

A meeting of the Town of Moreau Planning Board was held on December 21, 2020 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Peter Jensen	Chairperson
John Arnold	Planning Board Member
Erik Bergman	Planning Board Member
Jerry Bouchard	Planning Board Member
Mike Shaver	Planning Board Member
Ann Purdue, Esq.	Planning Board Member
Meredithe Mathias	Planning Board Member
Adam Seybolt	Alternate Planning Board member

Also present: Jim Martin, Zoning Administrator in person

The meeting was called to order 7:00pm by Chairperson Jensen. The Board reviewed the minutes of the November 16, 2020 meeting. Ms. Purdue asked for a change on p. 2306 to “Ms. Purdue said she still would like to understand the amount of traffic this is going to create. She doesn’t know if this is what’s been going on so far, but it had been suggested earlier that they would be turning over 100 vehicles every week or week and a half.” Motion was made by Mr. Shaver and seconded by Ms. Purdue to approve the minutes with those corrections. All in favor, motion carried with no roll call, Mr. Bouchard abstaining.

**#1 The Lawn Care  
Route 9  
Site Plan Review**

Dave Whitbeck was present over the phone. He stated he hopes to start operating as normal. He has had a discussion with Mr. Martin about turning off their back up beepers during the middle of the night. They are going to install the beepers with the ability to shut them off.

The Chair asked Mr. Martin if there were other outstanding items from the October meeting and Mr. Martin reviewed the list. He stated that the applicant was asked to move and reconfigure the highway access. This was discussed with the Highway Superintendent and the conclusion was to leave the existing driveway where it is. He heard that in verbal discussions with Paul.

Mr. Shaver explained that he had talked to Paul too and his concern is that he has seen actual dump trucks in there dumping dirt and that kind of thing. So he thinks and hopes that with the school buses and those kinds of things and there is dirt going in at the back, proceed with that entrance maybe by spring because of the dump trucks going in there. Also, he doesn’t want to be the guy who asked for back-up beepers to be turned off, and have someone get hit. So he would prefer to see shrubberies added along Route 9 so that it could make it look nice as well as quiet the noise. There are families in the area and children across the street so it would be beneficial to buffer the noise. He also thinks the place looks very nice.

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Mr. Martin asked if he was talking about a second driveway and Mr. Shaver stated that he respects Paul but he thinks that this is the best thing to do considering the situation.

Mr. Whitbeck stated that he would not be able to get a second driveway in by spring, and that he would have to redesign everything he has presented to the Board to do it. It would take away twenty percent of the available space that Mr. Whitbeck needs, so he is not going to be able to do it.

Mr. Whitbeck offered to open up what is currently there to allow for tri-axles to get in and out. He could easily add another twenty feet on the west side of the Nolan Road entrance. That would solve the problem and he would be able to get a 53' trailer in there, which he is not even trying to do.

Mr. Shaver said that he would go along with that as long as Paul checked it out and it was okay with Paul. He and Mr. Whitbeck agreed that it is almost straight on a right hand turn that way.

Mr. Whitbeck stated that he had put a lot of thought into that area, and this was the best solution. And Mr. Shaver stated he did not want to have the beepers turned off. Mr. Whitbeck said that he couldn't put up shrubbery as a buffer right now because he doesn't own the property and shrubberies are quite expensive, so he will need a little time. Mr. Shaver asked what he could do in the meantime and Mr. Whitbeck stated that there is snow that helps right now. There will be a fence through there, but there is nothing they can do in the winter anyway. He will need time to talk with Ty and the bank, to see what he can do. They have already discussed what they can do along the back that makes a noise barrier and adds some security. If anyone in the neighborhood has concerns about noise they can come to him, but he prefers not to work outside the normal business hours anyway. Within business hours they plan to be as respectful as possible in terms of noise.

Ms. Purdue asked whether they would lose a couple of the parking spaces if they widened the entrance in this way, and Mr. Whitbeck said that they have room on the other side of the building for seven more. They have twelve now and may lose two, but they still have some in reserve, more than they need right now.

Ann asked what the parking requirement would be, and Mr. Martin asked the size of the retail floor space inside the building. Mr. Whitbeck guessed that it is 40 by 16, so 4-500 feet, and one space is required for every 100 sq ft, so they would need five for customers. Mr. Whitbeck said that they are only using 5 now. The other factor is employee parking, and it is in the spot where they will lose. There are a couple of people who work on-site administratively, he needs 5-6 spaces. So the overall requirement is ten, which Mr. Whitbeck agreed was reasonable. Ms. Purdue asked if that could be on the site plan. Mr. Whitbeck asked whether that could be in intention and not done right away, and Mr. Shaver asked whether they would do the widening of the drive right away. Mr. Whitbeck agreed that he would if the ground was thawed enough. They are somewhat backed up with the storm that just happened. He could just tear back the fence and move the stone back. Mr. Shaver agreed that would work.

Chairman Jensen suggested that an approval require these things to be accomplished within some reasonable time frame. Mr. Shaver suggested 90 days, but that would not put him beyond frost so Mr. Martin suggested May 15<sup>th</sup>. Mr. Whitbeck stated that he couldn't hear what was happening.

