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PLANNING BOARD

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MEMBERS
Emad Andarawis
Michael Hale
Joel Koval
Eric Ophardt
Kim Paulsen
Tom Werner
(alternate) Eric Prescott

Planning Board Meeting
January 23, 2013

Those present at the January 23, 2013 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, M. Hale, J. Koval, E. Ophardt, T. Werner, K. Paulsen

Those absent were: E. Prescott – Alternate Member

Those also present were: J. Scavo, Director of Planning
J. Bianchi, MJ Engineering and Land Surveying, P.C.
P. Pelagalli, Counsel
M. Springli, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:04 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

I. Minutes Approval – 1-8-2013

- a. Motion to approve minutes
 - Moved by: Emad
 - Seconded by: Joel
 - Motion is approved – K. Paulsen abstained, All others Aye

II. Public Hearings - None

III. Old Business

- A. [2012-027] **Drake Petroleum – Xtra Mart** Proposed addition to existing gas station, 283 Ushers Road, Zoned: B-3, Preliminary site plan review with possible determination, SBL: 259.2-36

Applicant presentation

Chris Boyea of Bohler Engineering and Conrad Decker from Xtra Mart presented a proposal to relocate the diesel servicing area and expand the traffic circulation around the back of the existing building at the Exit 10 Xtra Mart and gas station. Mr. Boyea noted that the size of the existing entrances and the edges of pavement will remain the same as they have been for many years and the landscaping on the parcel will be increased. Mr. Boyea also stated that NYSDOT has been contacted and per their recommendation, pavement signage on the entrances has been added. The speaker also noted that the septic system behind the building will be eliminated, a grinder pump will be installed and the building will connect to Saratoga County Sewer. In addition, ADA parking will be added to the site which does not currently exist. Finally, the consultant stated that two variances are being sought from the Zoning Board of Appeals for setbacks as it is currently non-conforming and a variance must be sought to proceed with any changes to the site plan.

S. Myers Comments were read by Mr. Scavo. Mr. Myers asked that a signage plan be submitted for the entire site and permits be obtained if required. The Building Director also stated that the project is on the ZBA schedule for 1/15/2013 for setback variances and that a detailed erosion and sediment control plan would be required.

S. Reed's comments were also read by Mr. Scavo. It was requested that specific measurements regarding the tank dimensions and locations be noted.

J. Scavo noted that the Open Space, Riverfront and Trails Subcommittee notes were forwarded to Planning Board members asking that a bike rack be installed on site. Mr. Scavo stated that he liked the detail sheets but added that a note should be added to the detail sheet noting "All signs are to be of Diamond Grade Reflectivity." The Planning director also asked that the location of the "No Parking Anytime" sign shown on the Handicap parking sign detail should be added to the Handicapped Stall Markings & Parking Lot Detail.

ECC - Comments were read by Mr. Scavo

After review of the data presented, the ECC made the following recommendations:

1. Due to the probability of food and liquid wastes leaking from the on-site dumpster into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow
2. The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan, to the greatest extent practicable.

Joel Bianchi, the town designated engineer with MJ Engineering and Land Surveying, P.C. noted that a letter was sent to the applicant regarding this submittal. Mr. Bianchi stated that this is an unlisted action pursuant to SEQR and coordinated review is left to the discretion of the Planning Board and due to proximity of the project to Interstate 87, a 239-m referral may be needed from Town staff.

According to the town engineer several other items were needed to be shown on the site plan: such as showing the water service connection, spot elevations for ADA parking and path to the building, clarification on whether the utilities are to be installed underground or overhead, and re-alignment of silt fencing outside of paved areas. Mr. Bianchi also stated that additional details were needed for landscaping, sanitary sewer design and that rip rap protection was needed to protect from erosion.

Mr. Bianchi then commented that the project would not be subject to NYSDEC stormwater regulations because the total area of disturbance was less than an acre, but further information was needed regarding testing for the depth of the groundwater and description of the proposed facility that documents that the post development impacts will not exceed current conditions. Mr. Bianchi also stated that special care be given to prevent potential introduction of petroleum products into an infiltration practice.

Mr. Ferraro asked if 239-m review would be required by Saratoga County and Mr. Scavo stated that he will verify if it is needed and will forward the submittal to the County Planning Staff if so.

