

**MINUTES MEETING
Town of Halfmoon Planning Board
February 27, 2017**

Those present at the February 27, 2017 Planning Board meeting were:

Planning Board Members: Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
John Ouimet-absent
Tom Ruchlicki-absent
John Higgins
Tom Koval
Richard Berkowitz

Planning Board Alternates: Cory Custer-absent
Mike Ziobrowski
Thomas Werner-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

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

Rich Berkowitz made a motion to Approve the Minutes from the February 13, 2017 meeting. John Higgins seconded. Motion Carried.

Rich Berkowitz and Tom Ruchlicki abstained.

Public Information Meeting:

17.010/17.011 Harbor Freight Retail Development, 1617 Route 9 - Amendment to Site Plan & Minor Subdivision/Lot Line Adjustment

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

Jason Dell: Good evening my name is Jason Dell I'm an engineer with Lansing Engineering I'm here on behalf of the applicant Mr. Scott Earl for the Harbor Freight Retail Development project this project was last approved by the board in August of 2016 and we are here tonight and before the board again for a minor modification to the plan for Harbor Freight. So I will give an overview for the project and then I'll get into the specifics of the project. So the project site is located immediately north of the Halfmoon Sandwich Shop there's the Halfmoon Sandwich Shop right here , we are immediately north on route 9 from the sandwich shop. There are currently 3 parcels that encompass the site for a total of 6.8 acres , 2 of the lots will be consolidated and there will be a lot line adjustment for the 3rd lot for Harbor Freight. Harbor Freight property will encompass approximately 1.5 acres on the remaining acreage of about 5.3 that will be consolidated into 1 lot. So for the project we're going to be constructing a 15,000 sq ft Harbor Freight facility in the northern portion of the site and in the rear portion of the site we are

showing a 10,000 sq ft flex building footprint. The flex building in the back is shown on the plan for conceptual purposes will come back before the board at a later date for approval of the use in the building at that time. The access to the project will be via one curb cut off of route 9 we will be getting rid of 2 curb cuts that are out there and consolidating them all into one entrance coming off of route 9. Parking will be in accordance with the Town of Halfmoon standards, we for the Harbor Freight Harbor Freight requires 60 parking stalls, however per the code they would be required to have 85 stalls, however the total amount of parking on the site exceeds that which is required for all three of the uses, the Harbor Freight, the Flex building and the Sandwich Shop so there would be a cross lot easement for overflow parking in excess of the 60 that Harbor Freight requires. Water and stormwater and utilities are all in accordance with what was previously approved last time around the plans remain very similar to what was previously approved by the board. At the current time we are currently still working on obtaining a sanitary sewer easement that will connect to the existing pump station so as I mentioned we are still working on that however in the event that we cannot secure that easement in a timely manner cause Harbor Freight does want to get going with construction immediately we would propose a small septic system in the front of the site right here which there is ample room for a small septic right there. So we did submit plans to CHA for review we have responded to all of CHA's comments and we're here tonight for the public hearing for the lot line adjustment and to ask the board for approval.

Don Roberts: Thank you Jason. Would anyone from the public like to speak? Seeing no one wants to speak I will close the public hearing, comments by board members?

John Higgins: Jason can you show me where the apartment building that's going to be left is located exactly?

Jason Dell: There's the first building which is right here, there's a middle building and then there's a third building over here. The middle building is the one that will stay right now, but the first and the third are going to be removed.

John Higgins: And so the middle building is the one that is going to stay, the parking is going to be where the parking is shown here?

Jason Dell: That is correct.

John Higgins: And secondly, I'm just, there's going to be a cross easement but obviously somebody has to maintain the overflow parking so is that going to be Scott? You're going to do all the snow removal and everything else on all of those other spots?

Jason Dell: Yes

John Higgins: Because obviously if there not cleared then we don't have the availability of those spots.

Jason Dell: Ok

John Higgins: And third question, this is the first we are hearing about the septic systems, is that going to be a temporary situation the septic or is that going to be a permanent, if you put the septic in its going to be a permanent septic, forever.

Jason Dell: Well as I mentioned before we are currently, our goal is to have that easement in place and to run the sewer here. Scott correct me if I'm wrong but the owner of the property, part of which that we need to go through to get the sewer to connect to the pump station at Casale, Mr. Hoffman has passed away so Mr. Earls attorney has been trying to deal with the attorney for the estate, so there's been a delay and a tough time getting the correspondence back and forth for that easement. As I mentioned there is plenty of room up in front here Harbor Freight has two bathrooms they have eight employees at any one particular time there's a, we've done test pits and perk tests up there, it's a sandy soil, a deep sandy soil that has a very good perk rate so the septic system is going to be small in and about 3 runs at about 30 feet each so ya know there's more than enough room for the required septic system as well as a 100% expansion area.

John Higgins: Ok, thank you.

Don Roberts: And the applicants aware that going with the cross easements for parking you may limit future tenants in the building, you are aware of that right?

Jason Dell: Yes.

Mike Ziobrowski: I think there is one other item as far as the traffic direction of flow coming out of the Freight Harbor it to me like the traffic itself would only travel south to get on 9 is that correct, where the main entrance is going in and out? that a two way?

Jason Dell: This is a two way entrance here.

