

A meeting of the Town of Moreau Planning Board was held on November 18, 2013 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

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

Present:

G. Peter Jensen	Chairman
Linda Riggi	Planning Board member
Reed Antis	Planning Board Member
John Arnold	Planning Board member
Charlene Endal	Alternate Planning Board member
Dave Paska	Planning Board Member
Ron Zimmerman	Planning Board Member

Absent: Erik Bergman, Planning Board Member

Also present: Joe Patricke, Code Enforcement Officer; Stefanie Dilallo-Bitter, Attorney for the Town; and Tricia Andrews, Recording Secretary

The minutes of the October 21, 2013 meeting were reviewed. Mr. Zimmerman motioned to approve the minutes of the October 21, 2013 meeting with the corrections listed below and Mr. Paska seconded. Motion carried unanimously.

P1612 midway how many "beds" change to bedrooms.

1614 8 lines down environmental study "remediating" instead of mediating.

**#1 Schermerhorn Real Estate Holdings LLC**  
**Bluebird Trace- Harrison Quarry**  
**Public Hearing**  
**Site Plan- PUD**

Travis Mitchell EDP, presented project much the same as last month. Eastern parcel is a senior project and this is a conceptual drawing. Other parcel is townhouse style and Mr. Schermerhorn has similar projects operating in nearby towns. Will be extending Town water lines to make a loop for public benefit from the PUD. This parcel has M-1 zoning, applicant is proposing a PUD modeled after UR zoning nearby with 1 unit per 5,000 sq ft so with 25.5 acre site, 21.5 after wetlands, they propose 186 units. Department of Parks, Recreation and Historic Preservation was contacted and wants a Phase 1 Archeological study there, don't expect there to be any issues. Will get the Boards a copy. DEC and Army Corp. have confirmed the wetlands delineations. Will need permits to cross wetlands in two locations.

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Here tonight for public hearing so that a recommendation can be made to the Town Board, and will come back for detailed Site Plan Review when that stage is reached.

Chairman Jensen set the ground rules for public hearings.

Sue Lacy, 308 Bluebird Road across from end of Harrison Avenue: Were wondering if there would be a buffer between the road and the side where their house is.

Mr. Schermerhorn: This is all preliminary, there will definitely be a buffer, Board would require it, but this is prelim and if we know you have concerns we will take that into consideration.

Mr. Lacy: Looks like the entrance is right across from our house.

Mr. Mitchell: It's still very conceptual.

Mr. Lacy: Would we get city water?

Mr. Schermerhorn: Yes.

Mr. Lacy: Sewer?

Mr. Mitchell: Don't know.

Mrs. Lacy: What about the power lines?

Mr. Mitchell: Over here.

Mrs. Lacy: If they could leave that line of trees so that we have that buffer. If you make that entrance there, the road has a hill, and we can't see well, so that will be hazardous.

Mr. Mitchell: We will have a traffic engineer looking at it and we will make sure there are sight lines.

Mrs. Lacy: How many apartments?

Mr. Schermerhorn: 204 units planned now. It is conceptual.

Mr. Lacy: We have no problem with it, we just want the buffer and the water.

Andy Belair of Ferry Blvd.: They just built senior housing up the road, why do they need another one? I have been living in Fenimore since 1966, and that end of Harrison Ave. is all swampland, used to be underwater. You are going to create a water problem. I see you have a spot on the map for wetlands, and how are retention ponds different from us being told not to have standing water? And people fly through on Bluebird Road and won't see that entrance, that's not a good idea.

Chairman Jensen: If they come back with approval from the Town Board, we will have a traffic study to make sure that situation is engineered. A Town consultant will review their plan as well so there are several layers of looking at it, and we need people who have been in town a long time to tell what they have seen, too. The Board may decide that what they are doing isn't acceptable anyway.

Mr. Belair: Where Bluebird Road and Gansevoort Road meet [Bluebird Village], they shouldn't have put those buildings in, surrounding those other 2 houses and I think it must have damaged property values.

Mr. Schermerhorn: One of those homeowners sold me the property, and the other owner we made a lot of concessions to keep her happy. That was the zoning for the land. It couldn't have been developed

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any other way. On the question of need for senior housing, Good Shepherd is assisted living for people who need some help with their daily needs, and this model is one that we don't have, which is fully independent, healthy, active seniors who just want a maintenance-free lifestyle and no children living in the neighborhood. They are intended to be affordable. That's what it will be. Regarding the entrance, we can certainly move things around.

