

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

G. Peter Jensen	Chairman
Linda Riggi	Planning Board Member
Reed Antis	Planning Board Member
John Arnold	Planning Board Member
Dave Paska	Planning Board Member

Absent:

Erik Bergman	Planning Board Member
Charlene Endal	Alternate Planning Board Member
Ron Zimmerman	Planning Board Member

Also present: Garry Robinson, Consulting Engineer; Stefanie Dilallo-Bitter, Attorney for the Town; Tricia Andrews, Recording Secretary.

Chairman Jensen called the meeting to order at 7:00p.m.

The minutes of the July 21, 2014 meeting were reviewed. Mrs. Riggi motioned to approve the minutes of the July 21, 2014 meeting, and Mr. Antis seconded, but since Mr. Arnold and Mr. Paska abstained, the motion was defeated.

#1 Bluebird Trace/Harrison Quarry PUD
Apartments & Townhomes
Harrison Avenue
Public Hearing
Site Plan Review

Travis Mitchell appeared and presented the most recent site plan. A bus drop-off requested by the school has been added in the apartment complex.

There is a single entrance off Bluebird Road for the senior complex. The Fire Department asked for access around the building, which shows in all the plans. The builder will extend the water into a loop as part of the public benefit for the project. DEC and Army Corp have been on site, there are no DEC wetlands but Army Corp. will require two permits. In a traffic study no adverse impact was found on intersections, but in the traffic study the speed limit on Bluebird Road was incorrectly stated at 45 mph,

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so for the record at 55mph the driveway still has adequate sight distances. Landscaping has been added at the front for screening. School superintendent also asked for a second drop off at each entrance, the developer is not sure they know there is a path connecting the two, so it may not be required to have the second one.

The Chairman set the ground rules for public hearing.

Mr. Paska: Is there a walking path from one to the other?

Mr. Mitchell: No, the two developments are separated and we don't control the property in between.

Mr. Paska: But there's also no fence?

Mr. Mitchell: No.

Mr. Antis: How would someone be parked in the rear and enter the building?

Mr. Schermerhorn: I have secured entrances in the back. I like to make sure there are adequate entrances close to their apartments so they don't have to walk. There will probably be three secured accesses to the rear.

Mr. Arnold: How many parking spaces are for each townhouse?

Mr. Mitchell: Two spots, not counting the garage. This is what shows to work in Bluebird Village.

Mr. Arnold: How many spaces per unit in senior housing?

Mr. Mitchell: 130 spaces, just under two per unit.

Mr. Paska: Is there any overflow parking?

Mr. Schermerhorn: No, but this design is working in my other properties.

Mr. Arnold: Where's snow removal going?

Mr. Mitchell: We're sensitive to that, there are curb breaks for that.

Mr. Schermerhorn: We use front end loaders, not pickup trucks, efficiently pile it and move it if we have to.

Mr. Arnold: So you are using the shoulder to plow snow, but where does the excess go?

Mr. Mitchell: We can push to center areas, here.

Mr. Arnold: Good.

The Board reviewed SEQR: Part I- 4. What ones are checked: Forest. Mr. Arnold pointed out that there are residential and industrial types nearby.

5-17 Questions #14 Habitat: need to say wetland in there.

#5 Asks if it a permitted use under zoning regulations, does PUD make it that?

Attorney Dilallo-Bitter: It's permitted because it has been rezoned.

Mr. Arnold: So it's consistent with the comprehensive plan because PUDs are in the comprehensive plan?

Attorney Dilallo-Bitter: Yes.

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

#9 Mr. Antis asked where the project is exceeding the energy code/

Mr. Mitchell: Will meet it and might exceed it.

#17b: The systems aren't there yet, so applicant should mark no, and then answer with what they intend to provide.

Mr. Arnold: They don't discharge off the property, so the answer's no.

Chairman Jensen: I agree.

Questions 18-20: No comments.

Part II:

There was some confusion because Part II of a Long Form had been received, and the Board switched to the new Part II for the Short Form.

The project is a moderate to large change in the use or intensity of the use of the land. This determination was already made and accepted by the Town Board as an acceptable use of the property.

The project is adding public water and wastewater treatment facilities- small impact.

The public hearing was closed at 7:29pm.

Mr. Arnold motioned for a negative declaration on the Short Form EAF for Bluebird Trace/Harrison Quarry PUD. Motion was seconded by Mrs. Riggi. Roll call vote proceeded as follows: Mrs. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Paska, Yes, Chairman Jensen, Yes.

