

4/22/2024

**Town of Halfmoon Planning Board
April 22, 2024**

Those present at the April 22, 2024, Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
Tom Koval
Rich Berkowitz-absent
Thomas Werner
Charlie Lucia
Laurie Barton-absent

Planning Board Alternates:

Alison Pingelski
Joe Landy

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

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

Don Roberts: Good evening, I would like to call the Planning Board meeting to order. Have the Board members had a chance to review meeting minutes from the last meeting? Okay Tom Koval recuses himself.

Marcel Nadeau: I make a motion to approve the minutes of March 11th.

Joe Landy: I second

Marcel Nadeau: I'll second it.

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion Carried.

Public Hearings:

Hudson River Road Storage Facility, 482 Hudson River Rd – Site Plan & Special Use Permit

(24.037 & 24.032)

Mike Vopelak: Hello, Michael Vopelak here from 482-484 Hudson River Road. As you can see in the drawing, we're planning on turning in the back building there into approximately 48 self storage garages. It's currently not in use for anything, it was the best use we could find for the property.

Don Roberts: That's it?

Mike Vopelak: Yea that's it, any questions I'm happy to answer.

Don Roberts: Okay first we will have public comment first, at this time we will open the public hearing would anyone from the public wish to comment? (No comments) Would anyone online wish to comment? (No comments) Okay we'll close the public hearing, comments by the Board members.

Tom Koval: I'll make a negative declaration to SEQR.

Don Roberts: Okay we have a negative declaration for SEQR, can we have a second?

Marcel Nadeau: I'll second.

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion Carried.

Tom Koval: I make a motion to approve the application for site plan and special use permit for self storage, and existing structure.

Marcel Nadeau: I'll second it.

Don Roberts: We have a motion and a second, all in favor Aye. (All were in favor) Opposed? (None were opposed) Motion Carried, good luck.

Mike Vopelak: Thank you very much.

Hudson River Road Storage Facility– Site Plan & Special Use Permit

PUBLIC HEARING HELD & APPROVED. Board held a Public Hearing and subsequently approved a proposal to convert the existing 4,800 SF pavilion into a self-storage facility.

Mott Orchard PDD, 165 Farm to Market Rd – Major Subdivision (24.044)

Walt Whitman: Good evening, Walt Whitman from MJ Engineering. Like Mr. Harris said during the workshop portion, this project was previously approved, the plans have expired so we are just back here tonight to get them back up to current so they can be filed. Nothing has changed, the lots are still 91 lots, stormwater there is still 5 stormwater management areas throughout the project site for attenuation to hold it back, then to release it to pre-development flows. All the landscaping that was

originally proposed is still in there with the berms and the screenings, along Gorsline and within the development. Multi use trail is still there as part of the project, so nothing has changed, it's just that the plans expired prior to getting them up to the County so we're back here tonight. Thank you.

Don Roberts: Just to reiterate this is the same exact project that was previously approved?

Walt Whitman: That is correct.

Lyn Murphy: I just want to, sorry Chairman, I just want to state for the record that when this project was originally approved, Clough Harbor was the engineer on the project. It looks a little awkward, the optics of having you there and you there, so just so everybody is clear Joel did not review this project it was reviewed by Clough for the Town.

Don Roberts: Okay, thank you Lyn. At this time, we will open the public hearing, would anyone from the public like to comment? Please come up and say your name and address and any comment you might have.

Danny Hoyt: Good afternoon, everybody my name is Danny Hoyt I live at 205 Farm to Market Road, so I am to the I guess the right of the project, my biggest concern is you know where the low laying area and a lot of the run off comes from that direction now and I just don't want my property to get more wet or flooded out. Because I have spent tens of thousands of dollars for drainage, and we put culverts in, and I don't want that to get disturbed or washed away I guess you could say. That's the one major issue and the second one is I just I'm pretty sure they are running the city water up the remainder of the road. I'm not sure if the sewer is going that way too, but we are looking for a little info on the other utilities if that's available. Thank you.

Don Roberts: Thank you, comment please.

Walt Lippman: Yes, the project will serviced by both municipal water and municipal sewer.

Richard Harris: Walt, where is the sewer coming from?

Walt Lippman: The sewer it's a low-pressure system.

Richard Harris: Is it going along Farm to Market or is it coming in Howland Park?

Walt Lippman: Let me check here Rich. No, we're shooting over from the development there from Farm to Markets all going that would be what, to the north.

Tom Koval: So, you're not coming down Farm to Market you're going from the development behind it?

Walt Lippman: Yup

Tom Koval: So, the neighbors on Farm to Market will not have the opportunity to tie into the sewer?

Walt Lippman: Not at this present time no.

Tom Koval: But water will be running up, Town water will be running up Farm to Market?

