

Town of Northumberland Planning Board
Workshop Minutes
Corrected by the Planning Board
Monday, September 26, 2016 7:00 pm
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Present: Susan Martindale, Lisa Black, Holly Rippon-Butler, Chad Reinemann, Melanie Eggleston, Jeff King, James Heber, Vice Chairperson and Wayne Durr, Chairperson

Absent: Brit Basinger

Town Employees Present: Doug Ward, Town Counsel, Paul Olund, Town Engineer, Richard Colozza, Code Enforcement Officer and Tia Kilburn, Clerk

Wayne Durr, Chairperson, opened the workshop at 7:05 PM.
All in attendance stood and recited the Pledge of Allegiance

Application #0008-16, Anthony Martino, Site Plan

Mr. Martino stated he submitted new maps showing they moved the wells to the front yards and put the septic systems in the rear, they also added the placement of the garages at each end of the structures in addition to the identification of the neighbors added to the maps. Mr. Heber stated they did not indicate the neighbors across the road, they will need that. Mr. Durr agreed and Mr. Martino stated they would indicate that. Mr. Reinemann asked if they are leaving the vegetation, Mr. Martino responded yes for a buffer they will leave at least 30', he added they have only cleared the sumac. Mr. Reinemann, while reviewing the map, asked if there were anything on the Dumont property, Mr. Martino responded a boat, Ms. Martindale asked if the boat was parked on his property, Mr. Martino responded he hoped not. Mr. Heber stated this application needs to go to Saratoga County Planning for review and they could move to a public hearing, Mr. Martino stated he could like to move along as soon as possible before in climate weather, discussion ensued on the next available date to schedule a public hearing, the Clerk stated the soonest possible date would be October 24th if members were available. Mr. Martino stated he has applied to NY State for the driveway permit for Route 50 and they stated it is "in the mail".

ACTION

Public hearing to be scheduled for October 24th, 2016 at 7 pm. Applicant will add parcel owners across the road on Putnam Rd to the map. Application will be sent to Saratoga County for review.

Application #0005-16, Primax Properties, LLC, Site Plan

Mr. Durr asked if any new comments have been received, the Clerk responded 1 additional letter has been added to the file. Mr. Heber stated they need to have a few items clarified and indicated on the plan so there are no questions such as lighting, hours, signs and setbacks. Mr. Boyea stated the lighting is on the site plan dated July 25, 2016. Mr. Heber stated he like the idea of a block sign on the building and asked if they have a new rendition of the building. Mr. Boyea said when they left off there was no specific sign determined, they discussed the lighting; the placement and the hours they would be lit, he stated they would turn off within one hour of closing, except for one light for security and one inside the building. He added they verbally agreed there would be no internal light in the sign it would only be lit externally. Ms. Rippon-Butler asked if they agreed the sign would be on the building, Mr. Boyea stated whatever this board decides, Mr. Reinemann said to pull the building toward the road and get rid of the monument sign because it doesn't seem to go with the neighborhood. Mr. Heber stated that is why he felt they should discuss the sign, in the ordinance it says they don't want them, and discussion ensued on the "block" style on the Board Street store, and that store is approximately 20' off the road, Mr. Boyea stated this store will be 35' off the road.

Mr. Olund, the Town's Engineer, asked if they considered a buffer to hide the roof top HVAC units, Mr. Reinemann added and a better screen down the side the Warners are on, Mr. Boyea responded yes they have screening for the neighbor but they cannot screen the roof all the way around because of the design of the building.

