

A meeting of the Town of Moreau Planning Board was held on September 15, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

G. Peter Jensen	Chairman
Linda Riggi	Planning Board Member
Reed Antis	Planning Board Member
John Arnold	Planning Board Member
Erik Bergman	Planning Board Member
Dave Paska	Planning Board Member
Ron Zimmerman	Planning Board Member

Also present: Garry Robinson, Consulting Engineer; Karla Buettner, Attorney for the Town; Tricia Andrews, Recording Secretary.

Absent:

Charlene Endal	Alternate Planning Board Member
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Chairman Jensen called the meeting to order at 7:00p.m. The minutes of the July 21, 2014 meeting were reviewed. Mrs. Riggi motioned to approve the minutes as written and Mr. Paska seconded. Motion passed unanimously with Mr. Bergman and Mr. Arnold still abstaining. Mrs. Riggi motioned to approve the minutes of the August 18, 2014 meeting with corrections listed following, and Mr. Antis seconded. Corrections: Page 1780 Recreational aesthetic resource remove "hii" Page 1774 halfway, "one spot not counting garage" should be two. 1776, third way down Mrs. Mattison, zooming up Feeder Dam not Hilton, same page, 48 hours of rainfall instead of OR. Page 1777, 2/3 down Chairman we are going to request traffic study in whole corridor regards to speed issues and traffic study- not the Board, the residents should request that. Mr. Heller, NYS regulations STORMwater not stornwater. Mrs. Riggi motioned to accept August 18th as corrected and Mr. Antis seconded, all in favor with Mr. Bergman and Mrs. Zimmerman abstaining.

**#1 Bluebird Trace/Harrison Quarry PUD
Apartments & Townhomes
Site Plan Review**

For the record, a response was received from Saratoga County stating no County-wide impact.

Mr. Arnold: Something that slipped by at the last meeting, we had you correct the speed limit to 55 on Bluebird and you said there were no negative impacts on the sight lines, did it change the traffic study at all?

Mr. Schermerhorn: No, it didn't.

Mr. Patricke: Our consultant hasn't responded with the traffic study.

Mr. Robinson: I have talked to Travis about a few minor issues.

A meeting of the Town of Moreau Planning Board was held on September 15, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Mr. Patricke: The two consultants have talked, but the final response from our consultant has not come.

Chairman Jensen: So our portion of the review is incomplete until we receive comment from our consultant, is that correct, Counsel? We have to hold off making any decision, unless there is any objection.

Mr. Zimmerman: Is there anything else we need when it comes back?

Chairman Jensen: No, as long as their engineer responds to everything that ours has asked for. I don't know what our traffic consultant needs to complete his review.

Mr. Patricke: Our next meeting is October 20.

#2 Galusha & Sons, LLC
Feeder Dam Subdivision
Preliminary Plat Review

Chairman Jensen: We left off on this one pending SHIPO response so that we could do SEQR. Did we receive it?

Mr. Heller: No.

Chairman Jensen: We can't resolve SEQR until we receive that. Did we get County response on that?

Attorney Buettner: Mike Valentine didn't think that JML 220 applies because not 200 ft. from river, because they use the middle of the river for County-wide impact, so they don't believe they apply, he will be sending a letter.

Chairman Jensen: We will want written record that the County declined to comment. I think they may be amiss in their interpretation.

Mr. Arnold: Why would it matter?

Attorney Buettner: The middle of the river is the Saratoga County-Warren County boundary and being within 500ft of any boundary is the reason for referral, and it is not that close to the center of the river.

Chairman Jensen: For the Board's edification, we can't complete SEQR, would you like to take any public comments at this meeting or move forward on the agenda?

Mr. Arnold motioned to open public hearing as people were in the audience to comment on this issue.

Mr. Zimmerman seconded.

The Chairman gave the ground rules for public hearing. Members of the audience have expressed an interest, is there new information that someone would like to bring forward?

