

Town of Halfmoon Planning Board Minutes May 12, 2025

Those present at the May 12, 2025, 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

Planning Board Alternates:

Alison Pingelski
Joe Landy

Coordinator- Building, Planning and Development:

Richard Harris

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 the minutes from the last meeting?

Tom Koval: I make a motion to approve the minutes.

Tom Werner: I'll second it

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried. Alison reclused herself.

1542 Mixed Use Development, 1542 Rt 9 – Site Plan, Special Use & Major Subdivision

(24.131, 25.024 & 25.031)

Jason Dell: Good evening, Jason Dell engineer with Lansing Engineering here on behalf of the applicant for the 1542 Route 9 Mixed Use Development. We're here this evening for the public hearing on the subdivision, special use permit and hopefully ask for approval for the project as well. A brief overview of the project. The project site is located at 1542, Route 9. It encompasses about 14.5 acres and is zoned as part of the C-1 Commercial district. This parcel and the area for development is situated immediately in front of the Edge Facility back there. So, for this project we will be looking to subdivide the existing 3 parcels that are out there right now. The first lot will be approximately .95 acres in size. Lot #2 will be approximately .67 acres in size. Lot #3 will be about 9.87 acres and Lot #4 will be about 3.06 acres. On these subdivided lots the applicant is proposing to construct two single story commercial buildings in the front of the project. One will be approximately 6,000 square feet, the other will be about 2,000 square feet. Each with the ability for a drive thru on either side. There will also be a three-story self-storage building on the center portion of the project as well as 3, 12,000 square foot self storage type facilities as well. Private road will service the facility. It will extend from Route 9 back through to the Edge. This will be a private road that each individual owner will have an easement over for access to get in and out of the site. Water will be provided to the facility by connection to the Town of Halfmoon municipal water system and sanitary sewer will be provided by a connection to the Saratoga County Sewer district system. So, we're here tonight to answer any additional questions you folks may have as well as the public hearing and request an approval.

Don Roberts: At this time, we will open the public hearing, would anyone from the public wish to speak? (no comments) anyone wish to speak? Anyone online wish to speak?

Richard Harris: There are people online.

Don Roberts: Anyone want to speak? No (no comments) Okay at this time we will close the public hearing. Comments by the Board?

Tom Werner: What kind of a exit driveway, do you have two lanes exiting?

Jason Dell: We have one lane in and one lane out per DOT.

Tom Werner: The one lane out if somebody is trying to make a left turn you can back up people quickly especially with these drive thru establishments.

Jason Dell: Understood the initial plan that we showed them had 2 exiting and 1 in and they came back and indicated they would only allow one in and one out.

Tom Koval: Who's that the State?

Jason Dell: The State yes DOT

Tom Werner: That could be problematic because you know trying to get out onto route 9 and make a left turn you can wait quite a while.

Jason Dell: Understood

Tom Koval: You could end up with another Stone Quarry Road. Jason, I see that it's also proposed 40 feet. I'm not okay with a 40-foot high building there, we're kind of getting, we keep creeping higher and higher in this town and

I won't name a project down the road that's higher than it really should be. Is there any way the applicant can maintain our 35-foot recommended, because I don't want Route 9 to start looking like Wolf Road, and we're heading there.

Don Roberts: I have to agree with that also we don't want Jason we don't want keep inching up you know.

Jason Dell: It is very similar to the facility that's right down the street that that's there. That's also a three-story self storage facility that's right across the way there on Route 9. I don't know the exact height of that but it's in the same fashion as that building.

Charlie Lucia: I can't disagree with these guys. I think the 35 is right now the current limit.

Tom Koval: We can shrink each floor by a foot and a half and make it work.

Chuck Pafundi: I think that's a typo. Chuck Pafundi representative of the applicant. I think that's a typo we were planning on 35 we didn't see a variance application or anything for there.

Richard Harris: The Board can go above but it's at their discretion.

Chuck Pafundi: Yea and then the position we're at right now on public hearing and trying to anticipate a vote I would agree to the 35 with the applicant.

Don Roberts: Thank you.

Tom Koval: And the State was adamant about the one in and the one out? And there's no room for a second, a second entrance, exit?

Alana Moran: Good evening, Alana Moran with Lansing Engineering. Yes, it is New York State policy that an unsignalized driveways area single lane into and out of the site. They did have recent turnover in the permits department, and they reiterated to us specifically on this project, that is a single lane entering and a single lane exiting on unsignalized driveways.

Tom Koval: Is that because of frontage? The size of the frontage?

Alana Moran: No, it's not about frontage it's DOT preference that from their perspective it is a safer situation to have a single lane entering and exiting or exiting the site specifically for the site distance reasons. So if you have somebody waiting to turn left and somebody waiting to turn right, right next to each other the visibility that vehicle trying to turn right out of the site or the vehicle trying to turn left out of the site you have kind of sneak forward a little bit more and more and more in order to see beyond the vehicles next to you so for them it is a safety perspective in order to have one lane exiting the site.

Tom Koval: So, going back to their recent recommendation for Stone Quarry, should we be considering making this a certain period of the day where there is no left turns out?

Alana Moran: The analysis for the project shows that the two ways left turn along the project frontage that your driver is going to be able to make, they can turn into the two-way left turn lane and then continue north by merging in. We were looking at level of service E-ish conditions so somewhere in the range of like 35 to 50 seconds on average of delay for drivers exiting the site. That's pretty low for an unsignalized driveway on a major corridor like Route 9.

Tom Koval: So are we going to re-look at this when a potential tenant comes in front of us, say I'm not saying any names. I'll use for an example which we know won't happen there a McDonalds where there is a tremendous amount more traffic in and out all hours of the day. Should we look at this per tenant and base our tenant approvals on how much traffic it's going to generate during those peak periods because we now do have only a one in and a one out.

Alana Moran: So, the analysis for the site did look at fast food with drive thru which would include something like a McDonalds we also included a coffee shop with drive thru which would include something like Starbucks or Dunkin Donuts. So, it is a high generating analysis that was used for the site and basically everything is showing that it's going to work. Yes, I understand Route 9, people are going to be delayed and if it's bad you know what they're going to do they are going to turn right out of the site or they're just not going to go there during that time of day.

Tom Koval: Sure

Alana Moran: That's the way those types of things are going to work when it's a convenience use like these. So consistent with all sorts of other driveways on Route 9 all sorts of other driveways on Route 146 this is the same type of operation.

Tom Koval: And you base this on two fast food restaurants, correct?

Alana Moran: Yes, we did. Two fast food restaurants in addition to the storage, the self storage facility, some of the retail.

Tom Koval: Storage is a little more concerning.

Alana Moran: I agree, self storage not a big generator, but it did include the two fast food restaurants and some additional retail.

Tom Werner: So, for two fast food restaurants you've got one left turn lane ?

Alana Moran: We have a single lane exiting that's correct.

Tom Werner: I see that as being , but I could see a driver in that situation with a number of cars queued up behind him and feeling a lot of pressure and they are going to take a chance and it's a risky move.

Alana Moran: I'm going to tell you that this is what DOT is allowing to be permitted at the site and they're comfortable with it.

