

A meeting of the Town of Moreau Planning Board was held on August 20, 2018 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

Ron Zimmerman	Chair
Jerry Bouchard	Planning Board Member
Mike Shaver	Planning Board Member
Peter Jensen	Planning Board Members

DRAFT

Also present: Jim Martin, Zoning Administrator, Tricia Andrews, Recording Secretary

Not present: Reed Antis, John Arnold, Erik Bergman, Planning Board Members

The meeting was called to order at 7:00pm.

Minutes were not reviewed because there wasn't a quorum of members who were at the last meeting.

### **Hudson Headwaters Site Plan Review Status Update**

Mr. Martin reviewed the leftover items from last month that the Board expects to hear about.

A driveway permit has been applied for after receipt of the DOT study.

Mike Valentine did not appreciate the conditional approval that was given, because the County likes to have their review complete before the Town grants approvals. Mr. Martin reported that he had explained to Mr. Valentine that the applicant had overriding concerns in this case and that the Town doesn't plan to make a habit of this. Mr. Jones said the ingress and egress driveways as planned were supported by the traffic study, so no changes have had to be made to the plan as written.

They did widen the driveway per a response from the Fire Dept about the turning radius. They couldn't do exactly what the department asked, because it would move their handicapped spaces too far from the door. Fire trucks can enter from any entrance and they have improved the space inside, in response to concerns about space for turns. Mr. Jones asked that the Town make Fire Department space requirements part of the Town's design standards, so that they could have been addressed at the beginning stages rather than late in the game. Additionally, the Hudson Headwaters policy regarding snow is to remove all snow off-site, and that will answer the Fire Dept. concerns about losing space to snow storage. On the Corinth Road site, the maintenance contractor left a backhoe all winter for hauling snow offsite.

DOT has not given an official approval on the driveway permit at this point. It was submitted around July 27<sup>th</sup> and they were told Sept 4<sup>th</sup> or 5<sup>th</sup> to expect a decision.

Signoff from Dept. of Health and SPDES permit are in hand. Saratoga County found negative impact and a DEC endangered species report was received. Laberge has signed off on the SWPPP. For Fire, they also added a hydrant and are waiting for a signoff from them. The Water Dept is satisfied.

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DOT is the main sticking point right now. Since they won't be heard from until Sept, Hudson Headwaters is looking to put the project out to bid mid-Sept, and by mid-Oct they will award the bid, get started and work through the winter. They hope to be done a year from now. DOT and final Fire letter are the only items outstanding. Mr. Jones will come back in Sept. when those are received and ask for final approval, and present mylars thereafter.

**#1 T-Mobile  
Sisson Road Water Tower  
Special Use Permit**

Jeff Stone, NB& C- authorized agent for T-Mobile: Proposing a new set of antennas on the Sisson Road water tower. New antennas are for coverage east of I-87, which is limited now. This will cover Moreau, Fort Edward and Hudson Falls. They looked at a couple other spaces in Fort Edward, but this tower is better suited. The only other way to do it would be to build a new tower which is not T-Mobile's strategy, and the Town prefers this as well. A lease will be in place with the Town. They would like to do it by the end of this year.

Mr. Martin explained that this is a Special Use Permit, and there is a set of criteria and review procedure in the code 149-50.1 Usually the Planning Board doesn't do Special Use Permits, Zoning does, but this is a rare occasion. This may need a public hearing, so it won't be decided tonight.

Places where the Article refers to the Zoning Board, this Board should read as 'Planning Board.' This is a newer part of the Code from 1989 when the Town was just beginning to deal with these types of requests. There are not currently any antennas on this tower.

Mr. Martin agreed with Mr. Stone's statement that the Code does read as encouraging using an existing tall structure to accommodate the antennas.

Mr. Stone state that on Google Earth street view, you really can't see the tower in most directions, the area is heavily treed. He brought pictures to demonstrate.

Mr. Bouchard asked how much taller the antennas are than the existing tower, and Mr. Stone said they will be 4 feet taller.

Mr. Shaver asked and it has a beacon on it that will not need to be moved. Mr. Stone noted that the Town may have to file a 7460-A with the FAA to document that is was built to spec, and Mr. Martin asked Mr. Stone to send him that information.

Mr. Shaver thought that they should look at that closer. Mr. Stone said the FAA filing was up to 196ft., so that would cover this height.

Mr. Bouchard asked Mr. Stone to clarify the 194+/- to a more specific number because +/- is too vague. If 196 is the true limit with the FAA, they should limit it right there.

Mr. Zimmerman asked whether the photos provided met Mr. Martin's request in staff notes about the concern about height, and Mr. Martin said it did.

