

Town of Halfmoon Planning Board Minutes June 23, 2025

Those present at the June 23, 2025, 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 -absent
Joe Landy- absent

Coordinator- Building, Planning and Development:

Richard Harris

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala-absent

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

Charlie Lucia: I'll second it

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried. Rich Berkowitz abstains he was not here.

Public Hearing:

Cannabis Central, 1520 Crescent–Vischer Ferry Rd – Site Plan & Special Use Permit (24.149 & 24.150)

Jason Southwood: How are you doing Jason Southwood from Cannabis Central 1520 Crescent we're proposing a drive thru and a pass-through lane. As I stated last time it's gone through my engineer and it also had to go through the County because we are on a County Road, the County need me to do a bunch of stuff so we all came to an agreement on that and it has gone to the town's engineer MJ Engineering and I think everybody seems happy with it, so that's, I don't do a lot of site plan work I'm more remodeling and building but I'll do my best to answer any questions that you might have.

Don Roberts: Okay, thank you. Now here's one quick question, there's no onsite consumption, correct?

Jason Southwood: Correct

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

Richard Harris: We sent out notices, posted it in the newspaper and posted it at Town Hall and we haven't received any comments written or emailed.

Don Roberts: Okay, we'll close the public hearing comments by the Board?

Rich Berkowitz: I make a motion to have a neg dec on SEQR

Tom Koval: I'll second

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

Rich Berkowitz: I make a motion to approve the site plan and the special use permit

Tom Koval: I'll second

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

Jason Southwood: Thank you, guys.

***Cannabis Central, 1520 Crescent – Site Plan & Special Use Permit
PUBLIC HEARING HELD & APPROVED. The Board held a Public Hearing and
approved the request to construct a 100 SF drive-thru addition and associated driving lane.***

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

Nick Frangis: Hi, my name is Nick Frangis representing the Harvest Church. The church is proposing an addition on the back side of the building. 5000 square feet addition on the existing impervious area. I did receive a comment from Rich on the fire access. I did send a figure, and I do have one here as well.

Richard Harris: Yea you all should have one in your packet, I have one up here.

Nick Frangis: So, this is called vehicle tracking per the add on, so this was run on a its called vehicle tracking. It's a civil 3D add on program it uses real world dimensions or size of various trucks, for this case we did a fire truck, and you can see you can maneuver around the building. There's about the blue lines that are shown right in the northwest corner of the building that's the tightest spot, that's about 6 feet right there approximately a little over 6 feet so it is close, but it is manageable.

Don Roberts: Okay at this time we will open the public hearing, would anyone from the public wish to speak? (no comments) Anyone online wish to speak? (no comments) I will close the public hearing, comments by the Board?

Tom Koval: I will make a negative declaration on SEQR

Rich Berkowitz: I'll second.

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

Tom Koval: I'll make a motion to approve the site plan and special use permit with the condition that it meets the fire Departments approval.

Tom Werner: I'll second it.

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

Nick Frangis: Okay, thank you.

Don Robert: You're welcome.

***Harvest Church Addition– Site Plan & Special Use Permit
PUBLIC HEARING HELD & APPROVED. The Board held a Public Hearing and
approved the request to construct a 4,906 SF addition, with a condition on final review by
the Halfmoon-Waterford Fire Department.***

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

New Business:

Nick Costa: Good evening, Nick Costa from Advanced Engineering and we are here to represent Red Maple LLC who is proposing to redevelop those two lots with two duplexes and we've been before the Board previously and we are here tonight to discuss the access the two driveways . one will utilize the existing driveway for that serves as to two existing duplexes and a new driveway that follows as shown to access the two new duplexes and we'll connect to that existing driveway. If there are any questions, I'd be more than happy to try to answer, we did receive the review comments from Joes Bianchi of MJ Engineering, and we're working on those.

Richard Harris: Yea we're still some engineering open items related to stormwater(inaudible)

Don Roberts: Okay at this time we'll open a public hearing, anyone from the public wish to speak?

Brenda LaMere: Good evening my name I Brenda LaMere I live on the property of 124 Dunsbach Road. I also do-own the property adjacent to this proposal along with my mother. I also co-own 126 Dunsbach

Road which is adjacent to that property and I'm power of attorney for my mother and she and I both agree that last time at the meeting when I was here some of you may not have been here but I provided pictures of at least one person with a pistol in my back yard it's ongoing every year. I do not approve of this special use permit and if for some reason it is approved, I would like a fence down the property line, not a chain link a full non see through fence. I know the site plan looks like it's farther away from my property but I know when the other duplex was built the drainage was going right down into my property which I was very concerned about, and this duplex looks like it might be even closer to the property line and if it is approved a full fence at least 6 foot high no chain link along the property line. Thank you.

