

The regular meeting of the Planning Board, Town of Moreau, County of Saratoga, State of New York, was held in the Town Office Building, 61 Hudson Street, South Glens Falls, New York on January 26, 2009

## Planning Board Regular Meeting

January 26, 2009

**Attending Board Members:** Chairman, G. Peter Jensen

James Edwards, Ronald Zimmerman, John R. Arnold, Thomas Field, Ronald Caulin,  
Recording Secretary: Cherie Kory

**Absent Board Members:** Gary L. Dickenson

**Others Present:** Building Inspector, Joseph Patricke

The meeting was called to order by Chairman Jensen at 7pm.

**1. Motion:** To approve the December 15, 2008 Planning Board minutes as Amended, by: **Mr. Field**

**Second to Motion:** Mr. Arnold

**Discussion/Corrections:**

Page 1 change from Mr. Arnold to Mr. Caulin correcting "GEIS"

Page 1256 change residents to "residences" Mr. Arnold

Page 1252 change stacks to "stakes" Mr. Patrick

Page 1254 change Motion 1 to read "within" 15 ft code

Page 1253 change Town to Planning, Part II EAF lead agency

**Roll Call:** 5 Ayes 1 Abstained, Mr. Zimmerman

**Absent:** Gary L. Dickenson

**Motion Carried.**

Discussion: February's third Monday of the month for the regular Planning Board meeting falls on a Federal Holiday observed by the Town, the Board Consensus is an alternate date: February 23, 2009

**2. Motion:** To approve February 23, 2009, 7 pm for the next Regular Planning Board Meeting due to the Federal Holiday on the third Monday of the month, by: **Mr. Arnold**

**Second to Motion:** Mr. Field

**Roll Call:** 6 Ayes 0 Abstained

**Absent:** Gary L. Dickenson

**Motion Carried.**

### 1. Robert Perkins Jr. – Public Hearing - Site Plan Review

**Mike O'Connor:** representing Mr. Perkins and Tom Hutchins, P.E. also attending Mr. Jeff Davis – location South Harrison Ave. and East on Sisson Rd. Two parcels proposed modifying boundary lines. Front 8 acres and Back 7 acres. Minor changes to plans from the last meeting to cover Board's request included showing Topographical map for the secondary lot to the rear note: this does not apply to this application. Site distances at the road are 1201' to the East and 1185' to the West. No significant Clearing plans; adjusted front fence to the pavement and updated the clearing to move back the cut line on the lay out. Grading Plan: shifted the infrastructure to the back to accommodate Storm water incorporating PII to be completed with PI. **The proposed project is 9 self-storage units on frontage with an additional 10 upon demand.** The units will be self-service using Key card entry through the

The regular meeting of the Planning Board, Town of Moreau, County of Saratoga, State of New York, was held in the Town Office Building, 61 Hudson Street, South Glens Falls, New York on January 26, 2009

only accessible drive to the east off Harrison Avenue. Fenced in, with security cameras. Mr. Hutchins has met with Mr. McNamara the town engineer.

**Chairman Jensen:** Set the Ground Rules and opened the floor to public comment

**Kristine Merrell: 103 Sisson Rd** questioned the tree line running along frontage

**Mr. Hutchins:** the tree line will be removed a landscape plan along the corridor; the units will be visible

**Kristine Merrell:** lighting at night will it resemble streetlights

**Mr. Hutchins:** lighting will be round cast fixtures mounted on the units between the buildings with two 20 ft light poles at the entrance

**Mr. Jeff Davis:** uncertain at this time what the sequence of lighting will be

**Mr. O'Connor:** most likely on a timer or censored, lighting is for security.

**Mr. Hutchins:** the area will be fenced

**Mr. Field:** suggested inferred

**Mr. Patricke:** the lighting regarding the time of year will be affected it is dark at 5 pm note the lights on the poles will be 24/7 at the entrance

**Kristine Merrell:** what is the distance from the intersection?

**Mr. Hutchins:** the parcel is 700' from corner to corner

**Mr. Patricke:** clarified from Sisson to where it crosses Harrison approximately 1000' to the access point

**Mr. Zimmerman:** in regards to last meetings mention of developing the back

**Mr. O'Connor:** the proposed plan for the back parcel is not before the Board currently has not been filed

**Mr. Patricke:** storage units is PI stand alone and PII represents the back parcel

**Chairman Jensen:** directed to Mr. Hutchins: are you in receipt of EDP's letter... Yes at 3pm

**Mr. O'Connor:** Comment #1 is answered within the comment itself; upon review with neighbor that is owner of the remaining subdivision no problems sighted  
Comment #2 the boundary line will be shown on the subdivision map sent to Mr. Patrick to sign and record. A note reflects the front lot has permanent easement over the driveway  
Comment #3 discharge on drawing no longer concern after site walk, recommended some update 70' to 100' of ditch line may be required to channel to stream

