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**Town of Halfmoon Planning Board Minutes
August 12, 2024**

Those present at the August 12, 2024, Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Alison Pingelski
Joe Landy-absent

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny-absent

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?

Rich Berkowitz: I make a motion to approve.

Tom Koval: I recuse myself

Alison Pingelski: I second

Don Roberts: Okay Tom Koval recluses himself, Rich made a motion Alison seconded all in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Public Hearing:

Bell Subdivision, McBride Rd (SBL 261.-2-26.21) - Minor Subdivision (24.112)

Pat Jarosz: Good evening my name is Pat Jarosz with VanGuilder Associates I'm here tonight for the public hearing on behalf of the owner David Bell for the lot 2B McBride Road. He would like to subdivide a 3.2-acre lot into 3 building lots, and I can answer any remaining questions the Board may have tonight.

Don Roberts: Okay, we will open the public hearing would anyone from the public wish to comment? Yes, Sir please come up and say your name and address and any comment you may have.

Robert McCormick: My name is Robert McCormick; I live at 47 McBride Road which is adjacent right to that property. One of my issues that I have that I want to see is concerning the water. I live down hill from there every time it rains my yard gets flooded, if they put in three houses there is going to be that much less soil to be able to absorb some of that water and I kind of was wondering what would be done for that issue right there. Would they make some kind of a stone trench going over to the road or just what they would do. There is a couple of other issues I want to bring up too, so I don't know if you want to answer that first.

Don Roberts: Go ahead bring them up all at once and we will have the gentleman respond to each one.

Robert McCormick: The other one there is septic systems in these places there, I don't know where they're going to be draining, be draining down or real close to my property line. Once again with the water table and all of that kind of stuff I'm concerned about the septic systems going down into my property. Also, there's another well on that property there that's about 6-foot square concrete well that used to be used for the cattle and stuff years ago. I don't know what they plan on doing as far as closing that off, there is always water in it so you know there is a high water table in that area, and there was a wooding top on it but that got rotten away, there is another one on there now which is temporary but it's something that should be taken care of as far as any kids in the area or something like that. Sooner or later, you don't want them near that well. I mean it drops down 20+ feet or more. There is plenty of water in there. Like I said with the well there it tells me that there is a high-water table there so my concerns are the septic systems, where the houses are going to be located and I guess that's it for right now okay. The timeline as far as these houses are they supposed to be built like this year, next year? You know this road here has a quite a bit of traffic and it's twisty windy and the cars actually go around those turns pretty fast. It's something to consider as far as when you putting a house there that could have young children or something like that. It's a lot of traffic that goes by that road so that's it for right now.

Don Roberts: Okay thank you Sir, would you like to respond to the concerns please?

Pat Jarosz: So, the stormwater would be directed away from the property to resolve that issue.

Richard Harris: From their property or what do you mean exactly?

Pt Jarosz: Well David could you come up here? So, the water will be directed towards the road, this is David he is the builder, so the water would be directed towards the road mostly.

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Don Roberts: So, would that affect these people's property at all?

Pat Jarosz: Not as far as I'm aware, well because it is going to be directed to the road per the builder. Whether it's sheet flow, I don't know how I haven't seen the lot.

Tom Koval: Where does the drainage out at the road go to? And if you haven't gone and looked at it, why don't you bring up the builder that does know the answers.

Pat Jarosz: Okay.

Don Roberts: Can you say your name please and what you do and try and address this.

David Bell: I'm David Bell owner of Liberty Home Builders. Its relatively flat okay. The third lot the one all of the way to the right you're looking at is the highest one so I can literally take each one of these and grade them toward the property line, keep all of the water right on his own property. We did test pits for septic on all of them, they're all conventional septic's because the ground water wasn't an issue, it is there, there is no doubt there, but it passes for conventional. All my septic designs are done for those three.

Lyn Murphy: So, I hate to be the attorney in the room, but you can, or you will?

David Bell: I can, I will. I've never been allowed to ever sheet water onto somebody else's property.

Lyn Murphy: Yea it's not allowed

David Bell: Exactly.

Lyn Murphy: I'm sure they want some assurances that it won't happen.

Richard Harris: I assume where you did the test pits, will they be to the rear of the houses?

