

Town of Halfmoon Planning Board Minutes July 28, 2025

Those present at the July 28, 2025, Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Alison Pingelski - absent
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-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?

Rich Berkowitz: I make a motion to approve the minutes

Tom Koval: I'll second it.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried. Marcel abstains he was not here, and for the public I would like to welcome our new Planning office member Ted Chesnes. Welcome Ted, glad to have you aboard alright.

Public Hearing:

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

Don Roberts: Tom Koval is going to recluse himself.

Jason Dell: Good evening, Jason Dell engineer with Lansing Engineering here on behalf of the applicant for the 110 Button Roads site plan addition. As you mentioned we are here this evening for the public hearing for the special use permit. So, this project site is located at 110 Button Road and the current property consists of about 6.5 acres and the parcel is currently occupied by Koval Electric office and yard. So, the project site is in the R-1 Residential Zoning District, however it has a use variance which allows C-1 uses on the property and the use variance requires a special use permit. So, the site plan addition that we're proposing is a 5,000 square foot storage building to store materials used for the operations of Koval electric. The building is to be built in the rear of the site on an area that's currently all impervious cover. The existing driveway and access will continue to be used from Button Road and at this time no additional employees are anticipated and therefore no additional parking is proposed or needed. There will be no water or sanitary sewer services either proposed to be extended to the building in the rear. So, we are here this evening to answer any further questions you folks may have as well as for the public hearing.

Don Roberts: Okay, thank you Jason, we will open the public hearing. Would anyone from the public wish to speak ? Please come up say your name and any concern you may have.

Shelly Decicco: Good evening, my name is Shelly Decico. I reside on Button Road adjacent to the new storage facility. I am here just to say I 100 % approve of this new addition to the property and to the road there is no concerns, thank you.

Don Roberts: Anyone else wish to speak? (no comments) Anyone online wish to speak? Anyone online wish to speak, no? (no comments) okay, we will close the public hearing, comments by the Board?

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

Marcel Nadeau: I second it.

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 special use permit

Marcel Nadeau: I second it.

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

Jason Dell: Thank you.

***110 Button Road Storage Building– Site Plan & Special Use
PUBLIC HEARING HELD AND APPROVED. The Board held a Public Hearing and
approved the request to construct an approx. 5,000 SF accessory storage building for the
existing contracting business.***

New Business:

Newmeadow Inc. Business Office, 12 Corporate Dr – Change of Use/Tenant (25.086)

Jim Abele: Good evening, everybody. I'm Jim Abele with Abele Builders on behalf of my tenant Newmeadows. Newmeadows, as you guys may know, is a school on Sitterly Road that has integrated classes for children with Autism. They have rented an office space from us to expand their business office. No students are at this location, they have about 5 to 8 employees in the office and yea.

Don Roberts: Okay, thank you comments by the Board?

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

Laurie Barton: Second

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

Jim Abele: Thank you.

Don Roberts: Welcome.

*Newmeadow Inc. Business Office – Change of Use/Tenant
APPROVED. The Board approved the request to utilize 1,438 SF as an office for their
business operations.*

Uncle Rico's Pizza – Halfmoon, 77 Dunsbach Rd – Change of Use/Tenant (25.089)

Enrico Magnoli: Hello, my name is Enrico Magnoli. My company is applying for a change of tenant for the location at 77 Dunsbach Road in Halfmoon. We currently plan to keep the place operating as it is. Hours will probably be around 11 to 9, take out delivery model and that's about it.

Don Roberts: How many employees do you expect?

Enrico Magnoli: About 4 employees to start off.

Don Roberts: Comments by the Board?

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

Charlie Lucia: I'll second

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

Enrico Magnoli: Thank you.

*Uncle Rico's Pizza – Halfmoon – Change of Use/Tenant
APPROVED. The Board approved the request to utilize 1,100 SF of commercial space as a
pizzeria.*

Little Genius Center for Learning, 1406B Rt 9 – Change of Use/Tenant & Sign (25.090 & 25.091)

Liberty Justice: Hi, my name is Liberty Justice. I am looking to do a change of use at the space located at 1406 Route 9. It was a childcare center called Childhood Friends which closed abruptly, and I purchased the assets of and will be opening that as Little Genius Center for Learning which will be our 3rd location in the 12065 area.

Don Roberts: And you have a sign also, right?

Liberty Justice: Yup I have a sign permit with you guys.

Richard Harris: You're just proposing the two sides of the existing sign of the one that's there?

Liberty Justice: Yes, yes there is like a podium sign and it's just replacing the sign that's there.

Rich Berkowitz: You have all the necessary permits, State approval?

Justice Liberty: Yes

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

Marcel Nadeau: I 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 sign

Marcel Nadeau: I'll second it.

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

Liberty Justice: Thank you.

Little Genius Center for Learning – Change of Use/Tenant & Sign

APPROVED. The Board approved the Change of Use and Sign requests to utilize 5,400 SF for a childcare facility.

