

A meeting of the Town of Moreau Planning Board was held on April 16, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Chairman Jensen called the meeting to order at 7:00 p.m.

Present:

G. Peter Jensen	Chairman
Keith Oborne	Planning Board Member
Chris Barden	Planning Board Member
John Arnold	Planning Board Member
Erik Bergman	Planning Board Member
David Paska	Planning Board Member
Ronald Zimmerman	Planning Board Member
Reed Antis	Alternate Planning Board Member
Tricia Andrews	Secretary

Also Present: Stefanie DiLallo Bitter, Attorney for the Town and Joe Patricke, Building Inspector.

Chairman Jensen called the meeting to order at 7:00p.m. Minutes of the March meeting were reviewed. No additions or corrections were noted. Mr. Zimmerman motioned to accept the minutes as recorded and Mr. Bergman seconded. Motion carried unanimously.

#1 Cerrone Builders Site Plan Review

Dan Ryan, Vision Engineering spoke representing Cerrone Builders: We went over the project briefly in a previous meeting, new plan with minor changes, happy to review again or to answer questions.

Chairman Jensen: Board, any questions?

Mr. Ryan: I think our goal tonight is to have you accept the documents and schedule a public hearing for the next meeting, a copy of the deed is pending, and we are waiting for a variance. You can't take action until after that, but we are looking for feedback as to what we are looking at.

Mr. Oborne: Is that as a result of changes?

Mr. Ryan: No, the variance is related to side setback, we anticipated that need from the start.

Mr. Patricke: Regarding the area variance, our code talks about enclosed warehouses. It was written in 1989 and it has an 80 ft side setback and we felt they were thinking of a high rise multi-story warehouse and the possibility wall collapse. These buildings are ten feet high and we have twice felt that was an unreasonable setback. Our Board doesn't usually grant a significant variance and it goes down to 30 ft, say, because this is not practical. I expect they will get the same consideration, especially since where

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they are building; there will be no impact on anybody else. That's before the County right now, and we will have their response for ZBA next Wednesday.

Mr. Ryan: To summarize, we are looking for a public hearing at the next Planning Board meeting, anticipating approval at the next ZBA. The plans are here, a couple things modified, we added an extra light here to illuminate the driving lane, added a fenced storage yard behind storage the building, basically for concealed space for existing operations. One other issue that came up was a neighbor notified us that their septic is in the vicinity of this building, so that's being relocated onto his parcel where it's compliant.

Chairman Jensen: His septic was on someone else's property?

Mr. Ryan: Yes, it had been a family handshake deal.

Mr. Cerrone: We found out at ZBA and we found a couple of leach lines.

Mr. Ryan: We don't want to tear their building down to make them compliant, so we are just buffering it with screening.

Mr. Arnold: I don't know how this affects Fire since it's not a residence, are there turning radiiuses?

Mr. Ryan: I am not sure if I large apparatus would make that, but these are metal...though content could be flammable. It would be an unusual circumstance for there to be a fire there, and they can drive on the grass.

Mr. Arnold: I know it's not a big concern.

Mr. Patricke: That's a valid point. I will submit it to Fire for evaluation.

Mr. Oborne: On the adjacent parcel to the North, does that show grading?

Mr. Ryan: The plans show grading, we attempted to negotiate there so I made a minor change, we are proposing a stone retaining wall about 4 feet high and here's a profile on that. It's pretty small. Here to here, a sloping stacked wall tapering down to nothing, averaging 2 feet high. It's just recently updated, so it's not on the plans. For the next meeting I will resubmit.

Mr. Cerrone: The owner of the property is in Florida, so this is worst case scenario.

Mr. Oborne: So it's still possible to strike an agreement?

Mr. Ryan: This is to allow a successful design, it works either way, this is in essence of timing.

Mr. Arnold: Fencing?

Mr. Ryan: Fencing. We have contemplated fencing, we don't have plans to fence the entire perimeter, contemplating a barrier at the entrance drive, not a lot of safety issues or break-ins of that sort in the Town, we think this is an un-stimulated use, no one will pay attention to but we have some safety measures.

Mr. Cerrone: There will be video camera surveillance.

Mr. Patricke: That area, though not that property, that area of Town where the National Grid power lines separate the properties from the back, we do have security problems down through there, in the area of the car dealership.

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Mr. Ryan: Traversing??

Mr. Patricke: That's how they come in and out.

Mr. Arnold: And if you fence the right of way they will cut though the property.

Mr. Ryan: Maybe along here. We will cut off trails. That's something we should add on.

Mr. Cerrone: Yeah.