Mike Ziobrowski: Right, right.

Jason Dell: You would come in and they would access up here this used to be a full both way entrance through here , DO came back and requested that that be one way out of there only.

Mike Ziobrowski: So you're going to have some proper signage at that location?

Jason Dell: Yes.

Mike Ziobrowski: Ok, very good.

Joe Romano: Jason in the last plan that you had sent, I didn't notice like a "Do Not Enter" sign.

Jason Dell: The final plans certainly will have that.

Marcel Nadeau: Joe you haven't reviewed plans for the septic system.

Joe Romano: no it doesnt represent the percolation tests or show the location that Jason has described.

Lyn Murphy: I guess what the board is wondering is does, would a septic system work for full build out of all the proposed buildings, knowing that they have to come back or is it something that it should be, you can allow a septic for this building particular but before you do any of the other buildings you need to have that force main. I dont know the answer to that.

Joe Romano: I would think that when they decided to do a septic system, I'd want to see that on the plan.

Don Roberts: If I can ask you what's the hold up with the easement for the force main?

Scott Earl: Scott Earl 9 Properties North, Mr. Hoffman passed away, Jack Hoffman the Turf Inns his daughter Wendy owns Birch Bar Apartments in the back but apparently not solely on her own, it's tied up in the estate. The attorney for the executor has an attorney that represents the executor that's been non communicative at best for about 5 months, we leave phone messages call after call after call no return calls so we've got people on the ground trying to catch up with Wendy she's out of the country on vacation I guess but we are also researching with Saratoga County Sewer I believe it was Tanski that had figured the opportunity to continue to use the site that we can use it so Saratoga County Sewers checking into that now can we just go and extend through there what type of easement they already have in place.

Don Roberts: Ok, thank you.

Scott Earl: But that would be our intention to Mr. Higgins question absolutely to the sewer all the way in fact on the plan shows the grinder pump the line exiting the rear of the building and going down to the back to where the proposed sewer connection is however Freight's insisted that be put in as well as the septic system.

John Higgins: Thank you Scott. I have one more question, looking at it and I know its a right out only right there by route does it make any sense to try and put 2 entrance exits further in and then leave that , cause you know people are going to turn in there even though its going to , it says exit only , your going to have people , and its that close to the end there it just looks to me like yea put 2 entrances up in there and eliminate that one does that make , is there reason for flow that you guys want to put that there?

Jason Dell: Well there very close, I mean we're only maybe a 100 feet apart right there based on the number of parking stalls we know so in plan view it looks a little bit closer than in actuality it actually is going to appear and seem because we are only from here over to here which would have access to all of the parking stalls as opposed to just here in front of the building.

John Higgins: I'm just worried about people coming in and seeing the store and saying oh I'll just come in and make a quick turn here and go in to what's supposed to be an exit only.

Tom Koval: I think do not enter signage would eliminate that.

Jason Dell: Correct that's what Joe had mentioned before to put that sign in and we will do that.

John Higgins: And some spikes on the tires and everything else. (laughs) it was just a comment.

Don Roberts: Anyone else?

Rich Berkowitz made a Negative Declaration Pursuant to SEQR. Tom Koval seconded.

Rich Berkowitz made a Motion to Approve Harbor Freights Amendment to Site Plan and Minor Subdivision/Lot Line Adjustment contingent on Clough Harbor reviewing the septic system and approving it and the Do Not Enter signs being installed on front entrance, and the Town attorney to approve the sewer easement language. Tom Koval seconded. Motion Carried.

New Business:

17.028 Hairlines, 1675 Route 9(St. Johns Plaza)- Sign

Sandy Colleratello: Vital Sign & Graphics, my client is looking to have a sign fabricated the same intent of all the other signs at the plaza , Hairlines as a logo , channel letter illuminated sign as shown in the proof there.

Don Roberts: Just replacing what was there before in effect?

Sandy Colleratello: Yea the sign is gone now that was there and this is what's proposed.

Don Roberts: Ok, thank you, any questions?

John Higgins: You said it's going to be rear lit?

Sandy Colleratello: No, interior illuminated just

John Higgins: No neon?

Sandy Colleratello: No neon.

John Higgins: Thank you.

Tom Koval made a motion to Approve Hairlines sign application. Marcel Nadeau seconded. Motion Carried.

17.026/17.031 Divinitea, 1604 Route 9(Shamrock Plaza) - Change of Tenant & Sign

Linda Smith: Hi my name is Linda Smith I'm the owner of Divinitea it's a 20 year business.

Don Roberts: Ok, and what are you proposing?

Linda Smith: We're going to be moving into hopefully, 1604 Route 9 currently owned by Tim Berlin in front of Quick SH free standing building, we're proposing a sign which you just saw that was before this in their marquis, its a 2x8 sign it will be on both sides of the marquis, thats the sign.

Don Roberts: How many employees?

Linda Smith: I have 3 full time and 2 part time.

Don Roberts; Ok, hours of operation?

Linda Smith: 10-5 Monday through Friday, Saturday we are not sure what the hours are going to be but probably the same as 5 or 10-4.

Don Roberts: Any other questions from the board?

Marcel Nadeau: You're stating you're doing wholesale?

