

A meeting of the Town of Moreau Planning Board was held on September 19, 2016 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

Linda Riggi	Planning Board Member
Reed Antis	Planning Board Member
John Arnold	Planning Board Member
Erik Bergman	Planning Board Member
Jerry Bouchard	Alternate Planning Board Member
Ron Zimmerman	Acting Chairman
Dave Paska	Planning Board Member

Also present: Atty. Malcolm O'Hara, Attorney for the Town; Jim Martin, Zoning Administrator; Tricia Andrews, Planning Board Secretary

Not present: G. Peter Jensen, Chairman

Acting Chairman Ron Zimmerman called the meeting to order at 7:00pm with expression of concern for Chairman Jensen's illness. Mr. Antis moved that Mr. Zimmerman be appointed Acting Chairman until the Chairman can resume his duties or the Town Board appoints a successor, and Mr. Arnold seconded. . The minutes of the August 15, 2016 meeting were reviewed. Typo on the word Explain, wxplain. 1937 Mr. Mitchell speaking, "Says he spoke with the person who did it and she remembers it," would like the name of the person who did the study who was mentioned. Next paragraph, "He" wants it to go to Creighton Manning, should clarify that this refers to Mr. Mitchell. P. 1940 3<sup>rd</sup> line reference to Mr. Storr "when a proposal" not 'I proposal.' Motion to accept the minutes with these corrections was made by Mr. Arnold, seconded by Mr. Antis. Motion passed unanimously with no roll call, Mr. Paska abstaining.

#### **#1 JABRO Development**

**1341 Route 9  
Site Plan Review**

No one was present to represent JABRO for this review.

#### **#2 Rogge, David**

**1433 Route 9  
Site Plan Review**

Mr. Rogge wants to expand his storage facility and Mr. Fuller is here to represent Rucinski Hall Architecture because Ethan Hall couldn't be here.

Mr. Arnold: We've already reviewed the units to the south?

Mr. Rogge: The original was built back in 88-89, the back 4 were in 2004, the furthest south in 2013-14.

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Mr. Arnold: What are the parking spaces for?

Mr. Rogge: Boats, campers, RVs etc. There is a larger call for outdoor storage because towns are restricting outdoor storage and renters don't have spaces for those kinds of things.

Mr. Arnold: The others are indoor storage?

Mr. Rogge: There are 5 x 5, 10 x 10, standard sizes.

Mr. Arnold: Could people store cars in there?

Mr. Rogge: It could be done, the doors aren't really wide enough for that.

Mrs. Riggi: Is the existing pole barn staying where it is?

Mr. Rogge: Yes, I lease it to a boat repair place and he fills the whole thing. Nothing changes with that, except I need the roof coated, it's starting to rust.

Mr. Arnold: Does the Code for C-1 say anything about outdoor storage of motor vehicles?

Mr. Antis: Boat storage is allowed.

Mr. Arnold: I am asking because this is extensive. You have 61, plus more by the pole barn...75 outdoor parking spaces, that's extensive.

Mr. Antis: What's the dimension of a parking spot?

Mr. Rogge: 10 x 20, 10 x 30, 10 x 40.

Mr. Arnold: Will they be marked?

Mr. Rogge: Yeah, people don't know how to drive these days. I have to mark them.

Mr. Zimmerman: So that 10 x 40 would be for an RV or motor home?

Mr. Rogge: Or a utility trailer, some subcontractors don't have a place for that at home. I have one now that's a cab-over tractor trailer.

Mr. Arnold: What's the surface? Paved?

Mr. Rogge: Stone. It's gravel now, I am going to get blue stone, it packs well, drains well. I have 35 feet of sand and then blue clay at 75ft.

Mr. Zimmerman: What is it now?

Mr. Rogge: To the back of the pole barn and 150 ft. past it is Item Four mixture, and from there back it's basic sand, when I had it cleared before we put the expansion on, I have two piles of dirt back there, sand and dirt that came off it.

Mr. Zimmerman: And that area surrounding the dirt stockpile, that's temporary for a new mobile home?