Don Roberts: Nick would the applicant be willing to put up a solid fence?

Marybeth Slevin: I'm Marybeth Slevin the attorney for the applicant. We can take a look at it, I don't think we can make a commitment to that this evening because we don't know the scope of it or the real location, but we can certainly take a look at it.

Don Roberts: You will look at it. Thank you. Anyone else wish to speak? Yes Sir

George LaMere: My name is Goerge LaMere I also live at 124 Dunsbach that's my wife's and her mother's property. I know the house they've got there are pretty close to our property right now. When they built them the first time I had to go over there and talk to the builder. They pushed all their garbage over on our property, all the stumps all the woods. I went over and I talked to the guy Mike, the owner of the property, he did move it after a while, but it's awful close to our property and we've got three duplexes there now and I was wondering if I could get a copy of that picture right there on the screen?

Richard Harris: Yea sure anytime yea. You want a paper copy

George LaMere: Yea that's fine something just like that a paper copy. So, I can walk over that way and look off of our property and I don't approve of it neither. I think there's enough duplexes on Red Maple as it is.

Don Roberts: Okay thank you sir. Anyon else?

MaryAnn Geleta: Hi I'm Maryann Geleta I live at 128 Dunsbach it's my family and I am against this because of all of the duplexes in the area and all the building and that, when that comes around the back there, our spot is pretty much the last chunk of woods back there so every year we have people shooting in the back, hunting, walking I have pictures we have trail cameras, guys with a pistol walking around back there not that you know would do that but this is what happens when it starts getting too much and these are duplexes they're not owner occupied and it just gets more and more built up all of the time and Red Maple is very nice but now he's going around the back here and I know my sister has issues with strangers with guns around the property but it's just getting so built up now with everything there and the thought last time when I was at the meeting they were supposed to make it more of a road because of fire trucks and fire or something and you had mentioned maybe he could talk to the other gentleman who built that whole big road back there with all of the fire hydrants and stuff to come in back that way and I don't that's what I came her tonight to see if maybe that had happened.

Richard Harris: They proposed this driveway right here along the southern site, that's what changed since the last

MaryAnn Geleta: Okay because I remember you guys saying it was a driveway and that wasn't enough because they are putting more duplexes but you can't just have a driveway, you needed I heard fire truck access and all of that stuff so now it's still just driveway, so that's why I was here I wanted to see if they had gotten permission to come in the other way or did make that more of a road?

Richard Harris: Yea they are proposing to connect, they are proposing to connect to the existing driveway for the duplexes and along this so it will have two means of ingress and egress.

MaryAnn Geleta: Okay because yea when we were here last time, I thought a driveway was the reason why they couldn't because it was just a driveway? Okay, so again I vote no on this because I just think it's too much back there. We have the last chunk of woods left and it's a constant problem with people back there, people are always back there they think it's the last chunk of woods so we're going to go back there all of the time and we do have issues and they are duplexes, they are very nice but they are duplexes and just wanted to see what the access was but they are still driveways and

Richard Harris: I think there was a concern that they don't meet the NYS Fire Code for driveways can meet the fire code so the applicant will have to meet the fire code for this if that's what you mean. Driveways can meet the fire code if they can handle an 80,000 lb. vehicle and there's certain bump out and width requirements over certain lengths of linear footage, but they were never going to build a town road or anything.

MaryAnn Geleta: Alright because I know they got turned down because it was just a driveway and I know you had mentioned maybe coming around you know the gentleman that's building that big house back there he's got the road with the fire hydrants and everything that was mentioned, it's there and

Richard Harris: Yea so the one that got denied the version that got denied they were all both duplexes were just going to come down this main driveway because the Board had expressed a concern and denied that project the applicant then came back with a totally new plan, new application started over with this proposed drive4way and the Board did raise concerns when it was back here last on whether that meets the fire code and the applicant is required to make it meet the state fire code, but there was no discussion that I recall connecting to somebody's driveway outside of the parcels.

MaryAnn Geleta: Yea she had mentioned maybe you want to talk to the other guy that has got the house back there maybe you can come in back that way, that was the conversation. So that's why I was just here wondering

Richard Harris: They're not proposing to do that. They're not.

MaryAnn Geleta: Okay, okay

Richard Harris: This is what they are proposing

MaryAnn Geleta: Okay thank you.

Audrey Adams: My name I Audrey Adams I live at 121 Dunsbach Road my mother's property is those woods, and I just vote no.

