

A meeting of the Town of Moreau Planning Board was held on August 19, 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:

Peter Jensen	Chairman
Linda Riggi	Planning Board member
John Arnold	Planning Board member
Reed Antis	Planning Board Member
Erik Bergman	Planning Board Member
Dave Paska	Planning Board Member

Also present: Joe Patricke, Code Enforcement Officer. Mike McNamara, Consultant for the Town.

Absent: Ron Zimmerman, Planning Board Members

Chairman Jensen called the meeting to order at 7:00p.m. The minutes of the June 15, 2013 meeting were reviewed. Ms. Riggi motioned to approve the minutes of the June 15, 2013 meeting with no corrections and Mr. Bergman seconded. Motion carried unanimously. Mr. Paska abstained.

**#1 AT & T Mobility Corp.**  
**Old West Road**  
**Public Hearing**  
**Site Plan Review**

Mr. Papa appeared representing AT & T and briefly described his project representing Airsmith Development and Cingulair Wireless LLC. This project is to add to existing equipment and upgrade at the Tower to add three antennas to provide 4G LTE high speed data. There are 6 rwu's mounted with the antenna and fiber optic cable with some changes inside the shelter. One antenna will be added to each face of the tower, in addition to the six already there, same size.

Chairman Jensen stated the ground rules for public hearings. He mentioned that he is required to remind the Board that the FCC has determined that the Board not concern themselves with health effects of the towers and studies have shown that there is no associated health risk. The Chairman asked for comments concerning this project from the public and there was no public comment. The Chairman asked for comments from the Board and there were none, so the Board proceeded to the short EAF. The proposed action is a modification. Part I, no comments. Part II: No findings. Visual addendum was reviewed and completed. The Chairman asked for other environmental concerns for this site and none were identified.

Ms. Martha Winston, who lives within 900 ft. of the cell tower, thinks it would be criminal to put more radiation on this tower. Carl Beecher died of multiple myeloma a few years after he let them put it up

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and two young children have moved into his house. The FCC is not checking radiation levels and EMR has been found.

Chairman Jensen: Applicant has testing that is well within levels. Mr. Patricke and consultants have seen the levels and there was less than 1% of maximum of permissible exposure.

Mr. McNamara: That is for the proposed aerials. The bi-annual reports have not been submitted.

Mr. Papa: Documents submitted with the application show 0.4% and this is the annual report.

Ms. Winston: I am sure that there is other radiation. There are more cancer cases within 13,000 ft. of towers, and in Italy the Supreme Court cited Swedish studies that this is the cause of illness. The Israeli government is looking into wireless rf radiation as well. To add more transmitters to this cell tower increases the risk for young children. In Duanesburg, people moved away from the tower because of bad headaches. She doesn't think these children should be exposed to more radiation.

Chairman Jensen: I could stand in the yard in elementary school and see one of these. Whether we think there is a relationship or not we are precluded from having our judgment clouded by that, it has to go to Washington.

Ms. Winston: Wireless companies make this impossible by lobbying. Why do we have to put all the transmitters on one tower?

Chairman Jensen: Towns encourage co-location.

Ms. Winston: I thought that would be the outcome.

Chairman Jensen: Board, anything further? Motion for a determination in the EAF?

Mr. Bergman: Motion to make a negative declaration regarding the Short Form EAF for AT & T Mobility Group Old West Road Site.

Mr. Paska: Second.

Roll Call vote resulted as follows: Ms. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carried.

Mr. Bergman motioned for final approval for the Site Plan Review for tower addition by AT & T Mobility Group Old West Road Site, seconded by Mr. Antis. Roll Call vote resulted as follows: Ms. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carried.

## **#2 AT&T Mobility Group**

### **Nolan Road**

### **Public Hearing**

### **Site Plan Review**

Mr. Papa also represents the site on Nolan Road. They would like to add three antennas to the water tower between existing antennas for 4g LTE high speed data, remote radio wireless units and fiber optic cable, existing cables are on the water tank. This won't change the appearance of electronics. Mr. Papa

has discussed this with the Town Engineer, existing pipes welded to top of tank need to be replaced, and other are still under evaluation.

