

A meeting of the Town of Moreau Planning Board was held on November 21, 2016 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

|                 |                                     |
|-----------------|-------------------------------------|
| G. Peter Jensen | Chairman (temporarily stepped down) |
| Reed Antis      | Planning Board Member               |
| John Arnold     | Planning Board Member               |
| Ron Zimmerman   | Acting Chairman                     |
| Erik Bergman    | Planning Board Member               |
| Dave Paska      | Planning Board Member               |

Also present: Atty. John Wright, Attorney for the Town; Jim Martin, Zoning Administrator; Tricia Andrews, Planning Board Secretary

Not present: Linda Riggi, Planning Board Member

Acting Chairman Ron Zimmerman called the meeting to order at 7:00pm. He welcomed and thanked Mr. Jensen for coming back for the meeting, and Mr. Jensen thanked Mr. Zimmerman for filling in for him. The minutes of the October 17, 2016 meeting were reviewed. On p.1951 “sheds are not in use” should indicate that the sheds sales business is not operating, p.1953 Mr. Zimmerman’s comment mid- page- Maybe we want to “add” a note to the drawing. Word ‘add’ was missing. Bottom of p. 1953 Atty. O’Hara said “It’s at the Board’s discretion if they want to hold a public hearing.” P. 1957 bottom of Mr. Stewart section. I might be back “in” January not “on” January. On p.1958 Mr. Rogge 1/3 down, stated “I can’t imagine anyone...” next sentence should start with “if” not “of”. 2/3 down that same page, a motion was made to accept “that” instead of “the” Jim wrote. 1958 1-d typo on pickup truck. On p. 1960, 1/3 down, Mr. Antis- he could flip flop instead of flap.

Motion to accept the minutes as amended was made by Mr. Arnold, seconded by Mr. Antis and passed unanimously with no roll call but Mr. Bergman and Mr. Jensen abstaining.

**#1 Snowball Tree Farm-1720 Route 9**  
**Public Hearing**  
**Site Plan Review**

Mr. Pickering was present and explained that he is in the process of buying a Christmas Tree Farm from his uncle, and will be the 4<sup>th</sup> generation in the business. He wants to sell Christmas trees in Moreau. This will be on Mr. Bill’s Restaurant property in the same part where sheds are sold for part of the year.

Mr. Arnold had asked for the existing curb cuts to be shown on the plans, and they are not on the map yet, so he would like that on the plan before the mylars are signed. They don’t intend to use the curb cuts so Mr. Arnold would like to see “No Parking” signs in the openings directing people to park at the

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restaurant, so that it doesn't cause confusion and cars end up parked on the shoulder. Traffic needs to be directed to Mr. Bill's.

Mr. Antis asked if the requested letter had been received about using the property and Mr. Martin said that both that and the letter about shutting down the shed business during the time that the tree sales are active were received. The County had replied with no comment.

Mr. Arnold asked whether this temporary arrangement was set up correctly and Mr. Martin agreed that it is clear, Mr. Pickering would operate from Nov. 25<sup>th</sup> to Dec. 25<sup>th</sup>, and the shed sales business doesn't have to come back Jan. 1 and reapply. Mr. Paska asked whether this would need to be re-created every year and the Board discussed taking out the specific dates so that it would work year after year. Dates will now refer to the Friday after Thanksgiving until Christmas Day annually.

Ethan Hall, Rucinski-Hall suggested that it say: 11am-9pm annually from the Friday after Thanksgiving to Christmas Day and all site clean-up would be completed by Dec. 31<sup>st</sup>.

A member of the audience asked whether he could have fireworks on that location. Mr. Antis explained that the shed sales business is in place for the rest of the year.

As the Board had decided last month not to do SEQR for this, Mr. Zimmerman closed the public hearing at 7:16 pm.

Mr. Arnold asked Mr. Hall to add a comment on the plan clarifying that the two other curb cuts will be blocked, and he said he would take care of it.

Mr. Arnold motioned to approve the site plan for Snowball Tree Farm, Inc., and Mr. Bergman seconded. Roll call proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Aye; Mr. Zimmerman, Yes. Motion carries 6-0.

Motion was made by Mr. Arnold and seconded by Mr. Antis for the Chair & one other member to sign the mylars when they become available. Motion passed unanimously with no roll call.

**#2 NAEC- 35 Fawn Road**  
**Public Hearing**  
**Site Plan Review**

Sierra Earl, Practice Manager at Northway Animal Emergency Clinic explained that they are proposing a building expansion to add workspace & efficiency.