Don Roberts: Sir

Leo Boleris: Good evening Leo Boleris 8 Red Maple Lane. We've been there since the beginning, this property I sold to this owner under the premise of two lots, I've owned it 29 years for 25 of those 29 years whenever I went into this Town to look at subdividing that because of the size of the acreage I never got past the front counter with a talk to the hand. No further development.

Richard Harris: I've been here 12 years and never told you that. I've never told you that.

Leo Boleris: Denise Mikol was she in your office?

Richard Harris: Up until about 10 years ago yea

Leo Boleris: Longer than that

Richard Harris: No about 10 years ago, she isn't in the office as of about 10 years ago.

Leo Boleris: Okay, many times you and I have talked about this Rich, we've been in and talked about this.

Richard Harris: Yea but I didn't tell you ,you couldn't come in for subdivision

Leo Boleris: No, I've come in for a subdivision and I come in with I also had engineered septic systems for that, that I was told are no longer any good because Harold Berger did them 20 years ago. I live right next door, and I look at this bump on the hill that will get to it, has had sewage leaking out of it for the last 7 months.

Richard Harris: There is an enforcement action against the owner.

Leo Boleris: 7 months now

Richard Harris: It's only been a couple of months.

Leo Boleris: It's been a couple of months since I returned from Florida and made a phone call and not as a complaint I said can somebody tell the owner that there is toilet paper and sewage running down the driveway and I talked to whoever your code guy is and he said he's got about a week to fix it and then we're going to address the issue. So, after a week the address of the issue was sandbag the edge of the driveway. Again, lest back up I've been there since the beginning. This place was a vision of myself and a few associates. And all these folks right up front were against this 30 years ago when this started. Our vision was a 2-family Timberwick. A class act, a class act. I sold these lots off, and it's been like that for 25 years you drive through there it's manicured professionally landscaped, professionally manicured and a nice quiet neighborhood. Since this got sold it a two – family Aspen Ridge. There's trash barrels lying for weeks at the bottom of the driveway, now get three duplexes at 4 barrels per duplex that's a dozen barrels. The people at #10 they pick up their stuff and they bring it in. There are 8 trash barrels' laying there all Winter long where the people come down their driveway and just stand up their barrel and leave it there all Winter and throw the trash in it, they have turned this place into a two-family Aspen Ridge people come and go all hours of the night. It's a beautiful complex, it's a high rent district, now it's a high rent district. You don't see mom and pop and their kids living there. You see three professionals sharing a unit. And now we go to the days of Door Dash and Uber, it is 24/7 nonstop. The only place that gets more traffic than us is Cannabis Central. If you ask me, it's a no. And these people came they were denied. They stood here and said we'll see you, we'll get an attorney, we'll see you. I sold these properties, and I sold

them short because there was no further subdivision after 25 years of maintaining my portion of that neighborhood to the highest standard I could. It's been run into the ground and this guy is doing nothing but running it down so what's next do we go across the back and connect his properties across the power lines? Behind the drive into his other duplexes over there? Because they're a stones throw from where he is building right now. You know I don't want to be here as the town crier, one let's fix the sewer. I can't believe Code hasn't done anything, I can't believe the Health Department hasn't done anything.

Richard Harris: I told you we have a Code Enforcement action against them on that.

Leo Boleris: Okay what does that mean Rich?

Richard Harris: I can fill you in on the status tomorrow, but we do have an enforcement action against them regarding the sewage, we do.

Leo Boleris: I didn't know this I'll be honest I was gone for the Winter, and I didn't know, I come home and its wet coming down the driveway, I didn't think nothing of it.

Richard Harris: You contacted our office

Leo Boleris: We got a rainy season, I did contact your office and then I said that's sewage. I go over there I smell sewer. I mow, I drive through it going in and out of our driveway and I've contacted your office, I talked to I think it was Paul.

Richard Harris: I think it was Paul

Leo Boleris: Paul?

Richard Harris: yea I think who you dealt with is Paul.

Leo Boleris: I talked to Paul, the only fix that's been taken place is somebody went to Home Depot and bought a half a dozen bags of sand and threw sandbags along the driveway. Which did nothing, it's still running under the sandbags down the driveway and if you were to take a right over there and go to six red maple next door to me that sewage is not dripping into the storm sewer.

Tom Koval: Leo, have you called DEC? Spill response?

Leo Boleris: I have not

Tom Koval: I would. It's a hazard to the community.

Richard Harris: I'm unaware of the other one you're talking about. I know the one at the end that Satterly owns, and I can get you a status tomorrow I don't know off the top of my head what the status is right now.