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Mr. Martin asked Mr. Stone to copy the Town's attorney on that email about the FAA filing.

He also said that an as-built drawing should be supplied that ties down the height.

Mr. Bouchard asked whether the antennas are painted to match the Tower and Mr. Stone said that they could do that if requested. Mr. Shaver thought that Mr. Fish ought to be consulted. They should be sure that the warranty on the tower isn't affected by the antenna installation.

Screening was recommended for the ground level equipment, but given the site conditions that are already treed, Mr. Bouchard thought that wasn't necessary. He wondered if there is lighting on the pad. There is one light bulb mounted over the pad, and that is on a switch and is only illuminated when needed to do work at night. Mr. Martin believes that they don't want it lit. It is inside a fence anyway according to Mr. Stone. He would defer to Jessie. Mr. Stone expressed concern that he doesn't know where they push snow. Mr. Fish will be consulted.

Staff notes also talked about shared utilization of the tower- that is the resolution that the Town Board made. Future collocation is the purview of the Town. T-Mobile is proposing 8 antennas in 4 sectors. The antennas will be on booms that have room for additional antennas in the future.

Mr. Stone also supplied a tax map marked with adjacent landowners and landowners within 500 ft.

A public hearing will be held on Sept 17<sup>th</sup>. This requires a visual EAF- the intention is to take the appearance into consideration when making their determination. There are no involved agencies. The distance from the river is just under the 1 mile radius he had drawn on the map. Mr. Martin thought it would be safest to refer to the County when in doubt.

Mr. Bouchard motioned to set the public hearing for 7:01 pm on Sept 17<sup>th</sup>, and Mr. Shaver seconded. All in favor motion carried.

Mr. Jensen asked whether FAA had to be notified under SEQR, but the Board already has documentation from Mr. Stone that the FAA is satisfied. Mr. Bouchard would like to know for certain whether the light has to be the tallest thing on the tower.

## **#2 Combs, Maurice**

### **Site Plan Review**

Mr. Combs appeared. Mr. Martin explained that there were 5 items outstanding from the last time he was here. Neighboring parcels have been added to the Site Plan. Combining lots related to the density concerns was done, and a density table is now shown on the map. The existing septic have been located as well as proposed and the location of sewer that is coming.

There is water on Fortsville Road and Fawn Road, he will be using the one on Fawn Road. Jesse Fish has looked at it and has no problem. Water is shown going into each new mobile home.

Mr. Zimmerman asked about the cleanup of other non-conforming lots. The hydrant from Fawn Road and across, is this all one contiguous piece? Mr. Martin pointed out that everything inside the bold,

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dashed line is Mr. Combs', and the tax map parcel numbers were combined into one lot, which is of sufficient size per the regulations shown on the right hand side of the map.

Mr. Bouchard asked about the narrow channel the water line runs to, and what that refers to. It might be an area of disturbance. This needs to be labeled.

Mr. Shaver asked whether there would be any greenery added for screening on the Fortsville Road side.

There is one shared driveway on Fortsville for three homes. It is a gravel driveway. Mr. Shaver was concerned whether it was wide enough for a fire truck. Mr. Combs said it would be wider than 30 ft.

Mr. Bouchard said it was drawn about 14ft wide, which is not wide enough for emergency vehicles. Mr. Combs pointed out that it is open to the road and they can drive in anywhere they want. Mr. Combs said that the mobile homes are bigger than fire trucks, and they have to fit the homes in there. Mr. Shaver thought they ought to refer it to the Fire Dept., and the Board agreed. Mr. Combs is willing to do whatever he has to with the driveway it is wide open.

This is an unlisted action. DOH is involved as well as Fire and Saratoga County.

Mr. Bouchard noted that there is no indication of building setbacks on the plan, they were not carried over from the old map.

Mr. Jensen moved to assume Lead Agency for Combs Mobile Home Park expansion on Fortsville and Fawn Roads, and Mr. Bouchard seconded. All in favor, motion carried, no roll call.

Mr. Bouchard motioned to set the public hearing for Combs Mobile Home Park Expansion for Sept 17<sup>th</sup> at 7:02pm. Mr. Jensen seconded. Under discussion Mr. Shaver asked whether the public hearing is contingent on getting all the information, but it is not contingent. They will have the public hearing regardless, but if everything isn't in, it will have to be tabled. Outstanding items include DOH Water and DOT Driveway, Fire on access.

