

A meeting of the Town of Moreau Planning Board was held on December 21, 2015 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

G. Peter Jensen	Chairman
Linda Riggi	Planning Board Member
Reed Antis	Planning Board Member
John Arnold	Planning Board Member
Erik Bergman	Planning Board Member
Charlene Endal	Alternate Planning Board Member
Dave Paska	Planning Board Member

Also present: Stephanie Dilallo-Bitter, Attorney for the Town; Tricia Andrews, Recording Secretary; Ben Marcantonio, Asst. Code Enforcement Officer

Planning Board Members Absent: Ron Zimmerman

Chairman Jensen called the meeting to order at 7:00p.m. The minutes of the November meeting were reviewed and corrected. The first line referred to the Acting Chairman as RZ when it should say Mr. Zimmerman. P. 1543 ¾ way down- taken up. Pg. 1846 should say 'limitation on number of cars' instead of cars. Below that, Mr. Arnold says "I remember doing that- should say "them doing it"...and we build it, it was "they" and Mr. Arnold was not involved. Under Stewart's, p. 1847 in the introduction description of the canopy and moulding, it should say 5 inches, not 5 lb. moulding.

Mr. Antis asked for clarification about whether Atherton can wash cars around the property or not. Mrs. Riggi motioned to accept the minutes with corrections and Mr. Antis seconded. Motion carried unanimously with one abstention (Chairman) and no roll call vote.

**#1 SolarCity
Site Plan Review
Farnan Road**

Mr. Allen and Mr. Ooimet appeared representing Solar City.

The Board had received the letter back from Saratoga County with no significant County-wide or inter-community impact. Motion was made by Mrs. Riggi and seconded by Mr. Antis to re-open the public hearing on Solar City. The motion passed unanimously with no roll call vote and the Board proceeded to review SEQR.

The Board reviewed the Long Form SEQR. Town of Moreau has no police and that will be changed to say Saratoga County Sheriffs and New York State Police. The Mohawk River Valley was referenced when it should have been the Hudson River. Public hearing closed at 7:31pm.

No significant issues were noted and Mr. Arnold motioned to make a negative declaration regarding SEQR. Mrs. Riggi seconded. Roll call vote proceeded as follows: Mrs. Riggi, Yes; Mr. Antis, Yes; Mr.

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Arnold, Yes; Mr. Bergman, Yes; Mrs. Endal, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carries 7-0.

Mr. Arnold motioned to approve Site Plan for Solar City. Under discussion, Mr. Robinson had a response to the question raised at the last meeting about whether post-construction treatment was needed for stormwater. They had claimed to be exempt because they were an overheard utility, which he doesn't think is the case. The impervious surfaces are above ground, so in the past the State has allowed things to go forward that way.

Mr. Robinson pointed out that the facility out here at the Town office building has a drywell for stormwater, and that he has a couple concerns about this project which he has forwarded to Solar City. These are small and he believes they can be handled, but he's not sure they should be exempt from post-construction.

Tall grass is required, because it helps with stormwater retention. The site has been cleared, stumps are there which they plan to remove. It's going to be graded. It is flat. If water does accumulate on the front and right, the grade drops dramatically. Mr. Robinson wonders who is responsible for maintenance if something happens. Usually there is an agreement with the operator of a SWPPP that says that they must take care of it, or if the Town has to do it, the costs will be added to their taxes. This is complicated by the fact that the Town will retain ownership of the land. Mr. Robinson said that he had discussed with Dave Gasper how different this is from a pole barn or other building that would require the SWPPP. He suggests that the plans should reference who will take care of the grass, etc.

Mr. Antis and Mr. Allen pointed out that maintenance is in the contract between the Town and Solar City. They have erosion and sediment control plans for during construction.

Mr. Ooimet said that studies over landfills have shown that the slowing of rain has been shown to cause less erosion and the potential for gullies.

Mr. Robinson's concern is that a stream going to the river could develop and perhaps the site could be graded to prevent that.

Mr. Arnold asked if something reasonably cost-effective could be done and Mr. Robinson said that he already spoke to some of the plans for grading in his comments. He would like to see a small lip there that would be effective. Mr. Ooimet explained that the gully towards the river is actually higher so the sheet flow is going the other way. That needs to be shown more clearly on the plan.

The Chairman noted that if maintenance is formally made a part of the approval, Code Enforcement can act on that in the future.

Mr. Arnold motioned to approve the Site Plan for Solar City on Farnan Road with the stipulation that the map show the completed project runoff drainage to the northwest and that maintenance of that drainage is the responsibility of Solar City in accordance with a standard Stormwater maintenance agreement and subject to review by the Town's consulting engineer. The motion was seconded by Mrs. Riggi. Roll call vote proceeded as follows: Mrs. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mrs. Endal, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carries 7-0.