Linda Smith: We do mostly out of the 1,800 sq ft we are looking at we do about 1,200 sq ft in a retail environment behind the building are 2 other rooms where we might process green tea with ginger its a dry mix that we actually mix the teas, we have a wall of about 100 teas that we offer to the public, we package them to order in bags and basically we blend the teas on the premises.

Tom Koval: You're selling them online or delivering, you don't wholesale to another tea business?

Linda Smith: No I wholesale to a couple of coffee shops and restaurants, meaning they might call me and say could we get a half pound of English breakfast and a half pound of

Tom Koval: It's technically retail, we don't allow wholesale in this area so

Linda Smith: I wasn't sure what to call it.

Tom Koval: Yea, its retail

Linda Smith: So that's what we do, we do provide product to a restaurant or coffee shop as well as the individual.

Lyn Murphy: As long as that portion of your business is a small percentage of your retail incidental to your retail business it's acceptable.

Linda Smith: It is.

Marcel Nadeau: So you are closing Schenectady and moving everything up here?

Linda Smith: Yes, we have run out of room and we really most of us actually live in the neighborhood here.

Marcel Nadeau: Ok

John Higgins: All of your inventory is going to be stored inside the building?

Linda Smith: Yes it is, some things I had mentioned at one point that every once in a while we get a freight truck, some things come into the country and rather have them left in places like California I might have a shipment that's freighted of one product so that I can maintain the integrity of it cause we are organic so I might get a pallet, right now we are getting two pallets a month their not very big and their not very large. We get a small freight truck because there is no need for a big one so when the product comes into the region they're put on smaller trucks brought to our facility, there's a back door at that facility where UPS could pull up to, where FEDEX could pull up to or ultimately if there is a freight delivery they could pull up to a back door and the landlord said that he has freight trucks pull up at least 2 or 3 times a week as do the businesses to the side of us, but that's not as I said it's 2 times a year for now just because of when the product comes into the country.

John Higgins: And the little garage or whatever you want to call it off the north end is that going to be?

Linda Smith: That's a separate business I believe they were here

John Higgins: No, no the little right there?

Linda Smith: That's a little, the building that we're in

John Higgins: it's like a tent or something isn't it?

Linda Smith: The building that we are in is technically all one building; there is a garage that somebody else is renting for their wrap business?

John Higgins: I am just talking about the little, the little piece right there?

Linda Smith: That's part of the building.

John Higgins: Ok, but I mean that is open that you are just going to use that for storage it's not going to be part of your retail area?

Linda Smith: It's basically going to be a break room.

John Higgins: Ok, that's fine.

Rich Berkowitz made a Motion to Approve Divinitea's Application for Change of Tenant & Sign. Tom Koval seconded. Motion Carried.

Don Roberts: Good luck, and advertise that you are in the Town of Halfmoon.

Linda Smith: Yea I was going to thank you.

17.032/17.035

Expressions4You/ Global Vapor, 1603 Route 9 (Town Center Plaza) - Change of Tenant &

Frank Walters: Good evening my name is Frank Walters I am the owner of Global Vapor/Expressions4you I'm not sure if Paul Marlow might be able to answer if the sign permit application was in also?

Paul Marlow: Yes, you're good.

Frank Walters: Oh, good alright , we got that in a little bit later so I wanted to make sure, we are , I'm here for a Change of Tenant , sign permit for 1603 Town Center9 that we are leasing through DCG Development Suite #2 previously occupied by Ruby Scissors Quilt Shop that was in that location. We do retail , this is going to be a retail walk in store , we do some online retail as well we have an online retail website we create e-liquid for vapor products that we sell that we'll be selling through our retail store and our online website.

Don Roberts: Ok

Marcel Nadeau: Is there a smoking room in there?

Frank Walters: I'm sorry?

Rich Berkowitz: Is there a smoking room inside? Are people allowed to come in and smoke inside?

Frank Walters: No smoking, you can.

Rich Berkowitz: Vapeing?

Frank Walters: Right, you can vape but you cannot smoke.

Rich Berkowitz: And the difference is? Besides the liquid versus tobacco?

Frank Walters: The difference between vapeing and smoking, vapeing your using, I'm sorry smoking your using a tobacco product that your igniting with flame, vaping products your using a liquid vapor.

Rich Berkowitz: And you're not selling any tobacco products just vapor?

Frank Walters: No, no no.

Don Roberts: Now you explained the Global Vapor what's the Expressions4You?

Frank Walters: We, just to be legal we have another little company thats called Expressions4You that we do some painting some abstract paintings that we want to sell inside the store but I didn't want it, that's under our company Expressions4You didnt want to put that through as Global Vapor because you come and see somebody selling paintings and your like what does this have to do with Global Vapor, so it's

Lyn Murphy: Your being overly cautious which we appreciate.

Frank Walters: Ok, I just didnt want to do anything I wasn't supposed to.

Don Roberts: That's good; thank you, and how many employees?

Frank Walters: 1.

Don Roberts: Just you?

Frank Walters: I'm the owner and I have 1 employee.

Don Roberts: Ok

Mike Ziobrowski: It mentions on here, producing and selling are you producing anything or are you just selling, are you making the vapor product there?...

Frank Walters: We are a manufacture we have a wholesale manufacturing facility in Albany.

Don Roberts: Not on site, not on site?