David Bell: Yes

Richard Harris: And so, the leach fields will be probably northwest in this, I see you've got, oh there it is, I'd seen it on this one sorry I didn't see it there. So, there they are. The leach fields will then be out to the rear or the north, I'm assuming?

David Bell: Yes

Lyn Murphy: Yes

Rich Berkowitz: Can I just ask you a question? The engineer has never seen this property?

David Bell: No, I've had an engineer on the property Pat is not

Pat Jarosz: I'm not their surveyor sir I'm just the presenter. So, I'm not the surveyor, I just work for the surveyor and do the presentations.

Rich Berkowitz: So, you know nothing about the property then?

Pat Jarosz: Well, I have not been there no, but I know what's on the map here.

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Rich Berkowitz: What does the map show? Because there is no contour lines on the map.

Pat Jarosz: It's flat right?

Rich Berkowitz: Well, you say it's flat, but you've never seen the property.

David Bell: This is going to taper down, there's contours over here okay so if you look at the site location you kind of see the contours there.

Richard Harris: That's not the contour lines?

Rich Berkowitz: That would be, each one would have to be up on a knob for that to be a contour line, it would have to be perfectly flat. You should have had better maps if you were going to come in and present this. Still the public hearing so.

Don Roberts: Yes, we can comment after we close the hearing but how about the timeline?

David Bell: I'm a custom builder okay, I'm going to build, typically I build one at a time. I'm going to put all three lots on the market and if I'm fortunate enough that I can sell all three of them, we'll be done in 18 to 20 months. Its all going to depend on sales. But I'm not a large builder that's going to come in and put three million dollars worth of properties in there and say I hope I can sell them.

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

Richard Harris: What were your plans on the well that they mentioned? They mentioned the wells.

Don Roberts: Oh yea, yea you've got to cover that.

David Bell: I didn't know there was a well onsite I'm glad they told me that. That was never disclosed in the sale, and I did walk the property, we did test holes on the property.

Don Roberts: So now that you know the well is there what are you

David Bell: Were going to have to get rid of it, we'll fill it in.

Don Roberts: Okay, thank you. Sir you want to speak?

Ron Czajkowski: My name is Ron Czajkowski, I'm a shareholder in CZ's Hilltop LLC. Which borders this property as well as grew up in the house that bordering their property, and I'll tell you I've lived there well over 50 years and anybody that's walked that site or even driven by it I'm interested to see how we're going to pitch that toward the road. Each one of those lots, where they go down to the triangle is heading toward a low spot and that's one of my concerns is the run off as well because as it is now to the left of that star where the old farmhouse is, there is a storm sewer with a culvert pipe that runs underneath the road towards this lot we're discussing, subdivision we're discussing and it drains toward the middle and toward that back corner where that triangle piece of each lot is going in there correct? As well as along this gentleman's property that was speaking previous. That's one of my concerns is getting run off there, the other thing anybody that's ever driven McBride Road or been on it, we've got two blind hills, one coming up when looking at that picture from the bottom towards the first bend and the other one is coming from the left hand side if you were coming up McBride Road from the left hand side there

is a hill, as well as some turns. Motorcycles go screaming through there, cars. To have driveways coming out of there you may want to come take a look and just re-assess the situation. Those are my two concerns, the more driveway coming out onto the road as well as the drainage issue. Thanks.

Don Roberts: Thank you, anyone else wish to speak? You've got to come back up. Say your name again please.

Robert McCormick: We're concerned with that left hand house that he showed there where the trees are and stuff. That's getting pretty close to where our property is and anytime drainage with the septic system there, we're worried about it going into our property. I also have a couple of pictures here that shows the water that came down the hill where if they do put in houses there is going to be less drainage because the houses are there, and the dirt is no longer around for absorbing the water. I don't know if you would like to take a look at these or not.

Rich Berkowitz: You can pass them around.

Tom Koval: It has been an extraordinary rain year though.

Robert McCormick: The other thing the gentleman was saying was drainage, it would be kind of hard to put in some kind of a culvert or pipe or whatever to go over towards the road because the other side is actually the lower side so I don't know how they would manage to do that. Thank you.

Don Roberts: Thank you, anyone else? We can't hear you first of all, secondly you have to use the microphone.

