

Town of Northumberland
Planning Board
Subject to Correction by the Planning Board
Monday, February 13, 2017
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Planning Board Members Present: Susan Martindale, Lisa Black, Holly Rippon-Butler, Melanie Eggleston, Chad Reinemann, and Wayne Durr, Chairperson

Members Absent: Jeff King, Brit Basinger and James Heber, Vice Chairperson

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

Mr. Durr called the monthly meeting to order at 7:09 pm, and asked Mr. Boyea to give a refresher on changes to their application.

Application #00014-16, site plan / special use permit / lot line adjustment - Primax Properties, LLC. Chris Boyea introduced himself and Caryn Mlodzianowski as being with Bohler Engineering and stated Stephanie Bitter, Esq. counsel to the landowner was also present. Mr. Boyea explained they have been trying to build a Dollar General Store here for over a year, through the process of working with the Town and comments received they have revised that proposal many times. Just recently, the last 3 months they have reduced the scope and scale of the project from 9,000+ square foot building down to 7,500 square foot building, with that reduction comes reduced parking and reduced asphalt paving. They have also been asked to increase the landscaping; they have changed the placement of the building to be able to move back from the street so it's not right up on the street, that allows for more green space between the building and the road, they have reduced the amount of visible parking from the street, it was originally two rows of parking that would be visible, now there is one row of parking, the bare minimum of handicap accessible parking up front and the rest of the parking is moved to the rear. They have provided traffic studies and property value studies, all of the studies were done at the larger amount of square footage and with a smaller building all of which get better or improve because of less of an impact with the smaller building. He then displayed and discussed the new rendering of the building. He pointed out more green space, the single row of parking on the side and the two rows in the rear, indicating it is less impact from visual aesthetics. He stated they are using custom architecture as requested, making the frontage of the building more in line with scale, size and the roof peak. It had a higher peak, now lowered, still is custom architecture that was requested using softer features. He added the scale has been divided up, 2 smaller approaches; the main entrance has a gable. There is no sign along the road, it has been completely removed, and there are just channel letters on the building. He stated there was a public hearing but he is encouraged to see more support for the project, and he was not sure if the Chairman would open up to public comment or if he wanted to expedite this meeting for other items on the agenda, however, he would like to see a show of hands of the people in support of the project, (majority of the public in attendance raised their hands) Mr. Boyea then thanked everyone and stated he would turn it back to the Chairman of the Board.

Chairman Durr asked if any of the Board members had any questions at this time, none were noted. He then said if people recalled at the last public hearing he stated if anyone had comments, they could be written down and either emailed, mailed or delivered to the Town Hall. He stated they have received a lot of letters and comments so after tonight they will not accept anymore. He added they have comments from two different public hearings and quite a few letters to go through, therefore after tonight they will not accept anymore. He stated they appreciate everybody who sent them in and over the next 30 days they will take the time to review all comments and letters, they need to review the SEQRA, State Environmental Quality Review Form, and prepare findings to vote at the next monthly meeting of March 13th, so that's it.

Mr. Ward, Counsel to the Board, introduced himself and stated there are 2 steps this Board has to take before it can make any determination, one is to complete SEQRA document and decide whether or not to make a determination of Negative Declaration indicating there are no environmental impacts or to require the preparation of the environmental impact

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statement. That is the next step this Board has to take. If they make a determination there is no environmental impact associated with this project it can then move to make a decision on this project, whether to approve, disapprove or approve with modifications. To do that they have to prepare findings for the next meeting he stated he will put together the SEQRA document that the Board can consider and make a determination of significance, and also he will prepare findings either way, either to approve or disapprove findings to consider that can be modified at the next meeting. He then added he thinks this Board will be in a position to make a determination at the next meeting. Mr. Ward stated just to clarify there are no other "deliverables" from the applicant is everybody clear on all the details of this project in terms of the component, the design, there is nothing unclear?

Chairman Durr then polled the Board for questions.

Ms. Martindale stated she wanted it to be said on the plat there would be no further expansion of the building and no out buildings, no tractor trailers left behind with inventory in them, she added being in the residential / commercial area it would be a good idea that was not being allowed as well.

Chairman Durr agreed and responded good points, and continued to poll the other members. No other questions or comments were noted.

Mr. Ward asked Mr. Boyea if those conditions were ok with them. Mr. Boyea responded yes, he totally wasn't expecting them, but he added he understands.

Ms. Martindale stated she use to work retail and holiday times they would park trailers to store extra inventory, she drove by the Dollar General in South Glens Falls and saw a trailer there and then the next day realized it belonged to Best Buy, but no carports, no garages and no out buildings.

Mr. Boyea responded he understood.

Chairman Durr asked Mr. Ward if there were anything else. Mr. Ward asked Mr. Boyea if he could get a letter to the affect of the conditions to be included in the record.

Ms. Martindale added no expansion. Mr. Boyea responded right.

Chairman Durr stated they would move on to the next application for Rain or Shine Tent Co.