Mr. Arnold asked whether an engineer had observed the test pits, and said that there was some discussion that needed to be had about it.

Mr. Martin said that there was concern about the quality of the soils in the septic system leach field. The test pits were observed by the project's engineer at the request of the applicant, but no Town staff member was there. This is not how it is usually done, but the Engineer (Tim Northup at Northwoods Engineering) was licensed and is liable for the accuracy of that. Other municipalities allow this. Mr. Arnold just wanted it to be mentioned in the public forum, because the Board had agreed to it over email.

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Mr. Arnold motioned to accept the engineer's observations on the three test pits on this property and Mr. Antis seconded. Mr. Martin asked for the observations to go on the record and Mr. Northup said that the soil profile is on the map, was mostly coarse sand, perked very fast and will have to be amended because it was so fast. The goal is a 5-10 min. perk. They were done Sept. 30<sup>th</sup>. Roll call proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Nay; Mr. Zimmerman, Yes. 5-1 Motion carries.

Mr. Antis pointed out that Mr. Bouchard had asked Mr. Martin to look into the previous agreement about the sign on the property. Mr. Martin reported that he looked but was unable to find anything in the records regarding the sign. So, they will have to apply for their sign permit as usual and stay out of the right of way, meet all the Town guidelines regarding the sign.

Mr. Northup had the minutes from 2001, which showed that the previous sign before 2001 had been non-conforming, over the property line. The one that is there now is conforming and 10 ft off the property line.

Gordon Elmers, NAEC: Driving North you can't see the sign. People come from the Northway and miss the driveway because they can't see the sign.

Mr. Antis asked whether they were keeping the split rail fence, and they are taking it out but not replacing it.

Mr. Arnold asked about runoff from the new proposed parking lot. He could not find drywells on the new plans.

Mr. Northup: We decided we didn't need drywells. Based on a 25 yr intensity storm volume, it will all run down to one corner where there is cobblestone or riverstone outlet and into the ground.

Mr. Arnold: 2-6 inch diameter cobblestone? You are only adding a little parking lot but there is a lake in there every spring, 6-8 inch deep, near where you are putting the septic. People I know in the area are also thinking about drywells to get rid of the lakes in the spring. This looks like an open drywell, but how's it going to work when it's frozen? There are no stormwater controls now.

Mr. Zimmerman: The concern is compounded by historic knowledge of problems.

Mr. Northup: We are not changing the amount of runoff so we didn't think we needed to add any more stormwater control. I am not aware of issues with water on the site.

Mr. Northup showed on the map the location of the seepage pits and Mr. Arnold said that it was in the area of the springtime lake. Although the soils drain well, when it is frozen and there is spring rain, what keeps this from clogging?

Mr. Northup said that there would be maintenance required.

Mr. Zimmerman asked whether the deep hole test had showed any mottling.

Mr. Arnold agreed it is very well drained.

Keith Gilligan owns a house on the North side (Fawn Road). He wanted to know where the runoff was going, and it was demonstrated for him on the map as the back of the property.

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Mr. Jensen asked whether the Town's Engineer had looked at this stormwater management plan. It is not his favorite but it will probably only be a problem when the ground is frozen, which is limited. It will work for the storm they designed it for, and it doesn't need a SPEDES permit. Would a drywell help? Sure.

Mr. Arnold asked if the drywell was avoided for a reason, and Mr. Northup said that they just wanted to stay with natural features.

Mr. Robinson said that the Dunkin Donuts next door has a drywell for the same reason, although the soils are good, it's just to avoid trouble in the spring. There is a sharp drop on the site and flow will continue through the site, can't be going onto other properties and is close to the septic.

Mr. Robinson said he thinks the required separation is 30 ft. for some structures and 100 ft for more formal ones.

Mr. Jensen asked whether they had considered building a swail.

Mr. Northup said it is a possibility.

Mr. Zimmerman asked whether they were agreeable to a swail and a structure. Mr. Robinson said a deeper infiltration trench with fabric over the top would work, still requiring maintenance with replacement of the fabric. It will drain well if it's below 12 inches deep.

The Board reviewed a Short Form EAF. No significant changes were made.

Mr. Arnold motioned to make a negative declaration on the NAEC for Pets Short Form EAF, Second Mr. Paska. Roll call vote resulted as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Aye; Mr. Zimmerman, Yes. Motion carries 6-0.

Mr. Martin said that the County had reported no comment and the DOT had no comment either.

The site has already gone through historic and archaeological review.