Leo Boleris: No this is the one I'm talking about Satterly's number, what is it 10?

Richard Harris: Oh, I thought you said 6

Leo Boleris: No, the storm sewer in 6 is Mr. Marchands home, it's running by our two driveways into that storm sewer it's been going on for 6 months.

Richard Harris: It wasn't when our inspector went out there, I can tell you that, when we got your complaint so I don't know what might have changed but we will look at that. That's the best I can tell you.

Leo Boleris: Well, I heard that a few weeks ago Rich and somebody came out and looked at it and we got sandbags

Richard Harris: If you want us to look at it we will.

Leo Boleris: Okay it's still running in the sewer as we speak.

Richard Harris: Okay we are at this meeting right now I will have somebody go out tomorrow to find out the status.

Leo Boleris: Okay a call to the owner, a call to the owner.

Richard Harris: That was made I can tell you that happened

Leo Boleris: Now I did introduce myself to the owner because I haven't been on that property since I sold it a couple of years ago, I did introduce ourselves to the owners. The owners moved in in December, They expressed concern, oh I'm sorry the tenants moved in, in December they expressed their concern of sewage leaking down the driveway to the owner in December. He told them there is a high-water table and a swamp behind there and its surface water its not sewage. You've just got to have the whole picture when you

Richard Harris: Okay

Leo Boleris: I mean any questions it's certainly a no on my end, I've maintained I've cut common areas the place like I said has been a two family Timberwick since we moved in and it will be so until we leave but what's going on, on the end is unacceptable and it comes right by my driveway all hours of the day or night. People don't know where they're going, they don't know where they're delivering their Door Dash don't know where they are dropping their off. Their coming up to my driveway and my front door, all hours of the day and night. They turned it into what everybody's two family rental nightmare could be. This was an awesome, awesome community for 25 years due to the hard work of a handful of owners that own in that neighborhood. And we are owner occupants, we live there too, we don't just own there we live there. We lived there since day one. It's a no. That property was sold under the premise no further subdivision in my eyes that development is built out, and once we get to that point, the last time we waited until after these houses just what maybe a year ago we topped that road. These guys putting these new homes in stage in cement trucks half on the lawn half in half out of the road. Busted that road all up not only in front of my place but along there. You just topped the road. Another approval there is re doing the road again. They can't get in that property without driving across the circle and I'd like to get a copy of this too and see where the southern driveways go. Where is there room for another driveway?

Richard Harris: They're showing it right here along this southern property.

Leo Boleris: I see that along the back but where are we coming along off of Red Maple?

Richard Harris: Here, right up here

Leo Boleris: Is that shared with the current one that's there, or no?

Richard Harris: That's not proposed to be shared with the current one, but they are proposing to connect to the current one up here in the middle.

Leo Boleris: Maybe these two are almost bumped up against each other right now. You know I owned it for years I was in here talking and arguing and the wetlands in the back and the wetlands on the side, there between number 3 and number 5, and they put a house in on number 5 back right up to the cat tails. I'm not going over there and pulling a tape on setbacks but I'm just saying that development in my opinion is built out. This guys got 3 homes back there in a beautiful neighborhood. Like I said, again Timberwick neighborhood look at his 3 properties not one single shrub, not one. Trash cans laying at the end of the driveway. I'd like to see them take right now and put a dumpster in the back because when you rent to tenants, they don't have the same appreciation of their property that an owner does. Instead of leaving a half a dozen to eight trash bins laying at the road, all Winter long they won't pick them up if they are laying over. Put a dumpster in the back. Clean the place up a little bit, put some shrubs in it. He is able to come in there and command that rent in that neighborhood because of everybody's sweat equity. What everybody did to make it nice, and that back section is Aspen Ridge. Thank you

Don Roberts: Would anyone else like to speak?

Pat Defrene: Good evening, my name is Pat Dufrene. You know I'm married to MaryAnn for, I've only been up for 5 years, but I've been in the relationship for over 20 and I've been in the area for 20 years. I come from Amsterdam New York, you know growing up Halfmoon was always considered a quaint nice small-town area. That's the way we looked at Halfmoon living in Amsterdam. We own a lot of property, I know the family has been offered a lot of money to sell for other people to build and they refuse to do it because we have a lot of wildlife there. It's getting smaller and smaller every 5 years or so because of development you know. They've turned down a lot of money to keep the quaintness of that area. You know the more you build in the back the more we're losing on the quaintness you know and it just ain't the same any more it ain't the same. So, you know I say no, I say you people need to try to keep who you are, over development is not good. The wildlife there will probably be chased away the more you build, and I'd like to see this project denied just for the fact that you know it would just hurt the entire purpose of what we're trying to do, you know to keep nature natural where we live. Thank you.

