

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 September 20, 2010

**Planning Board Regular Meeting**

**September 20, 2010**

**Attending Board Members:** Chairman, G. Peter Jensen

Keith Osborne, John R. Arnold, Thomas Field, Erik Bergman, Alternate: Dave Paska

Recording Secretary: Cherie Kory

**Absent Board Members:** Chris Barden, Ronald Zimmerman

**Others Present:** Building Inspector: Joseph Patricke, Town Attorney: Martin Auffredou & Town Engineer: Garry Robinson

Chairman, G. Peter Jensen called the meeting to order at 7pm.

**1. Motion:** To approve the August 16, 2010 Planning Board minutes as Amended, by: **Mr. Arnold:**

**Second to Motion:** Mr. Bergman

**Discussion/Corrections:**

Page 1338 Mr. Mitchell change "assisted" with State standards to consistent

Page 1334 Mr. Arnold change to Mr. Barden: HOA work out to bid

**Roll Call:** 6 Ayes: 0 Abstained,

**Absent Board Members:** Chris Barden, Ronald Zimmerman

**Motion Carried.**

**2. Motion:** To reopen the Public Hearing for Winterberry Woods Subdivision by: **Mr. Field**

**Second to Motion:** Mr. Arnold

**Roll Call:** 6 Ayes, 0 Abstained

**Absent:** Chris Barden, Ronald Zimmerman

**Motion Carried.**

**AGENDA**

**1. Winterberry Woods Subdivision**

**Public Hearing**

**Mr. Patricke presented a revised EAF to the board noting Mr. Mitchell submitted revisions from 66 lots to 61 lots**

**Travis Mitchell**, with Environmental Design Partnership, presented the proposed 38-acre site on the Southwest corner of Bluebird Road and Fort Edward Road. The majority of the site is zoned R1, 15,000 sq ft. lots with a small portion zoned R2 22,400 sq ft lots. Maximum permitted lots of 77 with water and sewer connections. Factoring in the geometry of the land and storm water management and working with the board's recommendations, shown is the cluster density of 61, 60 new lots and one existing, a 2.5-acre Farmhouse. The average lot size is 12,700 sq ft and the minimum 11,000 sq ft houses. Eighty foot minimum frontage. The design provides 12 acres of open space combined: open behind each lot and the exterior of the site. Two access points one on Bluebird and the other on the Fort Edward. HOA will be responsible for driveway and lawn maintenance. Proposed are connections to municipal water and sewer built to Town specifications and dedicated to the town. Creighton Manning prepared traffic study, updated from the traffic study done on the current projects in the area; the results were reviewed by the Town engineer and concurred with the findings recommending maintaining the vegetation on the Fort Edward road for better site distance. Comments received from Saratoga County DPW recommending 36" "STOP" signage at the County road entrances also requested a "T" intersection sign approaching the project from the south on the Fort Edward road. Sign offs received from the New York Natural Heritage Program and New York State Office of Parks, Recreation and Historic Preservation. The Karner Blue butterfly study completed with no findings and completed archeological studies Part 1a and b.

The landowner to the south of Fort Edward entrance was uncomfortable with the two lots bordering Fort Edward road, a suggestion of a land swap in exchange for two lots in the back adjacent to the proposed

project. Conceptually it can be done the landowner is currently working through the details. Due to the minor changes, the developer agrees as long as there are no delays in the approval process.

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

**Dave Johnson:** property owner to the south inquired the status of reducing the northbound speed limit on the Fort Edward road.

**Mr. Patricke:** Town council presented to the Town Board for action, the County will review, no results to date

**Mr. Antis:** will the land swap enhance the entrance site distance

**Mr. Mitchell:** No, the land swap has nothing to do with the site distance issue. Site distance reviewed by the Traffic engineer recommended maintaining the vegetation in right away as acceptable. The Town engineer concurred as well as the Saratoga County DPW recommendation of a "T" intersection signage.