Mrs. Jean Mattison: I was just surveying the land between my property and Mr. Galusha's entrance. I am curious how he is going to plow and not get any snow on my or my neighbor's property.

Mr. Heller: Since last meeting we have received comments and are looking at narrowing the road to 12 ft., to give us 6 ft. more buffer between us and the adjoining properties.

Mrs. Mattison: Will you leave trees?

Mr. Heller: The goal is just to get the road in and leave as many as we can.

Mr. Patricke: Any Town property on the side of Feeder Dam Road will not have trees.

A meeting of the Town of Moreau Planning Board was held on September 15, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Irene Maynard, owns the piece at the back of the subdivision between there and the river. Mrs. Maynard was a teacher and no longer lives on Feeder Dam Road, but Carol Whipple who lives there is also present with her. Her concern is that there are 15-20 kids who need a school bus and 70 more cars coming down that end of Feeder Dam Road that present a danger to the school children. Sidewalks ought to be placed from the development to the bend in the road towards the school. There should be a stop sign at the end of the road so that cars don't come speeding down Feeder Dam Road, since as a dead end it's an open invitation to speeding. Has a traffic study been done? Emergency vehicle access is another concern. We know that there has been high water level. She also expressed concern for composition of the soil.

Chairman Jensen: The Applicant can't put traffic lights or anything else in, but it would happen as a result of the traffic study that's being done. To place sidewalks or to ask him to place them on someone else's property, we can't tell him to do that, but all parties could agree to do it, he can't do that single-sidedly and we can't make him:

Mrs. Maynard: What's the process?

Chairman Jensen: He'd have to have a conversation with each land owner who is impacted.

Mr. Patricke: Ordinarily a sidewalk is put on Town property.

Chairman Jensen: Do we have enough room?

Mr. Patricke: I don't know. If you put it in, it has to go somewhere. It is a Town Board issue and not one we've had a lot of success with, people don't want them, or streetlights.

Chairman Jensen: So you would make a request to the Town Board on those.

Mrs. Maynard: And there's a traffic study in progress?

Mr. Patricke: No, there's none planned.

Mr. Arnold: You guys need to get in touch with the Town Board and ask for the traffic study if you want one.

Mr. Zimmerman: The Planning Board thinks the Town Board has to do the traffic study?

Mr. Patricke: You can make the Applicant do that.

Chairman Jensen: But it's not because of this project, it's because there are two schools, and other issues, whether this project goes on or not.

Mr. Patricke: If you think it's a problem, you should be asking them for that.

Mr. Zimmerman: I'd sign on for that. How do you know which project is to blame for the pinch-point. We can make that recommendation and it would be reasonable.

Mr. Antis: Can recommendations go between Boards?

Attorney Buettner: You can write them a letter and request things, from the Chair and Board, not telling them what to do. What they do with it is what they do with it.

Mr. Arnold: I don't know that there's a need for it there. If someone's going to ask it should be the people who have first-hand experience dealing with it on the daily basis. Every traffic study we get says no impact, over and over again. I believe that there's a problem, but I have no way of knowing. I don't live there. I think it's better coming from the residents.

Mr. Patricke: But you are just asking them to consider it.

A meeting of the Town of Moreau Planning Board was held on September 15, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Mr. Arnold: We are forwarding testimony that's come to us.

Mr. Patricke: You are.

Mrs. Maynard asked Mr. Heller to explain the map. Lot size ranges from 1/3 acre to 1, 1.5 acre. They are meeting requirements of DOH. She asked about another piece Mr. Galusha owns. The stormwater pond is on it and it is covered by the HOA.

Motion to Table was made by Mr. Antis and seconded by Mrs. Riggi. All in favor.

