

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of August 15, 2018

MEMBERS PRESENT:

Robert Dingman, Chairman
Justin Fehl
Randy Getty
Karen LaRose
Tim LaSarso

MEMBERS ABSENT:

David Gauci (Excused)
Todd Murphy - Alternate (Excused)
Randy Weaver (Excused)

Code Enforcement Officer
Francis P. Cortese

TOWN ATTORNEY

Jeff Meyer, ESQ.

The meeting was called to order by Chairman Dingman at 7:00 P.M.

Roll call of all Members and Officials.

Chairman Dingman entertained a Motion to Approve the Minutes of April 18, 2018.

ON A MOTION BY MR. LASARSO, seconded by Mr. Fehl, the minutes of the April 18, 2018 meeting were approved.

AYES: 5

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

Chairman Dingman asked Attorney Meyer for an update regarding Aviator Way Solar, LLC performance bond.

Attorney Meyer stated the attorney for Aviator Way Solar, LLC sent a revised draft that included \$150,000 performance bond and cleared up a lot of the language from the previous draft. There are still issues to be worked out.

1. Robert Springer, R2M Holdings LLC, Tax Map # 146.13-2-15, commonly known as 36 Dean Road, Kingsbury, located in Zoning District, LDR-25 is seeking Site Plan approval to increase the number of dwelling units on the property from 5 to 9. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Ethan Hall, Principal with Rucinski-Hall Architecture who will be representing Robert Springer, R2M Holdings, LLC to address the Board.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting
August 15, 2018
Page 2 of 7

Mr. Hall stated they were before this Board last year to propose Phase II of Kings Way Town Houses located at 36 Dean Road. At that time this Board sent to the Zoning Board of Appeals because they did not meet the density requirements. The ZBA gave them an approval with conditions. The new design is significantly different than the previous design.

At this time there are two townhouses with 5 units. One building is a duplex, the other is a triplex. Tonight they are proposing two additional townhouses with a total of four units. Both buildings will be duplex buildings.

The roadway going in is a paved road with a dead end. When they initially did the site plan layout the townhouses there were going to have onsite sewage disposal. Mr. Springer has since then worked out an arrangement with Mr. Nikas, The Quarry LLC to gain some capacity and has hooked into the municipal sewer with Phase One.

Mr. Hall stated when they went before the Zoning Board of Appeals proposing 6 additional duplex townhouses and increasing 5 units to 17 units the ZBA would not approve the 6 townhouse units. After working with the neighbors they came up with a plan that would allow 2 duplex townhouses with 2 units in each building. The roadway will be extended in with stormwater management on the opposite side of the road and in between the last townhouse that is there now and the first new townhouse.

Mr. Hall stated they agreed with the ZBA to add a fence and additional plantings along adjoining properties. They will not be removing any more of the trees than they would need to, to get the stormwater management in, which they feel they can do without removing any more of the trees now based on the size of the project. The structures will be built on slab foundations. The buildings will be similar to the first two buildings that are already built. They will be extending the water lines and putting in another fire hydrant.

The utilities will be going into the garage portion. Each building will have a two car garage; the downstairs will have open space with a kitchen, dining area and living room. The upstairs will have one master bedroom with a bathroom in it, 2 additional bedrooms that will have a shared bathroom and a laundry room.

Chairman Dingman questioned whether the foot prints will be the same as the 2 duplexes that are there being the utilities will be in the garage, what kind of fence will be used along the adjoining properties and the stormwater collection.

Mr. Hall stated the foot prints will be the same. The two new buildings foot prints are smaller than Phase One buildings. There will be extra space in the garage to put the utilities in. The water heater will most likely go under the stairs going up to the second floor.

Mr. Hall stated the agreement that was made with the ZBA was a solid vinyl six foot fence with the adjoining neighbor to the south of this project.

Chairman Dingman had concerns with the stormwater basin.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting
August 15, 2018
Page 3 of 7

Mr. Hall stated the stormwater basin that is there now collects for very short time with the rain and then it is gone. With the amount of rain we have had this year there has not been any problems with the basin.

Mr. Hall stated the water table has been much better since the Quarry added a pond to their property giving the water someplace to go.