**Mr. Patricke:** requested signage on the final maps... agreed

**Mr. Osborne:** requested the site distance to the south

**Mr. Mitchell:** available is 415 feet that is higher than the critical limit of 360', recommended is 500'. The speed limit is 45 MPH

**Mr. Arnold:** with the issue of site distance maintenance on the property in a potential land swap requested maintenance language be reflected in a deed

**Mr. Mitchell:** Provisions will be made in the form of deeded language should the land swap ensue

**Mr. Arnold:** what is the width of the adjoining property?

**Mr. Mitchell:** 160 to 165' road frontage total road frontage if the swap occurs for Mr. Johnson approximately 400'

**Mr. Johnson:** my lot is 90' at the road, moving back to 225' than approximately 165' opening up to 1,100'. The frontage exchange of 277' plus my 90' of road frontage nets 315' of width. Contends, my current site distance is less than anyone has and is committed to maintaining the site distance by removing trees, hedges etc.

**Mr. Patricke:** what are the blue marking blocks on the sketch?

**Mr. Mitchell:** symbolizes outlining were the land swap to potentially moved to the rear

**Mr. Osborne:** how is the density affected and what influence on the wet lands?

**Mr. Mitchell:** are not proposing to alternate the density based on the land swap...none

**Mr. Patricke:** the proposed swap is a significant improvement that benefits the landowner and the subdivision equally by removing the two building lots proposed

**Mr. Arnold:** What is the road frontage minimum?

**Mr. Field:** R2 minimum width road frontage by code is 125' with municipal water

**The Board reviewed and commented on the Long Form EAF presented by Winterberry Woods making the following corrections:**

Part I, A. #9 Y as listed in State Data Base, B. #1 h. Ultimately 61 housing units, #2 NONE, C. #2 add R2 to zoning classification, #7 strike "abandoned" Land from predominant land uses, #10 change No to "Yes" strike water district, water district 4 is in existence Part 2, #1 Yes – small to Moderate impact where depth of the water table is less than 3', #19 Yes – small to moderate impact on demand for additional community services

**Chairman Jensen: polled the public for any environmental concerns no adverse environmental impacts founded.**

**Chairman Jensen:** questioned the Town Engineer in regards to the designs of the storm water management

**Mr. Robinson:** the concepts are fine a few minor details to review with Mr. Mitchell

8:20 pm Public Hearing Closed

**1.Motion:** To declare a negative declaration on the Long Form Environmental Assessment for Winterberry Woods Subdivision by: **Mr. Arnold**

**Second to Motion:** Mr. Field

**For the record, Mr. Auffredou will prepare the negative declaration**

**Roll Call:** Keith Osborne Y, David Paska Y, John R. Arnold Y, Thomas Field Y, Erik Bergman Y, Chairman Jensen Y

**Absent:** Chris Barden, Ronald Zimmerman

**Motion Carried.**

**2.Motion:** To grant preliminary approval for Winterberry Woods contingent upon the following: 1.) noting on the final map the addition of traffic signage and identifying the archeology locations from the Historic Preserve, 2.) Final review & approval from Town engineer on storm water management 3.) Sign off from the Town Highway

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Dept. on the Stub road 4.) Final resolutions on the land swap 5.) Final review and approval of HOA language by Town council with respect to the HOA's responsibility to maintaining the storm water infrastructure by: **Mr. Field**  
**Second to Motion:** Mr. Arnold

**Roll Call:** Keith Osborne N, David Paska Y, John R. Arnold Y, Thomas Field Y, Erik Bergman Y, Chairman Jensen Y

**Absent:** Chris Barden, Ronald Zimmerman

**Motion Carried.**

**Mr. Patricke:** reminder to complete everything in final form two weeks prior to the October 18<sup>th</sup>, 2010 meeting to resolve all items outstanding or wait until November

## 2. Michael Vasiliou – Va Va Voom Planned Unit Development (PUD)

**Mr. Patricke:** Mr. Vasiliou presented before the Town Board last Tuesday and the Town Board requested Mr. Vasiliou put together the packet handed out tonight providing all requested by Town Board

