

A meeting of the Town of Moreau Planning Board was held on March 19, 2018 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

Ron Zimmerman	Chair
Reed Antis	Planning Board Member
John Arnold	Planning Board Member
Erik Bergman	Planning Board Member
Mike Shaver	Planning Board Member
Peter Jensen	Planning Board Member

Also present: Jim Martin, Zoning Administrator; Tricia Andrews, Recording Secretary
Jerry Bouchard, Planning Board Member

Minutes of the February 19, 2018 Planning Board minutes were reviewed a revised as follows: p. 2095 where Mr. Antis stated that the Board has a right to request counsel, there should be no 'e'. p. 2091 'He approved the placement of lines as submitted' should refer to Jesse Fish. On p. 2093, Mr. Zimmerman said they would need to see Chris Longo at Hill, but he's with Empire Engineering. Should say that Kyle Morin at Hill should give specs to Longo to place on the plan. Motion was made by Mr. Bergman, second by Mr. Shaver to accept the February minutes as amended. All in favor, no roll call. 4 yes 2 abstain- Jensen and Bergman. Motion carries.

#1 Habitat for Humanity Amendment of Final Site Plan

Adam Feltman is present representing Habitat for Humanity. Motion was made by Mr. Arnold to re-open the review, and seconded by Mr. Antis. All in favor, motion carried with no roll call.

This is an update, a new site plan is not yet available. The key point was to end the partnership at the Suzuki dealership. They will be partnering with the EOC of Washington County for storage space at their office in the County building on Broadway in Fort Edward. They plan to finish that by the end of March. It's not a perfect solution but they feel it is do-able. This is a temporary solution, because they couldn't be ready to go to the next ZBA meeting with new plans. They are looking for funds to build new storage space behind their building. They will still amend their site plan because the lights, sign and the trailer storage are changing. He would like to know how quickly they have to get the Final Site Plan made while the addition is in progress.

Mr. Arnold asked whether they wanted to include the building on the Final Site Plan, which would allow them to proceed with that a year or two. Mr. Feldman said that he would like that, and asked how much time he had. Mr. Arnold said that the original deadline of June 30th stands. The lighting won't change

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the site plan, it is just a verification of what they already have. The trailer out front has their tools for building in it and will be removed once the actual sign is added. They are still considering what to put there to prevent people from cutting through the parking lot to avoid the light. The sign will be up in 4-6 weeks depending on the weather, and they have been to the Building Department already for approval of the sign.

In addition, Adam asked whether they could do any home build solutions on site, such as a tiny house that would be a mobile display so that people could see what they do. It would be OSHA-10 standards. It's meant to expose the community to Habitat's mission. They might turn it into a long-term home, or just use it for a sponsorship opportunity.

Mr. Arnold thinks tiny houses are not as acceptable as they are marketed to be. In this case, it is a Commercial Zone so Manufacturing or Construction isn't meant to happen there.

Mr. Martin had asked Mr. Feltman to come and bounce it off the Board, he considers it a Fabrication activity, although it does fit with their mission. Mr. Arnold doesn't think it works with the Zoning. We do have companies in that area that fabricate kitchen cabinets, and fiber-optics for military applications. Mr. Zimmerman didn't think that this would physically fit on the site given the parking requirements. Mr. Arnold pointed out that if it were sales or display space it could count for parking requirements a well. So overall it was understood to be not allowed. Mr. Jensen pointed out that light manufacturing is listed as requiring a Special Permit from the Zoning Board. If that were completed they could come back for Site Plan Review and at that time the size of that area would become an issue with the impact on parking. That would require an additional Variance for parking.

Mr. Shaver asked and this would be a 16ft x 24ft, which is the biggest tiny house they would consider. Mr. Arnold calls that a modular.

Mr. Zimmerman asked why they wanted to do it on-site, could it be done elsewhere and then displayed it at the store. Questions would be asked about noise, compressors, air guns, hours of operation. The size of the house is only part of the equation because staging and safe areas would be bigger. Mr. Arnold pointed out the Industrial Park is available for the type of work.

They were already about at the maximum for parking space anyway.

Mr. Feltman said that they are looking at purchasing something adjacent in the future.

Mr. Martin reminded Mr. Feltman that they had been in violation and he needs to get those issues handled and make sure the Site Plan on file is correct, before getting involved in future plans. Mr. Zimmerman agreed that getting the revised Site Plan finalized is most important.

The Board agreed that this did not require a public hearing as it is just a return to the original intent, and does not affect SEQR. They will clean it up by March 30th and will submit a letter to that effect. They plan 5 days to move it to EOC but expect it will take 1. Their engineer is pro bono, so Mr. Feltman only hopes that he can get the Final plan to the Board in May.

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#2 Stewart & Bovee Developer & Investor, LLC
Sketch Plan Review

Mr. Terry Stewart presented and explained that Mr. Bovee is his nephew. They did a lot line adjustment in April with Mr. Martin and it would have included a zone change. They went to the Town Board and it didn't go as planned. He is now looking to convert the 2.96 acres almost back to where it was and proposing a split to two lots. He is not planning to build on it, just sell it. They put in an entrance off Spier Falls Road and because of the approach of the Northway, it's a long process with the State taking bank and guardrails, limiting him to one cut for an entrance. For that reason he's proposing a shared driveway. Garry Robinson will be his engineer. A 20-24 ft wide common driveway which has worked well elsewhere. He would build the driveway to private driveway specs before selling it. They have shown a house slightly skewed because of noise and lot lines. Another house would be off of Mountain Road. Mr. Zimmerman asked about house #2 and Mr. Stewart thought it was 400-500 ft back, and would require a transformer from National Grid. It is on a nice knoll. It is currently Zoned R-2, and it has public water that Jessie Fish said they could tap.

