

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 June 15, 2009

Planning Board Regular Meeting

June 15, 2009

Attending Board Members: Chairman, G. Peter Jensen
James Edwards, Keith Osborne, Thomas Field, Erik Bergman, Ronald Zimmerman,
Recording Secretary: Cherie Kory
Absent Board Members: John R. Arnold

Others Present: Building Inspector: Joseph Patricke, Town Attorney: Martin Auffredou, Traffic consultants:
Peter Faith and Alana

Chairman Jensen called the meeting to order at 7pm, introducing the Boards two newest members: Keith Osborne and Erik Bergman. Chairman Jensen also extended a special thanks to Mr. Caulin for filling the temporary seat until the appointment of new members.

- 1. Motion:** To approve the May 18, 2009 Planning Board minutes as Amended, by: **Mr. Field**
Second to Motion: Mr. Edwards

Discussion/Corrections:

Page 1273 Omit "conservable" replace with "conceivable" omit "than" replace with "then"
Page 1275 Omit "cares" replace with "cars"

Roll Call: 4 Ayes 2 Abstained, Mr. Osborne & Mr. Bergman

Absent: John Arnold

Motion Carried.

AGENDA

**1. Pilot Travel Center
Scoping Session - Traffic**

Peter Faith, P.E. together with Alana Marane, from TVGA Consulting firm presented comments and suggestions to the proposed traffic study scope presented in the Creighton Manning Engineering letter dated May 26, 2009. The scope represented a traffic study that complied with applicable industry standards and guidelines. Following are comments and suggestion for clarifications and additions to the proposed scope.

1. The study should asses the need for seasonally adjusting the traffic data collected and include these adjustments if necessary.

Mr. Zimmerman: questioned the process to adjust the data

Mr. Faith: using the count stations at the continuous DOT Highway Seasonal areas. Use their database from various count stations. Noting this is a high seasonal area. June through September are considered typical seasonal months in this area.

2. In addition to total trips, truck trip generation for the site should specifically be assessed and any anticipated change in the percent of trucks in the traffic mix should be reflect4ed in the analysis of "build" conditions.

Mr. Faith: directed item #2 to the applicant to better identify the truck trip generation based on owner data from other sites similar to the proposed currently in operation.

Mr. Osborne: questioned the existence of a Site Plan Developed for this site.

Mr. Faith: acknowledged a draft in place. Item #2 importances: the Board should have solid data of the number of trucks using the facility and increase mix of traffic affecting the capacity of the roadways including future builds

Mr. Zimmerman: indicated the applicant had previously generated traffic flow based on a formulation of gallons consumed at similar sites.

3. Under subtask III.D, second paragraph, first sentence, insert ..."significant project impacts and" after the work mitigate.
4. The applicant's traffic engineer should review the internal site layout to insure an appropriate design vehicle can be accommodated. (catering to the free flow of trucks to ensure they are accommodated on site)
5. It appears the site plan shows a future access to a significant area that will remain undeveloped. Unless the Town places legal restrictions on the development of this area, the traffic study should assess the additional impacts of any potential future development of the site. (to ensure access and any future segmentation issues in the SEQR process.

Mr. Osborne: SEQR should reflect the biggest build out possible.

Mr. Faith: recommended looking at the current zoning in relation to the maximum in place.

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 June 15, 2009

6. The study should assess the impact on the location of the proposed access points on Route 9. Any creation of "overlapping left turns" with and without the planned NYSDOT improvements should be assessed.

Mr. Faith: applicant indicated improvements to Route 9 by NYSDOT adding a center-turning lane. The concern is to negate undesirable left hand turns competing for the spot in the center lane.

7. The traffic study should address the pavement and geometrics of Spier Falls Road and Fawn Road for accommodation heavy trucks. (appears from site plan to direct all traffic out the back to Spier Falls and Fawn Roads to then access Route 9, can those roads accommodate the flow)

Mr. Edwards: Creighton Manning scope indicates a "sensitivity analysis", how does it pertain to the scope

Ms. Marane: Sensitivity applies to item #5 must look at the undeveloped portion and put some land use to it addressing any future impact

Mr. Zimmerman: questioned, what would be some examples of land uses

Ms. Marane: The Town zoning would dictate... hotel, office building that would be represented in the zoning.