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Chairman Jensen: You are adding antennas, but no ground structures?

Mr. Papa: On the ground it, goes into the interior of the building.

Chairman Jensen stated the public hearing ground rules and asked for public comment.

Mr. Patricke: Do you have an agreement with the Town?

Mr. Papa: We are close, the agreement is not signed, I would like conditional approval and we can provide evidence when it has been signed and get the approval to go ahead then without waiting for the next meeting.

Mr. Patricke: If the Board does that it's fine, I just won't issue a permit until it's signed.

Chairman Jensen: We as a Board do not issue permits, we have no say in whether they would be issued, it's the purview of the Code Enforcement Officer. If you decide to approve the Site Plan we would have to condition it upon review by Mr. Patricke. I don't have a problem doing that, but we can't reference issuance of building permits.

Mr. Antis: You were saying the poles might be replaced?

Mr. Papa: Either we'll give documentation that they've been replaced or that they have been found to be structurally sufficient, but I don't have the documentation on that tonight, so I would ask for a conditional approval on that, too. So we don't have to come back here.

Chairman Jensen: You do not have an agreement with the owner of the water tower to place an antenna and you are uncertain if some of the items or structures currently in place are adequate or deficient?

Mr. Papa: We believe they are adequate but I don't have the engineer's documentation, so if I can't get it, I will replace them.

Mr. Arnold: We are approving something tonight that you may not do?

Mr. Papa: We know for sure that the empty pipes need replacement, and we don't know if the ones that do have something on them are sound. The Town Engineer raised the issue looking at the existing and proposed pipes.

Mr. Arnold: That's outside the scope of the project, it's not the antennas we are dealing with.

Mr. McNamara: We did an eval on the pipes that had been placed for future use and they were found to be inadequate so I thought that since they are the same, maybe something had fallen through the cracks and needed to be looked at.

Mr. Papa: The ones we are getting are larger and have a different weight.

Mr. Paska: How come you never take anything down?

Mr. Papa: It depends on the applicant. AT & T's system is going to use the existing for voice & 3G data and they new ones will handle 4G. Other carriers will replace the whole antenna, but it's still a big project.

Chairman Jensen: We were trying to determine at last meeting whether this was referable to Saratoga County because it was less than 500 ft. from the river. I don't think we made that determination.

Mr. McNamara: I looked and it was more than 500ft. from the river but there was a tributary closer. It is 900 ft. from the main river.

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Chairman Jensen: So no referral to Saratoga County. Do you wish to continue the review, or table the hearing until we have some answers to the lingering questions of agreement with the Town and the adequacy, or not, of the structure.

Mr. Antis: Motion to table the public hearing for AT & T Mobility Corp Nolan Road.

Mr. Arnold: Second, because I want to discuss it. I personally believe there are some outstanding things that need to be done before this moves forward, but I am not sure it involves us, so as far as I am concerned I think conditional approval with those engineering studies and the lease from the Town. I would consider moving forward conditionally, with an understanding that the information be submitted satisfactorily. I have one more: I've seen these plans five times. We always ask about our bi-annual studies. Eventually someone has to test and provide the data and it should be submitted and we should review the use of these towers. We keep saying this. I know it is not you, but it needs to be done, it's in the Code. I don't want to hold up your project, but it's impossible to get the tower people in front of us. You're the only one on the water tower so I would put that condition on it. AT & T can talk to the cell tower company.

To the motion to table:

Roll Call vote resulted as follows: Ms. Riggi, No; Mr. Antis, Yes; Mr. Arnold, No; Mr. Bergman, No; Mr. Paska, No; Chairman Jensen, Yes. Motion defeated 4-2 and the Board proceeded to review the Short Form EAF. No comments to Part I. Part II no findings, visual addendum was reviewed and answers recorded. Public hearing closed with no comments.

Mr. Arnold made a motion to make a negative declaration regarding the Short Form EAF for AT & T Mobility Group, Nolan Road Site. Mr. Bergman seconded. Roll Call vote resulted as follows: Ms. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carries.

