

A meeting of the Town of Moreau Planning Board was held on May 15, 2017 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

Ron Zimmerman	Chairman
Jerry Bouchard	Planning Board Member
Reed Antis	Planning Board Member
John Arnold	Planning Board Member
G. Peter Jensen	Planning Board Member
Mike Shaver	Planning Board Member

Also present: Jim Martin, Zoning Administrator

Planning Board Members absent: Erik Bergman

The Board reviewed the minutes of the April 2017 meeting and made the following corrections: p. 2022 3 lines up there is gibberish that should say "...permit, you have..." In another spot there was a "wil."

Mr. Bouchard motioned to accept the minutes of the April 17, 2017 meeting with those corrections and Mr. Jensen seconded. Motion passed unanimously with no abstentions.

#2 Brummer Unlimited Site Plan Review

Mr. Brummer is presenting new drawings and got in touch with person who did the last survey. He described his plans for parking, landscaping and traffic flow. Public hearing was opened.

Wayne Stebbins, 5 Nolan Road across from the property came to see the plans, has not seen it yet and doesn't know whether he has any comments. He asked about the types of trailers, they are equipment trailers and Mr. Zimmerman told him that the business is relocating from another place in Town next to Bobcat. No structural changes are proposed. General landscaping and lighting if there are changes, are being reviewed. Mr. Stebbins asked whether the bedliners business will be moving and they are going to the new building going on next to Diamond Plaza. One entrance and exit? Yes. Mr. Stebbins was concerned about lights shining on his property and Mr. Zimmerman explained that no changes to current lights are planned, but if there were, they would be downcast lighting.

Mr. Zimmerman asked about the outstanding question of what the hours would be and Mr. Brummer said that they are Monday through Friday 9-5:30, Saturday 10-2, and are closed on Sundays. Mr. Arnold asked whether there would be repairs, air wrenches, etc. and Mr. Brummer said it is going to be quiet, no compressors, just a little setup. He is not licensed to do any kind of auto repair. He does not do inspections. Asked for clarification, Mr. Brummer said there is lighting on the building now, and he was reminded that if he wants to make changes he will have to come back. Mr. Arnold reminded him that he had said that he likes it dark because night-vision security cameras work better that way.

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Mr. Brummer was asked whether he was going to put any fencing up. There are trees from the back corner, no need for a fence to block a view. He demonstrated on the map where there are trees.

Mr. Arnold asked about the traffic flow, as Mr. Brummer had said that he didn't want customers to drive around the building. Mr. Arnold asked about a faint line on the drawing and Mr. Brummer said it was a chain. This allows him to move it when things are dropped off. Mr. Arnold said that works as well as having a trailer parked there so he is satisfied.

Mr. Antis asked about the largest trailer and Mr. Brummer said 15-20 ft. Mr. Antis asked how long the box ones are and Mr. Brummer said about 16 ft. The most popular sizes are 10, 12 15 ft but sometimes he gets a 20 ft. Those are dropped off somewhere else and he picks them up and brings them down.

Currently they are dropped off across the street from his property where trucks can get in and out more easily. Mr. Antis asked if that is a tractor trailer and Mr. Brummer said that it's a stack of three being towed by a pickup truck. Mr. Antis asked how long that makes the truck, when there are three in a row.

Mr. Brummer said it is 48'. Mr. Antis expressed concern about traffic flow, especially considering how narrow Nolan Road is. He suggested it should say on the Site Plan that they are not dropped off there.

Mr. Arnold said that if Mr. Brummer is not able to put turn radiuses on the plans, then he (Mr. Arnold) is comfortable with stating that tractor trailers or deliveries are not allowed on-site. Mr. Bouchard said that since the largest trailer he plans to sell is 20ft, so he suggested not allowing any vehicles larger than 20 ft.

Mr. Bouchard wanted to stipulate the 20 ft. trailer. Nolan Road is a very busy road. Exiting to go South is a challenging turn. Mr. Arnold said that towing a utility trailer, a larger length doesn't affect how you drive. Mr. Brummer said that nothing was going any further down Nolan Road than his driveway. Mr.

Arnoild asked whether a limit of 20ft would hurt his business, and Mr. Brummer wasn't willing to say he would never want that there.

Mr. Arnold asked what length between 20 and 48' would work, because they have to place some limits on the plans. Mr, Antis reiterated that something can change 6 months from now, and Mr. Arnold said they have to plan for contingencies.

Mr. Brummer asked what the chief concern is about the length and Mr. Arnold explained that the concern is that any movement is done on-site, so there are no delivery vehicles trying to back out onto Nolan Road or Route 9 or back in fron Route 9. Mr. Brummer pointed out that the driveway is 30ft wide and the opening in the fence is 50-60 ft wide, and there would be room for anything to come in and back into the turn area.

Mr. Arnold agreed but asked that this be shown on the map for proof, or they agree to a limit. Mr. Jensen suggested that instead of micro-managing this man's business, we stipulate something and let the man get down to business.

Mr. Arnold asked if 20ft was enough. Mr. Brummer said he could make do, and Mr. Arnold asked if 24 ft was better, and could it be stated that no trailers longer than 24ft would be on site, and that would include delivery vehicles.

