

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

Those present at the March 13, 2017 Planning Board meeting were:

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

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

*Marcel Nadeau made a motion to Approve the Minutes from the March 27, 2017 meeting. Tom Koval seconded. Motion Carried.*

*Rich Berkowitz recused himself.*

**New Business:**

**17.049        Merrill Lynch ( Parkford Square 2) 453 Route 146 - Chang of Use/Tenant**

**Jim Loiselle:** Hello I'm Jim Loiselle, we are here on a change of Use/Tenant application for 453 Route 146 our Parkford Square project, we have an existing tenant in the first building located at 449 Merrill Lynch and they've decided to expand their operation with some additional space in the second building that we put up which completes the fit out. They are interested in approximately 4400 sq ft they have 9 employees , their hours of operation are basically from 9 in the morning till 4:30 in the afternoon , Monday through Friday and the lease allocates 21 parking spaces.

**Don Roberts:** Any questions by the board?

**Rich Berkowitz:** There is enough parking?

**Don Roberts:** Do they anticipate, I mean there are 9 employees, customers coming in or...

**Jim Loiseau:** Customers are by appointment only, so I would guess from the operations in the other buildings we don't really see more than like 3 or 4 customers at a time coming to meet with their advisors so I think the parking is light.

**Don Roberts:** Okay.

*Rich Berkowitz made a motion to Approve Merrill Lynch's Change of Use/Tenant application. Tom Ruchlicki seconded. Motion Carried.*

**Don Roberts:** Is there a sign or no?

**Jim Loiseau:** They're going to apply for the sign with the building permit for the set up.

**Don Roberts:** Do they know they have to come back?

**Jim Loiseau:** They will take care of that themselves, yes.

**Don Roberts:** Alright, ok thank you.

**17.057**            **Architectural Glass & Metal, 3 Liebich Lane - Change of Use/Tenant**

*Mike Ziobrowski recused himself.*

**Mike Haverly:** Hi I'm Mike Haverly, I'm looking to move Architectural Glass and Metal from 11 Solar Drive to 3 Liebich Lane, other than that nothing is changing, same amount of employees, same square footage, it's just a newer building with a different layout that allows us to be a little more efficient same hours, same employees.

**Don Roberts:** Are you going to have outside storage?

**Mike Haverly:** No.

**Don Roberts:** Anyone else?

*Rich Berkowitz made a motion to Approve Architectural Glass & Metals Change of Use/Tenant application. Tom Koval seconded. Motion Carried.*

**Mike Harvey:** Thank you.

**17.061**            **Glen Meadows PDD Phase 5, Upper Newtown Road - Site Plan (final Subdivision Plan)**

**Mike MacNamara:** Good evening, Mike MacNamara with Environmental Design, we are here tonight representing Abele Builders for Phase 5 of Glenn Meadows. The entire project was given approval back in 2012, since that time we have been filing it in phases the last phase was 3 and 4 back in September of 2015. Phase 5 is the final section it's about an 1,100 feet of roadway, sanitary storm water is all right there it's basically just connecting the ends of Hearthstone Dr. no changes since the original approval all the same lots all the same right of way all the same utilities.

**Don Roberts:** Any questions?

**Mike Ziobrowski:** Do you have a SWPPP Plan that goes with this?

**Mike MacNamara:** There's actually a construction permit that's active, cause constructions been going on pretty much steady since it started. So they will operate under that same permit.

**Don Roberts:** Joe any engineering issues?

**Joe Romano:** No this is the same as what was previously approved.

**Don Roberts:** Anyone else? (No comments)

*Rich Berkowitz made a motion to Approve Glen Meadows PDD Phase 5, Final Subdivision Site Plan application. Tom Ruchlicki seconded. Motion Carried*

**Lyn Murphy:** And just for purposes of the record the SEQR process was already complied with as the applicant said this isn't some modification so his application is consistent with the currently declared Neg Dec.