Mr. Arnold motioned to grant conditional approval contingent on engineering reports on existing antenna mounts being turned in and on an agreement with the Town to use the tower, and the submission of the bi-annual reports on RF Emission required by the Code, if they have not been done.

Mr. Papa: Is the report we provided with the application sufficient?

Mr. McNamara: Yes.

Roll Call vote resulted as follows: Ms. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carries unanimously.

Mr. Papa: Do I present the documentation to the Board or to Mr. Patricke?

Chairman Jensen: Just Mr. Patricke.

**#3 NRP Group Sisson Reserve- Phase II  
Public Hearing  
Site Plan Review**

A meeting of the Town of Moreau Planning Board was held on August 19, 2013 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Jason Dell with Lansing Engineering and Chris Dirr of NRP Group represented this appeal. This project is adjacent to Phase I, 7.6 acres currently vacant/wooded and zoned urban residential where multifamily is permitted. Phase II consists of 13 apartment buildings. Phase II is an extension of Phase I and design was completed during Phase I. It includes 12 5-unit buildings and 1 4-unit, for a total of 64 units. Access will be from the current Sisson Road curb cut, and access will loop around. Water and sewer connected to systems designed with Phase I with the additional units in mind. Stormwater will be managed on-site in accordance with DEC and Town standards, with a basin, green infrastructure techniques required by DEC. Technical comments from Town Engineer have been addressed, and revised plans submitted. Elevations are available. Look of the buildings will be similar to Phase I. They are here to answer questions and ask for approval conditional on any remaining technical items identified.

Chairman Jensen stated the ground rules for public hearings and asked for comment from the public. Mr. Dan Mitchell of 90 Sisson Road would like another review done on Phase I emergency services. There's not enough room for South Glen Falls fire trucks and now additional buildings with a loop and only one way out, what if there is an accident in front of that one entrance and trucks need to get in. I think there should be another review because that's not safe and shouldn't have been allowed in the first place.

Chairman Jensen: Was this submitted to emergency services?

Mr. Patricke: Yes.

Chairman Jensen: Do we have anything back?

Mr. Patricke: They had asked for the Boulevard entrance, that two lanes allow another means.

Chairman Jensen: Fire & Emr. Mitchell: They are right next to each other. How can you say that's adequate?

Chairman Jensen: We leave that to emergency services and they are happy with it.

Mr. Mitchell: It needs to be thought over. Firemen go on there with adrenaline in them and they have a heart attack and block the whole road. Scenarios.

Richard Hughes: I live on the West lot line on top of the map. How far above grade is your finished grade going to be? How much fill are you going to draw in there? I own property in there and your first Phase is higher than it started out, Schermerhorn has raised his and you are making a swamp out of my property.

Mr. Dell: The difference in grade is approx. 2 ft.

Mr. Hughes: How much fill does Town Code allow?

Mr. Patricke: It's not limited.

Chairman Jensen: A portion of that is that this applicant has to be able to demonstrate that post construction runoff does not exceed pre-construction runoff, this gentleman should not be flooded.

Mr. McNamara: Most of the water is directed inward. At the rear some does drain towards him, but it goes to existing grade. I wanted to see some more topo to make sure they would be able to stop and direct the drainage. They have an infiltration trench on the back of the roof and some yard drains, it goes into the root system.

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Chairman Jensen: Are you comfortable that post-construction runoff will not exceed?

Mr. McNamara: Yes, there are still some comments they are integrating, we are still in the middle of the process, but drainage is on there.

