

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 June 21, 2010

Planning Board Regular Meeting

June 21, 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: Martin Auffredou & Town Engineer: Gary Robinson

Chairman Jensen called the meeting to order at 7pm.

1. Motion: To approve the May 17, 2010 Planning Board minutes as Amended, by: **Mr. Zimmerman:**

Second to Motion: Mr. Barden

Discussion/Corrections:

Page 1323 change "B&H" to V&H (Val-Brook Holding LLC) reference
Page 1323 change "sit" to site plan review

Roll Call: 6 Ayes: 1 Abstained, Mr. Field

Motion Carried.

AGENDA

1. Verizon Wireless – Public Hearing - Special Use Permit

Tim Alderman representing Verizon Wireless proposed replacing 12 antennas, at the existing tower located on Palmer Ridge, 160 Old West Road

Chairman Jensen: set the ground rules to maintain the decorum of the meeting opening the Public Hearing

Mr. Osborne: questioned the time line intended to change out the antennas Mr. Alderman: responded 3 to 4 days

Mr. Patrick: copies of the RF testing; required reporting every 2 years, by a firm from Pennsylvania, are on file in the planning office

Mr. Arnold: questioned the wind load test results

Mr. Patrick: results were resolved with a provision and review by the Town's engineer a structural engineer firm out of Pennsylvania prepared the paper work and submitted to the Towns' engineers for approval

The Board reviewed and commented on the Short Form EAF presented by Verizon, no adverse environmental impacts founded. Chairman Jensen: polled the public for any environmental concerns

Martha Winston and her son Michael Winston: read to the board an article from an email on Wireless Electrical and Electromagnetic Pollution and the sensitivities to her family residence located within 900' or tower. Ms Winston provided copies of the referenced email for the board to review.

Chairman Jensen: made it very clear the Board is precluded from commenting on any health issues, health effects changes are addressed at the Federal Level.

Public Hearing closed at 7:31pm

1. Motion: To declare a negative declaration on the Verizon Wireless Short Form EAF by: **Mr. Field**

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Second to Motion: Mr. Osborne

Roll Call: Keith Osborne Y, Chris Barden Y, Mr. Arnold Y, Mr. Field Y, Mr. Bergman Y, Mr. Zimmerman Y,

Chairman Jensen Y

Motion Carried.

- 2. Motion:** To grant Approval to Verizon Wireless for a Special Use Permit 149-30 on Old West Road **by: Mr. Osborne**

Second to Motion: Mr. Arnold

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

2. George Terpening Subdivision Public Hearing - Site Plan Review

Matt Vandoren 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 zoning requiring 3 acres. The ZBA granted lot #1 with the existing home a variance; the lot did not comply with the 3 acre minimum. The ZBA also granted lot #2 a variance the lot did not meet the depth. Lot #3 now accessed from South road with adequate site distance.

Chairman Jensen: set the ground rules to maintain the decorum of the meeting opening the Public Hearing

Mary Beth & Thomas Georgiane: questioned the size of the lots meeting the zoning requirement and the type of homes proposed

Mr. Vandoren: only allowable One Family or Two Family Duplex

Mr. Osborne: questioned the signage "clean fill wanted" M. Terpening indicated it had nothing to do with proposed

The Board reviewed and commented on the Short Form EAF presented by Verizon, no adverse environmental impacts founded. Chairman Jensen: polled the public for any environmental concerns

Public Hearing closed 7:45 pm

- 1. Motion:** To declare a negative declaration on the George Terpening Subdivision Short Form EAF **by: Mr. Zimmerman**

Second to Motion: Mr. Arnold

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

Motion Carried.

- 2. Motion:** To waive the requirement to wait on Final approval and Preliminary approval at separate meetings; move forward with the discretionary decision to grant Final approval to the George Terpening Subdivision **by: Mr. Zimmerman**

Second to Motion: Mr. Field

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

Motion Carried.

- 3. Motion:** To grant Final Approval to George Terpening for Subdivision on southwest side of Old Saratoga & South Roads **by: Mr. Arnold**

Second to Motion: Mr. Osborne

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

Motion Carried.

- 4. Motion:** To have the Chairman and one other member of the Planning Board sign the Mylar when presented for the George Terpening Subdivision **by: Mr. Zimmerman**

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Second to Motion: Mr. Barden

Roll Call: 7 Ayes: 0 Abstained... **Motion Carried.**

3. Heartland Community Church – Public Hearing - Site Plan Review

Brad Jones was granted a special permit, #195, from ZBA to lease the property at 195 Fort Edward Road from V&H (Val-Brook Holdings LLC) Construction to use as a meeting hall for worship services.