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Mr. Martin stated that there would be a combination of fence and vegetative screening. He asked about the salt storage. Mr. Whitbeck stated that he doesn't have any there right now, it is inside on pallets and they use buckets to load it into the tailgate spreader. But when the time comes they want to have an outside bin for it, with a concrete floor and a cover over it so it stays dry & contained. He stated he wanted to come to the Board when he was ready to do it but is not in a position now to do it. They don't want big commercial accounts, they do small commercial and residential so they don't need as much material or large equipment. When they get the bin it will be modest.

Mr. Martin reported that he had asked about a weight limit on Nolan Road as discussed last time, and there isn't one according to the Superintendent. Mr. Martin asked for the hours of operation and they are M-F 7:00 to 5:00 for the workers to come on-site and go out to jobs, and 9:00am-5:00pm for the office, Saturdays half the day. 9-12 or 8-2. There are no back up alarms on anything now but as they get established they would not want an OSHA violation but they will keep use to a minimum.

Mr. Seybolt shared that there is a white-noise back up alarm which is very effective, and Mr. Whitbeck was not familiar with that. Ms. Purdue asked Adam what it sounds like. Mr. Whitbeck found it on amazon.com and said they only cost about \$30. Mr. Seybolt state that they make a whooshing noise.

Mr. Martin asked whether Mr. Whitbeck had discussed lighting the driveway with Paul and Paul said that they would have to wither put something in the back or open it up.

Mr. Martin reviewed the seven items, silt fence in areas of fill; vegetative fence, built fence or screen, or combination of the two, along Nolan Road; widening the existing driveway to accommodate longer axle trucks; parking with a minimum of ten spaces shown, which are 10 ft by 20 ft; salt storage with occur inside or within a contained bin; hours of operation M-F 7:00-5:00, office 9:00am-5:30pm and Saturday 8am-2pm; when needed, install white noise back up alarms on site vehicles.

Mr. Whitbeck thought that it was all pretty reasonable. As far as shrubs go he will try some out but they will need some time to grow. Mr. Martin stated that there will be a May 15<sup>th</sup> deadline on the widening of the driveway and the planting of the vegetative screen. He will have to show it all on a site plan that can be signed but he won't have to do it right away.

Mr. Martin stated that this is a Type 2 action and Chairman Jensen agreed.

Mr. Shaver asked whether the Board should check with Paul and Mr. Martin said that he would do that. Mr. Shaver thanked him.

Chairman Jensen asked the Board whether they wanted a public hearing for this application.

Mr. Martin stated that they normally do on Route 9, and that the last time he talked to Mr. Whitbeck he was fine with this waiting until January. He stated that the Town has received no complaints about this use there, but they have not been notified.

The Board members shared their opinions about that. The policy has been to do it on Route 9, and it will not prevent the applicant from doing business in the meantime. Mr. Bouchard motioned to move the meeting to January 25<sup>th</sup> and to move the meeting from Feb 15<sup>th</sup> to be Feb 22<sup>nd</sup>. Mr. Arnold seconded. All in favor, no roll call.

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Mr. Bouchard motioned to schedule a public hearing for The Lawn Care Company on Route 9 for Monday January 25<sup>th</sup> and Ms. Purdue seconded. All in favor, motion carried with no roll call.

**#2 William Smith**  
**Route 9**  
**Site Plan Review**

Bill Smith and Mike Romeo were present virtually.

This was subject to action from the Zoning Board of Appeals. It was approved for a Special Use Permit with a 100 car limit on the number of cars stored and the Planning Board should determine if any kind of beautification was required along the corridor. Indication of entry and exit point for delivery trucks or picking up was shown, loading and unloading area and they have reduced the number of car spaces to 1200 and widened the driveway to 15 feet. They have indicated the line separating C-1 and R-1 zones and provided a 25 ft buffer there, and have indicated where utility poles are. That was the list of things requested in November.

Ms. Purdue asked why there was a space that looked like a double parking spot near the access driveway, and whether that was going to be something else. Mr. Smith stated that it is a garage. On the north end of the back row. No exterior signage, no exterior lighting, only storing cars and light-duty trucks, limited to 100 vehicles, lot is going to be resurfaced with a fresh layer of gravel, no salvage vehicles at any time and no retail sales on the lot.

Mr. Smith asked Mr. Romeo to look at the map for him to answer Ms. Purdue's question. Mr. Romeo thought that it was just two spaces, and Ms. Purdue said that they shouldn't have that because it put them over 100 spaces. She asked whether he wanted to get rid of those two spaces or two others, and Mr. Romeo said he would rather get rid of two on the right side of the map. Ms. Purdue asked what they planned to do with the buffer area, and Mr. Smith and Mr. Romeo stated that there are already trees there. Asked what kind, Mr. Smith stated it is saplings, nothing fancy.

Mr. Bouchard asked about the drawings and whether all this information is going onto the old site plan map. The old one had other numbers and things that were handy. Mr. Smith said that if would be hard to get that from Bill Rourke but these numbers came from that map, because that is what he was asked to do. Mr. Martin offered to make a two page set and include the old map of the actual site plan, which he has a copy of. Ms. Purdue pointed out that the scale is missing from the second page.

