

**MINUTES MEETING**  
**Town of Halfmoon Planning Board, 2018**  
**March 26, 2018**

**Those present at the March 26, 2018 Planning Board meeting were:**

**Planning Board Members:**

Don Roberts –Chairman  
Marcel Nadeau- Vice Chairman  
Tom Ruchlicki  
John Higgins  
Tom Koval

Richard Berkowitz  
Thomas Werner-absent

**Planning Board Alternates:**

Mike Ziobrowski

**Director of Planning:**

Richard Harris

**Planner:**

Paul Marlow

**Town Attorney:**

Lyn Murphy

**Deputy Town Attorney:**

Cathy Drobny

**Town Board Liaison:**

John Wasielewski  
Jeremy Connors

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*Chairman Don Roberts opened The Planning Board Meeting at 7:02 pm*

*Mike Ziobrowski abstained from the minutes vote*

*Rich Berkowitz made a motion to Approve the March 12, 2018 Planning Board Minutes. Tom Koval seconded. Minutes Approved.*

**Public Information Meeting:**

**18.007      T-Mobile Co-Location, 13 Solar Drive - Site Plan**

**Don Roberts:** Would anyone like the notice read?

**Allen Hinkley:** Hello I'm Allen Hinkley I'm representing T-Mobile for this upgrade to the tower. Basically a very minor upgrade we're proposing the addition of one two foot diameter microwave dish to be installed directly with the existing antennas on the tower.

**Don Roberts:** No change in height?

**Allen Hinkley:** No change in height, no change in antennas, no changes in the ground space , just adding a dish.

**Don Roberts:** Ok, questions by the Board?

***Rich Berkowitz made a Motion to declare a Negative Declaration Pursuant to SEQR. Marcel Nadeau seconded. Motion Carried.***

***Rich Berkowitz made a Motion to Approve T-Mobiles Site Plan Application. Marcel Nadeau seconded. Motion Carried.***

**18.018      Verizon Wireless - Crescent Co-Location, 15 Rt. 236 - Site Plan**

**Don Roberts:** Would anyone like the notice read?

**Allen Hinkley:** My name is Allen Hinkley and I'm also representing Verizon for this upgrade. Verizon is installing six new remote radio units on the existing framework on the tower, the units will be attached to a mounting pipe behind the existing antennas, and these are again electronic upgrades to the tower, again no change in the tower height, no change in the antennas on the tower and no change in the ground space.

**Don Roberts:** Would anyone like to speak? (no comments) seeing no one wants to speak I'll close the Public Information meeting, Board members

**John Higgins:** Are the existing antennas behind the camouflage or, because on the drawing they appear that they are on the outside of the tower?

**Allen Hinkley:** They should be within the camouflage, typically that's the way they are I dont have a picture of it in front of me.

**John Higgins:** Ok, well your drawing shows them on exterior to the camouflage.

**Allen Hinkley:** I noticed it on the drawing there, it does look like it is on the outside I'm not really sure

**Richard Harris:** John I did get clarification by email from a different representative that they will be camouflaged although it doesnt show it there they'll add the foliage

**Allen Hinkley:** I think they do it that way in the drawing so you can see it

Richard Harris: So you could see it, yea, because I thought the same thing when we got it, it doesnt look like it from that and I have confirmation that they will add the camouflage branches.

John Higgins: Ok, thank you.

***Marcel Nadeau made a Negative Declaration Pursuant to SEQR. Tom Koval seconded. Motion Carried.***

***Marcel Nadeau made a Motion to Approve Verizon Wirelesses CO Location Site Plan. Tom Koval seconded. Motion Carried.***

**Allen Hinkley:** Thank you very much, have a good evening.

**New Business:**

**18.014 Wal-Mart Sign Remodel, 1549 Route 9 - Sign**

**Sarah Smith:** Hello my name is Sarah Smith I'm with Harrison French and Associates and I'm representing Wal-Mart, Wal-Mart is going under a re-branding nationally, and the re-branding includes color changes to the exterior as well as changes to the exterior wall signage, I will just break down what the changes are as far as signage is concerned. There is an existing Wal-Mart sign at 158.39 sq ft that we are proposing to replace like for like, a brand new sign, same size. The same with the spark sign it is currently 56.04 sq ft also proposing to replace like for like. There is currently a market sign that we are proposing to replace with a grocery sign. The market sign is currently is 17.97 sq ft and the grocery sign is proposed to be 25.63 sq ft. We are proposing to replace the home and pharmacy sign, like for like no change in size, we are replacing the outdoor living sign which is currently 49.47 sq ft we're replacing it with a lawn and garden sign at 41.02 sq ft so a slight decrease. There's currently a pick up parking sign that is existing to remain no changes whatsoever, there is currently an auto center sign with an arrow on the front facade that we are proposing to replace like for like. The biggest change is just the addition of the new vision center sign which is 8.81 sq ft, and the Auto Center signage, there's an auto center, two tire and two lube signs, those are each being replaced like for like no change in size. So total currently including the 240 sq ft pylon there is 698.72 sq ft and we are proposing including the pylon 707.70 sq ft or a difference of 8.98 sq ft.

**Don Roberts:** Thank you, so you know you are getting very close to the limits?

**Sarah Smith:** Yes

**Don Roberts:** Questions by the board?

**Mike Ziobrowski:** I have a question, are you proposing to stain the split faced block blue? Like at the grocery and home and pharmacy it looks like the split faced block that's on the building, it is shown the rendition to the right, that split faced block is being stained blue

**Sarah Smith:** Yes

**John Higgins:** That was not part of the original, I was on the committee for the original and we had a lot of discussion about the color the exterior colors on the building and that blue is not what was originally approved for the building, so I think I propose that we need a defiant answer of what their planning on doing on the exterior block before we approve any of these signs.

**Sarah Smith:** Ok I wasn't aware of any decisions made as far as the color

**John Higgins:** It was part of the original approval, because I was on the original committee I dont remember Marcel were you with me or not on that one? Ok, Rich if you guys go back and look at the original approval they did not go with the standard colors on this building, they went with more subtle tones

**Richard Harris:** The blue around this Wal-Mart is already painted just so you know, last year when they were in with the canopy there was discussion about colors and this board stated that you need to remain consistent with Wal-Mart colors , I could not find any restriction limiting the colors, there were suggestions early on when it was approved of earth tones and different toned colors but I did research because the question came up long before you were involved with the signs, maybe about six months ago, and we could not find any requirement regarding paint colors, the board suggested and the applicant back with the original building that it would be earth tone colors

**John Higgins:** And the applicant agreed back then because I remember I was on the committee.

**Richard Harris:** I found no requirement though for it, I dont know if the two canopies that Mike was talking about are painted but I know where the blue in the middle with the word Wal-Mart that's been done.