**Don Roberts:** Thank you Lyn.

**Mike MacNamara:** Thank you for your time.

**17.058**            **Carol Jean Estates Storage Building Cemetery Road - Site Plan**

**Jeff Williams:** Jeff Williams, Bruce Tanski Construction and Development. Im here with the applicant Mr. Tanski tonight we are proposing a storage building for Carol Jean Estates. Carol Jean Estates is an apartment complex that's on Cemetery road if you remember back in December this board approved the final site plan that included an 8 unit apartment building and also added .6 acres to the apartment site. We kind of thought it over and we felt that the site would be better served by maybe having a storage building or something we need in that area for those apartments rather than the eight unit so that's what we are proposing to replace the eight unit with a storage building. The storage building is used to house certain apartment apparatus such as hot water heaters we keep out extra hot water heaters, stoves, refrigerators on site for emergency turnouts or for when the apartments are turned over for upgrades. Again we are proposing in the same location we proposed the 8 unit that we're proposing one curb cut on the internal system, we are also proposing 5 parking spaces although we don't feel we need the parking spaces its really for the people that work there they will be pulling in utilizing the site picking up what ever they have to pick up and then pulling back out of there, so we would like to ask the board maybe to consider allowing us to land bank some parking in there, again there should be no disruption to Cemetery Road, we included the burm that was talked about the last time to buffer this building from the Cemetery Road.

**Marcel Nadeau:** Jeff what's the building going to look like?

**Jeff Williams:** Its a metal building its a Morton style building, its gonna resemble this type its gonna have one garage door one access door, windows, we're going to hopefully do more earth tone try to blend it into the environment, we'll keep the cupolas there so its kind of a barn type structure.

**Don Roberts:** Now is all of the equipment going to be inside or is any going to be outside storage at all or no?

**Jeff Williams:** It will all be inside.

**Don Roberts:** No outside storage

**Jeff Williams:** No not at all

**Rich Berkowitz:** What type of equipment is it going to be?

**Jeff Williams:** Well the equipment is going to be like I said we have various pieces, we have you know heaters, stoves, refrigerators, toilets, some door assemblies, and trim, sheet rock, and we keep that all on hand.

**Rich Berkowitz:** Its just extra building materials?

**Jeff Williams:** Yes just extra building material and also probably lawn maintenance stuff like tools like that inside too.

**Rich Berkowitz:** What type of trucks are going to be coming in and out. ?

**Jeff Williams:** The trucks are usually a van, closed vans or maybe a rack truck will be in there at some point.

**Rich Berkowitz:** Would you consider it being less traffic than if you were building apartments there?

**Jeff Williams:** Oh most definitely, yes most definitely.

**Don Roberts:** Anyone else?

**Mike Ziobrowski:** I think the major concern is the view from Cemetery Road are you going to plan, on top of the burm are you going to plan to put some plantings, some pine trees, arborvitae, something?

**Jeff Williams:** Yea I think when we did the eight unit we proposed a large evergreen type planting on a burm to raise it up a little bit more so it will be extensive.

**Richard Harris:** Can you just point to where that is on here?

**Jeff Williams:** The burm?

**Richard Harris:** where the burm is.

**Jeff Williams:** the burm is right here, there is a row of trees already in here and these are the two entrance ways going into the site.

**Marcel Nadeau:** But you will see the building from Cemetery Road?

**Jeff Williams:** Like I said I think we are utilizing that burm to buffer it as much as we can, but there is going to be a glimpse down the access road you'll be able to see it, probably see the burm but what are going to have there, or what we have left there onsite for that area we are going to burm and landscape this area.

**Tom Koval:** Would it be possible to get a burm closer to the side of the building to block the side of the building , my one concern with this building , and I realize its something you need , actually I have two concerns I want to make sure that no equipment , no lawn equipment no snow plowing or snow removal equipment are stored outside the property , just because it takes away from the nature of the neighborhood and the building really doesnt fit in with the neighborhood , I realize you need it , so the more we can do to shelter it from site of Cemetery road the happier I would be with the building .

**Jeff Williams:** I agree, and one thing we are not going to do outside storage cause we dont want our equipment to walk away too so its security too also. We probably can put a row of arborvitaes around this, you know closer to the building, more buffer

**Tom Koval:** That's what I was thinking, just to give it a little screening.

**Jeff Williams:** Ok

**Don Roberts:** Anyone else?

**Marcel Nadeau:** What is the height of the building?

**Jeff Williams:** Its about 25' I guess, its lower than 35 but its about 25 feet. It's about the same size as the last pole barn I brought in, the peak.

**Tom Koval:** 12 foot doors on this one? If you're not putting excavators and things you'd stick with a lower door to keep the profile of the building down a little bit.

**Jeff Williams:** Yea there is no large equipment going in so I guess the doors can be 10 ft or 12 ft door right?

**Tom Koval:** You'd stick with 8 ft., so you could probably keep it down to about the 20 foot mark.

**Jeff Williams:** Yup

**Don Roberts:** Anyone else? I guess at this point I guess we will refer it to Clough for review, the fire district, ok we will have to set a public hearing next meeting is April 10th.

