

PLANNING BOARD MEETING - AUGUST 7, 2017
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.

PRESENT

Denise Mayrer, Chairwoman
Wayne Johnson
John LaVoie
Paul Puccio
James Shaughnessy
Nadine Fuda, Director
Attorney Robert Linville, Esq.
Richard Laberge, Planning Board Engineer

MEMBERS ABSENT

Lawrence D'Angelo
Andy Aubin

APPROVAL OF MINUTES — JULY 17, 2017

Puccio moved, Shaughnessy seconded that the minutes be approved as amended.

5 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

PUBLIC COMMENT

No public comments

LOT LINE ADJUSTMENT

Margarete Brown & Michael Lybolt
13 and 19 David Way
Proposed - Lot Line

2017-23/LB/HC/200.-7-8 and 9

Michael Lybolt, applicant was present for this meeting.

Mr. Lybolt stated they are looking to do a lot line adjustment giving his lot frontage and enough land to create a driveway.

Mr. Puccio stated the map has the land owners name spelled incorrectly and needs to be changed, also how will the right-a-way get cleared up. The lot line looks to run through the right-a-way.

Mr. Lybolt stated the current driveway is very wide so the line is being pushed over and he will be making his own entrance into his property and the easement will be gone.

Mr. Puccio stated the map needs to have a comment stating the easement is no longer.

Mr. Johnson stated under notes it said subject to any and all easements. But the easement for access has to disappear and only the utility easement needs to be listed. And the deed lines on the map need to disappear as well.

Mr. Lybolt stated the surveyor will adjust the map when the approval is given.

Mr. Johnson gave Mr. Lybolt the map with all the changes that need to be made before signing.

LOT LINE ADJUSTMENT

Puccio moved, LaVoie seconded that the lot-line adjustment be accepted and approved. A public hearing is not required. The property will be conveyed to the adjacent landowner and become part of that existing parcel.

Conditional on the map changes as listed.

- Land owners name spelled correctly
- Note stating the access easement to be removed.
- Note on old property lines need to be noted "to be removed".

5 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose:

SITE PLAN MOD. & LOT LINE ADJ.

A Duie Pile / Anthony Maier

2017-6/HC/220.-3-2.1 & .4

1004 Rt. 9

Proposed - Site Plan Mod. & Lot Line Adj.

Greg Seifert, VP of Geis Construction, David Covell, A. Duie Pyle service center manager, Timothy Koch, A. Duie Pyle director of facilities, and Timothy Nugent, attorney for applicant were present for this meeting.

Mr. Laberge stated the applicant has been to the ZBA and has received their variances and the notice of decision has been prepared and waiting for signatures. The applicant has prepared new maps to coincide with the ZBA's approval. He spoke about his letter Dated August 3, 2017 that is a couple pages of technical comments that are very objective and he recommend the Board approve the project conditioned upon the issues above being resolved prior to signing of the final site plans. If the Board is so inclined, we recommend the following course of action:

- 1.) Issue a Negative Declaration based upon the SEQRA analysis enclosed.

- 2.) Approve the lot line adjustment.
- 3.) Approve the Special Permit under the WQCA subject to the condition of an initial term of 18 months
- 4.) Approve the Special Permit for the use.
- 5.) Approve Site Plan conditioned upon the outstanding technical issues identified above, all other administrative items and the establishment of a site review escrow in the amount of \$2,000.00 to be deposited prior to the start of construction.

As stated in the last section of his letter dated August 3, 2017 (SEE BELOW)

Mr. Puccio asked about the truck parking in the back of the lot and the parking of trucks during construction.

Mr. Seifert stated there will be no parking during construction and then only after the lot has been paid.

Mr. Johnson stated that the current lot line needs to be removed on the final plans and a grading easement is there anything that is going to be done to assure what is being put in there is cleaned up and removed.

Mr. Seifert stated it is a temporary easement and he did not notate that in there.

After a discussion with the A. Duie Pyle on the location of the berm a decision was made to purchase more land to put the entire berm on the A. Duie Pyle lot.

Laberge Letter Dated August 3, 2017

Final Site Plan Review

A. Duie Pyle Addition

PB # 2017-5

We are in receipt of a response letter dated May 2, 2017 for the above referenced project and the enclosed plan set of five (5) sheets with an issue date of May 2, 2017. In addition, a Stormwater Report and SWPPP dated May 1, 2017 were enclosed along with a Lot Line Adjustment Plan with an issue date of May 2, 2017. We offer the following:

- 1) *The proposed project has been expanded and is now the addition of 23,200 s.f. to an existing operating truck terminal owned by A. Duie Pyle located at 1004 U.S. Rt. 9 in the Highway Commercial (HC) zone. A very small portion of the project is in the Residential-Agricultural (RA) zone at the southeast corner of the site.*

- 2) *The project involves an associated lot line adjustment application to append 7.48± acres of adjacent land to the east of the existing truck terminal parcel.*
- 3) *The project has received the necessary variances from the Zoning Board of Appeals regarding the setback requirements from the zoning boundary.*
- 4) *Truck terminals are allowed by Special Use Permit in the HC zone and the existing site obtained a Special Use Permit in June of 2000 (Case No. 7-2000). An updated Special Permit for the use will be necessary.*
- 5) *A special permit under the Town's Water Quality Control Act (WQCA) will be needed since the project lies in the direct recharge area.*
- 6) *On the revised plan, the applicant has indicated that they wish to build a 20' x 30' salt shed just north of the proposed terminal expansion.*