Anthony LaFleche with the Trails Sub-committee, repeated the request for the installation of a bike rack, adding that the committee would like to see it noted on the site plan and the specifications to be included in the detail sheets.

Mr. Werner remarked that he felt it was an excellent improvement and felt that good onsite signings and lane markings would be desired for the traffic pattern changes per DOT and METCD and NYS supplemental specifications. Mr. Werner asked what the plan was for vehicle circulation in the event of cars queuing up at the fueling station during peak demand. Mr. Boyea indicated on the site plan the pattern that vehicles might make to change directions if a car needs to line up in the opposite direction when a tank becomes available.

Mr. Boyea replied that correspondence has been submitted to NYSDOT and that the applicant expects a response prior to the next submittal. Mr. Koval asked if it was possible to drive over the area directly in front of the tanks and Mr. Boyea replied that is was a level concrete pad intended for vehicle circulation.

Mr. Ophardt asked if there was a permit for the sign that currently exists in the right-of-way. The consultant stated that the applicant has had the sign there for many years and they do not expect to change that. Mr. Scavo responded that changes had been made to the right-of-way over the years. Mr. Ophardt felt it should be documented in the plan.

Mr. Werner asked about pavement markings on private drives and stated that he felt that a note should be added to the plan that the applicant should maintain the arrow markings on the pavement. Mr. Scavo noted that the town will maintain the crosswalk lines as they installed it in the first place, but the directional arrows should be maintained by the applicant and a note should be added to that effect.

Mr. Ferraro asked about landscaping at the back of the property since so much of the tree line is being impacted. The chairman also stated that he would like to see what types of plantings were to be added at the front on the plan and reinforce the request to show a bike rack on the plan.

Mr. Hale suggested native plantings be used in the back rather than a formal landscaping plan, stating that he would like to see it looking more natural. The consultant stated that it would just be a stormwater basin, a graded depression and the soil is good quality and would be willing to put rain garden type plantings into the area.

Mr. Ferraro asked about the condition of the pipes. Both Mr. Scavo and Mr. Boyea stated they were not aware of any issues with the pipes and that the tanks are not being touched at this time as they appear to be fine.

Mr. Boyea indicated they might submit for approval at the 2/26 meeting if all requested variances are granted. It was noted that the submittal day for that meeting is 2/6/2013.

B. [2012-031] Scripter, Lands of Proposed (4) lot residential subdivision, 642 Bruno Road, Zoned: R-1, Revised conceptual subdivision review, SBL: 271.-2-35.1

Drew Schauffert with Santo Associates represented Mr. Scripter for this (4) lot subdivision. The consultant described the proposal at 643 Bruno Road, noting that there is an LC overlay zone within 50 feet of the creek which is a tributary to the Dwaaskill. Mr. Schauffert stated that each lot will have individual septic systems and the existing home will have a new septic system installed because the existing septic would end up in the yard of a newly created lot.

Mr. Myers comments were read by Mr. Scavo who first suggested that, not having the proposed grading plan, Mr. Myers' remarks were based on the submitted site plan. The Building Director noted that he felt slopes and grading might be excessive on Lot #1. Mr. Myers also noted that the applicant might consider combining lots #3 and #4.

J. Bianchi, town designated engineer, sent a review letter to the applicant noting that a Full Environmental Assessment Form will be completed by the applicant. Further comments regarding SEQRA will be addressed at that time. Mr. Bianchi asked that a note be added to the plan to indicate that the existing septic tank is to be removed and he would like to reserve further comment depending on a future submittal.

ECC comments were read by John Scavo

After review of the data presented, the ECC made the following recommendations:

1. The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan, to the greatest extent practicable.
2. Due to the steep slopes at the rear of the properties, existing vegetation should be preserved in areas where such growth enhances erosion control, tree preservation, steep slopes and erosion.

J. Scavo, Planning Director, stated that:

- A notation should be added to the plan which states, “Existing roadway drainage shall not be altered by the proposed subdivision. Property owner should be aware of the existing roadway drainage onto the land within the proposed subdivision which is at a lower elevation than the adjacent town right-of-way.”
- Initial clearing and grading limits should be shown on the plans. It should be clarified if it is the applicant’s intent to clear up to the LC Zone Buffer.

