

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of February 18, 2015

MEMBERS PRESENT:

Robert Dingman, Chairman
David Gauci
Randy Getty
Karen LaRose
Tim LaSarso
Ian Miller
Randy Weaver

MEMBERS ABSENT:

Michele Abbenante - Alternate
Cheryl Hogan - Alternate

Code Enforcement Officer

Francis Cortes

TOWN ATTORNEY

Jeff Meyer

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 January 7, 2015

ON A MOTION BY MR. MILLER, seconded by Mrs. LaRose the minutes of the January 7, 2015 meeting were approved.

AYES: 7

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

Pursuant to the provisions of Chapter 280, Article VI, Section 280-23 G of District Regulations ordinance of the Town of Kingsbury, New York, notice is hereby given that a public hearing will be held by the Planning Board of the Town of Kingsbury, County of Washington and State of New York, on the 18th day of February, 2015 at 7:00 PM in the Town Hall, 210 Main Street, Hudson Falls, New York on the following matter. Request by Schermerhorn Real Estate Holdings, LLC, contract vendee of Tax Map # 146.14-1-3, commonly known as 1189 Dix Avenue,

Kingsbury, NY located in a Commercial Zoning District to construct One Three Story (100 units) Senior Housing Building. Plans for proposal are available at Kingsbury Town Hall, 210 Main Street, Hudson Falls, New York during regular business hours.

Attorney Meyer stated for the record this property is owned by the Town of Kingsbury and is under contract to be sold to Schermerhorn Real Estate Holdings, LLC.

Chairman Dingman introduced Joseph Dannible, R.L.A., Environmental Design Partnership, LLP who will be representing Rich Schermerhorn, Schermerhorn Real Estate Holdings, LLC to address the Board.

Mr. Dannible stated they are here tonight with an application for a 100 unit senior housing located on Dix Avenue, Kingsbury. The parcel acre is 15.67 acres and zone Commercial and LDR-25. Senior housing and multi-family dwelling are permitted in these zones. The gross square footage of the building is approximately 140,000 square feet. They are within the constraints of the municipal density. Schermerhorn Real Estate Holdings, LLC is proposing site access to modify the existing curb cut on Dix Avenue; the curb cut will be proposed at a full access curb cut subject to NYS DOT review and permitting. A second curb cut located on Queens Drive will be connecting to the existing Town owned cul-de-sac in that location. Queens Drive is a Town Road.

T.R. Johnson Engineering, PLLC, did a traffic study at this location. This project is expected to generate a total of 20 trips during the AM peak hour and a total of 26 trips during the PM peak hour. The conclusion of that report is there is not any adverse impact with the traffic on Dix Avenue or the adjoining road network.

Mr. Dannible stated they are proposing One Hundred Seventy Two (172) parking spaces and have added some land banking parking spaces. There would be an additional Twenty Eight (28) parking spaces if needed. There are six (6) handicap spaces on the plan at this time and can be increase if they are needed.

There will concrete sidewalks around the entire to the building, and a side walk that will connect to the cross walk that accesses the side walk in Kingswood Village Apartments.

Mr. Dannible stated they are proposing a project identification sign to be located at the entrance off Dix Avenue. There will be trash enclosure with ease of access for the truck coming into the site. The site itself will have various utility lights that will be LED area lights around the building; parking spots closes to the building as well as the sidewalks.

There will be foundation plantings around the building with more plantings to accent the entrances.

Mr. Schermerhorn is proposing an onsite absorption field. This will be reviewed by DEC. They have already started communications with DEC. As they progress with finalizing this plan and obtain approvals from the Town, they will be in contact with DEC. The perc testing have been done and found the soils to be very good. Mr. Dannible stated there is no reason to believe the infiltration will not work on this site.

Mr. Dannible reviewed the comments from Dan Bruno, Highland Engineering Services, PLLC regarding this project.

Mr. Weaver questioned the time of the year the test pits were done. Mr. Weaver stated in the spring time this area has a high water table.