Don Roberts: If they're comfortable with it then what do we do.

Tom Werner: I'm not

Don Roberts: I know you're not, but they are.

Tom Koval: They were comfortable with Stone Quarry for the first 10 years until the 95th accident, now they're not comfortable with it.

Don Roberts: Anyone else? (no comments) If we want to approve this, we need SEQR first, but what's the Boards pleasure?

Tom Koval: I'm not comfortable with two fast food places there. One fast food place I would consider, I would be okay with, not two of them, that's my personal opinion.

Tom Werner: I agree with that.

Tom Koval: Self storage and one fast food place I would let fly. I would vote positively on.

Chuck Pafundi: I would just like to remind the Board too some of the history that we had on this site. Generally, we had submitted a PDD with industrial uses with truck traffic and a number of warehouses from the 2025 reg that DEC passed. They practically took half of the property that was useable originally, so we have already mitigated this site from a sense of a less intense use fitting with the existing zoning in the area. We used self-storage because it's a low traffic generator on the rear of the property and with that said the two retail opportunities do elude to drive thru because of the location to Walmart.

Richard Harris: You're only showing one though?

Chuck Pafundi: One fast food one coffee but both drive thru I apologize.

Tom Koval: I appreciate the position you're in. That doesn't push me to approve it just because you're in a bad position with the property.

Chuck Pafundi: Well, I just asked Tom his , what is the position of the traffic analysis and DOT do not see any mitigation requirement.

Tom Koval: I know the road and I'm basing my decision on what I know the traffic will be. I base my decision on reality. I base my decision on Stone Quarry Road, which we're going trying to mitigate right now which is the exact , not even the exact same situation, there's no fast food places on Stone Quarry Road, we have one tire store on the corner and we have numerous accidents, numerous accidents per month there and DOT just came out and recommended that during certain hours we do no left hand turns onto Route 9. The exact same situation without Walmart across the street. So, in good conscious not wanting more people to get injured, I'm saying I don't want two fast food places there. You could do another type of retail there . You do your self storage there. You do one fast food there.

Chuck Pafundi: Well, there is one fast food one coffee.

Tom Koval: It's the same thing. Dunkin Donuts, Starbucks they have a continuous during peak hours, they have a continuous flow of traffic. In the morning McDonalds anybody that does a breakfast is going to have the same amount of traffic as Starbucks , Dunkin Donuts whoever the coffee chain is and then it's going to perter out lynch time the fast-food restaurant is going to do more , coffee is not. This is the industry I'm in I service these industries. I know when I can go into those stores and do these services and when you can't work in the drive thru, so I'm not talking out of my rear end, I'm talking from personal experience.

Chuck Pafundi: Understood I just wish the Board had brought this up prior to public hearing we could have worked through some of that. I mean we are at the tail end of working through a design process.

Tom Koval: And I appreciate that but, you have retail space there.

Don Roberts: Rather than us making a vote here would you rather re-look at this?

Jason Dell: Rather a vote on the subdivision, can we at least have a vote on the subdivision portion of it?

Lyn Murphy: Subdivision portion.

Joel Bianchi: So, on the traffic, yes, we did. This is DOT. Everything that they've stated about the impacts and levels of service are accurate and the studies are industry practices. It's true impacts to a DOT road. We as your consultant are not going to (inaudible) but there are not many turn lanes on Route 9 in the Town of Halfmoon.(inaudible). The Board can choose to, I guess suggest and ultimately they would have to seek DOT's approval.

Alana Morand: So again , as Joel mentioned we did request two lanes as part of the application and DOT came back and said no just one. So, we tried.

Tom Koval: I'm not saying I don't, I'm not okay with rebuilding with all these buildings, I'm just saying I'm not okay with two fast food restaurants or two breakfast, lunch, dinner rush type of properties. With high volume at peak hours. I can't imagine you can't find another retail use for that second building that doesn't have to have a drive thru, and doesn't have to have breakfast lunch and dinner traffic. Breakfast, lunch and dinner traffic. I get it. You had to narrow down the amount of traffic, the amount of buildings the amount of industrial the use but I'm not okay with you coming in front of me saying it's going to be two places with drive-throughs that's just not going to fly with me. Do whatever you want in that other building.

Jason Dell: So, I mean it is a permitted use. We've heard from DOT, review engineer agrees with our assessment so it's your opinion then that you don't think it should be allowed?

Tom Koval: That's my opinion, yes exactly.

Jason Dell: Okay.

Lyn Murphy: So, would the applicant be okay with doing the subdivision and coming back for each individual possible use as it relates to special use for having a drive thru?

Chuck Pafundi: So, we would get our special use permits but we would have to come in during the time of tenant change and they would have to take the proposed

Lyn Murphy: I'm saying doing the subdivision now and as you get an applicant then you can do your special use.

Richard Harris: They would have to do the public hearing then again.

Lyn Murphy: So, another public hearing

Richard Harris: What about site plan?

Lyn Murphy: Site plan is fine

Richard Harris: Site plan, subdivision then when you come in with tenants the Board tables the special use until you come in with the precise tenants and they understand better what's the demand versus the breakfast demand, I'm not speaking for you guys, but you might based on what you said feel a little differently.

Lyn Murphy: Or we vote

Tom Koval: So potentially you would get your subdivision you could move forward with that but then when you come up with a tenant, say you come up with xyz hamburgers and the coffee shop whoever it may be. Depending on who comes first stands a better chance in my eyes.

Chuck Pafundi: I think we'd like to maybe table and come back to the Board next meeting.

Don Roberts: That's a good idea

Chuck Pafundi: Yes

Don Roberts: Okay

Chuck Pafundi: Yup

Don Roberts: You heard the concerns

Chuck Pafundi: I heard the concerns

Don Roberts: We'll table it and discuss it and see what we can come up with alright.

Chuck Pafundi: Absolutely, thank you.

Don Roberts: Thank you very much

1542 Mixed Use Development– Site Plan, Special Use & Major Subdivision

TABLED. Board held a Public Hearing, further discussed the proposed 79,000 SF mixed-use commercial, retail and self-storage project and tabled it.

New Business:

Brookwood Estates Entrance Sign, 2 Faulkner Dr – Sign (25.064)

Chris Marchand: Good evening my name is Chris Marchand, and I am here tonight with an application for an entrance sign at the Brookwood Estates subdivision, currently under construction. Proposing a stone pillar as depicted on the drawing here with a 2-sided wood sign and it will not be illuminated so pretty straight forward, pretty simple I believe but any questions?

Don Roberts: Now Chris this is going to be 15 feet in from the property line, right? It's going to be on private property but it's going to be 15 feet in?

Richard Harris: It'll be 15-foot minimum setback.

Chris Marchand: Yes correct.

Don Roberts: Okay, thank you. Any questions by the Board?

Tom Koval: I make a motion to approve the sign.

Marcel Nadeau: I'll second it.

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

Chris Marchand: Thank you all very much you have a nice night.

Brookwood Estates Entrance Sign – Sign

APPROVED. Board approved the construction of an approx. 12 SF, two-sided residential subdivision sign to be located a minimum of 15' from the property line.