Mr. Oborne: Signage?

Mr. Cerrone: Out front.

Mr. Ryan: It's on the landscape plan and c-3, a berm out front for Cerrone Builders and the storage facility.

Mr. Cerrone: In the Code size what's allowed?

Mr. Patricke: 40 sq feet.

Mr. Ryan: What's the Board's preference?

Mr. Oborne: Spot lit, not back lit.

Mr. Arnold: Just a preference. We like McCormick across the road, we like that one.

Chairman Jensen: If we didn't, signage is just in accordance with the Town.

Mr. Patricke: I ask for it in residential districts, like in a Subdivision, but commercially I just ask that you comply with code.

Mr. Oborne: Question for the Zoning administrator. This is two uses. Is that an issue with Zoning?

Mr. Patricke: The way I looked at it, he's running the keypad for the storage out of the same office, so it's not two separate uses, its dual uses.

Mr. Arnold: Lighting on the storage units?

Mr. Ryan: it's on the landscape plan, not sure which sheet. C-6. Landscape and lighting together. Basic minimal safety lighting, not lights in them, rarely used at night. I often don't do a full photometric, but a layout of all proposed on the structures. We've got designations, building mounted lights, 8 ft tall at eaves, down cast, illuminating between units and around the perimeter. Two poles mounted, one on corner near office, one opposite the easement. Basically to provide lighting for the security gadget.

Mr. Paska: These are not motion sensor?

Mr. Ryan: Either photo sensor or timed, not on all the time.

Mr. Oborne: Elevations?

Mr. Ryan: Floor plans and elevations on the plans.

Mr. Zimmerman: You have the bone yard storage out to the rear?

Mr. Cerrone: It's on the side of the office.

Mr. Zimmerman: Between the building and the storage?

Mr. Ryan: Basically if you are looking at the South side, this areas is fenced, similar on front view to right of building, out of the page on this view, and read view extend this way, we can update that a little bit.

Real visible location is across the front.

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Mr. Zimmerman: From Route 9 what's in there for fencing your dumpster, etc?

Mr. Cerrone: I want it to be no dumpster in there; we have our own roll off trucks.

Mr. Ryan: Stockade, chain link?

Mr. Cerrone: Chain link with slats.

Mr. Patricke: Why is it visible from front?

Mr. Arnold: It's access way to the garage.

Mr. Ryan: Here's Route 9, here's the storage. We need access from the parking side, so 15-20 feet is visible to allow access into that space. It has to be there because of the storm water plan and it leaves no land at the back side.

Chairman Jensen: Anything further?

Mr. Oborne: Did you do endangered species?

Mr. Ryan: We did studies and inventories, but if a field study is warranted, we will do that.

Mr. Patricke: We as a Board have been advised that a study isn't enough and we've had a physical letter from a biologist for years.

Mr. Oborne: I was thinking archaeology.

Mr. Ryan: We can have Deb Roberts do a site walk. This is a good time of year.

Mr. Zimmerman: You plan arborvitae on South side, what about the Route 9 side?

Mr. Cerrone: We'll dress it up back there.

Mr. Ryan: Arborvitae to buffer the South neighbor, some landscaping across the whole front to blend in with a residential house, grass in front, landscape across from porch and at front, the berm where the sign is.

Mr. Arnold: Where the roadway to the back goes. Did that person speak to you about what they would like?

Mr. Patricke: I don't remember any negative comments.

Mr. Arnold: They might not want screening, I just wondering if you had talked to them.

Mr. Ryan: We do propose about 60 feet fencing.

Mr. Arnold: But if they don't ask for it.

Mr. Ryan: They may have a preference.

Chairman Jensen: Do you have any questions of us?

Mr. Ryan: We've got some feedback and we'll update the plans, if you need anything you will let me know.

Mr. Patricke: We need a letter on endangered species, and I will talk to Fire.

Mr. Arnold: And it's not an inhabited space, it's different, but it's good for you guys.

Mr. Patricke: Nearest hydrant?

Mr. Ryan: I think in front of house to the North.

Mr. Arnold: You don't want sprinklers, you need something.

Mr. Zimmerman: Motion to set a public hearing for Keylock storage and office, May 21st at 7:00p.m.

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Mr. Arnold: Second.

Motion passed unanimously.

Mr. Patricke: Do you want the drawings back, or just the changes. Just the changes.

Chairman Jensen: Board, you have a document entitled Decision of the Planning Board, I request you take a moment to review, does anything need to be added or changed, I request a motion to accept as is or with modifications.

Mr. Oborne: Motion to accept McCormick Property Management March 19th 2012 approval as prepared.