**Mr. Auffredou:** the code is very specific noting in a PUD the Planning Board in its capacity acts as an advisory to the Town Board. The request is the Planning Board provides a favorable or unfavorable recommendation on the proposed PUD. The current zone allows for PUD, and the Town Board felt that at the sketch level it was satisfactory to request the Planning Board's recommendation. Once the Planning Board determines it has all the necessary information to move forward, the code indicates a Public Hearing scheduled, followed by time to prepare a report. The Planning Board is not the SEQR lead agency; the board may provide recommendations to the Town Board for SEQR. The County Planning Board gets involved after this Board provides a review. Under the code, this Planning Board may refer to the County Planning Board for any technical assistance. Tonight's determination is on having all the necessary paper work to move forward to the Public Hearing or direct the applicant on what information is needed i.e. layout, traffic...to complete your decision to move to Public Hearing. Council's advice is to ensure the Board has all the information necessary to move forward due to the Town Board relying heavily on the Planning Boards recommendation. The Town Board is seeking a solid review whether favorable or unfavorable. A reminder to the Board there is no discretionary review or approval and no formal SEQR role.

**Mr. Osborne:** questioned if the applicant would appear before this board for site plan review...

**Mr. Auffredou:** correct at that point it is a discretionary approval. The Town Board through a PUD is creating new legislation that will be an amendment to the zoning by resolution or perhaps by local law depending on the separate SEQR action. The applicant will be required to perform the Long Form EAF under the code.

**Chairman Jensen:** polled Mr. Vasiliou, Mr. Rosin and Mr. Bianchine from ABD Engineers & Surveyors to determine if all requirements in regards to 149.27 completed, paying particular attention to the amount of building allowable on the site.

**Mr. Vasiliou:** understands the density is greater than the allowable space available. The Town Board will consider the economic issues in regards to density and viability. Home of the Good Sheppard is here tonight, they have requested a grant to do this project. The home is a forty-eight unit facility in Wilton on less than three acres. The facility will require little parking with a small footprint. The grant is for 5.5

million dollars for a 64 unit building also in conversation for the independent living. The Goal is to phase the project starting with one independent living structure up. The diagrams are only an indication the space is available the final may possibly be two 50 unit independent living buildings the configurations are not final again only a reference to the available space.

**Mr. Bianchine:** the site is 26.6 acres owned by Mr. Vasiliou located at 186-200 Bluebird Road proposing a senior community Planned Development district with mixed uses. The property borders Bluebird road with 747' frontage on the north, single-family residences on the east, Sisson road on the southeast with 274' frontage, and abandoned rail line on the south and a rail line on the west. The property is wooded with sandy soils. The property has an easement for a power line running north south on the western central portion. Water is available on Bluebird road and sewer is available nearby. The sketch plan shows three buildings for senior apartments each 75 units and 3 stories high totaling 225 units of assisted and enhanced living, one two-story building for 100 units of senior apartments, and a 1 story senior community center. The sketch also allows for two professional buildings for doctor offices, dentist...at 20,000'sq ft. each two story. In the center a one-story 24,000'sq ft. retail building. The commercial portion of the site on Bluebird contains two access points that are connected through to the senior living areas and then to Sisson Road. All interconnected with walkways allowing mobility from building to building. Parking sketched as at over one space per unit and in the commercial area at approx. five spaces per 1,000 sq ft. This is not a final plan will revise according to code. To date no architect drawings on the actual footprints of the

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buildings only conceptual at this point. The roads internally to be private with one dedicated road from Bluebird to Sisson. The overall goal of the PUD is to develop a community for seniors where all services provided within a short walking distance, living, medial, recreation, retail work and social.

**Mr. Osborne:** questioned enhanced living...universal design?

**Mr. Vasiliou:** Independent living for seniors, assisted level one some assistance can live independently, and enhanced is the next level up in assistance between assisted and a nursing home. Goal is to progress within the development. The local Town of Moreau community center may explore a partnership with the proposed.

Approached the GF Hospital, Hudson Headwaters, and Stewarts.

**Mr. Bianchine:** storm water management not engineered at this point

**Mr. Osborne:** recommends bio retention in the design

**Mr. Field:** questioned consolidation of professional buildings

**Mr. Vasiliou:** power line easement does not allow

**Mr. Bianchine:** the goal is medical however could be insurance ideal retail will be bank, café, florist, and library

**Chairman Jensen:** questioned council if district area is 10 acres is that referred to as "net" acreage or "raw" acreage.