Walt Lippman: Yea

Richard Harris: Yea, Danny, and I talked to Frank Tironi about it.

Walt Lippman: That is there correct.

Tom Koval: Is there any other utilities coming up Farm to Market such as gas, National Grid or has Honchul crushed all of that?

Walt Lippman: Not that I believe so, no

Don Roberts: Anyone else wish to comment? Come up Sir please.

Marcel Nadeau: Question again

Don Roberts: Go ahead Marcel.

Marcel Nadeau: Question on the utilities again, so nothing is coming up Farm to Market, but I believe.

Richard Harris: Water is water is.

Marcel Nadeau: I'm sorry, I'm concerned with the Sewer, but to the west the property, to the west that wouldn't be allowed to tie into that?

Walt Lippman: So, this is a low-pressure system, for those 91 homes within there so it's designed for those particular homes, if it does get expanded in the future that would have to be looked at to make sure that the sizing is appropriate to see how many more possible residents could hook up to that line.

Tom Koval: This has changed quite a bit and we originally approved this between 2014 & 2018 so the public benefit obviously in my opinion should also change, times change, economies changed, money's more so I personally think we should be looking at maybe helping out some of these neighbors now.

Don Roberts: Go ahead Sir.

Darren Phelps: Darren Phelps, 9 Gorsline Drive I live right there. As this gentleman stated, so the buffers the berms and the evergreens that's all, so okay so now to go back now with the sewer and the water and the pressure system can you go back to that other slide. Is that tying into Holland Park? Is that coming right down this roadway and tying into the sewer system and everything here? My question is does Howland Park have the capacity to add all of those houses, it doesn't look it if you're tying in, because we pump, we pump up our sewer. It goes up hill and then I'm somewhere up in the development and its gravity feeds, so my concern is the capacity there to handle that.

Lyn Murphy: That was looked at when they originally approved it and it's my understanding that the answers to that were yes, but this Board doesn't control sewers, sewer is a County issue, but the County signed off on going forward with this project.

Darren Phelps: Good.

So, Chen Yo: I live on Gorsline Drive. I have a question about the buffer area, so I live at 11 Gorsline so move to the previous slide, and go to the, if you're zooming, I'm the house which is above Darrens house.

Richard Harris: Right here?

So ChenYo: Yup, so originally, I saw the signed map that you gave to use about 2/21 you had the buffer area to cover the buffer at my back. Do you still have a plan the evergreen on the back to give some buffer area?

Walt Lippman: Yes, it's right here.

So, Chen Yo: Okay, and may I know why it's curved instead of just to block half of my house, do you plan this way instead of a curve this way?

Walt Lippman: Why is it up in through here?

So, Chen Yo: Why is it going through this direction?

Walt Lippman: Basically, it follows the tow of the slope.

So, Chen Yo: I see and

Walt Lippman: This is yours right here.

So, Chen Yo: Yea, okay so my thinking is any chance they can just move the buffer closer to this one and put the evergreen on this quarter line? So, my question to this gentleman is can you plant the evergreen at my border at the back just to give some buffer area, block the views?

Walt Lippman: Yea I think there's an existing buffer through here, so yea we can show that in through here, so it blocks it, you're going this way.

So, Chen Yo: Okay, yup thanks.

Don Roberts: Your very welcome, okay very good anyone else, well let everyone comment once and we'll let you back up alright, anyone else wish to speak?

Bill Herman: Hi, I'm Bill Herman 15 Clemens Drive, but I'm up here representing the Town's Trails and Open Space Committee. On the Trails and Open Space map the Town shows an off road trail from the southern part of this property which is the end of the Vosburgh Preserve all the way up to the Howland Park subdivision where there's an easement on the Howland Park subdivision to get it all of the way out to Johnson Road, so I don't see the off road trail here that I think we should be looking for because it would extend from Johnson Road all of the way to 146 pretty much all of the way off road. Because from Vosburgh Preserve takes you across the street to the Sheldon Hills part of the path and continues all the way parallel to 146 down to Upper Newtown Road and allows people from the subdivisions that are abutting that trail to walk and ride their bikes off road and what I think I see here is a sidewalk basically paralleling the road and nothing like what the map says when you look at it. And it doesn't even take advantage of the end of the Vosburgh Preserve where the trail will come out

abutting this property. It doesn't take advantage of the Howland Park subdivision where the easement goes for several, probably several thousand feet to get it to Johnson Road. I don't see it here and I strongly think it should be added and this subdivision could access that too. Every subdivision and I'm also on the Comprehensive Plan Update Committee, and what I constantly hear from the public is more walking trails, more ability to get off the road and enjoy the neighborhood, and the beauty in Halfmoon, and this just keeps people on the road and someone said you know we have a dark sky and I agree with that fully but this is also a concept from the 1960's. Just putting a sidewalk in along the road for access to open space and a good chunk of this parcel is open space abutting right where it should to 2 access points that exist. Thank you.

