

9/13/2021

**MINUTES MEETING
Town of Halfmoon Planning Board
September 13, 2021**

Those present at the September 13, 2021 Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman-absent
John Higgins
Tom Koval
Rich Berkowitz
Thomas Werner-absent
Mike Ziobrowski

Planning Board Alternates:

Brendan Nielsen
Chuck Lucia-absent

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineer:

Walt Lippman (MJ Engineers)

Chairman Don Roberts opened The Planning Board Meeting at 7:00 pm

Don Roberts: Good evening, I would like to call our Planning Board Meeting to order, have the Board members had a chance to review the minutes from the last meeting?

Rich Berkowitz: I make a motion to approve the minutes.

Mike Ziobrowski: I'll second it.

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Public Hearing:

21. 136 Dr. Detail Auto Spa, 12 Roger Lane – Home Occupation

Don Roberts: Would anyone like the notice read? Go ahead

Nick Carnavale: Alright, so basically that sheet is a reflection of the biggest complaint

Don Roberts: Name and address

Nick Carnavale: Nick Carnavale, 12 Roger Lane, Halfmoon. I run Dr. Detail Auto Spa. What you guys received right there is basically the biggest complaint out of my business and the reflection out of the I guess questions that the particular person had, and I guess Im just going to read this really quick. Regarding hours of operation, the hours reflected allows clients and future clients and knowledge of Dr. Detail when he is available, this is an appointment only operation as there is only one person employed which is me, the work typically takes place from 8:30 am to 2:00 pm within the garage because of there is only one additional car present as the resident aside from the two family vehicles that are in our driveway at all times. Having the capability of six cars being able to be stored between the driveway and two car garage would eliminate concern of an influx of vehicles. Having just moved into the neighborhood there have been other vehicles present from home improvements such as painters, locksmiths, siding, insulation, cleaners etc. There may have been confusion with appearances but again we are here in order to address and comply with the regulations. I would not constitute dropping off a vehicle between 5 to 8 pm a burden as the work is being completed between the hours of 8:30 and 2:00 pm. Regarding the noise level there is a minimal noise present when work is in progress, its more or less the side of a moving vehicle that takes place during all hours of operation during the day. Regarding safety there are children in our residence so there is an extreme amount of value placed on that safety in the neighborhood. There are only high end clients typically with luxury vehicles being detailed at Dr. Detail Auto Spa, there is no access of traffic as one additional vehicle a day is being dropped off or picked up, which would not constitute as a high volume traffic area. Number two included, Adams products are being used in the detailing process, and these products were chosen because of their safety, eco- friendly composition. As far as any paint correction, the paint is applied directly to the vehicle and there is no access which is the same for the ceramic coating. To say there is a concern about this would be outlandish when fertilizers are used throughout the neighborhood as well as salt on the roads, which are also harmful effects, just a couple of thing that have to do with our families and our animals. It is understood that a concern may arise due to the lack of information in which is why we are here to inform the neighbors as well as the Board of what exactly is occurring and the products being used at Dr. Detail Auto Spa. As far as safety in regards to home security , again these clients are not criminals, they have Luxury vehicles which they have paid for with hard work and prestigious jobs , one vehicle entering the neighborhood a day cannot be regarded as more invasive than the mailman doing his daily route. It is also worth mentioning we are the first house as we enter into the neighborhood and so the only real traffic is one car a day that enters into the neighborhood using primarily Hunter Drive and directly onto our property, there is no comparison of this house space business because I feel as though addressing this seems irrational. There are no signs anywhere outside the home to Dr. Detail and having a 200,000 to 300,000 dollar car in the driveway cannot possibly be considered a de-valuing grade to the neighborhood. Our home in maintained impeccably by me , the lawn is always on top of its care, I always take care of things over and beyond what they should look like regarding the previous home Dr. Detail was adored by most neighbors because of the respect he shows his neighborhood by always taking care of it. He values attention to detail and making things look their best. Lastly to address the neighbors at 27 Plant road, how is traffic a

9/13/2021

concern when you live on Plant road where the traffic count daily is far higher than on Roger Lane? That's just a little side note.

Don Roberts: Is that it

Nick Carnavale: Yup that's it.

Don Roberts: Okay thank you very much. Okay at this time we will open the public hearing, first thing I want to do is we have received some written correspondence, Rich we are going to enter that into the public record right?

Richard Harris: Yes we received over the last week and a half or so three emails, they've been shared with all of the Board members and the applicant and they will be part of the record. We did do a public notice as required to an expanded area around the property and you have all correspondence that has been received.

Don Roberts: Great thank you and they're in the record, and as I said the public hearing is open so would anyone in the room wish to speak, please come up and say your name and address in the microphone and any comment you may have.