Details regarding the structure will be needed to indicate:

- a) *The structure is watertight.*
- b) *Stormwater will not flow into or through the structure (detailed spot elevations will be needed).*
- c) *The loading or handling area outside the structure will be impervious and graded or diked to prevent seepage and runoff.*
- d) *The height of the structure.*
- 7) *All exterior lighting including any proposed building mounted lights must be full cut off, down lighting. The fixtures selected meet the criteria provided they are mounted facing directly down. For clarity a note should be added under the lighting schedule "All exterior lighting shall be full cutoff down lighting mounted in the fully down position.*
- 8) *The applicant should solicit and submit written comments from emergency services (police, fire, ambulance) regarding the proposed plan. The written comments can be an email confirmation agreed to by the agency.*
- 9) *Approval by RCDOH of the existing water well and septic system for use with the proposed addition is required.*
- 10) *The vegetative screening along the eastern portion of the proposed site should extend approximately 300' south from Graw Road.*
- 11) *The temporary grading easement in the north east corner of the site should be labeled as such. A copy of the executed temporary grading easements must be submitted.*

We offer the following comments regarding the SWPPP:

- 12) *As the project requires a full SWPPP, a Stormwater Maintenance Agreement should be completed which ensures the long-term operation and maintenance of the Stormwater Management Practices. The applicant must complete this agreement prior to the start of construction.*
- 13) *Label all Stormwater Management Practice Signage on the plans.*
- 14) *The Stormwater Facility should be re-designed since the existing site operations include heavy truck traffic and fueling operations, as such this site is considered a hotspot per the NYS Stormwater Management Design Manual (Design Manual)*

Section 4.11. Redundant pretreatment must be provided by applying two of the practices in series, both of which are sized to treat the entire WQv for the entire proposed additional site area.

- 15) SWPPP Section 1.II: Section H states that correspondence was sent to the NYS Historical Preservation Office regarding whether the project will have any impact. A copy of the responses to these requests should be included in the SWPPP.*
- 16) Stormwater Report: Section 5.3 should be revised upon redesign of site drainage to reflect forebay operation in series. Flow must enter forebay #1 then flow to forebay #2.*
- 17) Plan Review*
 - a. Revise/Provide a detail that shows the gravel diaphragm with impervious liner continuous through the forebays for the infiltration.*
 - b. A curb should be added to the north end of the new pavement to prevent stormwater runoff from directly entering the stormwater management practice without being routed through pre-treatment. Curb is shown as 2' wide wing curb. Clarify where curb will be opened to allow flow to the forebays.*

SEQRA

Attached please find a completed Environmental Assessment Form recommending a Negative Declaration for this project.

APPROVALS

We recommend the Board approve the project conditioned upon the issues above being resolved prior to signing of the final site plans. If the Board is so inclined, we recommend the following course of action:

Issue a Negative Declaration based upon the SEQRA analysis enclosed.

- 6.) Approve the lot line adjustment.*
- 7.) Approve the Special Permit under the WQCA subject to the condition of an initial term of 18 months.*
- 8.) Approve the Special Permit for the use.*
- 9.) Approve Site Plan conditioned upon the outstanding technical issues identified above, all other administrative items and the establishment of a site review escrow in the amount of \$2,000.00 to be deposited prior to the start of construction.*

SITE PLAN- APPROVAL

LaVoie moved, Shaughnessy seconded that the Planning Board be **LEAD AGENCY**.

5 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose

Puccio moved, Johnson seconded a **NEGATIVE DECLARATION**.

5 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Puccio moved, LaVoie seconded that the following approved Site Plan Modification be adopted:

5 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

SPECIAL PERMIT RENEWED

Puccio moved, LaVoie seconded that the *SPECIAL PERMIT* be: **RENEWED** with the following conditions:

- all the conditions in the Laberge letter
- and the additional land with the minimum distance 290 feet.

5 Ayes 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

LOT LINE ADJUSTMENT

Johnson moved, Puccio seconded that the lot-line adjustment be accepted and approved. A public hearing is not required. The property will be conveyed to the adjacent landowner and become part of that existing parcel.

5 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

CHANGE IN TENANCY

Mark Nusbaum/Patsy Grieco

2017-24/HC/178.9-3-6

1518 Columbia Turnpike

Proposed - Change in Tenancy Fast Lane 2

Patsy Grieco, applicant was present for this meeting.

Mr. Grieco stated he is looking to move a couple of his workers into a building that was previously occupied by Piece of Cake. The new location will be Fast Lane II

There were no more questions for the applicant

CHANGE IN TENANCY

Puccio moved, LaVoie seconded APPROVAL of a change in tenancy at

"1518 Columbia Turnpike"

Ayes. Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

CHANGE IN TENANCY

J.D. Sales/Mark Teliska

2017-26/HC/178.-11-13

1572 Columbia Turnpike

Proposed - Change in Tenancy

At Mark Teliska lot

Mark Teliska, Applicant was present for this meeting

Mr. Teliska stated he had been given approval to sell 3 vehicles in front of his business at 1572 Columbia Turnpike and is would like J.D. Sales to take over the selling of the cars.

CHANGE IN TENANCY

LaVoie moved, Puccio seconded APPROVAL of a change in tenancy at

"1572 Columbia Turnpike"

5 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

ADJOURN

Puccio moved, LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning