

## **Town of Halfmoon Planning Board**

### **Meeting Minutes – March 12, 2012**

Those present at the March 12, 2012 Planning Board meeting were:

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

**Senior Planner:** Jeff Williams  
**Planner:** Lindsay Zepko

**Town Board Liaisons:** Walt Polak

**CHA Representative:** Mike Bianchino

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Mr. Watts opened the March 12, 2012 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the February 27, 2012 Planning Board Minutes. Mr. Roberts made a motion to approve the February 27, 2012 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried.

#### **Public Hearing:**

##### **12.018 PH Fronczek Subdivision, 60 & 66 Ushers 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. Stanley Fronczek, the applicant, stated the following: He wishes to make a lot line adjustment. The neighbor wishes to purchase a portion of the adjoining parcel with an additional 100ft of frontage that extends back to the original southwest corner for a total conveyance of about a half-acre. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the public hearing at 7:01 pm.

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

#### **New Business:**

##### **12.021 NB DEC Development, LLC Subdivision, Plank Road – Minor Subdivision**

Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated the following: He is here tonight representing Mr. Dave Canfield in his request to subdivide a 1.87-acre parcel into two duplex lots. The parcel is located just north of Captain's Blvd. The request is for two duplex lots to be serviced by public water and public sewer. This parcel is part of a subdivision previously approved by this board last October that included three single-family lots. The applicant now wishes to create duplex lots. Across the road is Commercial, C-1 zone. One of the issues with this proposal is that one of the lots to be created would meet the minimum lot width requirement of 150ft and the other lot does not. The applicant understand that in order to move forward with the project a variance request would need to be made to the Zoning Board of Appeals. They understand that a denial must be given by this board tonight in order to proceed with that. The

surrounding parcels are a combination of single family, townhomes, single-family, and commercial lots. The applicant is now offering a 'no cut' land preservation zone around the side and rear of the proposed lots. There are mature woods in that area. Mr. Nadeau asked how many driveways were proposed. Mr. Rabideau stated that there would be four driveways but both driveways for each duplex would be very close together. Mr. Nadeau asked if in the previous subdivision there were any concerns from the neighbors regarding duplexes? Mr. Watts stated that there will be a public hearing held for both the variance request as well as the subdivision. Mr. Ouimet stated that the applicant might want to consider shared driveways.

Mr. Nadeau made a motion to deny the minor subdivision application for DEC Development, LLC on the basis that proposed Lot A on the map titled "Subdivision Lands of DEC Development, LLC", dated February 15, 2012 by Gilbert VanGuilder Land Surveyor, does not meet the minimum lot width of 150 FT for the creation of a two-family residential lot according to the Town's Zoning Ordinance (Zoning – 165 Attachment 1) Schedule A. Mr. Ouimet seconded. Motion carried.

**12.022 NB      Lowe's (Outdoor Seasonal Sales), 476 Route 146 – Change of Use**

Mr. Michael Welch, Store Manager of Lowe's, stated the following: Lowe's wishes to utilize outside space for the seasonal storage of merchandise such as mulch, topsoil, fencing, plant materials, etc., from March 12, 2012 until September 30, 2012. The use will be similar to previous years. Product will be stored neatly and organized. Mr. Watts asked how the landscaping was on the site and that the reason for the seasonal approval of these uses on the big box store sites is to be sure that the grounds are being maintained. Mr. Welch stated that he has been the manager for about two years and that since his time at the store, he has changed the landscaper. He takes his relationship with the town very seriously and maintains frequent contact with the Town to ensure compliance.

Mr. Berkowitz made a motion to approve the change of use application for Lowe's (Outdoor Seasonal Sales) beginning March 12, 2012 through September 30, 2012. Mr. Nadeau seconded. Motion carried.

**Old Business:**

**11.110 OB      Vending Property LLC (Scott Earl), 4 Enterprise Ave. – Commercial Site Plan**

Mr. Jason Dell, of Lansing Engineering, stated the following: I am here tonight representing the applicant for an addition to the existing structure and an accessory garage building. The board may recall that the last time we were in with this site, the applicant was proposing to add a separate 14,000 SF addition to the site. We are now before the board with a change to that proposal to place an addition to the existing building. The addition would be 7,200 SF on the western side of the building for additional warehouse space. The applicant also wishes to place a 40 ft by 50 ft maintenance garage. There is no longer a kitchen facility proposed for the addition. The parking requirements for the facility would be 59 parking stalls for the warehouse and 30 spaces for the garage building. Currently on the site there are 67 spaces provided and the applicant is requesting to landbank the additional 18 spaces, as the spaces are not needed on the site for the current use and 40 employees. Mr. Ouimet asked about what uses the garage structure would be used for and how the vehicles would be staged. Mr. Dell stated that the use would be general maintenance of the company vehicles, such as oil changes. There would not be a need for oil/water separators as the fluids would be kept and removed by a company that does that. The vehicles that would be repaired would be the vehicles that are currently on the site. The additional warehouse space would not require additional vehicles, only additional storage space inside. Mr. Ruchlicki asked if the additional space would require refrigeration. Mr. Dell stated no. Mr. Watts asked if the garage structure would have water supplied to it. Mr. Dell stated he would review the need for water and bathroom facilities in the garage structure.

This item was tabled and referred to CHA for their technical review and to supply additional information on the maintenance structure including uses, water supply, bathroom facilities, OSHA requirements, and storage of combustibles.

**12.009 OB      Donald Simmons Financial Advisor, 139 Meyer Road – Change of Tenant & Sign**

Mr. Donald Simmons, the applicant, stated the following: I am requesting a change of use for the space previously occupied by Elite Vacuum to utilize the space for my financial advisor business. I was before the Zoning Board of Appeals for an Area Variance for the front yard setback to encroach 5 ft into the required setback to install a wider and covered handicap ramp. The ZBA granted that variance request at the March 6, 2012 meeting. I am now before you to request the Change of Use for the building. I also have a sign application. Mr. Nadeau asked if the sign was shown on the site plan. Mr. Williams stated that the location would be added to the plans prior to stamping. There was one marked up copy in the file showing the location. The sign will be 80 SF, free standing, two sided, and externally lit. Mr. Ruchlicki asked how the power would be supplied to the new sign? Mr. Simmons stated that his engineer stated that it could be run under the road and the creek.

Mr. Nadeau made a motion to approve the change of tenant application for Donald Simmons Financial Advisor. Mr. Berkowitz seconded. Motion carried.

Mr. Roberts made a motion to approve the sign application for Donald Simmons Financial Advisor condition on the location of the sign is represented on the site plan (on the same property and in the Town of Halfmoon). Mr. Nadeau seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the March 12, 2012 Planning Board Meeting at 7:31 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,  
Lindsay Zepko, Planner