Aria Kabab, 1525 Rt 9 – Sign (25.068)

Donald Roberts: Anybody here for Aria Kabab, 1525 Route 9?

Richard Harris: They replied they were coming.

Tom Koval: Are they on-line maybe? You said there were people online.

Donald Roberts: Anybody on-line.

Richard Harris: Supposed to be in person.

Donald Roberts: Ok, we'll try at the end.

World of Cars, 1387 Crescent-Vischer Ferry Rd – Change of Use/Tenant (25.049)

Yaroslav Ponomarov: Good evening, my name is I Yaroslav Ponomarov. I'm the owner of the property and I'm not sure how to do it so if you could please help me out.

Donald Roberts: Just explain what you want to do, and we'll take it from there.

Yaroslav Ponomarov: Yeah. I want to have like a small car dealership there and to use the rest of that property, like, for myself. Because it's going to be, like, very small, only like appointments. Not open to public. Yeah. You have everything.

Donald Roberts: Right. At our pre-meeting there were some concerns raised, but I'll let the people that have those concerns raise them, so go ahead

Richard Harris: I do want to quick mention it, I did talk to Yaroslav briefly. The image that's in your packet, he put that in because that's a survey. That's not his plan. It's an older survey for a project that didn't get approved or come to the Board. But he wanted to clarify where the property line is on that. So, you have that in your packets. The county map viewer in google maps or other on-line you know they're not an exact representation of a survey and an aerial image. There's distortion that happened. So, in your packet much more of that front parking lot, gravel area is on his private property than this blue and yellow line would lead you to believe. It's actually closer to where the driveway narrows, as you could see on that other sketch you have in your packets. So, it was a concern when I got talking to him a few months back, the property line, according to this looks like it comes up to the building, but he has a survey and that's what's in your packets that shows most of that front gravel, beyond the driveway envelope is actually on his private property.

Yaroslav Ponomarov: Yeah, like actual property lines.

Richard Harris: It's more like along here.

Tom Koval: So, these used cars that you've purchased at auction, I imagine, you're getting delivered to your site?

Yaroslav Ponomarov: Or I drive them myself, yeah. I pick up them myself.

Tom Koval: Well, a big concern, a huge concern I have is the delivery of the vehicles. I know a lot of these cars come from auction. You'll hire a carrier. You'll bring three or four cars on the back of a pickup truck, basically with a flatbed. They need someplace to park to offload these vehicles. There's no place there to offload vehicles. You have, you don't have the shoulder space on that road and yet we don't want you offloading vehicles on the, in the Town Park across the street. So, what was your, and Canal Road it's got that old blind corner that people do a million miles an hour around. So, where were you planning on, taking delivery of these vehicles?

Yaroslav Ponomarov: So, like most of the time, like, I would say, almost all the time I deliver them. Me or my dad, and we have, like, one truck and very small like trailer so it fits perfectly in there.

Tom Koval: It will fit on your lot, so you won't be in traffic?

Yaroslav Ponomarov: Yes. Correct. You just pull in in the driveway and it fits there.

Tom Koval: Just a tandem axle.

Yaroslav Ponomarov: Yeah.

Tom Koval: Towed behind.

Yaroslav Ponomarov: Yes. Because the delivery is expensive.

Donald Roberts: So, you're saying they'll be no trucks delivering vehicles?

Yaroslav Ponomarov: No. Like...I don't know. It might be like once in a while, but it would sit there too.

Tom Koval: You don't have room in from what I'm seeing, you don't have room to like turnaround one of those 5th wheel, four or five car trailers. I tow those trailers myself. I couldn't turn a trailer around in that spot.

Yaroslav Ponomarov: I have only one car delivered and did fit there, but like, if you want me to, I can just them all by myself and drop it off somewhere else.

Tom Koval: If I decide that I'm ok with this project, it's going to be a condition that there's no car carriers.

Yaroslav Ponomarov: Okay

Tom Koval: Delivering cars to this.

Yaroslav Ponomarov: I can promise you that. Yes. Ok.

Donald Roberts: That's ok with you?

Yaroslav Ponomarov: Yes.

Donald Roberts: Good. Any other questions? Oh, also, 15 cars, for that site, that's a lot of cars. You don't think so from where you're standing, no?

Yaroslav Ponomarov: It could fit like, it might be like 50 cars there. It's a very big property actually.

Tom Koval: We do allow 25 across from McDonalds. That car lost, that's half the size.

Donald Roberts: Yeah. And we don't like that either.

Tom Koval: We don't but

Donald Roberts: So, why keep on doing it?

Tom Koval: Yeah. I don't think 15 is too bad, personally, but everybody has their own opinion.

Donald Roberts: Yep. We do.

Yaroslav Ponomarov: I don't need a lot of cars there. Just like, I just wanted to show it has the space. Right now, I have seven cars and, like, I'm not going to have more than that probably, like, forever. In don't know. But, just in case, yes, so.

Lyn Murphy: So, the only question, then, I have is you said we're gonna do the car lot and then we're going to use the land for other personal use.

Yaroslav Ponomarov: Yeah. Not the land, but like the house itself.

Richard Harris: For an office, correct. You were talking about office and split with a residential apartment.

Yaroslav Ponomarov: Yeah. Like, it's not, I'm not going to live there but, like, I just want to have the permission to stay there. Because, like, it's me and my wife who live with my friends and, like, we would like to maybe and sometimes there and I have a gym there and my wife has, like, her paintings there and we would like to just basically just have a permission to stay there and maybe move there in the future, but right, not now.

Tom Koval: So, a crash pad and an office?

Richard Harris: Like a getaway.

Yaroslav Ponomarov: Yes. Yes. I cannot gonna rent it to anyone. It's just going to be me.

Richard Harris: I'm sorry. I told the Board....I thought you were possibly going to rent it in the future as an apartment to others

Yaroslav Ponomarov: Just for me. I might live there in the future, but I don't want to rent it yeah.

Richard Harris: Oh. Ok.

Yaroslav Ponomarov: Yeah. Just me. Yeah.

Laurie Barton: So Rich, does that change then if it's full residential use with the business?

Richard Harris: I don't think so.

Tom Koval: It's an ancillary use.

Richard Harris: Residential, ancillary. If you approve 15 cars, he told me he'd have an office there to sell the cars and do on-line stuff, see a customer once in a while. I was under the impression he'd rent it out to other people for an apartment, but, no, I don't think that.....it's commercial zoned so if it was residential and he wanted to add automotive sales, not that you'd allow that I'm sure, that'd be a home occupation but the zoning's C1 commercial. So, you've had.....other than Trick Shots, you had, you approved, probably no, another electrician by Crescent Vischer Ferry.

Tom Koval: Jeff Rouche. I can't remember the name of his business.

Richard Harris: Yeah. He set up a business and then rented one apartment out of it and you approved that. I thought that was more like this, but I don't think it creates a zoning issue here. Lynn, I don't think so either.

Lyn Murphy: No. I just wanted clarify on the record what he is planning to do when he said other uses.