**Mr. Auffredou:** read as the total amount of 10 acres

**Mr. Patricke:** it was interpreted as total acreage gross acres of 10 or more which is 26.6 net with automatic deductions that will lower that number

**Mr. Field:** you must have at least 10 acres to start before formulating

**Mr. Arnold:** questioned phased construction

**Mr. Vasiliou:** independent unit at first and one enhanced unit per market demand. Professional and retail is hard to determine the goal is housing first and the demand will dictate the need for professional and retail.

**Mr. Vasiliou:** will provide the Board with a copy of the Long form EAF

**Chairman Jensen:** is building area less than 30% of building area

**Mr. Bianchine:** listed in EAF

**Mr. Patricke:** the Town Board has addressed all density issues and requirements based on the use

**Mr. Field:** density will affect the Planning Boards recommendation

**Mr. Bianchine:** At this point, a Site Plan with a Subdivision associated with it, the site will set up Property Owners Association (POA) due to parking, access, storm water management etc. Each unit owned individually

**Mr. Vasiliou:** each unit will be on a separate lot, as developed each would have a site plan review. The Good Sheppard does not want to run retail or office space the units treated as separate entity

**Mr. Arnold:** how an adequate storm water management handled in the development phases?

**Mr. Bianchine:** the initial design will allow for adequate drainage considering the slope of the land

**Chairman Jensen:** 30% should kick in on each lot

**Mr. Bianchine:** In other communities, as long as 30% is maintained overall, each time a lot is developed the percentage is done on the total site. The idea is to cluster some leaving green space in the back

**Chairman Jensen:** maximum building coverage in a single lot or a district as whole 30%. The Town board may elect to do something different

**Mr. Patricke:** building not parking lot

**Mr. Auffredou:** has the applicant submitted all the information for sketch plan review if so move to Public Hearing if the applicant has not direct what additionally is required

- 1.) Conceptual elevation drawings, 2.) EAF and time for review, 3.) A concept of lots including the approach to the 30%, 4.) any modified setbacks and boundaries required by applicant for review in recommendation 5.) functions of POA with the different properties and what each will be responsible for managing, 6.) Snow management

**Mr. Patricke:** suggested taking the information submitted and writing an analysis based on the PUD than take a look at it. This can be prepared individually or you can have it prepared and then review to ensure completion

**Mr. Auffredou:** a present PUD may be amended

**Mr. Vasiliou:** the enhanced unit proposed at 64 with the top limit at 75 and the minimum at 50 units

**Mr. Paska:** if dedicated to the Town is infrastructure built all in the first stage

**Mr. Auffredou:** Likely, however it may depend on the location of the first unit built

**Mr. Patricke:** if a road is to be a Town road in order to complete the storm water management effectively the infrastructure completed. Cost drives the completion of the road. Subdivision with multiple site plans

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**Chairman Jensen:** a subdivision does not allow private roads. Hearing what is proposed for the site, what category it falls under in 149.7C: the Residential standard of 30% or the Commercial standard of 40%.

**Mr. Field:** may fall under C2 district standards the Town board may modify. Innovation is a part of the PUD process

**Mr. Auffredou:** offered support from staff to what the applicant has provided and if the information satisfies the code in comparison and recommending to the Planning board what is missing leaving communication feedback open via email to applicant to prepare keeping the process moving forward

**Chairman Jensen: polled the board and all were in present members were in favor.**

**Mr. Auffredou:** after reviewing requirements and the feedback from the board by October a November Public Hearing is possible

**Mr. Vasiliou:** the goal will be to set a Public Hearing at the November Planning board meeting

**1. Motion:** To adjourn Regular Planning Board meeting at 8:45 pm by **Mr. Field,**

**Second to Motion:** Mr. Osborne

**Roll Call:** 6 Ayes: 0 Abstained

**Absent Board Members:** Mr. Barden, Mr. Zimmerman

**Motion Carried.**

Respectively Submitted, Signature on file Cherie A Kory 9/27/2010