**Lyn Murphy:** Excuse me, we dont need a public hearing.

**Richard Harris:** it's getting confused with another item.

**Don Roberts:** Ok, yea no just, we just refer to Clough Harbor, refer it to fire district, and

**Richard Harris:** Fire District, if they have no objections and the Director of Water will give the service connections.

**Don Roberts:** And they have no problems, so it just goes to Joe then I guess at this point? Ok Joe you'll go over it and we will try and get the height, get a definite height on this thing so we know what we are dealing with alright.

**Jeff Williams:** Yea we have an existing barn so we will measure off of that one.

**Don Roberts:** Ok, anything else? Ok I guess we are all set for now, thank you.

**Jeff Williams:** Thank you.

*The board referred the Carol Jean Estates Storage Building application to the following agencies for review, Clough Harbor, fire district and the Director of Water.*

## **17.059      Ballard - Vosburgh Road Subdivision, Vosburgh Road Major Subdivision**

**Mike Bianchino:** Mr. Chairman thank you I'm Mike Bianchino with Lansing Engineering I'm here to present this concept subdivision plan , the parcel is actually two tax parcels located on Vosburgh road north side of Vosburgh Road about 775 feet east of the intersection with Smith Road , the two parcels , one of the parcels , the westerly parcel is a 3.38 acre parcel which has no frontage on Vosburgh road , the other parcel is a 3.9 acre parcel which is the easterly parcel which has about 57 feet of frontage on Vosburgh road and its about a 55 foot wide strip. The land is currently

vacant and it's got some forest area some open land with some scrub growth scrub brush, it's got some wetlands along the westerly edge just along the edge and a little bit along the northerly edge. There also is, a National grid power line that runs down the, this portion of the site here. The total parcel is 7.29 acres in size its currently zoned agricultural residential A-R. It is this parcel is within the North Halfmoon GEIS study area so it is subject to the findings of the GEIS. The surrounding land uses in the area are typical AR and R-2, AR being single family residential, some duplexes residential and also some mobile home parks. The soils in this area re generally sands and loams and silts, relatively well draining some areas with some less well draining soils. The proposal is for a 9 lot major subdivision, conventional single family lots , ranging in size from 22,600 sq ft to 38,700 sq ft. The proposal also includes a town road about 875 feet long which connects to Vosburgh road. The right of way as I had said because of the limited frontage the right of way for the first 200 feet is 55 feet in width and then it widens out to 60 feet , the proposed road way is , is proposed to be 28 foot total , 2- 12 foot lanes and 2 wing wedge curbs we have reviewed these two issues with the highway dept. and they have indicated that they will consider the use of that narrow road section because the few number of lots and their comfortable with the 55 foot right of way for the first 200 feet because it is consistent with the right of way in several other areas in the town including Vosburgh road itself. The stormwater will be managed through onsite stormwater management in accordance with DEC green infrastructure requirements, I'm sure the town board is aware the area over the years has generally speaking this area drains from the west across to the east generally from Smith road and beyond and it drains in this direction towards the east and the south, and there are some existing drainage concerns by residents in that area. Our conceptual design at this point is to utilize the road way system and onsite storm water management to intercept the surface run off and run it through our stormwater management area and reduce the off site flow of drainage in accordance with standards our storm water management is located here. Our proposal is to pipe out of our stormwater management area through an easement that we have obtained from the adjoining landowner and get it out to Vosburgh road where we can improve some of the drainage along Vosburgh road and get it out into the wetland area which is located farther to the south , so we do think conceptually our design right now would be to try and intercept some of that run off and run it through our system, over detain if necessary to reduce the impacts off site of storm water. We'll also work with the highway department I know in talking with John about the roadway he has indicated that their are some existing ditch concerns along Vosburgh road we will work with the highway superintendent on improving that drainage along that area to make sure it drains appropriately, and again we will work with him as we go through our preliminary design going forward. Water and sewer for the site the Vosburgh road currently has existing water and sewer , there's an existing 12 inch water main on Vosburgh road that we all tap into with an 8 inch line and run that into the site with appropriate hydrants and then serve the 9 lots off of that 8 inch line the existing sewer on Vosburgh road is a force main we will utilize low pressure sewers to tie into that force main through the site. I think I've touched on everything at this point its a concept and we are looking for comments from the board and comments from the town engineer and as we go forward with preliminary design.

**Don Roberts:** Ok thanks Mike, one question can you tell us the distance between the proposed stormwater management area and the adjacent property?

**Mike Bianchino:** The way the lot itself as its proposed the stormwater management area is here now its a concept so we've kind of its a bubble diagram so its basically this would be the top of the basin so the bottom of the basin is obviously in here that distance is about 20 feet at this point, but its a bubble so we have to design that and do the grading plan and so on and see what we need to get in there.