Don Roberts: Will the applicant respond to that please? About the trail.

Walt Lippman: Yes, so we do show a multi use path, internal throughout the subdivision and I believe there was also Howland Park to the north a trails to be maintained by the HOA. I believe that is everything that is being proposed as part of this project.

Charlie Lucia: Forgive me on that one does that address the point that he brought up about the Vosburgh Road access to trails?

Walt Lippman: Yea that's something I'll have to double check on.

Don Roberts: Anyone else wish to comment? Okay Dan, I guess you're up again.

Danny Hoyt: Again, with the utilities I know there's a main gas line and it's deadheaded just up past, it actually ends on our property, and I believe it's an 8-inch gas main and it would be nice as Tom Koval had said you know times have changed and the value of everything is going up and it would be nice if they would. I don't see why they couldn't or wouldn't run that gas main up into Mott's subdivision, I think it would be beneficial for everybody. And my other question is where the retention area is that adjoin our property line where do they plan on putting the spillways when they are full? Are they going to be dumping on our property to the lower areas or are they going to redirect that somehow to the storm management system throughout the development. That's all I have, thank you.

Don Roberts: Thank you, anyone else in the room?

Tom Koval: Does MJ want to answer those questions?

Walt Lippman: Yea so stormwater management areas, everything is collected in each of design points areas I are collected and then released at the same rate as it was at pre. We go through and do an analysis of what it is for pre-development flow, for instance we're changing the cover from forested or graphs to some is impervious we collect that we put it into these detention basins. It collects it over time and then slowly it releases it back into the same drainage pattern it was before.

Danny Hoyt: At the same rate it was before?

Walt Lippman: At the same or less than, correct.

Don Roberts: Anyone else in the room wish to speak? (No comments) Anybody online wish to speak? (No comments) Once again anyone online wish to speak? (No comments) Okay we'll close the public hearing, comments by the Board members?

Tom Werner: Yea just a check on the site distance east and west of this new intersection has that been checked, it's adequate?

Walt Lippman: That is correct, it's adequate, we're even providing some vegetation clearing in those areas as well, it was recommended as part of the traffic impact statement.

Tom Werner: So, it meets the minimum standard?

Walt Lippman: Correct.

Tom Werner: And do you contemplate any traffic crossing, pedestrian traffic youngsters and that going over to see their friends, what have you? Crossing Farm to Market at that point?

Walt Lippman: There is no, I don't believe there is a proposed cross walk in that location so I would not think you would be crossing.

Tom Werner: Do you think perhaps they will need one sometime? I mean who's your market for the homes, do you expect to have families, younger families, children?

Walt Lippman: Correct, yes.

Tom Werner: So, there could be youngsters that want to cross, and play with their friends and what have you.

Walt Lippman: Yup.

Tom Werner: Or people in general, yes.

Don Roberts: Before we go any further, Rich, I forgot we have to admit the letter from Mr.& Mrs. McBride into the record.

Richard Harris: Yes, I wanted to acknowledge to the Board we did receive, I did receive a letter that was shared with the Board from Sandra and Thomas McBride, you have copies of it regarding their concerns so that will be part of the project record, and everyone has a copy that they can review.

Don Roberts: Anyone else from the Board wish to speak?

Alison Pingelski: I just have a question, what was the public benefit when it was approved by the Board in 2018?

Walt Lippman: The monetary public benefit, I believe it was \$2,000 per lot.

Don Roberts: Okay thank you. Anyone else?

Tom Koval: I believe I was opposed to this originally.

Richard Harris: I want to add in addition to that public benefit it was an upgraded larger watermain that was needed for the project so that adjacent properties it was passing to allow adjacent properties to tap into it and get public water so the builder is required to install a larger pipe than what was required when the project was announced for public benefit, the upgraded part not what they have to bring for their project.

Tom Koval: It still hasn't been done right?

Richard Harris: No, they haven't started so no they haven't done it.

Tom Koval: As I was saying I believe I was opposed to this project originally and I'm still opposed to it.

Don Roberts: Anyone else wish to comment?

Charlie Lucia: Also, it seems also it's still open about the walkway, or the access way to keep that a continuous crossway for the parks, they talked about open spaces, Vosburgh Road. Our Town keeps expanding and I know if you've been here before you probably heard me say at some point, I understand the farm atmosphere and rural community of course we enjoy that but at the same time we can't keep throwing up developments and things like that and not provide spaces for the public to walk safely around our community, and I'm not suggesting that this project be the one to singularly solve that but I just see a future one day when everybody's walking on the side of, I mean take a look at the shoulder on Farm to Market Road you're never going to be able to take your granddaughter or grandson out for a walk in a buggy on that thing. I don't know if it frustrates me, and I realize that there's rules and guidelines that sometimes preclude that, but I do find it frustrating.