Chairman Jensen: This project is subject to review from Saratoga County, and we have not heard a response yet from Saratoga County, although they responded during the PUD review phase. Based on that the Board has two options: to delay a decision or to make a contingent decision on the site plan review.

Atty. Dilallo-Bitter suggested it would be more prudent to wait for formal approval.

Mr. Arnold motioned to delay a formal decision on this PUD due to the size of the project and lack of official comment from Saratoga County. Mr. Paska seconded.

Saratoga County Planning Board will meet this Thursday, August 21st.

Roll call vote proceeded as follows: Mrs. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Paska, Yes, Chairman Jensen, Yes.

This Board meets again on Sept. 15th.

**#2 Galusha & Sons, LLC
Feeder Dam Subdivision
Public Hearing
Preliminary Plat Review**

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Doug Heller from the LA group presented the subdivision. It is a 34-Lot subdivision with lots about .75 to 1 acre connecting to municipal water, with on-site septic systems. It has a closed drainage stormwater system with closed infiltration pond. Archaeology Phase 2 was just completed and there was a site of concern near the entrance, but Phase 2 revealed modern artifacts, a dump site, nothing of historic interest. The Chairman set the ground rules for public hearings.

Jean Mattison: Is there only one way in there for how many houses? Any plans for another way out of there?

Mr. Heller: The narrow frontage here is all we own on Feeder Dam Road, with the possibility of a connection on this back part of the property.

Mrs. Mattison: Traffic will be zooming up Feeder Dam, that's going to be a lot of traffic. Are you going to clear all the trees out of the entrance way?

Mr. Heller: We will clear enough to make a road and leave as much as we can. The road is a boulevard with a grass strip down the middle.

Mrs. Mattison: The water table is really high in there.

Mr. Heller: We've completed almost 100 test pits and found pure sand on most of the property, it's a little higher on one end.

Joe Ames, Feeder Dam Road: This project came up a few years ago and the fire department was concerned about that entrance and accidents. Has any thought been given to dry wells? With a retention pond we are going to get bugs, and the town doesn't treat anymore.

Mr. Heller: Dry wells are not approved to infiltrate water from roads, but the pond is designed to stay dry during non-storm events, it will drain within 48-hours of rainfall. We used a program to mimic a fire truck and they can fit into the entrance.

Mr. Ames: That wasn't the issue, so much as blocking the road if there is an accident and a fire.

Mr. Heller: We are meeting the town regulations for that.

Mr. Ames: This is the same plan as before. When did you do those pits, July? What kind of houses, do they have basements?

Mr. Heller: We look for iron depletion in the soil actually, that tells us how high the water runs seasonally. The houses will be in the \$200,000 range.

Mr. Ames: The last plan was backfill above slabs, and that's going to make all our basements wet.

Mr. Heller: The lowest point on the site is our infiltration pond, that's where the water will go.

George Christman, 43 Hilton: Are the lots going to back up to existing property?

Mr. Heller: These are properties along Hilton, this is power lines on North, East is a property, a deep channel runs through here.

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Mr. Christman: So on the south it's up to Hilton, no buffer?

Mr. Heller: There's the existing tree line.

Mr. Christman: Which you could take out?

Mr. Heller: That's up to the individual property owners.

Mr. Christman: I bought because of the woods, I would hate to lose it all. Is there a possibility of a

Mr. Bob Murray, Hudson Drive: I just need you to explain that motion you made along the top, that's the existing power line on North Road, the one on the left you're saying is Feeder Dam- the other side at the end of the subdivision on the right, where is that in reference to the Town's drainage system out behind my house, the culvert system that the town maintains?

Mr. Heller: I am not sure where that is.

Harry Gutheil: Is there going to be runoff to the east?

Mr. Heller: Road will be curbed so all the runoff will go towards our drainage system. It's an infiltration pond.

Harry Gutheil: I would like to see some coordination about that future road and how that impacts my property.

Chairman Jensen: I would interject that in any project the post-construction runoff can't exceed pre-construction runoff, so this whole project goes to our consulting engineer to make sure that happens.

Harry Gutheil: And Bob was correct, there was a district created to fix up that drainage issue.

Mr. Christman: What's in the middle? Is it a park?

Mr. Heller: These properties back up to each other.