Mr. Osborne: questioned a truck wash in the proposed...unknown

Mr. Edwards: important to look at all the different scenarios of build outs and ensure they are incorporated into the study...agreed

Mr. Zimmerman: will client (applicant) provide you with the appropriate data needed

Ms. Marane: willing to work with client to make sure the worst-case scenarios is considered

Mr. Faith: asked if the Board wanted to be involved in what would be the appropriate land use. Suggested the applicant share with the Board the land use suitable

Mr. Field: noted this is necessary for the Board to review due to the current changes being proposed to current zoning.

Mr. Robinson: representing Pilot... has no plans to develop excess. Indicate there may not be enough room for intense use and any plans would come back before the Board. Much of that area will be used for disposal and on site storm water.

Mr. Edwards: in regards to the completed traffic study... ensure to address the three lanes to one heading northbound to the site, is there enough width and length to prevent truck stacking, making that left hand turn, competing with traffic heading north on Route 9. Secondly the proximity to the offsetting driveways from across the street shown in the schematics. Also a tapping out to the Exit 17 North bound on ramp how will the tapper coexist with the site plan and any left hand turns out of the site

Mr. Zimmerman: questioned how to gain any insight to the NYSDOT process that will affect the area

Mr. Faith: recommends that the project be analyzed both with and without NYSDOT improvements. The time line of NYSDOT will be an impact and it is the applicant's burden to show the planning with both scenarios. Working on a project of this size as the planning process moves forward, typical to have open conversations with NYSDOT, the applicant and representation from the Town to address all parties concerns.

Mr. Edwards: will NYSDOT be interested in reviewing the traffic study

Mr. Faith: yes...DOT will issue a higher award permit for access to the driveway and will be very interested in the traffic study. What NYSDOT will not do is address any impact on streets and highways not on the State's system i.e. Spider Falls Road and Fawn Road. NYSDOT is willing to listen to any of the Towns concerns ultimately resulting in approvals.

Mr. Osborne: questioned...Spier Falls Road is a County Road...correct

Mr. Field: in the analysis of the competing left hand turns, want to ensure the third element of impact of trucks heading north bound on Route9 turning left into the site that is additional to the proposed site and the existing business across the road.

Mr. Patricke: questioned clarification on who will look at the future plans of the vacant parcel...Board will look at the applicants highest and best use

Mr. Auffredou: suggested the applicant present the use and the Board review and comment

Mr. Zimmerman: questioned the proposed timing of the traffic study

Ms. Marane: the counts have started using peak school traffic in session.

Mr. Robinson: Pilot is prepared to start building in the spring/summer season of 2010. Preliminary Site Plan is in place. Cathy Akins (project manager for Pilot), Mr. Patricke and myself have met with NYSDOT, addressed a draft plan from the Northway exit to Spier Falls Road. Opened conversations on all the points presented this evening.

Mr. Zimmerman: questioned additional seasonal variance data needed and the timing of the collection of the data i.e. time of day and the month with the highest impact compared to the peak school session.

Mr. Faith: there is merit in looking at the continuous counting stations in place by NYSDOT. The burden is the applicants to gather more data during the heavy seasonal period affecting this location.

Mr. Edwards: reiterated comparing data from existing travel centers and incorporating into study.

Mr. Robinson: Ms. Akins has compiled data from a similar facility to the proposed

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 June 15, 2009

Mr. Patricke: clarification on determining the highest impact seasonal time to collect data
Consensus from the board is to request additional seasonal traffic data from the applicant the third week in August to represent the Travers weekend at Saratoga Race Track.

Ms. Marane: suggested to the Board putting another tube out on the road to count the seasonal in an effort not to duplicate current data gathered.

Mr. Gilligan Sr.: adjacent business owner questioned noise barriers

Chairman Jensen: indicated this is a traffic scoping session and other concerns will be addressed during the Public Hearing

Ms. Kerts: will Mr. Faith address the traffic during construction phase lasting 12 to 15 months...how will it be addressed by DOT or applicant

Mr. Faith: no ...have not requested from applicant...this is typically addressed by traffic controls plans maintaining the capacity on the roads using cones etc.

Mr. Osborne: in my experience during a project this size there would be trip generation times during Site Planning the question... is it dictated where and when the trucks will come in and out during construction as part of Site Plan Review

Mr. Patricke: yes... not anywhere close to that point.

Mr. Robinson: Pilot should complete the construction within four months

Mr. Zimmerman: the DOT website indicates Pilot will begin summer 2010 and complete fall 2011

Mr. Robinson: a recent meeting indicated Pilot would put the job out to bid over the winter and begin construction in the spring of 2010.