Mrs. Lacy: What happens to the houses of all the people that are moving into the place?

Mr. Schermerhorn: My observation is that there's not a lot of inventory in the marketplace. Roads and subdivisions were going in all over ten years ago, but that's not as active as it was. The market has changed, but there's demand for this. Young families and professionals sharing want these apartments. Not everyone wants a home these days. It is getting harder to afford. These are not subsidized, they are market rent, people have to have credit ratings and qualify for them. I did talk to the principal at Harrison Ave. Elementary School, and they have low enrollment and welcome more students right now.

Mrs. Lacy: How close is it to the storage units?

Mr. Mitchell: Right next door.

Mr. Schermerhorn: And I talked to Mr. Perkins a week ago and he voiced no concerns, but he wants to put in more units. These are on slabs and even though they have garages people still look for storage units, so it's beneficial to him.

Mr. Arnold: Units 28 & 29 by the entrance, look how close they are.

Mr. Mitchell: That should be an 8 unit not numbered separately.

Mr. Arnold: I thought you had squeezed two too close together. Is it going to be 2 or 3 floors in the senior side?

Mr. Schermerhorn: I have four projects. Codes are much harder with 3 floors, sprinklers, elevators. It's better for me to go 3 than to spread out.

Mr. Arnold: What's the elevation on 3 stories?

Mr. Schermerhorn: 34ft. I can change the roof pitches.

Mr. Arnold: We have no control over it, but it doesn't have to all be yellow, does it?

Mr. Schermerhorn: Towns direct me all the time.

Mr. Arnold: Do you know the speed limit?

Mr. and Mrs. Lacy: It's 55.

Mr. Arnold: I think people go 60 when its 45 and 55 is something to look at, but it's nothing we can do. You might have to petition.

Mr. Patricke: They can ask the Town Board to petition, they can't petition. The Town Board has done it in the past. The County makes the determination.

Mr. Arnold: And they consider population density, so this may change it.

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Mrs. Lacy: The double line did help.

Mr. Antis: Will it affect the Community Center?

Mr. Schermerhorn: I think 99% of the people will be residents from the area to begin with.

Mr. Patricke: The Community center should be reached out to when the plan is more in place.

Mr. Schermerhorn: I do put in community rooms and recreation rooms which get used regularly. Nature trails, gazebos, etc. Visit Water's Edge in Hudson Falls, it's the same concept.

Mr. Patricke: Bus system for senior center would start coming to this site.

Mr. Zimmerman: Our job is to make a recommendation on the PUD. I think we can do that and tell him why not, if not. In the past, we have had counsel help us by drafting a statement of what the PUD should have with it, one example is the height because we see that currently it's not allowed in the Code to be above 30ft., and if we have to rezone it, we should say what we want to capture.

Mr. Patricke: We anticipated that and Stephanie has drafted a letter like that, you can add specifics. She has been working on it so we have a draft.

Mrs. Dilallo-Bitter: I do have a question about the proposal for height. I need a specific number. Setbacks, 30 ft. front and rear 12 ft. the on side, landscaping during site plan review and the dimensions. And parking, 235 spaces in Harrison Quarry and Bluebird Trace 133.

Mr. Mitchell: Is the 60 ft height limit [manufacturing] going to come into play?

Mr. Patricke: It's questionable, and up the Town Board. My recommendation is 38 ft. because that's what it is in any Residential district now. UR districts throughout the town, even though it's higher in that M-1.

Mr. Arnold: Since we are setting up a special zoning area with the PUD, does need have to be established? To justify it as a good fit?

Mr. Patricke: You can certainly comment on it. Mr. Mitchell mentioned the extension of the water line down the road which is a benefit to the community often tacked those on to the PUDs.

Mr. Arnold: There may be benefit just from development, and I just wondered whether it was something we need to establish or the Town Board.

Chairman Jensen: You need according to our regulations.

Mr. Antis: That area between here and the school, is all apartment living developments, has the Town Board thought about how that will impact the community there?

Chairman Jensen: We can only regulate what's built in a district via zoning change. We have regs that say they can do this.

Mr. Patricke: We only have certain areas where water and sewer are available, and the Town Board won't put apartments anywhere else.

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Mr. Antis: Is there water in Fenimore?

Mr. Patricke: Yes.

Mr. Antis: What water district would this be?

Mr. Patricke: 1 if they keep districts.

Mr. Belair: I had heard that he was interested in the Old Schoolhouse property at the end of Fenimore.

