

The regular meeting of the Planning Board, Town of Moreau, County of Saratoga, State of New York, was held in the Town Office Building, 61 Hudson Street, South Glens Falls, New York on April 19, 2010

## Planning Board Regular Meeting

April 19, 2010

**Attending Board Members:** Chairman, G. Peter Jensen  
Keith Osborne, Chris Barden, John R. Arnold, Mr. Field, Mr. Bergman, Ronald Zimmerman,  
Alternate: Dave Paska  
Recording Secretary: Cherie Kory  
**Absent Board Members:** none

**Others Present:** Building Inspector: Joseph Patricke, Town Attorney: John Svare & Town Engineer: Gary Robinson

Chairman Jensen called the meeting to order at 7pm.

**1. Motion:** To approve the March 15, 2010 Planning Board minutes as Amended, by: **Mr. Zimmerman:**

**Second to Motion:** Mr. Arnold

**Discussion/Corrections:**

Page 1316/17 correct Mr. Field making any motions he was absent

Page 1318 change "esthetic" to aesthetics

Page 1318 omit "and": change "and" to any

Page 1319 change "burr" to berm

Page 1319 omit "Chairman Jensen opening Public Hearing"

**Roll Call:** 5 Ayes: 2 Abstained: Mr. Field & Mr. Bergman

**Motion Carried.**

**2. Motion:** To reopen the March 15, 2010 Public Hearing for Arrowhead Meadows for by: **Mr. Zimmerman**

**Second to Motion:** Mr. Osborne

**Roll Call:** 7 Ayes: 0 Abstained:

**Motion Carried.**

### AGENDA

#### 1. Arrowhead Meadows Subdivision (formally known as Arrowwood Meadows) Preliminary Plat Review – Public Hearing reopened

**Travis Mitchell** has received technical review comments from the Town Engineer, Water/Sewer and the Town Highway for the proposed site, revisions reflected in the plans before the board. Other changes include increased plantings (i.e. crabapple, junipers) requested by Mr. Barden for the storm water management area on Bluebird Rd.

**Chairman Jensen:** opened the Public Hearing by setting the ground rules to maintain the decorum of the hearing

**Mr. Patrick:** For the record, recognize the change in the Subdivision title from Arrowwood Meadows to "Arrowhead Meadows" Subdivision for future reference. SEQR under "Arrowhead Meadows"

**NO PUBLIC COMMENTS**

**Mr. Patrick:** all inputs from meetings with Mr. McCarthy from the school district, the Fire Co., Water/Sewer, and Highway Departments combined with the Town's Engineer: Mr. Robinson review and the only remaining items are administrative for final drawings.

**Chairman Jensen:** Gary Robinson is acting as Town Engineer not design engineer on this project

**Mr. Antis:** historical research of the SGF reflects the school districts are unable to meet student demand

**Chairman Jensen:** all school district concerns addressed with the Superintendent: Mr. McCarthy

**Chairman Jensen: Full Environmental Assessment Form:**

**A. Site Description:** 1.) Rual (non-farm), 2.) 45.6 acres, 3.) a. Well drained 100%, b. Windsor A zero acres 4.) N >5 ft, 5.) 0-10%, 6.) N, 7.) N, 8.) 9 ft., 9.) Y, 10.) N : **Mr. Field:** questioned the aquifer referred to in #9, This aquifer is listed on the Map of Primary Aquifers in New York State, 11.-14.) N, 15.) none, 16.) N/A, 17.) a. N b. connecting to existing water/sewer, 18.-20.) N

**B. Project Description:** 1.) 45.6, 39.35, 39.35, 6.11, NA, NA, none, 168, 70 +/- submitted TBGA, 0-84 One Family, 35'-15'-16', total 515', 315' Bluebird Rd, 200' Gansevoort Rd., 2.) unknown, 3.) Y build driveways, access..., Y, Y, 4.) 23.5 acres, 5.) N, 6.) 36 mos. 7.) N/A, 8.) N, 9.)30/none, 10.) none, 11. – 15.) N, 16.)