Ms. Purdue asked for further details about the amount of traffic and number of car haulers. Mr. Romeo stated that the majority are 3-car haulers but they might see up to 8-car haulers on occasion. Between 3 maybe 5 different haulers a day would show up.

Mr. Romeo stated that 7:30am to 5:00pm would be the majority of the hours and that it mirrored the hours across the street. Some that want to come earlier might spend the night nearby and be there as early as possible in the morning. He wanted to be able to have people come in and pick up a car on occasion.

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Mr. Shaver stated he had driven past multiple times and seen the haulers there, inside the parking area, and he understood that they know their job is to get in and get out. They do not disturb traffic. Mr.

Romeo stated this is the same volume they have had for years, and they are making the change to the location because truckers had a hard time getting in when it was at the back of the bowling alley.

Mr. Bouchard stated he was not seeking to limit the hours of operation, just that it has to be stated. Mr. Romeo said he would like 8am-7pm.

Ms. Purdue asked what happens to cars that don't sell, but Mr. Romeo stated that the cars in that lot are sold already, it is just overflow. Mr. Jensen asked if there would be cars for sale or for salvage there at all, and Mr. Romeo stated that even cars there that are considered junk are already sold, and are treated no differently than an expensive car. Mr. Bouchard asked whether the Board should annotate on the plan that the haulers can't park or on load/unload on the side of Route 9, stating it didn't appear that this would be an issue but that he wanted to be thorough. Chairman Jensen agreed.

Mr. Shaver asked if Mr. Bouchard were talking about overnight parking, but Mr. Bouchard clarified that he meant the shoulder. Mr. Romeo stated that he was fine with that, it wouldn't happen but if it did it would be the hauler who was a fault. Mr. Bouchard agreed.

Chairman Jensen asked if the Board had enough information to be comfortable and the Board agreed.

Mr. Martin stated that all the issues raised in November were covered. Ms. Purdue suggested a public hearing as this is on Route 9 and Chairman Jensen agreed. Mr. Smith or Mr. Romeo stated they had already had a public hearing to which no one responded, but was reminded that Zoning is a different Board. This has not been noticed to the public yet as a Planning application. Applicants argued that no one was interested in it at Zoning, but the Board felt that it is good practice to have a public hearing and that if no one attends, that is fine. Mr. Shaver motioned for a public hearing for this on January 25 at 7:05pm. Ms. Purdue seconded the motion. All in favor, motion carries no roll call.

Ms. Purdue asked whether the new plan would have the scale corrected, no overnight parking, no loading on the side of the road and will eliminate the two extra spaces. That matched was Mr. Martin had listed and he will discuss it with the applicants next week.

**#3 Route 9 Autoworld  
Route 9  
Preliminary Plat Review**

Mr. Bob Vittengl was on the line along with Joe Campbell from EDP. This was an application for a three lot subdivision and is a concept plan for the lot across from the end of Reynolds Road on Route 9. They had a three lot with two lots having frontage on Route 9 and one northwest of that would be for a future Zoning compliant use. They have reduced it to two that have frontage. Public water and would connect to public sewer when available. One lot is the existing car dealership. There would be an access road to the one without frontage. They are awaiting response from DOT. This will clean up the intersection and

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provide better access to Route 9. More detail would be provided when Site Plan review happens, they would like a public hearing for the subdivision and to get final approval at that time.

Mr. Martin explained that it was looked at as a three lot in October, as indicated on sheet 3/3 they have reduced it down to two lots, which could have been done by the Zoning Administrator, but Mr. Martin felt that since it was begin at this Board it should finish, especially since it still includes the access road and the DOT conversation about the curb lot. Therefore he directed the applicant to continue with the Board. They have a 65 ft easement on lot 1 that would reduce the size of Lot 1, but even if that happens the lots meet the minimum lot size for that Zone. The potential for the third lot is still there, this is a flexible plan. Mr. Bouchard stated that he had looked at the road atlas and that Lot 2 has 184 feet on the road, and that this is a C-1 Zone so it needs 200. Mr. Martin reminded him that Lot width is measured at the building line. So they just need to orient the building the right way.

Mr. Shaver asked whether the applicant has to put the new road in over the easement as part of the subdivision. There was discussion over how the easement would affect the lot lines and whether they should build the road now. Mr. Bouchard thought that if the second lot were made 200 ft wide then they would be able to put their building anywhere and not have to come to anyone for Variances. Mr. Martin said that the boundary would just adjust back when the road was put in. Mr. Arnold said that Lot 2 is 184 and 323.56 on Lot 1. The easement is 93 feet at the beginning. Mr. Martin stated that is the width that needs to be done in order to accommodate the turn radius at speed on Route 9. Mr. Arnold asked if the 184 began at the far northern edge of the 93 ft. road space. That would put the width at 200 ft at about 15 ft from the curb.

Mr. Martin stated that if these things stay where they are, the building can go way in the back where it is 400 ft there. Mr. Bouchard agreed that the math is there.

