

A meeting of the Planning Board for the Town of Moreau, Saratoga County, State of New York was held at the Moreau Town Hall, 351 Reynolds Road, Moreau, NY 12828 on the 15th day of

November 2021 at 7:00 pm.

Town of Moreau
Planning Board Meeting
Monday, November 15, 2021

Planning Board Members Present

Peter Jensen	Planning Board Chairperson
John Arnold	Planning Board Member
Gerald Bouchard	Planning Board Member
Meredithe Mathias	Planning Board Member
Ann Purdue	Planning Board Member
Mike Shaver	Planning Board Member
Erik Bergman	Planning Board Member
Adam Seybolt	Alternate Planning Board Member

Also, present Jim Martin, Zoning Administrator, Katrina Flexon, Recording Secretary

The meeting was called to order at 7:00pm by Chairperson Jensen.

The Board reviewed the meeting minutes of October 18, 2021. There were suggested additions, deletions, or corrections.

Ms. Purdue states she has a correction, on the Baker Falls Solar discussion, the third paragraph down she believes is supposed to be New York State SHPO. S-H-P-O

Mr. Martin states that is correct.

A motion was made by John Arnold to approve the reviewed meeting minutes of October 18th, 2021, as amended, and seconded by Gerald Bouchard. Erik Bergman Abstained, six in favor, none opposed. Motion carried.

A motion was made by Gerry Bouchard and seconded by Erik Begman to hold a special meeting November 22, 2021, at 7:00PM to discuss normal business. All in favor, none opposed. Motion Carried.

#1 Alltown Fresh Convenience Mart

Drake Petroleum Company, Inc.

A meeting of the Planning Board for the Town of Moreau, Saratoga County, State of New York was held at the Moreau Town Hall, 351 Reynolds Road, Moreau, NY 12828 on the 15th day of

1401 Route 9, Moreau, NY

November 2021 at 7:00 pm.

Site Plan Review – Preliminary Stage

Site plan review requested: Applicant is proposing redevelopment of the lot for construction of 4,800 sq. ft. convenience store known as “Alltown Fresh” with gasoline and diesel refueling stations on an existing 3.16± acre parcel. The lot is currently used as a smaller convenience store - Extra Mart. (Max Map No. 63.03-1-15.2)

Josh O’Connor of GPI presents the Drake Petroleum Company site plan for Alltown Fresh and provided the board with updates since the last presentation, including: ground water redevelopment plans designed by LaBerge Group, plans to increase green space on site, relocating diesel fueling operations, signage for a truck entrance, 1 hour truck parking along with requested signage for no idling while parked, repositioning of the trash enclosure, creating a depression in grass area to offsite flow of water on property, building a sidewalk from Lamplighter Boulevard to the edge of Extra Mart property in compliance with DOT standards, and 3.5 ft x 7 ft long Berm with a vinyl fence at peak.

Mr. O’Connor states Stage 1 was approved by DOT, but they are still reviewing the Stage 2 submission along with feedback and comments on the traffic survey. Mr. O’Connor explains for the Short Form SEQR they obtained a letter of no effect from SHPO this past summer for a site located within 500 feet of a previously discovered site of historical or cultural significance. On traffic, they have had impacted traffic studies done and submitted to Creighton Manning for review.

Mr. Martin states that the request for lead agency status was approved. A written consent from the Department of Conservation was received.

Chairman Jensen asks if the board has any questions, comments, or responses regarding Applicant’s Environmental assessment for Alltown Fresh Part 1

Mr. Shaver points out that on Part 1 - #11 the applicant has decided against the septic tank design plans that were submitted in the review. They will not be doing this as part of the current project but will connect to the public sewer system.

Chairman Jensen asks if the board has any questions, comments, or responses regarding applicant's Environmental assessment for Alltown Fresh Part 2

The Chairmen goes through the SEQR required questions with the board.

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Motion for a negative declaration for SEQR on Alltown Fresh was made by John Arnold and seconded by Meredith Mathias.

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Roll call vote resulted as follows:

Mr. Arnold	Yes
Mr. Bouchard	Yes
Ms. Purdue	Yes
Ms. Mathias	Yes
Mr. Shaver	Yes
Mr. Bergman	Yes
Chairman Jensen	Yes

All in favor, motion carries.