Lyn Murphy: So the difficulty I'm having I understand that there's been a lapse of time that has nothing to do with this Board's actions, however the PDD that was approved with the input from this Board doesn't call for what you're now calling for, and I understand that most of you weren't on the Board at that time but we created legislation that says you're doing x,y, and z based on what the Board tells the Town Board and then the Town Board follows that recommendation, so to now change the obligation of the PDD you really don't have the legal authority to do so. Obviously, the Board can reconsider whatever the Board wants to do, but just understand the Zoning was established through the PDD, the PDD was established through the recommendations of this Board minus Mr. Koval and that's kind of where we are.

Tom Koval: However, they have let this lapse.

Lyn Murphy: The PDD doesn't lapse.

Tom Koval: They have let their approvals lapse.

Lyn Murphy: That is true.

Tom Koval: So, which triggers us to have to re-approve it in my opinion and I could be 100% wrong, it puts it out there that we have to re-approve it and for us to re-approve it, it has to go back to square

one and the Planning Boards responsibility and recommendation to re-look at it. It's lapsed, it's lapsed. If you're, if you have, I'll use a prime example from my own life. My CDL has a medical requirement, if I let it lapse for x amount of time I have to go through and take the whole test over again to get my CDL back.

Lyn Murphy: Same with notary, it's the same thing, I understand what you're saying.

Tom Koval: So in my opinion they didn't do their due diligence, they let it lapse so now they have to come back before us for approval again, and just to rubber stamp it and say okay will shame on you, you let it lapse but we are just going to push it through again because you already got your approvals isn't doing my due diligence Times have changed, the Town has changed in the years since we've done this. I don't like costing anybody any more money but however I didn't like this project in the first place and this is our second swipe at it in my opinion. And it sounds to me like there are still some public concerns about this so I'm not, I can't in good conscience vote for this to renew their approval once they let it go. It is our second chance at it. It's our second chance to make it right.

Don Roberts: Okay, you want to comment Sir?

Marcel Nadeau: When was the original approval?

Richard Harris: Final Subdivision approval was November 8th, 2021.

Tom Koval: There has been a lot more development in this area since then.

Don Roberts: Okay,

Ed Keiss: Ed Keiss from Beacon Development and I probably should have addressed earlier it sounds like we were completely negligent we forgot about things and the application lapsed. We've been drawn through a long drawn out process with Saratoga County Sewer District and then DEC and then the sewer district and nothing could happen until we got through that so the Planning Board Chair signed on January 8th we were told there were 62 days after that we had to file it to the County March 6th about 7 days before the expiration of that 62 day State regulation and a fella at the County Planning Department, one of the mappers said you might as well take these back because it will take us 2 or 3 weeks to get through this. It's not the day that you deliver it to us it's the day we get around to looking at it and approving it and passing it around the County, so he said you can leave them with me but if you do I'm probably going to call you in like 3 weeks because I don't know when the other departments are going to get to look at it and then you have to come pick them up and bring them back, the mylars anyway so I don't know anybody, no engineers nobody told us and we didn't know and I don't know how many people here would know it's the date they finish their approval process and reviewing and not the day you submit something. There was also some mention about public benefit, Rich there was the, I know we went through a lot with the water district the extension of the water district and besides the pipe that was a larger pipe but a lot more pipe I think to finish the loop?

Richard Harris: Correct, your correct there was a longer pipe too to help loop our Town system not just the size of the pipe but the length also. And I did confirm in the PDD statute it is \$ 2,000 per lot as

a public benefit, plus \$1,500 per lot for the little park plan and the GEIS fee per lot which now is just over \$4,000 per lot. So that totals 6, 7 ½ thousand per lot.

Ed Keiss: It sounded like this was approved a long time ago I mean the Chair signed it on January 8th.

Richard Harris: There was a long gap between 2021 and 2024, 3 years.

Ed Keiss: Who knows what process it was, okay thank you.

Don Roberts: Marcel, you want to say something?

Marcel Nadeau: Question to Lyn, so therefore the PDD would have to be amended, should we make changes, should we choose to make changes?

Lyn Murphy: It depends on what the changes are, if you guys want to you know table this and talk about it next time that's fine. I'm trying to look through on the phone specifically as it relates to the trail is my biggest concern because usually, we outlay that specifically.

