately 1,200 SF would be used for office use for a few employees. Supplemental storage would be located in the rear of the building. The building would be constructed at the end of the cul-de-sac that leads to Vischer Ferry Road. There would be a receiving area where there would be approximately 10 vehicles per week for deliveries. Most of the delivery trucks would be UPS size vehicles and there would not be large tractor-trailers. They are proposing 11 parking spaces, which is based on the amount of office area for the building. There are wetlands on the property. The proposed septic system would be 100 FT from the wetlands. Mr. Polak asked if there would be any outside storage at the site. Mr. Palumbo stated there would be no outside storage. Mrs. Wormuth asked Mr. Williams if the proposed parking met the Town's ordinances. *Mr. Williams stated the following:* The site plans says one space per 1,000 SF. There would be an area for storage of pumps and also office space, so that was split to make a determination of how much parking space was required. Mr. Watts asked how many employees there would be. *Mr. Palumbo stated the following:* There would be 4 employees, but they would start with 3 employees. This proposed building would be a regional office where most of the business would be done with phone calls with an occasional visitor to the site. Mr. Ruchlicki asked if there would be a large number of pumps at this site for retail sales. Mr. Palumbo stated the pumps are small packaged pumps and this site would not be used for retail sales. There would be no repair or maintenance done on-site. Mr. Ruchlicki asked what the UPS deliveries would consist of. Mr. Palumbo stated UPS would ship the pumps out of the site. Mr. Berkowitz asked if the entire building would be utilized. Mr. Palumbo stated yes. Mr. Roberts stated that the Board would need to address the concern of traffic coming from the site out onto Crescent Vischer Ferry Road. *Mr. Watts stated the following:* There have been issues raised relative to trucks getting hung-up on the roadway where Crescent Vischer Ferry Road had to be closed. This could cause health and safety issues if the road was blocked when emergency vehicles needed to get through at this location. As part of the review process, they would be looking at the plans of the owner of the properties to address that issue. Mr. Palumbo stated they would take care of this issue with bringing the

roadway up to the binder coarse and then top it all when they are finished with the last lot. Mr. Watts asked if Stenner Pump would be the last lot. Mr. Palumbo stated it was not the last lot, but they would take care of the road issue but would not top the road until the last lot was finished. Mr. Chauvin asked if this would take care of the transition issue with the Crescent Vischer Ferry Road intersection. Mr. Palumbo stated yes, it would take care of the transition issue and this is shown on the elevation drawings. Mr. Chauvin stated once the applicant reviewed this issue, they would need to confirm to the Board that this issue would be addressed. Mr. Bianchino stated that CHA would look at the old approved subdivision plans in their review. Mr. Nadeau stated that this would be part of this application's approval and not for future approvals.

This item was tabled and referred to CHA.

Mr. Ruchlicki made a motion to adjourn the June 12, 2006 Planning Board Meeting at 7:52 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,

Milly Pascuzzi
Planning Board Secretary