Mr. Heber stated they just don't want to see the roof top units and have the noise, he then added there shouldn't be much

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noise. Ms. Eggleston stated when they reviewed the cell tower they looked at the rental agreement, and asked if they should look at the agreement in this case. Mr. Boyea stated they have never been asked to provide the rental agreement because that is between Primax and their client, he said he could check and see if they could get a copy to review, he then added any approvals or limitations would go with the landowner. Mr. Reinemann said the cell tower involved a re-zone and they reviewed it for the language for the tower to be shared, Mr. Heber agreed. Ms. Rippon-Butler reiterated there would be fences on each side of the property, Mr. Boyea agreed and said the plan indicates the locations. Mr. Heber stated there are a few good sized trees on the one side of the property and asked if they were going to be removed, Mr. Boyea responded they will keep as many as possible and they can work with the site plan and any trees within 5' of the property lines. Mr. Durr asked for any additional questions or comments, Mr. Heber asked what were the hours determined for the lights off and on, Mr. Boyea said these stores typically remain open 24 hours, their intent is not to make it a big investment but just to ask for it, they felt that the Town would not support 24 hours at this time, the typical hours for a location similar to this would be 7 am to 10 pm. Mr. Heber stated he agreed they do not need 24 hours, and if things change they can come back to the Board and ask for it. Ms. Rippon-Butler asked what the length of the lease would be, Mr. Boyea said generally it is 15 years plus two 5 year renewals. Ms. Martindale asked if deliveries would only be made during the open hours of the store. Mr. Boyea responded it has not been mapped out the trucks are international and one truck usually delivers to 3 stores, Mr. Heber agreed with Ms. Martindale for deliveries only during operating hours. Ms. Martindale asked where the warehouse was they would be coming from and stated concern about the trucks idling waiting for the store to open for the deliveries. Mr. Boyea responded the warehouse is towards Amsterdam not in Wilton, Ms. Martindale then asked if the pallet jacks were manual, Mr. Boyea responded they are manual, they pump them up, there is a gate on the left and then they go into the building, Ms. Martindale asked if they get deliveries from smaller vendors, Mr. Boyea responded yes the local smaller vendors usually use the front door. Ms. Black asked if there were a fence along where the trucks unload and if there would be trees all the way to the back of the property. Mr. Boyea responded yes and reiterated they want more trees, Ms. Rippon-Butler reiterated the block letters on the building with no internal lighting and Mr. Heber stated the front will be basically grass, Mr. Boyea responded yes. Ms. Rippon-Butler asked if they decided on sidewalks or no sidewalks, Mr. Reinemann added and a pedestrian cross walk, Mr. Boyea said it is a State Road and stated the State does not like them because of the liability. Mr. Heber added there is no place for the sidewalks to go, there are no other sidewalks in Town. Ms. Eggleston asked what the speed limit was, Mr. Heber responded 40. Mr. Olund stated the sidewalks are a process, maybe if there were more growth in the future it would make sense. Ms. Rippon-Butler asked if they could approach the State for sidewalks and see if it is an issue. Mr. Boyea stated they would also need street lights because the State does not like the traveling vehicles to go through light and dark and light again, it makes it difficult for drivers to focus, therefore the State discourages street lighting. Ms. Rippon-Butler asked if Primax already owns the property, Mr. Boyea responded it is conditioned on approval, they he stated the Board still has to decided which building design they prefer and the signs, to remove it at the road and have 2 signs on the building, Mr. Durr stated they have not decided as of yet. Mr. Reinemann asked what the sign requirement was, Mr. Colozza responded 40 sq ft total. Mr. Ward, Town's Counsel asked if there were photos of the neighborhood in the file, the clerk responded yes. Mr. Ward then stated it is often helpful if you can see what it will look like to scale with the neighborhood. Mr. Heber asked if they could get a simulation, Mr. Boyea stated that will take some effort to get and usually it is asked for before the public hearing or at least before the public hearing is closed. Ms. Rippon-Butler agreed that it makes sense. Mr. Ward then asked if there were anything on the effect to the property values in the file, Ms. Eggleston stated they have asked for them but Primax stated they could not do it, Mr. Durr said Mr. Boyea has said they don't have access to that information or they just can't provide it. Mr. Ward then said it is important to tie their decisions to facts, a study on property values would be helpful to have in the file either way. Ms. Rippon-Butler asked if they could get some traffic related facts, or do they get it from a general text book. Mr. Ward stated generally a traffic study is conducted for the conclusions about traffic, he added they already have a general statement for a traffic count in the Comprehensive Plan for Route 32, so they can take what they said the % of increase will be. Mr. Boyea stated that is controlled by New York State Department of Transportation and he stated it is well within the count of 100, they have estimated 50 vehicles. Mr. Ward interjected that is ok for D.O.T but asked is it consistent with the character of the neighborhood. Mr. Boyea responded they do not need a variance; and feel the property values are not