Yaroslav Ponomarov: And, like, I have a, like a separate entrance for the office room. It's like it's, like, so it's not going to interrupt with anything so just, like. And it's going to be, like Richard said, on-line only so, like no public entrance. Basically, just like when people. Basically, like personal sales when you sell a car to someone on Facebook but just like official. Yeah.

Tom Koval: And you don't have a sign application in or anything, right now?

Yaroslav Ponomarov: No. I have the sign like DMV requires, but that just hangs on the wall.

Tom Koval: It's the legal one, yeah.

Yaroslav Ponomarov: Yes

Richard Harris: You're not planning to put up Yaroslav's cars or anything?

Yaroslav Ponomarov: No.

Richard Harris: You could you just would have to come back to the Board. I think we had talked about that at one point.

Yaroslav Ponomarov: Yea, so in the future if it goes like bigger maybe like in two, five years I will come again and, like, ask to have, like, the official business there, but, like, yeah, with the sign.

Richard Harris: I do want just add, we don't, I did not get the written permission from Lussier's about your use of the area over here in the yellow, this area. So, that wouldn't be part of any Board approval. I spoke to him, but I didn't get any thing in writing so you would not have permission to use that area.

Yaroslav Ponomarov: Yes. Yes. I know. Because it was taking so long and I wanted to be official, I don't need to use that land anyway, so.

Richard Harris: And all of the inventoried cars you're selling would be in the red on here, to the rear of the site.

Yaroslav Ponomarov: Correct.

Richard Harris: Not out on Crescent Vischer Ferry Road.

Yaroslav Ponomarov: Correct. Yeah. I can put them anywhere you want me to. Yeah.

Tom Koval: I make a motion to approve the Change of Tenant with the conditions, no car carriers are allowed to deliver cars to the site and that

Yaroslav Ponomarov: Maximum number of vehicles.

Tom Koval: Maximum number of vehicles including your own personal vehicle are 15 and you will be able to use the office for other ancillary uses such as a workout room or that type of thing.

Richard Harris: Personal residence.

Tom Koval: Personal use.

Yaroslav Ponomarov: I'll second that.

Donald Roberts: Ok. We have a motion to second. All in favor aye (all were in favor). Opposed (none were opposed). Motion carried. Good luck.

Yaroslav Ponomarov: Am I all set. Thank you so much.

*World of Cars – Change of Use/Tenant
APPROVED. Board approved the use of a portion of the site for the display and parking of up to 15 used and personal vehicles, use of the existing building as an office and residence and a restriction on the use car carriers.*

Comprebr Brazilian Market, 225 Guideboard Rd – Change of Use/Tenant (24.093)

Donald Roberts: Nobody here for that?

Richard Harris: Yup. He's here.

Donald Roberts: Please say your name and what you want to do.

Gleidson Nunez: Good evening. My name is Gleidson Nunez: My friends own....my English, not too much bad.

Tom Koval: C'mon up.

Richard Harris: C'mon up. You can speak.

Donald Roberts: Yeah. Just say your name too.

Benjamin: My name is Benjamin (inaudible).

Donald Roberts: Okay go ahead.

Benjamin: So, (inaudible) ...our Brazilian Market. He wants to offer some breads that is going to be made by air fryer and also some French bread and make some Brazilian also made by air fryer. Not deep fryer for oil, nothing like this. And they offer some coffee and some things for customers. I think I brought something to show what's going to offer in their market.

Gleidson Nunez: This is what I will sell I actually make this in the store people eat in my store.

Richard Harris: He wants up to seven tables with four chairs.

Donald Roberts: So, 28.

Richard Harris: That's the one thing he's gonna make there. Some other stuff is pre-prepared, that's actually going to cook there.

Benjamin: It's a corn process.

Gleidson Nunez: Yea its corn, you just pick it up (inaudible)

Donald Roberts: Ok. We get the idea. Yeah, that's good yeah. You got a lot of stuff there, right?

Tom Koval: So, you're just asking for some tables. Some of the products you sell that you can actually prepare so people can eat them on site?

Benjamin: Yeah. Now, he just sells products.

Tom Koval: Right.

Benjamin: And then he has some tables, and he wants to sit a few people to have some time to have a coffee and eat some Brazilian stuff.

Donald Roberts: So, you want 28 seats?

Benjamin: How many?

Richard Harris: He asked for seven tables

Gleidson Nunez: Seven tables.

Richard Harris: With four at each table, right?

Benjamin: Yeah.

Donald Roberts: Are you going to have enough room to still conduct your business with all those tables there?

Gleudson Nunez: Yes.

Tom Koval: And parking isn't an issue?

Donald Roberts: Not there. No, it's not an issue there.

Tom Koval: It can't be worse than Salty's.

Donald Roberts: Questions by the Board?

Tom Koval: I'll make a motion to approve the addition of seven tables with four seats apiece.

Richard Harris: And baking. That's a new aspect.

Tom Koval: And, baking on the premises, which was always done there anyway.

Marcel Nadeau: I'll second that.

Donald Roberts: Ok, I have a motion to second. All in favor aye (all were in favor). Opposed (none were opposed). Motion carried. Good luck.

Benjamin: Thank you.

Comprebr Brazilian Market – Change of Use/Tenant

APPROVED. Board approved the use of the site for baking/cooking and the installation of up to seven (7) tables with 28 chairs.

Harvest Church Addition, 303 Grooms Rd – Site Plan & Special Use Permit (25.060 & 25.070)

Nick Frangis: Hi, my name's Nick Ferangis with EDP. I'm here on behalf of the applicant. The applicant is proposing a 4,000 sq. ft. addition on the back of the existing church. The design, or the proposed building has no, does not affect the existing stormwater conditions at all. It's going to be installed on a currently existing pavement surface. There's going to be no change to the existing stormwater infrastructure and also no adverse effect on the greenspace or reduce any greenspace on the site. There are wetlands. You can see on the map on the north side of the figure there. We are well without outside of that buffer. So, we don't feel that's a concern either, at this time. The building's one-story tall with a maximum height of 17 ½', which is within the guidelines, and I think that's all I got.

Tom Koval: What is the potential use of this addition? Is it going to generate more traffic to the site?

Nick Frangis: It is, I would say no. We're not increasing parking spaces so it would not be

Tom Koval: Well, that's what I'm alluding to. Is it going to be a daycare?

Nick Frangis: A fellowship hall is my understanding.

Tom Koval: A fellowship hall?

Nick Frangis: Yup.

Tom Koval: So, it going to be the same people that are normally there or worshipping

Nick Frangis: Correct

Donald Roberts: Another gathering place.

Nick Frangis: Correct.

Donald Roberts: Alright. Ok. We're going to need a Public Hearing on this, first of all. Gotta refer it to our Town Engineer, Fire District and Saratoga County Planning, also.

Richard Harris: Can I just clarify. Joel, do you think there's you need to look at here? Because I know it's impervious surface impervious surface.

Joel Bianchi: Yeah, the only thing would be, and Tom brought it up, is what's the use. Does it trigger more traffic or parking. If they're making recommendations that it doesn't, is it going to change anything other than the footprint of the building?

Donald Roberts: I think we've got someone else to speak here.