**Tom Koval:** In my opinion is I'm not aware of a Town code for colors so how can we deny them on this application based on colors, when we have no code? And if we are going to do that we have to do it with everybody, so I mean if we suggested it and they went for it in the first place so thank you to them but at this point how do we tell them you cant do this based on a rule or a code we do not have

**Don Roberts:** We can only recommend, that's all we can do is recommend and I dont think it looks bad

**Tom Koval:** I dont care for that bright blue but its not going on my house

**Mike Ziobrowski:** I think it was more of a question than anything

**Don Roberts:** Dont worry about it

**Sarah Smith:** Ok

**Don Roberts:** Anyone else?

*Rich Berkowitz made a motion to Approve Wal-Mart's sign remodel. Mike Ziobrowski seconded. Motion Carried*

*John Higgins voted NO*

**Sarah Smith:** Thank you.

**18.034      Architectural Glass & Metal, 3 Liebich Lane - Sign**

**Carl Wheeler:** Carl Wheeler with AJ signs for Architectural Glass and Metal Works, proposing a 127sq ft sign, they are front lit letters.

**Don Roberts:** Questions by the Board?

**John Higgins:** Are they neon?

**Carl Wheeler:** No, LED lights

**John Higgins:** Ok, thank you

*Tom Koval made a Motion to Approve Architectural Glass & Metals Sign application. Mike Ziobrowski seconded. Motion Carried.*

**Carl Wheeler:** Thank you.

**18.023      Halliday Financial, 4 Executive Park Drive - Change of Use/Tenant**

**Scott Solomon:** Hi my name is Scott Solomon Chief Operating Officer of Halliday Financial; we are looking for a change of tenant approval to occupy the space on 4 Executive Park Drive and any questions on our proposal?

**Don Roberts:** How many employees?

**Scott Solomon:** Our employees, It's 32

**Don Roberts:** 32?

**Scott Solomon:** Correct

**Don Roberts:** Hours of operation?

**Scott Solomon:** 8 to 5:30-ish, business hours Monday through Friday

**Don Roberts:** Is there any sign proposed at this time?

**Scott Solomon:** Nope, just new letters on what is already there.

**Don Roberts:** Questions by the Board?

*Rich Berkowitz made a Motion to Approve Halliday Financial Change of Use/ Tenant application. Tom Ruchlicki seconded. Motion Carried.*

**Richard Harris:** Can I just clarify though, your adding a sign that will say Halliday Financial correct?

**Scott Solomon:** Just putting the letters on what's already there

**Richard Harris:** That's a change in sign; we do need a sign application.

**Don Roberts:** You dont have nothing on this right?

**Richard Harris:** No I don't have a sign; we don't have a sign application.

**Scott Solomon:** Eventually I will do something; there is nothing there now we will put it there when we are ready

**Richard Harris:** It's on the existing structure

**Scott Solomon:** I'm sorry what is the question?

**Richard Harris:** You said replacing letters, what letters are there right now?

**Scott Solomon:** Oh, right now it's the blank piece of, I dont know piece of metal.

**Lyn Murphy:** He is talking about switching out a panel; you will just have to do an application

**Richard Harris:** Yes there will be a sign application required.

**Scott Solomon:** Sure

**Richard Harris:** Ok, just so you know

**Scott Solomon:** Ok, thank you.

**Don Roberts:** You're welcome

*Lyn Murphy and Tom Koval recused themselves.*

**Michael Klimkewicz:** Hi Michael Klimkewicz the owner of 1471 Route 9 I'm here on behalf of my tenant W Management, they are administrators-owners of Senior Living throughout upstate NY and this is going to be an administrative office. They've only got one administrator there. Hours of use will be 9 to 5.

**Don Roberts:** Only one person?

**Michael Klimkewicz:** That is correct, everybody's out in the field.

**Don Roberts:** Ok, questions by the Board?

*Rich Berkowitz made a motion to Approve the Change of Use/Tenant application. Marcel Nadeau seconded. Motion Carried.*

**Don Roberts:** Will there be a sign?

**Michael Klimkewicz:** No sign

**Don Roberts:** Ok, thank you.

**Michael Klimkewicz:** Thank you.

**18.021      Lowes Seasonal Storage, 476 Rt. 146 - Change of Use/Tenant (Seasonal)**

**Don Roberts:** Rich do you want to get Lyn and Tom, thank you

**Eric Carne:** Good evening my name is Eric Carne I'm the store manager of Lowe's in Halfmoon, I am just looking for our seasonal storage permit.

**Don Roberts:** And what are you going to do again?

**Eric Carne:** It's to do our seasonal storage of bagged goods, patio block, and mulch on the side of our building.

**Don Roberts:** Questions by the Board?

**Marcel Nadeau:** Don I think on the last two or three applications we had requested that the road be re-stripped and we haven't seen that yet so what is the status , or what is the reason we're not getting it striped ?

**Don Roberts:** Rich

**Richard Harris:** Yea we've had communications over the last couple of weeks, the applicant has not done the remaining striping and acknowledged that and due to largely weather it's been difficult the last few weeks

**Marcel Nadeau:** This has been two or three years

**Richard Harris:** I understand, and we did require a performance bond or security deposit in the amount of \$2,750 and with the idea or suggestion from staff that it be striped by May 1st in order for that to be returned, and yes the board did go visit the site in late October with Paul.