Mr. Schermerhorn: I wasn't aware it was for sale, so I have no idea.

Mr. Endal, member of public: This is a manufacturing district, how does this affect that district?

Mr. Mitchell: It takes 25 acres out of it.

Mr. Endal: Will the project be surrounded? It will be a residential area surrounded by manufacturing.

Mr. Mitchell: Yes, but there is other residential living within a mile in a couple directions.

Mr. Schermerhorn: And the cement company has a buffer that will never be developed. When the quarry is finally closed it will be a nice area.

Mr. Lacy: The foundations rock from that blasting.

Mr. Schermerhorn: I have been there once and felt the blasting slightly. The only difference is the foundations are poured and reinforced with rebar and we know how it's regulated. It's enough.

Mr. Patricke: Slab on grade?

Mr. Schermerhorn: Yes.

Chairman Jensen closed the public hearing at 7:48 and asked for a motion, stating that he felt the Board had a generally favorable feeling about the project. The Chairman read some of the guidance for the Board.

Mr. Mitchell: Our exceptional justification is that this is the best way to keep rents low while providing housing in the Town and is a good use of this land.

Mr. Arnold: Can you cap a 3-story under 38ft.?

Mr. Schermerhorn: I think 38 is what I do need. We could call it 40.

Mr. Antis: Are the trees such as old growth that a structure that big would be bermed by it?

Mr. Schermerhorn: We will try to save the trees and there are some good sized old growth trees in there I don't have to disturb. There are pines and hardwoods.

Mr. Patricke: Height is up to the Town Board, but we had controversy about Home of Good Shepherd and the impact is very small. It blended in.

Mr. Arnold: There was more controversy about the 5 story they presented for Route 9 than the home that is built now.

Mr. Schermerhorn: I would like some leniency.

Mr. Patricke: I think hold him to the minimum necessary to accomplish the project, but give him some time to figure out what that is.

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Mr. Schermerhorn: I try to do 9 ft. ceilings because it makes the home feel roomy, and I like a pitched roof for looks and for snow.

Mr. Zimmerman: Three story limit ok?

Mr. Schermerhorn: Yes.

Chairman Jensen: Our task today is just to cover ourselves and couch our recommendation in what is emergency services comfortable with. They may say no.

Mr. Patricke: These are all sprinklered.

Chairman Jensen: And the reqs are based on zoning districts, which a PUD isn't, so they can establish whatever they want if emergency services is comfortable with it. I'm reluctant to put a number on it. We would also require that you be sensitive to landscaping.

Mr. Zimmerman: I think it spoke to density and it's 172 vs. 186 and what we said is that since 70 are senior housing the impact on services is lower, so we are comfortable with that variance.

Mr. Patricke: Town Board has looked at impact over density before.

Mr. Antis: Can we make a comment about the traffic study? That will become a major travel point with increased traffic.

Chairman Jensen: We will look for traffic study when they decide to come back for Site Plan Review.

Mr. Antis: I think it belongs in the recommendation.

Mrs. Dilallo-Bitter: He has to subtract out roads, open areas etc. in his density calculations. Tonight's calculations only subtracted wetlands.

Motion was made by Mr. Zimmerman to request that Mr. Patricke and Mrs. Dilallo-Bitter should prepare a statement of favorable findings and list of recommendations to the Town Board with regard to the Harrison Trace- Bluebird Quarry PUD for review by the Planning Board at the next meeting. Mrs. Riggi seconded. A roll call vote proceeded as follows: Mrs. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mrs. Endal, Yes; Mr. Paska, Yes; Mr. Zimmerman, Yes; Chairman Jensen, Yes. Motion carried 7-0. Official comments should be made at the public meeting. Concerns can be made to Joe for changes prior to that meeting.

## **#2 Robert Perkins**

### **Harrison Avenue- Self Storage**

#### **Site Plan Review**

Mr. Patricke: Mr. Perkins has previous site plan approval with 2 phases and came back for outdoor storage additional. He wants to go forward with Phase 2, I think he needs another Site Plan Review.

Mr. Zimmerman: Is there a change?

Mr. Patricke: No, but he may not do it all, maybe half now.

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Mr. Arnold: We have letter with a change in size of structures. Extra 30 ft. goes toward that open area.

Mr. Patricke: And there's nothing in the outdoor storage.

Mr. Arnold: Does he need to do mylars for that?

Mr. Patricke: New mylars and sign off by the Board, but it's not referable to anyone. Just a Planning Board meeting. I would like to request it for next month.