If down the roads Mr. Brummer wants something else, he can come back and ask.

Mr. Stebbins asked whether there would be trailers parked on the side of the road, expressing concern about the traffic, and Mr. Brummer agreed that there would not. Mr. Antis asked whether that would be a traffic law problem and the Board agreed that it might.

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Mr. Antis expressed hope that the property would be kept neat and not look jammed in there. Mr. Bouchard asked about the current site and why the trailers are so close to the road. Mr. Brummer said that he wanted to have a tunnel. Mr. Bouchard was concerned that items on the front should not be tilted up because it might obscure visibility down Route 9, east of the driveway. He would like to not see trailers there so that people can see what's coming down the road. Mr. Stebbins asked whether the area towards Route 9 side of the property if you are looking south you should be able to see the oncoming traffic. Mr. Bouchard used the scale on the survey map and said that the northeast corner which has a thick shaded line is 60 ft. from the edge of Route 9, which Mr. Antis said is at least three car lengths. Mr. Brummer said he did think it was as close as possible to scale. So as long as the trailers are parked no further east than shown, the line of sight should be preserved.

Mr. Zimmerman asked for SEQR for this and Mr. Martin said that this is Type 2 because there are no changes or additions, and display is exterior. Mr. Zimmerman asked the Board agreed that this was appropriate. Mr. Martin recommended that the Type 2 status be included in the motion. Mr. Zimmerman pointed out that there was SEQR done in 2004.

Mr. Antis counted parking spaces for trailers and came up with 41, 4 for visitors and 2 on the South side for employees. 1 of the 4 is handicapped.

Mr. Bouchard asked about the portion along Nolan Road that is shown as mulched and planted and whether it is on the building side of the fence or the road side. It is for the building side of the existing fence. Mr. Bouchard asked and plantings will extend 2-3 feet on either side of the new fence. Mr. Bouchard asked because of there is a garden there, the trailers won't be near the street.

Mr. Antis asked how long his lease will be and Mr. Brummer said that he has to have permission to be in there first.

Mr. Zimmerman asked whether this is the Site Plan that will be approved and Mr. Martin answered that the applicant had said that he was willing to go back to Tom Jarrett and get a scale formal drawing made. Mr. Martin recommended that the Board take him up on that offer. He feels that plan would be a better thing to have on file for future reference. The concepts are there. They found the old plan that told them Tom Jarrett had done it. Tom Jarrett is still in business, they just weren't able to connect with him in the time between buildings. Mr. Martin recommended that a date be set for completed plans, but Mr. Brummer didn't know how much time Mr. Jarrett wanted. Mr. Bouchard suggested 90 days and that was acceptable to everyone. This can be extended but Mr. Martin feels it should be plenty of time. Mr. Brummer was asked what he might store on site in terms of chemicals and he thought it would be nothing more than spray paint for touch-ups. No drums of anything.

The Board reviewed the conditions, to include that there will be no trailers longer than 24ft on site, and no tilt trailers displayed along Nolan Road. There are 41 trailer spaces. Lights are to remain as is. Area cleanup is required.

There is a 25ft. building setback noted on Mr. Rourke's old plans, and Mr. Bouchard asked would he be putting display there. He will cross that line a little bit.

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He will come for a sign permit but he doesn't know what he's doing with that yet. He intends to use the same space currently used for a sign.

The public hearing was closed at 7:46pm.

Mr. Jensen motioned to reaffirm the negative SEQR declaration as there is no significant change or environmental concern on this site. Mr. Arnold seconded.

Roll call vote proceeded as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes.

Mr. Martin reviewed 8 stipulations: no trailers larger than 24 ft., 41 display slots, no parking or display trailers in mulched areas, submission of a scale plan by a licensed design professional within 90 days, no tilt trailers east of entrance along Nolan Road, a sign at same location and complaint with Town Code, and hours of operation 9am-5:30pm Monday-Friday and Sat 10-2, closed Sundays, and the site must be cleared of debris by start of business. Another stipulation was added that all lights should be downcast, whether on a wall or on a pole.

Mr. Jensen motioned to approve the Brummer Unlimited Site plan subject the 9 stipulations stated. Mr. Bouchard seconded. Roll call vote proceeded as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes.

Mr. Jensen motioned that the Chair and one other member sign the mylars when they become available and Mr. Shaver seconded. Motion passed unanimously.

#2 Greenwood Estates Subdivision Site Plan

Ethan Hall of Rucinski Hall Architecture appeared representing Jim Greenwood. They have been here before and have been over most of the items. They have applied to the Department of Health and have a list of items with comments that he would like to review. He has copies for the Board. There was also a review letter from the Town's engineer that they received Thursday last week. It is standard stuff dealing mostly with the SWPPP.

Mr. Martin said it will now be standard procedure that anything that requires a SWPPP will go to Laberge for comments and they will come back to the Board with comments.

Mr. Hall feels the comments are straightforward and they are detailing it responsibly.

Mr. Martin recommended that a clean letter be received from the engineer after all the back and forth is done, stating that all concerns have been addressed. That could be done conditionally.