Mr. LaFleche asked how far homes were from the road. Mr. Schauffert said about 150' from Bruno Road. Mr. LaFleche asked how far from the slope at the rear and Mr. Schauffert said about 50'. Mr. LaFleche requested that a note be added to the plan that future homeowners be aware that a trail may be put along Bruno Road at some point in the future by the Town as an area noted in the Trails' Master Plan.

Mr. Hale felt soils needed to be evaluated and erosion and sediment control needs to be planned carefully during the building phase and for the future. Mr. Schauffert said the work will be confined to level areas. Mr. Schauffert said that lot 1 is going to be regraded to make it more level than it is now and will be shown on the grading plan at the next submittal. Mr. Hale asked that be designed to avoid the potential for problems arising in the future for homeowners having to deal with large slopes.

Mr. Ferraro stated concern for the steep slopes from Bruno Road to the house location at Lot 1, but he stated that for Lots 3 & 4 it appeared like the slope was mostly in the backyard and did not pose as much of a problem. The chairman expressed that he felt the topography of Lot 1 was problematic. Mr. Hale also suggested that the existing grade could be a problem for fire and safety equipment. Mr. Schauffert said that Lot 1 could be adjusted to improve placement of the house and the grading. Mr. Ferraro asked if the driveway seemed well placed due to road curves. Mr. Ophardt commented that he felt Lot 1 was possibly not buildable and did not feel the driveway was a concern. Mr. Scripser stated that the top of the slope is not currently well defined but that it will need to be graded. Mr. Hale stated that he felt it is potentially buildable but will need great care. Mr. Scripser said in the field he feels the house will be situated closer to the road and the driveway will be shorter. Mr. Koval suggested flagging the location so board members could see it in the field to better visualize the house location and he added that the

Board is concerned with keeping disturbance away from the stream. Mr. Scripser felt that his regrading could improve the current runoff from the road into the stream. Mr. Bianchi and Mr. Koval discussed that they want to see a grading plan for the lots to demonstrate redirection of surface flow. Mr. Ferraro asked for clarification of an issue when septic is higher than a house. Mr. Bianchi stated that they are conforming to standards. If Lot 2 (existing home) cannot be graded as needed for the septic distances required, then the house will be connected to water and the well abandoned.

Mr. Scripser asked if Mr. Myers was suggesting a change in submittal plan would potentially comply. Mr. Bianchi stated that Mr. Myers said the current submittal does not comply, and then he added that it would be up to the applicant to come back with another attempt to make it in compliance.

Mr. Scripser asked for clarity on where he should flag, but also asked if he could remove any trees yet, but Mr. Scavo said not yet. Mr. Scripser also asked if SWPPP was required and it was stated yes. Mr. Hale said that the Stormwater Prevention Plan is a good tool to show the details needed for erosion control and runoff.

Mr. Ferraro asked if there was any problem with runoff from Bruno Road and Mr. Scavo replied not in this area. Mr. Scavo also suggested that the applicant find the submittal guidelines on the website for the next stage and that the Board is waiting to see the grading plan before they agree with layout of the plan.

Mr. Ferraro disclosed that Dave Scripser has been a contractor at his house.

IV. New Business – None

V. Discussion Items –

[2010-004] Park Dental Care - one year extension final expiry date of 1/23/2014

- Environmental Design Partnership and Park Dental still working to make progress toward a building permit and request an extension. The Planning Board members expressed that they felt it was an improvement they would like to see on that site.
 - Motion to grant one year extension was offered by Mr. Koval, seconded by Mr. Ophardt
 - Motion was unanimously carried
- **Monolith Solar - Collision Experts** - roof mounted solar array, can be SPR or administrative review to PB discretion... Planning board felt that it was not conspicuous enough to warrant SPR. Mr. Andarawis asked if there was any added chemistry to the site and Mr. Scavo replied that there was only going to be a converter. The Planning Board expressed that it should be encouraged and consensus was that SPR was not necessary.

Next submittal deadline: 2/6/2013

Next Planning Board Meeting: 2/12/2013 from items submitted on 1/23/2013

Motion to close Planning Board meeting at: 8:25

Moved by: Paulsen

Seconded by: Werner

Motion is approved – Unanimously carried

Respectfully submitted,

Meg Springli
Secretary