

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES**

April 29, 2015

Chairman Ian Murray called the meeting to order at 7:30 p.m.

Planning Clerk Linda McCabe called the roll: Chairman Ian Murray – present, Laurie Griffen – present, Patrick Hanehan – present, Robert McConnell – present, Jennifer Koval – absent, Joseph Lewandowski – absent, Brandon Myers – present, Alternate George Olsen – absent.

Also attending: Town Engineer Ken Martin, Bob Foster, Livingston Coulter, Chris Boyea, Rob Neill, Matt Johnson, Ronalee Myers, Sean Kelleher, Darryl Dumas, Kathleen Turcotte, Valerie Munson, Ken Mark, Tim Holmes, Chelsie Henderson, Catherine Burkly, Ernesto DaCosta, Diane Whitten, Sandy Helmig, Emily Crouth, Katy Steuhouse and other interested persons. (Sign-in sheet is on file in the Clerk's office)

A motion was made by Brandon Myers, seconded by Laurie Griffen, to accept the meeting minutes of March 25, 2015. Chairman Ian Murray – aye, Laurie Griffen – aye, Jennifer Koval – absent, Patrick Hanehan – aye, Joseph Lewandowski – absent, Robert McConnell – abstained due to absence, Brandon Myers – aye, George Olsen – absent. **Carried 4 - 0**

Approved

Public Hearing for Subdivision

**William Barton #14-08
677 Rt. 29**

**Saratoga Springs, NY 12866
S/B/L 167.-1-22.1 Rural Residential &
Conservancy
Location: 692 Rt. 29**

**Owner: Doris & John Clute Irrevocable Trust
692 Rt. 29**

Saratoga Springs, NY 12866

**Representatives: Livingston Coulter, Attorney
W.J. Rourke, Surveyor**

Applicant seeks to subdivide 17+/- acres from the Doris & John Clute Irrevocable Trust's 170+/- acre parcel, located at 692 Rt. 29.

Attorney Livingston Coulter appeared on behalf of the Applicant. He was asked for the neighbor notification receipts for the public hearing, but Mr. Rourke, their surveyor, sent those out and did not get those receipts to him. He then tried calling Mr. Rourke but was unsuccessful.

Chairman Ian Murray stated the Board cannot go forward with the public hearing without the receipts. He added that the Board will move on to the next application but if Mr. Rourke appears, they will go forward with the public hearing tonight.

Chairman Ian Murray then stated, before beginning the next application, that there would be no public comments taken at the meeting. If the application goes forward, a public

hearing will be held at a future date and the Board will accept public comments at that time.

Special Use Permit Pre-Submission Conference - Information

**Willard Peck
Primax 44 Spring St.
Schuylerville, NY 12871
S/B/L 157.-1-21.21**

**Representative: Bohler Engineering, LLC for
Properties, LLC
5 Computer Dr. West, Suite 203
Albany, NY 12205**

Bohler Engineering, on behalf of Primax Properties, will present their plan for a Dollar General Store to be located at 44 Spring St. in the Village of Schuylerville. The property lies within the boundaries of both the Village of Schuylerville and the Town of Saratoga.

Chris Boyea of Bohler Engineering LLC, along with Rob Neill of Primax Properties, LLC appeared before the Board. Chris Boyea stated that Primax is proposing to purchase property in the Town of Saratoga and the Village of Schuylerville; 44 Spring St. He presented an aerial view of the site, noting the smaller parcel used to be the Suburban Propane business and that parcel is in the Village of Schuylerville. The long parcel next to it is in the Town of Saratoga.

They plan to remove the old pole barn as well as the existing home and build a 9300 square foot, single story, dry goods retail facility that will have thirty parking spaces around the perimeter.

The driveway will be enlarged and will be in alignment with the driveway of the businesses across the road. The majority of this project lies within the Village of Schuylerville.

They will connect with the existing water and sewer lines across the road and electric and natural gas are already in place on that side of the road. He stated their facility will use far less water than a typical home would. A typical house uses 300 - 400 gallons of water per day; the Ballston Spa Dollar General facility uses 30 - 40 gallons a day; they mop the floors and use the bathroom and that's it for water use, so this brings far less demand on the infrastructure than a single house does.