Mr. Martin said that this had come in very late and that it is just a sketch, and he has questions. All the lots have frontage on a County Road (Spier Falls Road). Mr. Martin wants a much better drawing. Lots 3 & 4 have 50 ft on Spier Falls. Mr. Stewart said that Jim White did check, and that Mountain Road has 70ft of frontage.

With public water, lot width at the front of the house has to be 125 ft., Garry has chosen a different tangent that makes it more favorable. Mr. Martin's initial reaction is that Area Variances would be required for the lot widths. This is similar to Mr. McKenna's recent application. Mr. Arnold referred to the clause that said that the access has to be over the required frontage. There are two parcels here that could not use their frontage for egress- Lots 4 & 5. In the Code it specifically says that you have to be able to use that access point. The slopes are too much and there are guardrails. It comes up frequently that they are supposed to use their road frontage for ingress and egress, but even in cases where the Board has allowed ones that don't, they have required that it was feasible to use it if possible. In this case it is not. Mr. Arnold isn't saying that the road wouldn't be fit in, he's saying they don't use shared driveways in the case of the frontage being inaccessible. He feels they just can't do it- that only 2-3 lots can work here. Mr. Stewart owns 71 acres to Old Saratoga Road that he plans to list shortly.

Mr. Arnold asked about the history. It would have been split between R-2 and C-1. Some of it is in the original C-1. Mr. Stewart pointed out the lines on the map. To do this means that the C-1 piece will not be accessible. They left a 60ft strip along the Northway for utilities. Mr. Arnold thought that previous discussions had involved entrances on Spier Falls and Old Saratoga Roads, but Mr. Stewart said that he had not proposed any roads. It was only about the water.

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Could they put a driveway on 2 & 3 to Spier Falls Road? It would have to be funneled. Lot 2 for sure, maybe 3 if they could share the curb cut. That doesn't meet the Code.

Mr. Zimmerman asked about the upper right corner, is that Redmond Road? Yes.

Mr. Antis asked whether they were assuming these roads were on Spier Falls, and that is where their frontage is even though they can't use it. Mr. Stewart showed a tax map of how it was originally, and that is what it will revert to.

Mr. Antis asked how does everybody know where the boundaries are? The wetlands had been delineated years ago for the whole 100 acres. The building lot has wetlands in the back.

Mr. Martin said that Mr. Arnold made a good point, and that in his experience subdivision regulations are outside of Zoning, and the Board can't make changes to it. He has seen Planning Boards waive segments of the regulations, and he would like to talk to Karla about whether there is relief to be had there.

The fact that the lot widths were not done correctly is certain.

Mr. Arnold asked whether he had considered ending the lot at the more square point, and selling off that portion. The wetlands would act as a buffer for a future commercial development. And Mr. Stewart owns the next lot as well. Mr. Stewart said he could consider it, but it wouldn't change much.

Mr. Stewart presented another plan with one less lot. These lots are bigger and configured differently.

Mr. Antis said he would like to see the three lots as they touch without the shared driveway with the road frontage delineated. Not using the frontage for access is a deal-breaker for him.

Mr. Martin asked whether he had topo on this, he just has USGS, it is fairly level. Mr. Martin referenced the terrain off of Spier Falls Road, that bank is part of the basic information the Board needs.

Mr. Arnold asked whether the County would move guardrails and Mr. Martin didn't think so. He wants at least 5 ft topo lines, but this sketch isn't enough information. He understands that Mr. Stewart wants to save money as it is just a sketch, but this isn't enough information. Mr. Stewart agreed that it is not feasible to remove the guardrail or access the lots from there.

Mr. Martin said he can see a total of 3 lots subdivided here. Mr. Stewart asked whether they would be agreeable to 2 and the Board indicated they would, two lots can share access. Mr. Arnold still wants to see the Commercial lot next door tied to the wetlands but isn't demanding it or asking for it, and it wouldn't change his vote. It would never be developed commercially because of the wetlands. There was some discussion about what the future neighbors would like. Mr. Stewart already had this in a public hearing for a zone change, and the reactions were not good, so he is not willing to do that again.

Mr. Zimmerman asked for better details and 5 ft contours, and Mr. Martin said he would like to see a 40-50 scale so they can see better. 5 ft contours are not needed on lot 1, because it would be expensive. He can't use the USGS, because those are 10 ft. He also needs to know how the wetlands drop off, because the buffer line isn't shown. Even though the buffer is on other land, it needs to be shown. Buffer zones can be built in, with a waiver. Mr. Martin asked for a blow up of the proposed development area. He also asked Mr. Stewart not to wait until the last minute, and to come and talk to him about it beforehand.

Mr. Jensen asked Mr. Martin to request for an easel for applicants to display maps.

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Motion to adjourn was made at 8:18pm by Mr. Arnold and seconded by Mr. Bergman. All in favor, motion carried with no roll call.

Respectfully Submitted,

Tricia S. Andrews