Susan Delaney: Good evening my name is Susan Delaney I live at 15 Roger Lane. The reason why I'm here is to support my document that I sent and I don't want to get into the elaborate detail of it but I do want to respond to my irrationality that I was claimed to have had tonight. The hours are no 8:30 to 2:00 pm, I sent additional, I attached additional pictures since Thursday I have another one from tonight that I will add to that file that I attached to my email, that's not holding true 8:30 to 2. Six cars he claim he can have, that car if you saw the pictures that I had submitted only one car can fit in that garage because of all of his equipment. Regardless even tonight there were street parking because there was a customer's car in the driveway. The noise it's not just wooshy noise its traffic noise your increasing traffic noise, I would hate to see a precedence set, he spoke of where he had his Dr. Detail Auto Spa on Brigadier, you know the neighbors may have assumed like I did initially that he had permission it wasn't until I received the Planning notice that I realized he didn't have permission, and I'm assuming that's the case in this situation too, because the Town of Colonie he was not approved for that Dr. Detail Auto Spa on Brigadier. Talks about, I'd like to see the MDS sheets, the right to know law I have to deal with that in my employment, I'd like to see the MDS sheets of the chemicals that he is using, because it is a, if you know how Hunter View and Roger Lane there are a lot of wet lands there okay I'm really concerned about the Eco system but the primary concern are the kids. People use the cul-de-sac that I'm in, they use that area because it's a very quiet area and the kids play around in the cul-de-sac on their bikes on their electric vehicles, they go up and down Hunter View, people constantly walking I'm concerned about the traffic that comes in and out of there. I'm also concerned about what waste is there. I took a picture of his garbage today it looks, it was full it was overwhelmingly full, that tells to me it's a commercial business. He's using the same barrels that I use and he can't fit all of his garbage in the barrel nor is his recyclables in the barrel so that tells to me it's a commercial business. The idea about the 200,000 dollar cars, my only rebuttal to that is, could be a drug dealer, okay so that comment was just off the wall. I don't care how expensive his cars are that he is taking care of I give him a lot of credit you know he is getting those type of people, the work from those type of people, however they could be criminals, I'm not, that's not the primary reason for me to be in here. The primary reason is eco system and public safety and last but not least the value of my property. It's a quiet neighborhood if this sets a precedence and more companies, even Ziebart decided oh well the Towns going to let me have a place to you know have business in a neighborhood, I'm not going to have to pay for rent on a commercial building, that's my concern there too. What kind of precedence are we going to set? My neighborhood we moved there because it was calm quiet, I knew that I was going to have, it was going to be a family neighborhood and I know that I was going to enjoy it and my

9/13/2021

property value was going to go sky high. I don't know what the future holds so that's all I have to say and thank you for listening.

Don Roberts: Okay thank you M'am, would anyone else in the room wish to speak? (No comments) Would anyone online wish to speak? (No comments)

Paul Marlow: There are people online but no one has unmuted or raised their hand or anything

Don Roberts: We will try again. Would anyone online wish to speak on this matter? (No comments) Okay since no one wishes to speak we will close the public hearing, comments by the Board?

John Higgins: You mentioned painting?

Nick Carnavale: Yes, I don't paint, so when paint corrections when its machine polishing

John Higgins: No I'm very familiar with it, but you said paint when you were reading your little dissertation there, do you do any painting at all?

Nick Carnavale: There is no painting at all?

Nick Carnavale: No, polishing the paint. Paint correction is the term that it is known for.

John Higgins: I'm familiar with that because if you're doing any painting at all

Nick Carnavale: No I would never do that.

John Higgins: You get into another whole classification of requirements by New York State

Nick Carnavale: I'm aware, I wouldn't even do this at my home so.

John Higgins: Thank you.

Mike Ziobrowski: And your hours of operation are?

Mick Carnavale: So this is what she doesn't get , so here is the run down , so today right , I'll start work at 8:30 every day usually , most days today when you guys came around I was done by 12 , 12:30 I was mowing my lawn you know so typically the latest I ever work is 2:00 like that is absolute max but there might be a pick up after 2:00 so there might be a car in the driveway that I did the day of that the client just wanted to pick up after work , wanting to pick up after their kid whatever the case may be that's the car. Also the white Range Rover that's my car, the white BMW X3 is my girlfriend Ashley's car , my mom's white Acura , my dad's Lincoln they are all family cars we have a bunch of different projects going on that's why we have all of these boxes , we're getting professional decorating done in the house , we're getting new wallpaper done and new floors there is a whole bunch of different construction , we are buying everything for the house since we just moved in there that's why the overflow of the boxes today so a lot of amazon boxes but it has nothing to do with the products I use you know , it's just a new home we are decking it out so.

John Higgins: Who owns the home?

Mark Carnavale: We do, my girlfriend and me

John Higgins: Not your parents?

Mark Carnavale: No it's all mine.

Tom Koval: So I have no problem with car detailers, no problem with people that drive 200,000 dollar cars they are certainly not criminals, not all of them. I know a lot of people with 200,000 dollar cars, I probably have a couple hundred thousand dollars' worth of cars rotting away in my garage, I think Bruce has a really nice 200,000 dollar car and I know he is not a criminal, however that being said traditionally our Home Occupation businesses are limited to in house occupations such as offices, someone working from home. Traditionally we have not approved anything like this, just because it is outside the home and outside the home being your driveway or in your garage with your door open does affect the character of a neighborhood. Someone working in their den on a computer or selling insurance having one person come in a client at a time doesn't really affect it. I always hate being negative about anybody getting started with small business because I was certainly there, not that long ago that I can't remember. It's not a good fit for the neighborhood if it was me I would try to find a small commercial space, there is plenty of them around town that are available with a garage and you could buff to your hearts content but I don't think in a residential neighborhood that it's a good fit.