Britany Creel: We just built, and I have a concern-we have kids, snowbanks, you can barely see. We have no street lights, no stop light, and you have 70 or more cars with no other exit, no sidewalks, kids walking to the school.

Chairman Jensen: It sounds like neighbors present are going to request that the Town Board start a traffic study in that whole corridor.

Jim Williams: What are the options instead of that pond, connecting into a drainage system into the river? The pond is going to create a place for bugs to live, that's what ponds are.

Mr. Heller: To meet the regs we have to hold or infiltrate the water. This is designed not to stay full of water, it is designed to infiltrate. There is pure sand as deep as we could go that is permeable and the water will not sit more than 48 hours, that's how it is designed. NYS regulations we have to follow allow ponds, stormwater wetlands, this is all the State allows that will work on this site.

David Mattison: Why can't you have an access on the East, what road is that?

Mr. Heller: This is a parcel someone owns, not us.

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Mr. Mattison: He should buy it and get right of way. You are bottlenecking all those people and us. It seems reasonable to have another exit.

Mr. Arnold: What's the width on Feeder Dam? What's your road frontage?

Mr. Heller: 50 feet, maybe 60.

Mr. Arnold: Boulevard entrance?

Mr. Heller: Yes

Janet Sweet: We own the property next to where #1 will go. I've lived there all my life, I am afraid all the trees will be gone. I want a buffer behind my house.

Mrs. Mattison: Sometimes I can't get out of my driveway, it's going to be a mess down there. People park on the road, it's not that big. We already can't have people park on the road in front of the house.

Mr. Heller: We can have a conversation, but we don't own that.

Mr. Murray: That's a big issue, that entrance. Yeah, a fire truck slides in there, but if something happens how can people get out in a hurry? There should be another way in there.

Alan Peterson: Should there be a provision for sidewalks or something going down Feeder, the speed limit's 30 but I've never seen people do it, and now you're adding 70+ more vehicles.

Jim Williams: An option on that entrance road, what about like Meadow Run has? If you have snowbanks crowding the road you have a recipe for disaster, take that median out. That's not a good idea. Get an easement from somebody to give a second option. Worst case scenarios do happen.

Mr. Arnold: Point of interest, when we have an entry way longer than a certain distance we require that median because it guards access. I am not sure this is long enough for that requirement, but that median is a safety measure that you are all asking them to remove.

Mr. Williams: School busses are getting bigger, up to 96 passengers. Ours go to 65.

Mr. Arnold: Did you do a school bus on your simulation?

Mr. Heller: Yes, we do that.

Chairman Jensen: And our Fire Dept. and EMS will have a chance to comment on this and ask for tweaks. We give it to the people who have to work on it to get their feedback, but it hasn't gotten there yet.

Mr. Galusha: You are correct about the divided highway as a safety requirement, although we chose it for appeal. I think it looks nice, but we can deal with it other ways if required.

Mr. Arnold: I just found it interesting people wanted it out when that's usually in there for safety. I think it's for over 1000 ft.

Mrs. Creel: Is Feeder Dam straightaway or will there be a stop sign? Cars are coming up to the hill on Feeder fast and coming down the hill fast.

Mr. Heller: No, we are not putting a stop sign on Feeder Dam Road.

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Chairman Jensen: On Town highways, the Town Board decides if Stop signs are needed on a certain intersection, but he doesn't get to do anything on Feeder Dam Road, a light or anything is up to the Town, not the applicant.

Mrs. Mattison: I am concerned about living on one side of that entranceway and people will have visitors on the holidays, that's a lot of people coming in and out all night long.

Joe Myers: I wasn't aware this was being resurrected until I got the letter because the posted sign is hidden behind brush and trees. You can't read it.

Craig Morris: I don't know why it was shot down last time.

Chairman Jensen: Town water supply wasn't adequate for the development ten years ago.

Mr. Morris: What changed?

Chairman Jensen: A lot more water

Mr. Morris: He talks about the ground water being high, what about the septic? My house is raised ranch, but some have basements, what's that going to do for us?

Chairman Jensen: Mr. Robinson over here addresses concerns about the plans that are submitted.

Mr. Morris: One of the prior meetings for Mr. Schermerhorn's development you had an issue with headlights pointing into their house, these people the Mattisons will have that problem, are you going to make them move it?

Chairman Jensen: This applicant doesn't have other choices about where to put it, like Mr. Schmerhorn had when you heard it addressed before.