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Mrs. Riggi motioned and Mr. Arnold seconded for the Chairman and one other member to sign the mylars after required changes have been noted.

#2 Blue Flame Gas Company

Site Plan Review

1323-1325 Route 9

Mr. Tom Hutchins of Hutchins Engineering and Mr. Liporace, General Manager of Blue Flame Gas, appeared. Blue Flame is under contract to purchase a property just 600 ft. north of the intersection of Spier Falls and Route 9. They want to establish a LP gas distribution center. It will have 2 tanks, 1 inbound truck a week, 4 or 5 a week in the winter.

They plan to build a 36 x 36 ft. office and an open pole barn to park delivery trucks when they are not in use. Buildings are planned on the North side of parcel due to topography and southerly exposure of doors. They put the entrance as far north as possible because of the intersection, which does back up in the morning. The tanks are to the rear, fenced in, which is regulated by the EPA. They are required to prepare a fire safety analysis which is in the package, and they have met with the fire dept. to include their recommendations. There will be a turnaround at the back for loading the tanks. There is parking for employees. There is little to no customer activity/traffic expected on the site, just employees.

Mr. Antis: Are you doing refills of 20lb or 110 lb tanks?

Mr. Liporace: Not proposing that now. If we did we would have to come back?

Mr. Antis: Absolutely, because that would be customer traffic.

Mr. Paska: The trucks will turn around on-site, not in the road?

Mr. Hutchins: Yes.

Mr. Bergman: What about storage of smaller tanks?

Mr. Liporace: Only inside that area.

Mr. Arnold: What's the serpentine line on the map?

Mr. Hutchins: It's a hiking trail that showed up on the survey.

Mr. Arnold: Do you have your setbacks from English Village?

Mr. Hutchins: Looking at Google Earth, I thought we had about 100 ft.

Mr. Arnold: What about the other apartment complex?

Mr. Hutchins: Not sure about that one.

Mr. Liporace: We are required to have 50ft. from the property line.

Mr. Arnold: It's commercial, but also residential, so what time of day do the delivery trucks come?

Mr. Liporace: During the day.

Mr. Arnold: They are probably not louder than ambient noise from Route 9 anyway but it's good to ask.

Chairman: Do we want a traffic study?

Mr. Antis: The corridor is tight during peak hours.

Mr. Arnold: What time do your trucks come?

Mr. Liporace: 7-4.

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Mr. Antis: Exit 17 to 197, the corridor traffic is quite high going both ways.

Mr. Arnold: You are going to have to turn right.

Mr. Hutchins: We will be going to DOT and we know it is possible we won't get a left turn out.

Mr. Arnold: What percentage is your non-pervious?

Mr. Hutchins: 40.9%

Mr. Arnold: How many in and out truck cycles are you expecting in the wintertime?

Mr. Liporace: We have two delivery trucks. Map shows more because we are growing it. Even with three, they go out once a day, even in the winter. We also have three service trucks, they leave once and take calls throughout the day. They are not making more than one trip.

Mr. Antis: How far will they travel?

Mr. Liporace: About a 30 mi. radius.

Mr. Arnold: What would a traffic study show us?

Mrs. Riggi: Do they need a traffic study if they are going to DOT anyway?

Mr. Hutchins: From a traffic study standpoint, our number of trips is very low. DOT is going to pick it apart and come up with the best geometry we can. They will identify traffic issues.

Mr. Antis: I don't think they understand our traffic issues.

Chairman Jensen: Issues from this particular project will not be big, but the DOT has to find a way to accommodate anything we approve. Mr. Robinson, have you seen this?

Mr. Robinson: I just got it tonight.

Mr. Antis: Will you wash vehicles on this property?

Mr. Hutchins: We do currently.

Mr. Antis: They Town building had to put in a wash bay.

Mr. Robinson: I don't think they had to, but it is easier. They have salt, etc that when it washes off, you don't want to send out. I don't know if the State made them put that in. Plenty of Town Highways departments don't have them. It's a different type of business than these guys. I will look into that.

Chairman Jensen: Board, are you looking for anything additional from this applicant?

Mr. Antis: You've dealt with the trucks on Route 9 very nicely.

Mr. Bergman: The only fencing is around the tanks and tank storage?

Mr. Hutchins: Right. Driveways are gated, but they site is not fenced. We have landscape and outside perimeter lights. You don't have to light a tank, but if you do light it, you need a fancy fixture. So we stay a certain distance from the tank with the lights.

Mr. Bergman: Can the truck drivers get into the gate after hours?

Mr. Liporace: They will have access.

Mr. Bergman: We do like to have it fenced because these are ugly.

Mr. Arnold: They have a big building blocking the view. But you can ask for privacy screening.

Mr. Antis: How far from the road to the building?

Mr. Hutchins: 112 feet to the first building.