Mark Carnavale: Okay.

John Higgins: I agree with Tom, you know I'm very familiar with working on cars and again it's not something that I would say fits into a tight residential area like we are dealing with here.

Don Roberts: I also believe this belongs in a commercial area.

Tom Koval: I mean there is some relatively in-expensive commercial spaces that you can operate that type of business out of, I can't mention any names but there is always a few in front of us you just got to keep your ears open.

Mike Ziobrowski: I agree, I support Mrs. Delanoi for the pictures and the information you provided, it does shed the thoughts and feelings of a neighbor, the videos, so thank you for providing that. I agree that there are certain businesses that we have allowed In Home Occupations for and the majority

Mark Carnavale: Are office stuff

Tom Koval: That's traditionally that a Home Occupation our availability to have that option, that's what its geared towards so somebody doesn't need to rent a whole office to work on a computer but to bring in a few cars even one or two cars and to be operating with the vacuum cleaners and that type thing even though they are

Mark Carnavale: Quiet

Tom Koval: Fairly quiet I know when Im shop vaccing out my truck it's still annoying and when my wife is vacuuming at night when Im trying to check out the inside of my eyelids it's annoying, so

Mike Ziobrowski: And often times it's the unknown coming to the neighborhood.

Mark Carnavale: Well all of my clients are well off

9/13/2021

Mike Ziobrowski: We don't know if its friends that come over to visit your house so that's where it stands, but when you have random people coming into your business and you don't know who they are and that brings a level of concern.

Mark Carnavale: But they are all business people though, that's the high look luxury

Tom Koval: Right, your clientele has nothing to do with my decision, that's

Mark Carnavale: They are all professional people

Tom Koval: I don't think the scum of the earth is having their car detailed,

Mark Carnavale: I would like to say that our house if the highest value in the neighborhood , by far so I just want to get that off the record to so I don't know what she is talking about how her home is valued at a certain price point

Tom Koval: Yea we are not here to discuss that , certainly Im sure you have a very nice house and Im sure all of the other ones are very nice and they want to keep their area very nice which I can understand.

Mark Carnavale: right

Don Roberts: Okay anyone else?

Rich Berkowitz: I'll make a motion to deny the Home Occupation request.

Tom Koval: I will second

Don Roberts: We have a motion and a second to deny the application that is presented all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, sorry.

Dr. Detail Auto Spa– Home Occupation

DENIED. The Board held a Public Hearing and denied a Home Occupation request for an automotive detailing business.

21.152 Robert Subdivision & Lot Line Adjustment, 2 & 4 Lower Newtown Rd – Minor Subdivision

Don Roberts: Would anyone like the notice read? (No comments) thank you.

Wilma Robert: Wilma Robert, hubby is not here yet, John Robert we own 2, 4 and 6 I think, and we thought it was 2, 4, and 8

Richard Harris: I did go and verify what you had discussed before , we had renumbered it a few years ago because of some confusion so hopefully it didn't confuse you more but it is accurate how discussed it the 2,4, and 6.

Wilma Roberts; 2, 4 and 6 not 8 okay. We have lot 2 and part of lot 4 is on the west side, east side of the

9/13/2021

Richard Harris: So this up here would be west, this down here is east I would call that east

Wilma Robert: I didn't notice that you had the map, anyway we want to separate two and part of 4 so I guess we just want to separate the 4 from one side to the other correct?

Richard Harris: Yes , what's in yellow is part of this larger lot right now , this narrow access comes down , goes here comes up here, here , here , here your carving out this rectangle and you're going to consolidate it with this piece

Wilma Robert: Correct

Richard Harris: I realize you may be selling your neighbor separate however but for the purposes of this your part of it isn't part of necessary requirement or approval its good because it will un-land lock you so it's a good thing but your proposing to carve this rectangle out of this big piece and add it to that one on the corner, just to make sure I summarized it right, okay.

Wilma Roberts; Yes Sir.

Don Robert: And that's your presentation right?

Wilma Robert: Yes Sir

Don Roberts: Good job, at this time we will open up the Public Hearing would anyone from the public wish to speak? (No comments) once again would anyone in the room wish to speak? (No comments) would anyone online wish to speak? (No comments) anyone online wish to speak? No? Okay we'll close the public hearing comments by the Board?

Rich Berkowitz: I make a motion to have a negative declaration for SEQR

Tom Koval: Ill second

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Rich Berkowitz: I'll make a motion to approve the minor subdivision.

Tom Koval: Ill second.

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, very good, good luck,

Wilma Robert: Thank you, thanks for all of the help.

Robert Subdivision & Lot Line Adjustment– Minor Subdivision
APPROVED. The Board held a Public Hearing and approved the Minor Subdivision between 2 & 4 Lower Newtown Road.

New Business:

21.166

Impact Athletic Center Sign, 390 Route 146 – Sign

Chris Litchfield: Good evening Chris Litchfield, Litchfield Holdings LLC. And Impact Athletic Center. We are here tonight to seek approval to install a wall mounted sign for the Impact Athletic Center project. The sign will be mounted on the north side of the building facing route 146. Its 11 foot high 16 foot wide, it will be individual channel letters, back illuminated. It's the identical type of sign that Graybar has across the street. The sign will say Impact Athletic Center with our logo above it.

