

**MINUTES MEETING
Town of Halfmoon Planning Board
June 27, 2016**

Those present at the June 27, 2016 Planning Board meeting were:

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

Planning Board Alternates: Margaret Sautter
Mike Ziobrowski
Corie Custer

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 John Ouimet opened the Planning Board Meeting at 7:00 pm

Don Roberts made a motion to approve the Minutes from the June 13, 2016 meeting. Marcel Nadeau seconded. Motion Approved.

Public Hearing:

16.086 A Valente 58 Tabor Road - Minor Subdivision

Anthony Valente: How are ya, my name is Anthony Valente, I'm here before you today to get approval on my subdivision that you guys approved in November. I had a problem with my filing and I'm here before you with no changes from what you guys approved in November just here to do the same thing.

John Ouimet: Thank you, any questions from the board?

Marcel Nadeau: Nothing has changed correct, everything is the same?

Lyn Murphy: So we open the public hearing at 7:02 and with no public comment we will close it at 7:04 any comments from the board?

John Higgins: As Marcel said same as last time right?

Richard Harris: That's correct there's been no changes, it's the same plan that was approved last fall, last October.

Don Roberts made a negative declaration pursuant to SEQR. Marcel Nadeau seconded. Motion Approved.

Don Roberts made motion to approve A Valente's Minor Subdivision Application. Marcel Nadeau seconded. Motion Approved.

Anthony Valente: Thank you board, have a good night.

New Business:

16.093 Collection D-Alli, 1471 Rte 9 -Sign

Lyn Murphy recused herself.

Donna Hercules: Hello good evening.

John Ouimet: Good evening how are you?

Donna Hercules: I'm well thanks how are you?

John Ouimet: Fine thank you.

Donna Hercules: Good, my name is Donna Hercules and I'm before this evening to get final approval on the installation of signage for Collection D-Alli children's clothing Boutique and showroom located at 1471 Crescent Commons on Rte 9.

John Ouimet: Thank you, any questions from the board? (No questions)

Don Roberts: Sign meets the regulations.

Don Roberts made a motion to approve Collection D-Alli's Sign application. Marcel Nadeau seconded. Motion Approved.

John Ouimet: Thank you very much.

Donna Hercules: Thank you so much.

16.098 LaBella Pizzeria, 15 Route 236 (Woods Plaza) -Sign

Frank Marzola: Hello everybody, my name is Frank Marzola, I'm here on behalf of La Bella pizza, I'm with Sure Fire Signs for the manufacturer we will comply to the ten minute rule for the time of the message, we can control the brightness the motion of the message and every aspect of the sign. We will be removing of course the bottom sign that you see in the picture, that will be coming off and are replacing it with the 38 x 75 LED sign in the gable.

John Ouimet: Rich we had a few conversations about this didnt we?

Richard Harris: Yes and he kinda of cut us off at the pass the one issue we thought might be we had communicated that they had requested to change the message every ten seconds our code only allows a message to be changed every ten minutes and as the gentleman said they are willing to comply with that so in all other aspects the sign meets the code and we don't have any issues in terms of square footage or location.

John Ouimet: thank you, any questions from the board?

Don Roberts: Yes I have a question. Its gonna change once every ten minutes are you going to be advertising only on premise activities, nothing off premise?

Frank Marzola: Right, only on premise.

Don Roberts: Ok thank you.

John Ouimet: Any other questions? (No questions)

Don Roberts made a motion to approve LaBella Pizza's sign application with the conditions that the LED sign was only to change every ten minutes and was only to advertise on premises activities. Rich Berkowitz seconded. Motion was approved.

John Ouimet: we are going to make sure however this is worked out to be at the right level so Rich is gonna, ok Thank you very much.

16.082 **Lands of Kilmer & Fronczek, 57& 59 Ushers Road - Minor Subdivision and Special Use Permit.**

Ed Fronczek: Hi, I'm Ed Fronczek good evening folks, I want to change the property line a little bit to get access for power, which there is a pole, which is one of the boundary points, and access to possible county sewer, which is another boundary point manhole. That's the purpose for future construction, any questions?

John Ouimet: Ok, any questions from the board? (No comments)

Marcel Nadeau made a motion to set a public hearing on July 11, 2016. John Rich Berkowitz seconded. Public Hearing set for July 11, 2016.