Eric Carlson: Eric Carlson. I'm a member of the church. The idea of this addition, I don't want to speak for the pastor's directly, but the idea is, the only place for a smaller meeting in the church is actually in the sanctuary, which is 60' wide, 30' tall and 120' long. So, any little women's meeting or bible study ends up being in the front rows of a very large room. So, this is just the idea of having a little bit more intimate setting for breakfasts or meetings.

Donald Roberts: Ok. Good. That helps. Any other comments by the Board?

Tom Koval: I make a motion to set a Public Hearing

Donald Roberts: Should we wait until Joel.....Joel, do you want to look at it first?

Joel Bianci: Well, we don't have any meetings until June 7.

Donald Roberts: Yeah.

Richard Harris: This does have to go to County.

Donald Roberts: It has to go to County also.

Richard Harris: So, I missed, well, their meeting. This week, next week, so it wouldn't go on until their June meeting anyway. So, I don't know if you want set a Public Hearing for the second meeting in June. That would be after the County's monthly meeting.

Donald Roberts: That should be enough time.

Richard Harris: Yeah. I don't, I don't, honestly, I don't there's much for Joel to look at

Tom Koval: Is that right Joel?

Joel Bianci: Yeah. They've just made representation that it's, at least the way I interpreted it, it's servicing the existing parishioners. No new parishioners. Whatever they're going do with areas, not during service, I would assume. So, it doesn't require more traffic? More parking? So, I don't really feel like from an engineering standpoint.

Donald Roberts: So, that would be June 23rd?

Richard Harris: Yeah. That would get us past, I'll get it to the county for their June meeting.

Donald Roberts: Okay Go ahead Tom.

Tom Koval: I'll make a motion to set a Public Hearing on June 23.

Laurie Barton: Second.

Donald Roberts: All in favor aye (all were in favor). Opposed (none were opposed). Motion carried. See you June 23. Thank you.

Nick Frangis: We did do a topographic survey. It was not, at the time of these drawings when we submitted it. We do have that now at this point. Is there an opportunity to resubmit the drawings?

Richard Harris: Oh yeah. Yeah, we'll get them, that's good to have for the Public Hearing so. Whatever. You want to email them over that's fine.

Nick Frangis: Okay

Lyn Murphy: And just for purposes of the record, a perisher is not, they don't have status to put evidence before the Board. So, if you want to be very clear about what you're doing at the Public Hearing, you need to do it.

Nick Frangis: Okay

Lyn Murphy: Like it can't be somebody who doesn't have status.

Tom Koval: Or the pastor.

Lyn Murphy: Or the pastor. Yeah. Okay

Donald Roberts: Yes. Okay thank you Lynn. Yes.

Nick Frangis: Okay

***Harvest Church Addition – Site Plan & Special Use Permit
REFERRED TO AGENCIES & PUBLIC HEARING SET. Board received a presentation seeking
To construct a 4,906 SF addition, set a Public Hearing for June 23, 2025, and referred it to
several agencies for review and comment.***

Northway 8 Golf Center Expansion, Progress Dr – Site Plan (25.063)

Jason Dell: Jason Dell, Engineer with Lansing Engineering, here on behalf of the applicant, Scott and Bill Hoffman from Northway 8 Golf Center. We're here this evening to introduce the site plan modifications to the Board in the hopes that the Board refers it along to MJ Engineering to start the engineering review. So, I think everybody's familiar with where the driving range is, right there off Exit 8. It comes off of Progress Drive. There are two parcels, one of which is 2 acres in size, the others about 40 acres in size, and this project here will straddle both of those properties. The project site itself encompasses about 3.6 acres over there and is zoned as part of the LIC zoning district. As Rich had mentioned in the pre-meet, the end of Progress Drive, right at the end here, actually encompasses part of the cul-de-sac that's out there right now. As part of the project, the applicants will be requesting of the Town Board to relinquish that portion of the right-of-way and we would then extend and wrap the parking around. In that area we would expand it both to the west and east and make a more functional parking lot as far apart of this project as well. So, the proposed modifications to the plan include a 1 story, 6,400 sq. ft. clubhouse, an enclosed driving range in the central portion of the property here. They'll also be about 1,000 sq. ft. covered driving range on either side of that building as well. There's also additional amenity space that you can see here on the plan, including sitting areas, some tables, a cornhole area, as well as small putting green and then a small putting area over on the western side of the site. So, the idea of the clubhouse is to provide more of an accommodating space for families as well as some business and corporate meetings and charity fundraising events that can be held there with a much larger space. The clubhouse is intended to have woodfired pizza as well as beverages for sale within there. The idea's also to have this clubhouse take the place of the existing food truck that's out there. It's moving it indoors now to a nice setting. So, again, access will be off of Progress Drive. The

cul-de-sac will be removed, and the parking will be expanded. We're required for both the existing and the proposed uses to have about 105 parking stalls. We will be expanding that to about 120 parking stalls. Water will continue to be provided to the facility via connection to the Town of Halfmoon municipal water, and sewer will be provided, or not sewer, but sanitary collection will be provided by a holding tank. Both the existing facility out there as well as the McDonald's right near there. They all operate currently on a holding tank. So, we would be proposing that as well for the expansion of the facility for that to continue on. Stormwater will managed in accordance with all requirements as well. So, we're here tonight to answer any initial questions you folks may have and ask that you send it along to MJ for review.

Donald Roberts: Ok. Thank you, Jason. First, we've got to refer it to the Town Engineer for review, Saratoga County Planning Board and Fire District. Ok, any comments by the Board?

Tom Koval: Jason, the clubhouse, are they proposing to have alcohol?

Scott Hoffman: Scott Hoffman, I'm the owner of Northway Golf. To answer your question, yes. We currently do have liquor for New York State and also as Jason mentioned the food sales by way of mobile food truck.

Tom Koval: Right. You're not....are you proposing any future entertainment on-site? Music venues, anything like that?

Scott Hoffman: No. Not at this point. I don't foresee that really. I mean our focus is golf, a hard number 1.

Tom Koval: Right. We've just had other issues in other spots with the similar type of clubhouses and

Scott Hoffman: Yeah. I could foresee, ya know, we do have a speaker, ya know, speakers outdoors too, ya know, provide music for patrons while they're on the premises, but I'm not really looking to be in the, ya know, live music, entertainment business. We really are looking to expand and modernize the facility to cater to our existing patrons more so than anything. Ya know, the business is 51 years old as I think you all are aware, and the original t-line structure is in need of a significant facelift.

Tom Koval: Sure. Yup. No, I'm just clarifying all these little

Scott Hoffman: Yes sir.

Tom Koval: aspects that have come up in the past in other facilities and I want....

Scott Hoffman: Yes sir.

Tom Koval: instead of finding out afterwards and have to deal with issues. I'd like to know all this up front.

Scott Hoffman: No intentions of concerts.

Tom Koval: There is homes past your facility so.

Scott Hoffman: Sure. Yes sir.

Lyn Murphy: So, if the Board is concerned as it relates to outside entertainment, that should definitely be a condition of the resolution should you choose to approve the expansion that they not have that unless they come back to the Board and get approval.

Tom Koval: And that's my full intention when we get to that point.