**Rich Berkowitz:** Since our visit there has also been a stop sign and it's gone missing?

**Eric Carne:** I wasn't aware of a stop sign missing, I know that we had 4 or 5 action items and I think we got 4 of the 5

**Rich Berkowitz:** About three weeks ago the stop sign disappeared coming in from Pizza Hut, from the route 9 site?

**Eric Carne:** I can assure you it wasn't us if someone took the stop sign

**Rich Berkowitz:** Well either way it's your responsibility and that's a major intersection in that parking lot

**Eric Carne:** We can rectify that, I wasn't aware that we were missing a stop sign.

**Don Roberts:** Is there one or two?

**Richard Berkowitz:** There is one stop sign that I know of, no It's coming from the route 9 side of Pizza Hut and St. Johns Plaza it was kind of hidden, when you replace it you need to move it more toward the road because it is kind of hidden by a tree also, so either a snow plow took it down

**Eric Carne:** That's possible I just didnt realize it was missing

**Rich Berkowitz:** Yea its gone

**Don Roberts:** You'll take care of that as well?

**Eric Carne:** Yea of course

**Richard Harris:** Yea, Paul and I will communicate with them

**Don Roberts:** And the terms of the seasonal is March 30th to September 30th correct?

**Eric Carne:** If thats what the print is, yea I believe it is

**Richard Harris:** Yea that was last years, you didnt put an exact date on it

**Don Roberts:** This is just to clarify, anyone else?

*Rich Berkowitz made a Motion to Approve Lowe's Outdoor seasonal storage application contingent on fixing the outstanding recommendations of getting the outside perimeter road striped and replacing the stop sign that is missing next to the Pizza Hut intersection by May 1, 2018. Tom Koval seconded. Motion Carried.*

**Eric Carne:** Thank you.

**18.033      Halfmoon Petroleum, 1493 Rt. 9 - Change of Use/Tenant**

**Han Zahalad:** Han Zahalad 1493 route 9 Clifton Park

**Don Roberts:** Halfmoon

**Han Zahalad:** We would like to renew the plan for this year.

**Don Roberts:** Do you plan on, and this happens quite a bit , do you actually plan on doing something this time or?

**Han Zahalad:** Yes, hopefully within the next couple of months we want to get that started.

**Don Roberts:** Ok, now one thing if this gets approved we want that freestanding sign out in front, we want that taken down completely

**Han Zahalad:** The one in the front?

**Don Roberts:** Yes

**Han Zahalad:** Yes

**Don Roberts:** Do you understand the one that is all rusted out

**Han Zahalad:** Yes, ok

**Richard Harris:** Don I think you want that done now , in the near future not as part of the new development, we are going on three years here renewing this and

**Rich Berkowitz:** Prior to a C/O?

**Richard Harris:** If they come in a year from now for a renewal and that sign is still there

**Don Roberts:** Before that, yes. So that comes down immediately right?

**Han Zahalad:** We can get that down

**Don Roberts:** Do you have a date?

**Lyn Murphy:** Pick a date because you make a good point

**Richard Harris:** This is the third time

**Tom Koval:** June 30th

**Don Roberts:** June 30th, now you know the sign I mean the freestanding?

**Han Zahalad:** Yes, June 30th

**Don Roberts:** Ok, any questions by the Board?

**Richard Harris:** in 2018

**Don Roberts:** Yes, questions by the Board?

**John Higgins:** Don the drawing shows a sign out on Guideboard road?

**Don Roberts:** That will not be allowed you know that?

**Han Zahalad:** The sign?

**Don Roberts:** The sign out on Guideboard road, that's not your property you can't do that, right Lyn, you can back this up? Ok, so you can't to that one either ok, thank you John, anyone else?

**Rich Berkowitz:** I make a Motion to Renew Halfmoon Petroleum Change of Use/Tenant contingent on removal of the old freestanding sign by June 30, 2018 and, do we have to require a bond to complete this project is that on here?

**Richard Harris:** That's your call I mean you can require one

**Don Roberts:** I dont think we need to because if its not done we wont approve thats all.

**Richard Harris:** Yea, well then we're respectively approving it based on the building permit is also approved

**Don Roberts:** We are not approving any of their signs out there right now

**Richard Harris:** When July 1st comes the Towns not going in to take it down so....

**Don Roberts:** Ok, well

**Richard Harris:** I recommend you require a bond

**Richard Harris:** I would recommend you require a bond

**Don Roberts:** Ok, how much?

**Richard Harris:** Otherwise you, it's basically contingent on the ability to...

**Don Roberts:** Joe what do you think?

**Richard Harris:** Yea I would rely on Mr. Kovals expertise in that area not my own

**Don Roberts:** \$1,300 that would be enough?

**Richard Berkowitz:** And a requirement of a \$1,300 bond to ensure completion of removal of the sign.

*Rich Berkowitz made a Motion to Renew Halfmoon Petroleum's Change of Use/Tenant contingent on removal of the old freestanding sign by June 30, 2018 and a \$1,300.00 bond to ensure removal of the sign. Tom Koval seconded. Motion Carried.*

**Don Roberts:** Hopefully it happens this time right? Thank you.

**Han Zahalad:** Yes, thank you.

**Don Roberts:** Thank you

**18.039/18.040      Keystone Novelties, 1516 Rt. 9 - Change of Use/Tenant & Sign (Fireworks)**

**Neil Shaw:** Good evening my name is Neil Shaw from Attleboro Massachusetts; the regular Keystone folks couldn't make it so they sent grandpa. This year the tent pretty much is going to be the same as last few years 20' x 40' and there was a question on signage; they are planning on doing one sign attached to plywood. We will have 24 hour security too.

**Don Roberts:** That's it?

**Neil Shaw:** Pretty much everything else is the same

**Don Roberts:** How long are you going to be there, from what date to what date?

**Neil Shaw:** Oh , thats, it will open , they plan on opening on the 28th of June , closing on the 5th of July the tent goes up like a day or two before and then comes down a day or two afterwards.

**Don Roberts:** How many employees and hours of operation?

**Neil Shaw:** Hours of operation are going to be 9 to 9 straight through other than July 3rd it will be 9 to 11 and on July 4th it's actually going to open later at 11 am and close earlier at 8 pm.

**Rich Berkowitz:** Now the opening day is that July 22nd or July 28th? I mean June 22nd I'm sorry?

**Neil Shaw:** Oh, 22nd, yea your right, cause we have a couple of others opening up on the 28th this is the 22nd.

**Rich Berkowitz:** Ok

**Don Roberts:** How many employees will be there?

**Neil Shaw:** 1

**Don Roberts:** 1?

**Neil Shaw:** Well other than the overnight security people. Sometimes as it gets really close like the first , second and third of July there would be a second person but one person in charge the second one is for like bagging and it is all local people.

**Mike Ziobrowski:** Will you have an exit sign?

**Neil Shaw:** There is a designated entrance and exit signs, pretty much the sides are up on the tent so you can leave anywhere but there is two exit signs on it.

