

**MINUTES MEETING  
Town of Halfmoon Planning Board, 2018  
April 9, 2018**

**Those present at the April 9, 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

**Planning Board Alternates:**

Mike Ziobrowski-absent

**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 26, 2018 Planning Board Minutes. John Higgins seconded. Minutes Approved.*

*Tom Werner recused himself from the minutes vote.*

**New Business:**

**18.038      Halfmoon Executive Park Sign, 1524 Route 9 - Sign**

**Don Roberts:** Please come up and state your name and address and what you will be proposing on doing and we will take it from there.

**Louis Morrison:** My name is Louis Morrison, and we are proposing to replace the sign that is presently there at Halfmoon Executive Park , its been there 25 years.

**Don Roberts:** And you are actually lowering it in height right?

**Louis Morrison:** Yes, yes

**Don Roberts:** I'll help you out a bit , I believe it was 19 feet and now your asking for 16.7 right?

**Louis Morrison:** Yes but I cant find the piece of paper with all that

**Don Robert:** Its ok , so it was 19 feet now your lowering it to 16.7

**Louis Morrison:** Exactly

**Don Roberts:** And that includes a planter on the bottom?

**Louis Morrison:** Yes

**Don Roberts:** Ok, and as you know our ordinance has changed you know so the maximum now is 16 but since this is a pre-existing we are looking at it a little bit differently, so any questions by the Board?

**Louis Morrison:** Thank you

*Marcel Nadeau made a motion to Approve the Sign application for Halfmoon Executive Park. Tom Werner seconded. Motion Carried.*

**Don Roberts:** And that is because of the pre-existing nature of the sign , if this was a new sign we wouldnt be allowing this height most likely but since it is pre-existing, right Lyn?

**Lyn Murphy:** Yes the Board in the past has held, that because your making it more conforming to our current standards we would allow for change even though it isn't to code today.

**Louis Morrison:** Ok, thank you.

**Don Roberts:** All set.

**18.049        Head Games Sign, 215 Guideboard Road (Country Dollar Plaza) - Sign**

No show

**18.050/18.051        DiSiena Garden Center, 1470 Rt. 9 - Change of Use/Tenant & Sign**

**David DiSiena:** David DiSiena of 1470 route 9, we're just proposing to rent the old R&K Nursery which closed this past fall and just using it for the same purpose, no physical alterations to the property at all.

**Don Roberts:** You are just going to change the sign to your

**David DiSiena:** Yea where R&K Nursery is it would just say DiSiena Garden Center, same size no change in the dimension of the sign.

**Don Roberts:** Ok, thank you, questions from the Board?

*Rich Berkowitz made a Motion to Approve DiSiena Garden Centers Change of Use/Tenant & Sign application. Marcel Nadeau seconded Motion Carried.*

**David DiSiena:** Thank you.

**Don Roberts:** All set.

**18.048/18.054      McDonalds Remodel, 1487 Route 9 - Site Plan & Sign**

*Tom Koval recused himself*

**Laura Monagan:** Good evening Laura Monagan with Boehler Engineering, I'm here representing McDonalds we're looking to remodel the existing McDonalds restaurant it does have a play place located on route 9 , this is very similar to the other McDonalds that was approved last year at Exit 8 , the building footprint will remain exactly the same , the access to route 9 as well as route 236 will remain the same for motoring traffic the pre-existing parking spaces will stay as they are today, we'll upgrade the parking lot to have new improved ADA parking spaces, all the sidewalks and entrances to the building will also be ADA compliant. We will be replacing menu boards with new menu boards, new order points and a new clearance bar. The building itself will be getting a facelift with some new building signage , the building signage itself will be reduced in overall sq footage with rearranging the signs as they sit on the building. The Play Place sign will be relocated from where it is on the front facade to the side facade as you can see on that image. There will still be the two golden arch logos one on the front one on the side and we're adding that McDonalds word mark to the front as well.

