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**Town of Halfmoon Planning Board
June 26, 2023**

Those present at the June 26, 2023, Planning Board meeting were:

Planning Board Members:

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

Planning Board Alternates:

Alison Pingelski
Laurie Barton

Coordinator- Building, Planning and Development:

Richard Harris-absent

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

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

Don Roberts: Good evening, I would like to call the Town Planning Board meeting to order please. Have the Board members had a chance to review the minutes from the last meeting? Could I have a motion?

Laurie Barton: I make a motion to approve.

Allison Pingelski: I'll second it.

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

Rich Berkowitz: I recluse myself, I was absent.

Don Roberts: Okay, Rich Berkowitz recluses himself. Before we start a little notice here, tonight is a short agenda, I'm not complaining but we found through the years that usually this time of year things do lighten up a bit so a couple of years ago we started taking a little summer recess for the first meeting in July, so there will be no meeting in two weeks and the next meeting after tonight will be Monday July 24th, so if anyone shows up here in two weeks and your sitting there alone, don't blame me, okay I just wanted to get that out there.

Public Hearing(s):

Three Jones Road Subdivision, 3 Jones Rd – Minor Subdivision (23.028)

Don Roberts: Tom Koval recluses himself so Laurie is going in.

Kit Bast: All we're looking to do is to, we bought the two properties, the Rexford Group did back in 2002 there was two separate properties the lot line got redrawn, so they were basically one big property with a little tiny pie slice at the bottom, we want to possibly change the entry way. That happened in 2003 it's been 20 years we decided we'd like to go back to the original layout of the properties and that's pretty much it.

Don Roberts: Okay thank you, at this time we will open the public hearing would anyone in the room wish to speak? Please come up and say any comment you may have; anyone wish to speak? No? (No comments) Anyone online wish to speak? No one online? (No comments) Okay, we'll close the public hearing, comments by the Board members?

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

Marcel Nadeau: Ill 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 minor subdivision.

Marcel Nadeau: I second.

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

Kit Bast: Thank you very much.

Don Roberts: You're very welcome.

Lyn Murphy: And just for clarification just for the record remember the ZBA said no building on that lot, I know you know it but

Kit Bast: I know, I'd have to get approved by you guys and that wouldn't happen anyhow.

Three Jones Road Subdivision – Minor Subdivision

APPROVED. A Public Hearing was held, and the Board approved a Minor Subdivision (lot-line adjustment) request to amend the existing parcel lines at 3 Jones Road.

Park Place on the Peninsula, 2 Towpath Rd/Beach Rd – Minor Subdivision (23.094)

John Montagne: Good evening, everybody, John Montagne with Greenman Pedersen. We're here just to look to do a two-lot subdivision on the Park Place on the Peninsula project. Purpose of it is to split off stage 1 & 2 from stage 3 primarily for financing for bank purposes.

Don Roberts: That's it? Thank you, at this time we will open the public hearing anyone in the public wish to speak? You have to come up and say your name and address and any comment you may have.

Jim Guyette: My name is Jim Guyette, I live Belleard Lane. I'm in favor obviously of this development. It's well overdue. My only concern is public utilities down our road. Every time there is a new development going in, they seem to go right by our street with all of the utilities, we're looking for water mainly, all the wells are going dry on that road, sewer would be nice, but we'd be happy with at least water. I've been doing this over 25 years trying to get water down this street and they keep telling me wait for Matty Shea's development, well I've been waiting 25 years for Matty Shea's development and I don't see it coming so I'm just wondering if there's anything we can do to get utilities down our street, there is eight of us and three of the wells are going dry, you run the water for five minutes, your out of water, and other than that that's the only concern I've got, I think it's great what they are doing here, I'm all for that I'm just looking for a little bit of public benefit out of it.

Don Roberts: Okay, thank you Sir, John can you address that at all?

John Montagne: So, the sewer that we put in on Dunsbach Road will allow for potential future expansion, that's really up to Saratoga County and the Town to expand potentially the sewer in that area. You know this project wouldn't be able to extend more than what it's done at this point.

Don Roberts: Thank you, Sir at least we are aware of your concerns so okay thank you. Anyone else wish to speak in the room? (No comments) Anyone online wish to speak? (No comments) Okay at this time we will close the public hearing comments by the Board?

Tom Koval: I do think we should take a look at this Ballard Lane; we have a lot of other stuff going on in that little area and I know there is a couple more projects, potential projects on the road in the fairly near future. We have to, I'd just like to put it on record that Ballard Lane should be looked into supplying services up that little stretch, it wouldn't be a tremendous amount of money even possibly with some of the other projects we have in Town, having this as part of the public benefit.

Don Roberts: Okay, yup, thank you Tom, I agree, thank you.

