

A meeting of the Town of Moreau Planning Board was held on August 17, 2020 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Jerry Bouchard	Planning Board Member
John Arnold	Planning Board Member
Mike Shaver	Planning Board Member
Meredithe Mathias	Planning Board Member
Ann Purdue	Planning Board Member

Absent: Peter Jensen and Erik Bergman, Planning Board Members

Also present: Jim Martin, Zoning Administrator in person; Tricia Andrews, Recording Secretary via Zoom

The meeting was called to order at 7:02pm by Jerry Bouchard, Chair. Chairman Bouchard stated that this meeting is in agreement with the Governor's March 13, 2020 order that suspends open meetings law as the public has been provided with the ability to join in online or by phone, notices have been posted on the door and bulletin board, website, Facebook page and newspapers. The Zoom meeting number is 82664065580.

The Board reviewed the minutes of the August 17, 2020 meeting. Motion to approve the minutes as amended was made by Mr. Shaver and seconded by Ms. Purdue. All in favor, motion carried with no roll call.

p.2284 mid 2<sup>nd</sup> paragraph typo Ron Zimmer man should be one word, p. 2284 we within is 'were' within, p. 2285 probably won't it until is 'probably won't get it until', Also p.2284 "In pace of the diesel"- should be 'place'.

**Stewart's Shops**  
**Route 9**  
**Site Plan Review/Public hearing**

Chris Potter was present on the Zoom call.

Mr. Martin stated that outstanding items include the DPW County sign off, approval of the water superintendent for hydrant location with regard to snow removal, wider spaces for electric vehicle stalls and handicapped parking, change in size of parking spaces, SWPPP returned from the third party reviewer, DEC sign-off.

Mr. Martin read from the Town's traffic reviewer report, "In summary, the CME traffic assessment provides a reasonable assessment of the traffic impacts of the project,... no significant impact on operation of area roadways."

The public hearing was opened at 7:13pm.

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Regarding the County sign off, Mr. Potter reported that the County had emailed him and read parts of that email for the Board. He will forward the email to Mr. Martin. This is regarding maintenance on the Spier Falls Road side. Both parties have signed an agreement and a copy was forwarded to Mr. Martin. The parking spaces are now all 200 sq ft, 10x 20. There are 40, including the electric car charging stations.

Mr. Potter responded to Phil at Laberge about the SWPPP and didn't hear anything back from him. There has been no response from DEC because there is the potential for more issues to arise when they dig up the space for the new tanks, so there won't be sign-off until that is determined. They are prepared to remediate whatever they need to at that time.

This is SEQR exempt, Type II.

Chairman Bouchard closed the public hearing at 7:19pm. No members of the public were present over Zoom for this agenda item.

Mr. Martin stated that the Board could consider a decision tonight with conditions, having been through traffic review, several comments addressed, etc. The SWPPP comments from Laberge will probably be resolved within a day or two.

Ms. Purdue asked what the magnitude of the outstanding issues was, and Mr. Potter said that the issues were minor- they wanted the certification of the contractor and subcontractors, but he has not hired anyone yet. They wanted other certifications, same problem. Signed documents, SPDES permits etc. are things they can't do until after this approval is received.

Mr. Martin stated that the letter is dated June 3. This would be reviewed again by Matt Dreimiller when the building permit is issued, as he is also the Town Stormwater officer. Mr. Martin read the 13 items on the letter, and Mr. Potter said that all 13 had been addressed and there had been a phone call. They are just waiting to get final word from Phil.

Mr. Arnold motioned to approve the Site Plan for Stewart's Shops on the condition that the 13 items on the engineering report are resolved to the satisfaction of the Town's Engineer, acknowledging that this is a Type II action, and contingent on the receipt of final DEC sign-off.

Mr. Shaver seconded. Roll call vote proceeded as follows: Mr. Arnold, Yes; Mr. Shaver, Yes; Mrs. Mathias, Yes; Ms. Purdue, Yes; Mr. Bouchard, Yes.

Motion that the Chair and one other member sign the mylars when they are presented was made by Mr. Arnold and seconded by Mr. Shaver. All in favor, motion carried with no roll call.

**JAG, LLC**  
**8 Dukes Way**  
**Site Plan Review**

Tim Barber was present via the Zoom call and explained that they want to add a 50 x 50 storage shed within a fenced in area. They requested and received a Variance for a portion of the setback. They need to keep things they produce dry. It will match the existing building. There will be one exterior light over the

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overhead door, and a man door located next to that door. 90% is in the existing fenced area. They have it there so they don't have to move the existing slide gate.

Ms. Purdue asked and JAG is the contractor, RASP is the client. Mr. Martin stated he had made a few comments regarding the lights, but that it is a basic industrial site and he thinks the plan is acceptable.

Ms. Purdue asked if the Board could include specification of what they will store in there, and Mr. Barber stated that he didn't see the merit of that.

Ms. Purdue stated that she was concerned that there would be paper or old cars or something like that.

RASP makes industrial controls, cabinets for industry. They have large electric assemblies that are weather tolerant, but that they would like to store inside. Everything would be relevant to what their operation produces.

Mr. Bouchard stated the concern would be for hazardous materials and Mr. Barber stated that they would need DEC permits if they had anything hazardous there.

Mr. Bouchard asked if there were three lights around the fenced area. Mr. Barber agreed there are existing parking lot lights with no plans to change them. Mr. Bouchard asked which side the new light would be on and Mr. Barber explained that the overhead door is in the left corner. The light would face the existing facility. It will be a downcast LED.

Site work has not been done yet, it is existing crushed stone. The Board discussed adding contours which were not on the maps. Mr. Arnold thought that they were probably on the existing previous site plan because this area was approved as a storage area at that time. Nothing much will change with the addition of the building.

Mr. Arnold asked why they had needed the ZBA Variance and Mr. Martin explained that they got 16ft of relief from the setback of 50 ft.

The specs from the light need to be added to the plan.

No changes to landscaping are planned.

Ms. Purdue asked and there had been no comment from the neighbor during the Zoning Variance process. The neighbor is Cranesville Stone.

Motion to waive the requirement for contour lines was made by Mr. Shaver, second by Mr. Arnold. All in favor, motion carried with no roll call.

Mr. Bouchard asked whether comment was expected from the County and Mr. Martin said that since this is an industrial space with a revision, there wouldn't be a change they would be interested in.

Mr. Bouchard asked whether there would be trucks coming in and out to move these items. Mr. Barber explained that items stored will be components that move back to the industrial floor. There will not be shipping direct from this storage area, shipping takes place from the loading dock.

Motion to waive the public hearing for this Site Plan application was made by Mrs. Mathias and seconded by Ms. Purdue. Roll call vote proceeded as follows: Mr. Arnold, Yes; Mr. Shaver, Yes; Mrs. Mathias, Yes; Ms. Purdue, Yes; Mr. Bouchard, Yes. Motion carries 5-0.

Motion to approve the Site Plan for JAG/Rasp with the condition that information about the acceptable light fixture be provided on the plan was made by Mrs. Mathias and seconded by Mr. Arnold. Roll call

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vote proceeded as follows: Mr. Arnold, Yes; Mr. Shaver, Yes; Mrs. Mathias, Yes; Ms. Purdue, Yes; Mr. Bouchard, Yes. Motion carries 5-0.

Motion that the Chair and one other member sign the mylars when they are presented was made by Mr. Arnold and seconded by Mr. Shaver. All in favor, motion carries, no roll call.

**SRH-TJM, LLC  
Arrowhead Meadows  
Bluebird/Gansevoort Rd  
Sketch Plan Review**

Travis Mitchell was present on the Zoom call.

This is an approved subdivision from about ten years ago. They would like to split it in two to do a mix of different products. He owns it with Rich Schermerhorn. The plans will work together but they have different ideas of what to do with it. It was never filed or stamped.

Mr. Arnold thought that he was the only one present who had been on the Board at the time. There were 84 lots.

This is here because the Board has acted on it previously. This process will void whatever was requested before.

Mrs. Mathias commented that the Code needs to be revisited about this because an 84-lot subdivision coming back up after ten years and a great deal has happened in the area since then.

Since this was approved but never filed, Mr. Martin did not want to make any decisions about it without the Board.

Mr. Arnold asked whether a traffic study that included approved but not built subdivisions, would include one that was finalized and not filed. Mr. Mitchell said that this had been included in studies of the area that he had been involved in.

Mr. Martin encouraged Mr. Mitchell to take further development into account when developing lot one, to make sure there is connectivity to the second parcel.

Mr. Mitchell agreed, adding that it adds value.

Mr. Arnold noted that the previous plan was well done and nicely developed.

Mr. Bouchard stated that it is a two-lot subdivision at the moment and anything can happen with it. Mr.

Martin explained that a new owner could object to connections so he wants it all on the record. Mr.

Mitchell stated that there is also a maximum number of units on a single entrance.

Mr. Arnold thought that there was no reason to take it to the County at this stage as it is a reversal of impact.

**Jack Celeste  
Coach's Corner  
22 Hudson Falls Road  
Site Plan Review**

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Mackenzie Pelton was present via the Zoom call.