Mr. Dupras introduced himself to the Board and explained he had appeared before this Board 2 months prior and they had an informal conversation regarding his proposal. He stated the business is located on Wall Street at the Town of Saratoga's town line / Route 29. He said he has made improvements to the buildings and now is looking to take down a smaller shed and use that area for an expansion, he explained this is an existing business and he was granted a variance previously for the business. Discussion ensued on the existing structures and the proposed expansion.

Mr. Reinemann stated he needs to list the neighbors on the site plan.

Discussion ensued on the location of the property.

Chairman Durr interrupted the meeting to announce there would be nothing further regarding the proposed Dollar General tonight and the Board is taking other applicants.

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Discussion continued on the existing structures and the location.

Chairman Durr asked if Mr. Dupras had put in the berm. Mr. Dupras responded yes and planted trees on top of it to block the view and he discussed the proposed expansion stating it would not be as tall as the existing. Mr. Reinemann reiterated the height would be within the ordinance limits. Mr. Dupras responded correct.

Chairman Durr stated they would schedule a public hearing for next month and they will try to get this application in first before the Dollar General application.

Mr. Dupras stated he would call the office to see what he needed to have to present the application. Chairman Durr explained the process for the public hearing stating Mr. Dupras will take the plan and put it on a board big enough for any people here from the public will be able to see, he added all the neighbors would be notified to attend if they wanted and then he added he didn't know if maybe Mr. Dupras wanted to contact them first and address any concerns they may have so they are not finding out at the meeting.

Mr. Reinemann added it might be helpful if he has a picture of the location from the road to show the view. Chairman Durr agreed and said maybe a couple different views. Mr. Dupras agreed.

Ms. Martindale asked if the purpose for the expansion was just to make the Business more efficient. Mr. Dupras responded yes.

Mr. Colozza, Town Code Enforcement Officer asked if they are setting the public hearing.

Chairman Durr asked if there were any additional questions or comments, none were noted.

Ms. Martindale made a motion to schedule a public hearing for March 13, 2017.

Mr. Reinemann 2nd the motion.

All in attendance unanimously agreed.

Chairman Durr invited the next applicant Stacy Greb to address the Board.

Ms. Greb introduced herself and explained her application was for a proposed 2 lot subdivision, she stated the last time she was before this Board was in September and this Board wanted the entire lot surveyed, and she submitted the survey to the Board. She then indicated where the existing structures were located, the well, septic and barn she added everything has been measured out including the setbacks. She stated the 2nd lot was going to have 200' road frontage but they had to go to 250' because they need room for a 2nd driveway, because it was part of her contract for the deal.

Mr. Reinemann reiterated she wanted to break out a lot. She responded yes. Mr. Colozza added it is hard to see on the small maps. Mr. Reinemann said breaking the 3.14 acre lot out, Ms. Greb said yes.

Ms. Rippon-Butler asked what a rectangle area on the map was; Ms. Greb explained the neighbor and discussed the remainder of the neighborhood. Ms. Rippon-Butler asked if the landowners were all listed on the map, Ms. Greb said yes they are listed. Chairman Durr said James Heber is a neighbor and asked Mr. Colozza if they should ask him to recuse himself. Mr. Colozza responded yes they can, but it is really up to him to decide if he wants to step aside.

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Chairman Durr stated he will probably ask him to step aside and not vote on this application. Ms. Eggleston asked why, Mr. Durr responded because he owns neighboring property and he is on the Board.

Mr. Reinemann asked if this was in the agricultural zone, the Clerk responded no, R-3.

Ms. Rippon-Butler asked if all setbacks were satisfied, Ms. Greb said yes and they are all shown on there.

Chairman Durr asked if anybody saw anything missing, nothing was noted.

Mr. Reinemann made a motion to schedule a public hearing for March 13th, for application 0009-16,

Ms. Black 2nd the motion.

All in attendance unanimously agreed.

Chairman Durr explained the process for the public hearing to Ms. Greb, She asked if her husband could represent her at that meeting and Mr. Durr said yes, just give a short written statement for the record.

Chairman Durr asked if there were any additional business for the Board; Mr. Jacob Heber, a member of the public in attendance stood and asked if he could address a concern. Mr. Durr allowed it. Mr. Heber said why is the application for the Dollar General being held at one standard and Stone Bridge Iron and Steel was held to another? He stated he was not against Stone Bridge and did not have any issues with them but he noticed their application went right through without any problems but the Dollar General application has been in review for over a year and was once denied. Discussion ensued and Mr. Durr explained there are different zones with different regulations to follow. Mr. Durr also said nobody from the public had any concerns with the Stone Bridge application and if Mr. Heber was concerned he should have appeared at the public hearing for that application and they could have addressed any concerns. Mr. Heber said he did not have any concerns or problems he was just curious why they were different, he did not have any problems.

Mr. Durr thanked him for his comments and asked if there were any other business for the Board, none was noted.

Mr. Reinemann made a motion to close the monthly meeting at 7:50 PM.

Ms. Black 2nd the motion,

All in attendance unanimously agreed.

Respectfully Submitted,
Tia Kilburn, Planning Board Clerk