Chairman Jensen: set the ground rules to maintain the decorum of the meeting opening the Public Hearing

Dennis Glowinski: stated concerns with 52 members and cars parked along the side of the road with site distance issues at the existing curve in the road. Mr. Jones clarified the 26 vehicles allowed at five persons per vehicles. Mr. Jones also cited additional parking space available if needed.

Mr. Osborne: questioned signage. Mr. Jones has solicited professional signs know for their work in the area possible lighted on both sides. Also questioned the 8' fence to the rear and the owner's obligation to code: allowed.

Mr. Patrick: 8' at the rear corner of the building: complies with code forwarded of that has to be 4' not indicated on the map. Fencing is not the Church's issue it belongs to the owner of the construction company.

Mr. Osborne: noted the recommendation from Saratoga County in regards to the driveway egress and ingress requesting signs indicating egress away from the curve.

Mr. Zimmerman: referred to another recommendation from Saratoga County on improvements to enhance the roadside conforming to the neighborhood.

Dennis Glowinski: questioned outside activities. Mr. Jones referred to picnics and activities for the children.

The Board reviewed and commented on the Short Form EAF presented by Verizon, no adverse environmental impacts founded. Chairman Jensen: polled the public for any environmental concerns

Public Hearing closed 8:10 pm

1. **Motion:** To declare a negative declaration on the Heartland Community Church Short Form EAF **by: Mr. Osborne** **Second to Motion:** Mr. Field

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

Motion Carried.

2. **Motion:** To grant Approval to Site Plan review for the Heartland Community Church contingent on current fencing drawn on plans corrected on Mylar's, access ingress/regress signage and no parking along on the road side **by: Mr. Osborne**

Second to Motion: Mr. Arnold

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

3. **Motion:** To have the Chairman and one other member of the Planning Board sign the Final Mylar when presented for the Heartland Community Church **by: Mr. Zimmerman**

Second to Motion: Mr. Field

Roll Call: 7 Ayes: 0 Abstained... **Motion Carried.**

4. Peck, Michael – Public Hearing - Site Plan Review

Matt Vandoren from W.J. Rourke Associates representing Michael Peck, and family Pamela, Rob and Ryan proposing a new building on Route 9 adjacent to the building currently leased to Tae-Kwon-Do. Mr. Peck would like to move his offices and equipment storage from the shared space with Tae-Kwon-Do allowing them to expand. The flooring business is primarily office/showroom that installs epoxy flooring

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and repairs cracks. The proposed building is 80 x 30 with 8' porch. Deed overlap with Mr. Peter Holequest currently unresolved.

Chairman Jensen: set the ground rules to maintain the decorum of the meeting opening the Public Hearing. **Note Chairman Jensen had to call the Public Hearing to order twice.** The public voiced the following issues: Parking, Intense Lighting from signage, and an illegal dumping complaint

Mr. Auffredou: the applicant can return with a revised site plan showing actual property lines and better defined parking if the deed issue is not resolved.

Mr. Patrick: an appeal to the ZBA could relieve any parking issues however the next meeting is late July

Chairman Jensen: drainage and lighting must be addressed on the revised and the dumping complaint must be addressed

- 1. Motion:** To table the Public Hearing until the deed overlap is resolved for the Michael Peck Site Plan Review **by: Mr. Field**

Second to Motion: Mr. Osborne

Roll Call: 7 Ayes: 0 Abstained... **Motion Carried**

5. Mary-Jo Barody Subdivision Sketch Plan Review

Matt Vandoren from W.J. Rourke Associates, presented the proposed subdivision in a R2 residential zone of approximately 5 acres. The location is a private road off Route 9 connecting to Sweet road access on Reservoir road. Elevation added to the plan and an endangered species study now completed.

Mr. Patrick: questioned the status to define the maintenance of the road between the owners: Sweets and Barody family. Mrs. Barody responded her council did not respond to their request on the matter. To date the issue of who will be responsible for maintaining the road is unresolved.

Mr. Field: without an agreement over maintenance a the board should not proceed with the Public Hearing.

Mr. Osborne: added the legal outcome should be directed to the ZBA for comments

6. Arrowhead Meadows Subdivision – Final Review

Mr. Zimmerman recused himself from the review his employer is in contract with Arrowhead Meadows, Mr. Paska joined the board for the Arrowhead Meadows Final Review

Travis Mitchell, with Environmental Design Partnership, reviewing the proposed subdivision on the southeast quadrant of Route 32 and Bluebird Roads. A Public Hearing was conducted in April and this board granted a Preliminary approval. Submitted draft Home Owner Association language in April for Mr. Auffredou' review. Technical plans have been reviewed by Mr. Patrick the Highway Department and the Town Engineer. Minor revisions made because of the reviews. Two outstanding technical issues over the Sewer Pump station, to extend the water/sewer district are still outstanding at the Town Board level. Initiated a waiver from this board for the separation distance, code requires 600', two intersection in the Senior portion are at 200' it is not believe to be a safety issue.