Frank Walters; Right, we make and manufacture the product, some other thing we'll probably order in to sell in the store have a variety.

Mike Ziobrowski: Ok, so you're still your acting like retail?

Frank Walters: Yes.

Mike Ziobrowski: Alright.

Don Roberts: Anyone else?

Rich Berkowitz made a motion to Approve Expressions4You's Change of Tenant & Sign application. John Higgins second Motion Carried.

Frank Walters: Thank you folks, have a great evening.

17.006 Tabor Road Flex & Truck Terminal Park(County Waste PDD Amendment) Tabor Road-PDD Amend Recommendation

Jason Dell: Good evening Jason Dell , Lansing Engineering I'm here on behalf of the applicant Mr. Scott Earl for the County Waste PDD amendment Tabor Road Flex and Truck Terminal Park. The project was before the Town Board back in the beginning of February and the Town Board referred the project to the Planning Board for a recommendation for the project our goal for the project this evening is to present the project to you folks in the hope that you would send along a positive recommendation back to the Town Board. So this project consists of amending the existing County Waste PDD to include project property located at 12 Tabor Road , due to the proximity of the project property to County Waste and the potential synergy for the project and the project for the County Waste it would mirror basically the applicants goals and the development objectives for the project, it will allow flexibility in uses with the current LIC zone as well as any potential uses available to County Waste pdd. So the project site is located along the south side of Tabor Road it is approximately 250 feet east of the intersection of Tabor Road and Ushers Road and the overall site is about 6.75 acres and as I mentioned before is zoned as the LIC zone. Just about all of the parcels in this area with the exception of the County Waste PDD are all zoned as part of LIC zone. As I mentioned before the project consists of amending the existing County Waste PDD to include the project property and all of the proposed buildings with in the park are to be utilized by different entities with varying uses , the proposed uses both listed within the LIC zoning district as well as within the County Waste PDD including as I mentioned before including Tabor Road Flex space and Truck Terminal Park into the County Waste PDD will allow for the flexibility in developing the parcel. So just to go through with the general site layout we've got here along the northern portion of the site we've got about 11,200 sq ft of flex space moving down to about 10,000 sq ft a 7,700 sq ft building and 2- 8,800 sq ft buildings. Access into the site will be off of Tabor Road and will come down into the various parking areas as well as loading dock areas. The site has been designed to accommodate both small delivery trucks as well as larger trucks as each building is equipped with overhead doors as well as loading docks. There will be no outdoor storage of anything throughout the site. The proposed green space that we have is 36% , 20% is required within the zone, and for utilities the sanitary sewer will be constructed and connected into the County trunk line that's currently located adjacent to the property, stormwater will be managed onsite in accordance with all requirements and water will be connected into the Town of Halfmoon water system which brings us to the community benefit for the project. For the project the applicant is proposing to extend the water main approximately 4,600 feet down Tabor Road from where

currently terminates , I believe the PAAR Estates PDD extended the water main about 1,800 ft past I believe its Liebich L this project will extend the rest of the way to the project site about 4,600 ft of 12 inch water main at a cost of about \$550,000 to the applicant so pretty substantial community benefit that will provide water to the residents that need it along Tabor Road we are here this evening to introduce the projects to you folks with the hope that you will provide a positive recommendation back to the Town Board for the PDD modification.

Don Roberts: Ok, thank you Jason, any questions by the board?

Tom Koval: Jason did you look at that rail crossing there is as far as in the past I know we were talking about there is some issues with the grade with tractor trailers getting hung up on there.

Jason Dell: I'm not aware of any tractor trailers hanging up on there as we move through eh process we'll certainly take a look at that but I dont recall there being a very substantial grade change there.

Tom Koval: You might want to look at it again.

Marcel Nadeau: What is distance to the tracks from your entrance approximately?

Jason Dell: I'd say approximately about 100 feet.

Mike Ziobrowski: Jason as far as the water main, the 12 inch cast in place line, where exactly is that? Is that gonna make way all the way down to 9 to make the connection and your gonna bring it all the way down to Tabor road to how far beyond this entrance?

Jason Dell: We would go just to beyond the entrance of the project site so it will get at the 4,600 feet down the road to the project.

Mike Ziobrowski: So past Sienna Fence and make the connection

Jason Dell: Where we would stop it right here in front of our project.

Mike Ziobrowski: You would be the last one on the loop but you would take it all of the way down to 9?

Jason Dell: Yes, no, no we're taking it down to here , we're bringing it from the other side of Tabor to this end of Tabor and stopping right there.

John Higgins: They are not going under the railroad tracks

Rich Berkowitz: Ok and then they are going to extend it to here.

Mike Ziobrowski: Ok, gotcha, alright.

John Higgins: Scott is there any possibility of having an access through County Waste for the tractor trailers? We are not worried about cars but the tractor trailers going out onto Tabor, you remember when you came in with the original County Waste project that was a problem with the neighbors is there any possibility of getting an access through the main County Waste access to down on rte 9 for tractor trailers?