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Y, 13 tons/mo. After construction phase for single family home x 84, Y, transfer station, N, 17-20.) N, 21.) Y, 22.) N/A, 23.) 21,000, 24.) N, 25.) Town of Moreau, Queensbury water, Moreau Planning Board, Saratoga Planning Board, DPW, DEC, DOH, Albany

**C. Zoning and Planning Information:** 1.) Y Subdivision, 2.) R1 & R2, 3.) R1 55, R2 44, 4.) total allowable 99, 5.) N/A, 6.) Y, 7.) Residential, farm, park & vacant land, 8.) Y, 9.) 84, 8000 sq ft., 10.) N seeking extension not formation, 11.) Y, Y, 12.) N

**Part 2 – Project Impacts and their Magnitude:** 1.) Yes – small to moderate, 2 - 9.) No, 10.) Yes – small to moderate, 11-20.) No

**Chairman Jensen polled the board and the public of any environmental concerns not addressed before moving forward. Public Hearing Closed 7:40 pm**

**1. Motion:** To declare a negative declaration on the Full Environmental Assessment form for Arrowhead Meadows Subdivision, no large important impacts found, LLC by: **Mr. Field**

**Second to Motion:** Mr. Bergman

**Roll Call:** Mr. Osborne Y, Mr. Barden Y, Mr. Arnold Y, Mr. Field Y, Mr. Bergman Y, Mr. Zimmerman Y, Chairman Jensen Y

**Motion Carried.**

**Mr. Arnold:** questioned the status of HOA language and the opportunity to review that language before final approval. Mr. Mitchell agreed to present the board with Home Owners Association language filed with NYS.

**2. Motion:** To grant preliminary Plat approval on for Arrowhead Meadows Subdivision by: **Mr. Field**

**Second to Motion:** Mr. Arnold

**Roll Call:** Mr. Osborne N, Mr. Barden Y, Mr. Arnold Y, Mr. Field Y, Mr. Bergman Y, Mr. Zimmerman Y, Chairman Jensen Y

**Motion Carried.**

- May 3<sup>rd</sup> deadline on any submission for May 17, 2010 Planning Board Meeting
- Applicant for The Pig, LLC – BBQ Restaurant withdrawn – applicant requested drawings be returned.

## **2. Mary-Jo Barody Subdivision Sketch Plan Review**

**William Rourke** with W.J. Rourke Associates presenting proposed R2 residential subdivision of approx. 5 acres. The location is a private road off Route 9 at the intersection of Reservoir Rd. The proposed is x3 Single Family lots and x2 Two Family lots. The subdivision planned around the existing home to incorporate access. Another private connecting road (Sweet Rd) has access to Reservoir Rd.

**Chairman Jensen:** questioned the status of road: Public or Private

**Mr. Rourke:** the road is private (1941) and not maintained by the Town

**Mr. Osborne:** questioned frontage relief, Town water and septic

**Mr. Patrick:** this is a unique area, no existing code to address the existing 11 homes. Ms. Barody's home is on an adjoining 14-acre parcel with the potential of development. The area is currently in the water district

**Mr. Osborne:** addressed separate driveways

**Mr. Field:** historically this planning board has not supported any private roads in a subdivision. The board's position was modified reviewing the Garcia subdivision. The roads servicing the Garcia subdivision had approval by Fire and Emergency departments.

**Chairman Jensen:** added the driveways were built to Town standards

**Mr. Arnold:** questioned a contract of HOA language for maintenance of the existing roads; liability?

**Mr. Patrick:** the road that runs north is access for the Sweet side onto Reservoir Rd; the access heading east is used by the Barody family from Rte 9

**Mr. Arnold:** contractual language is important to the selling of lots identifying the liability. The length of road from Route 9 to lot 5 is approx ¼ mile

**Mr. Osborne:** addressed room for the turnaround of emergency vehicles at the end of the road heading east

**Mr. Patrick:** suggested referring to council for an opinion

**Chairman Jensen:** suggested referring to ZBA

**Mr. Patrick:** questioned the spot elevations and requested they be shown along with contours

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**Mr. Field:** borders Woodscape and is very similar

**Chairman Jensen:** questioned the any clearing of lots

**Mr. Rourke:** yes clearing to allow for building

**Chairman Jensen:** Send to Town engineers due to proximity to Woodscape before removing any trees to avoid compounding any water flow in the area.