Chairman Jensen states the project is up for a public hearing as of now and asks if anyone has any comments, they would like to make concerning Alltown Fresh at this time.

Mr. Martin states there are no comments from the online attendees.

Mr. Martin requests we get formal consent from the applicant regarding the \$1,500 for traffic escrow.

Mr. O'Connor states the applicant consents to the escrow amount of \$1,500.

Chairperson Jensen asks the board what else they would like from the applicant, do they have enough information to make a clear decision or do they need additional information.

Ms. Purdue states for the need's resolution of the DOT traffic study and SWPPP comments, and response from the DOT on the Stage 2 submission along with an updated site plan.

Chairperson Jensen states that from what he hears from the board they are not currently ready to give approval, they are waiting on further responses.

Chairperson Jensen closes the public hearing and asks the board if there is anything, they would like to discuss with the applicant at this time

Applicant was given an explanation regarding requirements from the board for approval, the applicant will need to submit the information by December 6th for the next board meeting on December 20th.

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#2 Harrison Avenue Apartments

Schermerhorn Residential Holdings, LP

112 Harrison Avenue, South Glens Falls NY

Site Plan Review – Preliminary Stage

November 2021 at 7:00 pm.

Project Description: The applicant is proposing to construct four buildings with four dwelling units per building on an existing lot consisting of 2.02+acres. The footprint of each building will be approximately 37 feet deep x 78 feet wide. The project will include a kiosk-style building for mail delivery and 64 on-site parking spaces, 16 within attached garages and 48 surface spaces. A stormwater pollution prevention plan (SWPPP) is required.

The board requested the applicant submit additional comments from the towns engineer regarding a traffic evaluation and to develop the site plans with more detail.

Joseph Dannible of Environmental Design Partnership representing Schermerhorn residential holdings has provided the updates required of the board. The applicant has received comments back from the towns engineer on traffic and have revised the plans providing more details. They feel confident that they have addressed all comments regarding stormwater issues and have submitted a traffic study created by Creighton & Manning.

The project does propose a connection to the water main which runs on the southside of Harrison avenue, they propose to tie into the sewer line to the south end of the street. installing sidewalks along Harrison Avenue consistent with adjacent communities. applicant states the Schermerhorn residential holdings will maintain and provide snow removal for these sidewalks.

Looking at traffic for the 16 units, the studies show no safety issues, trip generation using the mid multifamily they have come up with 28AM peak hour trips and 27 PM peak hours. The project provides a low trip generator impacting intersections and surrounding area. They can confirm there is no change to the level of service to the intersections as a result of the project.

Mr. Dannible offers to answer any additional questions and provide the board with any further information needed to go through a coordinated review proceeds to get to a public hearing.

Mr. Shaver asks if the applicant checked with the towns water department, to make sure there is a fire hydrant close enough.

Mr. Dannible replies with confirmation they have contacted the water department and that there is a fire hydrant 400ft away from the project and they are proposing a new hydrant on site.

Mr. Martin inquiries about the most recent correspondence on the SWPPP was October 25th.

Mr. Dannible states the applicant provided a response on November 1st.

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Mr. Shaver asks Mr. Dannible if the applicant needs town approval for sewer.

Mr. Martin informs the board if the applicant is already in the district then no approval is needed, but if they will need a district extension then they will.

Mr. Martin states he thinks they are in good shape and asks the board if they believe a coordinated review is required, if so they will need to request lead agent status, start that process and if they believe a public hearing is appropriate.

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Mr. Shaver states he has more questions. He asks about the details of the sidewalk and adjoining infiltration basins. He asks how close the infiltration basins are to the sidewalk with concerns to them holding water in relation to pedestrian safety. He strongly believes the applicant should speak with the Highway Superintendent and find out if the sidewalk is in the town right of way or isn't, and if this will create a potential problem or the town regarding safety. He believes the sidewalks should be reviewed again. He would like to see an alteration such as removal of sidewalk, install a fence, or move the basins.

Mr. Dannible states in general the land has excellent soil, with highland and great drainage points, the basins are designed to temporarily hold water and to alleviate the water infiltrating the ground in a 48-hour period. He is confident the storm basins will be emptied and maintain the dry grass lawn area surrounding the sidewalk on a regular basis.

Mr. Martin asks Joseph what the depth of the water basins are.