Scott Earl: Thats something that we can look into, when we originally came to the Town of Halfmoon with the original County Waste project we agreed not to use that exit because of the proximity to the railroad tracks, that exit was 30 feet 20 feet from the railroad tracks, there was no logical way to make a turn to get in , the impact to traffic traveling through town using that exit using that exit or entrance would have been 2 homes located in the Town of Clifton Park located between rte 9 and the rail

tracks, still we said we will block that, we constructed a road through County Waste out to route 9 Thanksgiving one year about a 70 foot cut down onto route 9 and that road remains there today as the main access for that facility. In my opinion worth anything the number of tractor trailers that are going in here there is a similar business to this on Wood Rd in Clifton about an 1/8 of a mile away from this I believe it was DCG that constructed all of the buildings over there , all micro business and you'll see these up and down the east coast this seems to be, as much as our warehouses are full on rte 9 this is the same are micro business, instead of having a mall with all retail stores now you have small warehouses where people can operate out of that flex space allows us to move walls internally to provide whether it be 3,000 feet or 4,000 feet and it would be a by tenant basis obviously we would come back for approval on every single tenant as far as parking as far as what they do decided to show this with the tractor trailers , one of the benefits to the building would be to On loan , it was an electrical company they'd have the ability to unload in the community loading dock bring it in to their facility.

Mike Ziobrowski: These are all sprinklered butler buildings if you will?

Scott Earl: All sprinklered butler buildings yes.

John Higgins: I know they re-did that, that rail road crossing there but it still I mean you have the potential for getting land gear on a tractor trailer getting hung up on there.

Scott Earl: That is not something I would never want that's for sure so if I have an opportunity I will review the site tomorrow but I will also commit to adjusting the road in front of or behind the rail road tracks if that's what it takes to get trucks safely across that crossing, while I can't touch the railroad tracks I can work on either side of them, there is about a 10 foot stay but we can match the grade and change the grade.

John Higgins: Yea because especially on the other side, trucks trying to come into the site.

Scott Earl: There are a lot of trucks coming into the site, there is R.J. Valente there is a lot dump trucks a lot of construction deliveries going through there for the various projects on Liebich Lane.

John Higgins: I know what you're saying ya know you get 53-footer

Scott Earl: Yep, familiar with those, I drive them.

John Higgins: That's all we are concerned, or I'm personally concerned about is just having something happen there and someone get hurt.

Scott Earl: Well I do drive 53 footers regularly I've never brought one across that intersection so I will look. The water here is amazing to everyone that lives, that ties into the...

John Higgins: We have been trying to get water for years over there; I think that's all I have for now, thank you.

Don Roberts: Thank you Scott. Anyone else?

Marcel Nadeau: There's one residence to the east of that is that correct?

Jason Dell: This one right here? That is a residence yes sir,

Marcel Nadeau: So you would have buffering I see you have buffering but I Just wanted to make you aware.

Jason Dell: I believe Scott just mentioned that is was abandoned.

Marcel Nadeau: Yea, Ok

Don Roberts: Anyone else? Ok I would like to refer this to Joe for Clough Harbor review alright, also Rich it has to go to Saratoga County Planning and also the fire dist. right? and we need to hire a traffic consultant alright? Ok , thank you.

The board has tabled Tabor Road Flex & Truck Terminal Park until a review from Clough Harbor, County Planning , the Dist, and a traffic study can be done

17.029/17.030 Pole Barn - Fairways of Halfmoon, Raylinsky Lane- Addition to Site Plan & Special Use Permi

Jeff Williams: Jeff Williams, Bruce Tanski Construction and Development we're here to propose a 30 foot by 100 foot pole barn in the rear of the existing maintenance yard at the Fairways of Halfmoon at the end of Raylinsky Lane, the pole barn is needed and wanted in order to store equipment that has notoriously been stored on the south side of the existing maintenance yard. The pole barn is proposed to be in the rear, it is a 3 sided structure with an open side which will face to the east face to the main body of the golf course which is in this area here is the maintenance yard here on Raylinsky Lane, again we wish to store this equipment to get it out of the weather just for general upkeep, and in return it should actually help spruce up the appearance of the site.

Don Roberts: Any questions?

John Higgins: How tall is the building?

Jeff Williams: It will be under 35 feet I'm not sure exactly what it is though?

John Higgins: In height? Do you have a picture of the pole barn that is there?

Jeff Williams: Yea in height, I have a picture of the pole barns.

John Higgins: The old pole barns, the one across the road the old green one, that green barn.

Jeff Williams: I'm not sure about the height of the green barn but I think the green barn might be taller than 35 feet , they have an old hayloft in there but .

Rich Berkowitz: Its basically going to match the one thats across the street?

Jeff Williams: Its going to look like the one I'm handing out right now its a pole barn its actually over at D&N site off of Fellows Road , we are going to copy that one.

John Higgins: And that's more than 20 ft height range?

Jeff Williams: I can verify that but, I mean like I said I think its going to be definitely under 35.

Marcel Nadeau: Which side did you say the open ended side would face?

Jeff Williams: It's gonna face the main body, to the east but to the main body of the golf course.

Marcel Nadeau: Ok so not towards the residents?

Jeff Williams: Right and that actually there is one residence next to us I dont know if it is Mr. Pratt still but thats what it is on the site plan, we pulled that 25 feet off his property line and then of course its going to face this way here is the main body of the gold course, this is the driveway they are going to put up,

Don Roberts: Anyone else?

Marcel Nadeau made a motion to set a Public Hearing for March 13, 2017. Mike Ziobrowski seconded. Public Hearing s

17.034

Pinebrook Hills PDD, Farm to Market Road - PDD Recommendation

Mike Bianchino: Hi yes sir, my name is Mike Bianchino, Tonight I'm here representing Ivan Zdrahal Associates on this p
This was a PDD application that was before the Town Board at their last meeting and referred to the Planning Board for rev
and recommendation. The parcel I think the Board will remember this parcel as the former Klearsy subdivision located on t
west side of Farm to Market Road right near the bend just before Angle Lane, the parcel as the Klearsy subdivision I think it
filed as the Meadows of Halfmoon was a 49 lot subdivision it was approved by the Board and filed with the County Clerk's
the 49 lots included 5 lots that were originally located on Angle Lane. The original standard subdivision was set up such tha
lots were spread out and the open space was pretty segmented and a lot of the open space was included in the rear of a portio
the lots. It was part of the lots what we've tried to do in this modified plan and a PDD application is to prepare a conservati
cluster subdivision with 73 lots, the parcel, total parcel is 90.3 acres of which 58.9 acres are build-able and 31.4 acres are
constrained land, the overall density that's proposed on the PDD is 1.2 units per developable acre, there's 19.8 acres of lot
development almost 6 acres of town right-of-way, the roadway and 64 ½ acres or about 71 ½% of the site is common open s
As I said the per plan is for a cluster subdivision with the smaller lots that do allow for more desirable open space layout as
can see on the plan the open space is, is contiguous and there's a significant amount of open space along the Farm to Market
frontage and, this is consistent with the northern Halfmoon GEIS findings. The lots that were originally proposed on Angle
have been eliminated so there are no lots on Angle Lane. The future access that was originally proposed ya know stub street
you will, there, those are still there, there's one proposed on to the south into the lands that were formally of Tribley which i
where the Arlington Heights Phase II has a stub and there's a stub proposed to the north to the lands of VanWert that I think
before this board at the last couple of meetings. The original plan did show waterline upgrades as part of the plan that was
requested by the Water Department and that included the parcel required an extension of an 8" waterline down Farm to Mar
Road as requested by the Water Department that line was upgraded to a 12" line that basically runs from Angle Lane down t
site and in addition it was extended to Moreland Drive and that provided a system loop that was requested by the Water
Department. That was part of the approved subdivision and it is still part of the plan and for the PDD. In addition to that, w
also presented a public benefit to the Town Board and that public benefit Rich if you can, or Paul just flip to the next one th
you, is an extension of a 12" water main along Staniak Road from Bent Grass north all the way to the bend and that serves t
existing residents which at this point do not have public, access to public water and a we are proposing as part of the public
to extend that, that's about, a little over 2,000 feet of water line, and the water services for those, for those parcels to tie in.
the construction of this line is proposed to be done at the same time as the Farm to Market Road extension so it will, it will b
as part of the construction of the subdivision. As I said, this PDD proposal while it is a few more lots, does offer an improve
subdivision layout in our opinion it's more environmentally sensitive than the originally approved subdivision, provides
contiguous space and is more consistent with the findings of the GEIS and it includes that public benefit to serve the existin
residents on Staniak Road with, with water. I'm here tonight to answer any questions and obviously hope that in the future
ultimately the Planning Board will make a positive recommendation back to the Town Board.

Marcel Nadeau: Mike do know if the entrance is at the same as the previous approval.

Mike Bianchino: Yes, the entrance is located in the same place.

Marcel Nadeau: The same place.

John Higgins: 20% quality green space along the road, ah. Can we eliminate some of those lots and get more green space along Farm to Market?

Mike Bianchino: Well, what we've proposed here is obviously the whole frontage is green space these two lots here are back; set back 100 feet which is, was typical of the other projects along Farm to Market Road. I can ask, I can ask Ivan if that something that we can consider.

John Higgins: Well, ya know, ah the northern GIS as you're well aware cause you were involved with it, ya know asks for quality green space along and I agree with you, it's, ya know, it's a lot more beneficial than having a bunch of green space in the back but it's also the fact that a lot of the site is not build-able, I mean we told Klearsy that from day one. The other thing is the density well there is a problem in that end of town with traffic and it just keeps getting worse and worse and worse and yea the water benefit is definitely a plus but ya know the backups on Route 9 and Farm to Market Road in the morning are horrendous and they're getting worse. We even looked at the possibility of seeing if there was any way to get from/through the back side of Liebich to try eliminate some of it, but again, because of the elevation differences that, ya know, that'd be impossible so that's, those are my two comments, ya know if we can knock the density down a little bit and get more green space along Farm to Market. Thank you.

Mike Ziobrowski: My question would be, um, with Pinebrook going in you're gonna make that permanent connection into VanWert subdivision proposed. Right? Or no?

Mike Bianchino: Well that question was raised at the Town Board that is our plan was to provide that connection, there was a comment made by the Town Board about the concern that was raise during the public hearing about through traffic.

Mike Ziobrowski: It's gonna be, that's gonna be the conduit for everyone going from essentially VanWert subdivision, is, everyone, everyone's gonna travel right through this neighborhood to get onto Farm to Market to go to 9. So, yea I don't even see them at that point. It would actually relieve the traffic going through Rolling Hills.

Mike Bianchino: Yup and I think what we had said at the Town Board is whatever the town decides we're, we're good to do either. Ya know, if, again, the comment was made about making it emergency only we're proposing it as a full access but we'll do whatever the Board's decide.

Mike Ziobrowski: Is there any way to get an entrance over to, and I'm, this is a stretch right, but I'm gonna throw it out there to Liebich Avenue. To Liebich Road.

Mike Bianchino: I, I think as, as Mr. Higgins had mentioned there is a significant grade difference there and there are properties on Liebich that are already developed., we can certainly take a look at it, but I don't, I think

Mike Ziobrowski: Not that it, not that it would, if, if that was the main point of entry that's the only way you come in and out so ya know, unless people decided that they're go through Rolling Hills to leave this neighborhood.

Mike Bianchino: Yup

Marcel Nadeau: Mike I think that may be a good idea, I know we've always talked about just saying that it's very difficult to get through there but has anybody actually looked at it?

Mike Bianchino: G-Access from the parcel to Liebich Lane?

Marcel Nadeau: Ya.

Mike Bianchino: Well obviously you can see on the map the contours; I know they are, I'm just saying, has anybody actually done it?

Mike Bianchino: No.

Marcel Nadeau: Cause as John stated, uh obviously this is gonna increase the traffic on Farm to Market as well as all the other projects and to our knowledge, we're not gonna get any help on Route 9 so, you know, we're trying to control the densities of these projects to control the traffic. That's what it amounts to.

Don Roberts: Can you look at that Mike?

Mike Bianchino: Yea, I'm sorry, we can take a look at it, it obviously doesn't involve only the land that we control so, but we can look at it and see if there other opportunities.

Don Roberts: OK. Now, is there going to be a homeowners' association.

Mike Bianchino: Yes.

Don Roberts: And they'll be responsible for the private trail and all the open space?

Mike Bianchino: Correct.

Don Roberts: OK. Thank you. I just want to make that clear.

John Higgins: Mike, I got one more question, right in here, is there any room to put a turnaround for the town with their trucks for snowplowing, 'cause right now Angle Lane is a tough, tough road to plow.

Mike Bianchino: Yea, we, there's, there should be room there up, upland area where we can build that. I looked at it quickly, speaking with the Highway Superintendent before the meeting and it was brought up so it is something that we can look at I'm sure we can fit it in somewhere where it makes sense for them and we can get it without creating wetland disturbance.

John Higgins: And I'm sure several members of the Highway Department would be very happy to see that.

Don Roberts: Anyone else?

Marcel Nadeau: We're looking at a new traffic study for this?

Don Roberts: We, we're gonna take care of that. OK, I guess we'll refer this to Clough Harbor for review and, Rich, once again fire.

John Higgins: I'm sorry Don; I have one more quick question. It's a private trail so it's not gonna be open to the other residents to the Town. Cause right now in Rolling Hills

Mike Bianchino: It's a good question.

John Higgins: In Rolling Hills, its public trails. I'm just

Marcel Nadeau: You would need a four wheeler to go through that one now

John Higgins: Well, yea either that or a good lawnmower, but no I'm just asking cause I saw a trail but I didn't realize.

Mike Bianchino: I think the intent was it was a trail that would be owned and maintained by the homeowners' association. I honestly don't, I'd have to look and see what the narrative says. I think, I think it's addressed in the narrative says I think it's addressed in the narrative, but I just don't know if it's private, thank you.

Don Roberts: But for the purpose of leading to the open space.

Mike Bianchino: You could have bailed me out before I admitted that.

Don Roberts: Ok Rich we'll refer this to Saratoga County Planning Board, Fire District and Clough Harbor and we'll also need a traffic study, alright, ok thank you Mike, good seeing you again.

The board tabled Pinebrook Hills PDD's application for further review by Clough Harbor, Saratoga County Planning Board, the Fire District and a traffic study

Old Business:

15.135 I Love NY Pizza, 1 Plant Road - Addition to Site Plan

Jason Dell: Again, Jason Dell, Lansing Engineering, I'm here on behalf of the applicant Dominica for the I Love NY Pizzeria site plan improvement, since you're all aware, we've been before ah the board with this project before as well as it was previously approved as a delivery only facility on the pizzeria is currently closed as that business model was not working out for them, so we're back before the board tonight requesting that not only they be able to deliver pizza but also have pickup of prepared foods. Originally the delivery only was due to, I believe, ah traffic issues with respect to Plant Road and Route 9, we were most recently before the board requesting a one-way through the site and back to the access road that currently services Wendy's. However, the applicant has not been able to secure the easement in order to access that access road, in order to get that easement it would've required a significant expenditure of money to achieve that and so with that not being possible we're back before the board requesting a full entrance into the project and a right turn out only. We did get some feedback from the NYSDOT on this the email was sent to Rich as well in which they would agree to a trial period of this scenario of a full in with a right turn out only. Now we would provide the appropriate signage as well as we would look to do a striped kind of a pork chop in front here that would try to force people to do a right out only. We're not proposing a concrete divider out there as there is just not enough room as well as it would reek havoc on the town's plows as they went by, usually you would propose one of those but further back into the site, however, there's just not enough room to do so back in the site. So as far as parking goes to try have a few additional stalls, we are proposing to construct two more parking stalls up in the front of the building so we would go from an existing number of parking spaces out there of 7 up to 9 so we are here tonight to request the modification to the site plan as well as allow for both delivery and pickup of food there.