**#3 Jacobie Acres**  
**Rec Road/Gansevoort Road**  
**Sketch Plan Review**

Ethan Hall, Rucinsky Hall, Northeast Developing Group. The property straddles the Rec Road, which is called Lennox Road on Google Earth. On the photo he showed it is all the un-treed area. There is a parcel on the South Side of the Road, and small strip in the South Side and a larger portion on the North, and there is some stockpiled material. This parcel was all two lots. Just prior to filing this application, the owner of the two lots came in and did a two-lot subdivision of each, which was approved administratively. This cleaned up some other details. A 37-lot subdivision is proposed.

Mr. Martin asked Mr. Hall to review the prior use. It was the Jacobie family pig farm. There was some other stuff that took place on the other side. Mr. Jacobie passed away. Mr. Martin pointed out that there was also equipment repair that happened on the property.

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Mr. Martin's recommendations coming from a meeting he and Mr. Hall had before this meeting have not been acted upon yet.

Most of the vehicle maintenance occurred near the area at the front of the barn.

Based on hearsay, Mr. Martin thinks that maintenance happened all over the place. The question of a floor drain is irrelevant.

The Phase One environmental report was done.

On the North side, 4 properties would have direct access driveways on the park road, and a cul d sac on the bigger portion with 5, and then three more on the end near the park.

On the South, there is a loop road planned with two curb cuts onto Rec Road. They plan sidewalks on both sides of the road. They could also landscape the end of the road by the park. A bike path or bike lane was suggested by the highway department, so they left room for that. They could do it with a striped lane or with a grassy separation.

Mr. Martin is concerned that this is the main entrance to the principal park in Town, which will require unique treatments. One side of the road could be pedestrian and another for bikes, possibly. They could curb the entire length of the road, and that would help stormwater and improve the appearance.

Internalizing the driveways was a good idea, but it places backyards facing the road.

Mr. Hall responded that landscape buffer along the road, boulders, berming would need to be in there for a visual buffer. It is up to the landowner to keep it that way. This was done on Haviland Road in Glens Falls. They do plan to do something. Mr. Bouchard doesn't want to see a line of privacy fence.

Mr. Zimmerman wondered whether a deed restriction to keep them from fencing was a possibility.

Mr. Martin thought that was an option. They just need to be careful of restricting sight lines.

Mr. Martin encouraged the Board to really think through the landscaping and the methods to keep it up in the future. This doesn't have an HOA at this point.

Mr. Bouchard asked whether they were building on spec or on contract. The builders said they will just build a couple on spec. The Board should not assume that people will face the houses towards the road uniformly.

Mr. Martin said mechanisms would have to be put into place as to which side is the frontage, etc.

Mr. Hall thought that a deed restriction would handle that.

Mr. Jensen pointed out that a deed restriction was a civil matter, but that putting things on the map makes them enforceable by Code Enforcement.

Mr. Martin advocated for both.

Lighting is planned, decorative and not streetlamps. Mr. Zimmerman asked for turnarounds on the driveways on lots that would back out onto the Rec Road, given volume of traffic at certain times. Their smallest lot is well above minimum size required, some are over an acre, so there is room for that sort of thing. The corner lots may lose some area to stormwater planning. Mr. Zimmerman asked whether there was bike lane on the new roads, they may add walking space on a wing swail. Currently the map shows the houses at the minimum frontage, but they could be pushed back further. A bike path makes

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most sense on the South side. They may also plant trees where they are planning back to back houses at the end of the north side. Lot 29 is in an existing clearing. There are trees north of that that are not on this parcel. There is no sign proposed for Jacobie Acres other than the regular street signs.

Mr. Zimmerman asked whether there would be street closures, and there would be while they bring the water line in from Gansevoort Road. They will try to avoid weekends and evenings.

Mr. Shaver asked if a bike trail could go in behind these lots on the South side like a nature trail going into the park. Mr. Hall said they could explore that possibility. The rec park is gated, so a path would be gated or have bollards.

Mr. Martin referenced Timber Creek at Exit 11 as an example of this type of development done badly. They have not met with the water dept yet, but they will have to extend water.

Woodscape has replica Sternberg lighting, they may do that to keep it similar. Downcast. a staggered pattern is a possibility. Schermerhorn projects use these as well.

Mr. Martin re-capped 11 points for followup: turnarounds, vegetative screening, curbing, swppp, bike path & sidewalk, 6 lots driveways and front yards made to face the internal road, Lots 23-28 landscaping, park sign landscaping, water dept., bike path behind lots 1-21, ornamental lighting on the park road.

There will be more.

Builder thinks that the homes will be ranch, two story 2,200 sq ft or 15-1800 on the smaller lots. Garages fit on all the lots.

Mr. Hall is not looking to schedule a public hearing at this time.

Meeting was adjourned at 8:48pm per motion by Mr. Bouchard, second by Mr. Shaver.

Respectfully Submitted,

Tricia S. Andrews