**Don Roberts:** Now you said this is going to be somewhere in design to the one designed on exit 8?

**Laura Monagan:** Yes very similar except for this one does have the Play Place.

**Don Roberts:** That came out very nice I must say

**Laura Monagan:** I thought so too

**Marcel Nadeau:** The square footage is the same?

**Laura Monagan:** The square footage is the same yup.

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

**Laura Monagan:** Oh yes this one will keep the single lane drive through unlike the one at exit 8 that added the dual lane so we will maintain the single lane drive thru as it is today.

**Don Roberts:** Ok, any questions? (no comments) Ok we will give this to Clough Harbor for review , Fire and County right , ok we will get back to you , thank you.

**Laura Monagan:** Thank you.

**Old Business:**

**17.194      Route 9 Self-Storage, 1751 Route 9 Rear - Site Plan**

*Lyn Murphy recused herself*

**Jason Dell:** Good evening my name is Jason Dell I'm an engineer with Lansing Engineering here on behalf of the applicant for the Route 9 Self Storage project. Last we were before the Board was a few months back we were here for the lot line adjustment if you recall , for the project and we are back this evening for the site plan end of things. The project site is located immediately east of the Laketa that was recently constructed, the site encompasses a little over 5 acres about 5.1 acres and is zoned as part of the C-1 zoning district and for the project the applicant is proposing to construct two self storage buildings for a total of 98 units, access into the facility will be from an existing private drive coming off of route 9 near the Laketa around and back to where it will service the storage units. All this storage units will be accessed from the exterior of the building there will

be no external storage of materials on site or equipment, now there will be a security fence around the outside of the facility with a gate in the front, at this time there are no proposals to extend water and or sewer service back into these buildings as there not to be occupied space but just to be storage for larger equipment for boats , rv's that sort of thing and stormwater will be managed onsite in accordance with all requirements. The detailed engineering plans have been submitted to CHA for their review, we have received comments and responded to those technical comments, at this point the one remaining technical comment still outstanding would be the submittal of the geo tech report which we are currently waiting for, and we are here this evening to answer any further questions that you folks may have in the hopes of moving the project forward to an approval.

**Don Roberts:** Ok, thank you Jason, first of all we received a letter from an adjoining owner, Rich would you read it into the record please.

**Richard Harris:** Dated April 5, 2018 From Karen Gazda , 6 Chelsea Place.

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Law Office of  
**KAREN M. GAZDA**  
6 Chelsea Place  
Clifton Park, New York 12065

April 5, 2018

Planning Board  
Town of Halfmoon  
One Halfmoon Town Plaza  
Halfmoon, NY 12065

Re: Casale Route 9 Storage Project Opposition

Dear Planning Board Members:

As the owner of 6 and 4 Chelsea Place I am directly affected by this project. To protect the interest of our tenants and businesses we oppose this project as it is proposed. We recommend the following issues be addressed:

All storage must be contained within the buildings. No outside storage.

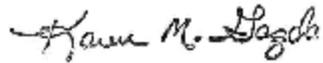
Only the storage business is allowed. RV washing, mattress sales, auto parts, equipment sales, equipment rentals, boat sales, auto repair and all other businesses are prohibited.

A 25 feet buffer with adequate plantings must be in place along the southern and western boundaries near the Gazda and Belmonte properties to shield the view of the storage facility. A chain link fence is not acceptable. Mr. Casale removed all vegetation along our property line to build his hotel disregarding the town approved site plans. Per the plans Mr. Casale supplied us, he was instructed to plant spruce trees along our property line. To date he has not complied with the requirement. Mr. Casale should not receive a certificate of occupancy until the proposed storage project buffer and plantings are completed.

The elevations along our property line and Belmonte's property line should remain. Changing the elevations will require removal of the existing mature trees and give us a direct view of the storage project. The adverse sight and sound of the storage project will directly impact our ability to retain tenants.

Thank you for your consideration in this matter.