Hendrickson Fleet Services & Sign, 12B Corporate Dr - Change of Use/Tenant & Sign

(25.094 & 25.095)

Jim Abele: Good evening, everybody Jim Abele again with Abele Builders I am here on behalf of Hendrickson Fleet Services. They are a company out of Long Island that just recently rented our former maintenance garage that we've used for years, they repair fire trucks, and they are requesting a sign permit just for a sign right off of Corporate Drive showing, because the building is kind of a little bit off the road showing where they are.

Richard Harris: Jim, I just want to clarify you're proposing the sign if you are facing the driveway to the right side, correct on that ?

Jim Abele: Yes

Richard Harris: Because on the other side there is a lot of things in the way there. Signs, electrical

Jim Abele: That was actually one thing I did speak to my uncle about that in that we thought that the property, when we sold 14 corporate we had a little confusion with the property line and it turns out that it might be, it wasn't where we thought we were so we're actually thinking possibly on the part of the parcel that's 12 Corporate, but we wanted to first run it by you guys and then by Hendrickson so this just kind of occurred as I was coming in here they called me about it so.

Richard Harris: Yea that would be off site advertising, I know it's a close call right here but if we zoom in, I realize this is not survey accurate.

Tom Koval: It's off-site advertising but do you own both properties?

Jim Abele: We own 12 Corporate and that one too

Tom Koval: Right

Jim Abele: We used to own 14 that was our headquarters for years so

Tom Koval: Could you get an easement for that little section where the sign has got to go?

Jim Abele: Easement from 12 Corporate or from 14 Corporate?

Tom Koval: Wherever the signs going to go, on the property, you can get an easement for the sign. Obviously, we wouldn't be able to approve it tonight until we saw that easement I believe right Lyn.?

Lyn Murphy: We could do it conditioned upon, but he doesn't know where he is putting it, correct?

Jim Abele: Yea this was just updated as I was walking in.

Tom Koval: Maybe you'll have to come back for that sign.

Jim Abele: Okay no problem

Richard Harris: They do want a wall sign also

Jim Abele: They do yes

Richard Harris: Do you want to hold off on both

Don Roberts: Hold off on everything yea, also I've got a question for you

Jim Abele: Sure

Don Roberts: What sort of outside work are they planning on doing?

Jim Abele: Like outside with regards to the repairs?

Tom Koval: So the apparatus, generally when fire equipment repair companies do repairs on trucks, they have to test especially when they are doing a New York City inspection and they've got to test the sirens, they've got to test the vehicle safety stuff most of it is not loud, the sirens are but the pump tests I assume are going to get done on the river they don't have the water capacity there to do a pump test

Jim Abele: Yea , yea

Tom Koval: So, what other type of testing are they doing, sending the ladders up, checking the articulation of the equipment that type of thing?

Jim Abele: That is all I've seen as I can get that information from them. Their representative as I mentioned was not able to make it tonight, but I've only ever seen them do stuff with the ladders and stuff. There is certainly, they haven't been able to test, I don't see how they would be able to test water at that location.

Tom Koval: Right, most of that is done at the fire houses. I know the yearly, I think it's a yearly certification they do with the pumps.

Jim Abele: Sure

Tom Koval: I'm not a fireman.

Jim Abele: But I can get that information. Would you guys recommend me reaching out to them and they can come?

Don Roberts: I think they should be here

Jim Abele: Sure

Don Roberts: Someone should be here.

Rich Berkowitz: Do they test the sirens also?

Jim Abele: Not that I'm aware of no, because that was our initial concern.

Rich Berkowitz: Because if they do, they are pretty close to some residents

Jim Abele: Because when we signed the lease that was a concern of ours because we have 12 Corporate right next to that and the immediate tenant looking out on them is the massage therapist so it's like, that's kind of hurt the mood if you've got sirens going and stuff.

Don Roberts: We should clarify that so someone should be here if they can

Jim Abele: Sure, sure.

Don Roberts: Okay, thank you.

Charlie Lucia: Can I ask a simplistic question because you have used it for maintenance but oils, hydraulic fluids, anything?

Jim Abele: Anything they change with regards to oil they are moving out themselves and we didn't do like a catch basin or anything like that they move it that day and they dispose of it in the proper way.

Charlie Lucia: Okay thank you.

Don Roberts: Okay so we'll adjourn this and hopefully this will be on the next meeting alright.

Jim Abele: Sounds good thank you very much.

Don Roberts: Thank you.

Hendrickson Fleet Services & Sign– Change of Use/Tenant & Sign

TABLED. The Board tabled the request to utilize the 5,500 SF building to service emergency services vehicles pending further clarification regarding the use and proposed monument sign location.

Rocks Two Holding/Rock's Automotive Site Plan, 190 Rt 146 – Site Plan Renewal (25.092)

Greg Rockefeller: Good evening, Board I'm Greg Rockefeller from Rocks Two Holding, Precision Automotive.