Don Roberts: Thank you, Sir.

Chris Marhchand: Chris Marchand 91 Devitt. I built all the homes that are in Red Maple. I still own two of the duplexes that are there. When we started it, I wanted to keep them looking like one families just because they are nice big lots, wanted to have a better atmosphere we spoke to the neighbors. Anyway been a great place, I don't think I've had a change of tenants in 30 years in 2 of the 4 apartments that I had so the people there love it, this guy obviously bought this property knowing that all he could get were the 2 duplexes, I'm a builder I get what he's trying to do the property is there but I say for that subdivision what the Town approved, stands, do not give it to them. I'm all about if he was isolated wasn't going to impact anybody else go do your thing. In this case with Leo again traffic, absolutely no, thank you.

Don Roberts: You're going to make it quick MaryAnn I know you are , I know you are.

MaryAnn Geleta: 128 Dunsbach. Yes, in the beginning we were definitely that's how we are we're against the building and everything because we're used to being out where we are. But I'll tell you when these gentleman built Their a little different and I think the more you can pack in there the more money

you can make, that kind of thing and it would really hurt us, so I just wanted to say to you guy the houses on Red Maple are beautiful. Thank you.

Don Roberts: Anyone else? Anyone online wish to speak? I will close the public hearing and as we mentioned before we can't act tonight because we have some outstanding engineering issues, right Joel? I do have a question for Nick, the new proposed road, do you know how far away from this road is that property line?

Nick Costa: It's a few feet but from the comments that we received from Joel we will be moving that road it will be relocated

Don Roberts: So that's not part of the plan

Nick Costa: Yea to address some of Joel's comments we're gonna

Don Roberts: Do you know how far it's gonna be when it's finally

Nick Costa: It will be in an easement on that existing lot

Tom Koval: So, we had a public hearing here without a final plan?

Nick Costa: Well, we just received the comments from Joel

Tom Koval: I don't think it's fair to the public to have only one public hearing if they don't know exactly what you're here proposing

Nick Costa: We do need to relocate because the comments we received, we need to relocate because of comments we received we do need to relocate that road that access road.

Tom Koval: I think you should relocate those duplexes to another Town.

Don Roberts: Once again, we can't act tonight, Joel. You will be taking a look at this, do you have any comments to make in the meantime or no?

Joel Bianchi: (inaudible)

Rich Berkowitz: I just have a question, how close is that driveway to the existing residents?

Nick Costa: To the existing number 10?

Rich Berkowitz: I don't know what number it is, but it says existing foundation?

Nick Costa: There's a dimension there I can't read

Richard Harris: 16 maybe.

Nick Costa: To the property line it's 16 feet so it's probably 20 feet to the edge of the pavement

Rich Berkowitz: Is it 16 or 20?

Nicke Costa: Well to the property line it's labeled as 16 so it's a couple more feet to the edge of pavement.

Tom Koval: So, 20 feet off the side of that house they are going to have to listen to cars going by

Richard Harris: It' 18 I'm zooming in

Tom Koval: And when they are coming down that driveway exiting, their headlights are going to be shining in the back of that duplex swinging right across the back and heading out. Have Albany Airport put a runway through.

Don Roberts: Okay well I guess we will just have to wait until we get the engineering all done and we'll get back to you, alright, thank you very much

Nick Costa: You're welcome. Thank you.

Red Maple Duplexes– Special Use Permit

PUBLIC HEARING HELD & TABLED. The Board held a Public Hearing on a request to construct two (2) duplex structures and tabled it pending submittal of a revised plan and review by the Town Engineer.

Halfmoon East Co-Location Upgrade/AT&T/Airosmith, 133 Stone Quarry Road (SBL 284.-4-71)

Telecommunications Co-Location (25.078)

Joseph Castelano: Hello Joesph Castelano with Airosmith Development representing AT&T . Swe have a proposed equipment upgrade at 133 Stone Quarry Road, it's just a simple antennae and mount swap. We're replacing 6 antennas with 9 new antennas, and we added some fiber cables and doing some ground work inside of AT&T existing lease area. If you have any questions, you can ask me or any engineer , you can ask my colleague

Don Roberts: The big question we always ask on this is the tower is not going any higher?

Joseph Castelano: No

Richard Harris: The antennae is a little higher, did I read that right 5 inches higher?

Joseph Castelano: yea , yea

Tom Koval: I make a negative declaration on SEQR

Rich Berkowitz: I second

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

Tom Koval: Motion to approve the co-location request.