Dan Stazinsky of 89 Sisson Road: The first representative that was here said they had gone 5 times over initial expectation on the fill. It's on a hill. Your original fill handler, maybe Galusha, had worked in the Town before and blatantly disregarded rules, all the way down Sisson Road and onto Harrison Ave. they would be parked, 7 am to 8 pm every day for a month carting fill in. They created dust, traffic was unsafe for the day care conditions. They shut down the road several times. We were told this would be a high-end project. Police have been there 6 times in 30 days, last night there was a melee out in the street about whose street it is and where kids can ride bikes. This happens an average of 3 times a week. Trucks blocking the road. Christmas morning, 7am putting up sheet rock. Cars come out without stopping, doing 55 as soon as they pull out. I know the Board can't stop the projects, but 200 units in a 2 mile radius and it's going to be too late to take it back. Slow down and see what the effects are, none of them are full. Phase I isn't full and Schermerhorn isn't full and it's going to draw down the rents. Slow down. I know you won't stop. Give it some time. Wait and see some of the ecological, economic effects.

Chairman Jensen: The only way we can slow it down is if the Town Board enacts a moratorium. We can only say what's legal. We have to follow the Code.

Mr. Strazinsky: The sheriff told me to talk to the builder. The builder told me to call the cops.

Chairman Jensen: Highway and traffic and interpersonal problems are law enforcement.

Mr. Strazinsky: Everyone says it is someone else's problem.

Chairman Jensen: Maybe you have to call every half hour.

Mr. Mitchell: We were led to believe that these would be something they aren't. They are subsidized. That brings what it brings. Rap music at 2am. My Silverado got McDonalds sweet & sour sauce all over it after one night on the street. You are building these buildings and giving us what we don't want. It

was a quiet neighborhood, you could sleep at night, I used to be able to leave my doors unlocked, now I am being vandalized, and I was told this was not going to be subsidized.

Mr. Hughes: Your thought on runoff- it can't exceed what it is now?

Mr. Arnold: Can't exceed what it was pre-development. They have to mitigate whatever change they cause so it doesn't runoff to your property.

Mr. Hughes: I think they could if they didn't raise it.

Chairman Jensen: That is what we have consulting engineers for.

Mr. Arnold: Can you show Mr. Hughes the plan on his boundary?

Mr. Dell: The back side of the buildings has an infiltration trench. A depression in the ground with drainage within it, it will go into the yard drains and into the storm system under the road.

Mr. Arnold: So you are trying to keep it from running over the swail?

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Mr. Dell: There will be, at or near or a little below grade, water from the back of the building will go into these areas and infiltrate or go into yard drains small catch basin and be hard piped into the storm system in the road, and then to the basin.

Mr. Hughes: Sometimes these things don't work.

Mr. Arnold: You're right, but at the very least they had better work most of the time. You are getting runoff from Phase I?

Mr. Hughes: It's got to be.

Mr. Arnold: Is there a collection devise on Phase I?

Mr. Dell: There is a swail.

Mr. Antis: You had a lot of water in the center this spring and they agreed it had failed.

Mr. Dell: Yes, we recently added yard drains to get those to the catch basin.

Mr. Arnold: And you have a maintenance plan for those?

Mr. Dirr: The site subcontractor had it in a wrong place, it has been addressed, I think things are ok.

Mr. Antis: You said it failed the first time?

Mr. Dirr: Yeah, it was at a high point instead of low.

Mr. Arnold: Are they designed for 100-year storm?

Mr. Dirr: Yeah.

Mr. Antis: Was the swail there before this year?

Mr. Dell: We did have a maintenance issue, there was debris in there.

Pat Hughes: Right now there's a lot of trees where you are going to build and we still get water out in the back and towards the woods. So when you cut the trees and clear that, nothing to drink the water and you have all that non-permeable area.

Mr. Hughes: These things have a way of not working too good. What recourse do I have? You guys are from Ohio. You don't care about me.

Chairman Jensen: We don't get into personality here but if something is going awry, your first stop is the Town Hall, notify Mr. Patricke and he will investigate, and it's called Code Enforcement.

Mrs. Hughes: What about water in our cellar? Someone was going to come and do perc tests.

Mr. Hughes: How would you- did you do a traffic study?

Mr. Dell: We did one at the beginning of Phase I, taking Phase II into account.

Mr. Hughes: Harrison Ave. is two lanes, no shoulders. Are you going to have to make it wider?