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

**Tom Koval:** Where are you proposing carrying that water from, from the east and then between the lots down to the roadway?

**Mike Bianchino:** There's an existing house that's got a driveway that runs along here, we have an easement on that driveway to pipe,

**Tom Koval:** So you would improve that swale?

**Mike Bianchino:** No we were going to pipe it, we would pipe that area, improve that drainage along that area but we would pipe that, pickup whatever we could along that way and get the water out to Vosburgh.

**Tom Koval:** I've traveled that road several times in rain storms and that ditch that runs west to east drains down to the wetlands and when it rains , its full and I've seen it crossing peoples driveways, I've seen , I've walked it I believe a year ago , a year and a half ago and the silts all filling in the culverts under everyone's driveway its passing over the driveway so I would ask that when Clough Harbor looks at that they we look at each individual driveway as well , to see the impact of the extra water thats getting piped out into that town right of way that all those culverts and addressed and all those driveways are addressed to make sure that we are not taking these peoples driveways out all along the way once its off your site then it becomes our problem.

**Mike Bianchino:** Yea and you're talking about the driveways along Vosburgh here?

**Tom Koval:** Yes I am.

**Mike Bianchino;** Ok, yea I mean yea that's again we had talked to John Pingelski about that as well and he had mentioned that and that is something that we are looking at the design.

**Tom Koval:** Right I definitely want Clough to look at that closely.

**Marcel Nadeau:** Mike what's the site distance going west coming off of the hill basically?

**Mike Bianchino:** Our preliminary analysis is its somewhere in the 4 to 500 foot range but its, I looked at it again today as I was coming over and it is something we are going to look at in detail yea, cause there is a hump in that road as you go west.

**Marcel Nadeau:** When we were looking at the site I think it was last year or so, the traffic comes over that hill pretty quick.

**Mike Ziobrowski:** Have you ever considered porous pavement as a means to mitigate some of that water that's being just surface water coming off just prior to hitting your retention system?

**Mike Bianchino:** It is something that we can look at; we will work with the town engineer to see if that's something that's desired in this area.

**Mike Ziobrowski:** You could also use engineered soils but then your retainage system as well so you could basically you want to absorb the water instead of it just running off , and your concept right now from the way I understand it , its gonna run off into the stormwater retention system fill up and keep going.

**Mike Bianchino:** No the intent, well we will use whatever means are necessary but the soils are fairly well draining there's a lot of sands and loams in that area so it does drain fairly well we just got to deal with where the ground water is.

**Rich Berkowitz:** Mike, will this amount of stormwater management area also decrease the amount of flow on the adjoining neighbors?

**Mike Bianchino:** That's the intent yes.

**Rich Berkowitz:** So theoretically that will improve their problem in their back yards?

**Mike Bianchino:** That's conceptually what, that's what our design is going to look at , and thats our intent yes.

**Rich Berkowitz:** ok

**Don Roberts:** Ok at this time I'd like to refer it to Clough Harbor, the fire district and take it from there, alright, ok thank you Mike.

**Mike Bianchino:** Thank you.

*The Board referred Ballards Major Subdivision's Application for further review with Clough Harbor and the Fire District*

**Old Business:**

**16.153            Lot D Improvements, Rexford Group Associates, 5 Rexford Way - Site Plan**

**Kit Bast:** Hi I'm Chris Bast also go by Kit; we're here for 5 Rexford Way, also known as lot D. We've been here a couple times before and we're hoping that well there was a couple open items the last time we were here I think one was approval from the County and I think we needed to get a letter from the State Office of Historic Preservation. We have submitted those and we are hoping to get final approval.

**Richard Harris:** We received a letter from the office of Parks and Rec and Storm Preservation regarding concerns regarding Historical impacts and they are satisfied. We did recieve a letter from a neighbor, Don would you like me to read it?

**Don Roberts:** Could you Rich? Alright thank you.

**Richard Harris;** *I want to thank you for your timely response to my phone call regarding the above pending project thank you for seeing my husband Paul and I today, you answered our questions and described the pending project in more details showing us the maps and outlines of the plans , provides a clearer picture of their expansion. Bast Hatfield and the tenants have been good neighbors over the years our concern is for loud noise and bright lights previously both conditions with prior projects were addressed and solved we expect the same and wish them success in these future endeavors. Sincerely, Madelyn Sicko.*

**Kit Bast:** The project that we are building is a support building its for HT Lions our current tenant at the adjacent property and they are just going to continue what they are doing the same kind of things they have been doing at their existing property, in fact they are still going to occupy that property as well, they are just going to work I think during normal business hours most of the work if now all of the work should be behind closed doors and the lights that they its just exactly the same or similar type lights to what we have installed there , we dont foresee any problem and if there are we will certainly work it out with them.