Mr. Patrick: to date the Town Board has not made its final decision on the creation of the Water & Sewer District. The current drawing may or may not reflect the specs contingent upon the Town signs off on the districts. Gary Robinson, representing the Town, signed off on, water review, storm water and agrees the drawings presented comply with the codes of the Town of Moreau with exception of the sewer no code to date. Archeology, Endangered Species, Traffic and Emergency Services all signed off on in previous meetings. All requirements have been received and reviewed including comments from Saratoga County

Mr. Osborne: questioned the capacity. Mr. Mitchell referred to the study conducted with the current development on the northeast corner of Fort Edward and Bluebird roads. An 8" force main beginning at the Industrial Park proved adequate capacity.

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Mr. Patrick: the towns engineer also concurs the capacity is adequate however; the town will have to approve an extension of the current district. Mr. Auffredou added the City of Glens Falls carefully reviewed the contract. District 4 may be the Water extension.

Mr. Robinson: addressed the storm water, all in compliance with NYS, sized in excess of requirements. Coarse sands do not present any problems.

Mr. Patrick: surface water concerns south of the Route 32 entrance were addressed with a natural slope piping to a basin. All reviews have been sensitive to prior concerns in previous developments.

Mr. Field: questioned the placement of speed bumps... Mr. Patrick replied Town Roads require 30MPH

1. **Motion:** To waive the 600' site line requirements for the Senior intersections allowing the 200' separation in three intersections and 30 MPH within the Arrowhead Meadows Subdivision **by: Mr. Arnold**
Second to Motion: Mr. Barden
Roll Call: Keith Osborne N, Chris Barden Y, Mr. Arnold Y, Mr. Field Y, Mr. Bergman Y, Mr. Paska Y, Chairman Jensen Y... **Absent: Mr. Zimmerman (recused)**
Motion Carried.
Note Mr. Auffredou a agreement will be signed between the HOA and the Town of Moreau to maintain the storm water controls
2. **Motion:** To grant Final Approval for the Arrowhead Meadows Subdivision contingent on; applicant obtaining Final approval from the Town Board for Water & Sewer District formation or extension; revisions to strengthen storm water maintenance to the Declaration of HOA language per Council and Code Enforcement review **by: Mr. Field**
Second to Motion: Mr. Arnold
Roll Call: Keith Osborne N, Chris Barden Y, Mr. Arnold Y, Mr. Field Y, Mr. Bergman Y, Mr. Paska Y, Chairman Jensen Y... **Absent: Mr. Zimmerman (recused)**
Motion Carried.
3. **Motion:** To have the Chairman and one other member of the Planning Board sign the Final Mylar when presented for the Arrowhead Meadows Subdivision **by: Mr. Arnold**
Second to Motion: Mr. Field
Roll Call: 6 Ayes: 1 Abstained Mr. Osborne... **Motion Carried.**

7. The McCormick Group – Site Plan Review

Richard Jones Archetects representing the owners: McCormick plans to add a tenant to 1582 US Rte 9 1.88 acre site. Seeking a variance June 23, 2010 from ZBA to add a use to 1 acre of the property. The existing large building will occupy the current construction company and the smaller building the potential tenant Farrell Gas. Proposing general office space and storage adding a tank to the north. Adding a 6' Fence with screening along route 9 connecting to the existing three sides of fencing along the property lines. Paving the gravel drive around the tank to the center building and in front of the construction company building to the gate access to the rear. Adding new signage, general landscaping and grading for sheeting, to edge of gravel and route 9 areas; cutting back the gravel to redefine the pavement. Area Lighting for the pump in the center proposed for the Farrell Gas building. New cradles will secure the tanks. Jay McCormick suggested the use of clean fill for a berm along route 9. No intent to be a depot.

1. **Motion:** To schedule a Public Hearing for the McCormick Group on July 19, 2010 at 7pm **by: Mr. Zimmerman**
Second to Motion: Mr. Arnold
Roll Call: Keith Osborne Y, Chris Barden Y, Mr. Arnold Y, Mr. Field Y, Mr. Bergman Y, Mr. Zimmerman Y, Chairman Jensen Y
Motion Carried.

1. Motion: To adjourn Regular Planning Board meeting at 9:50 pm by **Mr. Field,**

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Second to Motion: Mr. Zimmerman

Roll Call: 7 Ayes: 0 Abstained

Motion Carried.

Respectively Submitted, Signature on file Cherie A Kory 6/30/2010