Chairman Jensen: Is it your understanding that it will be Site Plan Modification by Hutchins Engineering?

Mr. Patricke: Yes

Mr. Zimmerman motioned for a Public Hearing scheduled for Dec. 16<sup>th</sup>, Mr. Antis seconded. Motion carried unanimously.

Chairman Jensen: Do you want a new EAF?

Mr. Patricke: If there's not a significant change in the stormwater plan I don't usually ask for anything. Get a recommendation from Mr. Robinson.

Mr. Arnold: We would have already considered stormwater for the entire site.

Mr. Patricke: Yes but we are changing the size of the buildings.

Mr. Zimmerman: Cover letter from Hutchins says no changes. But we didn't vet that with Garry.

Mrs. Riggi motioned to waive additional SEQR review pending confirmation by the Town engineer that this is not a significant change. Mrs. Endal seconded. Motion carried 7-0.

**#3 William Rourke  
Gansevoort Road  
Sketch Plan Review**

Mr. Rourke appeared and explained that the site is 69 acres on NYS 32 east side. The property has been before the Board before, now proposing 4 lots with a private road, 40 ft frontage by a couple lots. The zone is R-5, lot size is 5 acres, we have 5, 6, 8 and 50 acres lots. Two major swails, so large lots is a better idea than the 12 you have seen proposed before. 1450 ft. roadway to the back parcel. Driveway. We might put a T halfway back, for turn around.

Mr. Patricke: It won't be a road, so that regulation doesn't apply, but emergency access is dictated and you will have to have a turnaround. It's very specific on shared driveways. In 2010 the code changed. 14ft. wide, etc., signage

Mr. Arnold: It was 20 ft wide and 14ft high.

Mr. Patricke: Ok. And turnaround for fire trucks.

Mr. Rourke: 700 ft back we would have a T turnaround.

Mr. Arnold: Your T is right on the driveway for the house that's there.

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Mr. Rourke: I am buying and the paperwork just came on Thursday and that's why the map is so hard to look at. Wetlands are marked and a lot of money went into the property.

Mr. Patricke: We are here for sketch plan and we have some requirements and this has all the info we need, he wants to know if he should go forward. He'll come back with more drawings.

Mr. Arnold: You joined lot 3 and the undevelopable parcel across the roadway as one lot?

Mr. Rourke: If that's permissible.

Mr. Antis: Why wouldn't Lot 2 have it?

Mr. Rourke: I want the center of the swail.

Mr. Arnold: Why not take lot 2 all the way back?

Mr. Rourke: I will if I can't do this. If I deduct the wetlands and slopes you end up with a little over 6.

Mr. Arnold: Some wetlands are DEC and some Army Corp?

Mr. Rourke: Yes.

Chairman Jensen: Do you have any objections to Mr. Rourke continuing?

Mr. Antis: No, but I think Lot 4 could incorporate those parts of Lot 2.

Chairman Jensen: There are many ways to do this.

Mr. Rourke: Do you have a problem with an easement going through?

Mr. Zimmerman: Could 3 get bigger and 2 get smaller?

The Board discussed various possible configurations for this subdivision.

Chairman Jensen: Anyone opposed? There is no regulation for sketch plan approval, just an opinion.

The Chairman polled the Board and there were no objections raised. Mr. Rourke was advised that he can come back to the Board anytime and doesn't have to go to the Department of Health, because the land has not been recently subdivided.

Mr. Arnold: Provide adequate space for two vehicles to pass each other on that length.

Mr. Zimmerman requested that the new driveway regs mentioned by Mr. Patricke be provided to the Board. Perhaps they could be added to the drawings.

The Chairman asked whether the Board wants a long form EAF.

Mr. Arnold: Because of the site contours and wetlands, yes.

Mr. Zimmerman: Also it's in the Ag district.

Mr. Patricke: The EAF Changed Oct. 7, make sure you have the new one.

Mr. Antis asked whether there are any expired issues, Mr. Patricke told him that there is no expiration process, but there are things that are continued and haven't been addressed. The Chairman said sometimes an applicant asks for more time.

Mr. Antis asked about the Route 9 mall by the cabinetry place.

Mr. Patricke said that the Board sent him away with things to do and he hasn't done them yet.

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Mr. Antis motioned to adjourn, and was seconded by Mrs. Riggi. All in favor, meeting was adjourned at 8:40 p.m.

Respectfully Submitted,

Tricia S. Andrews