Mr. Dannible stated the test pits were done on December 5, 2014. Any of test pits that were conducted were not in the wood area and had no sign of high water and excellent infiltration and perc rates. Mr. Dannible stated he does agree the further back you go on this site the worse the site becomes.

Mr. Miller had questions on the ground water allowance. Mr. Dannible addressed these concerns. Mr. Dannible stated DEC will be doing a very comprehensive review.

Mr. Schermerhorn stated he does agree with Mr. Weaver and Mr. Miller from past experience with the Kingswood Village Apartments project.

Mr. Dannible received a letter from Archeology Sensitivity stating there is no impact to culture resources on the site.

Mr. Dannible gave a description of how the building will look.

Mr. Dannible stated they are here for a conditional approval tonight so that they can move forward with some of the outside agencies.

Keith Elms, Trail Manager of Kingsbury Barnstromers Snowmobile Club, stated he was here to represent this club.

Chairman Dingman stated the Public Hearing has not been opened as of yet, but he will let Mr. Elms continue with his concerns.

Mr. Elms stated they have a trail that goes into Ginny Rae's Diner and would like the trail to remain opened even if it is short walk to the diner.

Mr. Schermerhorn responded it is certainly something he will look into. He was contacted when he did the Kingswood Village Apartment project. The challenge that he has today is the liability. When borrowing money from his commercial lenders, he would have to grant easement or grant permission and sometimes it raises the challenge of the liability for his insurance companies.

Mr. Elms stated the snowmobiles clubs of New York State do carry a Two Million Dollar (\$2,000,000) Liability.

Mr. Schermerhorn stated he is not saying no to this but he does have to look more into this. He can't make any promises. He will talk to his lawyer, insurance company and mortgagee bank lender. Unfortunately in today's day everything is about liability.

Mr. Elms thanked Mr. Schermerhorn and the Board for listening to his concerns.

Chairman Dingman asked Jim Chase, Water Superintendent, if he had any concerns with the water.

Mr. Jim Chase stated he has been in contact with Mr. Dannible. Mr. Jim Chase has concerns with the building being three (3) stories and has offered the Towns hydraulic engineer, Mr. Tim Burley PE, C2AE. Mr. Jim Chase stated he would like for Mr. Schermerhorn and or his engineer to be responsible if the building needs a boost of pressure, blue pump or reserve tank. At this time Mr. Jim Chases feels there is adequate water for this project.

Mr. Jim Chase stated at this time he is asking if the Town could get an easement to the back of Mr. Schermerhorn's property to put a water line to Blenor Avenue. The residents in this area have high water table, shallow wells and high septic's. The easement would be a benefit to the residents if they were able to have the water line.

Mr. Dannible stated he has been in talks with Mr. Jim Chase regarding the specifications, piping that would be required, as well as the appropriate meter that would be needed.

Chairman Dingman had questions on the water pressure and how this would affect his project.

Mr. Schermerhorn stated he has not had a problem with pressure in his Kingswood Village Apartments project.

Chairman Dingman questioned Mr. Jim Chase if there were going to be numbers and data on the water pressure.

Mr. Jim Chase stated the information is available from Mr. Burley. Mr. Schermerhorn or Mr. Dannible can contact Mr. Burley.

Chairman Ding stated that is something the Board will require.

Mr. Jim Chase stated he would like to work together with the Town and Mr. Schermerhorn on the easement. At this point Mr. Schermerhorn would not be involved. Mr. Jim Chase stated the Town would do all of the work with NYS Health Department.

Mr. Schermerhorn agreed to an easement for the Town so they could put the water in.

Chairman Dingman introduced Nelson Chase, Fire Chief for the Kingsbury Fire Company.

Mr. Nelson Chase stated he is here tonight to represent the Kingsbury Fire Company. After looking at the plans with some of the Officers they have a few concerns. One concern is total height being a three (3) story building. The fire company does have an Eighty Five Foot (85 ft.) tower. Their biggest concern is being able to help some out on the third floor.