**Mike Ziobrowski:** Ok, in the case of when it rains and you put sides down just in so if anything was to light up you have an exit sign?

**Neil Shaw:** The sides are down all night too, after its closed and several fire extinguishers are always present.

**Rich Berkowitz:** Do they need bathrooms or port-o-potties?

**Don Roberts:** Do you have any like rest room facilities like a port-o-potty or something for the employee?

**Neil Shaw:** It depends , I'm not familiar with this location if its on property in front of a restaurant or something like that or a car wash , they just use that if not we send a port-o-potty for it.

**Rich Berkowitz:** This one is not near a restaurant or near any restrooms or anything

**Neil Shaw:** Then it will have a port-o-potty

**Richard Harris:** Yea on this site the larger building on the site has a restroom because the small building that , I cant remember the car leasing, you had an applicant in here a couple of months ago, they buy used cars and sell them electronically, wholesale and they have the permission, you guys asked that question there , they have permission from the owner to use the bathroom in the other building and there is a bathroom in the larger, what was the Louis Henry sales office so that might be an option I think for this site.

**Richard Berkowitz:** Now when an employee is by themselves what do they do with the merchandise when their incapacitated? Or in-deposed I should say?

**Neil Shaw:** They may have a second person there usually one person is hired, but they always have the option to bring in a second, most of the time they bring in a second but on the busy days there is two for hire there.

**Don Roberts:** Anyone else?

**Tom Koval:** We have not had an issue so

**Rich Berkowitz:** I know we have not had an issue I know that but.

**Tom Koval:** I imagine your employees are all on the books with NYS Labor laws

**Neil Shaw:** And if there is a change they have to take a small online course to make sure they are capable of running the spot

*Tom Koval made a Motion to Approve Keystone Novelties Change of Use/Tenant. Rich Berkowitz seconded. Motion Carried.*

**Neil Shaw:** Thank you.

**18.042/18.043      Mother Teresa Academy, 1 Executive Park Dr. - Change of Use/Tenant & Sign**

**Debbie Kenyon:** Hi I'm Debbie Kenyon, Mother Teresa Academy 13 Executive Park Drive, we would like to move to 1 Executive Park Drive, we are an independent private Catholic School, the reason we would want to move is we have gotten larger. We have 13 staff members, 100 students. Our hours of operation are 7 in the morning till 6 at night. Busiest hours are 7:45 to 8:15 with children being dropped off by parents. Pick up hours are 3:00 o'clock for most children, what we do now at Mother Teresa Academy is we have parents park we dont allow children into the parking lot, they have to come into the building , park their cars, come into the building and pick up their child, we dont allow them just to go out and we dont have a pick up car line we just ask them to come and park their cars and come in and as of right now we have had no issues with that where we are now.

**Rich Berkowitz:** Where are you located right now?

**Debbie Kenyon:** 13 Executive Park

**Don Roberts:** You're going to replace the sign that is there?

**Debbie Kenyon:** Yes

**Richard Harris:** We didnt discuss it at the pre-meet

**Don Roberts:** Questions by the Board?

**John Higgins:** I dont know if you are aware but the previous tenant had problems with parking and I agree they had more children but it says in your write up that you plan on increasing the number of students also, plus they had a lot of busses picking up so your going to have a lot more personal cars dropping off and picking up than they did , you may very well have to develop some kind of a flow for the cars because I dont know how it is where you are now but this site there are other businesses near by and we had a complaint with the previous tenant of people blocking the access in and out of those businesses, and they had set up like a round about so that the cars could go in and out, so its a little different even though you are a lot less students its a little different , its a lot more intense with vehicles picking up and dropping off.

**Debbie Kenyon;** With where they were last year the children that was a car line so you had to wait in line for children to be put into the car seats and taken out so it took a little bit longer but what we do is , It goes very smoothly, and we will have a direction for the bus and we only have one bus right now.

**John Higgins:** Ok, well you just have to be concerned about cars backing up onto the road because your so close to route 9 , they were having problems where the cars were actually backing up onto route 9 so you have to be aware of that.

**Rich Berkowitz:** Right now you are in the same park with the same number of students and there hasn't been any trouble.

**Debbie Kenyon:** No, and four years we have been good

**Rich Berkowitz:** I make a motion to Approve Mother Teresa change of Use/Tenant and Sign. Marcel Nadeau seconded. Motion Carried.

**Rich Berkowitz:** Have we seen the sign yet?

**Don Roberts:** We have its the blue one right there, its in our packets

**Rich Berkowitz:** You're just replacing your blue sign

**Debbie Kenyon:** Yes

*Rich Berkowitz made a motion to Approve Mother Teresa change of Use/Tenant and Sign. Marcel Nadeau seconded. Motion Carried.*

**Debbie Kenyon:** Thank you very much.

**Don Roberts:** Your welcome and dont forget you are in Halfmoon

#### **18.024      Mama's Express Family Pizza, 77 Dunsbach Road - Site Plan**

**Ed Esposito:** Hi I'm Ed Esposito I'm helping Zamari Nemati, Its a unique application, he had some work done, he repaved, resurfaced all new the parking had the septic redone, took the initiative to build this cute little patio he didnt know he needed site plan so we are before you , its a late entry , we got an email from Rich requiring the Town standard for protective bollards because the handicapped parking is in front of this little square of patio as reflected in the photo so we quickly agreed to that we re-issued the plan with the note and sent it with the proposed four bollards at the four foot on center requirement. We dont know if you heard back from County , I dont know he has been just trying to get a good nights sleep knowing

**Richard Harris:** Oh, I should have talked to him, we did hear back from County they said no impact on inter-municipal or county wide so this is eligible for a vote tonight if the Board deems

**Ed Esposito:** So the plan stands we are looking at an approval just to allow him to continued use of the patio, there is no other change he has been there for years, we all know it and love it.