**Mr. Field:** has to be coordinated with the Town it is in the right of way.

**Mr. Hutchins:** is this a formal request

**Mr. Patrick:** to straighten out the ditch line must provide insurance and contact Steve Brody the Town of Moreau Highway Superintendant, no easement involved

**Mr. Hutchins:** will provide what is needed to redefine the ditch line...in regards to soil test pits it was agreed to complete a confirmatory pit for verification

**Mr. Zimmerman:** questioned comment #2 regarding a subdivision to Apartment complex

**Mr. Patricke:** South Park Subdivision that was withdrawn by the Health Department

**Mr. Field:** #1 refers to setbacks required if in the area of residential use or residential district

**Mr. Patricke:** M1 is manufacturing now that the subdivision is declined the 100' foot setbacks are met without any problems

**Chairman Jensen:** Short Environmental Form:

Part I – Project Information: 1-12 correct

Part II – Impact Assessment: A & B correct; C1 – Mr. Field storm water plan will mitigate; C2 – correct; C3 – No letter to date from DEC there should be a history from the last two years on file cannot use letter from the Quarry; C4 – C7 correct

D – No; E – No

Part III – Determination of Significance – complete

**Board Consensus is to hold on Motion for DEC letter**

The regular meeting of the Planning Board, Town of Moreau, County of Saratoga, State of New York, was held in the Town Office Building, 61 Hudson Street, South Glens Falls, New York on January 26, 2009

## **Public Hearing Closed 7:39 pm**

**Mr. Patricke:** where is the nearest Fire Hydrant located...has the Fire company taken a look

**Mr. Hutchins:** not sure

**Mr. Patricke:** suggest locating to ensure it can reach the back review a plan with Fire Company

**Mr. O'Connor:** why the delay... the expense... reopen upon condition...letter from DEC. The area has a history...offers Acknowledgment that if the conditions are not met the applicant will come back

**Chairman Jensen:** maintain due diligence cannot place a conditional on EAF

**Mr. Patricke:** when will the test pits be complete before approval of storm water

**Mr. Hutchins:** did not interpret the comment to mean before approval...can be complete in a week

**Mr. Patricke:** need to call my office and the engineer to complete

**Mr. Hutchins:** was unable to connect with Mr. Patricke's office for test pits

**Mr. Field:** cannot finalize storm water plans until the thaw is out of the ground in spring are we really holding the plan up...yes

**Mr. Edwards:** it is tough to make a decision on comments from engineer when the timing is so close to the decision. More time is needed to review

**Mr. O'Connor:** it is not fair to the applicant to respond in the same day as well

**Chairman Jensen:** DEC is what is holding the rest could be conditional on engineering comments what is to the east...power lines

**Mr. Edwards:** in regards to test pits per DEC and design recommendations wait for thaw

**Mr. Arnold:** preference is to wait for DEC...eco systems can change in 20'

**Mr. Field:** DEC will review notes/findings on file for a certain radius

**Mr. Patricke:** Fire Hydrants not an issue get a letter from Fire Department

**1. Motion:** To declare negative declaration for Robert Perkins Site Plan conditional on receipt of letter from DEC clearing the site from any endangered species by: **Mr. Field**

**Second to Motion:** Mr. Caulin

### **Discussion:**

Chairman Jensen: Applicant is responsible to obtain letter from DEC and address any negative response concerning this parcel...South Park Subdivision is 14 years old...before Mylar's are signed

**Roll Call:** James Edwards: YES, Ronald Zimmerman: NO, John R. Arnold: YES, Thomas Field: YES, Ronald Caulin: YES, Chairman Jensen: YES 5 Ayes - 1 Nay - 0 Abstention

**Absent:** Gary L. Dickenson

**Motion Carried.**

**2. Motion:** To approve Site Plan for Robert Perkins Site Plan conditional on receipt of letter from DEC clearing the site from any endangered species and fulfilling the issues listed in the letter from EDP to Chairman Jensen on January 26, 2009 by: **Mr. Field**

**Second to Motion:** Mr. Arnold

**Roll Call:** James Edwards: YES, Ronald Zimmerman: YES, John R. Arnold: YES, Thomas Field: YES, Ronald Caulin: YES, Chairman Jensen: YES 6 Ayes - 0 Nay - 0 Abstention

**Absent:** Gary L. Dickenson

**Motion Carried.**

The regular meeting of the Planning Board, Town of Moreau, County of Saratoga, State of New York, was held in the Town Office Building, 61 Hudson Street, South Glens Falls, New York on January 26, 2009

**3.Motion:** To have the Chairman of the Board and one other member sign the Mylar's for Robert Perkins Site Plan conditional on receipt of letter from DEC clearing the site from any endangered species and fulfilling the issues listed in the letter from EDP to Chairman Jensen on January 26, 2009 by: **Mr. Caulin**