Mr. Barden: Second.

Chairman Jensen: Motion made to accept as prepared.

Roll call vote proceeded as follows: Mr. Oborne, Yes; Mr. Barden, Yes; Mr. Arnold, Yes, Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Zimmerman, Yes; Chairman Jensen, Yes. Motion passed unanimously.

Mr. Zimmerman: Motion that the Chair sign the notice of decision.

Mr. Paska: Second.

Roll call vote proceeded as follows: Mr. Oborne, Yes; Mr. Barden, Yes; Mr. Arnold, Yes, Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Zimmerman, Yes; Chairman Jensen, Yes. Motion passed unanimously.

#2 Mr. Ostrander: Ostrander/Kost-It Consulting Site Plan Review

Chairman Jensen: Would the Board please take a moment to review the info provided for the Kost-It Consulting.

Mr. Oborne: What does Kost-It do?

Mr. Ostrander: IT based, 1-4 install work.

Mr. Oborne: Company vehicles?

Mr. Ostrander: Two right now. I rent a portion of the building, and it's about 2200 sq. ft. and the building is 8,074 on that three acre parcel.

Chairman Jensen: Any further questions?

Mr. Oborne: Customer parking is existing right now. Is it improved?

Mr. Ostrander: Yes, it's gravel. We would like to see some improvements there, it's all gravel now.

Mr. Oborne: Hours of operations?

Mr. Ostrander: 8-5.

Chairman Jensen: Board, as a general review, do you have enough info or is more requested?

Attorney DiLallo-Bitter: I need a copy of the deed to the property.

Mr. Patricke: Let me re-cap. Luisa's is there and used to have an adjoined banquet room. It's being rented as an office.

Mr. Ostrander: The old banquet space I will come back to later, but this is for the Kost-IT space.

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Mr. Patricke: Their concern is it's going to be mixed use one, which Kost-IT will use and one which you are going to convert. They want to look at the whole site, not just this business. We are looking at one for approval and one to rent out.

Mr. Patricke: If he's got his in and he's got the restaurant, he wants to have it ready. On the site, he's not proposing any changes but we discussed parking. We all know that when Luisas' fills up, it is crowded, but they aren't typically working when Luisas is crowded.

Attorney DiLallo-Bitter: Is the owner the same as the applicant.

Mr. Oborne: Signage: Ideas, what you are thinking?

Mr. Ostrander: I have the existing old sign; I will reuse it if I can. Does that go on the site plan?

Mr. Oborne: No, just curious.

Mr. Zimmerman: You will be paving?

Mr. Ostrander: Yes, I plan to pave 30,000 sq ft right up to 4-5 feet from the edge.

Mr. Patricke: This year?

Mr. Ostrander: I'd like to.

Mr. Patricke: You will have to come back to do that because of the storm water if you pave it.

Chairman Jensen: That would need to go to County.

Mr. Arnold: Existing structure. Existing storm water?

Mr. Patricke: Just in the pond.

Mr. Arnold: No structure for it?

Mr. Patricke: No, and it's somewhat improved.

Mr. Arnold: The site plan shows all this parking and no room for storm water. Does ROCCIA own behind the privacy fence too?

Mr. Ostrander: My mother-in-law wanted that fence. It's cosmetic.

Mr. Patricke: When they go to pave the area, they are going to have to put basins in to get rid of it, there's no place out front.

Mr. Oborne: That's a SWPPP.

Chairman Jensen: I have some confusion that we need to eliminate. Who is the applicant? I have to advertise legally.

Mr. Patricke: Site plan is correct. ROCCIA.

Mr. Ostrander: I think Kost -IT is the applicant.

Mr. Patricke: The building is the applicant.

Mr. Ostrander: I want the business.

Mr. Patricke: We're going to get the building ready to go for your business as well as getting it ready for another business in that second part.

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Mr. Arnold: Is there another building?

Mr. Ostrander: Luisa's banquet hall in the center.

Mr. Arnold: So this could be a three-party multiple use?

Mr. Patricke: It's 4-party, there's an apartment over the building.

Mr. Arnold: It's not that any of it is a sticky point, I just want to understand.

Mr. Patricke: There's nothing wrong with the septic, but the banquet room would add 50 people, and that would require that the septic be redone. There's nothing wrong with it as it stands now, they can't add 50 people.

Chairman Jensen: Is the applicant adding to the building?

Mr. Ostrander: No.

Mr. Zimmerman: This layout that says ROCCA Enterprises at the bottom...

Mr. Ostrander: I didn't write that, it's Kost-IT. I do owe you a site layout.