Don Roberts: Thank you, comments by the Board?

John Higgins: Don I have a question, the volleyball fencing as it appears I didn't go up and measure but it appears to be 4 or 5 feet out from the building, I thought when we approved that we had made comments that we were concerned about having the volley ball too close to the main road to have attract a nuisance, now it appears that its even further out than what we had anticipated, Rich was that a change made somewhere along the way.

Tom Koval: I already talked to Rich just a bit ago about it he is going to look into it, they also I believe were supposed to put screening in that fence

Chris Litchfield: Yea we are not open yet

Tom Koval: Is that fence high I don't know where the nets are going, my concern is somebody is going to get beaned by a volleyball going down the road.

Chris Litchfield: Yea its 16 feet tall

Tom Koval: Is it 16 feet?

Chris Litchfield: Yea

Tom Koval: Because Im not very coordinated when I hit a volleyball sometimes I can't

John Higgins: I know we had concerns about that

Chris Litchfield: Yea it is exactly as per the plan we submitted.

Tom Koval: When are you planning on having your first event?

Chris Litchfield: It's a lot up in the air right now to be honest with you, a lot of it depends on the DOT

Tom Koval: Yea you have to have your traffic light signal and everything in for you're c/o

Chris Litchfield: Yup

Tom Koval: I know you're not hear for that.

Rich Berkowitz: So what about the sign, I know they are way under their sign limitation now but how much more can they have? What are they allowed at the very end?

9/13/2021

Paul Marlow: I would have to look and see I mean generally commercial zoning you start at 250 sq. ft. and then you get a bonus for every thousand square foot up to a certain size and then another bonus beyond that so I mean they've got a lot to work with.

Rich Berkowitz: Guys I assume you are going to have more signage

Chris Litchfield: This is the only one we are planning on having

Don Roberts: Again Rich brought up a good point as you know if you do want more it may be limited just so you know

Chris Litchfield: Understood

Rich Berkowitz: I will make a motion to approve the sign

Mike Ziobrowski: I second

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, and you are going to advertise Halfmoon

Chris Litchfield: Oh yea have been all along.

Don Roberts: Very good thank you very much

Chris Litchfield: Thank you

Impact Athletic Center Sign– Sign

APPROVED. Board approved new wall-mounted sign for the Impact Athletic Facility

1.164 Emma Jayne s Restaurant, 1475 Route 9 – Change of Use/Tenant

Lyn Murphy recused herself.

Mike Fortin: I'm Mike Fortin, I plan on opening Emma Janes at 1475. I'm going to kind of be transplanting Joe's tavern which I currently own in Cohoes, I've recently put it up for sale. We plan on closing before we open so we will be transplanting the restaurant that's there and moving it up here to Halfmoon. Similar type menu, increased hours of operation where Joe's we are only open for dinner. Here we are going to be open for lunch and dinner as well. So it will be like 11 – 9 and 11-10 on Friday and Saturday but it's from what I understand it's still listed as a restaurant now so we are just looking to come in and open up and operate as a restaurant.

Don Roberts: Thank you very much questions by the Board?

Rich Berkowitz: If and when that plaza gets re-arranged and re-modeled is anything going to happen with the restaurant?

Mike Fortin: Anything going to happen as far as

9/13/2021

Rich Berkowitz: Anything as far as exterior work, movement around that plaza?

Mike Fortin: Maybe Mike could answer that question

Mike Klimkewicz: Mike Klemkevicj the owner of the restaurant, at this time no there is some discussion about adding a deck for some outdoor seating but that is the extent of the changes that would happen with the restaurant

Rich Berkowitz: So as of now everything stays the same, the exterior?

Mike Klimkewicz: Correct, paint that's about it, cleanup.

John Higgins: With the additions are you still going to still have enough parking?

Mike Klimkewicz: Yes, well I think we will have a discussion yes there is ample parking there.

John Higgins: You might have to move the parking out back I assume

Tom Koval: There is a ton of parking there

John Higgins: But if you saw the presentation that Mike did a couple of weeks ago their going to be adding to Fred the Butcher and they are

Tom Koval: But that will all come in front of us again for final approval.

Don Roberts: He's here now to get this approval.

Rich Berkowitz: So basically you're presenting this with no changes to the exterior of that restaurant no changes in parking no deck nothing just open up the restaurant, it's pre-existing the other one?

Mike Klimkewicz: That's correct.

Rich Berkowitz: I make a motion to approve the change of use and tenant.

Tom Koval: Ill second

Don Roberts: Before we vote you know if you want a sign you have to come back for a sign you know that.

Mike Ziobrowski: So it was a restaurant prior so you have Department of Health approvals in its current state.

Mike Klimkewicz: Absolutely it's all in place.

Mike Ziobrowski: Alright just double checking asking a question.

Richard Harris: It actually was even under the owners, im sorry operators between, you just bought it though recently?