Mr. Fehl stated the last time they were before the Board they committed to the landscaping and a berm being built out in the front of the first 2 buildings to help with people coming out of Quarry Circle and having lights shining into this complex. Mr. Fehl stated he did not believe the berm was ever built.

Mr. Springer stated the berm has not been built as of yet.

Mr. Hall stated the plantings have been done around the building. The berm still needs to be done.

Discussion ensued among the Board with questions address by the Applicant's Representative and the Applicant.

Chairman Dingman opened the Public Hearing.

There being no comments from the public, the public hearing was closed.

ON A MOTION BY MR. LASARSO, and seconded by Mr. Getty the Kingsbury Planning Board declares lead agency status and having reviewed the short form SEQRA submission and having taken a hard look at the potential environmental impacts finds that there are no potential negative environmental impacts anticipated from this project and the Board issued a negative declaration on the project.

The Board then reviewed the proposed Resolution.

Resolution No. 1 of August 15, 2018

SITE PLAN REVIEW – R2M HOLDINGS, LLC, owner of Tax Map # 146.17-2-15 commonly known as 36 Dean Road, Town of Kingsbury, is seeking Site Plan approval for an increase in the number of dwelling units from five (5) to nine (9) for their Town House style development at this location. This action is pursuant to Section 280-22 (F) of the Code of the Town of Kingsbury.

ON A MOTION BY Mr. Dingman, seconded by Mr. Getty, based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved subject to the following conditions:

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting
August 15, 2018
Page 4 of 7

1. Any exterior lighting for the premises must be downcast.
2. The dwelling units shall be constructed on slab foundations. Basements and crawl spaces are expressly prohibited.
3. The Stormwater Pollution Prevention Plan shall be reviewed and approved by the Town designated engineer at the Applicant's expense.
4. The Applicant shall be responsible for all necessary State, Federal and Local permits as applicable and shall forward to the Town copies of the same.
5. The units shall all have a sprinkler system, complete with separate external access to heated room containing shut-off valves for fire and water department access.
6. The fence providing screening along the adjoining property shall be installed prior to construction.
7. No further development shall be permitted on site.
8. No certificates of occupancy shall be issued for the dwelling units proposed herein until the berm and landscaping are completed on phase 1.

2. Gary & Jennifer Wells , contract vendee Tax Map # 121.-1-17.5 commonly known as State Route 4, Hudson Falls, located in Zoning District, COM-1A, Commercial District for Site Plan Review for a proposal to operate four (4) storage units at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Don Pigeon, DLP Surveying, LLC who will be representing Gary and Jennifer Wells to address the Board.

Mr. Pigeon stated the Wells are here tonight proposing to construct four (4) storage units at this location. The storage units will be set parallel to State Route 4. Mr. Pigeon then discussed the stormwater management plan.

Chairman Dingman questioned if there would be an office at this location.

Mr. Pigeon stated the property will be used for steel storage units only. There will be a chain link fence around the property for security.

Chairman Dingman questioned if there would be any outside storage.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting
August 15, 2018
Page 5 of 7

Mr. Wells stated all storage will be inside of the buildings. Mr. Wells stated they own the property next door as well should there be any water runoff.

Mr. LaSarlo asked if there will be any office on the property.

Mr. & Mrs. Wells stated not at this time. Mrs. Wells stated they live close by and will take care of the business from their home.

Chairman Dingman asked what they would be using between the buildings.

Mr. Pigeon stated there will be all gravel/crushed stone surface between the buildings.

Washington County Planning Agency found this project to be a matter of essentially local concern.

Discussion ensued among the Board with questions address by the Applicant's Representative and the Applicant.

Discussion ensued among the Board with questions address by the Applicant's Representative and the Applicant.

Chairman Dingman opened the Public Hearing.

There being no comments from the public, the public hearing was closed.

Chairman Dingman stated the Board would like the Town's Engineer to review the stormwater plan at the Applicant's expense.

ON A MOTION BY MR. LASARSO, and seconded by Mr. Fehl the Kingsbury Planning Board declares lead agency status and having reviewed the short form SEQRA submission and having taken a hard look at the potential environmental impacts finds that there are no potential negative environmental impacts anticipated from this project and the Board issued a negative declaration on the project.