**Second to Motion:** Mr. Field

**Roll Call:** 6 Ayes 0 Abstained

**Absent:** Gary L. Dickenson

**Motion Carried.**

## 2. Winterberry Woods Subdivision – Sketch Plan Review

Travis Mitchell from Environmental Design presenting sketch plan review for a 38-acre subdivision on the South West corner of Bluebird road and Fort Edward road. Majority of subdivision in I R1; lot size a minimum of 15,000 sq ft with the remaining in R2, minimum lot size of 22,500 sq ft with a maximum of 77 lots permitted connected to water and sewer. The design layout density accommodates 66 lots...two roadway entrances one on Bluebird and the other on the Fort Edward Road. A buffer will run along Bluebird with the preservation of 6 acres maintained by Home Owners Association. Landscaping is also proposed for the Fort Edward road to the existing house and barn. An additional "Green" 609 acres and 8 ¾ acres surrounding existing house and barn will be placed in the Home Owners Association. Home Owners Association will be responsible for storm water and a variety of maintenance packages. A minimum of 10,000 sq ft lot in the cluster. A trend shows smaller lots smaller houses of 12 to 19 hundred square feet adding one or two car garages. Connected to water and sewer district extended dedicated to the Town. Proposal shows potential for an addition subdivision adjacent to the proposed. Two county drain easements will be incorporated. Engaged Crate and Manning to conduct trip count and to update traffic study. Entrance. Performed Karner Blue Butterfly and environmental impact. Have sign off from New York State Natural Heritage no impact. No DEC wet lands on the site some federal lands bordering the site working with the Army Core of Engineers. Prefer the Cluster vs. the conventional. Looking for comments from the Board

**Chairman Jensen:** did conventional calculations deduct the wet lands

**Mr. Mitchell:** No similar density using 66 lots

**Chairman Jensen:** concern is enough allotted for roadways

**Mr. Zimmerman:** directed to Mr. Patricke...where the plume in relation to this proposal is

**Mr. Patricke:** map should define to the West of the property

**Mr. Mitchell:** the bordering trailer park has a test well

**Mr. Patricke:** we will need a map of the plume...place on map as overall layout as long as it is outside of the plum DOH did not care if a property line was shared

**Mr. Patricke:** First in an opinion, dislike the 5-acre lot adjoining the housing subdivision. There is the potential of an owner placing more than one horse on acres creating negative issues with homeowners. It is a R1 zone and it has not been a farm in two years. The barn may indicate that animals are allowed. The preference is to state a restriction in the deed no animals. No agriculture in R1 zone.

Second, the stub at the end of lot #31 roads cannot be maintained by the Highway Department. Required to have a stub however, no frontage on the stub as indicated on lot #31

**Mr. Mitchell:** Some encroachments on the west property line in the form of sheds that will have to be addressed

**Mr. Caulin:** why the trend towards cluster for more green space?

The regular meeting of the Planning Board, Town of Moreau, County of Saratoga, State of New York, was held in the Town Office Building, 61 Hudson Street, South Glens Falls, New York on January 26, 2009

**Mr. Mitchell:** better able to maintain a parameter...greener buffer around the subdivision allowing more green area at intersection. Not married to cluster plan if the Board has any different ideas.

**Mr. Zimmerman:** many want to consider a variance 35 lot-phasing item 21c

**Mr. Patricke:** storm water layout is continuous

**Mr. Field:** concern with the lot size that is 50% smaller that is allowed in R1 zone would like to see more devoted to living space

**Mr. Patricke:** only project in Moreau with sewer

**Mr. Arnold:** like buffer but would prefer enlarging lots

**Mr. Edwards:** agrees larger lots would be better...6 acres for recreation or lot size. Groups of clusters with a mix is preferred

**Mr. Mitchell:** target is a smaller type home...the 6 acres could be looked at either way... potential for 56' wide lot 7.5' side yard.

**Mr. Zimmerman:** any dedicated Senior housing offered

**Mr. Mitchell:** would like to stay away from any limitations. Target is first time and some that have been in larger home and now want maintenance.

**Mr. Edwards:** the clusters seem very dense any sidewalks

**Mr. Mitchell:** preference is trail system in open space not sidewalks

**Mr. Field:** zoning provides privacy and cluster design does not accommodate

**Mr. Mitchell:** understands the Board's consensus in a mix of lot sizes and a turnaround for lot #31 to better maintain road.

Discussion:

**Mr. Patricke:** in regards to the Rogge boundary line adjustments and the setbacks. They must comply with the set back regulations, cannot relate to auto it is a structure that is not easily moved 50' on front and 15' on the side

**Mr. Edwards:** raised the concern of a conflict of interest having Mr. Travis Mitchell before the board representing a project Mr. Mitchell has an interest in with Mr. Schemerhorn. Currently Mr. Mitchell works for an Engineering firm that represents the Town Planning Board and presenting and representing in the same month is unethical in his point of view and asked the board to consider.

Motion to Adjourn the Regular Planning Board meeting 8:55pm

**Roll Call:** 6 Ayes 0 Abstained

**Absent:** Gary L. Dickenson

**Motion Carried.**

Respectively Submitted, Signature on file Cherie A Kory 2/2/09