Donald Roberts: Any other comments? Okay, we'll refer it to the agencies, and we'll get back to you.

Scott Hoffman: Thank you.

Donald Roberts: Thank you.

Scott Hoffman: Thank you.

***Northway 8 Golf Center Expansion – Site Plan
TABLED & REFERRED TO AGENCIES. Board received an initial presentation seeking
construction of a 7,917 SF (total) addition and referred it to several agencies for review and
comment.***

Red Maple Duplexes, 9 & 11 Red Maple Ln – Special Use Permit (25.066)

Nick Costa: Good evening, Nick Costa from Advanced Engineering Survey and we've prepared the documents that were submitted for the subdivision and for the Special Use Permit. As it was mentioned previously, the subdivision was approved back in February and we're back here to request a Special Use Permit for the construction of the two duplexes at Lot 9 and 10 and we've shown the access drive instead of the former extension of the existing drive, we have a new drive. So, if there are any questions, I'd be more than happy to try and answer. The project attorney and the applicant are here with me tonight and there is water provided to this site and municipal water and on-site septic systems.

Donald Roberts: Ok. Thank you. First of all, again, we'll refer this to our Town Engineer for review and also the Fire District and any questions by the Board?

Tom Koval: Not at this time.

Donald Roberts: Pardon.

Tom Koval: Not at this time.

Donald Roberts: Ok. We'll need to set a Public Hearing. You want to set it for June 3 or wait until you get back?

Tom Koval: June 23?

Donald Roberts: I can go the 30th.

Richard Harris: This does not need county review so

Donald Roberts: 30th's the meeting

Tom Koval: 30th?

Richard Harris: No, it's the 23rd. In June it's the 9th and 23rd. Hold on.

Tom Koval: Rich, you steered me wrong.

Richard Harris: Somebody said the 23rd earlier.

Tom Koval: Yeah. I did, because you did.

Richard Harris: Yes. 9th and 23rd.

Donald Roberts: I told you, I'm not hearing good tonight. That's enough time.

Richard Harris: We need to have a county review meeting here so it's up to you guys.

Tom Koval: June 23rd.

Donald Roberts: We could do that.

Tom Koval: I'll make a motion to set a Public Hearing for June 23.

Laurie Barton : I'll second.

Donald Roberts: All in favor aye (all were in favor). Opposed (none were opposed). Motion carried. See you the 23rd.

Nick Costa: Thank you.

Richard Harris: Can I clarify something. Nick, I don't think we talked about it but what's your acreage and disturbance? Because now you're adding this longer driveway.

Nick Costa: Yeah.

Richard Harris: You might have mentioned it. I'm sorry.

Nick Costa: No, no. We had a different layout when we mentioned it. We didn't do an inventory for this layout. I'll certainly

Richard Harris: Ok.

Nick Costa: take care of that. I think we talked to discuss with the fire department, we're probably going to loop. We're going to try to connect the other driveway so that there is circulation with the fire trucks, but we're going to discuss that.

Richard Harris: We're going to need though the revised layout for the Public Hearing. I don't think the Board would want to go have a Public Hearing without something that's pretty close to your final version.

Nick Costa: Right. We'll submit that once we talk to Joel and the fire department.

Richard Harris: Yeah. The 23rd gives you plenty of time to do that.

Nick Costa: Yeah.

Donald Roberts: As you know from the past, there's probably going to be some comments at the Public Hearing.

Nick Costa: Yes. That's correct. We expect that. Anything else?

Donald Roberts: Anyone else? Ok. We'll see you then.

Nick Costa: Thank you.

Red Maple Duplexes – Special Use Permit

REFERRED TO AGENCIES & PUBLIC HEARING SET. Board received a presentation seeking to construct two (2) duplexes, set a Public Hearing for June 23, 2025, and referred it to several agencies for review and comment.

1572 Rt 9 Branch Bank, 1572 Rt 9 – Site Plan & Special Use Permit (drive-thru) (24.152 & 24.158)

Joe Dannible: Good evening, Joe Dannible with Environmental Design. I'm here on behalf of Belmonte Builders and their application for a branch bank to be located at 1572 Route 9. I just want to provide a quick update on where we are with the plans. What we've been dealing with through review with MJ Engineering as well as with NYSDEC wetlands which continue to be, continuing to be dealing with NYSDEC. So, we are here tonight looking to update the Board and also request a Public Hearing be set so we can finalize this project and move on. We've been working with MJ over the past several months. We've identified some

concerns with emergency vehicle access through the property, which have been resolved. We also updated a bunch of details related to stormwater, sewer connections, water connections, but in general the planned layout itself has really not changed from the initial submissions, so it's fairly consistent with what this Board has seen. We've also been working with the DEC. Who had previously issued a permit several years ago and now we're just trying to get that same permit renewed and it's taking a lot of time. We've had two or three rounds of review and comments back from the DEC. Sent responses back to them and continue to work with them on the permitting process. All indications are that we are going to get a permit. They're just putting everybody through the ringer that goes there nowadays before they actually issue them. General project information is 1.75 acres. It's within the C1 commercial district. The branch banks an allowable use. It's a 2,600 sq. ft. bank with three drive-through lanes, 20 parking spaces. Connection to public sewer, public water. We are less than an acre of disturbance, but we are providing out-of-site stormwater management to deal with the additional impervious area. That's it.

Donald Roberts: Ok. Thank you, Joe. Comments by the Board? We'll need a Public Hearing on this as well.

Tom Koval: I'll make a motion to set a Public Hearing for June 9.

Laurie Barton: Second.

Donald Roberts: Is that ok Rich? That time?

Richard Harris: Yeah. We've already got county review back so we're good.

Donald Roberts: Ok. You've got a motion for a Public Hearing on June 9 and a second. All in favor aye (all were in favor). Opposed (none were opposed). Motion carried see you June 9.

Joe Danible: Thank you.

***1572 Rt 9 Branch Bank – Site Plan & Special Use Permit (drive-thru)
PUBLIC HEARING SET. Board received a presentation on a revised Site Plan seeking to
construct an approx. 2,600 SF bank with drive-thru and set a Public Hearing for June 9,
2025.***

MJ Properties Site Plan, 103 Tabor Rd (west/adj. to 113 Tabor Rd) – Site Plan (23.019)

Donald Roberts: Lori recused herself. Joe, you want to come up, please.

Richard Harris: I just put together what you guys submitted and whatever _so. I've got everything here that you've submitted today and Friday.

Donald Roberts: Go ahead Jason.