Charlie Lucia: I'll second it.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried. Tom is going to recluse himself for the next one.

Halfmoon East Co-Location Upgrade/AT&T/Airosmith, 133 Stone Quarry Road (SBL 284.-4-71) – Telecommunications Co-Location APPROVED. The Board approved the request to upgrade telecommunications equipment on the existing tower.

110 Button Rd Storage Building, 110 Button Rd – Site Plan & Special Use (25.081 & 25.082)

Jason Dell: Good evening, Jason Dell engineer with Lansing Engineering. Here on behalf of the applicant for 110 Button Road site plan addition. We're here this evening to introduce the project to the Board, answer any initial questions you may have with the hope that the Board would schedule a public hearing for the special use for the project. The project site is located at 110 Button Road and the parcel is currently occupied by CK Electrics office and yard. The project site is located in the R-1 residential zoned district, however it has a use variance to allow C-1 uses on the property and that use variance requires a special use permit for anything. So, the site plan before you this evening proposes to construct a 5,000 square foot 50 x 100 storage building to store materials used for the operations of CK Electric. The building is going to be built along the southern side. There you can see where the rectangle is, it is going to be built on an existing impervious area it's currently crushed stone and asphalt now. The existing driveway coming off of Button Road will continue to be utilized for that back area of that property as well as the new storage building and at this time no additional employees or anything like that are proposed, it's strictly just to store materials and equipment for CK Electric. No water and sanitary sewer service will be provided to the new storage building, it's strictly going to be for that. We're here this evening to answer any questions you folks may have, we're requesting a public hearing for the special use permit.

Don Roberts: Thank you Jason. First we have to refer this to our Town Engineer for the review and the Fire District for review.

Rich Berkowitz: I make a motion to set a public hearing on July 28th

Laurie Barton: I second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried see you July 28th.

Jason Dell: Thank you.

***110 Button Rd Storage Building– Site Plan & Special Use
PUBLIC HEARING SET. The Board received a presentation for a 5,000 SF accessory storage building, referred it to several agencies and set a Public Hearing for July 28, 2025.***

Architectural Glass & Metal, 3 Liebich Ln – Site Plan (25.087)

Nick Frangis: with EDP representing Architectural Glass and Metal the project involves construction of two lean structures, one is roughly 2,200 square feet and the second is 3,400 square feet. They are both going to be tucked behind the building, so they won't be barely visible from Liebich Lane. And the main purpose of these are to protect construction materials from weather. The current situation is not working. The structures are going to be, are proposed on existing asphalt the one closer to the building and the second structure is being proposed on currently existing mix of asphalt and gravel so we are not going to be increasing any impervious of storm water run off from the addition of these structures. There is also no reduction in green space because we are placing these on existing asphalt and gravel.

Don Roberts: Nothing is stored outside of these structures?

Nick Frangis: No, no, there is the existing area that's hatched out, that's where we are currently storing materials.

Mike Haverly: Mike Haverly Architectural Glass, we had existing approval for outdoor storage and that part I do not plan on changing its just covering some of it to keep the material out of the weather.

Don Roberts: But you're not expanding on that?

Mike Haverly: No, we're not expanding on that

Tom Koval: You're just covering your existing racking system

Mike Haverly: Correct

Rich Berkowitz: What are the lean-to structures made out of, like what do they consist of?

Mike Haverly: They look like the metal building that's there now

Rich Berkowitz: It's permanent structure

Mike Haverly: Permanent structure

Rich Berkowitz: Wood/metal structure?

Mike Haverly: Correct

Rich Berkowitz: It's not a tent or anything

Mike Haverly: Its's not a tent.

Don Roberts: Okay we'll have to refer this to our town engineer for review and also the fire department for review and any other questions from the Board at this time? Okay we'll get back to you alright, thank you.

Architectural Glass & Metal – Site Plan

TABLED. The Board received a presentation on a request to construct two (2) lean-to style accessory structures, tabled the request and referred it to several agencies for review.

Walmart Grocery Pick-Up Expansion, 1549 Rt 9 – Site Plan (25.079)

Justin Lattierre: My name is Justin Lattierre. I'm here with Colliers Engineering & Design. Presenting the 5,000 sq. ft expansion to the existing Walmart store. The purpose of this expansion is to help expand their pickup operations. For anyone who's not familiar. That's basically where you would order your groceries on the app, anything in the store and go pick it up at the store. So basically, they've decided that they need more room for those operations. So, basically, we've got that 5,000 sq. ft. expansion. Based on the location of the expansion we did have to reconfigure the parking in that area and shift the truck drive two rows further to the north. We will be adding one new light pole in that area to make sure that it's adequately lit for associate safety, as well as adding two new heads onto the existing poles. There will be grading and utility work associated with the building expansion. Generally, no changes to drainage patterns. No increase in impervious area and we'll be under an acre threshold for SWIP. Just one other thing to mention too. Generally, throughout the site, it doesn't show on here, they will do a full lot restripe as well as add additional stop signage just to kind of improve traffic flow across the site.