Charlie Lucia: I agree with Tome on that one too. We keep expanding, we should be thinking about these things.

Rich Berkowitz: I make a motion for a negative declaration for SEQR.

Marcel Nadeau: Ill second that

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 minor subdivision

Marcel Nadeau: Ill second it.

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

John Montagne: Thank you.

Don Roberts: You're welcome

Park Place on the Peninsula– Minor Subdivision

APPROVED. A Public Hearing was held, and the Board approved a Minor Subdivision request to subdivide the existing parcel at 2 Towpath Road into two lots

New Business:

Geleta Subdivision, 199 Farm to Market Road- Minor Subdivision (23.100)

Jacob Keysby: Good evening, ladies, and gentlemen of the Board my name is Jacob Keysby I work with Brian Holbriter, I'm here to represent our client the Geleta's for this minor subdivision, which really breaks down into 4 lot line adjustments, on their parcel on Farm to Market Road. It is our hope to kind of fulfill the last part of the Will of Mona McBride, her daughter Kathleen Geleta is the one who has asked us to do this boundary line adjustment or minor subdivision. We plan on adding 31 acres to her parcel on the south side of Farm to Market. We're going to add 15 acres plus or minus to her brothers parcel on the south side of Farm to Market as well as a 20-acre parcel, plus or minus. On the north side of Farm to Market and then a 35-acre parcel will be added to her sister's parcel, Jacqueline on the north side of Farm to Market, color coded as it is on the Board here. The remaining parcel, Mona's original house is 2 and a half acres, and the intent is for the family to convey that to another family member.

Don Roberts: That's it?

Jacob Keysby: Any questions I would be happy to answer.

Rich Berkowitz: I make a motion to have a public hearing on July 24th.

Tom Koval: Ill second

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you July 24th.

Jacob Keysby: Thank you

Geleta Subdivision- Minor Subdivision

PUBLIC HEARING SET. Board set a Public Hearing for July 24, 2023, for a Minor Subdivision (lot line adjustment) for 199 Farm to Market Road and several adjacent parcels.

Russell Subdivision, 6 Birch Lane- Minor Subdivision (23.101)

Chris Longo: Good evening, Christopher Longo, Empire Engineering here representing the applicant, Ronald Russell. They were planning to join but they got pulled away for the evening. So, the proposal is for a lot line adjustment to convey approximately 2/10 of an acre from what is kind of oddly still part of the Russeau parcel at the corner of Birch Lane and that's Fellows Drive. So that portion would be conveyed to Russell, that parcel currently has just a garage on it and some gravel area as well and the intent would be to construct a two-family

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dwelling on that portion of land kind of strattling, if you would go to sheet 2, kind of strattling the current property line with the instillation of a well and septic system.

Don Roberts: Comments by the Board members?

Paul Marlow: We did not catch that this was a duplex, Rich and I did not catch that this was a duplex. You would like to do a duplex here?

Chris Longo: Yes, if that would be allowable, I believe there was, would that be a special use permit also?

Paul Marlow: Yes

Chris Longo: So, the request is for a lot line adjustment, minor subdivision, and special use permit for

Paul Marlow: Okay we will work out the special use with you, because we don't have any record of that

Don Roberts: But we're okay moving ahead tonight?

Lyn Murphy: You can schedule it soon.

Marcel Nadeau: I understand that Don I understand that but are there adjacent duplexes in that area?

Don Roberts: No, I don't believe there are

Chris Longo: No

Don Roberts: Just so you are aware

Rich Berkowitz: You might not get your duplexes

Don Roberts: We'll see, we'll see, we will find out after the public hearing, okay just be aware, okay.

Chris Longo: Like I said the applicant intended to be here they got pulled away for a family issue but I can certainly convey that if there is a special use, and which they are aware of that so I believe we had some coordination with Planning as far as a theoretical, so they are aware that it's a special use application and so I understand that there is a discretion are.

Don Roberts: There is no guarantee on this just so you know before we go forward okay.

Paul Marlow: And we'll touch base about the paperwork for that

Chris Longo: Okay

Rich Berkowitz: Do you still want to go forward with the public hearing then?

Marcel Nadeau: Well, it's just a subdivision, right?

Rich Berkowitz: Right but they are going to

Lyn Murphy: You need a public hearing, if you were to be denied a special use permit, do you still want to proceed with the subdivision?

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Chris Longo: Yes, it, as far as I understand the goals of this project, yes because really that lot line is in an unusable location right now so it still would be practical to still adjust the lot line.

Rich Berkowitz: Okay

Rich Berkowitz: I make a motion to have a public hearing on July 24th

Tom Werner: Ill second

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion carried. see you July 24th.

Chris Longo: July 24th, thank you.