Mike Klimkewicz: That's correct

9/13/2021

Richard Harris: The owners between Romano's and now there was an annual fire inspection they did have kitchen services there that did require an annual inspection, off- hand I couldn't tell you the last time that was done but it was 2 or 3 years ago at least they were still getting approvals from our code enforcement for an annual fire inspection.

Don Roberts: Now do you have any idea when you plan on opening?

Mike Fortin: It's looking like January 1st maybe December 31st for a little New Year's Eve celebration for a Grand Opening, I was hoping for December 1st but with production issues on a lot of things, Im finding it hard to get furniture

Don Roberts: Yea that's understandable

Mike Fortin: It's looking more like January 1st is going to be.

Don Roberts: And you will advertise you are in Halfmoon right?

Mike Fortin: Oh absolutely

Don Roberts: Thank you, okay very good, now we have a motion do we have a second?

Tom Koval: I seconded

Don Roberts: Okay we have a motion and a second, all in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, good luck.

Mike Fortin: Thank you

Emma Jayne's Restaurant– Change of Use/Tenant

APPROVED. Board approved a Change of Use/Tenant application to use utilize the vacant building at 1475 Route 9 for a new restaurant.

21.156 Farm to Market Self-Storage Center (Halfmoon Self-Storage PDD) Phase III – Site Plan

Tamara Sullivan: Tamara Sullivan for Bruce Tanski Construction, we are looking to start construction for Phase III over at Farm to Market Road. They are the exact same buildings that were in the first two phases, so we are just looking to complete the last three.

Tom Koval: I don't have any I think so far the site has gone really well we haven't had any problems so.

Don Roberts: No outside storage the old

Tom Koval: Well as tenants come in we will stress that again

Don Roberts: Yea but just so they know, but they are aware of it anyway.

Tom Koval: I make a motion to approve moving forward with Phase III

Mike Ziobrowski: I second

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Tamara Sullivan: Thank you.

Don Roberts: You're welcome

*Farm to Market Self-Storage Center (Halfmoon Self-Storage PDD) Phase III – Site Plan
APPROVED. Board approved a Site Plan application for Phase III of the Halfmoon Self-Storage PDD.*

21.159/21.160 ELP Halfmoon Solar, 48 Smith Road – Site Plan & Special Use

Jamie Fordise: Good evening Im Jamie Fordice Im one of the co-founders , Principals of East Life Partners we are a small business and regional developer of renewal energy facilities , and we are here to present the ELP Halfmoon Solar project. Just a little background on our company, in the last 4 years or so, we've developed about a dozen or so solar projects in New York State. Many of them like this project are community solar projects. Projects that are feeding energy into the grid to which local residents and businesses can subscribe and get benefits on their electricity bill by doing so. We pride ourselves on trying to develop well sited projects. projects that are sensitive from an aesthetic point of view , ecological point of view that's what we've tried to do here . I will pass it over to Will Bliss who is our Director of Engineering to talk through the details of the project.

Will Bliss: Thank you, as Jamie mentioned my name is Will, so what we're proposing on this site is a 5 mega - watt solar project. The existing site is a 52 acre parcel with an existing residence on it. The actual panels will be located on approximately 25 acres of the site. The site historically was an old farm, it hasn't been farmed in a long time, and it's definitely overgrown in a number of areas now. There is an existing DEC Wetland that's been mapped over on the western side of the parcel, that's been delineated and the delineations been reviewed by the DEC, we have set back a hundred feet as required by the DEC along the western side of the project, this also provides kind of a natural vegetative buffer for some of the homes over on the western side. The property , the projects also maintaining 50 foot setback along the northern side and going to be containing a lot of existing vegetation in place there and proposing some additional vegetation to help with screening in that area. Generally the project once in service will be a very quiet use of the property it will probably only be one or two vehicles onsite on annual basis once its fully in service , and really the goal is to maintain as much vegetative buffer that's existing in place and supplement that with additional landscaping as outlined in the plan. Happy to answer any other specific questions, the one other thing ill point out is there are existing utility lines that run through the property so this does allow us to interconnect the project well set back off of the existing road so there should be a minimal impact.

Don Roberts: Okay thank you, now first of all you will need a public hearing for this you know that right?

Will Bliss: I also forgot to mention we did meet with Richard back in April for a pre-application meeting and have reviewed this so we do understand that

Don Roberts: We are also going to refer this to our Town engineer to review this and also to the fire department for review.

Will Bliss: Sure

Don Roberts: That being said comments by the Board?

Tom Koval: I have a few, I do have some concerns about access for the fire department especially around the perimeter of the site if there's issues. Im not crazy about , I realize you have turnarounds on your access road but Im not crazy about no other way out , one way in that's , Im an electrical contractor , electrician for too many years so I do know what's involved with what your doing so I would like to see a little more access to the site for fire

Will Bliss: In terms of mainly width of the road or you're looking for generally like a second road?

Tom Koval: I would like another egress for that road, first off , around the back sides of those panels Im not sure you have a lot of residences there on the north side of the property , it concerns me a bit having those panels that close to the property line, I can't tell exactly how many feet it is .

Will Bliss: 50 feet

Richard Harris: How far is the first panel to the northern property line?

Will Bliss: 50 feet, yea from the first panel, there is quite a bit of existing vegetation that we intend to fully leave in place

Tom Koval: Right, but what type of vegetation is it?