Mr. Rogge: They are not allowing older mobile homes in some places, I have an older one there now because the gentleman is fighting banks and insurance about a place to put it, a man is paying me to store it there. I took as security the price it would cost to get it out of there if I had to, and he's paying me monthly for that.

Mr. Arnold: Mr. Martin did you find anything?

Mr. Martin: Auto sales and service, supplies and refueling, boat storage and sales, farm equipment, and the all-encompassing 'businesses which primarily service highway traffic.'

Mr. Antis: Did you have any objections?

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Mr. Arnold: Well, travel trailers, none at all. Boats, very few. RV's and tractor trailers, then you wonder if they will be leaking fluids, and become a junkyard.

Mr. Rogge: No!

Mr. Arnold: I know you're not in business for that.

Mr. Rogge: It's not good for business of someone with a \$200,000 RV comes in and sees junk and rotten cars, he's not going to park there and take his business elsewhere.

Mr. Martin: If that's your concern, quantify it and put it on the plan.

Mr. Arnold: I hate to say that they have to be registered.

Mr. Zimmerman: What expectations do you put on somebody? Do they have a lease?

Mr. Rogge: A lease.

Mr. Zimmerman: What does it ask?

Mr. Rogge: I need to know who you are. I have rider A & B. The application is name, driver's license, phone, address, another contact, type of vehicle, a picture of it, title. If it's not titled to you, you can't store it. I see the registration and if it's not registered, the title goes in the file. I don't want to get caught with something that's not yours.

Mr. Zimmerman: Something happens with this person, something becomes unregistered, uninsured and you can't find the person, what do you do with it?

Mr. Rogge: Legally, I can auction it. I have the title so I know if there's a lien on it.

Mr. Bouchard: This all happens when they don't pay?

Mr. Rogge: Right. Pay on the 7<sup>th</sup> of the month, locked in on the 17<sup>th</sup>, next 7<sup>th</sup> you get the auction notice.

Mr. Bouchard: None of this concerns us about you, but you won't be with the property forever.

Mr. Arnold: It does go with the property.

Mr. Rogge: We get our paperwork from an industry New York State Self Storage Association that helps us to keep our contracts effective and deal with oil leaks, etc. You have to protect yourself.

Mrs. Riggi: Can we put something in to make sure leases adhere to the organization indefinitely?

Mr. Bouchard: What are my concerns? How do we prevent those things? Starting with oil.

Mr. Arnold: If we see something like an oil leak, we can call the DEC.

Mr. Bouchard: Beyond that, it comes down to the aesthetics. You don't want a bunch of rusting cars, but someone might. They are paying for it. So how do we say what they can do with it?

Mr. Bouchard: Parking garage is a permitted principal use. Long-term parking is something that we recognize and allow. It's not the principal use.

Mr. Arnold: It got my attention because there are a lot of them here. I don't know if it's too many.

Mr. Antis: If someone has a nice car, they want to store it indoors and protect it. The outdoor storage is boats and RVs, and they wrap boats.

Mr. Martin: Looking around I found that Codes that regulate storage units have a high ratio of parking to unit, more than what's shown here.

Mrs. Riggi: Can we limit the number of motor vehicles, and assume the rest are boats, RVs, etc?

Mr. Arnold: It's not a big deal.

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Mr. Zimmerman: In light of the fact that if you go by other storage areas you might see a trailer or an RV where they have gone to die, it's more trailers than motorized vehicles.

Mr. Antis: They are harder to resell.

Mr. Zimmerman: I think we have touched on all the things that have been problems in the past.

Mr. Rogge: That's why I am a member of the Association. Many of the things they say pertain to big cities. Also, I have to listen to the customer and what they want to say.

Mr. Antis: The other applicant who didn't show was also here to talk about boat storage.

Mr. Zimmerman: Are these Lamplighter residents who use this?

Mr. Rogge: I wish it were a bigger percentage. We draw from what I call the Moreau peninsula. There's not a lot of storage on the other side of the river.

Mr. Arnold: We have 4 in Moreau.

Mr. Paska: And the last 2, I don't remember outside parking.

Mr. Zimmerman: Yes, the last one came back for it.