Bernadette Czajkowski: Bernadette Czajkowski, and I live on 39 McBride Road I would like to hear the answer to the questions about the curves and driveways because I am concerned about that and if I hear the answer I won't say I'd like to suggest he has one driveway if you approve it, one driveway coming out in the middle because it's very dangerous and then Kenny Chlopecki coming out of his house which is right across the street is also a blind driveway. So we have to stop and wait, and across the street is also a blind driveway, so we have to stop and wait and then they're going to build houses across there on another curve two houses there because they're selling the two lots so now we're going to have 5 houses on a curve and two hills coming up so I suggest you take a look at all of that because it's very concerning. Like the gentleman said they come by that road which is only .7/10 of a mile fast it has three, four curves it has a church it has a soccer field and it's just going to disrupt a lot so be careful on approving so many driveways.

Don Roberts: Thank you. Would you comment on that please.

Pat Jarosz: Yea we are late to go back and shoot TOPOS on the property and update the map so we can see

Don Roberts: I was going to suggest that you get a better map here, okay

Pat Jarosz: We would like to do that

Don Roberts: I'm also I'm only one person here but I really think we should have our Town engineer review this once the new maps come in.

Tom Koval: Also, besides TOPOS I would like to see a map showing the surrounding houses. Right now, you are just showing these three lots, give us a little better view of what is existing there currently. I'm familiar with the road and still I've been looking at it trying to make heads or tails of exactly where this is for some reason I've

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drawn a blank and I've driven this road a hundred and fifty times this year, so I'd like a little better overview of the surrounding properties are where the church s and everything.

Pat Jarosz: Okay

Don Roberts: The public hearing is still open so would anyone else wish to speak in the room? Would anyone online like to speak? Do you want to speak again Sir? This is the last time. Your name please again?

Robert McCormick: Robert McCormick

Don Roberts: This is all recorded so

Robert McCormick: Alright, do they have to meet any kind of regulations as far as filling that well in so it's not just dumping dirt in the hole, or do they have to meet some environmental issues or something like that?

Don Roberts: Yea, Joel do you know?

Richard Harris: I know we don't require a permit

Joel Bianchi: As far as I know the Town doesn't have a permit but the State Health there is protocols for abandoning public wells, not public wells sorry, residence they are very simple.

Robert McCormick: Alright

Don Roberts: Okay, anyone else? Anyone online wish to speak? Once again, anyone online wish to speak? Okay we will close the public hearing we already have some recommendations any more comments by the Board?

Tom Werner: I think it would be good to look at some of these concerns with the curves and site distance from both entering and exiting the driveway but also the driver coming through, you mentioned higher speeds and maybe looking at what those speeds are, the prevailing speeds, what the traffic volume is, I mean I have no idea I haven't been out there but what I'm hearing is there is a concern for safety.

Pat Jarosz: Okay we will take a look.

Don Roberts: Anyone else?

Rich Berkowitz: Do we need another public hearing because of changes?

Don Roberts: See how much it changes, see how much it changes.

Rich Berkowitz: Okay

Lyn Murphy: It all depends on the changes

Richard Harris: I would suggest taking a look at it in response to what the lady just spoke about possibly sharing driveways? I think you could possibly make these two and the Board can interrupt me if you want them all three, but it looks like these two could be served well or readjusted these two. I don't know what it means for site distance though with the curve.

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Tom Koval: I understand what you're trying to get at, but common driveways are a pain in the rear end. They cause a lot of friction among the homeowners.

Don Roberts: Who's gonna maintain what

Tom Koval: Yea cause I'm stuck in that situation myself, and I have to maintain everything. It's great idea but it's definitely, in the long run it causes issues so I would like site distances from hills and everything.

Don Roberts: Any other comments?

Charlie Lucia: Just real quick, these meetings especially public hearings are great because you've already heard from them and their concerns and so as you resubmit the things that you do especially the TOPOS and things like that you already know ahead of time what the difference discussions are so, gonna grade the water in such a way that it will drain away from properties and things like that, point those out, makes it easy, makes it much easier for us to see that especially after the comments today and for them to see how your going, how you plan on doing that. You've already been given a good sneak peek at what needs to be addressed, and you can do that.