Mr. Patricke: reiterated it is still unknown at this point

2. Thousand Oaks Subdivision **Public Hearing**

Trent Martin K A Martin engineers representing Tom Kubricky for Route 9 Industrial Park in Gansevoort located just south of Exit 17 about one mile. Proposing, in a previously subdivided parcel to add an industrial subdivision to the south of existing business, roads to service the subdivision with storm water required by DEC regulations. The road is 3 acres out of +/- 26.9 acres. The subdivision itself is not being proposed due to not knowing the future demand for the site. As the purchaser comes in they will return to subdivide.

Chairman Jensen: set the ground rules and opened the floor to the public

Ms. Kerts: noted in a previous Town Board meeting the Town accepted dedications of medians from the last phase of Thousand Oaks does this project include any medians

Mr. Martin: yes coming off the existing road the first 200' does not and then approximately 200' after that and then back to no median

Ms. Kerts: will the project request the Town to take over maintenance this new median

Mr. Martin: yes... when the first part was turned over there would be no problem taking over additional

Ms. Kerts: recalls at the last Town Board meeting a statement was made to convey to the Planning Board intentions to longer take on the responsibilities as a burden to the taxpayers.

Mr. Auffredou: Ms. Kerts is correct...not sure, if the Town passed a resolution, the problem is the code calls for these types of medians. Concluding that until there is a modification to the code medians will occur, this does not mean the Town has to own each median as in the recent dedication from phase I. The developer has reserved the right to access the median indemnifying the Town through insurance, in order to maintain the area to the developers liking. A Boulevard requires a median within the code

Mr. Patricke: single access requires

Mr. Edwards: cannot build a Boulevard entrance without a median

Mr. Auffredou: made the point to ensure lighting is kept out of the median to negate a lighting district therefore putting the Town in the position to repair. Signage, landscaping and boulders are other examples of items the Town does not want to maintain. The agreement reached with Mr. Kubricky is the best possible scenario with a willing owner wanting to maintain the median.

Mr. Osborne: looking for a utility layout

Mr. Martin: the purpose of this proposal is road install not subdivision.

Mr. Osborne: questioned the turning radius for emergency vehicles and the 3 acres including easement for drainage

Mr. Martin: Yes for 50' trucks and yes for drainage

Chairman Jensen: directed to Mr. Patrick...have any comments from consultants been received to date

Mr. Patricke: No... received comments that did not resolve the storm water

Mr. Martin: review process is ongoing a scheduled meeting on Wednesday to address storm water.

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 June 15, 2009

Chairman Jensen: Not the Boards practice to allow SEQR without the complete satisfied comments from consultants

Mr. Edwards: Summary of Site visit from the environmental specialist, LA Group, is that in addition to the document research to HIPPO

Mr. Martin: Yes, documentation from DEC for endanger species no findings, and the consultants from the LA Group surveyed for endangered species as well and the finding statement was turned in.

1. Motion: To table the Public Hearing for Thousand Oaks until all information is obtained, by: **Mr. Field**

Second to Motion: Mr. Zimmerman

Roll Call: 6 Ayes 0 Abstained,

Absent: John Arnold

Motion Carried.

3. Stylin' Studio

Site Plan Review

Heather Harrington and Erika LaMere proposing to move current studio at 154 Main Street to 1735 Route 9. Presented the board with an updated survey.

Mr. Patricke: parking has been an issue the current code is unclear as to the number allowed for an establishment like this. The best outcome is a reflection of past practice. Proposed are 2 stylists adding one future stylist for a total of three. Two parking spaces for each chair and a space for each stylist for a total of 10 parking spaces.

Mr. Edwards: would the shop bring in other specialist to do nails etc.

Ms. Harrington: No each stylist is certified to do all that. Propose to remove the shrub row of trees to allow for parking

Mr. Edwards: questioned using the back

Ms. Harrington: the consideration is the septic and a large tree. The shops parking would blend in with the adjoining restaurant parking and the owners have agreed with plan to increase visibility by removing the overgrown shrub row.

Mr. Osborne: the proposed handicapped space is not large enough negating space 3 & 4 a loading area is needed for wheelchair lifts

Mr. Patricke: the closest example would be a doctor's office and that was four spaces per, home occupation requires two per chair there is no clear definition for this occupation.

