

A meeting of the Town of Moreau Planning Board was held on January 28, 2019 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

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

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

Not present: Jerry Bouchard, Erik Bergman Planning Board Members

The meeting was called to order at 7:00 pm. The Board reviewed the minutes of the December 17, 2018 meeting. Mr. Arnold motioned to approve the minutes with corrections and Mr. Antis seconded. Corrections were as follows: p. 2551 Mr. Bouchard abstained, not Mr. Antis. p. 2155 Mr. Antis said that emphasizing training the Board was talking about Federation training in April. All in favor motion carries.

#1 Schermerhorn Real Estate Holdings
Conceptual Site Plan Review
60-66 Sisson Road

Travis Mitchell of Environmental Design Partnership appeared representing Schermerhorn Real Estate. This project is not ready for site plan yet, they are looking for initial feedback. It is a 17 acre site. UR Zone. They are planning 100 multi-family units with 2 entrances off of Sisson Road. Utility property runs on the southern property line and Sisson Reserve is to the north. Same style as Harrison Quarry, a little smaller as that has 130 units.

Staff notes related to the fact that this is not a detailed plan. The traffic study just came back, too late to be submitted for this meeting, Mr. Mitchell is just going through it.

4-unit townhouse style. The terrain makes a nice buffer from the road. The first buildings are 300 and 500 feet from the road. Code requires 1.5 parking spaces per unit, they have 3.5 which is based on experience with these units and what Mr. Schermerhorn wants. Fencing and screening they can plant, but the buffer from the road is already good. Lighting has not been developed yet, but a plan will be submitted going forward. Water and sewer are available from Sisson Road and they will approach the Town Board to extend those.

Chairman Jensen asked what their snow plan was. They will have that on the plans. Mr. Schermerhorn does a lot of his own plowing so he is careful about it.

Mr. Shaver asked and it will be a forced main septic unless the Town wants something else. They could do shared. Harrison Quarry has a central pump station that will be shared with the other portion that has not been built.

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Mr. Antis asked what the population would be and Mr. Mitchell said that they will have those numbers but he doesn't now. Mr. Antis asked whether school kids would walk to the road or be picked up and Mr. Mitchell said that would be discussed with the school district when they have the projected number of kids.

Mr. Arnold asked whether the shaded areas were wetlands and Mr. Mitchell pointed them out. They did get them delineated and they are Army Corps. The portion at the back will stay wooded.

Douglas Dickinson of 68 Sisson Road asked about the open space above this property and was told that is the former Leonelli Subdivision which Mr. Schermerhorn is also building. He asked if the road would be 50 feet wide. Mr. Mitchell told him 28 ft. He asked where the water line would come from and Mr. Mitchell said Sisson Road.

Mr. Martin asked whether a roadway interconnect could be done or a shared recreation center since all three parcels in the area are the same owner. There is no third, Mr. Schermerhorn just owns two. Mr. Mitchell said that the wetlands prohibit connecting them, but they hadn't considered a recreation area. They will take a look at it. There are fewer school aged children than you might expect in these projects. Mr. Shaver asked whether there would be a buffer for the homes on Sisson Road and Mr. Mitchell said They would look at it as they develop the plan.

Mr. Dickinson asked how far they would setback from the brook, and Mr. Mitchell said it was about 30-40ft, they can't disturb it. The total wetlands is about an acre or 1.25 acres. He asked whether it would be raised with fill and Mr. Mitchell said that detail would be the next step, but he doesn't think they will need it.

Mr. Zimmerman asked and they have not done any soil work yet. These will be built on slabs.

The structure on the plan to the right of the wetlands is existing swail. Mr. Martin asked whether the road would be deeded to the Town and Mr. Mitchell said they would be privately owned.

Mr. Spoor asked about the traffic study and how they never seem to do anything with it. Do the traffic studies take into account everything that's approved but not built? Mr. Mitchell explained that it does and how it works. Predictions etc are updated when the projects are final built. He asked how they address squeeze points such as at the Northway. Do they take the study out that far? How do they take that into consideration? Mr. Mitchell said the traffic engineer will do an initial and then the Town can ask for more if they want it. There are standards and protocols for the report. Mr. Spoor observed that it is getting pretty dense in there. As non-County roads they are smaller.