Tom Koval: Why don't we table this, give MJ a little time to look into the trails come back with a little more information about the loop and the difference in cost that that loop added to your project so I can see the additional public benefit in that aspect because I know it costs a tremendous amount to run pipe. Give me something more to think about, address some of the concerns about the bike path or whatever it leads to be. Personally, I'm not speaking for everybody, I'm speaking for myself. I would feel better about it if I had hard facts instead of talk about it. The bike path, there was supposed to be a bike path included in this, I don't remember, it was many brain cells ago. I would like to know more about that if we are connecting things. In my preference would be to table this another time a future meeting and give you time to come up with some of your facts to answer some of these questions.

Don Roberts: That's what I was thinking too, give you a chance to respond, everyone else agree?

Marcel Nadeau: I like Tom's recommendation on the cross walk too.

Lyn Murphy: It's not our role.

Don Roberts: It's not a Town road.

Lyn Murphy: It's a County road.

Don Roberts: It's a County road.

Richard Harris: You would have to see what County requirements are.

Lyn Murphy: And then I have no problem, I agree with your suggestion but at this point legally I would feel more comfortable if we brought in a substitute engineer so that MJ is out because now your making changes to the plan and I don't want MJ to be, no offence I don't think anybody would do anything wrong but however I think we need to get another engineer in.

Don Roberts: We want a different engineer, okay.

Lyn Murphy: From our, to represent the Town of Halfmoon

Don Roberts: Not for you, for us we are going to have to do that.

Ed Keiss: Okay then I know on the water was fairly complicated, I know the Town attorney worked on the agreement for that and Frank Tironi was involved in it, so that's all decided?

Lyn Murphy: I don't have any issues as it relates to water, at least I'm not hearing that except for drainage but not potable water.

Tom Koval: I have no problem with potable water I, for your benefit I would like to know how much more that costs you to go that extra distance to tie it in to make a loop, create a loop. That way you can say this is even though it's not a per lot public benefit, it is part of the public benefit, it benefits the entire town.

Ed Keiss: We have it, it's been calculated it's been presented before I could guess at a number, but I don't want to do it.

Tom Koval: Sure, well it's been calculated it should be somewhere in the records.

Lyn Murphy: It's in the agreement itself, but the issue is it's going to be more at this point in time because everything is. So, I can ask Frank what a revised number is.

Tom Koval: Just a guestimate and then we can present that to the resident and say this is that much more you're getting at this point, but the bike path you know if we can get a more defined answer on that. You probably gave it to us originally, I don't have it in front of me.

Alison Pingelski: I just have one other question, would you mind sharing what the back and forth was with the sewer department, what were their questions what were their concerns, especially since that was asked about tonight.

Ed Keiss: I guess I have to be really careful in characterizing response times and going to meetings and they just seemed to be so overwhelmed there was back a ways I think somebody there passed away in the middle of something and I know they are way overworked, but it took a long time.

Alison Pingelski: So, they didn't ask you to make changes, they didn't have questions about your proposed sewer layout, it was just a delay in their response?

Walt Lippman: Just getting through the process with them.

Lyn Murphy: So, the process does involve them asking questions and list any concerns etc. so he's saying yea it's a back-and-forth effort, he is just saying it took longer than it normally does. There was no glaring like this isn't going to work.

Tom Koval: There wasn't a design issue?

Lyn Murphy: No

Tom Koval: It was a timing issue working with the government.

Ed Keiss: There was a lot going on and they were pretty busy.

Don Roberts: Okay anyone else? So, we agree we are going to table this and give them a chance to

Joe Landy: Just one quick thing i dotting and t crossing this thing as far as the letter goes, I know there is another drainage issue but I'm assuming the same answer holds, it's not for me to say but the same issues brought up in a letter handled by the same storm water retention policy?

Walt Lippman: Yes

Joe Landy: Okay I just wanted to say it out loud. Just in case.

Don Roberts: Okay, very good. Too late now but in retrospect I guess everyone should file your paperwork in a timely manner, okay thank you.

Tom Koval: Are we going to set a date for a motion in the future?

Don Roberts: Let them come back to us with their findings, right?

Marcel Nadeau: So, do we need a motion to table it?

Tom Koval: I make a motion to table.

Marcel Nadeau: Ill second it.

Don Roberts: We've got a motion and a second to table, all in favor Aye. (All were in favor) Opposed? (None were opposed) Motion Carried.

Mott Orchard PDD – Major Subdivision

PUBLIC HEARING HELD & TABLED. Board held a Public Hearing and subsequently tabled the proposed 91 lot residential subdivision to allow the applicant to respond to questions and concerns raised at the meeting.

New Business:

TNT Fireworks, 1549 Rt 9 (Walmart) – Change of Use/Tenant & Sign (24.054 & 24.055)

Laralyn Radlein: Okay real quick, everything is the same.

Don Roberts: Just a little more.

Richard Harris: You've kept it the same as prior years.