Mr. Arnold motioned to approve the site plan for NAEC for Pets at 35 Fawn Road pending satisfactory resolution with Mr. Robinson of the concerns regarding the septic system and stormwater situation. The Board would like to see a drainage structure on the southwest corner of the new parking area and a swail on the east/southeast to keep water out of the septic system.

Mr. Antis asked whether the Town had recourse if the plan that is made fails.

Mr. Martin said that if the failure affects other property owners the Town can address it; or health and safety, then that would be a code violation. But if it's just a nuisance to them, no.

Mr. Arnold said that the private property owner is responsible for that.

Mr. Martin said that this condition in the motion could be met by a letter from Mr. Robinson when the situation was rectified. Mr. Antis seconded the motion. Roll call vote proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Aye; Mr. Zimmerman, Yes.

Motion was made by Mr. Arnold and seconded by Mr. Bergman for the Chair & one other member to sign the mylars when they become available. Motion passed unanimously with no roll call.

Mr. Zimmerman advised the applicant that they have 60 days to make the changes and file their plans.

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### **#3 Route 9 Mini-Storage-1433 Route 9**

#### **Public Hearing Site Plan Review**

Mr. Rogge and Ethan Hall are presenting a few changes to plan. Last meeting we discussed what can and can't be parked outside, and the new list has been put on the drawing.

Atty. Nathan Hall of Little & O'Connor appeared representing the owner of 1431 State Route 9, Dynamite Real Estate. His client just got the notice, and has concerns with the project as proposed. It is adjacent. It is the site of the former Bean's Country Store, and the Mini-storage is accessed across his client's property, so he is concerned it will overburden the easement. The owner also believes that it should require a Use Variance because C-1 doesn't allow this type of project. It's an expansion of an existing Use, so he doesn't know what was applied for initially.

Mr. Arnold thought that the use of the deeded right of way might be an issue that should be decided in court. This Board deals with highway traffic, but not traffic on properties.

Atty. Hall argued that it can be handled in court, but that this Board also can decide if traffic is an issue in a neighborhood.

Mr. Arnold explained that they have talked about Mr. Rogge using his own property for access. He asked about the Use Variance.

Atty. Hall presented the schedule of permitted uses and asked which of those it fits into. Mr. Arnold argued that it is a business that primarily services highway traffic.

Mr. Martin stated that he has already determined that it is an allowed use, as Zoning Administrator. This application can proceed until someone goes to the Zoning Board for an Interpretation of Decision. This Board should not address this consideration, just the Site Plan.

Atty. Nathan Hall stated that his client just found out about this this morning and that he doesn't know what the two owners have said in the past about the easement, and that he will pursue it via the ZBA if he has to. He still is concerned about the significant increase in traffic.

Mr. Zimmerman restated the concern that this project overburdens the property that the easement uses.

Atty. Hall emphasized that it will also impact his business negatively.

Mr. Martin asked whether there is further information about the easement and any restrictions or limitations, and Atty. Hall said that there are not, it would be looked an under intent of parties, and there was no knowledge of this intent when the easement was created.

Mr. Arnold took the opportunity to ask for a current survey from the property as the Board had looked for it previously and had no response from him. The notice was dated Oct 25<sup>th</sup>, but the owner was out of Town.

Mr. Jensen asked whether it puts the Board in jeopardy if they approve and the ZBA says no. Atty. Wright stated that the Board could do whatever they want while there's no actual application in front of the ZBA.

Mr. Paska asked what amount of car traffic they were looking at and Mr. Rogge described a great deal of variance.

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Mr. Arnold asked why Mr. Rogge doesn't want to use his own access and Mr. Rogge said it was the YMCA that didn't want traffic passing through their parking lot, which they thought would be heavily trafficked. Mr. Arnold said that courtesy should also apply to a busy establishment at the Beans property too, and Mr. Rogge agreed that he would address that if it came up. He might see 4-5 cars in the Mini-Storage in 90 minutes. In the winter he plows the paths but doesn't see anyone.

There are 300 units now and proposed 70 more.

Mr. Hall explained that there are 8 buildings and they are adding 3. The maps break up the units within the shells.

Mr. Martin said that the easement has to be shown on the site plan so that traffic pattern can also be shown adequately; this applies whenever there is an easement. Mr. Arnold agreed that both access points should be shown since both will be used.

Mr. Martin wants the dimensions of the easement and a note as to whose benefit.

Mr. Arnold points out again that Mr. Rogge is bowing to the wishes of a previous client and not to the owner of the easement, who deserves some consideration.