Mr. Spoor said that when Sisson Reserve was built, they brought in soil are they doing that here? Mr. Mitchell said that as of what they know now, they are not, but the next edition of the plan will have that. Mr. Martin noted that there are some pinch points on the map that are quickly identified coming very close to the wetlands.

Mr. Spoor asked who owns the sewer line and whether it feeds the Industrial Park. It does. How do these areas compare to that?

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Mr. Antis explained that the Town purchases capacity from the Glens Falls authority and Mr. Spoor wanted to know whether there is capacity on the existing lines. The Town can purchase more, but Mr. Spoor is talking about the size of the physical pipeline. Mr. Antis said that the Town Board has the figures and has said that they have enough capacity. Mr. Spoor said that there's a pipeline somewhere that has to be a certain size and they can't borrow capacity to no end. Mr. Arnold reiterated that the Town Board knows this and Mr. Zimmerman explained that Mr. Mitchell said he will approach the Town about those things as one of his next steps.

Mr. Antis assured him that there is a mechanism in place and engineering will be done to make sure this is feasible.

Mr. Martin agreed that these are concerns, but pointed out that it is too early to do that. Mr. Mitchell is just here to see if the Board is comfortable with the idea overall and with the density. Karen Hymes, 93 Sisson Road stated that she purchased in the Town and not the Village because they wanted the space and the quiet. Sisson Road isn't wide enough to handle the traffic that this will generate. They will come and take her front lawn. Let them develop somewhere else. Nobody has talked about the capacity of the school district. Harrison Avenue and Moreau schools will not be able to handle it. Neighbors she has talked to are not in favor of it.

Mr. Jensen explained SEQR Review and that the school will be consulted at that time and the school will be able to make adjustments.

Mr. Jensen also explained that when the Industrial Park was built they did build the sewer system for more capacity than what it would generate. Glens Falls Sewer has indicated that they will take all that they can get as they want the money.

Mr. Zimmerman stated that the Board will take all these comments into consideration as they make decisions and recommendations in the future.

Mrs. Hymes again said that their quality of life should not be ignored in favor of someone making money. Mr. Zimmerman said that will be considered when they get to public hearings. The zoning for this parcel permits this use up to 159 units on the site. They will be taking a look at the density, and they are open to other layouts. But this use is permitted.

Christine Merrill 103 Sisson Road is opposed to all of these apartments. The Town has no plan in place like Queensbury and they are letting Schermerhorn do all these things without donating open space and park development like at Gurney Lane. The Rush Pond Trail is very nice. It is upsetting that the Town is being ruined with nothing in place to protect open space. It is disheartening to own a single family home and have apartments crop up all around it. Does the Town have any concern for the people who own homes there? Just because it is zoned for this type of development doesn't make it a good idea. There is too much traffic and no sidewalks. This road is not designed for this.

Mrs. Hymes stated that she doesn't want her lawn taken for sidewalk though.

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Mr. Zimmerman said that these are valid points which probably need to be raised to the Town Board as the Code that they are using to evaluate this project is made by the Town Board. It is under review for a rewrite. Now is the time to make your concerns known to the Town Board.

Mr. Arnold pointed out that there is a plan in the Code. He has been on the Board over a decade and sometimes people come in and are angry. The area has been zoned this way all the time. It was like this when these people bought their homes. Water and Sewer service came and made it easier to build these projects. Schools always need more money.

The first time Mr. Schermerhorn said that there would not be that many kids, Mr. Arnold didn't believe him, so he drove by one morning and checked at Bluebird Village. There were 8 kids out there. There really aren't that many, but the school will be prepared. And Mr. Schermerhorn will be required to contribute to the recreation fund that keeps the recreation park nice. He has been doing so for all his projects. That money could be used other ways if people ask for it. There is a plan they are following. If people don't like it they should go to a Town Board meeting. That is where these arguments should be made. Mr. Schermerhorn is also a property owner with rights in the Town who is abiding by the law. Mr. Arnold doesn't like the density either, but he has to follow the Code.

Nick Johnson, 251 Sisson Road. What you are telling us is you can only apply the Code. You can't create a moratorium?

