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**Town of Halfmoon Zoning Board of Appeals
Meeting – Monday July 6, 2021
7:00 PM**

Chairwoman Curto called the meeting to order at 7:00 PM on July 6, 2021 this meeting is being held in person and via Microsoft Teams following members present:

Members- Chairwoman Curto, and Kevin Koval, Mr. Griggs
Alternate Member - Leonard Micelli, Dave Maxfield
Planner - Paul Marlow
Town Attorney – Cathy Drobny

Mr. Micelli made a motion to Approve the June 7, 2021 Zoning Board of Appeals minutes, Mr. Maxfield seconded, Minutes Approved.

New Business:

Blacktop Paving, 47 Clamsteam Road – Expansion of a Pre-Existing/Non-Conforming Use

Mr. Gavin Vuillaume presented the application. He explained that at the November 26, 2012 Planning Board meeting, the applicant was granted approval to occupy the pre-existing/non-conforming site (formerly Callahan Industries) as a blacktop/paving company. As part of the approval they were given several conditions that they must adhere to but as they grew they expanded beyond the approval conditions. At this time the applicant's proposal includes the expansion of the existing building approximately 3,500 SF (constructed without a permit), approval for a 2,600 SF salt shed (constructed without permits), the ability to store raw materials on site, and eliminate the restriction on the maximum number of pieces of equipment. Additionally, they would like to expand the approved area of operation, add approximately 20 spaces and include areas of clean fill in their usable area. Lastly, in an effort to improve security, the applicant installed LED lights throughout the site and added lighting. To date, the applicant has changed most of the lighting fixtures to point directly downward in order to prevent light spillage onto adjacent parcels.

Chairwoman Curto asked if the proposed future building was a 1,000 SF or 10,000 SF building; Mr. Vuillaume clarified that the map was a misprint and it will be a 10,000 SF building.

Mr. Micelli asked to note the entrances to the site; Mr. Vuillaume noted on the plan the existing entrances.

Mr. Maxfield asked if the future 10,000 SF building would be a one or two story building; Mr. Dewey DelSignore noted that he was unsure, this is a few years into the future. We have two sites, this is our physical site and the other is our office, so ultimately we'd like to see them come together.

Mr. Maxfield asked about the proposed parking expansion; Mr. DelSignore stated that they are building up the site to give them more parking. He noted that the site will be used to store equipment only and Doing this will help build up the site where ultimately they would like to put a berm with pine trees to block the view for neighbors. They'd be willing to fill on the Clamsteam side sooner to be able to build a berm sooner to shield home owner in the area better.

Mr. Micelli asked for clarification on the areas they wanted to fill and screen; Mr. Vuillaume noted on the plans where those areas were.

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Mr. Koval asked for clarification on the specific variance requested; Mr. Marlow stated it is an expansion of a pre-existing/non-conforming use.

Mr. Koval asked how many employees, does he sublease; Mr. DelSignore noted here were approximately 8-9 employees and no subleasing.

Mr. DelSignore noted that the area in the back was not a mining operation but a place he keeps extra materials (typically top soil) left over from jobs.

Mr. Griggs asked how frequent operations occur; Mr. DelSignore noted they have approximately 40-50 employees in the company. He explained that the guys hauling dirt go right to the site, pavers (approximately 8-10 employees) come to the site and then leave approximately 6-7am. Snowplowing as needed, but most equipment usually goes out for the season.

Mr. Koval higher flows of traffic in and out; Mr. DelSignore does not anticipate it, as most employees go right to the job site each day. The paving guys will come to the site daily in the morning and the end of the day.

Mr. Micelli asked what type of work they do on site; Mr. DelSignore explained they do residential, commercial, road work, municipal work, school work in terms of paving. On the dirt side it is full excavation like water and sewer.

Mr. Griggs asked what the back is; Mr. DelSignore noted it is stone product, a salt shed, various materials and various equipment.

Mr. Griggs asked if they planned to expand the deforested area; Mr. DelSignore noted they do not have that intention.

Mr. Griggs asked what is in the newer buildings; Mr. DelSignore explained that building one is the main building, building three has the roof with two side they constructed to park equipment under and noted the salt shed.

Mr. Griggs asked if the existing fuel storage tanks were covered; Mr. DelSignore explained that they have the two or four post roof structures over them, that they just installed a sub 10,000 gallon tank to replace the old one, a 1,000 off road diesel tank and a 500 gallon gasoline tank; not all are covered but they are all fairly new.

Chairwoman Curto asked if the property to the North was a residence: Mr. Vuillaume confirmed it was.

Mr. Micelli asked the applicant to note the residents in the area; Mr. Vuillaume noted the locations of existing residents.

Mr. Koval asked about reviewing the fill; Mr. Marlow noted that the Planning Board had discussed this and would review it if the variance was granted.

A site visit will occur on July 17, 2021 at 9am.

*Chairwoman Curto made a motion to hold a Public Hearing at the August 2, 2021 meeting, Mr. Koval Seconded.
- Unanimous*

Guideboard Road Restaurant (former Salty's Pub), 217 Guideboard Road- Area Variance

Mr. John Hitchcock, ABD Engineers presented the application. The applicant is proposing to construct a new, covered outdoor dining patio attached to the building and considered part of the building structure. The proposed patio will be approximately 35'x 70'= 2,450 SF and will be located on the east side (Rt. 236) of the building. The building setback does not meet today's 50' front yard requirement (it is approx. 36.5') and with the proposed roof covered portion of the patio, it will be further reduced to approx. 11.5' from the property line. The covered portion of the patio will extend to approx. 1.5' from the Rt. 236 property line and would not meet minimum setbacks as required by Section 165, Attachment 1, Schedule A of the Town Code. They are before the Board seeking an area variance as a result of the proposed addition.

Mr. Koval asked if there would be any protection in place for the patio; Mr. Hitchcock stated that the patio would be far off the road with a fence and noted there was a large ditch along the road to help slow traffic in the event they should swerve off the road. They do not have any intention of installing bollards at this time.

Mr. Koval noted he had concerns with the safety concerns about the proposed patio location with no protection. Mr. Hitchcock noted there is no proposed parking in front of the patio, so that should help in terms of safety.

Mr. Maxfield noted that in order to protect the patrons, they should have something in place. Mr. J.T. Pollard noted that would be willing to look at and consider bollard. Mr. Koval noted that he would feel more comfortable with that idea.

Mr. Micelli asked if there would be any fire pits; Mr. Pollard said there would not be.

Mr. Micelli asked if there were specific locations for the bollards; Mr. Marlow stated that would be a detailed worked out with the Planning Board during site plan review.

Mr. Maxfield asked if they'd have live music; Mr. Pollard noted that perhaps they would have it during happy hour.

Mr. Micelli asked where the entrances to the patio would be; Mr. Pollard noted there would be one external and one internal access.

Mr. Griggs asked if there was going to be any landscaping in the area; Mr. Hitchcock stated that there would be none.

Chairwoman Curto noted that the owners other bar, Clinton's Ditch, has a rear bar area and asked if this location would have a similar setup; Mr. Tier noted they would have standing space for the bar, but less than the other location.

A site visit will occur on July 17, 2021 at 9:30am.

*Chairwoman Curto made a motion to hold a Public Hearing at the August 2, 2021 meeting, Mr. Koval Seconded.
- Unanimous*

Chairman Curto made a motion to adjourn the meeting, seconded by Mr. Koval. Motion was carried.

These are summary minutes and are not word for word at the request of the Zoning Board of Appeals.

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Meeting adjourned at 7:36 PM.

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