Mr. Arnold asked about the hammerhead, and the separate lot listed as 35 x 30. He asked whether Lot 1 would own that. Mr. Campbell stated that it is on Lot 2 and agreed that it should be labeled as an easement.

Ms. Purdue stated she had a question about the EAF where it was stated that there were items of historical value and also hazardous materials.

Mr. Campbell stated that the field auto-populates if there are items of archaeological significance within 500 or 1,000 feet, and he had no control over that. The hazardous materials field was auto-populated because there was a gas station across the street. Nothing was triggered on the site itself. Mr. Arnold thought that it might have been triggered by PCB remediation that has taken place on the site immediately to the west.

Ms. Purdue asked for a timeline for development, since they are relying on the public sewer. Mr. Campbell stated that they have a buyer ready as soon as the subdivision happens and it is not sewer-dependent. Mr. Arnold also had questions about the EAF and wondered whether these were leftover issues from when the plan had been for three lots and also showed potential buildings. This is just a two lot subdivision and there is a question about connecting to existing wastewater, that should be written in as NA. Likewise there is a question about stormwater, and he thought that dividing one parcel into two

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would not cause a stormwater issue. Mr. Campbell stated that the ultimate build-out will probably affect those things, but that they could answer that question as no. Wastewater & stormwater questions will be asked again and answered when the purchaser applies for site plan review.

Mr. Shaver asked who would be responsible for putting the road in.

Mr. Martin explained that this is just a subdivision, and when it develops the construction could be the responsibility of one of these two lots' owners, or the owner of the lot behind them, but it is appropriate to set aside the easement now to allow that to happen when the land owners decide that they want to.

Mr. Shaver asked whether the Board needs to notify parties involved like the Town, that a road is going to be built. Mr. Martin explained that there is a process in place for building a road and turning it over to the Town, that the Highway Superintendent has to inspect it and make sure that it is built to Town Code, and then it is turned over. The complication with this site is that DOT is involved for the access on Route 9, because they may have to adjust the signal depending on the intended use of the new road.

Mr. Shaver said he would hate to see DOT say no after the Town said it was ok. Mr. Martin said that since the two lots in question for this subdivision already have separate driveways and don't depend on this roadway coming into place, the Board can proceed. He does think that this road joining in makes a nice four-way intersection, and that there is a substantial tract of land behind these two that would be accessed. Mr. Arnold agreed that this could go ahead as a subdivision even if the road were never built, but that having the road is to the benefit of the owners of the properties in front, and he is glad they are thinking ahead of a nice way to develop it in the future, which is to their advantage too and not just the lands to the North and West.

Mr. Martin asked whether the existing buildings were going to be removed or remain. Mr. Campbell said they would keep the buildings on Lot 1, but the one on Lot 2 would ultimately be removed and another constructed. Mr. Martin stated that right now the Board would need to see the setbacks, which are side setbacks of 15 ft, from the subdivision line in order to make sure it didn't cut through the buildings. Mr. Arnold stated it was clear that Lot 2 building would not be 15 ft away from this line. Mr. Campbell asked if the Board was saying that he would need to either take down the building on Lot 2 or request a Variance for it in order to get the subdivision, and Mr. Martin confirmed that the Board can't create a non-conforming situation. Mr. Bouchard pointed out that on sheet two it looks like there is a building remnant on the Northwest corner and he wondered if it was an old foundation. That one falls outside the setbacks, but Mr. Campbell said he would find out what it was.

Mr. Arnold pointed out that the car lot building appears to be two feet over the line. The applicant would not be able to get a Variance that allows the building to be on the line or over it. So to move forward with this the building would need to be razed. Mr. Campbell stated he fully believed that the building would be coming down, and asked whether that had to be done before they could get the subdivision approved or it could potentially be a condition. Mr. Arnold thought that they could approve a site plan that stated the building had to be removed, but Mr. Martin stated that they would not be able to file the subdivision with the County with a non-conforming lot line on it. They would have to take it down before they did the

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filing. Mr. Bouchard suggested they could move the lot line to the other side of the easement, but in that case the building on the other side would also be on or over the line.

Mr. Martin asked what the separation is between the wood frame building on the northern lot and the showroom section of the car dealership that is closest to it. Mr. Campbell thought it was about 50 feet. Mr. Martin suggested straightening the subdivision line right between the two buildings, and that might give them 15 feet on either side. Mr. Campbell stated he would need to confer with Mr. Vittengl a little bit more and answer that question at the next building. He stated he didn't want to do anything that would complicate that future road by having it on two different properties. Mr. Martin suggested drawing the line between the two buildings with 15 feet on each side, and then adjust it in the future to accommodate the 60 ft. road easement. That would allow the applicant to continue to move forward with the subdivision now without worrying about the demolition. Mr. Campbell stated that he liked that idea. Mr. Shaver asked whether they would then not build the road right away, and Mr. Martin said that they had never intended to build the road now.