Don Roberts: Since the last time you were here what have you done to improve the lot?

Greg Rockefeller: Well, we're cleaning up a lot of vehicles we cut down some trees cleaned up the lot trash (inaudible)

Don Roberts: Cause to be honest with you the Board is getting a bit impatient that this has taken so long

Greg Rockefeller: Well, the economy hasn't helped out either, it's been a little rough.

Tom Koval: We've heard one excuse after another now for three or four years. It was health related, it was DOT related. I drive by there several times a day, I haven't seen any improvements at all. I see more equipment coming in, I see construction trailers that look like they're being stored there by someone that's not part of your business. I personally feel like you're snubbing your nose at the Board.

Greg Rockefeller: I'm not snubbing my nose at the Board

Tom Koval: The same old cars that have been there forever. You haven't made any attempt at all, from what I see other than cutting back some trees that were probably grown over the car you've got stored out in back.

Greg Rockefeller: No, we got rid of them, and we're getting rid of a lot more, I guess I have to get it down to the 40 cars that you guys will approve?

Richard Harris: 40 was the max years ago, 10 years ago they've approved up to 52 when you do the parking lot.

Tom Koval: It doesn't take anybody 4 years to clean up a site, I'm sorry.

Greg Rockefeller: It does when you don't have any help, I don't have help there I'm basically a one-man operation with 2 helpers.

Tom Koval: Then stop telling your customers and friends they can leave their cars there.

Greg Rockefeller: Oh, it's not that they leave their cars because they have no money to pick them up.

Tom Koval: That's what Kellmans is for

Greg Rockefeller: Oh, I'm doing that right now.

Tom Koval: I'm sorry I'm not okay with another year, you've worn out your welcome, this is one of the most visible corridors in and out of our Town and you've not done your due diligence to make it presentable. I'm not okay with a year. I'm okay with 60 days if you can't pull off moving some cars in 60 days and at least get started on your parking lot, make some attempt. You're not getting on this bulldozer and making this parking lot yourself, you've got to hire somebody I would assume unless you own a bulldozer.

Greg Rockefeller: I do have a guy that is going to do it

Tom Koval: Okay so that didn't take 4 years to get a guy, I can name you 10 excavators within a half a mile that could of done that job by now you know Mr. Tanski keeps his properties nice when we ask him to do something he takes care of it. He is the next one down the road, it just we all, we all get it. My lots not always the cleanest but I don't let it turn into something like that and I'm not even on a main road.

Greg Rockefeller: Could you do 6 months?

Tom Koval: No, I can't, I can't. I'm speaking for myself because you took a year then it was a year and a half and then it was another year. 6 Months so then you're going to come back in front of us and say okay gee now its Wintertime I can't get anything done it's snowing out. I would be comfortable we're going into August, I would say before the ground freezes the end of November is the most I'm comfortable with because I know nothing is going to happen in December, I know that for a fact

Greg Rockefeller: (inaudible)

Tom Koval: Well, I've been in the construction industry way too long to be honest with you. I know what site guys can do and what they're willing to do, and I don't think you're blacktopping this anyway. If I believe it was going to be a stone parking lot.

Greg Rockefeller: Crushed stone yup

Tom Koval: The plant time doesn't matter but

Richard Harris: And here's the earth and berm here along 146

Tom Koval: None of that is, that's 2 weeks worth of work for a decent excavator. You're not putting in Colonie Center parking lot here. You need to clean it up and you need to get this done because my patients, as somebody who has seen this for too long, has expired.

Tom Koval: This Town has a lot of talent that could get your job done, please do it to make our Town look a little better.

Don Roberts: Anyone else have comments from the Board?

Marce Nadeau: I'll second everything Tom said.

Joe Landy: But well maybe to Tom's point did a year just seem like a nice number, is there a plan currently or you're just looking for more time to figure out what the plan is? So, what's the timeline for that plan?

Greg Rockefeller: I'd like to start in April, Id like to start cleaning now start getting it all ready for the Spring

Tom Koval: We heard that last year. Last year was going to be this past April, no way, no way. That can has been kicked down the road too many times.

Don Roberts: We've really got to start seeing results immediately, immediately.

Greg Rockefeller: I got it.

Joe Landy: Okay then I would make a motion for a 60-day site plan extension.

Marcel Nadeau: I'll second that.

Rich Berkowitz: You just want to table it for 60 days?

Joe Landy: Are there consequences to it expiring?

Tom Koval: No, I want to do it for 60-day expansion then he starts getting ticketed.

Richard Harris: His current site plan doesn't expire until September. He came in early we were talking, and he said you know its coming up in September

Tom Koval: Oh, then we don't need to do anything

Richard Harris: His current site plan goes through

Tom Koval: Well September is only 30 days so we're going to do 30 days, let's give him the benefit of the doubt. 60 days that gives you

Richard Harris: November 9th, two months past

Tom Koval: November 9th

Don Roberts: So, you know what you've got to do right?

Greg Rockefeller: If I can't, I have to get the car count down to the agreed number, correct?

Tom Koval: Let me ask you, are those trailers there for repair or are you letting somebody store them there?

Greg Rockefeller: They're mine, they are trailers that I use for different things. They're going to be leaving so.

Lyn Murphy: So, I think what the Board is saying to you it better all be leaving before this November 9th date or they are going to put a stop work, they are going to stop you from running your business period.

Greg Rockefeller: What I'm saying is if I get my property down to the 22 cars that were agreed on before that

Richard Harris: It was 40, 40 was the amount.

Tom Koval: No, that's what we approved with the expansion.

Richard Harris: No 52 was with the expansion, yea 52 with the parking lot built

Greg Rockefeller: I get it down to 40 will that be, okay?

Tom Koval: No, you will have to come back in front of us for an entire new site plan approval because your site plan will have expired and we are not approving an extension of it again. So, then you've got to get with whoever you used for an engineer, you've got to re-do that. You're going to have to go through DOT, you're going to have got through everything, so you are going to spend a lot of dough to get this done just because you were dragging your feet.

Don Roberts: Joe, you made a motion for 60-day Joe?

Joe Landy: Yes

Richard Harris: Do you want to revise it to 60 days past the expiration?

Tom Koval: The current expiration.

Joe Landy: I make a motion to extend the site plan past the current extension. So, from September 9th to November 9th.

Marcel Nadeau: I'll second that.

Don Roberts: So, we have a motion and a second to extend this to November 9th. all in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, please do it.

***Rocks Two Holding/Rock's Automotive Site Plan – Site Plan Renewal
APPROVED. The Board extended the Site Plan approval for the proposed parking lot
expansion and related improvements for 60 days past the current expiration of 9/9/2025,
therefore expiring on 11/9/2025.***

Grande Duplexes & Subdivision, 742 Hudson River Rd – Minor Subdivision & Special Use

(24.185 & 24.209)

Anthony Grande: Good evening, everyone, my name is Anthony Grande. I have a piece of property on Hudson River Road, 742. 3.9 acres and I would like to subdivide it into 3 separate parcels.

Richard Harris: Right now, you are only proposing one duplex correct, on the northernmost lot?

Anthony Grande: Yes, yep if it is possible, I mean it could be the future to do a second one but not a third.

Richard Harris: If you want a second one you will have to come back to the Board at that time.

Anthony Grande: Rich I thought we were talking about initially 2 and one single lot because I have the room here for 3 duplexes.

Richard Harris: Yea you then revised it, and this is the plan you submitted that only shows one duplex.

Anthony Grande: So, you can't change that here?

Richard Harris: You can, and I'll need to collect another fee, but so you want to amend it to 2 duplexes?

Anthony Grande: I do.

Richard Harris: Okay and would that be the middle lot, lot 2 1.23 acres?

Anthony Grande: Yea

Richard Harris: Okay

Marcel Nadeau: We are proposing a subdivisions, but not the duplexes because do we have a special hearing on it, make him aware of that.

Richard Harris: The subdivision doesn't have to change but his special use permit is only submitted for one duplex, and he now is saying he wants to do 2 duplexes.

Rich Berkowitz: You can have the same hearing for both

Marcel Nadeau: My point is he's doing subdivisions before he is getting approvals for duplexes?

Richard Harris: We would do them at the same time

Marcel Nadeau: Okay

Richard Harris: I mean this has to go to the County

Don Roberts: We've got to refer this to Saratoga County Planning Board.

Anthony Grande: Sorry

Don Roberts: We have to refer this to the Saratoga County Planning Board for their review

Anthony Grande: Okay

Don Roberts: But that should be back in enough time for us to have a public hearing on August 25th.

Richard Harris: Yes, but I'll need a revised plan showing 2 duplexes not one.

Anthony Grande: Let me ask you this if we go back to one duplex and the other 2 separate lots is that going to be a problem tonight?

Richard Harris: Well, they can't vote on it tonight, they legally have to hold a public hearing which

Anthony Grande: I can't believe you've got to do a public hearing

Richard Harris: Yes, regardless of how many duplexes, it's required

Anthony Grande: Yes, let's keep the 2 in play

Richard Harris: You want to go to 2 okay I'll call you tomorrow. You'll have send me an email or something about that you want them amended to 2 so I have it in the record

Richard Harris: So, there will be an public hearing

Charlie Lucia: Exactly

Don Roberts: So, we'll have enough time with the County?

Richard Harris: Yea, yup

Tom Koval: It's the end of August so

Rich Berkowitz: I'll make a motion to set a public hearing on August 25

Joe Landy: I'll second.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried see you August 25th.

***Grande Duplexes & Subdivision – Minor Subdivision & Special Use
TABLED & PUBLIC HEARING SET. The Board received an application for a 3-lot
subdivision and duplex proposal, and set a Public Hearing for August 25, 2025.***

Khater Duplex, 7 Terminal Rd – Site Plan & Special Use (25.084 & 25.085)

Dan Sanders: Good evening, Dan Sanders representing Najwa Khater. The owner of 7 Terminal Road, which is currently a vacant single family, and the proposal is to provide a 2-story addition to this building and with that making it a 2-family residence. The current property they want to reside on it, providing some off-street parking off Terminal Road. Based on the meeting we understand (inaudible) variance hearing we understand, we are here tonight to present the project. We feel that it is a good use of the property and there is neighboring parcel (inaudible) 5- or 6-bedroom apartments adjacent to it. This is zoned a commercial and residential use. A 2 family (inaudible) building is over 150 years old, and we believe our addition fits in well (inaudible)

Lyn Murphy: I'm looking at the map and it looks like half your building is not on property owned by you. It looks

Tom Koval: The garage

Lyn Murphy: Yea the garage

Dan Sanders: (inaudible)

Lyn Murphy: Yea but it's not on your property

Dan Sanders: We understand

Lyn Murphy: Yea but this Board is going to have a problem, she can obviously, doing an approval for a plan

Don Roberts: Okay, just say your name

Najwa Khater: I am Najwa Khater. I am the owner of the property I bought it last year. I wanted to convert it into a 2 family where I can live in one and rent one out. Currently (inaudible) they told me that the previous owners lived there for 50 years. Half the property is being leased from NYS (inaudible), so I don't know how they were able to build a garage, I don't know if they did it while he was in the nursing home, I don't know how they got it approved. I don't know the exact parcel that is mine (inaudible)

Lyn Murphy: Yea we're going to need to know that information simply because this Board if they pass, approve a site plan that shows property of somebody else's property that's problematic. I understand that it's been there this maybe the County will be happy to say preexisting nonconforming you can have it but maybe not, so we just have to make sure everything is T's crossed I's dotted.

Najwa Khater: I understand I don't want to do anything that doesn't follow the rules and regulations of the Town (inaudible) 2 family or 1 family I am willing to do whatever you guys tell me to do.

Tom Koval: It's more a clerical thing. We would like to see the property cleaned up, these types of things happened a lot in the past especially in areas like that where nobody was paying attention for years and the garage just got built and somebody said oh nobody's using that lot anyway and we will just build a garage on it. So, you get that paperwork from NYS I mean

Najwa Khater: I can have it, I should have brought it

Richard Harris: You can submit that to me because that's Canal not County, where it says County of Saratoga that's actually NYS Canal property. So, you have a 30-day revokable permit probably.

Najwa Khater: Okay

Richard Harris: I think that's what it was years ago when I worked there, so you probably get an annual fee for that.

Najwa Khater: I pay a yearly fee for it and so (inaudible)

Richard Harris: Okay, why don't you submit that to us, so we have it.

Joe Landy: So, does any of this stuff prevent us from denying it since we have to anyway and they can kind of work on the clerical stuff while they are dealing with the appeals?

Don Roberts: It doesn't meet the zoning,

Lyn Murphy: You can deny it.

Joe Landy: So, we are denying it anyway because it has to go

Don Roberts: Before we deny it does anyone have any other questions?

Richard Harris: If you have any comments you could share with the ZBA the applicant intends to go for a variance and the ZBA likes to hear what's the Planning Boards thoughts about converting this to a duplex. Obviously, you're not voting on it right now but

Tom Koval: It's a multi unit right next door, I think this would clean the property up. The property has been a little bit neglected over the years just by the age of the previous owners.

Don Roberts: I have no problem with it

Joe Landy: Yea I'm supportive

Rich Berkowitz: I have no problem with it.

Lyn Murphy: But just so you understand and I'm not giving you legal advice but if it's a 30-day revokable permit so at any time Canal Corp. could come in and tear down your building.

Tom Koval: Well, half of it.

Richard Harris: You are not using that garage are you right now?

Najwa Khater: No, it's not even part of the plans anyway so

Don Roberts: Okay anyone else? N

Joe Landy: Okay so I make a motion to deny

Don Roberts: Because it doesn't meet zoning requirements

Dan Sanders: There was some discussion about a merge map, possibly would we be able to need or go for an additional variance. Is that something that maybe we should pursue prior to the next meeting ?

Richard Harris: I think it would only affect one of the needed variances which is lot width, but that was when I said that when at the pre-meeting that it didn't click that when I was asking did you own the lot next door, I think we were talking about two different things. I thought you meant this lot, this Canal Corporation lot that you rent, so if you added you don't own, and you can't consolidate that's what I heard. I heard something different so I thought you bought that and then you would meet the lot width then. But that's only one of four or five variations.

Tom Koval: Is it Canal Corp. you're dealing with on this?

Najwa Khater: Yes

Tom Koval: Okay because it does look like it's out of Canal Corp. it looks like a separate lot besides Canal Corp. property.

Richard Harris: That piece?

Tom Koval: Yea Canal Corps all below that

Dan Sanders: The map says Saratoga County

Tom Koval: Right, that's what's confusing me.

Lyn Murphy: Yea we need to get that

Tom Koval: You might want to verify who actually owns that, Canal Corp may be just taking your money, and they don't even own it.

Richard Harris: I believe when you were in, I went in and looked at that and it was State owned, but I'll verify it. I don't have the thing in my phone.

Dan Sanders: Has any of the discussion been of use of accessory dwelling units as part of anything with the Town of Halfmoon

Richard Harris: Now the closest thing we have is in our definition of one residential unit what most people would call in-law apartment. There is some qualifications based on, it's got to be designed a certain way. I can send that to you tomorrow what those stipulations are. They have to be a related family member, only one utility for the whole property, accessible from the inside. Any access to the outside has to be on the side or the rear. So, I can send those to you so you can take a look at it. that's our version of an in – law apartment which avoids the Duplex question. I don't think that based on us talking I don't think that's what you really want to do.

Dan Sanders: Okay

Don Roberts: Okay well we're not quite done yet, but we have to deny you

Joe Landy: I make a motion to deny based on not meeting zoning requirements.

Marcel Nadeau: I second

Don Roberts: Okay we have a motion and a second to deny because it doesn't meet zoning requirements all in favor of denying say Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Richard Harris: It says New York government lands on this. Where is says County of Saratoga, so I'm guessing Canal Corp. must have taken ownership or the State did itself on this.

Dan Sanders: We will go back to the survey

Richard Harris: It's not unusual to have outdated names on there .

Khater Duplex– Site Plan & Special Use, DENIED. The Board denied requests for a 392.5 SF addition and conversion to a two-family (duplex) home, due to the need for several area-related variances.

Northway 8 Subdivision, Progress Dr – Minor Subdivision/Lot Line Adjustment (25.096)

Jason Dell: The project is located along Vischer Ferry Road on Progress Drive. The project is going to consist of 5 parcels now and (inaudible) additional back area so four of the parcels are located in the LIC zone and one of the parcels is included in the C-1 zone district. I mentioned that this project. The construction of the road will extend from Vischer Ferry to the north 2,900 feet. As I mentioned before it will result in 5 future lots. Lot 1 will be 23.27 acres. Lot 2 will be (inaudible) Lot 3 will be about 19.5 acres, Lot 4 will be 1.7 acres, Lot 5 will be 1.6 acres and the (inaudible) will total about 3.5 acres. Now with those potential future lots the applicant is aware that any development on those future lots will have to come back before this Board for site plan review. Also, as part of this project in order to allow for the road construction, in order for the property favorable to future development the applicant is looking to level the rear 2 areas in the back of the parcel. (inaudible) The applicants have had interest in development of the project however we need to extend the road all of the way to the back as well as the topo that's there. It makes that difficult, so the applicants are looking to facilitate that and get that road constructed in that area cleared and leveled in order to build the road. So as part of that we will need to do a planning profile and a project SWPPP as part of control stormwater from that road. So, we are here this evening to start the ball rolling on the subdivision to answer any questions you folks may have.

Don Roberts: Okay first of all it's got to be referred to our Town engineer for review, Saratoga County Planning Board for review, the highway superintendent for review and the fire district for review, alright. That being said any questions by the Board?

Lyn Murphy: I actually have a question which is unusual but to quote the song you're on a road to nowhere, we don't want to be maintaining a road that is going nowhere. I understand that there is future development, but would the applicant have a problem with a time period. To go forward with,? To go forward with something, he is going to have to plow nothing.

Bill Hoffman: We have been in discussions with

Lyn Murphy: You don't have to tell us who it is. The highway superintendent is not going to be happy about having to plow a road that goes nowhere.

Bill Hoffman: I understand

Lyn Murphy: So, if we could just have a time period and you don't have to tell us tonight but when you come back that would be very helpful.

Bill Hoffman: Yea and when we get further into discussion, I'll have a better idea when we will be able to give a definitive time frame

Tom Koval: Are you thinking of commercial development in the back there?

Bill Hoffman: Yes

Tom Koval: Because to do residential you only have one means of egress.

Bill Hoffman: We are looking to do a commercial building, something to compliment our existing building

Tom Koval: Right and I would like to see in the future a better map where I can see the distance of neighboring homes because we have other developments back there. Planning on doing something commercial obviously that's going to be a big concern of ours with that I think was it Linden Woods that backs up to that

Richard Harris: Yea here's Linden Woods here's the overall where they're bringing the road just about right here.

Tom Koval: Right that section that runs up the Northway there

Richard Harris: Where on this Jason would the road terminate right now.?

Jason Dell: See where the little jog out is ?

Richard Harris: Right here ?

Jason Dell: Yup

Tom Koval: So that 284111 would be a future development?

Jason Dell: That's correct

Tom Koval: So that road is going to hug the backyard of all of those homes and go to another commercial ?

Jason Dell: There is another sizeable whole area back there next time we are before the Board Tom I'll provide a large area

Tom Koval: Yea it's just hard to visualize from this

Jason Dell: It's all wooded area as you can continue up the project and subdivision immediately to the north, we designed that subdivision we got the papers for a secondary easement

Tom Koval: Tie in.

Jason Dell: Ingress, egress

Richard Harris: Its Princeton Heights , Alexandria. there's a stormwater area right along the property line so there are some houses right under the word lot line and then there's some here in Linden Woods.

Tom Koval: In that road they're proposing, I know McDonalds septic system is right there, so you've got to stay away from that mess.

Richard Harris: Jason did you mention, sorry if you did, if this road is designed you will close an existing curb cut for McDonalds correct?

Jason Dell: You are correct we are closing the current McDonalds entrance on Crescent will now belong to the (inaudible) they have taken a look at that, and they are agreeable,

Tom Koval: That's amazing McDonalds is usually not agreeable to anything.

Charlie Lucia: I'm going to be a little futuristic on you but that furthest piece of property out where you project to one day develop the end of the road do you see that being more of a commercial property similar to what exists or are you thinking warehousing where that roadway would then be tractor trailers going behind those residences, okay alright just a question.

Bill Hoffman: we'd like to have something that compliments our existing (inaudible)

Charlie Lucia: Okay, sure thank you.

Don Roberts: Anyone else with questions. Okay Joel

Joel Bianchi: Rich just posing a question. The applicant currently has a site plan application before this Board and also required dissolution of some lot lines to resolve. I'm assuming with the subdivision application now that site plan is now tethered to this application. Because under procedure you can't , its all one(inaudible)

Charlie Lucia: Exactly, yea

Joel Bianchi: The site that you have now that we reviewed kept that existing entrance and make internal obligations to the Town. Now you're proposing new Town laws that suggest you can alter that plan that you've already presented by the review Board.

Jason Dell: With this plan? I don't know where you're going with the road frontage up Progress Drive there?

Joel Bianchi: Yes, (inaudible) independent of that this proposal begs the question that what you propose as part of that site plan is going to change or your access to the site has changed.

Jason Dell: The access to the golf facility will still remain Progress Drive.

Joel Bianchi: I just thought you said that you were going to

Jason Dell: For McDonalds

Richard Harris: For McDonalds, they have their own, you probably know, they have their own curb cut

Joel Bianchi: So, the new road would not make any changes to what currently(inaudible)

Jason Dell: There could be potential future access (inaudible) but right now there's no modification needed to the site plan for that location

Joel Bianchi: At a minimum it does affect (inaudible) so this application is now (inaudible) it's all one action. You have a subdivision and a site plan and the site plan (inaudible)

Richard Harris: Yea for a SEQR review your saying so that we are not (inaudible)

Jason Dell: We talked about this in your call, and we thought that there was a way that we could proceed at least get the ball rolling knowing this is going to take longer than the modifications to the golf facility. It is a stand-

alone project right up front there that wouldn't be modified while we have property changes, but the actual configuration of the site does not.

Richard Harris: But your response to his review is going to take longer than you think review of a SWPPP for this, you've got the SWPPP

Jason Dell: We're submitting back to Joel for that project tomorrow.

Richard Harris: So timewise your, you mean construct it, we are just talking about I think reviews. They don't seem that far off review wise, right?

Joel Bianchi: The only question I can see if I went out looking at the details of this application is your asking the Board to contemplate (inaudible) has the Board ever done that before?

Richard Harris: Yes, Lissmac.

Joel Bianchi: I mean if that's something this Board has done before then I'll look at the details this application doesn't seem to be all too complicated whatever you propose on these lots being the trigger a whole host of other stuff.

Richard Harris: Correct

Lyn Murphy: Your point is for SEQR needing to be done you need to have at least an idea of what's going to be at the end of this road so that we are not doing separate reviews for each.

Joel Bianchi: I wasn't going that way but if we go that way then you are basically tied up until a lengthy SEQR review. If the Board is inclined to say I want to see a theoretical what goes on each lot that's going to trigger, definitely a traffic study, a significant amount, this is a road that's heavily traveled. It triggered us and I would say a SEQR violation starts to get very extensive for the subdivision. It's a good idea to say what would go on each of these lots beyond the driveway (inaudible)

Lyn Murphy: I'm not an engineer so I don't really know the answer to the question, but I understand what you're saying

Joel Bianchi: We could tailor a SEQR review to be very specific and a site plan on the driveway, no road and basically just put very, very clear casts saying any development on any of these other lots would require a subplot and additional review, the applicant has proposed nothing on these lots at this time.