Mr. Paska: I don't remember the spots being delineated.

Mr. Arnold: No, they're not.

Mr. Rogge: It needs to be controlled.

Mr. Arnold: What's on the properties of Roger and Charlotte...North of the YMCA? Is that Cut-Rite Counters? I was just considering if we need security fence.

Mr. Rogge: There's already a buffer zone.

Mr. Arnold: It's not a residence, that's all.

Mr. Zimmerman: Is the access to this through the property that was most recently Beans?

Mr. Rogge: Yes, it's deeded access since 89-90. It's in the deed, or it would be in the lease if it's a lease.

Mr. Zimmerman: Back end of YMCA here there's a gate, is that an access point? Who uses that?

Mr. Rogge: Me. If you want to bring in a 12 x 40 and it can't get through the gate, I'd get back there and let you in. We'd take up two spaces.

Mr. Arnold: Why don't you use that all the time, instead of the deeded right of way?

Mr. Rogge: I don't want 2 ways in and out. If I use only that one, I'm stuck with no way to get out. This one seems like a better flow, and we owned it when we first did the project.

Mr. Arnold: Do you have a survey for that property?

Mr. Rogge: If I don't have one, I can get it.

Mr. Arnold: Could you send it to the Planning Dept.? We could really use that! We've already decided that no more tenants will get Site Plan Review on that property without a survey, and the owner appears to be unwilling or unable to provide one. Now, you are talking about 30-40 ft. campers in here, why are you driving them past Bean's when they could shoot right in at that other entrance?

Mr. Rogge: Right now I've only got 3 or 4 of those, 2 fifth wheels, a motor home, and I have driven over there with them to get in there. The bigger problem is pulling into an area where there's not enough room to back. The new units will allow space to pull in and go.

Mr. Arnold: I have seen people try to put these things in campgrounds. And you're right.

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Mr. Rogge: Anyone who goes into the old Y knows that roadway in the Y parking is 30 ft.

Mr. Arnold: Speaking of gates, what's the access?

Mr. Rogge: Open 7-7 every day,

Mr. Arnold: Fire after midnight, what happens?

Mr. Rogge: They cut the lock and go in and push a button to open the gate.

Mr. Antis: Mr. Martin, do we have on record what emergency services, esp fire, are they aware of how they would address, have they signed off on it in a previous plan?

Mr. Martin: Not that I am aware of.

Mr. Antis: We've gotten into trouble, we need to have it better documented that they have signed off, who, when, so that safety is taken care of.

Mr. Arnold: There's no live human beings, so that's good.

Mr. Rogge: And they are not supposed to store hazardous flammable materials.

Mr. Arnold: But cars.

Mr. Rogge: Well, yeah.

Mr. Arnold: Do they drain the fluids, the gas, out of it?

Mr. Rogge: No, that's more dangerous.

Mr. Arnold: Yeah, I know. How do they deal with emergencies?

Mr. Rogge: There's a phone there with instructions.

Mr. Arnold: Reeds probably right, they will just drive through the fence.

Mr. Rogge: And actually that gate they could almost pull it, two guys.

Mr. Arnold: Lighting. More than the rest of it?

Mr. Rogge: LED Dome lighting, like what we have in other places.

Mr. Antis: Will it be seen from the trailer park?

Mr. Rogge: We don't own a trailer park, we own a mobile home community.

Mr. Arnold: You will if this passes.

Mr. Rogge: I hope the light is not visible. In the winter, when the leaves are off, we will look at it closely.

Mr. Fuller: Dome lights are not intrusive.

Mr. Zimmerman: Could you note that on the drawings?

Mr. Rogge: It is on there.

Mr. Fuller: We can provide illumination scale.

Mr. Rogge: The existing lights on the buildings are expensive, so I asked for something less expensive with the same lumens and shed patterns.

Mr. Martin: You also have a copy of my notes, he came back and put their lighting plan on.

Mr. Zimmerman: Did you have concerns with stormwater management?

Mr. Martin: The new drywells are good.

Mr. Bouchard: There's 3 of them, not 4? Possible one is missing.