Chairman Jensen: It all has to be looked at it when it occurs.

Mr. Arnold: Each one does a traffic study. They consider each other when they do them. I imagine Harrison Ave. is getting busier, because it was somewhat undeveloped, but that's a zoning issue, this type of development is allowed there. All we can do is make sure they obey the rules. You mentioned perc tests. Driveways are marked porous pavement. What's the drainage plan for that? If you are already building on wet land, it's going to infiltrate what fill you brought in but then it's going to hit that high water table.

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Mr. Dell: Permeable asphalt has to have a required separation.

Mr. Arnold: You meet that on site. Rainstorm flows though the pavement, goes through fill, and hits water table, it's the same as just hitting the ground. What percentage is porous?

Mr. Dell: 40-50%, driveways do add up to quite a bit.

Mr. Arnold: Pavement other than streets is predominately porous?

Mr. Dirr: It's a balance. DEC is saying keep the water that comes down as close to where it would go anyways. Non-porous portions of the paved materials have pipes and stone under it and what we have seen and expect to see re: underground utility areas act as trenches to catch and direct that to the infiltration system. The designed area and the other underground utilities, stone lined, become a conduit.

Mr. Arnold: Is that why the water meter room is looking to be sealed?

Mr. Dell: Yes, because of the high water table. Chris was alluding to a wicking effect the stone lined pits would have.

Mr. Arnold: Regarding the landscaping plan. To me it seemed short of trees. You said that there was more of a plan for each building. I am pretty sure I can count the number of trees on one hand, and you said one unit was shown and not others. You can bring clean fill. Can you tell me where there might be trees?

Mr. Dell: Landscaping plans have been updated similar and consistent with Phase I, the stormwater trench prevents putting in trees. In the NW corner we hope to maintain mature existing trees. Majority of the outer boundary is taken up by stormwater management features.

Mr. Dirr: We tried to keep it tight in, I have asked to keep existing trees if we can and I asked my contractor to do that.

Mr. Arnold: People don't want to look at those open areas where there was forest before. It's not screening I was looking for, just quality of life.

Mrs. Hughes: I was wondering about a buffer zone. It's a ditch? No cedars?

Mr. Dell: There is some potential we can look at, right on the property line.

Mr. Antis: Does Phase I really have subsidized housing?

Chairman Jensen: We are looking at the building.

Mr. Bergman: Stormwater runoff in proximity is usually an issue. Have you ever put in monitoring wells? Even on the neighborhood properties to see if the groundwater table is moving long-term? It's not always attributable to stormwater runoff?

Mr. Patricke: Last time we had high ground water, hydrogeologists came in and none of them agreed with what you just said. The basins are constructed down into the groundwater so those basins tell us where the groundwater is.

Mr. Bergman: If the swail doesn't work as designed, and the water flows into these people's property, how does that...

Mr. Patricke: Yard basins will catch above and it will be hard piped.

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Mr. Arnold: If you think you have excessive water, take pictures of drains and make sure they are working.

Mr. Antis: What does emergency services look at?

Mr. Patricke: They go and look for layout of hydrants, where they can get their trucks in and out. They will drive over curbs. They worry about snow piled up. They consider a fire in each location. Regarding the concept of the road getting blocked. We hear it at Strawberry Acres. It happens. We have, in the Code, that if you have one entrance you have a boulevard and that's the protection.

Mr. Arnold: It's hard to go through an engineering review. Are you comfortable with the answers?

Mr. McNamara: 18 sheets of revised plans were delivered last week and I didn't get through the whole thing.

Chairman Jensen: Any approval we gave would be subject to engineering review and nothing would get signed until they are satisfied.

Mr. Patricke: The last time we approved this with that concept, I was beat over the head that we had signed prints, so I don't want you to sign off until all comments have been addressed. "Will be considered" written in response to the comments is not satisfactory.

Mr. Bergman: I made a motion to table the public hearing for NRP Group Sisson Road Phase 2 pending satisfactory completion of engineering concerns and comments provided by Consultant to the Town.

Mr. Antis: Second.