Pat Jarosz: Thank you

Don Roberts: So, you will give us more detailed plans and we are going to have our Town engineer review those plans.

Pat Jarosz: Yes, Sir I will do that.

Don Roberts: Anyone else any comments? Okay thank you

Pat Jarosz: Thank you.

Bell Subdivision - Minor Subdivision

TABLED. Board held a Public Hearing and tabled the request pending submittal of a revised plan and review by the Town Engineer.

New Business:

Town Fair Tire, 5 Halfmoon Crsg. – Sign (24.118)

Tom Wheeler: Hello, I'm Tom with AJ Signs, basically we just want to put a panel in the monument sign over at the Crossings for Town Fair Tire. That's the pylon sign that's got the Home Depot and the Trader Joe's what not on it on the corner.

Don Roberts: Okay there it is, okay.

Rich Berkowitz: I make a motion to approve the sign

Tom Koval: I second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried. Your all set.

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Town Fair Tire – Sign

APPROVED. Board approved the new signage to reflect the new business name, Town Fair Tire.

Kee to Independent Growth, Inc., 1673 Rt 9 – Sign (24.119)

Tom Wheeler: So, this is a new tenant in this building we want to do an internally illuminated back sign on the wall and then a tenant panel on the monument sign as well.

Don Roberts: Comments by the Board?

Alison Pingelski: I make a motion to approve the sign application

Tom Werner; I'll second

Don Roberts: We have a motion and a second, all in favor Aye. (all were in favor) Opposed? (none were opposed) Motion carried. Your all set.

Tom Wheeler: Okay, thank you

Don Roberts: Your welcome

Kee to Independent Growth, Inc., – Sign

APPROVED. Board approved the new signage to reflect the new business name, Kee to Independent Growth.

Halfmoon Harmony Spa, 222 Guideboard Rd – Change of Use/Tenant (24.121)

Christine Wong: Hello, good evening my name is Christine Wong. I'm representing the owner of Halfmoon Harmony Spa. I'm here to propose a change of tenant at 222 Guideboard Road, Halfmoon to open a facial and foot spa. The space is 1200 square feet. It's in between the Kabob House and Mr. Sub. Business hours will be Monday to Saturday 10 to 8:30, Sunday 10 to 7, and there will be two employees 1 full time, 1 part time along with the business owner, and there are plenty of parking spaces. I think they have total 30 parking spaces. For the sign I'll come back with a sign application.

Don Roberts: How many customers do you anticipate at one time?

Christine Wong: I think, I mean you know at the beginning I think I anticipate only 3 at the same time or 2, 2 or 3 at the same time just for the start.

Don Roberts: Okay, questions by the Board?

Rich Berkowitz: I make a motion to approve the change of use and tenant.

Tom Koval: I'll second.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, good luck.

Christine Wong: Thank you, have a good night.

Halfmoon Harmony Spa– Change of Use/Tenant

APPROVED. The Board approved the new spa tenant in vacant space at 222 Guideboard Road.

Koi Modern Chinese Cuisine, 1569 Rt 9 – Sign (24.123)

Tiemin Chen: My name is Tiemin Chen I'm the new owner for old Sparx Fine Chinese. Right now, we change the name to Koi Modern Chinese Cuisine. We want to change 2 existing signs for our new name. One for Koi Modern Chinese Cuisine sign for roof top and I think we have another one sign almost the same thing just moves the local to the right side it will show almost the same size.

Richard Harris: Where is that one going?

Tiemin Chen: Four panel to two panel part on the low side.

Don Roberts: It meets your requirements right Paul? Questions by the Board?

Alison Pingelski: I make a motion to approve the sign.

Charlie Lucia: I'll second.

Don Roberts: Okay we have a motion and a second, all in favor Aye. (all were in favor) Opposed? (none were opposed) Motion carried, good luck.

Tiemin Chen: Thank you.

Koi Modern Chinese Cuisine– Sign

APPROVED. Board approved the new signage to reflect the new business name, Koi Modern Chinese Cuisine.

MJ Tarar Subdivision Revision, 34 Woodin Rd – Minor Subdivision (Amendment) (24.120)

MJ Tarar: Yes Sir, my name is MJ Tarar, so on the previous subdivision one of the conditions was to get one fire hydrant and after the chief, the fire chief came to the property they visit and they said we can live without that at this point, so we are requesting to waive that one.

Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to approve the amended subdivision

Don Roberts: Well, no, we are not going to say amended right?

Tom Koval: To remove the conditions

Rich Berkowitz: We are going to make a motion to remove the previous condition on the subdivision.

Don Roberts: On the fire hydrant

Rich Berkowitz: On the fire hydrant.

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Laurie Barton: Second

Don Roberts: Okay we have a motion and a second, all in favor Aye. (all were in favor) Opposed? (none were opposed)
Motion carried, all set.

MJ Tarar: Thank you.

MJ Tarar Subdivision Revision– Minor Subdivision (Amendment)

APPROVED. Board approved a request to remove a prior condition of approval relating to a fire hydrant.

McCadden Subdivision, 128 Johnson Rd – Minor Subdivision (24.115)

Pat Jarosz: Good evening again my name is Pat Jarosz with VanGuilder Associates I'm here tonight on behalf of the applicant Bruce Tanski to request a minor two-lot subdivision of 128 Johnson Road. The existing lot is 6.03 acres and is zoned AR- agricultural-residential will be subdivided as follows. Lot A will be vacant it will be 1.75 acres plus or minus. Lot B will have the house and the out-buildings and be 4.28 acres. The lots will be served with public water and sewer.

Don Roberts: And the building on Lot A will be removed?

Pat Jarosz: That's right, we'll get a demolition permit for that and remove it.

Richard Harris: For the shed

Pat Jarosz: Right

Don Roberts: And when will that take place?

Pat Jarosz: As soon as you can, right? Get the demolition permit. You will get the demolition permit as soon as you can?

Bruce Tanski: Yes

Pat Jarosz: Yea we will get it as soon as we can.

Don Roberts: Okay, well we will be given a date on that so we just so we discuss this. Any comments by the Board?

Rich Berkowitz: I make a motion to schedule a public hearing when?

Richard Harris: We can do August 26th.

Rich Berkowitz: August 26th

Alison Pingelski: And do we want to have the demo permit before the public hearing?

Tom Koval: It would probably make it easier for you if you could.

Don Roberts: I think we should, I think we should. Can you get it done by the 26th?

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Pat Jarosz: I think so, we can get that done by the 26th, definitely.

Alison Pingelski: I second

Don Roberts: Okay we have a motion and a second for a public hearing on August 26th, all in favor Aye. (all were in favor) Opposed? (none were opposed) Motion carried, see you the 26th.

Pat Jarosz: Thank you very much.

McCadden Subdivision– Minor Subdivision

PUBLIC HEARING SET. Board received a presentation on a request for a two-lot subdivision and set a Public Hearing for August 26, 2024.

Old Business:

1542 Mixed Use Development, 1542 Rt 9 – Site Plan (24.131)

Jason Dell: Good evening, Jason Dell engineer with Lansing Engineering here on behalf of the applicant. Also, here this evening is Chuck Pfundi also representing the applicant. We're here this evening to re-introduce this project to the Board, last time we were before the Board with this project we were proposing a PDD for the property, however we are no longer seeking a PDD on the property and we are now here tonight to present a project that is in line with the C-1 zoning. So, this project is located at 1542 Route 9, and it encompasses about 14 ½ acres and is located within the C-1 district. This project site is currently 3 parcels all of which are located between The Edge and route 9 so it's that vacant area between the edge right here and Route 9 so for this project the applicant is proposing 5 buildings there will be 2 single story commercial buildings that will be located along the frontage of Route 9. There will be one 3 story self storage building that will have a footprint of about 35,000 square feet and there will be 2 large bay self storage buildings each one of those buildings is about 16,800 square feet. There will be one main access drive off of Route 9 that will service the 5 new buildings as well as the edge in the back. So, there will be a mutual access easement for each one of those buildings as well as The Edge to traverse the property. There will be a monument sign up front that will identify the businesses back there as well as The Edge. We did meet with the folks that run The Edge and it was one of their requests that we include their sign on our one large monument sign and that will be proposed and shown in the detailed plans as we move forward. Water will be provided by the Town of Halfmoon water system and sanitary sewer will be provided by a connection to the Saratoga County Sewer District system located to the west and stormwater will be managed in accordance with all requirements. So, we're here this evening to introduce the project, or re-introduce the projects to you folks, answer any questions that you may have in hopes of referring it to MJ for review.