Mr. Arnold: Is the lighting alleycat or downcast?

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Mr. Hutchins: It's downcast, shielded, LED.

Mr. Robinson: Is there a safety plan for filling, unloading, etc. Making connections, automatic shutoffs...

Mr. Liporace: Anyone who transfers liquid is required to be trained to a national Certification. There is an analysis and an emergency response plan, and as far as this facility, it's done through training.

Mr. Robinson: Just the one NFPA applies to this?

Mr. Liporace: Yes, that's the training requirement.

Mrs. Riggi: Do they need to go to the County before the public hearing?

Chairman Jensen: We have to have the response from the County before we approve anything, we can do what we want while we wait.

Mr. Antis: They will work out nicely if we meet late in January.

Mr. Arnold: Normally we ask for topos.

Mr. Hutchins: They are there, but there's no topo. The lines end up really far apart.

Mr. Paska: Where's snow going?

Mr. Hutchins: We will push it where we can, we have no curbing or berms. Asphalt goes 50 ft. from the road and the gravel. We will remove it if we have to.

Mr. Arnold: You might have to remove trees to make a place for snow. Removing snow is expensive.

Don't put it where the trucks are going to turn. Put it on the map where you are going to put the snow. If you are not depending on visibility for sales, do you plan to do any landscaping/screening along the front? Maybe you could put those on the plans.

Mr. Bergman: Also note that your small tank storage is limited to the enclosed area noted. Feel free to make it bigger.

Mr. Arnold: Go the full length of the building if you need to. We don't want to limit the storage, just the view of it.

Mr. Paska: Is this going to be secondary for you?

Mr. Liporace: We are expanding. We had some landlord issues in Queensbury.

Chairman Jensen: Public hearing will probably be scheduled next month, and it will go to the County as soon as it can be ready.

Mr. Hutchins: And we are sending it to DOT. Do you need to update it to send it to County?

Chairman Jensen: Yes, please submit whenever it's ready, don't wait til the next meeting.

Mr. Robinson: Is there an on-site septic?

Mr. Hutchins: Yes.

Mr. Robinson: Were there test holes and perc tests done?

Mr. Hutchins: No, because we don't own it we held off, but I know what I am dealing with because I worked across the street.

Mr. Robinson: OK, but we don't approve without a witnessed test, so you will need to do that. I don't know if this brings up multiple parties and SEQ. R.

Mr. Hutchins: We listed a Short Form but it's not a Type I.

Atty. Dilallo-Bitter: Declare Lead Agency.

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Mr. Antis: Motion to declare Lead Agency on EAF for Blue Flame Gas Co.

Motion was seconded by Mrs. Riggi. Motion carried unanimously with no roll call.

#3 Billington Plumbing and Heating

Site Plan Review

Lynn Billington appeared representing Billington Plumbing and Heating at 1611 Route 9. They would like to move their office into a site currently used as a bus garage.

Mr. Arnold: You are going to use the existing structure there, or is there a planned addition?

Mrs. Billington: No addition.

Mr. Arnold: Is there service bay?

Mrs. Billington: Yes.

Mr. Arnold: Does that service bay have a drain?

Mrs. Billington: It exists but it's not in use.

Mr. Arnold: How many vehicles?

Mrs. Billington: Two. One person doing office work and one vehicle for service.

Mr. Antis: Are they here because of a change in use?

Mr. Arnold: Ben, why are they here?

Mr. Marcantonio: We don't have an item that addresses existing buildings. It's currently storage, it's the same use with office space. Do you have customers come in to pay bills?

Mrs. Billington: No.

Chairman Jensen: Is this C-1? Any operation in C-1 requires site plan review.

Mr. Paska: Why does everything say proposed?

Mrs. Billington: These are the plans Stanski used. Everything is staying the same, we are just changing the sign.

Mr. Marcantonio: These plans were not updated.

Chairman Jensen: They are dated 2003.

Mr. Arnold: It doesn't fit C-1 zoning. So is it grandfathered?

Mr. Marcantonio: It's the same use.

Mr. Arnold: It's an undersized lot, but it already exists.

Mr. Marcantonio: Oh, yes.

Chairman Jensen: Do you have enough information to move forward?

Mr. Arnold: Is there a stormwater plan on this property?

Mrs. Billington: There is a drain there currently.

Mr. Arnold: Where it says 'proposed dry well'?

Mrs. Billington: Yes.

Chairman Jensen: What do you want to do?

Mr. Arnold: We can send it to a public hearing, couldn't we?

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Chairman Jensen: It's on Route 9, so it needs to go to the County.

Mr. Arnold: Move to schedule a public hearing on the Site Plan Review for the January Planning Board meeting, date to be determined, at 7:01pm.

Mr. Paska seconded.

#4 Mark Reynolds
Site Plan Review
1663 Route 9

Mr. Reynolds is purchasing Dr. Valente's office and adding a 40x40 ft. storage facility. They will store products that they sell.