Mr. Arnold: Traffic studies and lots of others, I want time to review before the meeting. Time constraints are what they are, I just got this tonight.

Mr. Dirr: I apologize on behalf of our consultants. My challenge is that the Planning Board meets once a month and I want to close in Sept. to get construction this season. We will satisfy the requests, but I would like you to consider a conditional approval with sign off by Code Enforcement.

Chairman Jensen: Mr. McNamara, how many comments did you have?

Mr. McNamara: 60-some that I have not reviewed yet.

Mr. Chairman: You will give him new responses?

Mr. McNamara: It's never one shot.

Mr. Patricke: A comment that it will be considered is not an answer.

Mr. Arnold: Some of these are substantial. Some are typos. Some are design features, especially regarding water management, berms not high enough, pipes need relocating, etc., not mistakes.

Mr. Dirr: Phase I was a lot of dialog about water & sewer that evolved because standards were being determined. That's not present here. Stormwater management is where the areas of continued discussion are, and my objective is to respond satisfactorily.

Roll Call vote resulted as follows: Ms. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carries and the Site Plan Review is tabled.

Chairman Jensen: Come back again. One of the things we are looking at is snow.

Mr. Patricke: They have done the best they can with what they have.

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Chairman Jensen: Dumpsters and snow, should we ever have any.

**#4 David Rogge**  
**Route 9 Mini Storage**  
**Preliminary Site Plan Review**

Dave Rogge of Route 9 Mini Storage and Tom Jarrett of Jarrett Engineers.

Mr. Rogge: I would like to put up another building 2555 sq. ft. Additional property next door that I purchased, met all setbacks, no variances, same type of building, simple slope, downcast lighting, a couple drains, Quite simple, cut and dried. LED lighting, three fixtures- one to supplement the existing aisle and two on the south side for security. Low wattage, no spill. Drywells function well, he wants two more. Sized for a 1 inch storm. Mr. Robinson reviewed it. Consistent with what he has now.

Mr. Arnold: You have a building on the far edge with a property line going though the middle of it.

Mr. Rogge: I joined two pieces of property.

Mr. Arnold: Lights are downcast?

Mr. Jarrett: diagram shows it.

Mr. Patricke: He's here as a preliminary because he needs a Special Use Permit for Zoning, which I anticipate getting, but they need that before you can do the Site Plan Review. In this case he's adding land and a building so his Special Use Permit has to be expanded.

Chairman Jensen: Will Zoning require a public hearing?

Mr. Patricke: Zoning meetings are always public hearings, so in all probability they will get approval, it is consistent, not controversial.

Chairman Jensen: He has been before them previously.

Mr. Patricke: Not for this. It's a public hearing, he's in compliance, it has been advertised and it can get approved at the scheduled meeting. I asked him to come here because you have to send it to the County and if you concur we will send it.

Chairman Jensen: Please send it to Saratoga County. Mr. Robinson have you looked at it?

Mr. Robinson: There are a few things we need to do, the soil tests weren't witnessed, so they have to be redone, there's not SWPPP or permit coverage because it's not a major disturbance. The drywells, and he will get me a letter on it, a 100-year storm doesn't flood the units and stays on site.

Mr. Rogge: I have seen some. New buildings were '04 and we have had them since then, and I didn't have any problems.

Mr. Robinson: There is indication of a block wall designed by others?

Mr. Rogge: We are putting river rock out there.

Mr. Jarrett: Dave doesn't want to compromise the fence, so he's putting rock there. It's 18 ft at one end and 4 feet on the other.

Mr. Rogge: I planted evergreens behind it for Lamplighter Acres and I was keeping them happy. It's for looks, there were weeds hanging out, etc. It's coming out quite nicely.

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Chairman Jensen: This is strictly storage units?

Mr. Rogge: Yes.

Mr. Antis: Shaded area is the only structure. It's just one?

Mr. Rogge: Yes 20 by 155.

Chairman Jensen: Not changing any entranceways?

Mr. Rogge: No.