Very truly yours,



Karen M. Gazda

KMG:tij

**Richard Harris:** We also received an email this afternoon from Peter Belmonte:

**Paul Marlow - Casale Storage facility**

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**From:** Peter Belmonte <peter@belmontebuilders.com>  
**To:** 'Paul Marlow' <pmarlow@townofhalfmoon.org>  
**Date:** 4/9/2018 4:37 PM  
**Subject:** Casale Storage facility  
**CC:** "Richard M. Harris (rharris@townofhalfmoon.org)" <rharris@townofhalfmoon.org>

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Rich, Paul and the board,

I'm reaching out to the Town of Halfmoon in the form of a letter today in order to clarify my position regarding the proposed Casale Storage facility located on Rt.9 in the town of Halfmoon along with share with the town concerns I have and understandings/agreement Mr. Casale and I have put in place.

After seeing the final proposed plans last week I have a few thoughts and/or concerns:

1. The project, this land is owned by Tony Casale and in my opinion it's his right to do as he wished with it as long as his requested use is within the allowed zoning for the town.
2. Chain link fence, personally I dislike chain link fences and prefer to not have a chain link fence as a divider between his property and mine.
  - a. Tony and I have discussed this, he has offered and we have agreed to an alternate type of fence, an earth tone vinyl fence, something much more esthetically pleasing than chain link.
3. Location of the fence, having a fence on or close to the property line leaves little opportunity for a buffer space between the two properties or any type of vegetation.
  - a. Tony and I had meet today, Tony has offered the planning of trees and vegetation along the southern side of the fence providing an esthetic buffer to the fence, and I'm ok and agree with his offer.
4. Grading of the hill side, a grading easement on our property will be required in order to allow for the grading of the hillside as depicted on the plan, the truth being known in the long run grading of our site is going to be required in order for us to construct on our site, if Tony's project is approval as planned by the board I'm confident Tony and I will work out the detail of such an agreement.
5. Future road way, it's always been my understanding that the town has desired interconnection between commercial sites, the loss of the opportunity to do this in this very situation is a shame. I can easily see the extension of Chelsea Park through the Casale site and on through to the Amedore site to the north improving the commercial traffic flow along with proving the town added commercial frontage along this new roadway providing additional opportunity for added tax base in the town. It's a shame the town does not have a traffic/master road plan for this particular area/roadway, it's a near opportunity to create something so useful and by not securing it here it is lost forever.

Thanks you for listening to me and my thoughts.

Sincerely Pete Belmonte

**Richard Harris:** We did also receive a letter from the school district but it was subsequently rescinded regarding the project.

**Don Roberts:** Ok, thank you Rich, now I'm assuming you didnt have a chance to see this letter did you?

**Jason Dell:** The first letter that Rich had read through I did review that I took a look at that

**Don Roberts:** Can you comment on that?

**Jason Dell:** Yes , we are not proposing any outside storage , we can put a note on the plan to that affect, as far as the vegetated buffer this is the most recent aerial photo thats on the New York State GIES clearing house, you can see you know this is the hotel as its currently constructed, you know here are the existing trees that are along there now, you know as far as the site plan and getting a c/o for that project over in Clifton park you know I'm not aware of any additional trees that they needed to plant in order to get their c/o over there so I really cant comment on that end of things I do believe that Mr. Casale if he's already agreed to do the vinyl fence along here that he would be willing to extend that a little bit further and provide them with a more aesthetically pleasing buffer to their project you know in the vinyl fence as opposed to the chain link fence.

**Don Roberts:** I think the vinyl fence should go all the way around not just where Peter's property is

**Jason Dell:** Understood, there may be some difficulty up here where the gate is but we can certainly work through that with respect to the type of fence.