Ms. Purdue asked if they were not going to require certain details from the applicant because it is a subdivision and not a site plan, and Mr. Martin stated that the Board has leeway to ask for whatever it wants on the subdivision plan, and could discuss it or defer it until Site Plan. Mr. Martin stated that the idea they are trying to do is a great one, and he fully supports what they are trying to do with the road, it just can't be done right now with the sites in the condition they are in. The building has to be gone or lifted up and moved 15 ft. Mr. Martin stated again he gives the owner a lot of credit for what he is trying to do, it just can't be done to meet the Code at present. Mr. Arnold stated he thought they should leave the easement in because it is clean and works the way it is, they can deal with the building as it has to be done anyway. Mr. Bouchard stated that he liked Mr. Martin's solution. It isn't necessary to show the buildings because the lots are large and there will be room for whatever they do. Mr. Arnold clarified that the idea is to run the line down between the buildings and show 30 ft on either side as an adjustment. Mr. Martin stated that he thinks they should show a proposed boundary line between these buildings that is compliant with the setbacks, not requiring any demolition or moving anything. But it should also demonstrate the idea of this easement and the concept of continuing access to the rear. He doesn't lose that just because they have to adjust the lines to meet the setbacks. There can be a statement on the plan as to future intent to adjust the boundary and provide 60 ft for an access road for this property as well as the property to the rear.

Mr. Arnold thought that Mr. Martin's plan to move the lot line down the road would cause a problem when they are selling lot two and the new owner could decide they don't want the road on their lot. And the future lot line adjustment could potentially leave the owner of one lot without the 60 ft to build the road independently. So he suggested moving the line to in between the buildings but putting on the plan that there is a 30 ft easement. Mr. Martin agreed. Mr. Bouchard stated that they are currently showing front setbacks as if the road were there, and they should remove that and treat these as side setbacks for now. They might keep the line to remind them where it has to be if the road goes in, but change the way that it is labeled. For now those are just side setbacks.



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Mr. Campbell stated he had no problem with any of that, including a restriction on the future front yard setback. Mr. Martin asked him to show the easement because then it goes on the deeds for each lot which strengthens the idea that the future road is going to happen. It has to be on the plat as well as on each deed. Mr. Martin raised the question of the archaeological findings and stated he didn't know of any other way around it besides a 1a. Mr. Campbell explained that the subdivision doesn't involve any ground disturbance. By the time the site comes back for a Site Plan that does involve ground disturbance, they will have completed their archaeological digs and will be able to report on it.

Mr. Arnold stated that the notations are on the plat so that anyone who wants to buy it will know about the findings, and Mr. Martin also stated that will also make sure it comes up at Site Plan.

Mr. Campbell stated that he could be ready for a January meeting and Mr. Arnold motioned to schedule a public hearing on January 25<sup>th</sup> 2021 at 7:15. Mr. Martin reminded the applicant that signs have to go up about the public hearing ten days ahead of time, and Mr. Campbell stated he would work with the Town to get those up.

Ms. Purdue asked whether SEQR would be done tonight. Mr. Martin said that technically that should be done in advance of the public hearing. Mr. Bergman seconded the motion. Motion carried unanimously with no roll call. Motion was made by Ms. Mathias to declare this a Type II Action, and Mr. Bouchard seconded. Motion carries unanimously with no roll call.

**#4 Cerrone Builders/Jacobie Farm South  
Moreau Rec Road  
Sketch Plan Review**

Anthony Cerrone and Gianni Cerrone with Joe Campbell from EDP presented.

Mrs. Mathias disclosed a personal relationship with Mr. Cerrone, no financial interest in this project but a friendship.

Mr. Campbell asked whether his presentation could be shared with the Board, but there was no way to do that. Everyone had the Site Plan for both North and South plans, and Mr. Martin wondered if they could be reviewed together. Mr. Campbell stated that they were two separate projects. Jacobie Farm North and Jacobie Farm South on the east side of Gansevoort Road alongside Lenox Road or Rec Park Road, that leads to the Harry Betar Park. Properties are on North and South sides of the access road, R-2. The North side is about 14.75 acres and South side 14.5 acres. They will have access to public water and individual septic systems. They are proposing two cluster subdivisions, 26 and 27 lots. The north side will have a one way access road so that no curb cuts are on the access road. The center green spot would be maintained by a homeowners' association. The houses will be in clusters. They also plan to dedicate a section on the south side of the road for a sign that will indicate the entrance to the park. South side of the road three plots west to east, single one way access road, large open space areas within center green area of these lots, and a boulevard access point. South side of the property an asphalt pathway to the park. Limiting curb cuts directly onto the road and to provide a parkway setting.

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Overall it's 27 on the north and 26 south so 53 new lots. They are here for Sketch Plan review before they begin engineering the individual projects.

Chairman Jensen asked the Board for questions. Mr. Arnold stated that page 3 is messy on both applications. 75 x 150 ft proposed size is a little less than 12,000 sq ft. Under "smallest lot" it says .34 square feet. He wondered if that should be .34 acres, but 12,0000 sq ft is less than .34 acres. SO the numbers need to be cleaned up a bit.

Mr. Campbell stated that the minimum lot size calculations takes into consideration all the setbacks and minimums. They aren't actually proposing a lot that small. Mr. Arnold noticed that there is a portion on the West end of the Jacobie property of about 2 acres that wasn't included in the South development. On the North plan, the houses acreage didn't match, and it appears the 2 acres were included with the portion on the South. Mr. Campbell stated that this was the most attractive layout, but they have to meet the density requirements of a cluster development so they needed a bit more land and they took that from the South side.