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relevant because this is an allowed use. Mr. Ward disagreed stating it is relevant and there is nothing in the file but you can ask them to generate it. Mr. Heber asked the Board could ask to generate it, Mr. Ward responded an independent engineer can provide that information, it is important to get an independent engineer, Mr. Olund added he would like more information, Mr. Ward agreed it would be nice to have more information in the record. Mr. Heber asked who generates the traffic study and the values of the properties, Mr. Ward stated the applicant develops the studies and then the Engineers review the information. Ms. Rippon-Butler stated this dwelling was historical, the new Cultural Resource Information System (CRIS) found it, the Clerk responded no, they responded in part; "There are no known historic properties wholly or partially within, or substantially contiguous to the project...". Mr. Heber asked about the SEQRA, State Environmental Quality Review Form, Mr. Ward stated this Board should first decide if it fits, if it fits you can move forward to approval, if it doesn't fit you don't need to do the SEQRA. Mr. King stated the traffic and the property values are part of the character. Mr. Ward stated they can wait for the simulation and see what it looks like, Ms. Black stated at the public hearing they had it between two small houses, Mr. Durr stated the simulation would be beneficial to scale, they can work with the Engineer on the traffic study and property values. Mr. Ward then stated the 62 day limit for a decision after a public hearing is closed is for subdivisions and not applicable here, if you are uncomfortable with that you can ask the applicant to request an extension of time beyond the 62 days, he added he has even seen where a public hearing has been re-opened. Mr. Boyea stated they are happy to forward anything the Board request but normally these things are requested for the public hearing like the traffic engineer, the real estate values and a rendition more to scale, he stated only 25 people spoke for the record out of 100's or 1,000's, Mr. Ward stated they were seeking facts for the record to make a decision. Mr. Heber asked if for harmony and scale they wanted to see business on Main St 1st or 2nd in a cow pastor. Mr. Boyea asked if the Board would just read through the SEQRA, State Environmental Quality Review Form in case there are more triggers, Mr. Ward agreed he would read the form and see if it required any additional information. Mr. Ward read the SEQRA, State Environmental Quality Review Form aloud, discussion ensued. Mr. King asked what the best way to determine property values, an independent study, Mr. Ward responded the Engineers can identify a few neutral Real Estate Representatives familiar with the area and it doesn't have to be huge, they can then give the names to the applicant and they can decide who to use. Mr. Boyea agreed they would like at least 2 names so they can get quotes from both. Mr. Boyea asked which building design the Board would like to use for the simulation, the Board indicated the building plan dated July 5, 2016. Ms. Rippon-Butler asked if the simulation would have the 3 sided extended roof and the externally lit building sign, Mr. Ward asked how far down the road they wanted to go with the "photo shop", Mr. Reinemann stated he would like to see both the north and south sides down the road to show the homes. Mr. Durr asked if there were any additional questions or comments, none were noted.

ACTION

The applicant will prepare a simulation of the building in the neighborhood, traffic study information and information on property values for the next meeting.

MISCELLANEOUS

Discussion ensued on the date for the next meeting, October 24, 2016 was determined.

Public Hearing for Application #0008-16 will be scheduled for October 24, 2016 immediately preceding the regular monthly meeting.

Mr. King made a motion to adjourn the monthly meeting at 8:43 PM.

Mr. Heber 2nd the motion,

All in attendance unanimously agreed.

Respectfully Submitted,
Tia Kilburn, Planning Board Clerk