**Don Roberts:** Any one else?

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

*Richard Berkowitz made a motion to Approve The Rexford Group Associates Site Plan application as presented with the condition that the lighting in the north is as was presented. Marcel Nadeau seconded. Motion Carried.*



**16.165**      **Paris Site Plan, 556 Hudson River Road - Site Plan**

**Dominic D'orico:** My name is Dominic D'orico with D'orico Associates representing the project I have Rich Barbara here representing Paris , Mr. Paris. I know we are in front of you , they were in front of you before with someone else I dont know how much of the project you want so I guess I'll just go through the project at this point and what we changed, modified since then. I guess I can use this I haven't been in front of your board in a while so I kinda, I like this too though. There is a proposed office building here and a garage area here parking for the garage and material storage would be in this area back here I guess there was concern originally about making sure there was no storage of materials up front we added a note for that on the plans as well. Access is off of Hudson River Road, I believe route 4 as well its called, the access drive has been permitted and has been constructed with the review of DOT already so its , I believe the permit has been closed and the permit has been accepted , so that the drive way they have accepted and thats what were maintaining , the only difference we are doing we are going to pave from the edge of this parking to the edge of route 4 and have it as a paved apron. The other change that was made originally there was leach field up in here for the sanitary sewer, there are no sanitary sewers in the area , we've relocated it down in this area here removing the low pressure sewer pump and the low pressure sewer lines with in the property , this is a gravity system , its set up for the office building and the garage, the numbers are been placed on the plans I want to say it was around 400 gallons per day with the total we are using the infiltrator type system instead of the round pipe thats that hump type of pipe, have a handicapped area here thats also going to be paved , the rest of the parking area is gonna be a gravel stone area we dont plan on paving anything except for a round this handicapped area and the driveway entrance. There will be concrete sidewalk though along this building when thats constructed, we are anticipating the entrance to be right here at this point, the garage will enter through the back with the garage doors and pedestrian doors we've added some landscaping some shrubbery low level landscaping some larger trees along the edge , some screening trees on the left edge of the property there is also a loading and dumpster areas in the back here, this access here is just more of a turn around its not really an access to the next property we've removed that to the property line so its not any need for an easement to go through from this property to the property in the back, if in fact that does ever get developed and they need access to that portion the easement would probably more likely be developed then. This has been revised, I just gave Joe the revised plans since Rich wasn't there and I , we moved this driveway back to here so it didnt touch the property line so there would have to be an access easement if that was to happen. Our site disturbances is under an acre of disturbance so we are not generating any stormwater management but everything does sheet drain to this area this way and to an existing wetland area which drains back to the north I believe which is that way. It collects area from the other side of route 4. What else can I.. water, existing, we have existing water, there is a new water lateral service coming in the side of the building , there isn't a water service for the garage at this point , I'm not sure if it will come from the but , we either come off of this end if the water here or it will come from the building depending on the meters that they are gonna install, the garage is, they are just going to have a bathroom so, but thats something thats just not shown on here as far as where the water, it won't be another tap this is a service line comes in and it stops here we are going to add the shut off valve and then extend to the office building, definitely we needed more and probably extend across to the garage at that point but its just not shown on the plan. I believe that's the project.

**Don Roberts:** Any comments?

**Tom Koval:** Any proposed signage at this time?

**Dominic D'orico:** No, is that a separate permit?

**Don Roberts:** Yes

**Dominic D'orico:** Then I would say that would be done on a separate permit.

**Don Roberts:** Then you have to come back to the Planning Board office.

**Dominic D'orico:** I also meant to have a building elevation that I meant to submit that I can show you if you would like to take a look at it.

**Don Roberts:** How high is it going to be the building?

**Dominic D'orico:** It's just a one story, pitched roof but I all I can tell you is that's the only copy I have I forgot to get copies, this is probably pretty close as far as the office building again I'm not sure which way the door is going to be there our goal here is to get the garage on the office building at this point all I can say here is, on the other side. But that's the style; potential color is looking neutral which these are really neutrals.

**Don Roberts:** The outside material storage area in the back there, that's gonna be kept neat.

**Dominic D'orico:** Yes, yes you will be able to eat off the ground.

**Don Roberts:** I'll take your word for it.

**Dominic D'orico:** And we made it so the building sat right on the set back line so there is no room up front to put anything, the storage will just be green space up front.