Mr. Bergman: What type of business?

Mr. Reynolds: Maintenance and Infrastructure. We work all the way to Florida, so our trucks are out of Town all the time. We sell culvert lining that is galvanized storm sewer with PVC liner and we need to store the materials. We heat it with steam to make it flexible and expand it, so it looks corrugated inside. We need to store that. It's on a reel.

Mr. Paska: You say proposed parking.

Mr. Reynolds: Dr. Valente had all this parking. It is actually existing, although it's been out of use.

Mr. Arnold: You don't have an ingress and egress to Route 9. A curb cut.

Mr. Reynolds: I guess we don't.

Mr. Arnold: We'd like to see you have one, to direct traffic.

Mr. Reynolds: We have two employees each day.

Mr. Arnold: We are not worried about your traffic, but we need to have it directed. The County wants to see that.

Mrs. Riggi: What about delivery of this pvc?

Mr. Reynolds: Right now we ship from the factory. We do have room for trucks to pull in, turn, and go back, but we aren't doing that right now.

Mr. Arnold: I would suggest you use the entrance on the northern end of Route 9, away from the intersection with the light.

Mr. Reynolds: That's really far away.

Mr. Arnold: Well, it lines you up for the future so you don't have to move it.

Mr. Reynolds: What if we didn't take the parking lot this far, had sidewalks or something and made this the way in and out? Truck deliveries could come in there.

Mr. Arnold: As long as it's defined and people aren't blowing out of the parking lot in all directions.

Chairman Jensen: We don't want anyone stopping in the middle of Route 9 and trying to back in.

Chairman Jensen: Board, anything further?

Mr. Bergman: We want to see a real print with topo lines and neighboring properties.

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Mr. Reynolds: I didn't want to go to that expense if this wasn't agreeable to the Board. We neglected to ask for a survey when we bought it.

Mr. Arnold: You are asking for a 1600 sq ft bldg and an expanded parking lot. You are 60 ft past where the office was.

Mr. Reynolds: It's all stoned on the right.

Mr. Arnold: I don't remember that, but I am working from your sketch. It's a substantial change. It doesn't look controversial, but we need to see it formalized.

Chairman Jensen: Will you create products there?

Mr. Reynolds: We sell. Additives for septic systems that are non-toxic. Non hazardous.

Mr. Arnold: Are you expecting customers?

Mr. Reynolds: I hope not. It's internet based. 97% out of state.

Mr. Arnold: Shipping and receiving?

Mr. Reynolds: A UPS delivery each day. We did choose this site because there is extra room for expansion.

Mr. Arnold: I'll warn you, you're going to find a lot of junk out there from kids at the trailer park.

Mr. Reynolds: There's a fence in the back it's in bad shape, I want a new one that's nicer. That one belongs to the trailer park. I wonder why he kept so much property.

Mr. Arnold: He had 40 trailers in there, once.

Chairman Jensen: Look at a Short EAF, we are not into review but you say you are disturbing more acreage than you have, so that's going to need to be addressed. How much are you disturbing?

Mr. Reynolds: About 10%. Do I need a topo map?

Mr. Bergman: Some spot elevations. They should throw that on for you.

Chairman Jensen: Sit down with Ben and go over his points and what you should be looking for. You are changing your entrance, so you will have great fun with the DOT. You will go to Saratoga County. Board, anything else?

Mr. Arnold: Ben, look at the parking -650 ft of non-perm is proposed, so it might need a drywell. When you get the curb cut, you are going to lose some of that 500 ft. I am not worried about massive flooding, but you have to keep it in mind. You have plenty of area to run it to.

Chairman Jensen: Once you get all the materials together, bring it to the building department. To appear on our agenda, have it 10 days prior to the meeting.

The Chairman asked and there is nothing further from Zekes.

The Board was asked to note that there is no retail in the Commercial Zone and that's nonsense. The Comprehensive Plan needs to proceed.

Atty. Dilallo-Bitter noted that Jim Martin has been retained to get that in motion.

This is the problem with The Drop and with the YMCA building in general.

Mr. Antis also questioned the change in use of the property at Emergency Preparedness.

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January and February meetings fall on a federal holiday Mr. Arnold motioned to move January's to the 4th Monday- January 25th, 2016. Mr. Antis seconded. Motion carried unanimous. Mr. Arnold motioned and Mr. Paska seconded to move February's meeting to the 22nd. Motion carried unanimously.

The Chairman reminded the Board members of the planning conference at the end of January in Saratoga. The Town will pay for the members to attend.

Motion to adjourn was made at 9:07pm by Mr. Bergman and seconded by Mr. Paska. Motion carried unanimously and the meeting was adjourned.

Respectfully Submitted,

Tricia S. Andrews