He stated they are specifically before the Town of Saratoga Planning Board to review the section that is in the Town, though it is part of the entire project. There is 5700 square feet of permeable surface in the Town. This is one cohesive project that happens to have a municipal line running through it and they weren't planning on having a separate storm water system for each parcel, but they want to work together with both the Village and Town's Planning Boards. They want to address all comments and concerns and they know this is just the beginning of this project. He added they don't expect any action or approvals tonight, but they would like to address and answer questions of the Board and get some feedback.

Chairman Ian Murray introduced and informed the Board that Mr. Foster is the Planning Board Chairman for the Village of Schuylerville. He stated he had a conversation with Mr. Foster earlier in the day and explained that this Board plans to move forward with this application. Concerning SEQR, when the Village meets to review and complete SEQR, the Town of Saratoga Planning Board will be an involved agency as they work

through it. The Board will possibly comment tonight on some of the issues with the property that lies within the Village, just to bring up all the concerns they saw on the site.

Chairman Ian Murray explained this is before the Board tonight as a conceptual plan but he has concerns with the Stormwater Pollution Prevention Plan (SWPPP). He understands this is conceptual, but they're proposing infiltrators there and he isn't liking that because he can't see how the engineering is going to work. He believes the Board will need to see better engineering and take a harder look at this at the next meeting. The northwest portion of the parcel has no catch basin; they just have the two up front that go into the infiltrators at the front of the store. He would like to see storm ponds there. He walked the site earlier and knows there are serious lot constraints because the topo is tipping/leaning toward the village, so the Board needs to take a really hard look at that and whether it means moving the building somewhat or whatever, they need to figure that out as they move forward.

Chris Boyea responded they propose to do some underground stormwater, but uncertain that it will be infiltrators because he's not sure the soil will support it up there.

Chairman Ian Murray stated exactly, that's what he saw there on site.

Town Engineer Ken Martin agreed; he stated he's not proposing a solution, however, what he saw there will not work.

Chris Boyea replied what they saw was the intent of them putting things underground. But they have engaged a geo-tech company to look at the soils, infiltration rates and all those things.

Laurie Griffen questioned the acreage of the parcels.

Chris Boyea responded there is 4+/- acres total; about 3 acres in the Town and about 1 acre in the Village. He explained they have a lot of land in the rear that they could address stormwater with. He's heard the school has stormwater coming down from the farm fields and the hill there in the back and that they've intercepted it; he thinks they may actually be able to work with the school and help them further, for future development and current issues, to resolve those issues. He'll take a look into how that will play into their own stormwater design in more detail for the next meeting.

Chairman Ian Murray stated he spoke with Superintendent Ryan Sherman a couple of days ago and was told the school district is receptive to that. He and Superintendent Ryan Sherman met and walked the parcels earlier today, as well as the school parcel. They saw and discussed the impacts they are now experiencing and want to be sure they're addressed as the application moves forward.

Chairman Ian Murray asked if they've communicated with NYS DOT.

Chris Boyea replied yes and said they've also submitted to the county. He added that he had a verbal discussion at the County offices and they said it looks feasible but to check

on sight distances. He had his surveyor do that and forwarded that information on to NYS DOT.

Chairman Ian Murray stated this may not warrant a traffic study at this point, but he'd like the surveyor to plot this out on the print prior to returning to this Board, due to the vertical curve there. He also wants to see the speed limit, stopping distance, sight distance and everything else on there so the Board will have that data for review.

Chairman Ian Murray then stated, looking at the architectural plans that were submitted, it's seriously lacking in landscaping. It's opposing to the neighbor to the east and needs screening coming in and out of the village; landscaping along the sides needs to be enhanced. He then said he knows site lighting is on the plan, but questioned what they plan to do for lighting on the building, wondering if they will they use wall packs.

Chris Boyea replied for large audience presentation purposes they showed poles around the perimeter, but they have an above matrix plan that they'll submit to provide that information. There is limited wall packs on the facility; one over the delivery door, which illuminates the door area and trash area, no wall packs proposed along the rear or along the side toward the village.

Brandon Myers questioned what type of poles they'll be using for lighting.

Rob Neill, Primax Properties, replied they'll be shoebox fixtures, 20' - 25' high; they'll provide more information at the next meeting for the Board.