Will Bliss: It's kind of immature trees so what we are proposing is to add a lot of under growth to help supplement them

Tom Koval: So you are not burming them at all?

Will Bliss: Not planning to do an earth and burm because we really would have to remove a lot of trees in order to do something like that.

Tom Koval: It would make sense to burm it and put some type of pine up to give it a year round screening

Will Bliss: An earth and burm you mean?

Tom Koval: Yea and earth and burm so Im sure you've got to prepare your site your scraping off a lot of soil or I don't know what the topography is

Will Bliss: The intention is to minimize disturbance typically so I mean there is existing vegetation, a lot of it is overgrowth so we should be able to reduce a lot of that just with brush hogging but there definitely is some clearing generally the site is pretty flat and these types of projects are able to kind of undulate with the terrain, there probably will be some grading that takes place, we weren't anticipating enough to build an entire earth and burm.

Rich Berkowitz: Is there any way to supplement the deciduous over growth with conifers something that is year round?

Will Bliss: Yes, we often do planting of shrubs if you are trying to address the understory.

Tom Koval: Im just trying to be pre-emptive when neighbors come in

Will Bliss: Of course I think generally plan to submit some renderings of the project but we definitely wanted to get a little bit of feedback before doing that.

Tom Koval: And I have no idea through this drawing where the structures are in relation to the physical home, maybe bring in one of your maps or your, an overlay of a google earth image or something to show us where this is all going to go in relation to the structure, if it's fairly flat and you have a 2 story house their looking out over this thing so, I'd like to see the structures represented.

Will Bliss: Sure , sure and one other just minor challenge with kind of modeling that visual impact is getting permission to kind of take some images from people's property. So typically if after the public hearing there are certain families that have specific concerns we can often go meet with them stand on their property with them and talk through those challenges and try to address those specifically, but right now existing vegetation there is pretty good height on all of those trees and so the plan right now is to establish some more under growth to help get the keep that up.

Richard Harris: About how high are the trees?

Will Bliss: They are 30 ft. tall, 40 feet tall oh yea.

Tom Koval: So they are mature?

Will Bliss: Yes they are mature in height , they're very thin diameter trees though there not , you know we are not talking about 50 year old trees but they are tall so its

Tom Koval: Some poplar stuff that grew up after they got done farming?

Will Bliss: Exactly

Mike Ziobrowski: So what size trees were you thinking for your pine, your coniferous trees?

Will Bliss: Along the northern edge we were planning for shrubs to really add undergrowth to these existing immature 30 and 40 foot trees, along the eastern edge we were planning on adding some more evergreens and shrubs

Mike Ziobrowski: I mean personally Im kind of like where Tom's kind of going so we would leave a border of those existing poplar , or maples or whatever they may be and then mound it and then stagger your pine trees, this is a neighborhood that purchased homes on an agricultural residential area , this is not an industrial area , they are very nice homes so I think that there should be pictures taken to display what it is going to look like in Winter time as well as summer time, think about the leaves not being on the trees any longer , certain people might be sensitive to looking at a solar field , yearlong or even in the winter time

Will Bliss: Yea we've actually already captured those pictures in anticipation of this , we do need to get a leaf off condition which should be coming up soon if , I will point just to the planting plan on page 7 we do intend to maintain about 10 feet of that existing vegetation that you're talking about on Smith road. There are some very

9/13/2021

well established tall trees that we'll plan to keep in place and really should add a very clear buffer and we will be able to represent that in the renderings when we create those but definitely hear you.

Don Roberts: Anyone else?

Chuck Lucia: Just curious and talking totally out of ignorance and so forgive me for that but with the residential area around there and of course the angels of the panels and everything is there any type of reflective or glare concerns for the folks around there? Im sure you've stumbled over this a hundred times, probably a thousand before you got to me.

Will Bliss: It's something that commonly comes up and NYSERDA does actually NYSERDA the governing body in NY they speak to this often but the panels are really designed to absorb solar energy not reflect it so glare is not an issue with them.

Chuck Lucia: Alright thank you.

Joel Bianchi: Our comment letter first was that we would recommend that you do a glare study because these are rotating ones aren't they?

Will Bliss: They are planned to be a single-tract

Joel Bianchi: So they're not static so you will have times of the year, times of the day even though they are anti reflective there may be instances where you do have reflective events for people traveling in vehicles or shining in windows because there are residents to the east and residents to the west, so there is very easily accessible software that can muddle glare

Will Bliss: We have set these at airports, military bases so we are familiar with our studies, we are happy to do it, it's as you said it's an easy accessible tool, that's fine.

Don Roberts: You're aware of this too, we will be asking for a bond in case you close up right?

Will Bliss: Yea in the decommissioning plan we submitted we did actually include cost estimates for a bond.

Don Roberts: Okay very good, thank you Rich you got something?

Richard Harris: I've just got a couple questions that have come up under prior applicants and maybe we talked about it maybe we didn't me don't recall. As they normally sit how high is the highest point on the panels? Did you say that Im sorry if I didn't hear it.