This is an extension of the restaurant that was on Saratoga Ave. They have ordered a food truck and wants to offer breakfast and lunch at places of business such as Flo-matic and Angiodynamics. They are looking to create a space where he can park the truck at Epic Ventures.

Ms. Purdue asked if there was an agreement between the owner of Epic and Ms. Pelton explained that her father is the property manager. They are leasing space from EPIC. The truck will not be stored inside and it won't be there 24-7.

Ms. Mathias mentioned that food trucks should be addressed in the Code revisions.

Mr. Celeste has an agreement with Mr. Bill's to prepare food there, the food is not cooked on the truck. The truck will be inspected by the Health Department when it arrives.

Ms. Pelton said that there is a kitchen inside the vehicle, but food prep will be done at Mr. Bill's. The truck will leave reach day at the end of meal period. There will be no tent or cover.

Mr. Shaver was concerned that Mr. Bills didn't have a permit for this and Mr. Martin said that he is allowed to prepare food, so it shouldn't be any different. Mr. Bouchard said he thought of it as ordering a very large to-go order. Mrs. Mathias stated that the DOH requires an approved kitchen for preparing food truck food.

EPIC ventures is in an M-2 Zone. Mr. Arnold wondered whether the food trucks could be considered a restaurant and would need a permit to operate in a Zone that didn't include restaurants. It doesn't apply here, because this is more of a concession. Mr. Martin stated he agreed that it is complicated from a land use perspective. He stated that he considered this as an accessory to the businesses, similar to a cafeteria in a hospital. Mr. Arnold pointed out that they do say they will sell to 'employees and others'. Mr. Martin stated that he had considered that when he made his determination but that the major part would be employees, and Mr. Arnold agreed based on the proposed location.

Ms. Purdue asked whether it could be approved for a year or two and revisited. Mr. Martin agreed that a permit could have a time limit.

Mr. Arnold was concerned with a turnaround that had space for many trucks and that it could become a draw or event, but that may not apply to this project.

Mr. Arnold stated that he would like to see a specific parking space delineated so that there can only be one truck. Mr. Martin thought they could state that it is for one truck in the approval, so it could be different ones.

The plan is to open at 7:00am and close at 2:00pm, and operate 7 days a week unless he has a different site scheduled. He would like to do dinner one night, Thursdays. Mr. Arnold explained that if that is on the plan that way, he can't do anything else and encourage the applicant to leave options. She stated that if they are open for the dinner hour, they would be open til 7:00pm.

Ms. Pelton asked if they could have an agreement to rope off the area so that no other vehicles could drive over it. Mr. Arnold wondered how it could be enforced because they are approving the footprint.

Wouldn't that travel with EPIC and not with Coach's Corner? He would rather see it be an approved site

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plan with one space for one truck, with hours established for health and safety. Mr. Shaver asked how that would be managed if Mr. Celeste pulled up and found another truck there. Mr. Celeste is leasing the space from EPIC.

Mr. Bouchard stated that the plan needs to show one specific parking space and that it is for Coach's Corner only. Mr. Arnold asked if they were sure they only wanted one evening day and Mr. Bouchard observed those were the hours at the restaurant of the same name in the Village for many years.

The plans should state that food is not prepared on site.

There is existing LED lighting in the parking lot.

Ms. Purdue asked whether they are planning signage on the roadway, they are not. They might put a slide into the existing block sign that is there.

Ms. Purdue asked whether COVID business safety planning is the purview of this Board and Mr. Martin agreed that was the case.

Mr. Bouchard thought that would be the Dept. of Health and Mrs. Mathias said that some municipalities have taken it upon themselves but it is otherwise handled by the Health Department.

The Board asked for the lighting to be shown on the plan.

Motion was made by Mr. Shaver to approve the Site Plan with the four conditions listed: Hours of operation are 7am- 2pm and until 7pm on Thursdays, a space must be delineated as 'for Coach's Corner only,' food is not prepared on site, lighting shown on plan. Mrs. Mathias seconded.

Roll call vote proceeded as follows: Mr. Arnold, Yes; Mr. Shaver, Yes; Mrs. Mathias, Yes; Ms. Purdue, Yes; Mr. Bouchard, Yes. Motion carries 5-0.

Motion that the Chair and one other member sign the mylars when they are presented was made by Mr. Arnold and seconded by Ms. Purdue. All in favor, motion carries, no roll call.

Mr. Shaver motioned to adjourn at 9:06 pm and Ms. Mathias seconded. All in favor, motion carried with no roll call.

Respectfully Submitted,

Tricia S. Andrews