

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of September 19, 2018

MEMBERS PRESENT:

Robert Dingman, Chairman
Justin Fehl
Todd Murphy
Randy Weaver

MEMBERS ABSENT:

David Gauci
Randy Getty
Karen LaRose
Tim LaSarso

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 stated on page 3 of the minutes from the August 15, 2018 meeting 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:

Chairman Dingman entertained a Motion to Approve the Minutes of August 15, 2018.

ON A MOTION BY MR. FEHL, seconded by Mr. Murphy, the minutes of the August 15, 2018 meeting were approved as amended.

AYES: 4

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

1. **SITE PLAN - WILLIAM SHERMAN, DEFIANT TRANSPORT**, contract vendee of Tax Map # 154.8-1-26 commonly known as 3606-3614 Burgoyne Avenue, Hudson Falls, located in Zoning District COM-1A, Commercial District, for Site Plan Review for a proposal to operate Defiant Transport 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 William Sherman, Defiant Transport to address the Board.

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Mr. Sherman stated he is here tonight proposing to operate Defiant Transport at this location. His primary use of the space at this time is for storage of his own vehicles. He is looking to get his rollback tow truck out of the weather. This is a diesel truck and the winter weather is very tuff on them. He does have future plans to open a small repair shop which is limited to light mechanical repairs, brakes, shocks and things of that nature. For right now the space is going to be used for his personal vehicles as well. The space he will be using is in the back corner of the building.

Chairman Dingman questioned if there was a door located in this area.

Mr. Sherman responded the landlord is in the process of putting one in.

Chairman Dingman stated at one time he thought Mr. Sherman stated he would be maintaining his own vehicles.

Mr. Sherman stated yes he will be maintaining his own vehicles at this location.

Chairman Dingman stated before Mr. Sherman can start working on vehicles that are not his he would have to come back in front of this Board.

Mr. Fehl stated in Mr. Sherman's proposal he stated there will not be any removal of waste fluids.

Mr. Sherman responded he understands completely and will not partake in any removal of waste fluids.

Mr. Weaver questioned storage of vehicles.

Mr. Sherman responded he does have a towing business and the cars will not be located any longer than four (4) days. You may see 4 four cars one day and if you go by in three days you will not see the same cars. He doesn't keep the cars any longer.

Chairman Dingman opened the Public Hearing.

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

ON A MOTION BY MR. WEAVER, and seconded by Mr. Murphy 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 September 19, 2018

SITE PLAN REVIEW— William Sherman, d/b/a Defiant Transport, contract vendee of Tax Map # 154.8-1-26, commonly known as 3606-3614 Burgoyne Avenue, is seeking site plan approval to operate a

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towing and light repair facility at this location. This action is pursuant to Section 280-23G of the Code of the Town of Kingsbury.

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A regular meeting of the Kingsbury Town Planning Board was held on September 19, 2018 at 7:00 PM at the Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, NY 12839. The following resolution was passed as pertains to the above referenced matter.

ON A MOTION BY MR. FEHL, seconded by MR. MURPHY 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. Vehicles being repaired on the premises must be owned by the Applicant.
2. All vehicles must be parked on impervious surfaces.
3. Applicant shall be responsible for all necessary State, Federal and Local permits as applicable and shall forward to the Town copies of the same.
4. All information and representations contained in the materials submitted by the Applicant and discussed at the meeting are incorporated herein as conditions.

2. **PRELIMINARY – THE QUARRY, LLC**, owner of tax map #146.-1-23 commonly known as 35 Dean Road is proposing to change the existing site plan approvals to allow for the construction of 252 apartment units housed within 9 buildings, (3) three 24 Unit Buildings and (6) six 30 Unit Buildings. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced William Nikas, The Quarry, LLC to address the Board.

Mr. Nikas stated he is here tonight to give the Board an update pertaining to The Quarry, LLC project. This is simply a preliminary introduction to make sure there are no issues he should be worried about. He is proposing to amend the existing site plan approvals to allow for the construction of 252 apartment units housed in 9 buildings that would be rentals.

Three of the buildings have 24 units; the other six buildings will 30 units. Each of the buildings will be three floors with elevators. This will be serviced by municipally water and sewer. The stormwater will be managed on-site.

Mr. Nikas stated he has an engineer designing the stormwater plan at this time. Ethan Hall, Principal with Rucinski-Hall Architecture will be the Architect and Planning Engineer.

Mr. Nikas stated the project includes the dedication of a new public road with restricted access points to minimize traffic through the existing single family neighborhood. The road access will be at the northern end of the project. This will prevent vehicles going through The Quarry Circle where the single family

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homes are located. This will not be restricted to senior housing only. The reason for this it will give more flexibility to perhaps have senior housing in one section and non-seniors in others.

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Chairman Dingman questioned if there would be one floor for senior citizens in each building and what and if there is a ruling for this.

Mr. Nikas stated there are constitutional rules concerning discrimination. By having separate buildings for seniors this will eliminate any discrimination.

Mr. Nikas stated nothing has changed from the previous proposal other than there is less density. All of the SEQRA issues were addressed in the previous project and nothing has changed.

Chairman Dingman stated the front part of the property will remain single family homes.

Mr. Nikas stated yes that is correct. There are 20 +/- acres behind the single family homes. This area will be used for this facility and the rest of the property will remain open space.

Jim Chase, Water Superintendent, questioned the location of two of the buildings and the fire truck getting through.

Mr. Nikas stated he will be reviewing this project with the fire company.

Discussion ensued among the Board with questions being addressed by Mr. Nikas.

Chairman Dingman opened the Public hearing.

Jerry Caruso Jr., 90 Casey Road questioned the access road going around the single family homes.

Mr. Nikas stated the road will not be going around the homes.

Chairman Dingman closed the Public Hearing.

ON A MOTION BY MR. MURPHY, seconded by Mr. Fehl all in favor, the meeting was adjourned at 7:30 P.M.

Michelle Radliff
Secretary