Richard Harris: And I think that's what we did talk about, the SEQR will have to, when you come in with actual things to build, uses, you'll have to get a traffic study based on that. You'll have to look at, make sure the SWPPP that you're going to review now is still consistent with what's being developed. I think we did this with Brookwood Farms the Marchand development. When and if that happens later down the road where you come in with that development there will have to be an acknowledgement of cumulative impacts of a road and a driving range.

Tom Koval: All of it

Richard Harris: But I think combining this application with the expansion of the driving range area together as long as we're clear that when future development comes in it's going to have to consider the aggregate of all of

these actions. It's certainly not one project for the whole site at once, it's a little complicated but I think combining this with the driving range in terms of review and SEQR is not a time issue, correct? I mean.

Jason Dell: Well, the improvements to the golf facility are intended to start in September.

Richard Harris: Oh, okay I see.

Jason Dell: We're far along in the plans, we've addressed all the comments, and there may be more so that's why moving forward with the golf end of things in the manner that you are talking about, knowing we have to go back in for SEQR for the other projects

Joel Bianchi: My opinion I would withdraw this application. In my mind I don't think you can get through both of these because you have to go through County Planning, you want to get approved by September for this SEQR. How many meetings are left there are, you have to go to County Planning, there's a lot of things that could be accounted for but (inaudible)

Richard Harris: You don't want to go to County Planning this month on this? You've got to do SWPPP and everything.

Jason Dell: Yea the golf facility (inaudible)

Joel Bianchi: I think this would be your (inaudible) that's just my opinion

Jason Dell: I'll certainly talk (inaudible)

Don Roberts: Okay anyone else? Okay so I guess we'll move forward with the reviews and get back to them, right? Alright, thank you.

Northway 8 Subdivision– Minor Subdivision/Lot Line Adjustment

TABLED. The Board tabled a proposed 5-lot subdivision (lot line adjustment), and referred it to several agencies for review.

One-Four-Six Marketplace - Phases 2 & 3, Old Rt. 146 & Rt. 146 – Site Plan (25.088)

Jason Dell: Jason Dell here on behalf of the applicant One-Four-Six Marketplace November of last year and at that time you approved phase 1 of the project. That entire project was reviewed for stormwater, for utilities, for site plan but only phase 1 (inaudible) as well as all the infrastructure associated with them is included as phase 1, with phase 2 being the second portion of the site, phase 3 being the northern portion. So, nothing has changed on the site plans. The only thing we are asking for this evening is approval of all 3 phases as just opposed to phase 1. (inaudible)

Don Roberts: Joel, you all set with this?

Joel Bianchi: Yea we issued a final review letter (inaudible)

Don Roberts: Right , okay. Lyn your fine with this?

Lyn Murphy: Yea

Richard Harris: Lyn did get (?) review done last week

Don Roberts: Right okay, any questions by the Board before we

Rich Berkowitz: I just have an informational question, once before you start moving dirt do traffic improvements have to be made or before first c/o?

Jason Dell: C/O we're actively working through the DOT

Rich Berkowitz: And they're taking their time, I've never seen anything move so slow in my life

Jason Dell: We were waiting for review on the technical comments, and they were awful, awful slow but they are well underway. We hope to have that soon

Rich Berkowitz: I make a motion to approve the site plan phase II & III

Joe Landy: I second

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

One-Four-Six Marketplace – Phases 2 & 3– Site Plan , APPROVED. The Board approved the final Site Plan for Phases 2 and 3, which includes 50,500 SF of retail, restaurant and office space and 180 apartments in six (6) buildings.

Old Business:

Farm to Market Rd Self-Storage Phase II, 20 Farm to Market Rd – Site Plan (25.009)

Jason Dell: Jason Dell with Lansing Engineering here of behalf of the applicant Farm to Market Storage. This project (inaudible) we are no longer looking to do that we are here just to do site plan (inaudible)

Don Roberts: Comments by the Board?

Tom Koval: Jason Before any of these buildings start construction on them, I would like if all the stormwater and the landscaping to be complete prior to the construction of the buildings to alleviate any potential problems with the neighbors .

Jason Dell: We designed phase 2 of the project and Rich, and I sat and this was 5 or 6 months ago and basically a big part of phase 1 the drainage issues associated with phase 1 are going to be fixed by the grading associated with phase 2 and directed to a large stormwater basin that's under the new plans so that has to be constructed.

Tom Koval: Prior, prior to the building.

Don Roberts: And the landscaping

Tom Koval: Yes, stormwater and landscaping.

Don Roberts: Anyone else?

Tom Koval: I'll make a motion to approve the permit on phase 2 with the condition stormwater and landscaping are complete prior to construction of any of the buildings.

Marcel Nadeau: I'll second it.

7/28/25

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

Farm-to-Market Road Self-Storage Phase II– Site Plan

APPROVED. The Board approved the request for Site Plan approval for Phase II with the condition that all landscaping and stormwater infrastructure must be constructed before issuance of a building permit.

Don Roberts: Anyone else got anything?

Charlie Lucia: I make a motion to adjourn

Joe Landy: I second

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