Don Roberts: Okay thank you. Now the entrance road to The Edge right now to the north, going into the north is a house is that going to stay or go?

Jason Dell: That will be removed

Don Roberts: Removed, okay thank you. Comments by the Board?

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Tom Koval: My concerns are lighting on the back side of these storage buildings with the residences to the south. The Edge parcel

Richard Harris: No, where's The Edge parcel come around?

Jason Dell: It comes around the outside here, so it's not land locked no. There is no subdivision proposed right now.

Richard Harris: Where The Edge parcel comes around.

Jason Dell: It comes around the outside here so it's not landlocked no. There is no subdivision proposed right now.

Richard Harris: You'll consolidate them

Jason Dell: We're going to have to consolidate those 3 lots, correct.

Tom Koval: So, it's a 35,000 square foot- foot print but it's three stories so your talking 90,000 square feet, 105,000 square feet of self storage?

Jason Dell: That's correct.

Tom Koval: What type of self storage are you going to do?

Chuck Pfundi: It will be climate controlled.

Tom Koval: Residential storage?

Chuck Pfundi: Residential yea no hazardous materials.

Tom Koval: Something like that building across the road?

Chuck Pfundi: Yes, very similar.

Don Roberts: How many stories?

Chuck Pfundi: Three stories, we're looking at a nice design we could share some pictures of another building that the applicant did on another location, but it had storefront glass, nice class A look.

Tom Koval: And these oversized storage units on the south they are going to be commercial storage units?

Chuck Pfundi: Yea commercial storage but more so I think we're going with the direction with the large bay for boat and RV, car storage and we can

Tom Koval: No outdoor storage?

Chuck Pfundi: No outdoor storage and we can look at when we deal with the architectural we can keep the lighting off the back side of those buildings.

Tom Koval: And then the 2 commercial buildings up front are you targeting fast food or what's your target for those?

Chuck Pfundi: Yea so we do have drive throughs from a speculative sense, we are looking at fast food, maybe drive through get gas things of that nature but anything, all fitting within the confines of the C-1 district. Knowing that there may be special use permits we need later on.

Tom Werner: What kind of volume of traffic in an out of this facility would you expect?

Chuck Pfundi: So we did have VHB do a study I don't know the numbers off hand but what I can tell you is from the original submission that we did under the PDD there wasn't an outlook for mitigation with the use that we had there and another reason when we re-submitted here off a not so favorable decision with DEC which shrunk the property, was making sure we selected uses that dropped the traffic even more. So, what I can tell you is that with the industrial outlook that we last submitted we didn't have traffic mitigation in a forecast and we're even lighter traffic use with storage now, it's a lot less of a traffic generator.

Tom Werner: I'll let you know that traffic is fairly heavy on Route 9, you've got Walmart across the street. Left turns I can see could be difficult at times.

Chuck Pfundi: Yea we'll be submitting a traffic study coming up.

Tom Werner: You will, okay.

Rich Berkowitz: As far as the exit out of the property is that 1 lane or 2 lanes?

Jason Dell: Right now, we're proposing a boulevard entrance with 1 lane in and 1 lane out.

Rich Berkowitz: I would suggest 2 lanes out because you're going to have a back up, if you are going to have Rv's in and out of there also, you're going to have a back up of people going north and at least you can let people go south because that's the easy exit going south.

Jason Dell: We can certainly take a look at it. It's similar to the facility further north on Route 9. There's not a lot of in and out of those facilities, if it is boat and RV storage, kind of drop it off

Rich Berkowitz: I'm talking about the fast-food restaurants

Jason Dell: Yes, understood

Rich Berkowitz: You see the problem we have at Watkins Plaza and the Crossings with the mis-markings there?

Jason Dell: We will take a look at that. Ultimately that will be up to DOT.

Rich Berkowitz: But if you propose a 2 lane, won't they look favorably upon that instead of a 1?

Jason Dell: We'll have to work through that with them, but we'll certainly look into it.

Don Roberts: Now I understand you want to be visible from Route 9 naturally, but can you put some more plantings along Route 9?