Mr. Arnold asked for clarification that these are two separate subdivisions, and when Mr. Campbell agreed that they are Mr. Arnold said it wasn't typical to allow a developer to pick up land that isn't contiguous to the project and use it against their density calculations. If these are separate then that is what they would be allowing. just so they could increase the number of houses on the north side of the road. Mr. Campbell agreed that is what is happening but it is the most beneficial to the community to have the layout this way. They could adjust the lot lines or something.

Mr. Arnold stated this is a moot point if this is one subdivision but since they are handling it as two, they are borrowing land from the other subdivision that is not attached, it does not work. Another developer could use that to grab land from anywhere and add it to their subdivision in order to be allowed to add more houses. Mr. Arnold stated that he likes this layout, and if they have business reasons for doing this as two subdivisions, that is their business, but they can't borrow land that way. Mr. Campbell explained that they wanted to do it as phases so that they didn't have to build the road on the South side right away. They need to fund the first to get funding for the second.

Mr. Martin stated that this is a very creative design. He has seen several for this property and this is the most creative, and the use of the one-way roads is good. But he does think this could be a 54 lot subdivision in two phases. Mr. Martin was wondering how the one ways fit together but since this is done separately he can't see. The two subdivisions and two approvals concept complicates things, they can approve one and phase it. Mrs. Mathias also felt that it would tread a fine line with SEQR Review as well. Mr. Campbell stated that it he does have a master plan that he couldn't show the Board because of technology that shows the roads align and other details.

Mr. Martin stated he also wanted the developer to show another lot that is for the HOA, which will have a separate tax map number.

Mr. Arnold asked about the orphan lot on the South side. It's just going to sit there, banked. he wouldn't mind if it was directly across the road, but it is not and is not discernible as part of this subdivision. He would really like to see it put back together as one development. Mr. Martin asked and the density is

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based on the additional 2.01 acres. If so that portion of land would have to be very clearly marked that it can never be developed in any way.

Mr. Bouchard commented that the Boulevard style road that was designed to provide access to potential development to the South. To access it, drivers have to go all the way to the end of the park road.

Presumably there will be trails and uses that attract kids, foot and bike traffic and so it would be better to move that proposed access closer to Route 32, rather than pulling all that traffic closer to the park. Mr.

Campbell explained that they had been trying to mirror the curb cuts on each side of the road. In order to create the rec road as a park like entrance and avoid curb cuts they did that. The 2.0 parcel does not align.

Mr. Bouchard said it would be helpful to be able to see where the lines are for the adjacent properties. Mr.

Campbell tried to explain. Mr. Bouchard located a phantom line at the Southeast corner. Mr. Bouchard stated he knew the developers knew what they were doing, but if it were possible for the sake of traffic to reduce the amount of traffic that went all the way through, he would prefer it.

Mr. Shaver asked whether the Highway Department liked 60 ft wide roads, and Mr. Martin stated Highway had seen it and had no problem with it. Mr. Shaver asked if the utilities would be under the road

or on the side of the road and Mr. Campbell stated it would be next to the road and that the water in

particular is a one-way loop. Mr. Shaver asked whether the Water Department had been consulted and

Mr. Martin said there had been preliminary meetings and that the main was big enough to provide

capacity for this. Mr. Shaver asked whether there were any plans for water use in the Rec. Park, and Mr.

Campbell stated that in conversations with the water department they discussed bringing water into the

park. Mr. Shaver asked whether school transportation department was ok with the smaller roads because

he thought they might not go into smaller roads. He also was concerned about the additional kids that

would be added with 50 houses. Chairman Jensen stated that schools are always sent a packet when a

new housing developments. Mr. Shaver thought that the school transportation department should be

given a phone call since this would involve pickup of kids on one-way roads. Mr. Bouchard stated he

could picture a bus coming up the one way and having no way to get out of the cul d'sac.

Mr. Shaver also thought that the dead end road going into the rec road might not happen but it should be

looked at. Mr. Campbell stated that they always work with the school system but the idea was set up so

that pickup would occur on Rec Road. All of the homeowners have expectation of a safer environment.

Mr. Martin stated it might be early to say so but the Town has been finding that the postmaster won't

approve individual mailboxes and instead requiring a group of off-site mailboxes somewhere in the

development, so he thought that Mr. Campbell should be in touch with the post master now to find a

space for the mailboxes.

Ms. Purdue asked whether the HOA would operate the stormwater management ponds, and Mr. Martin stated that this was a hybrid model where the center portion of the eyebrow owned by the HOA but the

rear areas of the lots owned by the owner and the owner restricted from cutting there. The roadways will

be owned by the Town. Ms. Purdue asked whether stormwater was the responsibility of the HOA. Mr.