Don Roberts: What dates do you want to be there?

Laralyn Radlein: We're the same, we're gonna have the tent set up by probably around the 14th but we don't start selling until June 20th and we end on July 5th.

Don Roberts: Okay so June 14th till July 5th.

Laralyn Radlein: Correct.

Don Roberts: But they start selling on the 20th, okay yea, any questions?

Tom Koval: I make a motion to approve the change of tenant as well as the signs from June 20th until July 5th of 2024.

Tom Werner: I'll second it.

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion Carried, good luck. You're all set.

Laralyn Radlein: Good? Alright thank you.

TNT Fireworks (Walmart) – Change of Use/Tenant & Sign

APPROVED. Board approved the temporary tent sale and storage of legalized fireworks and associated signage.

Service Experts Heating & Air Conditioning, 11B Solar Dr – Change of Use/Tenant (24.045)

Justin Wright: Justin Wright, 11B Solar Dr. we're basically just moving our AC business from 13 Airport Road in Scotia to 11B Solar Dr.

Don Roberts: Now question about parking, right Rich?

Richard Harris: Yea you guys emailed me, I don't know if it was you regarding a 103 employees, 42 parking spaces, the response back was well about 70% of the staff or a little over 70 never, rarely comes to the site, they go right from their homes to the job site and then back, but you get 25 to 30 per day come to the site. I don't know if that is to pick up supplies.

Justin Wright: That's correct. We've got currently have at any given time we're gonna have between 10 and 20 office staff that will be there parking and then we typically have a parts runner that runs out to the team to bring their stuff in. We also have an agreement with the folks out front that are also leasing the building from R. E. Michael Company to where any overflow we'll park in their parking lot, but at any given time again 25 to 30 of our vehicles will be there. Any nonoperational vehicles or spare vehicles will be stored in the warehouse area.

Don Roberts: What are your hours of operation?

Justin Wright: 7 to 7 5 days a week.

Don Roberts: Questions by the Board, any questions?

Tom Koval: It says 7 to 4 on your

Richard Harris: Saturday and Sunday

Tom Koval: Sorry so your service trucks don't come back to your site everyday?

Justin Wright: No, they dispatch right from their address. Just logistically it's just much easier to dispatch from their location than to come from a centralized area, because we have such a broad area of service.

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Don Roberts: Now we don't see any sign application, if you want a sign in the future you have to come back to us.

Justin Wright: Say that again.

Don Roberts: If there is no sign application for your business, if you want to put a sign up, you're going to have to come back here again.

Justin Wright: Yea I believe that's all in the works, I believe so.

Don Roberts: Okay

Justin Wright: We wanted to get the important stuff with you guys first.

Alison Pingelski: So, the hours are 7 to 7 Monday through Friday and 7 to 4 Saturday and Sunday?

Justin Wright: Yes, we will have somebody on the weekends after 4 cleaning the facility but it's going to be 1 to 2 people taking care of the cleaning, but the business itself will not be open or operational at that point. The weekends it won't be open to the public anyways. Monday through Friday if we have walk-ins for filters and things, we are open, but on the weekends that's not the case. But we will have somebody on staff 7 to 4 dispatching our team.

Charlie Lucia: Just curious you say here that your peak hours are at 7 am to 10 am is that based on your business to date?

Justin Wright: Yea, typically yea.

Tom Koval: You don't have a 24-hour dispatch?

Justin Wright: We do but we dispatch for that. If you guys want any tips or tricks just let me know I'll let you know after.

Tom Koval: I make a motion to approve the change of tenant.

Alison Pingelski: I second

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion Carried, good luck.

Justin Wright: Thanks guys.

Service Experts Heating & Air Conditioning – Change of Use/Tenant

APPROVED. Board approved the use of 24,000 SF in the existing 30,000 SF for a heating, air conditioning and plumbing supply company.

R.E. Michel Company LLC, 11A Solar Dr – Change of Use/Tenant & Sign (24.050 & 24.051)

Ed Schultice: Ed Schultice,

Don Roberts: What do you want to do there?

Ed Schultice: We operate a wholesale heating and air conditioning supply house. Right now, we are on their property in Scotia, and they are moving up here and we're moving up here to service them and other customers.

Don Roberts: Okay and how many employees are you going to have, how many employees at the site?

Ed Schultice: Probably 3 to 4 employees and one of them being a delivery guy to make deliveries.

Don Roberts: Okay, any questions?

Alison Pingelski: Your hours of operation?

Ed Schultice: I would say that it's probably 7 to 4:30, but it could be 7:30 to 4:30, Monday through Friday. 8 to 11 on Saturdays. We do offer 24-hour service if they call in to a number.

Tom Koval: This is similar to store your still on Railroad Avenue too as well, aren't you?