**Don Roberts:** Now also the lady that wrote the letter her property, you know where that is?

**Jason Dell:** Right here

**Don Roberts:** Are you planning any additional buffering on that area or no?

**Jason Dell:** No that property comes over and comes down right here there is this little tiny wedge or square thats right here that I believe they own as well, we've actually got a retaining wall that comes around through there, so this point right here the elevation change between our parking area or our access road around versus the parking lot here for this building ranges you know from ten feet and up as you climb up the parking lot here so its substantially lower than their parking lot here so this retaining wall would be here and then we would have a fence on the top of that which would help to buffer the two projects.

**Don Roberts:** How high would your structures be?

**Jason Dell:** Right now the way it is currently designed we are about ten feet high those retaining walls right there in the corner.

**Don Roberts:** The buildings, how high will the buildings be?

**Jason Dell:** Off of the top of my head I do not recall the exact height but lower than what code allows

**Don Roberts:** I'm just wondering how much they are going to see from their property.

**Jason Dell:** I dont have the answer to that question

**Tom Koval:** I think we would like to see an updated site plan showing the fence, the type of fence that you are proposing, the vinyl fence that's on it showing what ever plantings you are doing, showing the height of the buildings that are proposed to be built so we can get a better visual of what it is going to look like because right now it's just a lot of we're going to do this but

**Jason Dell:** There is a site plan that has been submitted

**Tom Koval:** Yes but it doesn't show the vinyl fences

**Jason Dell:** It shows the location of the chain link fence it would just be a construction detail on that

**Tom Koval:** What we would like is everything noted exactly the way it's going to be done on the plan before we can approve it.

**Jason Dell:** Ok

**Don Roberts:** The height of the buildings too

**Jason Dell:** Ok

**Paul Marlow:** Jason is it possible to do a rendering from Chelsea Place of what the buildings will look like; it might just make everyone, yea so if you're coming up Chelsea Place just so that everyone can see what it looks like, it may solve some problems

**Jason Dell:** We can totally look into that

**Paul Marlow:** That's just a suggestion

**Marcel Nadeau:** Jason say again did you say on the southern portion there won't be anymore buffering along in that area?

**Jason Dell:** this is Mr. Belmonte property here, this area will all be graded as part of a grading easement if you've been up there you will see when you look from the road over here, this slope comes up pretty steeply in the back here so this will be graded down and as we come down we start to get closer to existing grade here and then it starts to climb up again so right up here in order to make up that grade we'll have a retaining wall along here, with the access and then the end of the cull de sac which then goes up into the business here

**Tom Koval:** Is there going to be any plantings at the top of that retaining wall or is there just going to be an edge drop off?

**Jason Dell:** There is going to be a fence at the top

**Tom Koval:** Just a fence so no plantings?

**Jason Dell:** We could look to put some additional plantings up there.

**Marcel Nadeau:** Yea I think that, that was my question I think we need to see some plantings there

**Don Roberts:** I think we should

**Jason Dell:** You could see we've got some plantings along here we could extend those down

**Tom Koval:** Continue them around at least block past the roadway

**Don Roberts:** For Chelsea Place buildings

**Jason Dell:** Sure

**Rich Berkowitz:** Has any thought been given to the fire departments request to connect to the northern property?

**Jason Dell:** They're actually in this area over here there actually is an easement in place already to the lands of Menetto, so there is an access to the north over here however as you can see by the site plan we've got a retaining wall here , we've got a fence and then the lands of Ucetic over here and our access road was always designed to be a private access drive it wasn't intended to be a main driveway thoroughfare in the applicant does oppose any further connection over to the north there as that access drive was always intended and constructed to be a private access drive its not a dedicated road

**Rich Berkowitz:** For emergency access only, gated for emergency access, because eventually that property will be developed and they will need emergency access.

**Jason Dell:** well that property to the north here the Eucetic property they've got about 500 ft of road frontage on route 9 which you know should be ample space in order to put a secondary access straight out onto route 9

**Rich Berkowitz:** I think the fire department requested that am I right?

**Jason Dell:** Well we will have to look into it further but as we mentioned there is an access easement already in place for the lands of Menetto to the north.