Donald Roberts: Thank you. This has to be referred to our Town Engineer for review. Saratoga County Planning Board for review and a fire district for review. And now, questions by the Board.

Rich Berkowitz: Yeah. How close is this loading dock.

Justin Lattierre: I don't have a distance off hand. It should, think it's that. There's a small, narrow, paved corridor between the building and the loading dock. It's probably about 5-10 feet and it's where the trash compactor sits.

Rich Berkowitz: So, since it sits so close to customers and associates who are going to be working there. Is there going to be some sort of protection or divider so people can't get to the loading dock from that area?

Justin Lattierre: Yeah. So, that's one of the reasons that the truck drivers been shifted. You look at the top of that plan you can kind of see there's a larger striped area and a new cut in that existing curve, so we moved that truck path up to the north, or up to the top of the screen.

Rich Berkowitz: Is that the little triangle up there?

Justin Lattierre: It's that larger, rectangular hatched area. Yea. Right there yup. So, that's where the trucks will go through to enter the truck spin. So, we tried to put as much distance between the truck traffic and the building expansion as we could.

Rich Berkowitz: I'm talking getting in there sideways, so the loading dock is here ?

Justin Lattierre: Yes.

Rich Berkowitz: So, this building is separated by this?

Justin Lattierre: Yes, yup

Rich Berkowitz: So, no customers can go over there.

Justin Latetierre: No and in reality, with the pickup operations the customers the customer should really never get out of their car. All of the pathways that you see there that's all for associates

Rich Berkowitz: Yea but you know what happens

Don Roberts: So, as I said refer to town engineer, fire department and Saratoga County Planning Board, any other questions by the Board?

Justin Laterrie: The only other thing I do want to mention real quick I apologize is that we are code requirements 5 spaces per thousand we are under-parked existing, and it is going to drop a little bit lower than that with the expansion due to the building increase.

Don Roberts: So, there should be no issue with parking?

Justin Laterrie: We don't anticipate any, Walmart likes to maintain a 4.0 ratio we're still above that I think that we all can agree we don't need more parking

Richard Harris: We have our own parking problem there and it's really not Walmart's fault it's the amount of people that park in the no parking cross hatched area in the front, but it's not a fire lane, well they can stand there is a person a very notorious person who, I don't know his name but he likes to throw the tickets in our guys face when he runs out and catches them so he currently has a ticket its not your guys fault, its laziness I guess I don't know, and it's not because there is a parking shortage

Justin Laterrie: If we knew of a good way to keep them from parking there, I'm sure Walmart would want to do that as well.

Don Roberts: Any other questions? Okay, we will have them review this and we will get back to you alright. Thank you

Justin Laterrie: I appreciate it, thank you.

Walmart Grocery Pick-Up Expansion– Site Plan

TABLED. The Board received a presentation on a request to construct a 5,006 SF addition to expand the pickup and delivery area, tabled it and referred it to several agencies for review.

Prestige Petroleum Gas Service Station, 436 & 438 Rt 146 – Site Plan (24.183)

Caryn Mlodzianowski: Good evening, Karen Mlodzianowski from Bohler Engineering representing Prestige Petroleum and it's been a bit since we've been here. Back in November, was the last time, I believe, we were here for this project, so, as a refresher, we're looking to consolidate 436 & 438 Route 146 here in the town into parcel that would be about 1.7 acres in size for a proposed gas station with a convenience store building. When we were last here, we had received some feedback, both from the Board and from the public and one of the biggest concerns seemed to be the vehicles and potentially drive-through use. So, what we've done is, we relooked at this and our clients evaluated things and they've come to the solution that they will remove the drive through. So, that's what's reflected on the plan that we redesigned and resubmitted. So, that component is now gone, which we believe removes the special use component. So, with the gas station, convenience store use, we believe we're an as of right use now with site plan review and approval by your Board. The general layout is essentially the same, otherwise, we did tweak some things. We added about 6 ft. to the depth of the building, so it got about 480 sq. ft. larger and we're reserving part of that building for the convenience store and then a smaller portion on the eastern side, which is the bottom of the plan for a retail use. Again, no drive through. We believe this is zoning and code compliant meeting all of the setbacks for the canopy, building, amount of parking spaces, we're at 33, which would meet code for the size and the use of the building and then, as it relates to access and vehicle trips, we have had DOT look at this and as of today, we just forwarded an email to Rich and to Joel. They got back to use, and they've accepted the Stage