Campbell said he would discuss with the Town because in some places he has seen it belong to the Town

but be managed by the HOA, or it could be owned by the HOA, but he needed to discuss it with the Town

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and the Town's lawyer. Mr. Martin stated he thought the Town would not want to own it, and Ms. Purdue asked again who would handle the stormwater. Mr. Campbell said that it would be the HOA. Ms. Purdue asked whether there was a way to do a neighborhood traffic study, and Mr. Campbell explained that traffic study is not done for individual subdivisions, but all of the proposed development in an area, whether built or not, is taken into account when a study is done. Ms. Purdue said she had seen some that did not and Mr. Martin affirmed that they should do this. The Board has been careful to make sure that background growth is included, and engineers have called him to ask what is coming up.

Mr. Martin agreed that this one and the next are big projects virtually across the street from one another, and he thinks it's worth exploring whether the two landowners would be interested in adding their resources and funding the traffic study together as they are both happening with the same engineer. It would be cleaner and neater to do a jointly funded study that looks at all of this at one, and it will involve 140 lots in the end. Mr. Campbell stated that a traffic study would have been done when this was first brought up, and Mr. Martin stated that it would have to be updated because that was some years ago. Mr. Campbell agreed to have that conversation.

Mr. Bouchard asked whether there were street lights provided and Mr. Martin said that Sketch Plan is too early to do that but that the Town has expressed interest in some streetlights on one side of the park road for safety reasons. Mr. Campbell said that they would have to look at the budget for the whole project as they had already been asked to do sidewalks and other accommodations for connecting to the park, the water is expensive and the Town has a long wishlist. They have to go through the list and see which ones are of most value to the mood they are trying to create, but he would agree that lighting is important for safety. Mr. Bouchard was satisfied with that.

Mr. Shaver asked if they had plans to hook up to sewer and Mr. Campbell said they were just proposing to have individual septic systems as they weren't aware of any plans to bring septic to that area in the near future. There will be a lot more detail for both septic and water on the next plan as this one was mostly about layout.

Mr. Martin stated that the takeaway tonight would be to join the two into one development with two phases, and Mr. Campbell said he would explore that. Mr. Martin stated he liked this design, especially the elimination of curb cuts on Rec Road. Mr. Campbell stated he thought it would be good for landowners as well as the Town. Mr. Martin stated this seemed like a favorable view of the application except for the need to join the two into one.

**#5 Lands of SRH/TJM**

**552-554 Gansevoort Road**

**#6 Arrowhead Meadows**

**60 Bluebird Road**

**Sketch Plan Review**

Travis Mitchell was present virtually over the phone. The Board was not able to see the presentation he had prepared. This is a 23 acre parcel on Gansevoort Road that is partially in the R-1 and partially in R-2. The Zoning allows for 42 houses, they have proposed 40. They are split into two different applications, it

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was approved in 2010 and they haven't moved on it so they have split it into two as he and Rich Schermerhorn own the parcel together. Everything works together, with open spaces behind the lots. The stormwater is on common lands. Mr. Mitchell had overheard the discussion of the joint traffic study. This had a traffic study ten years ago when it was first proposed and they had carried it forward over the years as other projects developed in the area. It has been updated in November. They will go ahead with Mr. Cerrone to update the study for the two projects together.

This is not for detailed review tonight but they are pretty solid with where they are headed. They have submitted a SEQR long form and would like to move the project forward to the Town Engineer and other consultants for their review. They would like to schedule a public hearing.

Mr. Arnold asked if lots 1-25 had a sidewalk on the initial proposal, with slightly smaller lots. Mr. Mitchell said that there was going to be an eyebrow with senior's portion on the previous plan. Mr. Mitchell said he had a side by side comparison in his presentation that he couldn't show the Board. Those lots are no longer smaller lots. Mr. Mitchell stated that they had moved away from the idea of a senior's section. Row A in the South end says "begin with....something." Mr. Arnold was uncertain how this was two parcels with shared roads. He asked if they are preparing to build the roads at the beginning to make sure all the access is there. Mr. Mitchell stated that the proposal that is later on the agenda would be constructed first, and would have the entrance as well as connecting to this parcel. It would have the primary stormwater for both. It has to be set up so that either one could be constructed first, so some hammerheads might have to be done. Mr. Mitchell said he would get with legal counsel to understand better the relationship of the two.

Mr. Martin commented that as with the previous project he wonders if this could be considered as one project in two phases, because looking at them separately is cumbersome. Mr. Mitchell explained that there are two different owners but that he can otherwise submit it as one comprehensive plan.

Mr. Shaver asked if there was a plan to hook in to the sewer system on Bluebird Road. Mr. Martin said he didn't know that the sewer district was coming there. Mr. Mitchell said that they had waited for ten years to know what was happening with the sewer in that area and were done waiting.

Mr. Martin suggested that there is potential for some interconnection at the backs of the houses. He encouraged Mr. Mitchell to explore that. It is self-contained at this time. Mr. Martin thought that the common land could have internal pathways for the residents of the two communities. Mr. Mitchell said he wasn't going to promote that at this time.