Jason Dell: Sure

Don Roberts: To break it up a little bit

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Jason Dell: As part of the detailed site plan, we will have a landscaping plan that will show all of that.

Don Roberts: Anyone else?

Lyn Murphy: Just out of curiosity and I think it will affect Joel's review, especially with the traffic, is it going to be 24/7 access with security or what are you planning?

Chuck Pfundi: Most of the facilities are 24/7 access with key fob those things are remotely managed.

Lyn Murphy: Okay, just because that does affect lighting typically get worse when you're allowing access later into the night.

Chuck Pfundi: And we can look into all of that, and we'll take it into account with the traffic report.

Tom Werner: The property to the rear what is the nature of that facility or business and they're using the driveway?

Jason Dell: That's The Edge rock climbing facility and a church activity center.

Alison Pingelski: That green line to the left that you're showing against A Time for Paws is that existing and you're just going to maintain that or is that something you're proposing to

Jason Dell: As you can see it's not heavily wooded right there, but we would certainly look to landscape that and buffer that as we can.

Rich Berkowitz: Yea I'm more concerned about the residents than the commercial so what are you going to do to buffer the residents?

Jason Dell: We would propose a tree line, we could look at potentially putting a fence up, privacy fence line.

Rich Berkowitz: You might want to put something just to decrease the noise.

Jason Dell: Sure

Don Roberts: Okay anyone else? No.

Alison Pingelski: Does this get referred?

Don Roberts: Yea, we've got to refer it to Joel, County, and fire alright, alright Joel? Okay thank you.

Jason Dell: Thank you.

1542 Mixed Use Development– Site Plan

TABLED/REFERRED TO AGENCIES. Board received a presentation for a new mixed-commercial development and referred it to the necessary agencies.

Old Business:

Hickok Subdivision, Firehouse Rd (SBL 284.02-3-28.1) – Minor Subdivision & Special Use Permit

(24.094 & 24.095)

Don Roberts: Now before you start, we had a committee go out there and I would like to get a report Tom. The committee was Alison, Tom and Laurie.

Tom Koval: Yup, so we went out and took a look at the property and specifically where the neighbors had concerns. Mr. Hickok had agreed to put the fence alongside the driveway on the neighbors' side as per their request and then shed the water down alongside the driveway keeping it from running towards their property going out back to Firehouse Road which should take care of the issue if there was one. I didn't feel once I looked at the property there even was one because there is a low spot between their properties and where the hill runs down, it dips down so it was kind of a nonevent in my eyes. The rest of it looked fine, the character of the neighborhood, there is duplexes, there's multi units surrounded in every direction and there's commercial property to the west of it so that concern in my eyes was unfounded that it was changing the nature of the neighborhood. I didn't see any issues and I think the houses are a good fit up there, the duplexes and zero impact to the neighborhood.

Don Roberts: Alison, you have anything to add or say you okay with it? Laurie?

Laurie Barton: Absolutely great.

Don Roberts: Now based on what you heard at the public hearing have you made any adjustments?

Fred Metzger: Fred Metzger, land surveyor here for Mr. Hickok, I would kind of like to say when we did the field meeting out there when that driveway, or natural trail was that we intend on improving we would propose on the map to slide the driveway a little more to what would be the west, but we would hang it on the west side. There is a natural berm already there and we would just accentuate that a little bit more so with any of the drainage that may go onto the neighbor would be diverted right down to the road and again there is a catch basin down there that we would tie into for anything created and also as Mr. Hickok said to, he was out there after the storm on Friday and there was no ponding of any water so and I mean that should be a good tell as to the drainage out that way.

Richard Harris: What about that fence?

Fred Metzger: I believe the fence was for Mr. Smith, the big parcel, the bigger parcel in that area

Richard Harris: This is Smith

Fred Metzger: Yes, I believe that was the one, I think he was worried about the drainage, it was the next one up to with Mr. Ouellette. They were more concerned with children ending up like if they had families or something of that nature in the rentals that kids would end up in the back yard but a fence could deter a little bit more if you put something in the back yards for the kid to play in but between the slope and the foliage that's built up over there about 20 feet in where the setback line is all the way to the property line and probably the next 75 to 100 feet is just overgrowth, so the chances that a child would end up in their back yard.