Mr. Rogge said that he has another access point on the South side, but he would have to put in a road.

Mr. Arnold agreed that access is not in a natural spot.

Mr. Ethan Hall pointed out that one gate is automated and the other is manual, although they could be swapped.

Mr. Arnold was also concerned that the notes on acceptable storage use on the plan were not a final form, the Board had not finalized it during the discussion last month, but they appeared on the plan anyway. Originally the plan said the parking spaces were for cars, boats, etc. and he is not comfortable with expanding the use beyond that. He wants things that can be registered by the DMV. Sheds and metal containers are expandable storage areas. He doesn't want to say they have to be registered, but it might be necessary to say that.

Mr. Rogge wants the Board to be happy but he also doesn't want to be cornered.

Mr. Arnold is not willing to list what is not allowed, but a simple list of what is. He thinks this is a good idea but he's uncomfortable with some forms of outdoor storage.

Mr. Paska pointed out that boats are not listed on the current wording.

Mr. Jensen pointed out that the EAF might need to be updated if a different sort of building were added to the property. Mr. Martin read it and it lists the new buildings and square footage.

The Board reviewed the Short Form EAF. No amendments were made.

Mr. Arnold asked why there was a yes in the archaeological box, and in this case Mr. Hall doesn't know why the State DEC auto-filled it.

8c Mr. Jensen asked about bike routes and it refers to the bike lane on Route 9.

Mr. Arnold motioned to make a negative declaration on the Short Form EAF for Route 9 Mini-Storage and Mr. Antis seconded. Roll call vote proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes. Motion carried 6-0. It was agreed that the previous archaeological and historical reviews would stand for this project.

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Mr. Jensen asked whether Mr. Martin's questions had been answered adequately and Mr. Martin and Mr. Hall agreed that they were happy.

Mr. Antis asked if further changes should be made to the notes, including a Letter e. for Boats.

If Item 2 were taken out and added to the not permitted; could "...canvas tents that cover vehicles that could be registered" be acceptable? This would be metal and canvas temporary garages. Other than that, the bulldozer Mr. Rogge currently has stored is an issue. It can't be registered. So he might like to add "construction vehicles."

Mr. Arnold would rather not list specifically allowed things. It doesn't include tractor trailer cabs and it should, so he liked "vehicles that can be registered by DMV and construction equipment." But he doesn't want sheds. Motion was made to approve the allowed uses as amended by Mr. Arnold and seconded by Mr. Bergman. Motion passed unanimously with no roll call.

Motion that the Chair and one other member sign the mylars when they become available made by Mr. Arnold and seconded by Mr. Bergman. Motion passed unanimously with no roll call.

Old Business:

### **Leonelli/Schermerhorn- Harrison Ave.**

#### **Site Plan**

#### **Review of Traffic Study**

Applicant wanted to modify the site plan for what was known as Leonelli Apartments. Travis Mitchell from Environmental Design Partnership presented and explained that the boulevard entrance has been moved so it's not in front of someone's living room window and is between homes. A sidewalk to the west has been added to the plan. Creighton-Manning Engineering has reviewed the 2006 traffic study projections to see if they were still relevant. It was prepared and Peter Faith reviewed it for the Town. New traffic counters were done.

Harrison Ave. trips were lower than predicted, Sisson Rd. was higher and Hudson Ave was mixed. The analysis and updated predictions looked at it all again and came to the same conclusions, that no mitigation was necessary. On Sisson Rd. counts were higher, but intersections were still A & B rated. A public hearing on this had been tabled in July. Mr. Martin stated that the existing projects were factored into the analysis and he believes outstanding issues had been satisfied- they looked at everything. Motion to reopen the public hearing was made by Mr. Antis and seconded by Mr. Jensen. Motioned passes unanimously with no roll call. Mr. Antis wanted to note that there was nobody present from the public, though they had been there since summer. Mr. Jensen said that since this is a decreased number of units, there would be no need to look at SEQR for this. The EAF was for 270 units but final approval was for 240 units.

Mr. Robinson has looked at stormwater for this and it looks good, the project can proceed. They are applying new green resolutions and that is why they came in for review.

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Mr. Arnold asked about traffic control to keep there from being a dragstrip on the long, straight road. Mr. Schermerhorn said he has another complex designed like it, but people are generally good about that because they know there are kids and pedestrians. There are posted speed limits and children at play signs, but it is not enforced. He asked for half the speed of what would be recommended. People do call and complain and he will enforce that, if that doesn't work they ask neighbors to complain to the police department so that a record of complaints is established.