Russell Subdivision- Minor Subdivision

PUBLIC HEARING SET. Board set a Public Hearing for July 24, 2023, for a Minor Subdivision (lot line adjustment) and Special Use Permit (duplex) at 6 Birch Lane.

Old Business:

ELP Halfmoon Solar, 48 Smith Rd – Site Plan & Special Use Permit (23.047 & 23.048)

Will Bliss: Good evening, everyone Will Bliss with Eastlight Partners, Director of Engineering. We were here back in April to present the updated design, we gave a short presentation outlining a lot of the key changes, a lot of the stake holder work that had taken place late summer and throughout last winter. The most recent submission almost no changes at all, mostly just supplied a letter responding to some of the comments we'd received from MJ Engineering. We did put an updated site plan in, but it was almost exclusively a couple of tweaks to clean up some panel. View 2, no changes really to the site plans in any way just basically responding to a couple of the comments from Joel and his team.

Don Roberts: That's it? Okay comments by the Board, we are all familiar with this.

Tom Werner: You've got a couple of meetings with the neighbors, any feedback from that?

Will Bliss: Yea, I'll give you some context because I think you guys weren't here for the April meeting but essentially, we met with, we had a meeting here in August last year to get some initial context information from all of the neighbors just some general feedback on how we could tweak the design to make it more palatable to the community. We got a bunch of contact info, we had a series of 3 or 4 site walks with around 10 to 12 neighbors both in the Fall and in the early Winter during leaf off conditions, you'll notice its along the northern property boundary, there is varying setbacks and that's based on the site walks that we conducted with those neighbors, so in certain areas where there is heavily dense vegetation, we all agreed that we could have a slightly smaller setback and its some of the areas where you see you know almost a 200 foot setback, that was an area where we best determined the vegetation is not quite as dense and therefore we need a larger setback, and so then we had one more meeting after we went back to the drawing board in December after we collected all of that feedback, came up with this design, presented it to the community again in January and got generally a pretty positive reception from all of the local neighbors that we worked with on this and so that's the design we presented in April and it hasn't changed since then.

Don Roberts: And this is a scaled down version of what you came in with?

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Will Bliss: Yes, it is, yea the previous project was a 5-megawatt project this is a 4-megawatt project so you're seeing a decrease of you know about 20 percent.

Charlie Lucia: You mentioned that you would, there were some small tweaks, I'm sure there are but he also mentioned he passed someone by you, your okay with all of that as far as the project what you did to change.?

Joel Bianchi: Yes, we've gone through the review and the engineering matters on this were not, if the Board recalls, the engineering is not what the Board was concerned with

Charlie Lucia: Right.

Joel Bianchi: So, any engineering matters were largely resolved and by scaling the project down those engineering matters continue to be nonissues in our opinion.

Will Bliss: The only other thing I'll highlight I guess that change from the previous application in addition to the increased setbacks, the vegetation that's being retained, we've proposed landscaping in certain areas and that was requested based on feedback from certain neighbors. Also additionally along the norther property boundary, and kind of around the northwest property boundary, we've proposed a slatted fence as well so essentially what your going to have as a buffer is your going to have as a buffer is your going to have between a 150 and 200 feet of vegetation, in certain areas and then you'll have landscaping and there will also be a slatted fence before you actually get to the project.

Don Roberts: So, it seems like you've done pretty much everything you can to address the neighbors' concerns?

Will Bliss: Yea, and like I said you know we stood out in the field with the neighbors and looked and all agreed what was an amount of vegetation that made it so you can't see their home, so we were walking on our property looking back at their residences and they were not able to see their residences at these specific locations.

Don Roberts: Very good.

Tom Koval: I commend you on working with the neighbors so closely and trying to make sure everybody is happy, I'm sorry what were you going to say? I was just going to make a motion, but I'll let you finish.

Marcel Nadeau: Okay the question on Smith Road after the bend it looked like they brush hogged that one area, but nothing was going in that area?

Will Bliss: No, that is correct that was just the landowner kind of maintaining his property, we did make sure that nothing along the edge was cut and so, yea its still very thick and you can't really see through any of that anyway.

Marcel Nadeau: Yea, go ahead Tom

Tom Koval: I make a motion to set a public hearing for July 24th

Marcel Nadeau: Ill second it.

Don Roberts: All in favor Aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you July 24th.

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Will Bliss: Thank you.

ELP Halfmoon Solar-Site Plan & Special Use Permit

PUBLIC HEARING SET. Board set a Public Hearing for July 24, 2023, for a Site Plan and Special Use Permit for a proposed solar farm at 48 Smith Road.

Don Roberts: Anyone else? Again, before we forget no meeting in two weeks, July 24th is our next meeting.

Marcel Nadeau: I make a motion to adjourn.

Allison Pingelski: I second

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