Jason Dell: Ok. Again, Jason Dell, Engineer with Lansing Engineering. I'm here on behalf of the applicant for the Tabor Road Light Industrial site plan. The Board is pretty familiar with this project. We've been before the Board the last few meetings discussing the project. The applicant is intending to construct four, 60,000 sq. ft. buildings out there on Tabor Road. At the last meeting, the Board requested the applicant to provide visual assessment and renderings of what the project is going to look like. And, what we've put together is some renderings of what the building's going to look like, with the site as well as a compilation of pictures of what you can see right now on the site. So, starting over in the left, upper corner. That's just an aerial view of what the existing building looks like right now. As you start in the lower left-hand corner, this is what the facility currently looks like looking from Tabor Road up into the site. The same thing with the picture right next to it. This picture is looking diagonally up and onto the site, and then, this is various views from Northern Sites. On image number 1 is taken from approximately right here looking to the west and you can barely see the existing building that's back there in the tree line right now and then these additional pictures are as you move north on the Northern Sites Boulevard looking towards the west and into the facility. And then Rich, if you could go down into some of the renderings and Joe Rekucki is here as well this evening to kind of talk to you about what they can and can't do with the buildings with respect to color and/or additional buffering that could be done. So, this image right here is looking from across the street towards the building #1 out in front of the site. This is Tabor Road right here. This would be that first building up on the hill. This is just an artist's rendition of it. You can see from the aerial photo in the previous slides that the trees up front there are a little bit thicker than what's out there right now, but this is a rendering of looking from the south towards the north.

Donald Roberts: Could we, maybe, get a little more buffering there?

Jason Dell: Sure, and then Joe you want to

Joe Rekucki: Sure. Joe Rekucki with MJ Properties. So, unfortunately when we did the renderings, the artist didn't quite add the amount of trees that are actually there. So, in reality Rich, if you could go back to the last page.

Richard Harris: Sure.

Joe Rekucki: If you would look at the image right there that Rich is on. You can see that there is a lot more trees there than what was put in in the rendering. Again, yeah. So, if you look at this rendering, unfortunately, because it is an artist rendering, they kind of took the information that we had given them and kind of created their own version of it and unfortunately, it did not portray the exact amount of trees, but it is an overall visual of what it would look like. And then Rich, if you want to continue through the renderings. That would be from, again, Northside Drive, if you would go to the aerial though, keep going down. Yeah, that one, right there. If you look behind here, they kind of use google maps to visualize the amount of trees between that building and the neighbor. Again, when they did the rendering of the view from the neighbors' point of view, they did not add, in my opinion, the correct amount of trees. There is a lot more trees there to buffer than what they are showing on the

Donald Roberts: So, that's how it will look like in the end?

Joe Rekucki: Yes. We're gonna disturb as little trees as possible back there.

Richard Harris: You could probably see it from that first image I do for each item.

Joe Rekucki: Yes.

Richard Harris: You might be able to see

Tom Koval: Are they retention ponds in the back corner?

Jason Dell: Yes. Stormwater management is in the rear corner.

Tom Koval: They're beautiful. I could go swimming in those.

Richard Harris: That's from the north facing south, correct?

Joe Rekucki: Correct. Yes.

Lyn Murphy: What's the neighborhood fishing place that they're opening in Clifton Park?

Tom Koval: Oh yeah. Bass Pro.

Lyn Murphy: Bas Pro, they can

Donald Roberts: And Jason can you briefly explain the access points to this site.

Jason Dell: Sure.

Richard Harris: This aerial actually shows it pretty well.

Jason Dell: Here's the existing access off of Tabor Road. That is going to continue to operate as it does today, however, you're going to be able to come up and they'll be a new access road that's constructed down, lower on Tabor Road in order to meet the requirement for the two access points on the property. And, as we've discussed further with this Board, or previously with this Board, I should say that the applicant is intending to do the widening of Tabor Road at the turn as soon as mother nature will allow and stop raining, they'd like to get out there and do that work. So, the plan for access is that the two access points that come up and tie back into Tabor Road.

Donald Roberts: And any truck traffic should be coming from Route 9 to the site and leaving to Route 9?

Jason Dell: That's correct.

Donald Roberts: It should not be going any further down.

Jason Dell: That's correct.

Tom Koval: Are we still eliminating the size of the trucks as we talked about quite a while ago?

Jason Dell: The limit to the size of the truck, if you remember, was because of the narrowness of that turn on Tabor Road and the fact that the WB 67 dragged the trailer off the road so, once they widen that turn and improve that shoulder, they'll be no need for that limitation anymore. The WB 67 will operate fine.

Richard Harris: Yeah, so your condition was that if they wanted trucks over that, sort of, size.....can you show on here where the turn is that you're.....so they can see.

Jason Dell: This turn right here.

Richard Harris: And you've already met with the Highway Superintendent and I think our Town Engineer was there also. Not Joel.

Tom Werner: Your traffic study indicates that there's, I guess, a maximum of 5 heavy vehicles in the a.m. and 7 in the p.m. How did you arrive at that and, I realize that comes from the ITE, correct? Which is based upon averages across the country. If you have any special knowledge or perspective tenants that are going to have heavier truck use. Do you know that now or are you totally unaware of who's going to be coming into this warehouse?

Jason Dell: We'd have to come before this Board for each one of the tenants. So, once they are known, we would be back before

Tom Koval: I mean, there could be more heavier trucks than

Donald Roberts: With the concern about this, you do know that we're going to be sort of picky on the tenants, ya know, really.

Joe Rekucki: Yeah. We understand that we would have to bring each tenant towards the Board just like how we did for 113 Tabor. Unfortunately, that didn't come to fruition but, yes, we are aware that each tenant would need to be approved.

Donald Roberts: Good. Thank you. Anyone else?

Lyn Murphy: The only thing, just so you're clear, before you bring in tenants before this Board, you're going to have to have those road improvements done.

Joe Rekucki: Yes. That's correct. Short of them, ya know, specifically for this. Yes.

Lyn Murphy: Okay

Charlie Lucia: But, not beating this to death, but construction hours, there's going to be a lot going on there. What might you anticipate those construction hours to be? We're talking about trucks coming in. I mean, ya know.

Joe Rekucki: Yeah. Our standard, ya know, construction is from typically 7-3. Sometimes 4 at the latest, 5. We tend not to run super late. We understand that we are near the residents, and we are willing to not start work at 6:00 a.m. I believe, I don't know if Halfmoon has a town sound ordinance for a certain time that may restrict that. None of us are looking to start at 6, 6:30 in the morning if we can avoid it.

Tom Koval: What about the idle hours we proposed, nothing between 9 and 7 in the morning. 9 at night and 7 in the morning.

Joe Rekucki: As far as , in reference to construction or for tenants?

Tom Koval: Tenants.

Joe Rekucki: We don't have, obviously, any tenants there yet.

Richard Harris: There was something noted on the plans about no idling signs.

Joe Rekucki: Right, okay .

Tom Koval: And how do you intend to enforce that.

Jason Dell: Right, and, like I said, we would have to come back before the Board and have each one of those identified at that time.

Tom Koval: And, let your tenants know that that's going to be, during construction, I'd say fairness to neighbors. No generators running overnight. I mean, just, you're already not the favorite child in the neighborhood. So, be cognizant of them.

Richard Harris: I just want to make sure you're not going to put the signs up until you come and get tenant approval? Because that was part, that's in your, that's in the plans about no idling signs.

Jason Dell: If it's in the plans, I'm sorry, I don't recall that exact note but if it's on there then we intend to do it.

Richard Harris: Okay

Tom Koval: Before tenants come in, you're just waiting for the weather right now to widen that road?

Joe Rekucki: Yeah, with the road being what it is, I don't want to start construction on it until I can just get there, get in, get it done and get out of there. I don't want to be there

Tom Koval: Are you under contract with somebody?