**#3 Reed, Daniel and Kim
Clayberry Farms Subdivision
Sketch Plan Review**

Mr. Rourke appeared and explained that Clayberry Farms is owned by Kim and Daniel Reed on Fedor Road. Their house is on a separate parcel from the 30 acres in question. Their road has gotten very busy due to Mr. Rourke's subdivisions. This is an R-5 area, and they want to subdivide their 30 acres. Preliminary investigations of deep hole tests show no mottling, no water problem. Foot and a half of decent soil over clay. The Town was not present for any of these investigations. This is a Sketch Plan showing 5 lots.

Chairman Jensen: It's six lots?

Mr. Rourke: No, their home lot is a separate deeded 6 acre lot.

Mr. Arnold: But you are changing the lot their home is on.

Mr. Rourke: There might be a slight property line adjustment.

Mr. Patricke: You can do lot line adjustments without Planning Board involvement.

Chairman Jensen: So it's 5-lot.

Mr. Zimmerman: Is it a shared driveway on Lots 4 & 5?

Mr. Rourke: One curb cut, then split.

Mr. Zimmerman: Four new driveways? Do any of them line up with yours?

Mr. Rourke: I don't think so. I can draw mine in.

Mr. Arnold: Are they close to the low spot, is that why they separate and come back together?

Mr. Rourke: Yes, I think we are putting a culvert in, it's not wetlands.

Mr. Arnold: Two separate driveways that share a culvert.

Mr. Antis: One parcel of 5 and your home is separate. Two adjoining properties. You want to subdivide the larger?

Mr. Reed: Correct.

Mr. Arnold: Soil types?

Mr. Rourke: A foot of topsoil and then sand.

Mr. Arnold: I'm asking because it's in the Ag District.

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Mr. Zimmerman: Heavy clay after that?

Mr. Rourke: Yes.

Chairman Jensen: As you are aware, we don't approve Sketch Plan, but we can informally poll the Board and determine if there is opposition to the subdivision, which is subject to all the requirements.

Mrs. Riggi: I would like to see more of an area map.

Mr. Arnold: I wanted to make sure we have a five acre lot for their residence, I'm fine.

Mr. Zimmerman: We need a sense on future plans for where the other drives line up.

Chairman Jensen: Board is not adamantly opposed. Anything else you would like to see?

Mrs. Riggi: It says open field but you have tree lines on the map.

Mr. Rourke: We are building on the open parts.

Mrs. Riggi: Ever used for farmland?

Mr. Reed: Not that I know of. Hay fields.

Mr. Zimmerman: What do we like to see for contour intervals?

Mr. Rourke: These are 10, we're going to have 2ft.

Mr. Reed: There were two driveways. The Town took one out when they put the road in, but one is existing. We are adding three.

Mr. Arnold: Please get the County soils maps and put those on there, since it's in the Ag District.

Mr. Patricke: I have that available. Did you talk about SEQR? Do a short Form.

Mr. Rourke: Yes.

The Chairman asked about the agenda item that was removed. The Applicant had wanted to expand and include a chain, the chain sold, they know they are going to do something but they lost their partnership and can't define what they are going to do.

Status of Moreau Marketplace? Mr. Patricke believes they left town, but he will check into it.

Mr. Robinson: SWPPP will be required for more than 5, limited for 1-5.

Mr. Arnold motioned to adjourn, and was seconded by Mr. Antis. All in favor, the meeting was adjourned at 7:56 p.m. Discussion turned to whether there are objections to requesting a traffic study from the Town Board or asking them to consider one. Mr. Arnold and Mrs. Riggi objected.

Mr. Patricke said a bus garage may go in on Tanglewood. He thinks requesting the study is reasonable. That is the most congested area in Town. Mr. Arnold is concerned because we hear all these complaints but it's just anecdotal and he has no way of knowing.

Chairman Jensen pointed out that the School District doesn't come before the Boards of any municipality but is governed by the NY State DOE. Chairman Jensen took a vote and only Mr. Arnold is opposed. This request does not affect the subdivision.

Respectfully Submitted,

Tricia S. Andrews