**Don Roberts:** From what your hearing I think we really would like to see emergency access, not a through road , emergency access gated as they said

**Jason Dell:** And the feasibility of that through the retaining wall, is part of the issue here, there is already an access easement here, we've got a retaining wall here

**Tom Koval:** What is that retaining wall holding up?

**Jason Dell:** About eight feet

**John Higgins:** Menetto's is a very small piece

**Jason Dell:** Well there is actually a recorded easement that exists for over in this area and there is ample room

**John Higgins:** But that's not going to help the fire department with their request

**Tom Koval:** Can you include that in your next site plan just so we have a visual could you adjust your site plan a little bit so we have a good view of where Menettos building is and that easement is?

**Jason Dell:** Certainly

**Don Roberts:** And Joe could you look at this also?

**Joe Romano:** Yea

**John Higgins:** Also the buildings, you mentioned there is not going to be any water or sewer is there going to be electric into each of those individual units?

**Jason Dell:** Yes I believe so; you have to have lights in there

**John Higgins:** Yes but also we're concerned about potential people trying to run businesses out of there obviously, if there is electricity then there is always that possibility that somebody is going to try and actually run a business out of there, do repairs do things like that so

**Marcel Nadeau:** John I thought this was strictly storage is that correct?

**John Higgins:** That is the point I am trying to make Marcel is

**Tom Koval:** It would then fall under a different classification

**John Higgins:** It would then fall under a different classification and I just want to make sure

**Marcel Nadeau:** If should we approve it would be based on storage only.

**Don Roberts:** I think we can rest assured that if that ever happens, John that is a good point, if that ever did happen we would shut it right down because it is not an allowed use, so there would be no issue there.

**Tom Koval:** There is no outside storage

**Don Roberts:** And you repeat again there is no outside storage right?

**Jason Dell:** That is correct.

**Don Roberts:** Ok, that helps

**Tom Koval:** Do you know what the maximum size of these units are?

**Jason Dell:** Its based on , these are designed to be modular you can see we kind of got them divided in the middle with these dash lines and according to the applicant he indicated that they are modular and could extend the whole width of the building

**Tom Koval:** So somebody could take four or five spaces

**Jason Dell:** If they had a large RV that they wanted to pull straight through sure

**Don Roberts:** Anyone else?

**Richard Harris:** Don I just wanted to add something we discussed at the pre-meeting was the past practice of the Board if there were agreements with adjacent parcels a lot of times it involves parking not the case here but it involves grading , the Board has wanted to have the easements executed prior to final signature by the Planning Board Chairman, this was voted on in the positive so I didnt know if you wanted to share that there , since its essential, the grading is essential to this project we would want to see that the applicant has legal rights to do it.

**Don Roberts:** Thank you Rich, I dont think we should take action tonight, because I think there are too many things that have come up here, so you are going to redo a site plan and you are going to include the vinyl fencing is going to be extended the whole area of the property the whole scope

**Jason Dell:** Yes our note now says chain link fence we will change to say vinyl

**Don Roberts:** For the entire property?

**Jason Dell:** Yes

**Don Roberts:** Ok, thank you and also the buffering on sides, the Chelsea Park side and the southern side there right?

**Jason Dell:** Yes

**Don Roberts:** Or the eastern side there right? And the building heights

**Jason Dell:** The rendering I think

**Don Roberts:** The rendering like Paul said, rendering and also we need, we are not going to take action until Joe gets that Geo-tech report also.

**Jason Dell:** Understood

**Don Roberts:** Anything else guys anything, Joe you have anything to add? Rich, Paul anybody? No , alright.

***The Board tabled Route 9 Self Storages application until they submit an updated Site Plan with , fencing , a landscaping buffer and ingress , egress easement.***

**Jason Dell:** Thank you, alright going back to Head Games Sign, 215 Guideboard Road, Country Dollar Plaza, no? Matt thanks for coming.

***Tom Ruchlicki made a Motion to Adjourn at 7:27 pm. Rich Berkowitz seconded. Meeting Adjourned.***