Ed Schultice: Sir?

Tom Koval: Don't you have a store on Railroad Avenue in Albany as well or no?

Ed Schultice: I don't think so, I haven't visited there, and I normally take care of them. We have a store in Albany.

Tom Koval: Yea, I've seen your sign somewhere.

Ed Schultice: Yes, that's on Marshall Drive.

Tom Koval: Okay, so your main customer is Rowland Downs and then you just have a what type of showroom are you going to have here?

Ed Schultice: We have a, we call it a small parts area. It's less than 1500 square feet, and it has the thermostats, the controls, the wire, wire nuts I mean they would need to put.

Tom Koval: Similar to John Stone?

Ed Schultice: Yes Sir, yes Sir.

Tom Koval: I'll make a motion to approve the

Alison Pingelski: I just have a question, so Rich since we didn't get a request for sign permit from the last business this says that it's within the PDD requirements for signage requirements. Is that going to change if they ask for another?

Richard Harris: That's a separate parcel yea

Alison Pingelski: It's a different parcel than this, okay that's what I wanted to know, gotcha.

Richard Harris: Yea, so correct we evaluate on a parcel and building so that other sign, Service Experts they are on their own parcel, they will get their own calculation. Honestly the calculation is very lenient with square footage, it's very large. The only time they run up against it is like a Walmart where they want to

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advertise the 5 businesses inside, you know so this on average is a little over 200 square feet, so they've got a lot.

Alison Pingelski: So because it's 2 different buildings they each get their lot?

Richard Harris: That's correct, yes right.

Alison Pingelski: Sorry Tom.

Tom Koval: No, you're fine, I'll make a new motion to approve the change of tenant.

Joe Landy: Second.

Tom Koval: Ill make a motion to approve the signage.

Joe Landy: Second.

Don Roberts: Okay we've got a motion and a second for the use and the signage, all in favor Aye. (All were in favor) Opposed? (None were opposed) Motion Carried, good luck.

Ed Schultice: Thank you.

R.E. Michel Company LLC – Change of Use/Tenant & Sign

APPROVED. Board approved the use of the existing 11,850 SF building for the sales and retail storage of HVAC parts and equipment sales.

Kee Services, 1673 Rt 9 (Healthplex – Change of Use/Tenant (24.056)

Steve Burke: Good evening. Steve Burke Healthplex. Change of tenant space is occupied already by Senior Service organization, Bright Horizons and Kee Services is taking over that space. It's a Senior Citizen recreational support system for when seniors need a ride or seniors need help with their medications, pickup/drop-off. There's 5 locations right now. This will be the four locations right now; this will be their 5th.

Don Roberts: Questions by the Board.

Tom Koval: I make a motion to approve the change of tenant.

Alison Pingelski: I'll second.

Tom Koval: There's no sign?

Steve Burke: Tenant's responsible for the sign. They'll be bringing that in a week or so.

Don Roberts: But they know they have to come in, right?

Steve Burke: Oh yeah. Yes Don.

Tom Koval: I made a motion.

Alison Pingelski: Can I second it.

Don Roberts: Okay we've got a motion and a second, all in favor Aye. (All were in favor) Opposed? (None were opposed) Motion Carried.

Steve Burke: Thank you.

Don Roberts: You're welcome.

Kee Services (Healthplex) – Change of Use/Tenant

APPROVED. Board approved the use of 4,700 SF in the 31,500 SF building for senior citizen recreational activities.

M.J. Engineering and Land Surveying, 21 Corporate Drive – Change of Use/Tenant (24.057)

Jim Abele: Good evening, everybody, I'm Jim Abele on behalf of my family who owns the building, M.J. Engineer asked us to come and speak due to the fact that they're the Town Engineers. They recently just signed a lease with us for some more space in the building. Currently, they're the largest tenant. They have over 31,900 sq. ft. and they just rented another 4,800 from us due to expanding, and currently they're just taking over some office space from a tenant that downsized.

Don Roberts: Questions by the Board?

Tom Koval: Plenty of parking and everything?

Jim Abele: Plenty of parking, yup.

Marcel Nadeau: I want to make a motion to the Change of Use/Tenant.

Tom Werner: I'll second it.

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion Carried

Jim Abele: Have a good night thank you.

M.J. Engineering and Land Surveying– Change of Use/Tenant

APPROVED. Board approved the use of 4,800 SF for the expansion of the existing office (31,900 SF) for the engineering and land surveying company.

Tabor Road Warehouse revised Plan, 113 Tabor Rd – Site Plan (24.043)

John Lapper: Good evening, everyone. For the record John Lapper with Luigi Palleschi the Project Engineer and Joe and Meghan Rekucki are here as well. So, we're here for a site plan modification. A few things changed on the site after the Rekucki's were able to purchase the site next door. Primarily we're here to ask for a change in the driveway. To make it better for truck turning radius and to relocate the stormwater base and onto the site next door more efficient than squeezing it onto this site. Do you want to go through and show them, does this explain in detail?