Mr. Arnold asked about snow management and it will be onsite. This is part of the reason they plan additional parking spaces.

Mr. Bergman motioned to grant site plan approval for the revised Leonelli Harrison Ave. apartment complex.

Atty. Wright recommends that SEQR be reaffirmed.

Mr. Arnold motioned to reaffirm the negative declaration from the original Long Form EAF for Leonelli Schermerhorn Harrison Avenue Apartments and Mr. Bergman seconded.

Mr. Bergman motioned to grant Final approval, Mr. Jensen seconded and roll call vote proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes.

Motion that the Chair and one other member sign the mylars when they become available was made by Mr. Bergman and seconded by Mr. Paska. Motion passed unanimously with no roll call.

## **#2 Doyle, Diana Jean/Bartlett Enterprise- 205 Reservoir Road Site Plan Review**

Mr. Martin explained that this is a result of an enforcement action because Mr. Bartlett is running a roofing business out of the site and complaints were made. In August, it was discussed to move operations to the other side of the site, so this is a plan that allows for a potential future subdivision, though that is not being considered at this time. The building has been shifted; a fenced area shown for storing equipment will be very helpful. There is a planned showroom, retail area and office in the new building and he would live in the residence. This is non-conforming, but Mr. Bartlett's attorney has provided proof that it was a residence within 2 years so it can remain a residence as long as that use is re-established soon.

Mr. Arnold: This is a dual usage, residential and commercial in a Commercial zone?

Mr. Martin: Yes, with the option of a future subdivision.

A new plan was provided showing the new building turned to face the road. Mr. Martin has not seen this before but he likes it. They will have to park 5-6 cars for employees.

This has not had a public hearing.



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Mr. Arnold: New proposed use is a showroom. You'll have an office in there. That brings me to septic and water. You can run the water from the house, but septic is something else. If you have an employee, you have to have a bathroom.

Mr. Bartlett: I wasn't going to put one in right away.

Mr. Arnold: You have to put it on the plans. It would be convenient for you. It doesn't have to be a huge one.

Mr. Zimmerman: How are your soils?

Mr. Pidgeon: Sand.

Mr. Arnold: And you have adequate drywells.

Mr. Pidgeon: We're going to put a few in, should be sufficient.

Mr. Arnold: You're okay with the driveway the way it is?

Mr. Bartlett: For now. If we subdivide we might have to do something different.

Mr. Arnold: If you want a sign, you should put it on the map.

Mr. Antis: This is a C-1?

Mr. Martin: The end of it. Is that fenced in area big enough?

Mr. Pidgeon: I made it bigger.

Mr. Martin: That is the main concern, because it is up against residences and the unsightly stuff needs to be behind the fence.

Mr. Zimmerman: Natural forest will grow back up? And this crushed stone?

Mr. Pidgeon: Take that off. Let it be reclaimed.

Mr. Martin: Is that driveway going to be shut?

Mr. Bartlett: Yes, there's no reason to get back there.

Mr. Antis: Concerned about tractor trailer traffic on Reservoir Road. And is this business approved for this Zoning? I think he needs to apply for a Variance.

Mr. Martin: It's retail.

Mr. Antis: But he's got his materials stored there.

Mr. Arnold: It is not known for tractor trailers, but it is flared nicely. Not on Route 32 but on Route 9.

Mr. Bartlett: 90% of my materials get delivered to job sites. I'd just store what I sell.

Mr. Arnold: So you would be ok if we said tractor trailers had to leave in the direction of Route 9 and not try to turn onto Route 32.

Mr. Bartlett agreed.

Mr. Martin: This is a business that primarily services highway traffic and the other things I viewed as ancillary. Besides that, the list of other things that are allowed involve...(my Martin was interrupted).

Mr. Antis: It also says no warehouses.

Mr. Martin: I don't see warehousing as a use here.

Mr. Antis: Can't you buy a bunch of shingles?

Mr. Martin: Sure.

Mr. Antis: That's warehousing then.

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Mr. Arnold: So Hannaford is a warehouse because they store stuff out back?

Mr. Antis: They are not in a C-1. He's doing light manufacturing.

Mr. Arnold: He's not making anything.

Mr. Antis: I don't think it's best interest to have something like that on Reservoir Road.

Mr. Martin: If Lowe's came in selling shingles, I would call it services highway traffic.

Mr. Arnold: It is a little different.

Mr. Martin: Somebody made this C-1.