**Don Roberts:** Thank you, questions by the Board?

*Tom Koval made a Negative Declaration Pursuant to SEQR. Marcel Nadeau seconded. Motion Carried.*

*Tom Koval made a Motion to Approve Mama's Express Family Pizza Site Plan Application. Marcel Nadeau seconded. Motion Carried.*

**18.044      25 Route 146 Duplex, 25 Route 146 - Site Plan**

**David Vadney:** Hi Im David Vadney and I'm here with 25 route 146 Duplex proposal, change of use to a duplex.

**Lyn Murphy:** Can you explain where it is?

**David Vadney:** Its on 25 route 146

**Don Roberts:** Do you want to explain again what you want to do?

**David Vadney:** I want to change it from commercial to a non conforming use to a duplex.

**Rich Berkowitz:** How do you plan on doing that?

**David Vadney:** Basically just putting a fire wall between the two and modifying it.

**Rich Berkowitz:** You're adding on to the house?

**David Vadney:** Existing footprint, we're staying with the existing footprint.

**John Higgins:** Are you increasing the size of the second floor?

**David Vadney:** We are not.

**John Higgins:** The write up says that you are going to add approximately a 1000 feet to the second floor is that not correct?

**David Vadney:** It is correct sorry didnt understand we are not adding to the footprint

**John Higgins:** Yea but you are adding to the square footage with the second floor.

**Don Roberts:** So this application doesnt meet the Town Code so we need to deny this and you have to go to the Zoning Board of Appeals for a variance.

*Rich Berkowitz made a Motion to Deny 25 Route 146 Site Plan. Tom Koval seconded. Motion Carried.*

**18.019      Sprint/DO Macro Upgrade, 7 Vosburgh Road - Site Plan (Co-Location)**

**Ray Perry:** Good evening I'm Ray Perry representing Sprint on their applications, we are looking to add three antenna's to the configuration and six remote radio heads to be installed behind the antenna's there's currently three antenna's there now and six remote radio heads with Rory's so there will be a total of six antenna's, and 12 RRH's.

**Don Roberts:** No change in height?

**Ray Perry:** No change in height no change in ground space, just adding the antenna's on and one cable .

**Don Roberts:** Ok, questions?

**Rich Berkowitz:** Now new information has come to light where we don't need to have a public hearing on this?

**Lyn Murphy:** That's correct you have the authority to ask for one but the statute says may have a public hearing, the idea being if there isn't a visual impact they are not raising it or expanding the footprint you want to encourage that so you don't have to have a public hearing under those circumstances.

**Rich Berkowitz:** Ok good

**Don Roberts:** Any other questions by the Board?

*Rich Berkowitz made a Motion to Approve Sprint Macro Upgrades Site Plan. Tom Ruchlicki seconded. Motion Carried.*

**Ray Perry:** Thank you, have a good night.

#### **18.035      Sprint/DO Macro Upgrade, 47 Clamsteam Road - Site Plan (Co-Location)**

The applicant failed to appear before the Board.

#### **Old Business:**

#### **17.170      Halfmoon Self Storage, Rt. 146 & Farm to Market Road - PDD Recommendation**

*Tom Ruchlicki recused himself.*

**Jeff Williams:** Good evening Jeff Williams , Bruce Tanski Construction I'm here with Mr. Bruce Tanski and Mr. Eric Tanski who are the principals behind the project, The Halfmoon Storage Center PDD. We were here in front of the Board last , the last Board meeting we held a public information meeting from that meeting a couple questions came up that I would like to address but just to remind everyone there is an existing 2 parcels that lie between Farm to Market road and Route 146 close to the Route 146 and Farm to Market intersection on the East side of the Town the two parcels add up to 16.68 acres , its zoned agricultural -residential at this time. We are proposing to reconfigure the lots by a lot line adjustment in the future to propose a self storage pdd one parcel will be 9.94 acres on the eastern most part of the site , that consists of 48,000 sq ft of self storage buildings there are 8 buildings total. The sizes range between 3,600 sq ft and 8,800 sq ft and there will be a total of 312 storage units along with one office to manage the site. On the western side of the site there will be a 6.63 acre parcel , that will be used for flex space so there will be 9 6,000 sq ft buildings each one of those buildings will have 4 bays , each bay will be 1,500 sq ft , the bays will have an entrance door and a garage service door to each bay. At the last meeting we talked about parking we provided the

Town and the Engineers with an additional parking scheme, I think we showed 64 parking spaces I believe that satisfied Clough Harbor doing their review and then a second set of questions that came up were the proposed uses that were going to happen on the flex space side of the PDD, and we did submit a letter to the Town kind of explaining what our vision of uses may be in there I think some of the stronger points were some of the things we would prohibit which is of course outdoor storage there will be no outdoor storage permitted there will be no type of use where clients or customers would need to visit the site , not to create any in and out traffic of any sort , no retail from the site , some of the uses that we do see are may be warehousing of product or material for wholesale possibly craftsman and professional services that want to store their tools or possibly even manufacture certain things that they want to bring to their construction sites. A possible hobby enthusiast is another use, or need a lot of room to store their possessions, something like a vintage car restorer. Other than that we've talked about we've had a landscaping plan that we've showed, we've showed an extensive plantings along Farm to Market road, along with further plantings on all the frontage of the buildings proposed buildings that are facing route 146, its a long width of existing hedgerows that are already in tact and will remain, there is also a 100 ft buffer off of 146, a 100 ft setback off of 146 if you agree with that. We talked about the Towns, the public benefit to the Town, at this point we believe that the Town has a desire of improving the route 146, route 236 corridor they have a plan in place , we are proposing to contribute to that its \$1,500.00 per edu derived from the proposed uses from our proposed pdd, that would be in addition to the required GEIS mitigation fees that will be prescribed during site plan. Once again we've held a public informational meeting, we have a January letter from Clough Harbor, signed off on the concept plan, we're here tonight in hopes of gaining a recommendation for the proposed pdd in order to progress the project back to the Town Board for pdd legislation then in hopeful return to come back to this Board for site plan review. Thank you.

**Don Roberts:** Thank you Jeff, what are these buildings going to look like?

**Jeff Williams:** I think, did anyone give you a rendition?

**Richard Harris:** Yea there was a recent drawing????

**Jeff Williams:** We do have a typical rendering of what our self storage building would be I think where you kind of see everywhere, and then the flex space buildings will be similar to this material but also will look like the Carol Jean storage building that we put up, we are planning on trying to make it, put a cupola on top of that, each building with that type of siding, the metal siding, metal roofs.

**Don Roberts:** Questions from the Board?

**Mike Ziobrowski:** So when we went over the letter it says the possibility with the workers themselves will be able to craft their product at the site or store their materials and tools inside the buildings, so do you foresee like a mill worker doing cabinetry inside one of these storage units or something of that nature?