Chairman Jensen: DOT is not involved, no changes to Route 9. I can safely say that by erecting this one structure you will not significantly increase traffic, no sanitation so no DOH. Short Form EAF for DMMH.

Mr. Patricke: Don't forget that there was a subdivision a year ago to adjust property lines and now it complies as is.

Motion was made by Mr. Arnold to accept a Short Form EAF and seconded by Mrs. Riggi. No roll call.

Motion carries unanimously.

Mr. Arnold motioned to set a public hearing on Sept 16<sup>th</sup> for DMMH Corp Storage Facilities Site Plan Review at 7 p.m. and was seconded by Mrs. Riggi. No roll call, motion carries unanimously.

#### **#5 Congdon, Gardner Preliminary Plat Review**

Bill Rourke and Gaye Congdon representing Mr. Congdon. Five-lot subdivision R-2 with Town water and existing road. Erosion and sediment plans are in obtained a right of way instead of conveyance of property. We put this on the map, had test pits and perc pits done. DOH Div. of Engineering declined to get involved. We filled everything out, we put information on the subdivision map with the test holes, good soil, Vision Engineering gave you perc tests, you have a copy. Individual septic systems, when they go in, if they encounter any soil that won't perc they will remove it and each will be individually designed. We had a storm analysis on the pond, and there's a 24 inch culvert going under route 197 and 12 inch culvert here across Gray Fox Road. Existing ponds should be cleaned out, it doesn't have to be made bigger, it just needs to be cleaned. Properties are not flooding, water table is sufficient, we dug down 6-8 feet and didn't encounter ground water table so it looks to Scott Reese like it will work.

Mr. Arnold: This is a five lot subdivision for the record.

Mr. Rourke: We've done the long form.

Mr. Arnold: You told DOH it was a 5 -lot?

Mr. Rourke: Yes.

Chairman Jensen: Has Mr. Robinson reviewed the stormwater plan?

Mr. Robinson: There's an ES Plan but not a stormwater plan. There's nothing to look at. I know what it looks like out there. It says maintain it every 25-50 years.

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Mr. Patricke: This letter from Scott Reese is not signed or stamped. I disagree that the slopes can be left as they are, our Code requires 1:3. I don't disagree with the basin, but an engineer needs to look at those slopes and tell me they're going to comply. Every other basin on Town has a fence around it.

Mr. Arnold: We don't expect you to have any control over water once it leaves that basin.

Mr. Arnold: We do want a fence, it's an attractive nuisance. It can be something to keep animals and kids out of it. We've done 4 ft. chain link.

Mrs. Congdon: Do they have one at Woodscape?

Mr. Patricke: They don't have a wet pond.

Mrs. Congdon: It used to be lakes.

Mr. Patricke: Not since they got drainage in.

Mr. Arnold: It's a matter of making it safe. I would want a stamp or signature on this letter saying it is adequate to handle the runoff on these four lots. Was the fill mixed or clean?

Mr. Rourke: It's beautiful fill.

Mr. Patricke: Leave open whether the fences are 4 or 6 feet, I would like to check tomorrow.

Chairman Jensen: We have a Long Form EAF. Motion for Town of Moreau to assume role of Lead Agency for Deerfield? Deer Park? The subdivision maps say Deer Park.

Motion made by Mr. Bergman. Seconded by Mr. Arnold. Motion passed unanimously with no roll call.

Chairman Jensen: DOH, Yes; DOT, No; Saratoga County, Yes; DEC?

Mr. Robinson: It's residential, needs ES Control Plan with DEC if there is more than an acre of disturbance, looking at it, I think it's under an acre but Mr. Rourke needs to come up with that and put it on the plan.

Mr. Patricke: Even if it's over that, it's not a SWPPP, it's an ESC Plan, what's he's done is nearly it.

Mr. Robinson: With some signatures and certifications, and inspections down the road. That's the difference.

Chairman Jensen: This was a former subdivision. DEC and SHIPO has already been satisfied with previous subdivision, so I don't think we need to do it again.

Mr. Patricke: Correct.

Mr. Bergman motioned to schedule a public hearing for Deer Park, Sept 16<sup>th</sup>. Seconded by Mr. Paska.

Roll Call vote resulted as follows: Ms. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Chairman Jensen, Yes. Motion carries.

Mr. Arnold: You guys got the right of way for the drainage. Lot 36 contains a swail that brings it all into the pond. You should have something on the deed to that property to allow you access to that.

Mrs. Congdon: We have an exact description on it.

**#6 Hooper, James Subdivision  
Preliminary Plat Review**

A meeting of the Town of Moreau Planning Board was held on August 19, 2013 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Jim Hooper appeared and explained perc tests and deep hole tests were done by Vision Engineering, soil will have some remediation. Have to raise the system, but it will pass. Abandoned railroad line was added back onto the map, passing lanes requested in the driveway have been added. Scott Reese did Erosion & Sedimentation Control Plan and we did Notice of Intent forms. Driveways will be connected before they meet State roads.

Mr. Antis: The driveways on Lots 4 & 5?

Mr. Rourke: Lots 4 & 5 on Route 197 and 2 & 3 on West River Road.

Mr. Arnold: This is why it's nice to have test pits. I would never have guessed these results.

Mr. Rourke: 100 feet away you find something different.

Chairman Jensen: Do you find the information you asked for at previous meetings?

Mr. Antis: We've asked for Old 197 and some National Grid property lines several times.

Mr. Arnold: Along West River Road on the east corner of the parcel. There's a residence and a National Grid building.

Mr. Rourke: That's on the other side of the property line.

Mr. Hooper: No, the prop line is on the back side of the railroad spur.

Mr. Arnold: The spur is the edge? You have nothing north and east of that on Lot 1.

Mr. Hooper: Correct. That triangle is National Grid and the Allen's property.

Mr. Antis: Aren't we supposed to see that on the map? We've asked twice for that.

Mr. Arnold: Are these topos on Lot 1 accurate?

Mr. Rourke: They were not shot.

Mr. Arnold: It shows a 20 degree difference.

Mr. Hooper: The property drops off.

Mr. Arnold: Got to be steep.

Mr. Hooper: It is.

Mr. Arnold: There's no orphan land west of this? That land is sold off?

Mr. Rourke: There was a change of property line there, no orphan.

Chairman Jensen: This is five lots. DOH is not involved. DOT is.

Mr. Patricke: West River Road is a County Road, Route 197 is State.

Chairman Jensen: Do we need archeology, threatened and endangered species reports?

Mr. Antis: Yes, it's the site of old Moreau Station.

Chairman Jensen: Anyone else I need to notify?

Mr. Robinson: Again on this one the area of disturbance is an issue, it is over an acre so DEC for Erosion and Sedimentation Control.

Chairman Jensen: You will work with Garry. So I have a motion to assume Lead Agency for Hooper subdivision? Mr. Paska made the motion and Mr. Arnold seconded. Roll Call vote resulted as follows:

Ms. Riggi, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Paska, Yes; Chairman Jensen, Yes.

Motion carries.

A meeting of the Town of Moreau Planning Board was held on August 19, 2013 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Mr. Arnold: Is any of this land enrolled in the Ag District? I think the County handles that.

The Board agreed that it is in the Ag. District.

Mr. Antis: Is the rest of the Board pleased with the map?

Mr. Arnold: Got to have those properties.

Mr. Patricke: I want the driveways 90 degrees to the road.

Mr. Bergman motioned to schedule a public hearing for Sept 16<sup>th</sup> at 7:15 for the Hooper subdivision and was seconded by Mr. Arnold. Motion passed unanimously with no roll call.

Chairman Jensen: I need to back up and get one item added to our minutes for Sisson Reserve Apartments. We have communication from Glens Falls Water & Sewer that the EAF was issued and they have no objection to the Town assuming Lead Agency.

Mr. Bergman motioned to adjourn, and was seconded by Mr. Paska. All in favor, meeting was adjourned at 9:45 p.m.

Respectfully Submitted,

Tricia S. Andrews