Ms. Purdue asked if the Arrowhead project went in first, would they put in both entrances on Bluebird and Gansevoort Roads at that time, and Mr. Mitchell said that they would. He was asked if there would be two HOAs and he stated that it might be appropriate to have one. Ms. Purdue noted that there were a number of dead-end streets if it was phased. Mr. Mitchell directed her to sheet 2, the pink page and said that there is a connection through from Gansevoort to Bluebird Road. No intersections at first. Where the stormwater management is, there would be a hammerhead until the next phase is constructed.

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Mr. Martin asked for a phasing plan in the next package. Mr. Mitchell said that it was in the Powerpoint presentation but not in the printed materials and he would make sure it was included in the package the next time.

Ms. Purdue echoed Mr. Martin's concerns about sidewalks and interconnecting paths to make it pedestrian friendly between the developments and stated that would be a good asset. Mr. Shaver agreed.

Mr. Bouchard brought up the Cerrone development to the southeast and asked if there could be a connection there. Mr. Mitchell stated that he could not control how the Cerrone's develop their site.

Mr. Arnold thought that a path could go where the stormwater management area is, and Mr. Mitchell agreed that there were possibilities. Mr. Arnold encouraged him to work with Mr. Cerrone as they had been understanding of access issues and Mr. Bouchard added that this would be a huge benefit. Mr. Mitchell was not willing to commit to anything. The way the building lots are on this plan it can't really be done but it might work on the stormwater management area. Mr. Martin pointed out room behind 15 & 16 where it extends to Arrowhead Meadows. Mr. Mitchell agreed that there was room but stated that he didn't have access to the park from there. Mr. Arnold stated that the Board could help with that. He asked whether Mr. Bouchard wanted driving access or just a walkway and Mr. Bouchard said that he was picturing a bike path. All agreed that there would be no vehicle access because that would tempt drivers to short cut. The proposed home size is 1,500-2,000 sq ft and they are working with The Michaels Group and that is for both proposals. Mrs. Mathias stated that this is one project as far as SEQR, etc and it is not helpful to do everything twice. Ms. Purdue agreed. Mr. Mitchell stated that the two projects are under completely different entities. Mrs. Mathias pointed to the interconnected roads. Mr. Mitchell stated he had done it this way before. Mr. Martin agreed that the Board could not do the SEQR assessment as two separate applications and Mr. Mitchell stated that was above his pay grade and he didn't know how the Board should do it. Chairman Jensen stated that it would have to be reviewed as one as far as SEQR is concerned.

Ms. Purdue asked how the Department of Health would be involved as well as the DOT. Mr. Mitchell said that they won't make those submissions until after Planning Board review. They will require this Site Plan to proceed. They will receive notices as part of the SEQR Coordinated review. This has not yet gone to the County. Mr. Arnold asked and this will be on public water. That is also interconnected between the two developments. Mr. Arnold asked where Road B is since there are Roads A & C. There are no mailbox locations noted. Mr. Martin referred Mr. Mitchell to the postmaster. Mr. Arnold asked if there would be one mailstop for the whole site and Mr. Mitchell agreed that there would.

Chairman Jensen gave the applicant time to ask questions and Mr. Mitchell said he would have to get SEQR clarified in terms of reviewing the two at once. Mr. Martin stated that the join traffic study would also have to be explored. Mr. Arnold asked whether there would be difficulties in the two owners working together on the remainder. Mr. Mitchell felt they would be fine. Mr. Martin asked whether the next submission would include a stormwater plan and Mr. Mitchell stated that he already had. Mr. Martin said that he did see the plan in the package he just wanted to make sure that Mr. Mitchell wanted him to go ahead with sending that out to the Town's engineer, because it is a \$2,500 fee. Mr. Mitchell said that was

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fine and he thought that the comments were relatively minor and that there were no major concerns with the layout so he might as well move forward. Mr. Martin asked him if he wanted the two projects to have their stormwater plans reviewed separately, and if most of the stormwater wasn't handled on one site. Mr. Mitchell agreed that was probably true. Mr. Martin said that from a review standpoint it should be one development since they are interdependent. Mr. Arnold asked if they had just said that they were handling the stormwater for one parcel on another parcel. Mr. Mitchell agreed. Mr. Arnold said that is not allowed- sites are not set up to handle their stormwater offsite. Mrs. Mathias agreed that if this is treated as two, one would be discharging onto the other. Mr. Mitchell agreed that was a good point. Mr. Martin stated that it would be reviewed as one plan, and see how it all shook out in terms of review. Mr. Mitchell agreed it was worthwhile to get that review started as the layout is not going to change. Ms. Purdue pointed out that it might also be a complication that the two subdivisions rely on each other to meet the two entrance requirement. Mr. Bouchard thought that if they could solve those issues brought up in the last few minutes, there would be no problems with the planned layout. Mr. Mitchell said that he would try to sort through those issues. He asked whether the other project would be reviewed separately or this was it. The Board agreed they had reviewed them both with these comments. It was noted that 140 lots would create a lot of traffic.

Chairman Jensen mentioned he had neglected to say that the first three applications should be referred to the County. Mr. Martin noted that they would be or already had been.

Motion to adjourn the meeting was made at 10:18pm by Mr. Arnold and seconded by Mr. Shaver. All in favor, motion carried, no roll call.

Respectfully submitted,

Tricia S. Andrews