



Present: Ray Herrmann, Planning Board Chairman
Jerry Grant, Planning Board Member
Trina Porte, Planning Board Member
Bob Smith, Planning Board Member

Absent: Matt Murnane, Planning Board Member
Mark Sheline, Planning Board Member
Craig Trombley, Planning Board Member

Others Present: Bud Godfroy, J.J. Johnson-Smith, Steve Fiske

I. Call to Order:

Chairman Herrmann called the regular meeting of the Planning Board to order at 7:33 pm.

I. APPROVAL OF MINUTES

Upon review of the July 20, 2011 meeting minutes a motion was made by Bob Smith, seconded by Jerry Grant to approve them as submitted. The motion carried on the following vote:

Chairman Herrmann	Aye
Jerry Grant	Aye
Bob Smith	Aye
Matt Murnane	Absent
Trina Porte	Aye
Mark Sheline	Absent
Craig Trombley	Absent

II. REGULAR MEETING):

► [con't] Case No: PB-2010-049: Grocery Store/Pharmacy Project

TM# 19.2-1-60, 59, 58.11, 58.12, 58.2

Project Title: SUPERMARKET PHARMACY

Plans Dated: July 2010, **Rev. 5: date 02.01.11**

Agent 1: William G. Hoffman, PE of DeLuca-Hoffman Associates, Inc.

Agent 2: Joe Iuviene for the relocation of the OTB and Gallop Inn

Mr. Lord informed the Board that he thought the project would be further along, however they are close. They anticipate finalizing the following outstanding issues by the September meeting:

1. DEC has preliminarily issued their permit to the Brauser Group #4. After the 30 day appeal period for public comment is complete it will be deemed officially issued.

2. The latest DOT review requests that the new entrance that will be located where the current OTB is located have a larger throat distance. Hannaford feels that this is not a huge issue and that it should be resolved by the September meeting.

3. The details of the cost of relocating the OTB/Gallup Inn is currently being discussed by the owner's of the property, Brauser Group #4 and Hannaford.

Chairman Herrmann asked how significant the plans will change if the throat of the driveway is widened and if the parking lot would be altered. Mr. Lord stated that there would be minimal impact to the parking. The entrance location will remain the same but the internal traffic flow will change.

Paul McCreary asked that since the DEC's Waste Water Disposal Permit will be issued in the owner's name will they be responsible for maintaining and operating it? Mr. Lord stated that under the current lease agreement Hannaford is responsible for maintaining the entire center and asked if the lease agreement would be sufficient enough for the Town's records on the matter. Paul McCreary stated that if an issue occurs with the waste water disposal system the DEC would pursue the owner of the property but the fact that Hannaford will be the owner/operator of the wastewater disposal system it's a little disjointed. Jay Lord asked if the Town needed any documentation other than the lease agreement. Chairman Herrmann asked how the Town would enforce it. Paul McCreary stated that he believes it is DEC's responsibility to monitor and enforce it not the Town's. Trina Porte asked if Hannaford would carbon copy the Town if any violations occur with the waste water disposal system. Mr. Lord stated "yes".

Paul McCreary asked if Hannaford has obtained an easement from Columbia County to run effluent pipe on County Route 5A (West Street). Jay Lord stated that the County has never mentioned the need for an easement.

► **Sketch Plan Conference: Steven Fisk 19.1-1-18**

Applicant is seeking information on the possibility of constructing Senior Housing on Mill Road. 3 Multifamily Dwelling Units – 12 one bedroom apartments in total

Mr. Fiske stated that he wishes to change his plan from the original idea. He now wishes to propose senior housing since there is a need for this in New Lebanon. The new proposal will be for 3 multifamily dwelling units (12 one bedroom apartments). However, the configuration on the original plan would remain the same with 15 parking spaces, however, the size of the septic area may be reduced.

Jerry Grant asked what qualifies one for senior housing. Steve Fisk stated 55 years of age and older and that he sent out a questionnaire and feels this is really something that the Town needs.

Trina Porte stated that she thinks it is a great idea but feels the lot size of 2 acres is inadequate. She feels it would be better suited on Route 20. Mr. Fiske stated that he meets all the setback criteria. Trina Porte said that it is a density issue for Commercial-Residential zone.

Paul McCreary stated that the new concept brings the density issue much closer to code than the original plan, however, there is a shortage of .3 acres which would require a variance. Trina Porte stated that she personally feels it is still too much density for that location. Increased traffic on Mill Road is a concern as well. She thinks one or two buildings would be much better than 3.

Chairman Herrmann asked if there currently is a well on the property. Mr. Fiske stated 'no'.

Paul McCreary reminded the Board that when and if the applicant proceeds with an official Sketch Plan application the Planning Board will need to ensure that the project will be compatible with the neighborhood. Chairman Herrmann asked Mr. Fiske that if he decides to proceed with an official Sketch Plan application it would be helpful to submit computer renderings. Mr. Fisk stated that he would.

Paul McCreary explained that the code also indicates that parking should be at the rear. Mr. Fiske stated that he will consider changing the plan to meet this requirement.

Jerry Grant asked if the current location depicted for the septic area is the only place that it can be installed. Mr. Fiske stated 'yes'. Jerry Grant stated that the proposal seems to come very close to complying. He feels that the plan is not a long stretch in keeping with the character of the neighborhood and in keeping with the Comprehensive Plan.

Chairman Herrmann stated that since he would need a variance of .3 acres to comply with density, there is no guarantee that the ZBA would grant a variance and he wishes to be sure the applicant understands this before he spends a lot of money re-working the plan. Chairman Herrmann asked for a poll of the Board in order to get an idea of their mind-set on the matter before we get into 'fine tuning' the proposal.

Jerry Grant and Bob Smith stated that they would recommend that the ZBA consider granting a variance of .3 acres since the plan is so very close to complying. Trina Porte stated that she is not in agreement. (Craig Trombley, Matt Murnane and Mark Sheline were absent).

Paul McCreary stated that a full SWPP will be required which will be a challenge and suggested that Mr. Fiske broach his engineer on the matter.

Trina Porte stated that she was concerned with the amount of non-pervious surface being proposed for the parking area. Paul McCreary stated he understands the sensitivity to asphalt but for senior housing emergency protection is a very important matter. There needs to be safe ingress/egress for emergency vehicles and would recommend comments from the LVPA on the matter.

Chairman Herrmann summarized that the applicant has received quite a bit of information this evening and that if after speaking with his engineer, if he wishes to proceed with an official sketch plan application he may do so.

III. Other Business:

1. Review and approval of the following invoices from Morris Associates:

Invoice No. 0062027 dated July 22, 2011 for Grocery Store/Pharmacy Review
Invoice No. 0062028 dated July 22, 2011 for Hanson 4 lot Subdivision Review

Upon review of the above invoices submitted by Morris Associates, a motion was made by Bob Smith, seconded by Trina Porte to approve for payment.

2. Mr. Tittlemore asked for an update on the Hanson 4 lot subdivision proposal. Chairman Herrmann stated that we have had no word from the Town Attorney or Mr. Hanson on the matter.
3. Trina Porte announced that the CAC (Conservation Advisory Counsel) is seeking new members.

IV. Adjournment:

The meeting adjourned at 8:42 pm.

Respectfully submitted,

Cissy Hernandez
Planning/Zoning Clerk