At 8:00 the public hearing was closed, and the Board reviewed the EAF.

Part I: Atty. Attorney Dilallo-Bitter: SHIPO- did you get a formal response?

Mr. Heller: Not yet.

Mr. Arnold: Did you have it walked?

Mr. Heller: We did in '95.

Attorney Dilallo-Bitter: How far away is it from the Hudson? Less than 500 ft.?

Mr. Heller: Yes.

Chairman Jensen: The County is in.

On C2a: Mr. Arnold: Doesn't this fall under Comp land use plan?

Chairman Jensen: It does.

Mr. Arnold: C2B should be no. It's not a special or conditional use.

Attorney Dilallo-Bitter: I read it as or.

Mr. Arnold: It read to be is it permitted or allowed...

Chairman Jensen: I'm sure this form is getting comments.

C4 Form says it is policed by SGF Police, should say Saratoga County Sheriff.

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Part II d 2

Mr. Arnold: You mentioned some grade- will there be a dam or is it built down?

Mr. Heller: It's built down.

Chairman Jensen: Is the site in an existing district? The district isn't in there because it doesn't exist yet, but it will be in the water district.

Attorney Dilallo-Bitter: Is there a formal extension of district water made?

Mr. Heller: Just the connection.

Attorney Dilallo-Bitter: You're within the lines of the district?

Mr. Heller: Yes.

Attorney Dilallo-Bitter: Response should be yes.

Re: Item N: Trees removed, should 2 say Yes?

Mr. Arnold: on Lighting it says typical to residential – are you putting up street lights?

Mr. Heller: No just people lighting their yards.

Mr. Antis: They will remove trees for sight lines to roads.

Mr. Antis: School is within .3 miles.

Mr. Heller: On google it's 3800 ft.

Mr. Arnold: To building or site?

Mr. Heller: Site

Chairman Jensen: Counsel, can we go to the building? They can build anywhere on site.

Attorney Dilallo-Bitter: Site.

Chairman Jensen: Was DOH on site for the test pits?

Mr. Heller: Previously.

Chairman Jensen: Town of Moreau?

Mr. Heller: Yes, both times, we didn't have County this time because they were not for water or septic, they were more for drainage.

Chairman Jensen: Right.

Mr. Antis: Item H- isn't it near the Cooper's Cave falls, a local scenic resource?

Chairman Jensen: Response there should be Yes.

Mr. Antis: I think the Hudson River is a recreational/ aesthetic resource, isn't it?

Chairman Jensen: Yes, it could be.

Atty. Attorney Dilallo-Bitter: Do you know what the significance is of the Heritage Corridor?

Mr. Heller: It goes up into Saratoga, it's sketched out on their website for the historic area, but not up here.

A meeting of the Town of Moreau Planning Board was held on August 18, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Atty. Attorney Dilallo-Bitter: You have to consider whether you have all necessary info to review Part 2 because SHIPO is missing.

Mr. Arnold: I have a couple issues, one other than SHIPO- the section on wetlands. It asks does any portion contain wetlands or water bodies. The original said no. It's never been mentioned, but it says yes here.

Mr. Heller: There's a drainage channel with a 4 ft. wide wetland on it.

Mr. Arnold: So your answer is now officially yes. And that's what you refer to when you say adjoining. And you say they are regulated?

Mr. Heller: Army Corps regulates all wetlands that aren't DEC. It would be DEC if it connected to the river.

Mr. Arnold: Going back to SHIPO. You mentioned a structure. We haven't gotten final determination.

Mr. Heller: I have a report from an archaeologist.

Mr. Arnold: But not from SHIPO. Show me where on the site.

Mr. Heller: At the entrance.

Mr. Arnold: Then I am not comfortable proceeding, if it were in a back corner I might because you could drop a lot, but you can't drop your entrance.

Mrs. Riggi motioned to table the public hearing for Galusha Feeder Dam Road Subdivision until next meeting or whenever we get determination from SHIPO.

Motion was seconded by Reed Antis. Roll call vote proceeded as follows: Mrs. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Paska, Yes, Chairman Jensen, Yes. Motion carries.

This item goes to Saratoga County because it's within 500 ft of the Hudson River.

Mr. Arnold motioned to adjourn, and was seconded by Mr. Paska. All in favor, the meeting was adjourned at 8:52 p.m.

Respectfully Submitted,

Tricia S. Andrews