Mr. Martin explained that the Town Board has to do that. Mr. Johnson lives across from the big thing on Bluebird Road. There's a solar farm. He has lived here 20 years. The whole complexion of the community is changing. He understands the frustration. The Town has sold its soul to Mr. Schermerhorn. The things that attracted people to the Town are being erased. He isn't adding wealth or value to the community. There have been serious accidents since the Bluebird apartments were built. Mr. Arnold said there are more fatalities at corners with no traffic, for instance the corner of Selfridge and Clark Roads. The intersection at Bluebird and Fort Edward works. Traffic studies rarely say that there will be a problem. Even then they just add a light or a turn lane. Nevertheless, the Board has rules to follow.

Mr. Zimmerman reiterated that now is the time to make these concerns known to the Town Board.

Mrs. Hymes asked whether they would be notified. Property owners within 500 feet will continue to be notified when this application reaches the next stages.

Mr. Martin noted that the Comprehensive Plan has a firm stand about multi-family housing, that the Town has plenty, and Mr. Martin encouraged the residents to read that and comment on it. It is on the webpage.

If a moratorium were enacted, this and other current applications will still go through.

Mr. Martin told the people that the changes in Zoning will be at least a year in progress. It is complicated.

Mr. Matt Boucher, 10 Sisson Road asked about a temporary stay, and Mr. Martin said that the Town Board could do that. But this application is already in place.

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Mr. Spoor asked whether the whole Town would be re-zoned. Mr. Martin explained that they will be making adjustments. Not a complete re-write. It is carefully considered. Going to the Town Board to ask for a moratorium until the Comprehensive Plan is done would stop these applications.

Zach Davis, 98 Sisson Road asked whether future public hearings on this are tba?

Mr. Zimmerman explained that as the application is completed a public hearing would be set and the same people who got notices this time would get them again. The Board meets on the third Monday most months so they can always come and check in. It will also be in the paper.

Mr. Jensen pointed out that the Town is required to have a public hearing before they adopt the Comprehensive Plan and the people can comment then too.

Mr. Arnold encouraged them to read the Plan and make specific, detailed comments.

Mr. Boucher has noticed an appreciable difference in traffic with all the new developments. He feels the sewer questions were very good points. The previous building inspector told him that he couldn't put a single family home on either of the properties that Schermerhorn has built on since because of the septic. No traffic engineer is going to say that traffic will increase, based on no houses on Harrison Avenue.

Mr. Zimmerman pointed out that the traffic study will look at levels of service, and how long wait times are. No one is saying that volume won't go up, just that it hasn't tripped a significant need to change something.

Mr. Arnold commented that they do go into a very deep level of study and carry it out to whatever distance the Town asks. Mr. Boucher commented that people here won't be invited to the hearings on school capacity. The school is careful not to discriminate. People shouldn't have to pay to bus more kids who aren't really community members.

Mr. Antis advised the public that the Town Board meets on second and fourth Wednesdays.

Mr. Arnold asked Mr. Mitchell whether the building numbers would stay erratic or be orderly for emergency services. Mr. Mitchell said it would be ordered and emergency services would also be consulted about hydrant placement. Mr. Antis asked him to consider dog walking.

There are no plans for sidewalks, but the roads will have wings.

Power is underground.

Mr. Dickinson asked how far from the yellow house they will be and whether there would be a culvert, that will be on the grading and drainage plan in the future.

Mr. Mitchell stated they will reach out to some folks do some planning and maybe be back in March.

These are 2-3 bedroom apartments.

Mrs. Hymes wanted to know why only people within 500ft. were notified, and Mr. Zimmerman noted that the Town Board could decide to notify more if someone asked them to. That is also a requirement in the Code.

**#2 Clint Braidwood
Site Plan Review**

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1341 Route 9

No one appeared for this issue.

**#3 Bartlett/Doyle
Revised Site Plan Review
205 Reservoir Rd**

Chairman Jensen disclosed that he has had contractual relationship with Mr. Bartlett.

Mr. Antis asked whether this applicant is currently in compliance and he is.

Don Pidgeon and Fred Bartlett appeared.