Don Roberts: Questions

Marcel Nadeau: Jason explain the trial period of the entrance. How does that work? I don't ever recall doing a trial period.

Jason Dell: Well, it wasn't very specific in DOT's email; I guess they had left that up to the town and/or the applicant ya know to take a look at it. Obviously, the market's gonna dictate if people are coming in here and they find it difficult to come out, ya know, they're not gonna frequent the store at that point in time as well as I believe part of what made them in violation of site plan was the Building Department had noticed ah that there

was parking and delivery and pickup issues here as well so, the DOT was not specific in their email with respect to, ya know, a temporary/permanent issue.

Don Roberts: So again, this is pickup and takeout only? Pickup and delivery only.

Jason Dell: Pick up and delivery only yes.

Richard Berkowitz: Are there counters and chairs currently in the facility?

Jason Dell: Yes. There are some counters along the outside that do have some chairs there.

Marcel Nadeau: And if it's pickup and takeout why would those be needed?

Rich Berkowitz: Well, how did they get there if we didn't approve it, right?

Jason Dell: I wasn't part of the project when it was approved so I don't 100% know.

Rich Berkowitz: Approval was for takeout only. Correct?

Don Roberts: Yes. So I guess the best resolution would be to move the chairs

Marcel Nadeau: Remove the chairs and the counter.

Jason Dell: We can remove the counters and the chairs.

Don Roberts: OK, alright that's alright? Anything else?

Mike Ziobrowski: My only comment is that I really believe that the town's not gonna be plowing the snow for New York Pizza so I don't really think that the curb itself would be impacted by the snow plows and I really think that you actually could put a curb there if it necessitated to keep the traffic going to the right otherwise they're just gonna, they're gonna gear to the left.

Jason Dell: Here's the edge of Plant Road, and if we were to put that curb right there, and that plow did go a foot beyond the edge of pavement, which is very possible

Mike Ziobrowski: Understood on that scenario, but if you back that up enough so just somewhat forces the traffic to the right cause I just don't think it's gonna work otherwise.

Don Roberts: And John, what, what do you think John?

Don Roberts: There's no one behind ya.

Jason Dell: So that would put the island way back into here which defeats the purpose of it being up by the road, so I understand what you're saying and I agree with you, but it would be way back here and once you got beyond that curbed island you could do.

Mike Ziobrowski: Alright. I'm gonna put John on the spot and say okay take his recommendation.

Don Roberts: Thanks John

John Higgins: How do you feel that the neighbors are gonna feel when people make a right and then all of the sudden make a U-turn in the buildings, the businesses next door or the two businesses up because people aren't gonna go all the way up Plant Road if they want to head in the other direction.

Don Roberts: Yea, we can't control that John. Neither, neither can they.

John Higgins: I know we can't control it but I'm just saying.

Jason Dell: Yes, yes there will be signage that's, that's on the plan right now.

John Higgins: And if and when the access to the rear can be obtained, the applicant will try and pursue that?

Jason Dell: We, we had that on our plan right now. That would only improve everybody's situation if they could exit out and come around and down.

Don Roberts: That'd actually be up to us to add when they, when and if that other parcel ever gets developed, that'd be up to us to try and make that happen.

Richard Harris: Not only this parcel but there's a couple around there that could potentially get traffic engineered benefit from having access to that Wendy's driveway as we call it neighboring properties to this that would certainly help a little bit, ya know in that area because most of these lots like this one are non-conforming to today's standards so the buildings there predate zoning changes that now require large lots, lot width but they've got tenants that have been approved and have come before the board so yet this is on our radar. I mean I've been dealing with this since a few weeks of working here 2013 so this is emblazoned in my head to help resolve this when that time comes, but you really need movement by the land owner that owns it on the parcel that's part of the PDD back there. The apartments, but we have it on our radar and, it won't be easy to forget.

Rich Berkowitz: Rich, Rich you weren't implying that this was a pre-existing conform/non-conforming?

Richard Harris: I'm sorry.

Rich Berkowitz: This was not a pre-existing, non-conforming

Richard Harris: The lot though is, the lot size, width and footage.

Lyn Murphy: Yea, we don't need to rehash the extended history of it but the building was not a pre-existing, non-conforming. The lot size was.

Don Roberts: Anyone else?

Mike Ziobrowski: Is there any plan signage for delivery and pickup only? So that when you walk in the building it's, they're not gonna be soliciting, you're just hanging out? So, there's going to be some placard or some, so it's understood the intentions when you walk in there?

Jason Dell: Yes.

Mike Ziobrowski: OK.

Marcel Nadeau: Plus that countertop and the chairs will be removed.

Mike Ziobrowski: Well that's a good starter.

Tom Koval made a motion to Approve I Love NY Pizza's Addition to Site Plan application contingent on the removal of the counter tops and chairs. Mike Ziobrowski seconded. Motion Carried.

Jason Dell: Thank you.

Rich Berkowitz made a motion to Adjourn the meeting at 8:07pm. John Higgins seconded. Meeting Adjourned