Mr. Dannible states the water basins are roughly 18 inches deep. He states the weather this year has been abnormal and in a typical year they basins will function accordingly. If there were ever to be a situation, they can install a protective fence adjacent to the sidewalk at a later date.

Mr. Shaver states he sees it potentially being a problem in the town's right of way and believes now is the time to correct it if needed.

Mrs. Purdue asks if there is a way to design the water basins to infiltrate faster

Mr. Dannible explains they are governed by the soil levels at the site with dictates how fast the soil will infiltrate.

Chairmen Jensen asks the board how comfortable with the 16 units in the broad scope of all other projects.

Mrs. Purdue states she thinks the traffic study should be reviewed.

Mr. Martin states the traffic analysis should be factoring in all pending projects.

Mr. Dannible confirms the trip counts and reports included all traffic within the area, including intersections close to the site and concludes there is no significant impact in the area from this project. But if it if the board's request to review they will go along with this.

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Mr. Arnold asks how the information was divided up in the traffic study, who made the decision the allotted number of traffic was going in a certain direction.

Mr. Dannible responds stating the traffic engineers do make assumptions looking at the connecting streets, local roads, possible destinations, which is all taken into consideration and put into the traffic study.

Mr. Shaver asks if they had an accurate number on bedrooms per unit as of today.

Mr. Dannible states there will be 2 bedrooms per unit

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Mrs. Purdue states she believes the traffic study needs to be reviewed.

Chairperson Jensen asks the board if they require the applicant to resubmit the towns consultant for further review or is the board satisfied with the information given

Mr. Arnold inquires with concern the traffic survey in front of them is not a traffic study it is a traffic evaluation assessment made by a traffic specialist.

Mr. Dannible states it's a traffic assessment that is well above and beyond what would be required of a project this size already.

A motion was made by Erik Bergman and seconded by John Arnold to have traffic assessment review submitted to town traffic engineer for concurrence or nonconcurrence.

Mr. Martin states that there will be an escrow payment required and it will likely be GPI in this instance.

Chairperson Jensen asks the board if there is any further discussion, then asks for roll call Roll call vote resulted as follows:

Mr. Arnold	Yes
Mr. Bouchard	Yes
Ms. Purdue	Yes
Ms. Mathias	Yes
Mr. Shaver	Yes
Mr. Bergman	Yes
Chairman Jensen	Yes

All in favor, motion carries

Mr. Martin states he will contact GPI asking for an estimate for the evaluation requested by the board and will follow up with Mr. Dannible within a month.

Mr. Shaver states there should be a documented letter from the highway superintendent about the placement of the sidewalks.

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Mr. Martin states he will get in touch with the highway department and obtain something in writing, he also asks the board if they are ready for a public hearing.

A motion is made by Gerald Bouchard to schedule a public hearing for the Schermerhorn 112 Harrison Avenue Apartments for December 20th at 7:01pm

Mr. Martin states there is already a hearing for 7:01pm

Mr. Bouchard amends his scheduled timing for the hearing to 7:06 on December 20th

Chairperson Jensen asks the board if there is any further discussion

Roll call vote resulted as follows:

Mr. Arnold Yes

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Mr. Bouchard Yes

Ms. Purdue Yes

Ms. Mathias Yes

Mr. Shaver No

Mr. Bergman Yes

Chairman Jensen Yes

6 in favor, 1 oppose, motion carries

Applicant was given requirements from the board for the scheduled public hearing, review of the traffic survey from town traffic engineer, escrow fee, and written response from the Highway Department Superintendent, the applicant will need to submit the information by December 6th for the next board meeting on December 20th

#3 Preserve at Old Saratoga

Cerrone Builders

Old Saratoga Road, Moreau, NY 12828

Subdivision – Request for Amendment

Project Description: Cerrone Builders have bought the subdivision and control 24 of the approved lots. The proposed amendment involves elimination of a road in the subdivision known as Ciderpress Court with redistribution of the 8 lots on Ciderpress Court to Hidden Pond Way. The revision of the lot layout as proposed requires approval from the Planning Board.

Joseph Dannible of Environmental Design Partnership representing Cerrone Builders project on Old Saratoga Road. He states the original project was approved in 2007 as a 26-lot subdivision, 24 lots were sold to Cerrone Builders who retained the project and extended all the approvals and are looking to redevelop the project. The applicant proposes to eliminate the 900ft long cul-de-sac Ciderpress Court and area associated with it and reconfigure the lots to

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front on Hidden Pond Road. The applicant will keep the allotted number of 8 lots from the preapproved plan.