Chris Boyea stated as comments come to them, they will continue to mold the project. At a meeting with the Schuylerville Area Chamber of Commerce they attended last night, comments were made that they wanted a more appealing building that fits in better with the community. He couldn't commit to that at that specific moment, but since then Rob Neill has given the authority to build a nicer building, which he then showed a picture of to the Board and the public. They're willing to adapt the appearance and work with the community to make this project work.

When asked what materials will be used for the building, Chris Boyea said masonry on the bottom and efis stucco on the upper portion, architectural feature of faux windows with shutters will go the length of the building and the front windows will have shutters as well as awnings.

Chairman Ian Murray stated there are overhead wires for the service there, it would be nice, aesthetically, to see the wires buried.

Chris Boyea responded they'll look at it, they've been asked to do that before and he sees no big issue with that.

Chairman Ian Murray asked if there were any questions of the Board; there were none. He then stated that he hoped the Applicants now have good direction for going forward and added they can call anytime with questions.

Chris Boyea replied concerning the stormwater, they are not proposing separate systems; they will not be treating the stormwater any differently be it from the town or the village. It will be a unified system.

Chairman Ian Murray stated he's a bit concerned with the design. Obviously it's a capture containment vessel there with no discharge from it; again, knowing the soil makeup that's there the Board needs more engineering on it, but that will come in the future. He stated he just wanted it noted and in the record.

Brandon Myers asked if they had test wells done yet and Chris Boyea replied no, he believes they've hired Terra Con Consultant-NY, Inc., a national geo-tech company they use to do those tests.

A discussion concerning different options for dealing with stormwater issues continued and more information will be provided prior to returning to this Board.

Chris Boyea thanked the Board.

Returning

A motion was made by Laurie Griffen, seconded by Robert McConnell to Table the public hearing for the Clute/Barton subdivision until next month. Chairman Ian Murray – aye, Laurie Griffen – aye, Jennifer Koval – absent, Patrick Hanehan – aye, Joseph Lewandowski – absent, Robert McConnell – aye, Brandon Myers – aye, George Olsen - absent.

Carried 5 - 0

Tabled

Information: Mining Information

Ernesto DaCosta, 773 Rt. 4 South, said he owns the old Drumm farm. He stated Michael Brooks, his engineer, dug the test holes and it was all sandy loam and they hit no ground water. He has set up a meeting with Jeremy Baines of the NYS DEC for Monday, May 4, 2015 for a site visit and to review the test pit results and to get the ball rolling for a sand mining permit. He stated he plans to leave the top soil on site, mine 3 - 5 acres at a time, once each area is completed he'll re-grade for drainage and replace the topsoil and return it to farmland. He will be the only one mining, he won't be hiring anyone else. He reviewed his map stating the elevation goes up about 40' so he's looking to take out 10' - 15' at the most; he doesn't want a pit, he doesn't want a hole. He's wanting to do this to help with his taxes and to help upkeep his property. He'll get all the information and state requirements on how many yards he can remove each year along with all pertinent information. He said he knows he cannot go over 750 yards without a permit.

Chairman Ian Murray added that Ernesto will be given direction by NYS DEC concerning their requirements. This is a two step process, this Board has to issue a special use permit for mining and NYS DEC has to issue a mining permit and they can run in parallel for approval, adding it's good that he's retained Michael Brooks to help him obtain his permit with DEC.

The Board asked how many acres he has and he responded he has 254 acres and the mine will be about 40 acres, over the next 10 - 20 years. He then stated he'd be happy to have them out for a site visit. He loves his land and has no desire to harm it; it's his home and he wants to do things correctly. He thanked the Board.

Returning

Old Business: None

New Business: None

A motion was made by Laurie Griffen, seconded by Patrick Hanehan to adjourn the meeting at 8:18 p.m. Chairman Ian Murray – aye, Laurie Griffen – aye, Jennifer Koval – absent, Patrick Hanehan – aye, Robert McConnell – aye, Joseph Lewandowski – absent, Brandon Myers – aye. **Carried 5 - 0**

Meeting Adjourned

The next regular meeting will be held Wednesday, May 27, 2015 at 7:30 PM.

Respectfully submitted,

Linda A. McCabe
Planning Clerk