16.092 **Freds Tents & Burch Bottling, 420 Hudson River Road - Change of Use/ Tenant**

Fred Tracey: Good evening, Freds Tents, Fred and Linda Tracey change of use change of tenant I should say not change of use. Basically Burch Bottle wants to come in and take 17000 sq ft, they'll have one or two employees, almost the same exact thing we had with Stone, just half the amount of square footage.

John Ouimet: Thank you, any questions?

Tom Koval: I'm sorry but our write up says 37,000 is that incorrect?

Fred Tracey: Its 37,000 which is what Stone had and it's being shared by Burch Bottle and ourselves.

John Higgins: Excuse me, the way we understood in the pre meeting was it's gonna be flexible, they can take any portion of that, you can use any portion of that total of 37,000 correct?

Fred Tracey: Correct, so 17,000

John Higgins: Right but just so we have it correct for the minutes and for the approval, the space can be shared in any proportion at all.

Fred Tracey: Yes correct.

Richard Harris: Yes correct. When Fred and I spoke at the counter you weren't sure how much Burch was going to use at first or if in a year or two if they are even there anymore.

Fred Tracey: This was stones, so I didnt know exactly where Burch was going to be or I was going to be but thats the 17,000 sq ft.

Rich Berkowitz: Fred there is no outside storage for Burch?

Fred Tracey: No.

Rich Berkowitz: Ok

Rich Berkowitz made a motion to approve Freds Tents and Burch Bottling Change of Use/Tenant application with no outside storage. Tom Koval seconded. Motion Approved.

16.094 Jon & Diane Riedel, 55 Plank Rd - Special Use Permit

Tom Whipple: I'm Tom Whipple, I'm the agent for Jon and Diane Riedel and they would like to put an addition on their house, addition /garage on their house at 55 Plank Rd., also an 80 ft driveway to the garage and thats it.

John Ouimet: Thank you, any questions? (No questions)

Tom Ruchlicki made a motion to set a Public Hearing for Jon and Diane Riedel for July 25, 2016. John Higgins seconded it. Public Hearing set for July 25, 2016

John Ouimet: So we will set for the next meeting for two weeks, is that enough for the time or do you need four?

Rich Berkowitz: We need four weeks

Marcel Nadeau: July 25th.

Lyn Murphy: July 25th, the county meets on the 21st and because of the nature of the application they have to do a county referral so the county meets on the 21st so when you have the public hearing on the 25th this board will be aware of how the county came down in regards to your application.

Tom Whipple: Ok thank you.

Tom Ruchlicki: we will have already seen what the county wanted, that's all.

John Ouimet: So it will be back on for four weeks, ok. Thank you very much, appreciate it.

16.096 Harvest Moon Market , 1512 Rte 9 - Change of Tenant/Use

Lyn Murphy: It appears the applicant isn't, Harvest Moon Market 1512 Rte 9?

John Ouimet: Sir, this is it do you need a minute or two?

Jim Liacona: Yes.

John Ouimet: ok, thank you very much.

Richard Harris: We took an excerpt from the plan for this.

Jim Liacona: Yep I see that, and.

John Higgins: I'm sorry we need your name please.

Jim Liacona: Jim Liacona

John Higgins: Thank you

John Ouimet: Right, just tell us what your plan is for outside.

Jim Liacona: Is basically the shrubbery going across the front of the building taken out, pavers put in, and then room for four tables going across. Their six feet from the edge of the sidewalk towards the building.

Richard Harris: That would be three? Un-obstructed?

Jim Liacona: Yes that would be three unobstructed. Tables going in would not interfere with the sidewalk that's there now.

John Ouimet: Ok, any questions from the members of the board.

Tom Koval: Have you made any provisions or do you have any provisions for protecting the people that are sitting at these tables from somebody pulling up and going forward is there curb stopping, ballards anything like that?

Jim Liacona: there's a curb in front of the sidewalk, out in the parking lot as you pull into the parking spot that's in front of the sidewalk there's a curb there.

Tom Koval: And they would eat right there?

Jim Liacona: Yes, right there is the curb.