**Jeff Williams:** That would be a possibility, one of the uses that we found, we have a mason who wants to do cement countertops, its the new big thing possibly building his forms inside, pouring the cement, pouring the countertop inside and then taking it away and install it.

**Mike Ziobrowski:** What are the hours of use for the facility then?

**Jeff Williams:** I would say typical business hours, we won't get into that once again we will be in front of this Board for every change of Tenant, we will bring those uses in with the hours of

operation, I don't want to handcuff myself with the possibility of a business coming in with odd hours or something, the Board can review it at that time.

**Mike Ziobrowski:** There are residents across the street now?

**Jeff Williams:** There are along Farm to Market road and there are some across from 146 yes.

**Mike Ziobrowski:** Right, ok.

**John Higgins:** Now the designated parking spaces will only be during the day when the park is open?

**Jeff Williams:** That's right we don't want any outdoor storage, we don't want any cars left over at night, I think when we get to site plan I would like to talk to the Board we still have to think about it a little bit, 64 parking spaces is a vast amount of parking I believe I think it will encourage outdoor storage at some point so I just want to kind of maybe land-bank some of that at some point but I will bring that up for discussion at a later date.

**John Higgins:** Thank you

**Tom Koval:** The issue I have with this project is not the self storage because I understand they're allowed in the zoning that is there currently C1, the issue I have is with the warehousing and the height of the buildings that we are going to end up with, being that's a corridor into the Town coming up the hill your going to be looking at these large tin buildings, I don't like the idea of self storage right in the middle of our face but obviously I can't comment on that because it's allowed

**Lyn Murphy:** It's not allowed, it's allowed in a C-1 they were saying but this is A-R.

**Tom Koval:** This is still AR ok, I was under the impression it was already

**Richard Harris:** We are looking at it and the Town Board is considering it

**Tom Koval:** Ok, so I don't think this is the best fit for that parcel of land with houses on one side your new housing development going in behind it, its coming down 146, or coming up 146 now your looking at a property that is loaded with tin buildings which gives it a very industrial, Town of Halfmoon is based on a community of farmers and that's what we have always been trying to maintain is still the small farm community and now we're going to make it look like railroad avenue coming into town, now I understand these are decent looking buildings but its not really the face that I want to put on the gateway to our Town, so I just don't think it's a good fit on that parcel, there are plenty of other parcels where it's out of site and I wouldn't have an issue with it, but this isn't one of them.

**Marcel Nadeau:** Lyn if you could correct me, your saying that whole area is A-R not C-1 right?

**Lyn Murphy:** Correct, what we were talking about at the pre-meeting is the Town Board is actively looking at all the groups that have been meeting about the zoning changes are recommending that that whole corridor be zoned C-1, it is currently A-R.

**Marcel Nadeau:** This whole site is A-R

**Lyn Murphy:** Correct

**Don Roberts:** Which I believe that is why it's a PDD application right?

**Lyn Murphy:** Absolutely, that's exactly why but there was some confusing conversation because we were saying, I'm literally working on changing the legislation as we sit here today to make that whole corridor C-1 as it abuts route 9, so at that point the...

**Tom Koval:** But even C-1 is self storage units, then we are getting into light manufacturing so once we are looking to change to a more industrial for lack of a better word, look to that piece of property, it's a nice piece of property and it is in a nice piece of town and you are doing a nice project behind it and I just don't see it fitting with everything you are doing, you've done a good job keeping that in the town with us and I don't think this fits with it, you're doing a nice, I understand your office building going up the road and that looks good where it is but I just don't have good feelings about this.

**Bruce Tanski:** And I respect what you are saying and that's why my intent was to put these buildings up and put brick fronts half way up and put cupolas on them and you know put some fencing around them and some landscaping, I don't know what else to do there, we couldn't put single family homes there and I do have a tremendous, a lot of people that need a place for storage, I've got Frito Lay potato chips looking for a place, I got a guy that wants to do counter tops I got another guy that wants all his stuff inside you know storage and different things like that you know so I'm aware of your concerns and next door you've got a warehouse anyways contiguous to this piece of property so I want mine to look more rural than what you got next door, next door you got a real industrial building, you know what I mean with a

**Tom Koval:** I do yea, and my concern is adding a lot more of them

**Bruce Tanski:** My intent is to make these buildings look, I think if you look at one on Cemetery road that we did, I really want to do these buildings out of wood so I can put a nice siding on them, these are not going to be metal buildings, my plan is to do a building like what's on Carol Jean Estates but make them out of wood, make them look nice make them look colorful and put landscaping on and black top them and do the job that I've always done in this town I mean take a look at my gas station I think I'm the only gas station in Halfmoon that has flowers in front of it so that's my intent and I do respect what you are saying but I don't know what else to do there and like I said I can't put single family homes there I don't think I would want to put town houses there because of the traffic and the noise and that's why, and I do respect what you are saying and believe me nobody is more aware of that than I am, I even would like to put a berm along Farm to Market road and put some shrubs or trees on that berm so that you just don't see it and if you drive by that place in the summer, the spring, summer and the fall the growth along 146 is pretty high so.

**Tom Koval:** Well the depiction you showed us of the buildings is basically a butler building

**Bruce Tanski:** Right, right but it is going to be out of wood, you know what I mean it's going to have siding on it, it's going to be out of wood.

**Tom Koval:** So can we hold off on this until we have a better depiction we also still have light manufacturing that just doesn't fit into any of the zones, even the potential C-1 zoning.

**Bruce Tanski:** Well I'd like to not at least I really would like to not hold off on it because I've got bank financing predicated on this and you know you're in business, I've got a whole bunch of things that are predicated on this.

**Tom Koval:** I'm not looking to cost you money I want to make sure we have the best possible solution for that piece of property.

**Bruce Tanski:** In other words I own the property and I've been doing this now for 40 years now just like you guys have been in business I don't foresee anything else going there, I mean if this becomes C-1 and somebody wants to come in with a building like this contiguous to mine there is really no way that the Town could stop it and that's not what I'm after I'm after to like I said I have to be cognizant of the people that are living on the other side of the street so my brother and I want to do, we've always done a good job.