Joe Rekucki: No, we're going to do it in-house. We have excavators on, in-house that can handle it. We would outsource the paving. Like I said, we've met with the Town Highway Super, we have all the specs and everything for the installation of it.

Laurie Barton: There was a question from a local resident asking about the lighting. I can't quite tell with these artists rendering what the lighting looks like. So, can you just help us to understand where the lighting would be?

Jason Dell: Our lighting plan that's part of the package shows the internal lighting that's within the site. Is the email that you're referring to, Rich, the one that you had sent us.

Richard Harris: Yeah.

Jason Dell: I believe that was all rectified previously. Correct?

Richard Harris: Well, his letter just is, he had an image in there showing the existing lighting at 113 Tabor and concerns that that's going to be replicated and not meet the requirements of the Zoning District.

Jason Dell: Our lighting plan it's pretty much limited to the front of the building and we have minimal spillage off the site. And, with the way that the buildings are kind of configured, it's going to kind of consolidate the light internal to the site. If that makes any sense, it'll block light going in the directions, the building itself.

Richard Harris: So, this building here, closest to Tabor, you're obviously showing no lighting on the south side.

Jason Dell: That's correct.

Richard Harris: Which is across from, somewhat to the west, but across residential. What is the realistic nature, or, I don't know if that's the right phrase, that this building's going to block additional lighting. I guess what I'm asking is, what's the elevation between these buildings and the building closest to Tabor. I think the topography goes up a little bit, right?

Jason Dell: The topography comes up initially to about here and then it all drops back to the back.

Tom Koval: I assume you're putting in pole lights in there?

Jason Dell: If you go into the grading plan, Rich, you'll see the

Tom Koval: Are the pole lights lower than the peaks of the buildings?

Jason Dell: They're all downward facing fixtures

Tom Koval: Right. Shoeboxes but they're not taller than the structures, correct?

Jason Dell: No, no they're not taller than the structures.

Richard Harris: All 90-degree angles.

Jason Dell: Yes, that's correct.

Tom Koval: And anything else going out towards the front there, they have cutoffs to not try and cross the road?

Jason Dell: That's correct, and there is no lighting planned on the backside of the building here.

Tom Koval: Right. I'm just saying is that a pole light right there just coming of Tabor on the left?

Jason Dell: There's a hydrant right there. Rich, could you up to the grading plan. You can kind of see what we're talking about here. Here's the 2' contour lines, here. So, I believe we're up around 250 here and then each one of these is 2' down. So, we're going down in this direction and we're also coming down in this direction to meet Tabor Road. So, this building here kind of sets up on a plateau. We'll have lighting interior here as well as interior here but, as I said before, this grade all drops off. You could see just in this image alone, it drops 8' from about here up until the middle of the site.

Laurie Barton: But that's not showing this last building here, right? Because what's shown in that is this building, that building and these two but not the furthest point?

Jason Dell: Correct, that building is shown right here.

Laurie Barton: Okay, that's that. Okay, so that's going to be down, and the lights will be

Jason Dell: Shooting downwards in the middle of the parking lot.

Laurie Barton: Okay.

Joel Bianchi: So, Don, before you guys move forward, I just want to bring one thing to your attention. Rich, can you go to the landscaping plan.

Richard Harris: Where's that in this.

Joel Bianchi: Keep going down. If the Board is going to choose to act on this application this evening, the artist renditions that were presented this evening versus this landscaping plan, it may be worthwhile that we make sure that what they've presented, which was one of the primary issues that this Board had and the public spoke about last night.

Don Roberts: Right.

Joel Bianchi: That their landscaping plan that they're proposing generally reflects the visual simulations that they produced for this Board that you may rely on to approve tonight. If the Board wants us to do that, we certainly can.

Lyn Murphy: So, what you're saying in English, that there's less trees on those drawings that aren't shown in the rendering?

Joel Bianchi: I'm not saying that. I'm just saying if the Board would like us to verify what they're presenting to this Board and direct response to residents' concerns, is accurately reflected in the plans that this Board may conditionally approve.

Lyn Murphy: Okay, so, they can condition on that but, I do also want to point out that the renderings showed trees pretty sparse and the actual google maps showed much more trees.

Joel Bianchi: I think we would be more focused on what is internal to the site.

Lyn Murphy: Okay

Donald Roberts: So, if we do approve it this week and condition it on Joel's signoff on the vegetation.

Joel Bianchi: They've responded to all of our comments (inaudible)

Donald Roberts: What's the Board like to do?

Charlie Lucia: That's a loaded question.

Tom Koval: I hate a bunch of warehouses in a residential area even though it's commercial.

Donald Roberts: Even though it's zoned that way. Even though it's allowed.

Tom Koval: It's zoned that way.

Donald Roberts: It's allowed.

Tom Koval: I feel as though the applicant has shown their due diligence and met all of our concerns the best that they could and as a Board that's bound by the current zoning, I make a motion to approve the site plan.

Donald Roberts: You need SEQR. You meet SEQR first.

Tom Koval: I'm making a negative declaration of SEQR.

Marcel Nadeau: I'll second it.

Donald Roberts: Do I have a second?

Tom Koval: Marcel did.

Donald Roberts: I have a motion to second. All in favor aye (all were in favor). Opposed (none were opposed). Motion carried.

Tom Koval: And I make a final decision, approval for the site plan application with the condition that MJ verifies the landscaping is up to the standards the Board has proposed.

Laurie Barton: Second.

Donald Roberts: All in favor aye (all were in favor). Opposed (none were opposed). Motion carried.

Jason Dell: Thank you.

Donald Roberts: You're welcome. Going back

MJ Properties Site Plan – Site Plan

APPROVED. Board approved the Site Plan for a proposed four (4) building, 240,000 SF total, light industrial/warehouse project with a condition related to Town Engineer review of proposed landscaping.

Aria Kabab, 1525 Rt 9 – Sign (25.068)

Ahmed Rahimi: Good evening, ladies and gentlemen. Good evening

Donald Roberts: Yes sir. Please explain what you wish to do.

Ahmed Rahimi: We already have the approval of permits, everything, almost ready so we're just trying to get the sign approval from the Board meeting.

Richard Harris: For the occupied building, you guys approved it, and they have a building permit for a restaurant.

Donald Roberts: Right, right, yes. The sign meets, the sign meets town code, right?

Richard Harris: Yup.

Ahmed Rahimi: So, do you have

Donald Roberts: That's it.

Tom Koval: I make a motion to approve the signs that they have presented to us.

Marcel Nadeau: I'll second.

Donald Roberts: All in favor aye (all were in favor). Opposed (none were opposed). Motion carried.

Ahmed Rahimi: Good?

Donald Roberts: You're all set. That was easy, right.

Ahmed Rahimi: Thank you.

Aria Kabab, 1525 Rt 9 – Sign

APPROVED. Board approved the installation of two (2), new business signs.

Tom Koval: Motion to adjourn.

Laurie Barton Second.

Donald Roberts: All in favor aye (all were in favor). Opposed (none were opposed). Motion carried. Thank you. Goodnight.