Mr. Arnold: This note about mobile home storage, that is the stored ones, not something you are tearing down?

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Mr. Rogge: Well, right now there is a gentleman who is tearing one down. I asked him to clean it up, but it was his response to me asking him to clean it up. I've helped him to stuff the dumpster. It's better to pay to make it go away than to try to do anything else with it. Which starts at \$2,200, in case you were curious. Because Lamplighter Acres was built in the 70's, there are some older homes that I will have to pay to get rid of.

Mr. Bouchard: You are going to ingress trailers?

Mr. Rogge: I have a double wide in there, they were in transit. This one guy is fighting with insurance over a house he can't live in and that has water damage.

Mr. Bouchard: But you say you are leaving it for ingress-egress. I can see you'd want to be able to get it out, but are you planning to bring more in?

Mr. Rogge: I need to be able to do that on occasion. Anyone could call me anytime, while they are getting a lot ready or something, because lot rent is \$400 a month. It's not going to become a junkyard. Most of the homes go right into the lot, a few sit a few days.

Mr. Antis: What's the longevity of a mobile home these days?

Mr. Arnold: Relative to maintenance and care?

Mr. Antis: Someone who's trying.

Mr. Rogge: Last year I bought a 1972, had just been painted. It was gorgeous. I have seen a 1 year old brand new and I can't get it out of there fast enough. The cost of setting new homes is prohibitive by NYS. If I wasn't renting older homes, the community would be 1/3 empty.

Mr. Bouchard: Is there a limit to one per space?

Mr. Rogge: Well, no, if it fits, it's fine. I want the registration and title on both. I have a gentleman who puts his snowplow under his camper, layers things.

Mr. Arnold: But they are parking spaces, not outdoor storage square footage? Stuff on wheels.

Mr. Rogge: Yes. I prefer not ATV's, they are too easy to steal.

Mrs. Riggi: They can store them inside, right?

Mr. Rogge: Yes. I have an antique dozer, a motorcycle.

Mr. Arnold: I just want to make sure that it's parking, not storage. I actually like the layout, I just want to be clear.

Mr. Rogge: I have seen places that store them haphazardly, I mean, how do people get their stuff out of there?

Mr. Arnold: I have had people hire me to put things in places like that, and it's terrible.

Mr. Rogge: That's why we have numbers on the fence.

Mr. Zimmerman: Board, what would you like to do?

Mrs. Riggi: Do we need to schedule a public hearing?

Mr. Arnold: I would recommend it. No one's going to come.

Mrs. Riggi motioned to schedule a hearing on October 17<sup>th</sup> at 7:02pm for Route 9 Mini Storage and Mr. Bouchard seconded. All in favor, no roll call, motion carried.

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Motion to declare the role of Lead Agency for SEQR was made by Mrs. Riggi and seconded by Mr. Antis. Roll call vote resulted as follows: Mrs. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Bouchard, Yes; Mr. Paska, Yes; Mr. Zimmerman, Yes; Motion carries 7-0.

Mr. Fuller: Anything else you want to see on the drawings?

Mr. Arnold: I would like to see the parking space say vehicle parking space, but I am not sure people would understand that as being a trailer.

Mr. Martin: Say vehicle and specify in parentheses.

Mrs. Riggi: Vehicles and ancillary equipment.

Mr. Rogge: But I do want to be able to store a playhouse there.

Mr. Arnold: I don't want it on the ground in there. Put it on a trailer. I don't want to see outdoor storage of other items.

Mr. Rogge: I am just thinking about an incident I have had.

Mr. Antis: Why would a play structure, designed to be outside, look bad?

Mr. Arnold: I just want it to say parking, let Code Enforcement think about it.

Mr. Martin: Six years or 30 years from now, the only thing on the record will be the drawing. I don't care if it's 10 lines long, say what you want.

Mrs. Riggi: We have a month to think about it.

Atty. O'Hara: Do you want us to draft some language?

Mr. Zimmerman: That would be great.

Mr. Bouchard: What are we asking?

Mr. Martin: Basically anything wheeled or vehicle related.

Mr. Rogge: Let me look at the Association and see if they have any guidance.

Mr. Arnold: What if people put up canvas tents so they don't have to pay for places? I don't have trouble with a snowplow or a cab, but I do have a problem with patio furniture under a tarp.

Mr. Rogge: I've had people ask if they can put up a portable garage. No. You can cover your car and store it.

Mr. Bouchard: Fair to say no temporary structures?

Mr. Rogge: No trouble with that.

Mr. Martin: And send it out to Fire?

Mr. Rogge: Because I move sheds, ...

Mr. Bouchard: How about no temporary structures that would be assembled on site?

Mr. Rogge: We go to public hearing, at the end of that hearing, what happens?

Mr. Antis: We go to the Short Form.

Mr. Rogge: After the Short Form? From Oct 17th to Dec 1<sup>st</sup> is a short window to pour concrete and I'd like to get there before Dec. 1. So I can start getting bids.

Mr. Antis: I think it will go in your favor.

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Mr. Zimmerman: You've already picked up on items that are ticklish spots. We are going to talk to Fire, It doesn't involve the County.

Mr. Bouchard: You could think of things you can agree to that would help protect the Town in the future if you sold out.

Mr. Rogge: I do understand.

Mr. Rogge: Revised drawing by?

Mr. Martin: Oct 3<sup>rd</sup>.

Mr. Bouchard: Is this a standard design of drywells?

Mr. Martin: They could include a detail sheet.

Mr. Fuller: I have one here we can include.

Mr. Bouchard: Don't we usually get contours?

Mr. Arnold: It's totally flat.

Mr. Bouchard: Motion to waive the requirement for 2ft contour intervals in the map.

Mrs. Riggi: Second.

All in favor, no roll call, motion carries.

Mr. Arnold asked about the notes taking away all the wiggle room for a future Code Enforcement Officer. If we decide to list all acceptable uses, how can we possibly cover them all?

Mr. Martin: I am not saying it's a fool proof plan.

Mr. Arnold: Was your input that we should list potential categories, or specific items?

Mr. Martin: I would encourage you to have on the plan your expectations. It can't be followed through on in the future unless it's there. If you want to build in that kind of latitude and ambiguity, build that in.

You can nail it down, or not. It is frustrating on the enforcement side of it. I was once told by an attorney that a Site Plan is a contract and once the signature goes on it, it can't be deviated from.

Plan update is underway. It is a long progress.

Mr. Bouchard: Do we get an interpretation on the UR Zone question from last month?

Mr. Martin: Yes, it was in favor of the applicant and the Zoning Administrator's original decision.

Mr. Bouchard: Did they give a reason?

Mr. Antis: The ruling says that it was undersized, so it did not have to be adhered.

Mr. Arnold: So he could build 12?

Mr. Antis: Correct.

Atty. O'Hara: The ZBA said you can't rely on the Zoning Code alone, but there are other limits and you can decide it's too many. You can't point to the ordinance for it, but you can still do it.

Mr. Arnold: What I am afraid of is, someone will come in and say, it fits 300 but I'm building 400.

Atty. O'Hara: That's not undersized. It has to be undersized for anything.

Mr. Arnold: Okay.

Mr. Martin: That is an item in the new Code that needs to be clarified.



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Mr. Arnold: I thought they didn't want people to not be able to use their land, but I didn't want to take away all limits. You're right, it's poorly written.

Mr. Martin: We need to introduce a density consideration or requirement.

Mr. Zimmerman: There's an upcoming seminar at Columbia-Greene Community College. The only problem is, we have a Planning Board meeting that night.

Mr. Martin: Look into whether it will be recorded for a webinar.

Mr. Antis: In January, I asked for an update on my level of education, I hadn't kept track of my seminars.

Mr. Martin: Mike Valentine will know. I can look into it. I will let you all know where you stand.

Mr. Arnold: I can tell you I reached Level 1 on the same day as Peter Jensen, two years ago.

Motion to adjourn was made at 8:22 pm by Mr. Antis and seconded by Mr. Bouchard. All in favor, motion carried.

Respectfully Submitted,

Tricia S. Andrews