**Tom Koval:** I don't know how to move forward with this maybe because I'm new to this, fairly new to this, how do we assure, if we approve this today how do we assure it's going to be a decent looking building I mean yes I have your word but

**Don Roberts:** Tom this has to come back to us anyway it is just a recommendation to the Town Board

**Rich Berkowitz:** And also they come back to us

**Don Roberts:** And then whatever they do if they approve it, it will come back to us

**Tom Koval:** And we will have to approve all of the tenants in there.

**Bruce Tanski:** Tom you've got Mr. C's across the street, my point is I'd like the Board to at least recognize my track record in the past

**Tom Koval:** I do

**Bruce Tanski:** And if anybody has a concern I'll change if whatever this Board wants I will do it and you can put that on record, if you're not happy with the color we will change it

**Rich Berkowitz:** Tom I also see this as a transition going into the tunnel from more industrial to more commercial to more residential

**Mike Ziobrowski:** My biggest issue is the noise if there is someone doing light industrial work inside one of these storage units at 11:00 at night

**Bruce Tanski:** No one is going to be doing that Sir, I'm not going to allow that

**Mike Ziobrowski:** Ok so we asked what time can we be assured

**Don Roberts:** That will come back, if this goes forward that will come back

**Mike Ziobrowski:** Ok fair enough

**Don Roberts:** Just because, if we give a positive recommendation that is not the end of it the Town Board rules on it, it gets back to us and we rule on each individual tenant that comes in there.

**Richard Harris:** And even before that, Don if I can interrupt, they have to come back for Site Plan approval of the site and I think you mentioned you are going to build a few at a time.

**Bruce Tanski:** Yea I am going to build two buildings

**Richard Harris:** But I think that possibly if you are going to make a recommendation to the Town Board can I suggest some of the elements you brought up regarding design of the building, I know we don't have anything specific in our code of architectural standards but I think some of the

suggestions that the applicant suggested tonight I think would be good to maybe address some of the concerns you have.

**Don Roberts:** And I hope your right and I also think that there are some concerns about the proposed uses as well

**Richard Harris:** It's definitely coming back

**Don Roberts:** If you have concerns you dont want to see go there if there are something you don't want to see go there tell them while they are standing in front of us you know.

**Bruce Tanski:** I dont even want people to leave their cars there overnight , there will be no outside storage at all I mean I patrol my townhouses I dont even let people park in the road at night or park on the road at all we put sticky stuff on the windows and we call a tow truck so you know I just think that I would like the planning board to at least look at my track record and what we've done and I will not disappoint anybody and I will go on record for that

**Rich Berkowitz:** You mentioned for the first time this would be burmed on the Farm to Market side?

**Bruce Tanski:** On Farm to Market road

**Rich Berkowitz:** This would it be burmed a little on the 146 along with vegetation for screening?

**Bruce Tanski:** No we can't because of the wetlands.

**Rich Berkowitz:** But it would be screened by some trees?

**Bruce Tanski:** There is a whole mess of shrubs and stuff, planning, it's all wild stuff.

**Don Roberts:** Eric you keep bouncing up here do you want to say something

**Eric Tanski:** Eric Tanski, we are going to add maples and white pines and some dog wood trees, it will be, and maple trees grow very fast.

**Richard Harris:** I think on this drawing, is it correct to say this is what landscaping you're proposing here, here, here, here, here and along here?

**Bruce Tanski:** Yes.

**Richard Harris:** This stuff exists your saying right?

**Eric Tanski:** Correct

**Richard Harris:** Yea and also for clarification, so here is Santoro warehouse here, Mechanicville is this way, your coming up these are the self storage facilities that if C-1 was approved would be allowed this is the warehouse with the idea of tenants that obviously would have to come back for approval but, its these buildings here.

**Eric Tanski:** Correct, and Farm to Market road will be burmed the whole length, so trees will be on the burm.

**John Higgins:** One of the neighbors that you bought the property from expressed concerns regarding the industrial buildings.

**Bruce Tanski:** There is not going to be any automotive repairs

**John Higgins:** It's more than just automotive repairs

**Don Roberts:** But John once again we're not worried about that right now, we can deny that at a later date if we don't like it

**Bruce Tanski:** I mean if a machine shop wants to come in there and work half the time we're not going to have that.

**Marcel Nadeau:** But Don I think what John is saying is we need to make the Town Board aware of what Bruce is possibly going to do

**Don Roberts:** Right and that's what I said earlier we should make that known

**Bruce Tanski:** Every single tenant that comes in would have to come in front of this Board?

**Richard Harris:** I just want to clarify, not open a huge can of worms, but the applicant asked for a light industrial commercial PDD, and even though the Board has approval to see change of tenants down the road LIC opens up a whole list of uses I think the types of uses you're concerned about the applicant is assuring he is not going to do but this property could get sold in the future or something else and the LIC zoning isn't there and you're seeing a change of tenant that is something that you have a concern about I don't know the leeway.

**Lyn Murphy:** We would have to write the PDD including the things he says he is not going to do so not give it just a general LIC just say with these prohibitions.

**Jeff Williams:** Then I think when we said light industrial commercial I think we had warehousing in mind, I know it's not allowed in the C-1 but these buildings are kind of built for that type of use and also as we mentioned there is assembly of product I believe on site that is allowed in the light industrial commercial too.

**Marcel Nadeau:** But Lyn if we allow light industrial use how do you differentiate between the different uses that somebody wants to do at a later date.

**Lyn Murphy:** What I could do if the Town Board wants it done is put in all of these qualifications in the PDD itself so not to say that it is rezoned a light industrial commercial, say that we are allowing x, y, z period.

**Bruce Tanski:** And if we have to come back in front of the Board that's a decision the Board can make.

**Marcel Nadeau:** Well what I'm concerned with once we give you the approval of light industrial it's light industrial, in fairness to you that gives you the rights to light industrial.

**Bruce Tanski:** Right but like the Town Attorney said we can put it in the PDD if these things aren't, these are basically going to be storage units that's the premise we are working on

**Don Roberts:** See there was also concerns Bruce about someone doing their work outside making noise that would be important to include.

**Bruce Tanski:** Mr. Chairman I dont even let my tenants change their tires outside my apartments If I catch them I tell them they can't do it.

**John Higgins:** We also have to look at Kennedy Lane do you know what's happened up there and continues to happen up there.

**Bruce Tanski:** I have nothing to do with that

**John Higgins:** Well you built it.

**Bruce Tanski:** I built it and sold it to my brother in law

**John Higgins:** Ok, well

**Bruce Tanski:** And I've been on his case and I think he has done a lot better job than when he first started out, so I mean.