Will Bliss: No I didn't, so typically since this is a tracker system it will rotate throughout the day so in the mornings it will actually be slightly higher, the highest point will be less than ten feet so and then as it moves throughout the day it will probably get a little bit shorter and then in the evening it will be about at that maximum height, typically about eight feet is pretty standard.

Richard Harris: Okay

Will Bliss: It can vary slightly just depending on the final module selection.

9/13/2021

Richard Harris: I think also can you discuss the fence style and that may be something to go in with the buffering idea.

Will Bliss: What we typically do an agricultural style fence around these that typically either 7 or 8 feet tall just depending on the Towns request.

Jamie Fordise: That means driven pressure treated wooden posts with fixed mesh you know fixed cotton mesh like a deer fencing see.

John Higgins: Do you barbed wire or razor wire, no barbed wire?

Will Bliss: No, only chain link.

Tom Koval: Just a wide space wire fence, no screening in it at all its just kind of like game fence

Will Bliss: A game fence, yea typically the vegetation or landscaping would be placed on the outside of the fence.

Don Roberts: Okay so as I said we'll hold off on the public hearing because we have to get our feedback from our Town Engineer and the fire department as well, so we'll get back to you.

Richard Harris: One last item we did maybe talk about it a few months ago, we've had two projects that got approved by the Board. One the applicant ended up buying the property and this Board didn't have concerns about removal they owned the property, the other was a land lease, I assume this is a lease of sorts.

Will Bliss: It is, yup.

Richard Harris: One thing the Board did require on the last one was a removal bond, don't need an answer or a number tonight but at some point I think the last one they decided as a condition of approval. Just get thinking on what you typically do , we have our independently look at that , whatever you hand us and I think the other people were quite low their first proposal and our engineer looked at a comparable ones in the Capital District , so keep that in mind that's something we will be asking for .

Will Bliss: We did submit a decommissioning plan it has a proposed security in there , we don't have the full breakdown so Joel you are the Town engineer if at some point you want to connect on that , I could provide you some more detail.

Joel Bianchi: Generally it comes in anywhere between 15 & 30,000 dollars per mega -watt, that's what the cost usually runs around

Don Roberts: Now one last thing for me now if you can't answer this I understand, the lease, how many years?

Will Bliss: Its 20 and then we have a couple of extension periods that are optional.

Don Roberts: Im just curious that's all

Will Bliss: Sure

Tom Koval: What is the projected life span of these panels?

Will Bliss: The panels they're typically warranted through 20 but a lot of people anticipate more like 30 years

Don Roberts: Anyone else? Okay very good, good presentation and we'll get back to you, okay thank you.

Will Bliss: Okay great.

ELP Halfmoon Solar– Site Plan & Special Use Permit

TABLED/REFERRED TO AGENCIES. Board received a presentation on the proposed solar farm at 48 Smith Road and referred it to the necessary agencies and Town Engineer for review.

Old Business:

(21.004, 21.005 & 21.091)

Tech Electric Site Plan, 570 Hudson River Road – Site Plan, Special Use Permit & Minor Subdivision

Jason Dell: Good evening Jason Dell an engineer with Lansing Engineering here on behalf of the applicant for Tech Electric site plan. The last time we were before the Board for this project was back in January of this year. Since that time we have submitted detailed site plans that have gone through a couple or rounds of reviews now with MJ. A quick background on it, the project is located at 570 Hudson River Road, the project property encompasses about 8.09 acres and is zoned as part of the w-2 waterfront commercial zone. The project site currently contains a warehouse in the northeastern corner of the property with the remainder of the property being vacant. So the proposed project will include the construction of two 4,000 sq. ft. mixed use type buildings, there are no tenants identified at this time, however it will be kind of flex space, each one of those tenants would have to come before the Board to get approval at that time. The project will also include the subdivision of the overall parcel, the 8 acre parcel will be divided into a 2.3 acre parcel as well as a 5.79 acre parcel which is where the proposed development will occur. There's one access into the facility, it will be a shared access with the existing warehouse that's out there that will go back to a parking area between the two buildings. Parking has been provided in accordance with Halfmoon requirements, water will be supplied to the project by a connection to the existing water main out on Hudson River road and sanitary sewer service will be provided by an individual septic system and stormwater will be managed onsite in accordance with all requirements. At this point we have addressed the majority of MJ's comments, we did receive some additional emailed comments that are all technical in nature and we'll get those taken care of as we move forward. From the last meeting there was this specific question, Mr. Higgins you had pertaining to site distance, we did go out there and measure the site distance and looking to the north or looking left out of the site we've got about 864 feet and then looking south we've got about 777 feet so there is plenty of site distance out there and for a 45 mph zone looking north we would need 500 feet to meet ASHTO so we will exceed that and looking to the south we would need 430 feet to meet ASHTO we will exceed that as well. So we are here this evening to get back before the Board to request you folks schedule a public hearing for the project.

Don Roberts: Thank you Jason, Joel would you like to comment on this are you pretty well satisfied?

Joel Bianchi: Yes we reviewed the last set of plans and gave Jay's group some minor comments that remain, but I think there in a position where if you thought you were ready to schedule a public hearing so they are pretty far along

Don Roberts: Okay thank you

9/13/2021

John Higgins: I believe I also questioned tractor trailers going into that driveway because I'm familiar with the drive way and it's fine for a medium sized truck but if you are going to have tractor trailers going back in there you may need to widen that at the end.