Mr. Antis: Just stating my opinion.

Mr. Bartlett: I will sell very little of that to people, unless they need a little for repairs.

Mr. Antis: So it's not really a business, just an office.

Mr. Arnold: It's a showroom. Which I think is retail.

Mr. Bartlett: And anything stored there would be for sale.

Mr. Antis: Then it's a warehouse.

Mr. Martin: Appeal it to the Zoning Board if you are aggrieved.

Mr. Antis: It's too ambiguous. It should be one or the other.

Mr. Martin: Retailing was occurring from the site. Roofing was ancillary.

Mr. Bartlett: I am similar to Home Improvement Gallery.

Mr. Antis: They are not in our Zoning. I am pointing out my opinion.

Mr. Arnold: What are these lights? Downcast floodlighting?

Mr. Pidgeon: Whatever works.

Mr. Arnold: Where did you get the dimensions for the parking spaces?

Mr. Pidgeon: That's the typical size, 9' x 18'.

Mr. Arnold: The Town of Moreau is 10' x 20'.

Mr. Arnold: Who's occupying the residence?

Mr. Bartlett: Me.

Mr. Arnold: What if he rents it out?

Mr. Martin: Zoning doesn't care.

Mr. Bartlett: If I did, it would be to someone who works for me.

Mr. Zimmerman: When will you re-inhabit that?

Mr. Bartlett: Drawings will be done in a couple days and we are looking at next week to start work.

Mr. Arnold: I see a chain link fence set back from the property line. That's owned by National Grid and is not a right of way. What's the gate?

Mr. Bartlett: It was there.

Mr. Arnold: Someone accessed that.

Mr. Pidgeon: We'll just take it off the plan.

Mr. Bartlett: If I could just buy that lot and get access to Route 9, I wouldn't have any problems.

Mr. Antis: Could that description of the business in the application include more detail?

Mr. Martin: I can do that.

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Mr. Antis: I think it's not what it is. I don't think it's the right kind of commercial business for my C-1.

Mr. Bartlett: I will comply with what I need to.

Mr. Martin: I will get a more detailed description.

Mr. Antis: That fits our Zoning.

Mr. Zimmerman: Do we have enough info to move along?

Mr. Arnold: We have no contours.

Mr. Zimmerman: Other than Don's word that it's flat as a pancake.

Mr. Bergman: We need a couple spot contours.

Mr. Arnold: Do we have Code for area lighting?

Mr. Martin: No. You can get the spec sheets from the suppliers.

Mr. Arnold: Do we need archaeology and endangered species?

Mr. Zimmerman: Yes.

Mr. Arnold: Does it go to County?

Mr. Martin: Yes, it will.

Mr. Antis: Abilene is under remediation.

Mr. Arnold: It's contaminated and contained. That's why we have Town water there.

Mr. Zimmerman: How many acres' disturbance?

Mr. Pidgeon: .75, there's a note.

Mr. Arnold: When you draw the proposed septic, we would need an idea of where it is on the house, and where the water is. Is it public water? Never mind then.

Mr. Bartlett: We will be on Town water, but there is still a well there. Can I start to clear what I need to clear?

Mr. Martin: I can't stop you. It makes it more important that the other area be completely cleaned out.

Mr. Zimmerman: Deadline to get it all back to us is Dec. 5<sup>th</sup> to be on the agenda.

New Business:

### **1. Greenwood Subdivision- Redmond and Butler Roads Sketch Plan Review**

Ethan Hall, architect & Jim Greenwood of JPG Homes have a 54 acre lot proposed to subdivide into 19 building lots. On Redmond Road they face the road, drive with a cul d sac to access the rear. Many lots are larger than required. One is 20 acres, rest are 32,500 sq. ft., many close to 100,000. 1.200 ft. to start of the cul d' sac. The road will be deeded to the Town. It is not public water, there will be wells and on-site septic.

Mr. Antis: There's a lot of wells being redug on that Road.

Mr. Hall: We're working on that with DOH, for test wells.

Mr. Antis: On my observations, water is getting tight.

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Mr. Greenwood: I have lived there 26 years.

Mr. Antis: On the other side of the road.

Mr. Greenwood: In the same areas.

Mr. Antis: On the east side of Redmond Road people are having issues.

Mr. Greenwood: On this side of Redmond Road I have well reports.

Mr. Antis: I have seen well trucks this summer.

Mr. Hall: They probably had spring points. We have to get that approved by DOH. We are putting 19 lots on 54 acres, they are not code minimum, it will not cause problems.