**Mr. Patrick:** code dictates municipal water. If the subdivision was approved no wells allowable

**Chairman Jensen:** directed Mr. Patrick send to council for review and comments

### 3. George Terpening Subdivision Sketch Plan Review

**William Rourke** from W.J. Rourke Associates with George and Louise Terpening, presenting proposed three lot subdivision of 7.8 acres on Old Saratoga Rd and South Rd in R4 3 acre zoning. One three-acre lot fronting Old Saratoga Rd. and one three-acre lot fronting South Rd; the third lot at 1.8 acres, 382 ft frontage on Old Saratoga Rd. with an existing ranch. Applicant is requesting the Planning Boards review and comments before appearing before the Zoning Board of Appeals for an area variance. Zoning Board meets the fourth Tuesday of the month

**Mr. Patrick:** One lot is in compliance. The second lot does not comply with 200 ft depth, under by a fraction at 198.8 ft on 1 side and 327 ft. on the other side. The lot with the existing home will not comply with depth, also it is just under on square footage. The current mapping is missing elevations and contours. Note the PUD smaller lots on the opposite side of Old Saratoga Rd.

**Mr. Zimmerman:** clarified lots 2&3 to be sold. Lot 1 with existing ranch belongs to daughter

**Chairman Jensen:** questioned lot line between lots 1&2 deeded or proposed

**Mr. Rourke:** proposed

**Mr. Osborne:** questioned the frontage of lot 3 on Old Saratoga Rd or South Rd

**Mr. Patrick:** requested the proposed access on the next sketch plan

**Mr. Field:** requested elevation and contours indicating drop off in the back to view the variation

**Mr. Patrick:** the smaller lots resulted from the PUD's 27,000 sq ft. and some are grandfathered in

**Mr. Terpening:** the lots logged off not clear-cut; all the big timber is gone

**Chairman Jensen:** polled the Planning Board for any recommendations to the Zoning Board in regards to any negative effects of subdivision: **Mr. Osborne:** preference of access to lot 3 on South Rd, **Mr. Barden:** showing elevation. **Mr. Arnold:** access to lot 3 on Old Saratoga Rd farthest point from the corner of South Rd. **Mr. Field:** no objections would like to look at other properties in this zone to determine how many similar requests asked to review in regards to the 3-acre minimum. Clustering is permitted in this zone. **Mr. Bergman:** no opposition reiterated contour lines. **Mr. Zimmerman:** good practice to set the same precedence as across the road. Spot the house on lot 2 in relation to the well on lot one. **Chairman Jensen:** no opposition as long as site distance and intent clearly defined.

### 4. Bauer Subdivision – Sketch Plan Review

\* **Chairman Jensen recused himself from the review requesting Mr. Field to act as Chair**

**Mr. Patrick:** pointed out this review was not required to appear before the board it is a division of land with two complying lots, however this applicant is requesting to share a driveway and is requesting the Planning board to review and approve.

**Mr. Rourke:** Sharon would like to eliminate one curb cut to avoid two driveways using an easement. The parcel has 40 feet of frontage. Deeded language to separate driveways if the lot sold.

**Mr. Field:** polled the board on a shared driveway: **Mr. Osborne:** no issues with shared driveway. **Mr. Barden:** no issues, reinforces deed language to separate. **Mr. Arnold:** no issues with shared driveways. **Mr. Bergman:** no issues. **Mr. Zimmerman:** no issues reiterating deeded language to add independent driveway. **Mr. Field:** none

**1. Motion:** To adjourn Regular Planning Board meeting at 9:30 pm by **Mr. Zimmerman,**

**Second to Motion:** Mr. Field

**Roll Call:** 7 Ayes, 0 Abstained

**Motion Carried.**

Respectively Submitted, Signature on file

Cherie A Kory 4/25/2010