Tom Koval: Sufficient to, I mean it's just a little curb stop that's tire stop?

Jim Liacona: Tire stop I would imagine, ya know when I had Al Mugrace draw this up for me just so I could get everything clear here, that and according to him everything fell in line.

Tom Koval: My only concern was somebody pulling in and hitting the gas instead of the break.

Jim Liacona: Well it would be my concern too you know and yea we are far enough away, I mean they would have to come flying in the parking lot jump curb to do anything like that.

Rich Berkowitz: That has happened lately, is there anyway to build that up a little just to

Jim Liacona: the curb?

Rich Berkowitz: Yea, maybe a temporary barrier on top of that curb

John Higgins: A couple ballards maybe.

Rich Berkowitz: Or even like a concrete planter or something.

Tom Koval: its handicapped spots it looks like.

Jim Liacona: Yes there is a handicapped right there.

Tom Koval: Would it be possible to put a couple of bollards in the center of each of those parking Spots?

Jim Liacona: Yea I dont see why not

Tom Koval: I'd rather be safe than sorry

Jim Liacona: Yea I understand what you're saying yea sure.

Richard Harris: do you need three Tom?

Tom Koval: It looks like three yes; especially with a handicapped spot things can happen so easy.

John Ouimet: Is that going to work?

Lyn Murphy: You are ok with that.

John Ouimet: we're all set?

Jim Liacona: Yea.

Rich Berkowitz: I just have one other question, do you realize that no one can come over from the beverage center get a drink and then come over to your place.

Jim Liacona: Yea, well that was one of my concerns too, I didnt want, yea, we would not be encouraging that.

Rich Berkowitz: You would or would not be encouraging that?

Jim Liacona: Would not, and I have no intentions of selling any alcohol or serving it, or promoting it.

Lyn Murphy: What is your intention as far as timing, how long will you have them out?

Jim Liacona: Well ya know up to the fall till the weather turns nasty ya know I mean until it s no longer ya know feasible to sit out there, when the temperature changes, mostly summer up to early fall.

Lyn Murphy: you're not going to install heaters, portable propane?

Jim Liacona: No if I was gonna do that I would have another plan in front of you. The only thing we are looking to do is just to put four tables there and just, its become a problem with people coming into the store and not having a place for them to sit down and eat, and ya know just a boost for us in the summer months.

John Higgins: Rich, total percentage of green space, they are still with in?

Richard Harris: Yea they have along the property lines, yes, oh yea the only thing that you didnt mention was that you have these planters, that you sell plants, here, here. You have planting racks for selling. Plants.

Jim Liacona: Yes, yea you could call it racks right now their gone, the only thing I have there right now is pots on the ground, its not a big thing for me, we are talking about displaying twelve plants or something its not a high traffic type of thing where we sell a lot of them, I don't suspect to go into the plant business.

Rich Berkowitz: Do you have a public restroom there?

Jim Liacona: Yes we do.

Rich Berkowitz: ok

John Ouimet: Any other questions? (No questions)

Rich Berkowitz made a motion to approve Harvest Moon Market's application for Change of Use/ Tenant with the condition that bollards be placed in front of the three parking spaces that face the outdoor tables. Tom Koval seconded. Motion Approved.

John Ouimet: Tom before you open that last meeting I just wanted to say that pretty much my time here as the Head of the Planning Board is that I'll be giving it up at the end of June. June will make up the end of all my stay here for I believe since the 2013 year is when we started, I've asked that Don eventually takes over starting July 1st, Don, thanks a million coming over, I just trust that I hope everything is put together for everybody to have for the last two years that we have had together, but its pretty much it for me I mean I'm still on for the end of the month and thank you very much and Tom go a head and make a motion to leave.

Lyn Murphy: Just for clarification though you're resigning as Chair but it's your intention to maintain your position as a member of the planning board at this point in time.

John Ouimet: Yea I am.

Don Roberts: And also if I could add to that, I wish it was under different circumstances but John do whets best for you and I want to thank you for your service you've been really great here and for the town but if your condition improves and you want to be chairman again its yours, just so you know.

John Ouimet: Thank you.

Tom Ruchlicki made a motion to adjourn the meeting at 7:15pm. John Higgins seconded. Meeting adjourned.