Chairman Jensen: The applicant?

Mr. Patricke: Roccia.

Mr. Arnold: This is a change of use, not site plan or storm water unless he changes the parking surface.

Mr. Patricke: You can look at anything you want, but typically, paving they have to come back. Our site plan review regulations are slim for an existing building, no question.

Chairman Jensen: Is there enough info to move forward?

Mr. Zimmerman: Two questions. Any changes to entrance/exit and curb cut?

Mr. Ostrander: Currently yes. Single entrance off of Route 9.

Mr. Zimmerman: As far as connectivity to adjacent parcels, is to north and not south. Can you drive all the way through?

Mr. Ostrander: If I pave, I have to stop cars from going through there and buses from turning around in there, maybe with rocks.

Mr. Zimmerman: Are turnabouts an issue now?

Mr. Ostrander: Yes it is, and I have tried to close it off they drive through even though it's closed off.

Mr. Oborne: Interconnects are good though.

Mr. Ostrander: Delivery trucks can come in and drive through.

Mr. Oborne: Leave it open. You design it the way that you want it.

Chairman Jensen: Second office space is labeled as restaurant on the plan?

Mr. Patricke: Yes, tomorrow he is going to get a new one.

Chairman Jensen: The occupants of that second office are going to have to traverse another occupant's space to ...

Mr. Patricke: There's a front and a back door.

Chairman Jensen: Is there a ramp for each?

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Mr. Ostrander: That was taken care of.

Mr. Patricke: The restaurant was regraded. The other is 18-20 inches higher than grade.

Chairman Jensen: The rest has accessibility?

Mr. Ostrander: Yes.

Mr. Patricke: He may close it in.

Mr. Oborne: He'd need to come back.

Mr. Patricke: I would say no, the roofs there, an enclosed office would look better.

Chairman Jensen: Would that be Kost-IT?

Mr. Patricke: Yes.

Mr. Arnold: All these spaces are just drawn in.

Mr. Ostrander: We did consult the Code, but we drew in the sand with sticks.

Mr. Patricke: Can you re-do this and put the office in and take restaurant out, put in square footages so we can identify it?

Mr. Antis: Lighting?

Mr. Patricke: It looks good.

Mr. Bergman: It's all existing.

Mr. Arnold: Landscaping?

Mr. Ostrander: Maintain landscaping. I hope to do the outside soon.

Mr. Oborne: Motion to set a public hearing May 21st 7:10.

Mr. Barden: Second.

Roll call vote proceeded as follows: Mr. Oborne, Yes; Mr. Barden, Yes; Mr. Arnold, Yes, Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Zimmerman, Yes; Chairman Jensen, Yes. Motion passed unanimously.

Chairman Jensen: You had questions.

Mr. Ostrander: I want to bring in the proper paperwork. Is there anything else I need to be prepared for the 21st?

Chairman Jensen: It needs to go to the County.

Mr. Patricke: We have short form.

Mr. Zimmerman: How many uses do we have, and do we need to do anything?

Mr. Patricke: It's a mixed-used building, which have been there since the 70's. I don't believe we have to do anything here; I have some issues on fire separation, but not here.

Chairman Jensen: Board, you have received the Short EAF which we are going to look at it.

Mr. Zimmerman: Motion to accept Short EAF for ROCCIA Enterprises.

Mr. Bergman: Second.

Roll call vote proceeded as follows: Mr. Oborne, Yes; Mr. Barden, Yes; Mr. Arnold, Yes, Mr. Bergman, Yes; Mr. Paska, Yes; Mr. Zimmerman, Yes; Chairman Jensen, Yes. Motion passed unanimously.

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Chairman Jensen: Get the docs here expeditiously.

Mr. Patricke: When's the next County meeting?

Mr. Oborne: May 24th, no, May 17th.

Mr. Patricke: By the 7th of May, 12 copies of everything.

Chairman Jensen: Procedural question. We have always required Health Dept. seals on Subdivision before we sign them. Should that apply to Site Plans that require a Health Dept approval? We've always had them go to this one first, then that, should we be last?

Mr. Patricke: Are you making policy? I like that policy, because I have ended up with three sets of plans on some sites.

Chairman Jensen: I have a set of Sisson Reserve which I am not going to sign because the Health Dept. block is blank.

Mr. Patricke: I will call the engineer on that. I agree.

Mr. Zimmerman motioned to adjourn the meeting at 7:56p.m. and Mr. Oborne seconded. Motion passed unanimously.

Respectfully Submitted,

Tricia S. Andrews

Secretary