**Don Roberts:** Anyone else?

**Mike Ziobrowski:** I believe you will need a SWPPP plan although it's a small building you will need a SWPPP plan for this construction.

**Dominic D'orico:** We did an erosion sediment control plan, correct there is a SWPPP plan in place just not storage, correct.

**Mike Ziobrowski:** Ok, I saw that leach field and I assumed it was but I just..

**Dominic D'orico:** Which has been submitted and there's an erosion control plan which were but there's no storage requirement because we are under the acre, yes

**Mike Ziobrowski:** Right, ok thank you.

**Don Roberts:** Anyone else? Hey Joe are you all set? Do we need to review that new plan or are we all set?

**Joe Romano:** We had some minor comments so I think we will just want to do final decision by the board, we had some minor comments that we just wanted to review.

**Don Roberts:** Ok, but nothing major, nothing that will stop us tonight?

**Joe Romano:** The only outstanding comment is we had a comment regarding an easement on the parcel.

**Dominic D'orico:** Yea I did mention that about the cut through?

**Joe Romano:** Yea, what was the use of that parcel and the ownership?

**Dominic D'orico:** I'm not sure

**Joe Romano:** Is it being used by this applicant?

**Dominic D'orico:** I'm not sure

**Rich Barbera:** Im Rich Barbera I represent Jerry Paris , that is the same owner and currently and I want to say in the original way back plan that was approved for some storage here and there, there was a septic system that was set up to be put back there so that whole plan overall was used for that whole property, which obviously we've since abandoned, and I know you guys drive by that place so you know what it looks like, I took over managing that property for Jerry a couple of years ago and I'm sure you've noticed there has been a lot of things that have started to disappear up there and I've been trying to get that place as sorted out as best I can right now we are really just waiting for this project to go further so we can get some of that other stuff moved down in that area that we need to do some grading on and prep for the project so that the storage area that the material and the vehicles will be exclusively to that area that is depicted on the plan here so there is some things that are stored in that back area , there is some large top soil piles and stuff like that obviously thats not going to be pulled out of there you know in a days notice but our goal is to work everything back to that front area and exclusively use that, if that answers your question.

**Tom Koval:** So you will no longer be storing your gear here? You are supposed to not have anything in that back area so you don't need the easement?

**Rich Barbera:** As it stands right now our main goal is to have the function of our business up in that area that we want to develop right now as this plan stands, so even if we did need an easement to that property later obviously thats a whole other issue that we would have to address down the road if I'm not mistaken, correct?

**Lyn Murphy:** No I dont think there is an approved use on the back area would there be an objection to just putting a note on the map that this is the site of a future easement if necessary? We are concerned because we dont want to create a landlocked parcel.

**Rich Barbera:** It has frontage on route 4

**Lyn Murphy:** Is it accessible though? Can you actually use it to access the piece?

**Rich Barbera:** It's accessible and useable but it may not be a width requirements.

**Joe Romano:** I dont think it would be necessarily desirable for that back parcel to be developed.

**Rich Barbera:** It's mostly wetland

**Lyn Murphy:** So could you just put a note would you object to a note?

**Rich Barbera:** Sure we could put a not we just didnt want to generate an easement now for the parcel and if we could put under that it would be generated in the future if the need arose , sure , sure

**Don Roberts:** Thats alright? Anyone else? (No comments)

*Rich Berkowitz made a motion to declare a Negative Declaration Pursuant to SEQR. Tom Koval seconded. Motion Carried.*

*Rich Berkowitz made a motion to Approve the Paris Site Plan contingent on the easement language and the approval from Clough Harbor. Marcel Nadeau seconded. Motion Carried.*

**Jeff Williams:** Hello Jeff Williams Bruce Tanski Construction I'm here with the owner Mr. Tanski we are back to discuss the proposed Fairways of Halfmoon Brew Pub, again we wish to serve hand crafted beer to our patrons of the golf course as you all know for the last 18 years Fairways of Halfmoon has been running an 18 hole golf course along with it's club house, bar and restaurant use and banquet house. The micro brew pub will be an extension of the existing club house bar restaurant in fact the liquor license is an extension of the existing liquor license. The liquor license specifically allow us to brew our own Kraft beer to serve that beer on premise, will allow the sale of growlers to be taken off premise it also prohibits us from selling of any kegs. We wish the one change that we didnt talk about last time is we wish to extend the hours of operation from 11 am to midnight , and the reason for that is we got talking and major televised sporting events we wish to stay open for those , something like Monday night football or something like that but.

**Don Roberts:** Is that the hours 7 days a week?

**Jeff Williams:** It would be 7 days a week yes. Again in order to set up the brew pub we are proposing to remove an existing 320 sq ft pro shop that is on the south east end of the facility, this will allow us to construct a 1650 sq ft addition for the brew pub itself. The brew pub will have its fermenting tanks on display , its own bar and growler station along with a seating area, the pub and on the next addition to the pub would be a 638 sq ft new pro shop , we basically are doubling the size of our pro shop. The proposed addition will be built on and over previous disturbed area such as walkways , decks , car paths , landscape beds and existing 5 parking spaces there will be new walkways and new landscape beds added around the proposed additions along with additional 19 parking spaces to be added amongst the existing parking area. The new parking areas are this row right here, and another row right here, we are losing 5 up here so the 19 we are building are a net gain of 14 with that the total parking for the whole site would be 204 parking spaces. I think the last time we talked about this concept was we got a little wrangled up with some of the numbers and we asked what our maximum production could possibly be and really in actuality the real number is demand driven as more people enjoy our beer the more we will produce but we looked at the facility the size of the facility the equipment that we're be using and the head brew master feasibly came up with possibly 400 kegs per year but he described this and I'm quoting him " A massively optimistic sales production of 1.1 kegs per day" but a maximum of 400 kegs per year I guess would be our magic number but it would be a tough number I think to reach at that point. I believe that's about all that I have.

**Don Roberts:** Ok, comments by the board?

**Tom Koval:** Yes I have a couple questions, the approval for this site as existing is for golf course, banquet house am I correct?

**Jeff Williams:** Golf course, banquet house and a club house bar and restaurant.

**Tom Koval:** Club house , bar and restaurant, so what your proposing it is a brew pub in the facility now and as per your letter your asking for longer hours to be open for televised sporting events which falls more in line with it being a bar than a banquet house or a golf course to watch athletic, to have people come in and watch games is not conducive to what your approval for the site is in my opinion , the extended hours encourage people to stay to a much later time , my concern is we are going to have issues with the neighbors as people are now leaving at an even later hour, if last call is at 12 am they have as every other bar goes you have a little while to finish your last beer , if your saying in your narrative that you want to stay open during televised sporting events that has nothing to do with golfing or banquets, so is this being proposed as more of a brew pub.

**Lyn Murphy:** Just for clarification the approval is currently for a golf club so all of the things that you are talking about are involved in the running of a golf club like you didnt mention a pro shop which you also have but thats, the previous approvals have been that the applications submitted were consistent with a golf club so just so everyone's clear.

**Jeff Williams:** So what I'm saying is, is that the brew pub is a brew pub where we can produce our own beer and sell it to the public. We have a bar an existing bar and restaurant as part of the golf course as an accessory to the golf course that serves liquor and food to the people, the existing hours right now are 11 am to 9 pm we are talking about major sporting events on TV that we could possibly stay open longer, I knew we had to bring that to the board so I'm asking or that consideration.

**Tom Koval:** Right but that puts us into a different realm, now that puts us into more of a bar realm where people are going there to watch sporting events as opposed to people that went for a golf outing or a banquet and have stayed later, so now we are encouraging people to come at a later hour to watch a sporting event and stay till midnight and thats not your approved use of that property.

**Jeff Williams:** Well I believe also that peopple come to the restaurant to eat food but they are not golfing too.

**Tom Koval:** Right they are coming to eat food but they are not coming to watch a sporting event and they are not staying till midnight to eat food.

**Lyn Murphy:** I think the board was talking about possibly decreasing the hours of operation till 11 or 10 would be more consistent.

**Tom Koval:** 10:30 - 11 I think would discourage the later night crowd that the kids that come out at 9:30 10 o'clock to start drinking, I have nothing against this facility, the pro shop I think thats all great my concern is for the neighbors when people are leaving at a later hour and at 12 o'clock closing , 12 o'clock last call because thats in reality what its going to be , its going to encourage a much later crew to be in your facility and that impacts all the surrounding neighbors is what I'm concerned about.

**Bruce Tanski:** In all due respect just so that this board knows we've signed up so far 46 weddings this year and our weddings usually go till 12 o'clock and I discourage like a lot of people want to pay extra money to stay open that extra hour and we discourage it so much that we put such a price tag on it that out of the 46 weddings we might have 2 that might stay that extra hour because I agree with what your saying , we've never had an issue , I dont want an issue and I would be willing to acquiesce to what your saying but on the same token if its a Thursday night game and cause most of the guys that come there aren't kids they're older adults and they come there for the beer and they come there to watch and you know its only football , the rest of the time everybody probably be out of there by 9 o'clock anyway.

**Tom Koval:** Could we limit the hours ,could we raise the hours of the banquet hall and decrease the hours of the brew pub have them separate hours so the brew pub itself parse shuts down at 10:30 1:00 o'clock and then the banquet house is allowed to stay open , because if your saying if a wedding wants to go to midnight they are not out in the brew pub they are in the banquet hall so if you needed more time in the banquet hall I understand completely , nobody wants to get kicked out of an event, but as I said I'm trying to discourage the late night crew coming in there just to have a beer and watch a game and then leave and cause a disturbance.

**Bruce Tanski:** And I agree with you I dont want that either , but on the same token if its a night where we have a good crowd and everybody's staying and they decide to stay till like 10:30 or quarter to 11 I dont want to get in trouble with the board for doing it, I will discourage it just like I have a sign up that says please no profanity , if somebody swears in my place I ask them to leave, so you know I think we run a pretty tight ship and I would definitely go along with something like that.

**Tom Koval:** So what would be a happy, happy ground for both of us, you suggest something.

**Bruce Tanski:** How about 11:00 o'clock

**Rich Berkowitz:** Are we talking last call 11:00 o'clock or people out of there 11:00 o'clock?

**Bruce Tanski:** you know that's a hard one to say

**Rich Berkowitz:** No, that's why I'm saying, I don't have a problem with last call at 11:00 o'clock and if they want to finish the game like in a baseball game

**Tom Koval:** Last call at 11:00 o'clock would be fine with me. You can't put people out the door but you can stop serving them which kind of leads them out the door.

**Bruce Tanski;** Ok last call 11:00 o'clock I'll work with that.

**Rich Berkowitz:** Like a sporting event they will stop serving the 7th inning the third quarter whatever.

**Bruce Tanski:** Ok, ok

**Don Roberts:** So hours of operation you will close at 11:00 o'clock every night, last call.

**Bruce Tanski:** I just want the board to know we do a lot of weddings there and our weddings go they most of them go to 11- 12 o'clock and I dont think I checked with the building dept. I also checked before Denise went on vacation and I checked with Steffen and I think in the whole time we've been there we've never had a complaint and I know that there's been times when we've had 500 people at that course and never once has a car parked on the road.

**Tom Koval:** I would also ask that there's no direct marketing as the Fairways of Halfmoon being a brew pub, I think that would be fair. We are trying to discourage people, yes you can market banquet hall with brew pub but I dont want I wouldn't like to see an add come watch the Monday night game at Halfmoon Brew Pub, I would say discourage it if you can.

**Marcel Nadeau:** But as a business person the objective is to get customers so you have to give him that.

**Lyn Murphy:** The goal is to have people who are golfing partaking in the brew pub.

**Bruce Tanski:** But this is what we want, right we've had 34,000 people go through our place last year and if we could get half of them to take a growler home we would be happy as heck, that's our goal.

**Tom Koval:** If it boosts your banquet business fantastic, but I just dont want it to become a bar.

**Bruce Tanski:** Just so that the planning board knows that we were just nominated as a top 5 percent of weddings in the capital district area so I'm trying to make it a destination place where everybody can be proud of.

**Rich Berkowitz:** I think we are just trying to have everybody responsible, no trouble in the neighborhood no people driving crazy on their way home.

**Don Roberts:** So it's all agreed last call at 11:00 o'clock each night, every night. Ok, thank you.

**Rich Berkowitz:** Well what about for banquets, cause if they are having open bar until midnight.

**Don Roberts;** No this is for the brew pub.

**Bruce Tanski:** I think we've demonstrated

**Marcel Nadeau:** no that's why I don't want to pin this down for banquets.

**Bruce Tanski:** ok, cool thank you. I appreciate that.

**Don Roberts:** Anyone else? We have to refer this to Clough Harbor, we need a public hearing and we've got to refer it to who else, the fire dist. and the County has already responded right, so we will refer it to Joe, do you need some time to do this, I mean is the next meeting too early, ok so we will schedule a public hearing for April 10th, thats alright?

*Marcel Nadeau made a motion to schedule a Public Hearing for Fairways of Halfmoon Brew Pub. Tom Ruchlicki seconded. Motion Carried*

*Tom Ruchlicki made a motion to Adjourn the meeting at 7:51 pm. Tom Koval seconded. Meeting Adjourned.*