Mr. Dannible stated the total height to the peak is 43 ½ feet. The height to the third story windows is 30 feet+/-.

Mr. Schermerhorn stated it is basically the same height as Water's Edge, located on Boulevard, Hudson Falls, NY. Mr. Schermerhorn stated he has done quite a few of these in Queensbury and has talked with the fire companies with their recommendations. Mr. Schermerhorn stated he has it set up with parking close to the building because that is what the seniors like and also you can get close enough with emergency vehicle if need be to get someone out of the third story, if that was the case.

Mr. Nelson had questions on the fire hydrants that are shown on the plans.

Mr. Dannible stated however the fire company wants the fire hydrants shown on the plans they will do this. He requested the Fire Company put their request in writing.

Mr. Dannible stated with building height and the Fire Company's approval it is his understanding the Board requirement is the height be no higher than thirty five feet (35') for residential buildings. The Board has the ability to waive the height requirement with a letter from the fire company.

Chairman Dingman requested a letter from the Fire Company to the Board for a waiver from this project.

Mr. Weaver had concerns with a total of six (6) handicap parking spaces for a project this size.

Mr. Dannible stated this is the minimum requirement for 200 units or less for this project. They can easily double them to twelve (12) spaces if needed.

Mr. Schermerhorn stated they do buy additional handicap signs. The residents always want to be closer to the doors so he is constantly adding handicap signs to different locations.

Mrs. LaRose questioned the amount of the units as compared to other units Mr. Schermerhorn has built.

Mr. Schermerhorn stated this project is comparable to his project in South Glens Falls behind the middle school. This project he is proposing has a mix of 25% one bedrooms and 75% two bedrooms. This project is larger than his largest one in Queensbury. The reason for this is there is a large demand senior living. As soon as one apartment becomes available he has someone waiting for it.

The apartments are totally independent. The reason most people move out is they need assistance with everyday living or they have gotten sick and passed away. Mr. Schermerhorn stated he keeps them reasonably priced because most of the seniors are living on a fixed income.

Mr. Schermerhorn stated he is more than likely to put a pool in like he did at Water's Edge. He stated the Water's Edge pool was a big hit with the residents. There would a paved walking trail, enclosed dog park and a walking trail so that the residents can get to Ginny Rae's Diner.

Mr. Schermerhorn described how the apartments are set up. He stated he takes care of all garbage removal. There will be a centralized room in the middle of the building for the Post Master to deliver the mail.

The Board reviewed the recommendations from Washington County Planning Board with the Applicant.

Mr. Miller stated he would like to see more trees planted to soften the look of the property.

ON A MOTION BY MR. WEAVER, and seconded by Mr. Gauci, now be it

RESOLVED, the Town of Kingsbury Planning Board hereby deems the proposed action as a Type I action under the NYS Environmental Quality Review Act; and be it further

RESOLVED, the Town of Kingsbury Planning Board hereby declares itself to be the lead agency subject to no other involved agency contesting the same; and be it further

RESOLVED, the Town of Kingsbury Planning Board hereby authorizes the Planning Board Clerk, Attorney for the Planning Board and/or the Code Enforcement Officer to send out the requisite notices to all other involved agencies, including but not limited to the NYS Department of Health, the NYS Department of Environmental Conservation, the NYS Department of Transportation, the Town Board of the Town of Kingsbury, and the Town of Kingsbury Water Department.

ON A MOTION BY MR. GETTY, seconded by Mrs. LaRose all in favor, the meeting was adjourned at 7:55 P.M.

Michelle Radliff
Secretary

Chairman Dingman stated there are a couple of changes to be made in the February 18, 2015 minutes. The first one is on page 5 the third line down there is a spelling mistake. It should be Chairman Dingman. In paragraph seven on page 5 should read an "Eighty five (85) foot ladder" not tower. Chairman Dingman asked the fire company to let Mr. Schermerhorn know what kind of fire hydrants they wanted for this project. Chairman Dingman requested a letter from the Fire Company to the Board for a waiver of six (6) feet for this project.