Mr. Field: parking is always a problem unless specified in the code

Chairman Jensen: another consideration is green space in the front and parking in the rear. The Board suggested demolition of the garage.

The consensus of the Board is one parking space per employee and two parking spaces per the three chairs in the shop this would result in *nine* parking spaces. Ms. Harrington presented a floor plan to the board. Mr. Patricke would be responsible for any codes governing the inside of the shop. In addition, the first parking plan is better than the revised plan presented. The board suggested the applicant should revisit with and without the garage, they may find better fit to help with snow removal. The board agreed they needed more in regards to better-defined parking to move forward. Consider landscaping buffer to the south, ramp for handicapped has to be indicated and lighting. Building permits will not be issued until approval from the board.

1.Motion: To schedule a Public Hearing for Stylin' Studio Site Plan Review on July 20, 2009 at 7pm, by: **Mr. Zimmerman**

Second to Motion: Mr. Field

Roll Call: 6 Ayes 0 Abstained,

Absent: John Arnold

Motion Carried.

2.Motion: To accept Short Form Environmental Assessment for Stylin' Studio, by: **Mr. Edwards**

Second to Motion: Mr. Zimmerman

Roll Call: 5 Ayes, 1 Opposed, Mr. Osborne, 0 Abstained,

Absent: John Arnold

Motion Carried.

4. Suburban Propane

Site Plan Review

Richard Detrani local customer service center representative for Suburban Propane on Route 9 proposing to relocate a two 30,000 gallon propane storage tank from the west to the east no additional storage and the plan extends the loading dock to 20' x 40' with a canopy.

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 June 15, 2009

Mr. Osborne: how does the site flow before and after

Mr. Detrani: noted the existing tanks on the schematics indicating the flow flipping from one side to the other Due to the settling of the tanks over the past 18 months. Soil engineer conducted test bores and soil samples that have proved the other side is more adequate.

Mr. Patricke: requested the data from the soil engineer... from James Wood

Mr. Detrani: trucks come in on the northwest end and there is a gate on the northeast end it is a "U" turn. Looking at the plan there is a guardrail for the transport unloading station

Mr. Osborne: what is the distance from southeast concrete pad to the guardrails?

Mr. Detrani: 25 feet can get a truck in there

Mr. Osborne: has the fire marshal inspected

Mr. Patricke: indicated he is the fire marshal and have no concerns Suburban has been operating for many years...1970's. The only concern has been venting in the form of a complaint

Mr. Detrani: Methyl Mercaptan is primarily used as an odorant to add warning properties to the propane, no propane is vented.

Mr. Osborne: questioned the tank storage area...and the trim work repainted

Mr. Detrani: agreed the trucks would be moved prior to construction. The trim work is in the capital improvement for next year. The loading dock will give an all weather capability to load directly from the dock and streamline the operation. The tanks are 50' from the property line. There is a National Grid easement in the rear.

Mr. Patricke: requested a stamped installation by an engineer...presented

Mr. Osborne: requested that measurement on the final copy

Mr. Edwards: that 50' requirement is required on all sides.

1.Motion: To accept Short Form Environmental Assessment for Site Plan Review for Suburban Propane, by: **Mr. Bergman**

Second to Motion: Mr. Osborne

Roll Call: 6 Ayes 0 Abstained,

Absent: John Arnold

Motion Carried.

2.Motion: To schedule a Public Hearing for Site Plan Review for Suburban Propane July 20, 2009, by: **Mr. Fields**

Second to Motion: Mr. Osborne

Roll Call: 6 Ayes, 0 Abstained

Absent: John Arnold

Motion Carried.

Mr. Osborne: directed the applicant to show 50 foot set backs on site plan and have the South Glens Falls Fire Chief sign off and the trim painted as a condition of approval.

Mr. Patricke: presented the board with the latest revisions to the zoning code as prepared by the Chasen Group including modifications. Requested the board look at the provisions pertaining to site plan review and PUD's the both will impact board and all special use permits will now come to the planning board. Mr. Zimmerman and Mr. Arnold are on the committee

Chairman Jensen: requested the board keep side bar conversations to a minimum during session out of respect to the applicants.

1.Motion: To adjourn Regular Planning Board meeting at 8:50 pm by: **Mr. Field,**

Second to Motion: Mr. Osborne

Roll Call: 6 Ayes, 0 Abstained

Absent: John Arnold

Motion Carried.

Respectively Submitted, Signature on file

Cherie A Kory 6/22/09