Mr. Zimmerman noted that Laberge had concerns about access, and that Kevin agreed to it. The correction to the problem is to get the road in, they will not be disturbing as much because it was just logged. If the engineer were to look at it in person, they might agree.

Mr. Arnold stated he didn't think of logging as a disturbance.

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Mr. Arnold wanted to look at the lot that has a 100 ft circle around a well that goes over the line onto the neighbors' lot and there's no information about the location of that neighbors' septic. Mr. Hall said that the house was built a long time ago and that information isn't publicly available. Mr. Shaver stated that he actually knows where that septic is. This is lot #8. Mr. Shaver said that the well is in the front, and the septic is in the back. Mr. Hall said that they could update the map from Google earth.

The completed archaeological survey came with nearly 600 shovel test pits, every 15 feet. They turned up nothing but dirt. This had been identified as an archaeologically sensitive area. Mr. Arnold asked and if they do find anything now when they dig, they are not required to report it and stop work. These shovel test pits were 30 inches deep.

Mr. Hall reported that the test wells had gone well and the letter back from DOH had come this afternoon. They want a detailed generic septic shown with information about the tank, etc. on the drawings, even though they will change with each building lot.

The public hearing is tabled from Feb. 27th. Mr. Jensen motioned to reopen the public hearing for the Greenwood Subdivision and Mr. Antis seconded.

Motion to affirm the negative declaration on SEQR based on the receipt of the archaeology report for Greenwood Estates made by Mr. Jensen and seconded by Mr. Arnold. Roll call vote proceeded as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes. Public hearing was closed.

Mr. Arnold motioned for final site plan approval of subdivision review for Greenwood Estates and was seconded by Mr. Shaver. Mr. Martin recorded the following stipulations: That the lot adjoining lot #8 should have the septic tank indicated, that a letter be received from the Town's engineer stating that all issues with the SWPPP have been addressed, and pending Final Approval from the Health Department. Roll call vote proceeded as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes.

Mr. Antis motioned that the Chair and one other member sign the mylars when they become available and Mr. Bouchard seconded. Motion passed unanimously.

#3 Adirondack Gateway Resort Application for Accessory Use Building

Bob Sweet, Sweet Contracting, appeared. He was hired to propose a 30'x40' building to be used for the park's vehicles used to get around the facility and get under cover things that are out in the open.

Mr. Martin explained that this is an Accessory Use and he is only here because all uses in a C-1 have to come before the Board. The applicant has been very cooperative. There is not a lot to look at.

A structure has already been removed. There will be a garage placed in the sandpit and topsoil added around it. The primary use is campground and the shed will only have lighting over the overhead door, wall sconces by the entrance door. It faces the campground, so lights will not be visible from the road.

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Asphalt shingles to match things around it. There will be no drains in the floors of the building. It is to store golf carts that the maintenance staff uses. They also have an F350 they use to plow snow and some small lawn tractors.

Mr. Arnold asked whether this replaces the string of lean-tos on that lot, but Mr. Sweet didn't know what he meant. There are dumpsters on that side against the fence now, but he doesn't think there is a roof over them. It doesn't appear this is going to affect that storage.

Mr. Antis asked what action was needed tonight. It is an application for an accessory use building and it is simple. There was some discussion as to whether SEQR was required, as the Board had not looked at anything on this property for some time. The Board decided that this is a Type 2 action. This property has changed hands recently.

Motion was made by Mr. Bouchard to waive the requirement for a public hearing and separation, as this is a replacement in kind, and Mr. Arnold seconded.

Roll call vote proceeded as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes. Motion carries 6-0.

Mr. Martin said that he thought that mylars would be excessive considering the nature of the improvements and that stamping a paper copy of the plan should be acceptable.

Mr. Arnold asked whether there is an approved Site Plan on file for this property somewhere in the files, and Mr. Martin said that he wasn't able to locate one, and asked Mr. Jensen whether he recalled hearing this property before. Mr. Bouchard thought that it pre-dates the regulations.

Mr. Arnold said that this plans reads that it is a Site Plan for the whole thing, when really they are just looking at a 30'x40' portion. Mr. Martin says it is Site Plan Approval for an Accessory Building. Mr. Arnold was satisfied with that.

Motion was made to approve the Site Plan Review for the Accessory Building (placement of the maintenance shed) for Adirondack Gateway Resorts. This is determined to be a Type 2 action under SEQR. The Board asks that an updated survey be provided to the Town if available. Roll call vote proceeded as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes. Motion carries 6-0.

Mr. Bouchard motioned to waive the requirement for mylars and instead to accept a stamped paper copy of the plan. Mr. Antis seconded. All in favor no roll call, motion carries.

The remaining applicant was not present, and the Board discussed what they could see in the application. The lot is landlocked and among another things deed language will need to be seen that confirms access. Mr. Arnold did not want to see an expansion of a non-conforming use in the Commercial Zone. They discussed stating that it could never be built on or could not be further subdivided.

Motion to adjourn was made at 8:40 pm by Mr. Bouchard and seconded by Mr. Shaver. All in favor, motion carried with no roll call.

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Respectfully Submitted,

Tricia S. Andrews