Tom Koval: It's heavily overgrown and rocky and it drops so unless the kids are a little mountaineer.

Fred Metzger: Right the chances that they will end up down there I think are slim to none and again kind of like the Board mentioned between the size of the lots the location of the units and you know with the existing foliage

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they'll set up there nicely and pretty much be hidden from the road and everywhere else around until late Fall/ Winter when the foliage is gone.

Don Roberts: Okay thank you

Fred Metzger: Your Welcome

Richard Harris: So, if the Board votes on this I'm assuming you'd agree to relocate the driveway?

Fred Metzger: Yup, yes, I'll do a new site plan, I just wanted to get everything so I could put it all together in one.

Richard Harris: And divert some notation about grading

Fred Metzger: Oh yes absolutely, I'll not that there is an existing berm to be, not improved but just to accentuate it so that way anything created from you know the small amount of runoff, and again it slopes all the way down the road so that predominantly it's going to slope down the driveway to the road, but we'll also have it pitched so that way, I put some slope arrows in there to show that it'll go away from the neighbor.

Richard Harris: Buildings for a while, building inspectors go out and look and they are not reading through the minutes, so Paul and I work with them on it, so if it's on the plan

Fred Metzger: It makes it easier

Richard Harris: It's not referencing minutes

Fred Metzger: Absolutely

Don Roberts: Okay, comments by the Board?

Tom Koval: I'll make a motion for a negative declaration of SEQR

Alison Pingelski: I'll second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, good luck.

Tom Koval: I'll make a motion for a positive termination on the subdivision, approve the subdivision.

Alison Pingelski: I'll second

Don Roberts: I've got a motion and a second, all in favor Aye. (all were in favor) Opposed? (none were opposed) Motion carried, all set.

Lyn Murphy: You understand that's on condition of what you agreed to?

Don Roberts: Right

Fred Metzger: Oh yea, yea I'm going to update the plan I'll send it in make sure everyone

Richard Harris: Highlight your location and pitching and there is no fence, right Board they are not going to be doing a fence?

Tom Koval: No

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Richard Harris: Okay

Fred Metzger: No, yea like I said between the location of it and the terrain.

Tom Koval: There is no purpose in it.

Fred Metzger: Thank you.

Don Roberts: Okay, your welcome

Hickok Subdivision– Minor Subdivision & Special Use Permit

APPROVED. Board approved a request to construct two duplexes on Parcel ID/SBL 284.02-3-28.1, with a condition requiring revisions to the final plan regarding the driveway location and grading.

Fairway Meadows & Hanks Hollow Road Connection, Timothy Way – Major Subdivision (24.014)

Jason Dell: Jason Dell engineer with Lansing Engineering here on behalf of the applicant for the Fairway Meadows Hanks Hollow roadway connection. The last time we were before the Board with this project was back in February. The project proposes a connection from Hanks Hollow over to Fairway Meadows Phase III through here. Since the last meeting we did some detailed engineering plans to MJ Engineering, we went back and forth with a couple of comment letters and revised plans and responses. We've addressed all of the comments to date. The fire department and emergency services did weigh in on it, Paul sent me over the email indicating that they are in favor of the connection they just requested that we revise the road name which we will certainly do, and we are here tonight to answer any further questions you have and ask the Board to schedule a public hearing.

Don Roberts: Okay, thank you Jason. Comments by the Board?

Richard Harris: This needs County

Don Roberts: The end of September we're thinking right?

Richard Harris: I mean we can have it before you just won't be able to vote

Tom Koval: No point in having the public hearing if we can't vote so

Rich Berkowitz: I make a motion to have the public hearing September 23rd.

Tom Koval: I'll second

Don Roberts: I've got a motion and a second for a public hearing on September 23rd, all in favor Aye. (all were in favor) Opposed? (none were opposed) Motion carried, see you then.

Jason Dell: Thank you.

Fairway Meadows & Hanks Hollow Road Connection– Major Subdivision

PUBLIC HEARING SET. Board received a presentation on a request to revise the lot lines and create a road connection between two residential subdivisions and set a Public Hearing for September 23, 2024.

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Don Roberts: Anyone else?

Tom Koval: I make a motion to adjourn.

Charlie Lucia: Second

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