Mr. Antis: We've got water issues.

Mr. Hall: You don't have the soils and test pits but they have been done since your plans was made, we are going to have Kevin Hastings do civil engineering, Darrah Land Surveying. It was logged 2 years ago, and then sold.

Mr. Arnold: Lot 2. Really? What is that?

Mr. Hall: 175 ft. is required. We started on this end and that's what we had left. We have 200 ft. at the front line of that house. If you look at the other pages where it's bigger, it doesn't look quite as bad.

Mr. Arnold: As much as I like the turnaround, is that a good place to have your well casing? What if you want to put snow back there?

Mr. Hall: Yeah, that's a detail we could figure out. We had them on there to make sure we could get our separation, especially on the smaller lots.

Mr. Antis: What if they say there's not enough water?

Mr. Hall: We prove that there is. It's already in progress. We'll send them a letter and get that started.

Mr. Hall: Houses will be 1500-1800 sq. ft., maybe up to 2,500 on the larger lots.

Mr. Zimmerman: Will Garry look at this?

Mr. Martin: Yes, there's a lot more detail to work out.

Mr. Arnold: How long a road do we go before it has to be a boulevard? I think it's 1,000 ft.

Mr. Hall: We're just over 1,000 ft. to the center of the cul d'sac.

Mr. Zimmerman: What about the house on Lot 1? How far off Butler Road is that?

Mr. Arnold: I think that driveway is longer than 300 ft.

Mr. Hall: It's set up to be 16 ft wide.

Mr. Martin: A boulevard might be a good idea for you anyway.

Mr. Greenwood: Is it required?

Mr. Arnold: If you're greater than 1,000 ft. If that one is that long it's got to be 20 ft. wide.

**#2 Wendell, Jason/Rapid Electric Motors- 213 Ferry Blvd.  
Site Plan Review**

Mr. Hall asked permission to speak for Mr. Wendell, who had an emergency at work. This is here because every use in the Industrial Zone requires Site Plan Review.

A meeting of the Town of Moreau Planning Board was held on November 21, 2016 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Mr. Martin: It's a very modest project. He rebuilds electric motors with parts he gets from UPS. Delivery or pickup. He does pool filter motors, that kind of thing.

Mr. Arnold: It's light industrial.

Mr. Martin: And that's the only reason it's here. There's very little to review.

Mr. Antis: So this building is doing light manufacturing?

Mr. Martin: He's doing electric motor repair.

Mr. Arnold: It's an allowed use.

Mr. Martin: Yes.

Mr. Jensen: He's working in his existing residence and the work is not involving any potentially hazardous materials.

Mr. Martin: Yes.

Mr. Jensen: I move that we waive the requirement for Short Form EAF for Rapid Electric Motors. Mr. Paska seconded.

Mr. Arnold: We don't have the applicant. Is he using solvents?

Mr. Martin: No.

Mr. Arnold: Drain in the floor?

Mr. Martin: Dunno.

Mr. Hall: I think no. There's an overhead door.

Mr. Arnold: We could check on that before we waive the EAF.

Roll call vote proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes.

Mr. Bergman: Can we just waive the public hearing and approve it?

Mr. Martin: There's nothing to review.

Mr. Jensen: Are there residences around this?

Mr. Hall: Across Ferry Blvd.

Mr. Hall: Other than parts, occasional deliveries and pickups, little traffic.

Mr. Arnold: Why are we involved in this?

Mr. Martin: He came and asked honestly. The Residential use is Non-conforming. But every use requires site plan review.

Mr. Hall: Because Jason works at EPIC, he will probably get his deliveries there anyway.

Mr. Martin: All uses in M-1.

Mr. Paska motioned to waive the requirement for a public hearing and Mr. Bergman seconded. Motion passed unanimously with no roll call.

Mr. Bergman motioned approve the Site Plan for Rapid Electric Motors and Mr. Paska seconded. Roll call vote proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes.

Motion that the Chair and one other member sign the mylars when they become available made by Mr. Bergman and seconded by Mr. Paska. Motion passed unanimously with no roll call.

A meeting of the Town of Moreau Planning Board was held on November 21, 2016 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

**#3 JABRO Development- 1341 Route 9  
Site Plan Review**

Andrew Brodie and John Brodie, owners. The back portion of the lot is bound in by chain link, they want boat storage back there, and it will be for Yankee Boating Center, only accessed by employees.