They have decided to put the driveway to the west side and he still has room for the proposed retail, and access to the garage doors at the back. He has put the fence up. He wants to put trees on the property line.

Mr. Martin stated that a residential neighbor to the east has complained about trees that were cut. None of them were in the buffer area that was to be maintained. Mr. Bartlett doesn't like pine trees and he wanted the hardwoods to come up. But it doesn't look nice. It is torn up. Mr. Martin is happy to seeing it cleaned up and taking out the trees and stumps.

Mr. Pidgeon numbered the trees that are proposed to be removed so that everybody understands. The complaining party is on the other side of the utility line. Mr. Bartlett has cleaned out the area and has left the off-limits driveway to grow up as per the site plan. He wants to split the new driveway so the residential use is one and the new building customers and employees will use another one. There will be no more exterior equipment storage, as the proposed new building is larger. Some materials will be outside, but will be enclosed in the fenced area.

Mr. Arnold expressed concern that the septic would be in front of the building that was supposed to be no-cut and a buffer. Mr. Bartlett has a right to have his business be seen from the road, but this does undo what was already put in place. They do have a landscaped area planned. It is decorative, not a screen. The screen was there because it is a residential/commercial border area. Mr. Martin said that he had checked the minutes and there was no buffer discussed then. But it is on the map.

Residents near a commercial zone should expect to be able to see businesses.

Mr. Arnold likes having the commercial driveway closer to Route 9 because he is supposed to make sure truck traffic leaves in that direction.

Mr. Zimmerman asked how traffic would flow and Mr. Bartlett explained that they are closer to the road so there is room to go around the building.

There is no delineated path on the map.

They are proposing crushed stone all the way around.

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Mr. Arnold asked why people are entering from the west and driving all the way around. They would have to move the building over to the east to move the parking area. That prevents the customers driving behind.

Mr. Antis asked the size of the garage door and Mr. Bartlett said it would be larger than normal for his big equipment pieces. They will face away from the road.

Lighting is not on the plan. Mr. Pidgeon showed it on the sidewalk. Mr. Arnold asked if they were wallmounts. There are also a couple out back. Details will be needed as to what they are. Standard, whatever. Mr. Arnold advised them that it should be downcast with no spillage onto other properties. Sign no specifics available. They are aware they need a permit.

Mr. Zimmerman asked about the recommendation Mr. Martin had made on Page 3 that a CO be conditioned on all improvements. He asked if the applicants understood that condition and they stated that they did. Lights are up sign is up trees are planted before a Certificate of Occupancy will be issued. Mr. Jensen reminded the Board that they don't have this authority, and Mr. Martin said that it will be enforced if it is on the plan.

Mr. Arnold mentioned that the residential driveway can not be used to access the business, he doesn't want a fence, but a grass strip would help. Mr. Pidgeon said the 20 ft width was left on the plan mistakenly.

Mr. Antis asked and this is a roofing, windows and siding home improvement business.

The Board considered a public hearing. It is not a change in use. There has already been a public hearing and the change is not substantial.

Mr. Jensen stated that the modifications are minor. The public already had an opportunity to comment.

Mr. Jensen motioned to waive the public hearing for the Doyle/Bartlett Site Plan and Mr. Arnold seconded. All in favor, motion carries.

Items to complete: Shift building to east. Parking to west. Downcast lights, compliant sign, grass along residential driveway (with hammerhead). Condition of completion before CO.

Mr. Arnold asked about the application that was pulled at V & H Holdings. The owner had admitted that he didn't come before the Board as required when it changed from a church to light manufacturing, so that building should be watched to make sure he doesn't do that again.

Resolution was provided regarding the Code Enforcement position for this Board to consider, which is to encourage the Town Board to make a move on that. There is money in the budget for it, but they haven't hired anyone.

Motion to approve the Resolution which Mr. Zimmerman read into the record was made by Mr. Antis seconded by Mr. Jensen. Roll call vote proceeded as follows: Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Mr. Zimmerman, Yes. All in favor, motion carries.

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Meeting was adjourned at 8:54pm per motion by Mr. Antis, and seconded by Mr. Shaver. All in favor, motion carried, no roll call.

Respectfully Submitted,

Tricia S. Andrews