**Tom Koval:** The Board could probably answer me, or Lyn could answer me. So you are putting in self storage units which obviously your rent to somebody different all of the time so we dont ever get a chance to approve any change of tenant but on the other buildings if there any possibility that you could start saying they are self storage and we dont get to approve?

**Bruce Tanski:** No, no I made the statement that we will come back every tenant if the guy wants to store , If a guy wants to store potato chips in there you going to say yea or nay.

**Tom Koval:** Ok, and then you did have auto repair or hobbyist or something

**Bruce Tanski:** If I've got a friend of mine that has an antique car and he wants, if his wife is on his case to get it out of her garage she can park there, he wants to rent a space so he can work in his antique car and take it to auto shows in the garage, not outside, inside. I mean he is gonna pay me a pretty good dollar

**Tom Koval:** He'll have to come in front of us as a change of tenant that's not going to be just renting him a garage bay.

**Bruce Tanski:** I am not going to rent to anybody unless they come here

**Tom Koval:** Ok

**Lyn Murphy:** I just want to be more clear on the record, you are going to rent to self storage people because those aren't change of tenants that's what the self-storage is you're talking about manufacturing in other parts

**Bruce Tanski:** Right, right, if somebody, that's a good point, if somebody wants to come in and store his grandmother's furniture do I have to come in to a change of tenant?

**Lyn Murphy:** No

**Bruce Tanski:** Ok if somebody wants to come in there and build cabinets ok and take them to a job then I have to come back?

**Lyn Murphy:** I think it would help me in proposing legislation if I understood in my mind these are two different organizations, one is self-storage, you are not doing car repairs in a self-storage, and you are going to do that on the other side

**Bruce Tanski:** Right

**Lyn Murphy:** So those are very clear definitions, certain buildings, any buildings can change in any of the manufacturer, I don't know how to refer to it at this time, those would need the flex, the flex unit, that would be the change of tenant, but self-storage is self-storage period.

**Tom Koval:** What is the maximum size of your self storage?

**Bruce Tanski:** They are all 1,500 ft.

**Tom Koval:** The self storage units?

**Bruce Tanski:** Eric is here go ahead.

**Eric Tanski:** They are 10 x 10's, 10 x 15's, 10 x 20's, 10 X 25's, 10 X 30's

**Don Roberts:** And again for the self-storage that's all it is storage, no business going on in there no construction nothing.

**Eric Tanski:** No, no

**Tom Koval:** The maximum we will allow to be called self storage is 300 sq ft. 10 x 30 is what you're saying?

**Eric Tanski:** Yes that is correct

**Tom Koval:** Ok

**John Higgins:** Self storage is for personal items no business items at all

**Tom Koval:** It doesn't matter but the maximum sq ft, because anybody can rent a self storage unit anywhere and I could rent one and go put wire nuts in it that doesn't matter I'm not operating my business out of it.

**Eric Tanski:** When I built Capital Storage 15 years ago we had 350 units there was never an issue with people, they will just bring a car in and park it and put it inside or take it out for a day, furniture, grandmothers furniture, you know dressers and kitchen sets and stuff like that but absolutely no businesses nothing like that.

**Tom Koval:** Do your self storage units have electricity inside?

**Eric Tanski:** No it is all cold storage

**Tom Koval:** Ok so any of the units on this property with electricity in them exceeding 300 sq ft are going to be considered flex space and not self storage?

**Eric Tanski:** Yes that is correct

**Tom Koval:** Ok.

**Don Roberts:** Anyone else?

*Rich Berkowitz made a Positive recommendation for the Halfmoon Self Storage PDD. Tom Koval seconded. Motion Carried.*

**Don Roberts:** Thank you.

**Eric Tanski:** Thank you so much Board.

**18.027.18.028**      **American Promotional LLC, 1549 Rt. 9 (Wal-Mart) - Change of Use/Tenant & Sign (Fireworks)**

**Chris Lateracco:** Chris Lateracco, Hampton Connecticut just we are applying again for temporary tent for the sale of fireworks at Wal-Mart, pretty much everything that Keystone said, kind of consistent

**Don Roberts:** For the record you've got to say it, when do you plan on opening?

**Chris Lateracco:** When we plan on opening would be if everything goes well probably around the 23rd

**Don Roberts:** And closing when July?

**Chris Lateracco:** July 5th cause it will be a Thursday

**Don Roberts:** Hours of operation will be?

**Chris Lateracco:** 9 to 9, 10 to 10.

**Don Roberts:** One employee again for this one or what?

**Chris Lateracco:** Depends, sometimes there is one sometimes there is two, we usually at the end there is going to be two or three people cause thats when it's busy.

**Don Roberts:** Anyone else?

**Mike Ziobrowski:** You'll have an exit sign on the tent?

**Chris Lateracco:** Oh yea it's code, you have to have two, I believe in New York you have to have two so.

**Mike Ziobrowski:** Good, thank you.

*Rich Berkowitz made a Motion to Approve American Promotional LLC Change of Use/Tenant application. Tom Koval seconded. Motion Carried.*

**8.031**      **Wal-Mart Seasonal Outside Storage, 1549 Rt. 9 - Change of Use/Tenant (Seasonal)**

**Nicholas Burn:** Good evening I'm Nicholas Burn representing Wal-Mart this evening; we are requesting our annual permit for outside storage of plants and bag soil.

**Don Roberts:** Is this March 30th to September 30th also do you think?

**Nicholas Burn:** I believe we requested for April 1st until the end of July.

**Don Roberts:** Ok, April 1st until July 31st?

**Nicholas Burn:** That was the impression I was given, I was also a last minute substitute

**Don Roberts:** Ok, your doing good

**Mike Ziobrowski:** It says March 1st through August 1st

**Don Roberts:** So you might want to make it that.

**Nicholas Burn:** Ok, sounds good.

**Don Roberts:** Just to make you look better you know.

**Nicholas Burn:** Ok, it's March 1st

**Don Roberts:** March, ok, questions.

***Tom Koval made a Motion to Approve Wal-Mart's Seasonal outside Change of Use/Tenant application. Marcel Nadeau seconded. Motion Carried.***

**Nicholas Burn:** Thank you have a good night.

**Don Roberts:** You too.

**Don Roberts:** And we will go back to the one that wasn't here which was Sprint CO Location and obviously they are not here either now so.

***Rich Berkowitz made a Motion to Adjourn the Planning Board Meeting. John Higgins seconded. Meeting Adjourned.***