Yankee is on Lake George, in the Marina at Diamond Point and showroom up there. Service, storage, rentals there and we have exceeded our storage space there, so we purchased this place end of summer.

Straight outdoor storage at 1341 Route 9N, former Aquawood Pools. Road side frontage is a main building and 2 outbuildings, they have no intention of using those. Just behind that there is one large building back for light industrial. We can get enough access to get boats inside.

Mr. Zimmerman: Servicing?

Mr. Brodie: No, we might swap out a little hardware, but not storing parts or using chemicals. Long term we may move our aluminum boat lines, small fishing boats and pontoons down there, in the future.

Mr. Zimmerman: You'd come back and see us for that.

Mr. Brodie: Yes.

Mr. Arnold: No staff on-site, no office?

Mr. Brodie: No.

Mr. Martin: Boat storage is a stated principal use in the C-1 zone.

Mr. Arnold: Is that security fence or screened fence?

Mr. Brodie: The perimeter fence has chain link in some places.

Mr. Arnold: Is that a boundary line? Yes. Are you moving the fence over to it?

Mr. Brodie: We discovered that when we had the survey done.

Mr. Martin: I would make moving that fence a condition of approval.

Mr. Jensen: Could you describe the lift?

Mr. Brodie: We probably won't move the lift. We use it to get boats off trailers on 9N. We thought we might put it there. It's a large frame, approx. 9 or 10 ton Marine traveler. Diesel. I doubt we're going to bring it down there.

Mr. Zimmerman: Do you want to leave it in or take it out?

Mr. Brodie: Leave it in if it's not an issue. I'd have to take it apart to move it, I don't think I want to.

Mr. Martin: What are its decibels and how often would you run it?

Mr. Brodie: It's like a small bulldozer. 2 hours a month.

Mr. Arnold: During business hours.

Mr. Brodie: We don't get deliveries during business hours.

Mr. Arnold: Is this storage for sales?

Mr. Brodie: No, customers' boats, 95% on Lake George.

Mr. Martin: Shrink-wrapped?

Mr. Brodie: Yes.

A meeting of the Town of Moreau Planning Board was held on November 21, 2016 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Mr. Zimmerman: The only edit so far is moving the fence to the property line.

Mr. Antis: Are you taking the pole barns down?

Mr. Brodie: We've already moved the small ones. We've cleaned up a lot. We may not have any signage. There's a sign near the entrance gate, I might put our name on that, it's off the road.

Mr. Martin: You'll need a permit for that.

Mr. Zimmerman: And we'll need clarification of where the buildings will be, or take them off. Any lighting?

Mr. Brodie: Existing.

Mr. Zimmerman: Can you have him show that?

Mr. Antis: Will you secure it?

Mr. Brodie: There are cameras.

Mr. Arnold: I'd be willing to bet the Site Plan on file has one building.

Mr. Zimmerman: Show where your snow will pile up. Relocation of the fence. Lighting, remove structures, snow, sign.

Mr. Antis: Is it paved?

Mr. Brodie: Gravel.

Mr. Zimmerman: Maybe we need to waive contours.

Mr. Arnold motioned to waive the requirement for contours on this site plan and Mr. Antis seconded. Motion passed unanimously with no roll call.

Mr. Jensen: EAF?

Mr. Martin: One was submitted.

Mr. Antis: We don't have it though.

Motion to declare Lead Agency for Short Form EAF for this Site Plan was made by Mr. Antis and seconded by Mr. Paska. Roll call vote proceeded as follows: Mr. Antis, Yes; Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes.

Mr. Zimmerman: This goes to County, DOT, can we set a public hearing for December?

Mr. Jensen: Can you do these things by Dec. 5?

Mr. Brodie: Yeah. The most difficult is moving the fence.

Mr. Martin: You don't have to move it, just change the drawing.

Mr. Arnold: Are boats being delivered by tractor trailer? We need to show ingress-egress. Show us on the map that it's possible to pull a truck in there from Route 9. Without backing out onto Route 9, which will never happen.

Mr. Antis: Show us with engineering and arcs and curves and feet.

Mr. Martin: It's going to have to be a strategic storage approach to get those boats in there.

Mr. Arnold motioned to schedule a public hearing for Dec. 19 at 7:01pm. Mr. Jensen seconded. Motion passed unanimously with no roll call.

A meeting of the Town of Moreau Planning Board was held on November 21, 2016 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Motion to adjourn was made at 10:49pm by Mr. Jensen and seconded by Mr. Bergman. All in favor, motion carried.

Respectfully Submitted,

Tricia S. Andrews