The Board then reviewed the proposed Resolution.

Resolution No. 2 of August 15, 2018

SITE PLAN REVIEW— Gary Wells and Jennifer Wells, contract vendee of Tax Map # 121.-1-17.5, commonly known as NYS Route 4, is seeking site plan approval to construct four (4) unit self-storage facility at this location. This action is pursuant to Section 280-23G of the Code of the Town of Kingsbury.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting
August 15, 2018
Page 6 of 7

ON A MOTION BY Ms. LaRose, seconded by Mr. Getty based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, and the Washington County Planning Board deeming the matter a matter of local concern, the Application is hereby approved subject to the following conditions:

1. All vehicles must be parked on impervious surfaces.
2. The Stormwater Pollution Prevention Plan shall be reviewed and approved by the Town designated engineer at the Applicant's expense.
3. All exterior lighting must be downcast and directed on the premises.
4. The Applicant shall be responsible for all necessary State, Federal and Local permits as applicable and shall forward to the Town copies of the same.
5. All information and representations contained in the materials submitted by the Applicant and discussed at the meeting are incorporated herein as conditions.
6. Exterior storage is prohibited on the premises.

3. Neil Weller, Weller Auto Parts Inc. owner of Tax Map # 154.11-7-10.2 commonly known as 3513 Burgoyne Avenue, Hudson Falls located in Zoning District COM-1A, Commercial District, for Site Plan Review for a proposal for a 2,400 square foot building expansion at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Paul Bromley, Bromley Sawmill who will be representing Neil Weller to address the Board.

Attorney Meyer stated for the record he has done work for Mr. Weller in the past but not on this project but he does need to disclose this.

Mr. Bromley stated the original plans had the overhead door on the end of the addition in the back of the property. They decide to move the door to the side of the property. This addition will be 40' x 60'. The addition will be forty feet wide, the same width as the existing building and sixty feet back. It will have concrete flooring, engineered truss roofing system standard seam roof, metal siding, conventional insulation to code, LED lighting and heaters. The addition essentially will have multi use storage and any kind of compatible auto parts. They will not be paving in the back for parking. There will be lighting on the back of the building for security. There will be two man doors, one on the back and one on the side of the building.

Discussion ensued among the Board with questions address by the Applicant's Representative and the Applicant.

Chairman Dingman opened the Public Hearing.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting
August 15, 2018
Page 7 of 7

There being no comments from the public, the public hearing was closed.

ON A MOTION BY MR. LASARSO, and seconded by Mr. Getty the Kingsbury Planning Board declares lead agency status and having reviewed the short form SEQRA submission and having taken a hard look at the potential environmental impacts finds that there are no potential negative environmental impacts anticipated from this project and the Board issued a negative declaration on the project.

The Board then reviewed the proposed Resolution.

Resolution No. 3 of August 15, 2018

SITE PLAN REVIEW— Weller Auto Parts, Inc., as owner of Tax Map # 154.11-7-10.2, commonly known as 3513 Burgoyne Avenue, is seeking site plan approval to construct 2,400 square foot building expansion at this location. This action is pursuant to Section 280-23G of the Code of the Town of Kingsbury.

ON A MOTION BY Mr. Getty, seconded by Mrs. LaRose based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, and the Washington County Planning Board deeming the matter a matter of local concern, the Application is hereby approved subject to the following conditions:

1. All vehicles must be parked on impervious surfaces.
2. All stormwater must be managed and treated on the premises to prevent any impact on adjoining properties.
3. All exterior lighting must be downcast and directed on the premises.
4. All information and representations contained in the materials submitted by the Applicant and discussed at the meeting are incorporated herein as conditions.

ON A MOTION BY MR. GETTY, seconded by Mrs. LaRose all in favor, the meeting was adjourned at 8:00 P.M.

Michelle Radliff
Secretary

Chairman Dingman stated on page 3 in the minutes of the August 15, 2018 it should read "**ON A MOTION BY** Mr. LaSarso, seconded by Mr. Getty, based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved subject to the following conditions: