

**VILLAGE OF SOUTH GLENS FALLS
PLANNING BOARD
PRESENTATION OF
Meeting Minutes - pdf DRAFT
For
Wednesday September 9, 2015**

MEMBERS IN ATTENDANCE

David Linehan, Chairman
Nick Bodkin
Debbie Fitzgibbons
Gayle Osborn
Thomas Wade Jr. [TJ]

OTHERS IN ATTENDANCE

Tony Girard, Village Trustee
Bill Hayes, Village Trustee
Jim Gillespie, Bohler Engineering
Stefanie DiLallo Bitter, BPS&R/Cumberland Farms
Ross Galloway – Cumberland Farms / First Hartford
Mark Nadolny – Creighton Manning (CME)
Joe Patricke – Code Enforcement
Garry Robinson, Village Consultant
Joe Orlow – Mayor
Michael Muller – Village Attorney

MEMBERS ABSENT or Recused

NONE

ALTERNATE IN ATTENDANCE

No Alternate named at this time

- I. The MEETING was CALLED TO ORDER by Chairman Linehan at 7:00 P.M. The chair welcomed those in attendance / reviewed agenda.**
- II. The Chair asked for a review and approval of (August 12) meeting minutes. Gayle Osborn moved to approve August 12 meeting minutes; T.J. Wade seconded and the motion passed unanimously.**
- III. SITE PLAN (S) REVIEW (S) [pursuant to – code Ch. 119 OR SUBDIVISION REVIEW [pursuant to – code Ch. 153-41] & OTHER REVIEWS IN PROGRESS:**

Chair Opened Meeting and reviewed agenda

August 12 Minutes approved unanimously

Matters regarding the comprehensive plan:	SEE: OLD BUSINESS
Matters regarding capital improvements to: <u>Commercial Use Property</u> Dwelling, Multiple Family /Residential Use Property Industrial Use Property	Preliminary Review of an Application for convenient store and filling station for tax map lot designation 37.54-1-15.11 and 37.54-1-15.3
Matters regarding subdivision of land:	
Matters regarding zoning of land:	
Matters regarding other reviews or actions:	

IV. APPLICATIONS and /or Pre-Submissions FOR SITE PLAN REVIEW

APPLICATION(S) FOR SITE PLAN REVIEW [pursuant to – Chapter 119] or SUBDIVISION REVIEW [pursuant to 153-41 Village Code.] &/or OTHER Reviews: (Application(s) reviewed by Zoning Administrator and payments received by Clerk /Treas. on or before application SUBMITTAL DEADLINES FOR THE CALENDAR YEAR 2015).

Matters regarding the comprehensive plan:	SEE: OLD BUSINESS / Matters regarding other reviews
Matters regarding capital improvements to: <u>Commercial Use Property</u>	Application for convenient store and gas station for lot designation 37.54-1-15.11 and 37.54-1-15.3 (Payments received May 22 and a revised map delivered June 3)
Dwelling, Multiple Family /Residential Use Property Industrial Use Property	
Matters regarding subdivision of land:	
Matters regarding zoning of land:	
Matters regarding other reviews or actions:	

The chair turned to the Site Plan Review Application for Cumberland Farms, Inc.

[The chair stated that he had prepared referral of the Cumberland’s initial plan site plan to Saratoga County Planning pursuant to GML 239-m on 6.4.15 and a second referral on 8.27.15 upon receipt of preliminary plan received on 8.25.15]

Chairman Linehan then turned to a DRAFT Memo of questions distributed to planning board members for their consideration and referral to the village Zoning board of appeals (ZBA). The chair explained these notes were intended to help in the ZBA discussions and the sequence of the two board reviews. [**SEE attachment**]

The DRAFT included questions concerning code chapter §153-17 Facilities for automobiles and other vehicles. ...

E. Additional requirements for service stations, parking areas and garages.
[Amended 10-28-1992 by L.L. No. 1-1992; 7-5-2007 by L.L. No. 5-2007]

- (1) Location of exits and entrances. No gasoline filling station, commercial parking area or garage for 25 or more motor vehicles shall have an entrance or exit for vehicles within 200 feet of a school, public playground, church, hospital, public library or adult- or child-care facility located on the same side of the street, except where such property is in another block or on another street on which the lot does not abut. Such access shall not be closer than 50 feet to the intersection of any two streets.

The chair stated that this language / distance standard of 200 feet was found in other published zoning codes. And asked - if anyone knew of how / why it came about – possibly in the 1930's?

The chair reported that on Tuesday evening following labor day he was in Ballston Spa and before leaving following a meeting he stopped at the Cumberland farms in the center of the village. He stated he had spoken with the manager following a “cool zone fill up.” The manager helped reassure Mr. Linehan of 24/seven safety issues. The manager explained the had a good relationship with area police and explained and pointed to safety features at the filling station.

The chair asked other members of the planning board if they had any other safety or general welfare questions in addition to those outlined so as to help the ZBA in their special use discussions.

Nick Bodkin stated a hydrant between McDonald's and Hudson Street looked as if it was old / out of order and questioned if it needed to be upgraded. **Mr. Patricke stated that it was a good question** and he would look into it.

Planning board members agreed with the general concerns outlined and consented - as a board - to refer the comments to the ZBA.

The chair also reported that since the last meeting he had gathered up the various studies reports, statements of professional engineers that were in his files on the section of NYS Route 9 from the fifth Street intersection to the third for various projects [on the Joy store block] since 2002 the year of the town and village corridor study. The chair stated it was overwhelming to review and remember all; for example why the common drive got built the way it did when after referral for subdivision recommended sketch plans of the DOT did not get built as recommended.

The chair stated that the first order of business concerning the full application for preliminary site plan review as received on August 25 should be to forward SEQR procedure.

The chair moved that the planning board declared itself a lead agency in the site plan review classify the review action as unlisted - a commercial project of more than 4000 ft.² of floor space. **Nick Bodkin seconded** and the motion passed unanimously.

The chair then asked Mr. Patricke; who would forward the declaration to involved agencies? And Mr. Patricke responded it would be the chair and that he would provide the chair with the agencies to be noticed.

The chair to the plans submitted for this preliminary review of the Cumberland site plan package received. He asked if DOT would have final say on curb cuts and if the applicant knew of possible status. Letters were shared from Mark Kennedy's office on the Route 9 curb cut. SEE attached: August 21 and September 9 (today) of Lorinda. Letters confirm that there is no objection from NYSDOT for site circulation and access configuration.

Mark Nadolny – Creighton Manning (CME) recapped correspondence of all traffic reviews GPI Greenman-Pedersen, Inc. and additional accident reports. Mark explained that the new layout conforms to NYSDOT standards radii had moved. Mark stated he was comfortable in

**NYSDOT has
not objection to
configuration**

that all questions / comments had been answered. No recent accidents (–a three year lookback) are associated with common drive.

The Chair then turned to the preliminary review of the stormwater management plan. Garry Robinson, Village Consultant reported the SWPPP was forth coming from Bohler Engineering.

The chair asked about the need to (subdivide /combine /consolidate / line adjustment) to merge tax map parcels.) Ross Galloway reported the parcel would stay as is. Mr. Patricke reported it would need to be merged because you don't put an accessory use on a [building] lot.

The chair questioned the parking lot use on the second parcel [Lot 15.3 is .512 acres / 22,300 sq. ft.]: Does Cumberland policy / insurance allow for shared parking for this situation? The chair reiterated his hope for a park like use with a mowed lawn. He reported that plans show that the existing parking lot area – in disrepair – curb cut on Fifth Street is not to be improved. The Parking area on that lot in generally drains to south. Jim Gillespie reported parking was not incorporated in the stormwater plan and no requirements for treatment because it's existing. Curbs and walks along fifth street are not in plans to be improved. Stefanie Bitter didn't think that conversations have been started with the town for use of the parcel. Ross Galloway reported he has very few conversations about [parking use] with Cumberland outside of stormwater management. Town of Moreau handling sale no realtor.