Mr. Dannible states there are significant benefits to the town associated with this revision including removal of 900ft of road for the Highway Department, removing additional impact on the land by taking out lengthy driveways that would have been located on the cul-de-sac, the revised plan preserves more trees and open space by not removing as much vegetation as previously proposed.

Mr. Dannible states with the original approval for the plan they applicant obtains a Negative Declaration from SEQR, every item was reviewed and determined to be of no impact, looking at those impacts today they are identical if not reduced, therefore the applicant believes it should be found that if needs this project should be found as in compliance with the original SEQR determinations.

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Mr. Dannible reminds the Board they already have approval to begin construction on other parts of the project which they are working on a start date shortly specifically Lookout Circle, the only thing the applicant is looking to amend is one section of the development itself.

Mrs. Mathias inquires on an archaeological site with a buffer around it on the plans.

Mr. Martin replies that the buffer needs to be maintains, it is a no disturb area.

Mr. Dannible states this area was part of the original approval, there was an archaeological site on the plans, and as long as the applicant maintains it shouldn't impact the approval they are seeking.

Mr. Martin states that Lot 16 does not have its own dedicated driveway, they will have a shared driveway. He recommends there should be a shared maintenance agreement for the driveway and the deeds for the lots should reference the cross access for the driveway area.

Mr. Dannible refers to a large driveway with 5 lots in another part of the plan which already has the appropriate language for easements getting set up for each lot.

Chairperson Jensen asks the applicant if they are materially affecting the SWPPP.

Mr. Dannible responds with the project is impacting the SWPPP by reducing impervious area as well as limits of disturbance, all of which are benefits.

Mr. Martin states that the proposal is insignificant in the fact that it is decreasing the impervious area they have overall improved the project.

Chairperson Jensen asks the board what they would like to do.

A motion was made by Erik Bergman and seconded by Mike Shaver to waive a public hearing on the changed plans to Old Saratoga Road.

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Chairperson Jensen asks the board if there is any further discussion, then asks for roll call.

Roll call vote resulted as follows:

Mr. Arnold	Yes
Mr. Bouchard	Yes
Ms. Purdue	Yes
Ms. Mathias	Yes
Mr. Shaver	Yes
Mr. Bergman	Yes
Chairman Jensen	Yes

All in favor, motion carries

Mr. Bouchard states he would like to see detail on the new shared driveway specifically the length for lot 14 & 16 be updated in the plans.

Chairperson Jensen asks if there is anything further to discuss with the applicant.

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Mr. Martin states it would be beneficial to have a revised grading plan on the updated plans.

Mrs. Mathias states lot sizes 2 – 12 are missing on the plans.

Mr. Arnold inquires if lot 14 and 16 will require draining for runoff from a storm.

Mr. Dannible states there is a drainage plan involving an infiltration system on the sides of the road to counter any runoff water.

Mr. Bouchard asks about lot 12 septic clearance details asks Mr. Dannible to adjust it like the rest of the lots which should be 100ft from the well.

Chairperson Jensen asks the board what else they would like from the applicant, do they have enough information to make a clear decision or do they need additional information.

Mr. Martin asks Mr. Dannible if the board will receive a plan with updated details regarding the revisions proposed.

Mr. Dannible states they will have a plan with upgraded grading, clearance and deletion of details that have been removed from proposed plan

Mr. Martin asks Mr. Dannible if he has a proposed driveway agreement that will address the specified lots.

Mr. Dannible states they have agreements written up and will apply them to the lots with shared driveways.

Mr. Martin states the board should acknowledge the status made on SEQR for the record.

Chairperson Jensen asks if there is any further business for the board.

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Mr. Martin states there is no further business.

A motion was made by Gerald Bouchard to Adjourn the Planning Board meeting scheduled on November 15, 2021, and seconded by Meredith Mathias.

Roll call vote resulted as follows:

Mr. Arnold	Yes
Mr. Bouchard	Yes
Ms. Purdue	Yes
Ms. Mathias	Yes
Mr. Shaver	Yes
Mr. Bergman	Yes
Chairman Jensen	Yes

All in favor, motion carries

Meeting was adjourned at 9:08 pm.

Respectfully submitted,

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Katrina Flexon