Jason Dell: Right now the proposal is not for large tractor trailers, we did design it a bit more for smaller box type truck that would use the overhead doors, there's no loading docks on the buildings we've just got overhead doors in this area as well as in this area over here. So we have not designed the layout for tractor trailers.

John Higgins: Okay thank you.

Don Roberts: Anyone else?

Mike Ziobrowski: And this has been reviewed by the Halfmoon Waterford Fire Department do we know.

Paul Marlow: I sent it to them.

Richard Harris: Yea we just sent it to them so, that's one reason I was just talking to Don. If your comfortable setting the Public Hearing, we request you do it a month out, for the October 12th we are off Monday the 11th closed, that would give us, you have one Public Hearing at the next meeting and I think you're going to have a few big new projects in the next month so.

Mike Ziobrowski: I make a motion to set a public hearing for October 12th.

Rich Berkowitz: I second

Don Roberts: All in favor aye (all were in favor) Opposed? (None were opposed) Motion Carried see you on the 12th.

Jason Dell: Thank you.

Tech Electric Site Plan, – Site Plan, Special Use Permit & Minor Subdivision

PUBLIC HEARING SET. Board received a presentation on the revised site plan and called for a Public Hearing to be held at the October 12, 2021 meeting for the Special Use Permit and & Minor Subdivision requests.

20.118/20.119

Gridworks Office/Warehouse Development, 13 Liebich Lane- Minor Subdivision & Site Plan

Brian Ragone: Good evening, Brian Ragone Landscape Architect with Environmental Design, so yes this project was last in front of the Board in April where I gave an update about how we did move the site from the eastern most part of the site to where it is now kind of more what we were talking about during the workshop meeting which is closer to the Danforth site. So we are seeking two approvals from the planning board the first is subdivision where we are subdividing about 6 acre out of the existing 86 acre site that remains in Rolling Hills PDD. And the next is for a site plan approval for the two Flex Light Industrial buildings , one is approximately 50,000 sq. ft. the one in the back and the one in the front is 10,000 sq. ft. since it was in front of the Board in April we flipped the layout where the loading docks are now on the eastern , I'm sorry they are on the western side of the building instead of the eastern side and it was done to better accommodate grading or the site engineering of the site and there was a lot of fill going in on that side. The circulation remains the same, the site will be accessed by two driveways, and we now have a total of 95

9/13/2021

parking spaces and 68 land-banked spaces or future spaces if needed. We've addressed some site distance issues, which we had with the traffic comment letter where we are going to have to eliminate some vegetation along the south side of Liebich Lane and remove a little bit of some earth in there and they wanted us to go some grading so you could see coming out of the site. We've gotten a sign off from the fire Chief after we addressed a couple of his comments and we've also addressed a majority of the MJ comments and we actually received a couple of more last week and we have no problem addressing those as well thank you.

Don Roberts: Joel

Joel Bianchi: We gave Ryan some maybe ten more comments to really finalize it, but they're pretty well there, there's no issues for engineering as far as we are concerned

Don Roberts: Okay to go ahead with a public hearing?

Joel Bianchi: The only other thing was DOT which we received that feedback from Region 1 today, so other than that, that was really the only last item outstanding.

Brian Ragone: Yea they just sent me something at two o'clock today.

Don Roberts: That figures, comments by the Board?

John Higgins: I know I raised this question last time, so they are not going to be attributing at all to the existing stormwater retention system that in the back of the site?

Brian Ragone: Not the way they modeled it, the way they've modeled it and the way they've designed it is everything is through a series of what, three basins onsite, a temporary one for the future Town road, once that road gets extended based on development in the back that basin will probably move, so to answer your questions no they are not moving, that existing pit that's back there.

John Higgins: Okay good, okay because I know that was questioned since the first building was built, thank you.

Don Roberts: Anyone else?

Richard Harris: Yea I just want to add I know that you're planning this at some point to be a Town road so if this gets approved and you start construction, we are going to want Town engineer inspection as if it was a Town road being built because I would hate to come back and nobody looked at it while it was being built and then they go to turn it over to the Town and you'd probably have to start over so yea so just keep that in mind. We had that with Lissmac over on 146, where right now it's a driveway right now its private, you hope one day to make it a Town road, you may or you may not but inspect it ahead of time while you're putting it in just keep that in mind.

Brian Ragone: Okay

Don Roberts: Anyone else?

Mike Ziobrowski: I would like to make a motion to set a public hearing for October 12th.

9/13/2021

Rich Berkowitz: Ill second

Don Roberts: All in favor aye (all were in favor) Opposed? (None were opposed) Motion Carried see you October 12th. , Thank you.

Gridworks Office/Warehouse Development– Minor Subdivision & Site Plan

PUBLIC HEARING SET. Board received a presentation on the revised site plan and called for a Public Hearing to be held at the October 12, 2021 meeting for the Minor Subdivision request.

Charlie Lucia: I make a motion to adjourn the meeting

John Higgins: Ill Second

Don Roberts: All in favor aye (all were in favor) Opposed? (None were opposed) Motion Carried, thank you, good night.