Mr. Patricke stated this is a preliminary review and that the goal tonight is a recommendation to the ZBA. The chair stated it looks like we're getting pretty close to a [site] plan. Attorney Muller stated we are looking for recommendations so they can do their work. Mr. Patricke stated he and our engineer would like to meet with their engineer with a list of questions as per our code and would recommend to the [planning board.] Mr. Patricke stated it hadn't been done yet because the SWPPP has not been done yet - tonight's recommendation is for the Zoning board as to whether this [project] is possible. The chair stated we have looked at the plans before – conceptual – and things fit according to our code.

Mr. Wade asked of Mr. Patricke when does the code come into play for the review. Joe handles structures as Village building inspector but [planning board] needs to look at them as far as impact on community. Once recommendation is made Garry and Mr. Patricke will make a detailed list hopefully planning board will have 2 weeks before the planning board's next meeting and be able to ask any question before that meeting.

The chair stated that we have discussed [resolved] traffic access / parking [#7 on check list] and parking issues but wanted to discuss the preliminary grading and management plan we've received. The chair directed the question to Jim Gillespe -Why do we have a couple excavation pits / a quarry on the corner? Jim reported that the plan is designed according to the latest regulations of the DEC which are ramped up and not only water quality volume requirements but also now green infrastructure and runoff reduction volume requirements. The design is different than what you have seen in the past. And because this is a gas station it is considered a hot spot so there is another level of requirements that go along with the hotspot. Areas that are considered a hotspot cannot be infiltrated. There are only three standard practices to meet the runoff reduction volume requirements. This is a completely undeveloped site - even though it was developed sometime in the past it has been vacant for five years so we have to look at it as a completely undeveloped site. Very little runoff currently comes off this site. This project requires a pretty substantial area to meet the DEC

**Chair -
questions
discussion on
preliminary
grading and
drainage plans**

requirements. Infiltration, bio retention, dry swales are the only practices to meet runoff reduction requirements. There is not enough grade or room for a dry swale so looking at a portion to be infiltrated and remainder bio retention [soil and plant life to absorb water] is being used to reduce direct discharge of the volume of water and sediments entering into systems. Areas considered for infiltration - rooftops considered not to be considered hotspot. Canopy to be infiltrated in area towards route nine store roof infiltrated in area towards Hudson Street. The rest of the area gas station pavement to be piped pre-treated and spillover into the bio retention area – a feature - to include a variety of different plant life, grasses, leafy types, and trees around the perimeter. The feature to be made sure will be done right an attractive a nice buffer behind McDonald's The plan meets all requirements including a 100 year storm unfortunately it takes up a lot of room.

The chair questioned whether or not the basin could be shallower with an all green area - a lawn - if the existing parking was not preserved? An amphitheater look possible if all green and not other [rain garden] plant species. The chair again questioned the amount of area designated to parking and subdivision suggesting the minimum lot size in district C was 2000 ft.² Mr. Patricke corrected the chair stating the minimum lot size was 4000 ft.²

Mr. Patricke stated this was one way to beat the objectives but not the only way it could be an underground design with nothing but grass above it. We'll look at it. **Mr. Gillespe stated** that bio retention cannot be an underground design. Pipe and stone need to verify to see if it fits - more costly? The chair stated it seems weird [in this location] the only other system that the planning board has reviewed was a large multi- residential development in a lower area of the village. The chair stated and as Stephanie reported the project is situated partially in a residential area where lawns are mowed. **Mr. Gillespe** asked that we not confuse this area with a wet pond or wetland retention - this has only 6 inches of water at its peak. The chair asked in the event of a widespread drought like we're in would the plants need irrigation? **Mr. Gillespe stated** - we are proposing irrigation. **Mr. Gillespe** stated the standards are there and typically we don't button up the plan until after preliminary meeting.

Mr. Patricke asked for attorney Muller to help with a motion and recommendation for the ZBA.

Attorney Muller asked for any recommendations for the ZBA. The code enforcement officer will take a look to see if it meets all the criteria [pursuant to 153.18] the code enforcement officer cannot anticipate possible use of the town's vacant building. **Gayle Osborn asked** whether the parking activity across the street could be released from requirements. Attorney Muller thought the discussion of parking for vacant building [on lot 15.3] to be irrelevant. **Ross Galloway** – Cumberland Farms / First Hartford stated that as far as he was concerned if nothing was to be worked out with the town the parcel would be vacant and grass. Attorney Muller thought that he and Mr. Patrick considered a parking lot by courtesy with no easement also irrelevant. Attorney Muller stated it doesn't have to be a parking lot and we are not going to be entertaining uses to confuse the ZBA. Any curb or sidewalk improvements along 5th Street [discussed at the last ZBA meeting] will be part of site plan review. The chair stated the standards [of code 153.18 seem to be met.]

Mike Mueller asked someone from the planning board to refer the Cumberland Farms application to the zoning board of appeals pursuant to the requirements of zoning code 153.18 special uses and that the zoning board undertake an analysis to cover all those criteria specified in 153.18 (the six elements) and once they do so it can be returned to the planning board for site plan review.

Nick Bodkin moved the referral of Cumberland farms application to the CBA pursuant to the requirements of zoning code chapter 153.18 special uses and that the zoning board undertake an analysis to cover all of the criteria specified in 153.18 and upon its completion [approval] return the application to the planning board to undertake site plan review. **Gayle Osborn seconded.**

DISCUSSION: the chair asked attorney Muller to read into the minutes the specific criteria involved in the approval for a special use (filling station) in C District. Mr. Mueller stated that Mr. Patrick had already made that determination and read the criteria.

Special uses, as enumerated in § [153-9](#), shall be permitted only upon authorization by the Zoning Board of Appeals, provided that such uses shall comply with the following requirements and other applicable requirements as set forth in this chapter:

- (1) That the use is a special use as set forth in § [153-9](#) hereof.
- (2) That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience of the citizens will be protected.
- (3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- (4) That the use will be compatible with adjoining development and the proposed character of the zone district in which it is to be located.
- (5) That adequate landscaping and screening is provided as required in § [153-15](#) and as otherwise provided herein.
- (6) That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

Mr. Muller asked that before any big comments on the issues - which the Planning Board is comfortable in allowing the ZBA to some work on them because ultimately what they will be doing is making findings and they will make recommendations.

Chairman Linehan referring to special use criteria (2) concerning the public, health, safety and welfare [and convenience] asked / confirmed of Stefanie (attorney) that information be provided for ZBA with 'experts' to answer / discuss questions found on the Planning Board Memo to the ZBA [found on p.2 ...]

- How will safeguards of spills or fire hazards be ensured.
- Will the ZBA request comments from the SGF Fire Department and Rescue on CFI's Plans?
- Will CFI have 2 or three employees on duty for each shift?
- What are the shift hours?
- Will all CFI employees be knowledgeable of the state-of-the art monitoring systems and means of contacting responders to assist in user or environmental accidents?

Stefanie agreed to do so.

Attorney Muller stated she would cover them all having sat down with the Village's team and again summarized the motion to refer the project to the ZBA stating the Planning Board would be doing the hard work of the site plan review.

Mr. Muller called for the vote on the motion and **the motion passed unanimously.**

Chair's COMPOSIT CHECK LIST June 10 / September 9 site plan review

Pre- submission / Preliminary Site Plan (SEE: p.8 of BPS&R 4/16 submission)

- #1-3 **X Checked**
- #4 **X N/A** - above flood plain
- #5 Expecting a Stormwater Management Report and Stormwater Pollution Prevention Plan (reflecting any DEC recent design manual updates / in place)

The **Chair moved GARRY ROBINSON, P.E.** be enlisted [pursuant to: Chapter 125 STORM WATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL: § 125-9 Fees for services.] - **to review grading and drainage SWIPP / sewer and water** detail plans on behalf of Village ASAP. **Nick Bodkin seconded** and motion passed unanimously.

Jim Gillespie reported soil good; can't infiltrate fuel portion of site. Roofs (canopy / building roofs to be infiltrated as much as possible additional amounts in some type of filter practice for minimum RRv (reduced runoff vol). Detailed plan yet to be nailed down. Jim will check trees Nick asked about 3 evergreens currently blocking drive. A demolition plan or notes to be provided.

- #6 a. **X SEE: Preliminary PLAN**
- #6 b. Elevations and photo / shopped boards presented
- #7 **X Mark Nadolny** – Creighton Manning (CME) presented /discussed **Traffic Impact Study Cumberland Farms. Chair ok** with right turn in from Rte. 9 for site's circulation but questioned the proposed right turn out onto 9 and its impact at peak morning hours on the existing exit into stacking for 3rd St. traffic light and its impact of shared drive route / exit onto Hudson and ultimate safety of the three traffic lights along Rte. 9. The Chair had forwarded the 'Traffic Impact Study' to the Village's Chief of police – asking for information pertaining to accidents in the vicinity of the shared drive. The chief did respond to the study any affirmative.(SEE: email attached.) **Joe Patricke asked Mark Nadolny** if CME had incorporated information from a **recent (2013 / 14) Corridor Study** of the Adirondack Regional Transportation Authority. **Joe Patricke to check** with **Aaron Frankenfeld**, Transportation Planning Director, [afrankenfeld@agftc.org]
Thomas Wade noted the 2002 study [- the Chair referred to] was before the Glens Falls 'round – about' that has an impact at Mohican street light and bridge / Rte. 9 traffic south (and North.)
Mark Nadolny repeated the description of the layout (with rt. hand turn onto Main) as giving the site or options for the beauty of the village's street grid pattern - recognizing during peak times right-hand turn out must rely on courtesy gaps.
Nick Bodkin asked the need for streets curbs to better define Hudson St. entrance /exit. **Jim Gillespie** reported there were no plans at this time to improve sidewalks curves along Hudson St.
Nick Bodkin asked about possible impacts to McDonald's during construction phase. **Jim Gillespie** stated there would be a construction sequence plan.
Nick Bodkin asked fuel tankers trucks positioning relating to safety.
Jim Gillespie reported fueling would take place at off peak (customer) hours and fueling stations details / trucks have standards to meet.
Joe Patrick reported that the town uses a traffic consultant. And Joe suggested the planning board uses him this project on behalf of village interests.

**Emerald Ash
Borer
DISTRUCTI**

Joe stated the applicant will be back next month and Joe would provide the consultants name in the meantime. The chair reported T.D. bank sidewalk improvement took place by T.D. at time of the development of the parcel to the North.

Gayle Osborn moved to retain a traffic engineer to review and study for traffic [pursuant to - Chapter 119: SITE PLAN REVIEW § 119-6 cost to be charged to applicant/developer...] **Nick Bodkin seconded** and the motion passed unanimously.

Meeting
Adjourned
8:01 P.M.

- #8 **X** provision for pedestrian access and acknowledgment of bike Rte. 9
bike route

- #9 **X** location of outdoor storage see Northeast corner of proposed convenience Store.
- #10 Location design and construction details, to be submitted

- #11-12 Public sewer connection Public water connection details, to be submitted
DPW Brian Abare has received copies of plans to date and shall receive detailed Plans.

- #13-14 Forward plans to Fire Chief / **Nick Bodkin described three nearby locations of fire hydrants. Jim Gillespie to map.**

- #15 Signage request has yet to be detailed made. [See village code chapter 115]

- #16 Location of existing vegetative cover to be mapped. Plans should mitigate noise glare, objectionable features.

- #17 A lighting plan shall be submitted

- #18 **X** Designation of the percent of building area

- #19 General landscaping plan and planting schedule; to be provided

- #20 **SEQR / lead agency status declared : The chair moved** that the village of South Glens Falls Planning Board be lead agency for site plan review in an uncoordinated review that includes the village zoning board of appeals. The project is to be classified as unlisted. **Nick Bodkin seconded and the motion** passed unanimously Project classified as unlisted: and the 'short assessment form' to be used for evaluating impacts. Mr. Patrick instructed the chair to prepare the notices with help of addresses

- #21 **X** Referral to county pursuant to GML-239 m (see attached)

- #22 A **public hearing** will be required for any subdivision [merging / lot line adjustments]
- #23 **X** A **Village Zoning Board of Appeals Public Hearing and Review** has been scheduled for **June 25**

- #24 **Survey, Details, Plans to be sealed**

V. OLD BUSINESS

1. Village ASH Tree Survey **FOR EAB (Agrilus planipennis or Agrilus marcopoli) using NYS Heritage Program iMapInvasives** Request for supply of 2 Garmin eTrex Venture HC GPS Receiver units made] **Chair to attempt to consider recommendations of (1/7/15) CAPMO PRISM Task Force** where local governments are now encouraged to conduct surveys of their Ash trees and alerting landowners to the threat of Emerald Ash Borer
2. **Review/ Update Planning Board Bylaws**

VI. NEW BUSINESS

1. **Respond to the Village Board's [Trustee Bill Hayes] request of to UPDATE PLANNING AND ZONING WEBSITE in 2015(?).**

VII. CHAIR's REVIEW OF CORRESPONDANCE / Resources

1. Various E-Mails, Calls
2. Planning Commissioner's Journal
All content on PlannersWeb.com is now free membership is no longer required. Check out the hundreds of articles on a wide range of planning topics -- especially aimed at the citizen planner.
3. DFL_in receipt of Village Board Meeting Minutes
4. **Minutes of June 25, 2015 ZBA**
5. **Internet Resources:**
[DOS Opinion-explanation on Alternates](#)
[Guide to Planning and Zoning Laws of New York State](#) [p.91-140]
South Glens Falls [Village Code Chapters \[153-35 Amendments authorized](#)
Saratoga County Map-Viewer <http://www.maphost.com/saratoga/>
NYS Local Gov. Handbook [NYS Local Government Handbook](#)
Site Plan Reviews Pursuant to sections 7-718 of the Village Law
Local Gov. and School Accountability [Local Accountability / Gov. & Schools](#)
Governor's Initiative <http://cutpropertytaxes.ny.gov/>

VIII. REVIEW FUTURE AGENDA ITEMS - ANNOUNCEMENT for next Planning Board scheduled for **Wednesday October 14th, 2015.**
Submittal Deadline is Wednesday September 16th, 2015.

IX. REQUEST OF CHAIR FOR MOTION TO ADJOURN

Gayle Osborn moved to adjourn the meeting and **T.J. Wade seconded** and the motion passed unanimously. The meeting was adjourned at **8:01 P.M.**

David F. Linehan

David F. Linehan, Chairman
For: SGF Village Planning Board

Attachment

DRAFT

Chair's Comments / questions prior to ZBA decision and a Preliminary Site Plan
Review of a listed Special Use in District C
CUMBERLAND FARMS INC. (CFI)
September 9, 2015

NOTE: Cumberland Farms, Inc. listed use - Convenience Store Filling Station requires a Special Use Permit to be granted by the Village of S. Glens Falls Zoning Board of Appeals (ZBA) Pursuant to Village Code Chapter 153-9

Questions / comments of the Village prior to ZBA's reconvening of its review and actions to grant or deny a Special use and subsequent Site Plan Review of the S. G. F. Planning Board.

- (1) Village Code § 153-17 E. Additional requirements... (1) Location of exits and entrances. No filling station, commercial parking area or garage for 25 or more motor vehicles shall have an entrance or exit for vehicles within 200 feet of a school, public playground, church, hospital, public library or adult- or child-care facility located on the same side of the street, except where such property is in another block or on another street on which the lot does not abut. Such access shall not be closer than 50 feet to the intersection of any two streets.

Why?

- (2) There is no equivalent language in the code that prohibits schools, public playgrounds, churches, hospital, public library or adult- or child-care facilities from locating within 200 feet of a filling station.

Why?

- (3) Currently the Old Town Hall remains vacant.

Would the Code Enforcement officer / Zoning board allow for uses and its accessory use as enumerated in Village Code § 153-17 E. at that site in close proximity to the proposed filling station ?

- (4) The proposed Cumberland Farm Project involves 2 tax map parcels *Map 37.54, Block 1, Lot 15.11 and Lot 15.3*. Current plans dated 8.25.15 limits disturbance to a portion of lot 15.3 and where asphalt pavement is to remain suggesting its continued use as parking. It has been mentioned that parking on that parcel be uses as accessory parking for the Town Hall building parcel.

Will Cumberland Farms employees park in the area currently being used for parking on the corner of Fifth and Main?

Does Cumberland Farm policy allow for “shared parking” on its properties?

- (5) The existing pavement - that is to remain undisturbed – is generally in disrepair, pitches from north to south away from a planned detention area.
- (6) A layout for parking use on that - including its design for grading and drainage has never been reviewed on that site.

Should Cumberland Farms include the remaining portion of *Lot 15.3* for a more comprehensive improvement plan [grading, drainage and landscape (street tree)] for the tax parcel(s)?

- (7) Should the ZBA ask to maintain access along 5th street and consider curb improvements adjacent to its parcel along 5th street?
- (8) In BPSRlaw letter of April 16, 2015 specific details are summarized. It states that proposed gas [filling] use has been designed with new, state-of-the-art storage tanks, monitoring systems, and other user and environmental safeguards. Given that not all vehicles or their operators are the same when dispensing flammable material at self-serve pumps.

How will safeguards of spills or fire hazards be ensured?

Will the ZBA request comments from the SGF Fire Department and Rescue on CFI's Plans?

Will CFI have 2 or three employees on duty for each shift?

What are the shift hours?

Will all CFI employees be knowledgeable of the state-of the art monitoring systems and means of contacting responders to assist in user or environmental accidents?



**Department of
Transportation**

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

SAM ZHOU, P.E.
Regional Director

August 21, 2015

Ms. Wendy C. Holsberger, P.E., PTOE
Creighton Manning Engineering, LLP
2 Winners Circle
Albany, N.Y. 12205

Re: Cumberland Farms
NY Route 9
Village of South Glens Falls
Saratoga County

Dear Ms. Holsberger:

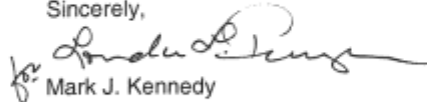
We have reviewed the Traffic Impact Study (TIS) for the subject project submitted with your June 16, 2015 letter and offer the following comments:

- 1) The methodology, content and analysis of the TIS seem reasonable. We agree with the recommendation of the study that the existing dirt road connection to Hudson Avenue be reconstructed as a paved full access driveway. We also agree with the conclusion of the study that the proposed development will not have a significant impact on the surrounding roadway system.
- 2) The use of the shared access with the adjacent McDonalds and the construction of a more formal connection to Hudson Street as an alternative point of access all exemplify good access management practices.
- 3) We see an operational benefit to the proposed right-out driveway on Route 9 to accommodate northbound vehicles exiting the site.
- 4) The distance between the shared driveway and the right-in driveway on Route 9 does not meet the Departments minimum spacing standard of 75'. Justification for the need for this right-in driveway must be provided for our review as well as a letter from the Village of South Glens Falls to the Department supporting the right-in driveway at this location and requesting an exception to our spacing standard.



If you have any questions or would like to discuss this further, please contact Lorinda Tennyson at 457-5283.

Sincerely,


for Mark J. Kennedy
Regional Traffic Engineer

cc: D. Rose, Saratoga County Resident Engineer
J. Patricke, Village of South Glens Falls



Department of
Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

SAM ZHOU, P.E.
Regional Director

September 9, 2015

Ms. Wendy C. Holsberger, P.E., PTOE
Creighton Manning Engineering, LLP
2 Winners Circle
Albany, N.Y. 12205

Re: Cumberland Farms
NY Route 9
Village of South Glens Falls
Saratoga County

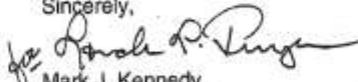
Dear Ms. Holsberger:

We have reviewed the revised plan (dated August 25, 2015) and additional information provided in your September 8, 2015 email which is attached. Based on the justification for site circulation and revisions to the proposed right-in/right-out driveway which now meets the Departments spacing requirements, we have no objection to the proposed access configuration as shown on the revised plan.

A PERM33-COM and construction level detailed plans must be provided for our review and approval to progress the NYSDOT highway work permit review process.

If you have any questions or would like to discuss this further, please contact Lorinda Tennyson at 457-5283.

Sincerely,


Mark J. Kennedy
Regional Traffic Engineer

cc: D. Rose, Saratoga County Resident Engineer
J. Patricke, Village of South Glens Falls
M. Wieszchowski, Greenman-Pedersen, Inc.