1 review. So, the first part of the process, so, they accepted the driveway location and because traffic was a topic with them, we updated them that the drive through was removed, updated our application with them accordingly and they did confirm they don't need any other traffic studies or any other concerns with what we're proposing to do here. So, wanted to dust all that off. Share the update and the big change that we've made in the project to hopefully address that concern that we heard prior to traffic. So, hopefully, it'll get County review and confirm whether or not you'd like a Public Hearing. We do have the previous public comments and are happy to address any of those. But, with that, I'll turn it over to the Board.

Donald Roberts: Ok, thank you, and this has be referred, since it's revised, it has to be referred to the Saratoga County Planning Board again.

Richard Harris: Yup.

Donald Roberts: It's already been referred to the Fire Department. Joel, are you all set with this, or you got to see it again? You all set?

Richard Harris: He needs to see it.

Joel Bianchi: No. (inaudible) this at all

Donald Roberts: Ok. Then it's got to be researched. We should refer it to Joel too for review.

Richard Harris: Yeah. I do have a letter in the packets. I forgot to bring it up at the pre-meeting. A letter from the owners at D&R Village. I know the Applicant has a copy of it. Some of the comments you obviously can read it for yourself, relate to concerns to ensure lighting,(inaudible) stays on property, drainage meets requirements to prevent additional stormwater runoff.

Donald Roberts: But Joel will take care of that.

Richard Harris: Yea. But one question I had here. One of the comments that the mobile home park put up. You propose a 6' tall privacy fence. They're requesting 8'. I don't know if you've had a chance to talk to your client about that.

Caryn Mlodzianowski : I can confirm that with them. They probably don't object.

Richard Harris: Ok.

Cathy Mlodzianowski: If it's allowed by code. I know sometimes the limit is 6 but, if it's allowed to be 8 then we'll consider that.

Richard Harris: Yeah. The Board would allow, it's allowed.

Donald Roberts: Sure. We would like that, really.

Cathy Mlodzianowski: Ok. I don't see that as an issue.

(Inaudible)

Cathy Mlodzianowski: The million-dollar question. So, we disappeared for a while. The new wetland regulations happened after November, January 1. So, we disappeared because we submitted the JD, let the 90 days pass. The DEC did not reply. So, procedurally we sent the 10-day notification follow-up, let the 10 business days pass. They did receive the notice. They still did not reply and so, therefore, did not take jurisdiction.

Tom Koval: They only have 6 people handling inaudible

Cathy Mlodzianowski: Exactly. Five-thousand notices.

Lyn Murphy: inaudible big loophole, not that it's a negative thing, but if they don't reply it's deemed to be that they are waiving their rights to declare jurisdiction

Tom Koval: inaudible you have to remind them that

(Inaudible)

Cathy Mlodzianowski: They wanted to do this.

Richard Harris: It's like the lifetime warranties on your phones, they hope you forget.

Lyn Murphy: (Inaudible.)

Cathy Mlodzianowski: Yeah.

Donald Roberts: Anyone else? Any questions?

(Inaudible)

Tom Koval: They'll get him in. With poured driveways.

Richard Harri: Could we put in two duplexes?

Donald Roberts: Ok. So, we'll refer it to the agencies, and we'll get back to you alright?

Cathy Mlodzianowski: Is a Public Hearing required?

Donald Roberts: I don't think so.

Cathy Mlodzianowski: Okay we have the clearance.

Charlie Lucia: Yeah. We should be ok. Unless you really want one.

Cathy Mlodzianowski: Thank you.

Prestige Petroleum Gas Service Station, 436 & 438 Rt 146 – Site Plan (24.183)
TABLED. The applicant presented a revised Site Plan that eliminates the proposed drive-thru, and the Board tabled into pending further engineering review.

Donald Roberts: Anybody got anything else?

Charlie Lucia: I make a motion to adjourn

Donald Roberts: But before we do. The next meeting is July 28. So, if you show up here July 14, you're going to be pretty lonely.

Charlie Lucia: Don't laugh at me when I'm here. Don't laugh at me.

Tom Koval: Can I have the agenda sent to my email. If not, I'm not coming.

Donald Roberts: Motion to adjourn

Charlie Lucia: Motion to adjourn.

Laurie Barton: Second.

Donald Roberts: We've got a motion to adjourn and a second. All in favor aye (all were in favor). Opposed (none opposed). Motion carried. Take care.