Luigi Palleschi: Good evening, Luigi Palleschi with ABD Engineers, and Surveyors. Yeah, as John had mentioned I think bigger changes here is probably the stormwater. If you recall the previous approvals proposed in underground detention system under the pavement. And, since the Rekuki's purchased the property right next door to this, allowed room to move the stormwater from underground to an open bio-retention system. If you recall too from the previous approvals where the bio-retention system sits right now, there was a septic system that was approved and again the advantage of purchasing the adjoining property there, the Rekuki's were able to connect this building 113 to Saratoga County Sewer District. So, all of that has been done. No need for an onsite septic system. And there's an easement on the next-door property to accommodate the bio-retention system. Bio-retention system is/has been reviewed by MJ Engineering and it was per the original design standards as well. So, we're here to discuss with the Board or answer any questions that the Board may have at this time.

Don Roberts: Okay, questions by the Board?

Tom Koval: I think this changes this project considerably. It's a sensitive area in town. This project has always generated a lot of controversy and a great deal of discussion amongst the residents in that area for many reasons. I think for me to be comfortable with anything on this, I would like more input from the local residents. They're the ones that have picked up on a lot of these changes before we were even told about them. If I recall correctly, especially the driveway and everything. So, at this point in my opinion I would like to put this out for a public hearing again.

John Lapper: We understand that, and Rich told us that was probably what you would say, but the controversy here is just that this is zoned properly as industrial and it's next to residential, so it's just one of those things where there's an inherent difference in the use. But this is, ya know, the building was done very nicely. This change in the turning radius just makes it safer and better for trucks turning out so, ya know, we understand. We have no problem with Public Hearing.

Tom Koval: I've heard these arguments before, and I've heard it's just one of those things and I'm glad you're in agreement with me that Public Hearing is warranted.

Don Roberts: A Public Information meeting. Let's get to that, yeah, a public information meeting.

Tom Koval: But you know we, it is zoned for it. Not by my choice. But it is zoned for this. But we also still have these houses surrounding it and we're going to make sure that these people aren't forced to suck something up just because the zoning says it's ok. So, I want to hear from them.

Don Roberts: And before we set.

Tom Koval: And, once again, I'm speaking for myself.

Don Roberts: And before we set.

Tom Koval: Several other members in this.

Don Roberts: Before we set that, two items. We'd like you to put shields on the lights so that they shine down.

Tom Koval: I'd like to see photometrics when you come back.

John Lapper: Sure.

Tom Koval: I'm sure when you spec this project out you had an electrical drawing. I'm sure you had an electrical drawing that you put out to bid for your electricians. So, all those lights will have a photometric sheet that will show the light spillage.

John Lapper: Of course.

Tom Koval: It's a fairly easy thing to do if you could bring that back with us so we could present that to the public and show them that drawing that's showing the lights spillage.

John Lapper: Yup, we'll do that.

Don Roberts: And now, also, the confirmation that the parking spaces are gonna be 10x20, because there was some discussion about that before.

John Lapper: We're aware of that issue. If the Board was ok with 9x20 we could, that would be easier, but if you want it to be 10x.

Don Roberts: I think we'd like it to be 10x20.

John Lapper: Then we'll restripe.

Don Roberts: Anything else before we set the Public Information meeting?

Tom Koval: I'm sure you've heard it 100 times, but this is just for the building, any tenants you still have to come back in front of us.

John Lapper: Yes, we understand.

Don Roberts: Ok, so we're thinking of a Public Information meeting on May 13. Can we have a motion?

Tom Koval: I'll make a motion to set a Public Information meeting for May 13.

Marcel Nadeau: Ill second

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion Carried, see you May 13th.

John Lapper: Thanks everybody

Don Roberts: Thank you.

Tabor Road Warehouse Revised Plan – Site Plan

TABLED & PUBLIC INFORMATIONAL MEETING SET. Board received a presentation on amendments to the approved Site Plan for a 50,000 SF flex space warehouse/office building (no tenants named or approved) and set a Public Informational Meeting for May 13, 2024.

Rich Harris: I just want to let the Board, in May we only have one meeting, May 13. It's new this year. So, there we won't meet again until June. If not done on May 13, they'd have to wait for the first week in June.

Tom Koval: Yeah. I don't want to push them out too far, they've already jumped through a lot of hoops but, thank you.

Don Roberts: Anyone else got anything?

Tom Koval: I make a motion to shut this show down.

Don Roberts: Can I have a second.

Alison Pingelski: I'll second.

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