

**VILLAGE OF SOUTH GLENS FALLS  
PLANNING BOARD**

**DRAFT pdf PRESENTATION OF**

**Meeting Minutes**

For

Wednesday **October 14, 2015**

**MEMBERS IN ATTENDANCE**

David Linehan, Chairman  
Nick Bodkin  
Debbie Fitzgibbon  
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  
Michael Muller – Village Attorney  
Joe Patricke – Code Enforcement  
Garry Robinson, Village Consultant  
Joe Orlow – Mayor  
Pam Dragon

**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 (**September 9**) meeting minutes. **Gayle Osborn moved** to approve **September 9** meeting minutes; **Nick Bodkin 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

September 9 Minutes approved unanimously

Matters regarding the comprehensive plan:	<b>SEE: OLD BUSINESS</b>
Matters regarding capital improvements to: <u>Commercial Use Property</u>  Dwelling, Multiple Family /Residential Use Property Industrial Use Property	<b>Preliminary [FINAL] 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</b>
Matters regarding subdivision of land:	
Matters regarding zoning of land:	
Matters regarding other reviews or actions:	<b>DRAFT AMENDMENTS TO PB</b>

**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
<b>Matters regarding capital improvements to:</b> <b><u>Commercial Use Property</u></b>  Dwelling, Multiple Family /Residential Use Property Industrial Use Property	<b>Application for convenient store and gas station for lot designation 37.54-1-15.11 and 37.54-1-15.3</b> (Payments received May 22 and a revised maps delivered June 3, August 25, September 30)
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. suggesting the evening’s Cumberland’s Farm review and submittal this evening gets us one step closer to final action.**

The reported referrals to all interested and involved agencies pursuant to SEQR had been made by Mr. Patricke. The chair asked Mr. Patricke if any agencies have responded. Mr. Patrick stated one agency had responded and had no problem with the planning board being lead agency. There were no other responses from the remaining referrals within the 30 day period.

**The chair then turned to the matter of answering Part 2 - Impact Assessment of the Short Environmental Assessment Form.** He noted that the Cumberland Farms site plan review was classified as an unlisted action - a commercial business with over 4000 ft.<sup>2</sup> of floor space.

SEE: Part II - answers attached

NOTE: Question five (5) *Will the proposed action result in an adverse change in the existing level of traffic or affect infrastructure for mass transit, bike way or walkway?* ...generated additional discussion when the chair commented that the current level of service (LOS) of vehicular traffic along NYS Rte. N between Fifth and River streets was already at the lowest level of service. After discussion and recognition of the completion of the through / shared driveway to Hudson Avenue which will service these sites, an adequate alternative for traffic safety- provided by the traffic lights at Fifth, Third or River streets the planning board members that additional adverse effects had been mitigated to the extent possible.

**Debbie Fitzgibbon moved** for the record that all boxes to questions of the *Short Environmental Assessment Form Part 2* concerning the proposed action were answered as having none or small impacts that may occur. **T J. Wade seconded** and the motion passed unanimously.

*Part 2 the Short Environmental Assessment Form completed.*

The chairman then turned to **Part 3 of the Environmental Assessment Form Determination of Significance**

**The planning board having found that matters concerning environmental impacts would be small or none** – for plans dated 9/29/15 to improve **tax map parcels 37.54 – 1 – 15.11 and 15.3** that consider construction of a filling station and convenience store are sufficient so as to determine the environmental impact will not be significant.

Plans for the vacant lots include the completion and maintenance of a shared drive that will access onto Hudson Avenue allowing patrons of adjacent commercial businesses to seek alternate routes to the safety of traffic lights along Route 9 corridor during peak hours. Proposed plans include improved streetscape – new curbs and trees – along Hudson Avenue and a stormwater management system that meet current standard of the NYS DEC Stormwater Management Design Manual.

**Debbie Fitzgibbon moved** - for the record – to check the box indicating that the planning board has determined, based on the information and analysis above and all supporting documentation / inclusive plans submitted and dated 9/29/15, and that the proposed action will not result in any significant adverse environmental impacts. **Gayle Osborn seconded and the motion passed unanimously**. [Chair’s signed Copy of form attached.]

*Part 3 the Short Environmental Assessment Form completed.*

The Chair asked the applicant [in absence of Mark Nadolny – Creighton Manning (CME)] - if in the future - a review of traffic accident reports indicated that the level of accidents had increased between 5<sup>th</sup> and 3<sup>rd</sup> [none have occurred since recent paving and lane configuration improvements]; would Cumberland Farms consider a recommendation of NYS DOT or consultants to limit the shared driveway exit onto Rte. 9 with right turns only? The answer was no. The chair reported that - in the beginning when the Joy Store parcel was first subdivided - a recommendation had been made with a ‘right turn exit only’ configuration in mind. [SEE: NOV. 13, 2002 FAX TRANSMITTAL from Mark Kennedy] The chair recognized that - if need be for safety in the future - all parties would need to be in agreement.

Chair shared continued concerns of traffic safety

**The Chair then turned to the site plan review check list** citing that the September and its included check list items that had been completed /satisfied. The chair noted that the SEQRA box above in the check list concerning classification and determination of significance for this unlisted action could now be checked.

**Final Review? of Check list**

**The chair asked Jim Gillespie, Bohler Engineering to update check list items #5 and subsequently #16 and #19.**

Jim Gillespie reviewed DEC’s two management requirements for stormwater. 1. Water quality requirement and 2. Runoff volume reduction requirement. He explained that the first step is to select a practice that meets both pollutant removal and runoff volume requirements. Jim explained that 90% rule as 90% of pollutants found in each area of NY state found in the

volume of stormwater. [?] [SEE: Chapter 4 unified storm water sizing criteria Fig4.1] He explained that there are only 3 standards for the relatively new runoff reduction standards for treatment. There is infiltration, bio retention, and dry swales. Infiltration is not allowed from hot spots. Gas stations are considered a hot spot so there is another level of requirements that go along with the hotspot - although certain drainage areas of the gas station / convenient store not associated with the fueling deliveries or service would not be considered a hot spot. Jim identified those small areas on the plan – one out front underground and a small depressed area in back that is grassed - stating that they were designed conservatively soils will perk and will be dry and not wet basin. The remaining areas have to be treated in what is called a bio retention area. That includes a pretreatment area- a large structure of pipes that will not be seen and allowing sediment to settle out. This new plan has a smaller depressed area that would retain a maximum of 6 inches of water and have trees and shrubs surrounding it. Plants are a required element. The plan is also different in that it has made 200 linear foot of infiltration trench compared to the first plan that had a second basin. The second basin was eliminated due to the reduction of stormwater runoff from the substantial amount of pavement of the existing parking area that was eliminated. The basin now has a walkable 1:4 slope that will be landscaped. The area will be fenced.

**The chair reported he had been in contact with Blue R. Neils [CMS4S, CPESC Saratoga County ISWM Program] to discuss a possible variance in use of plants for a basin such as turf so that the area could be used for other purposes.** The chair did not hear back prior to the meeting. **The chair suggested that plants selected for slope would not live unless they were to be irrigated. Jim stated that it is irrigated along entire frontage along the slopes.** [SEE: sheet 13 for bio-retention plants] [See Sheet 10 shaded area-limits to irrigation] The chair desired to see more (four) shade trees at 25 foot distance rather than the 50 foot distances between trees shown possibly new forms of elm or the standard native red maple along Hudson Avenue **and not** the columnar form of native red maple currently selected. The chair OK with columnar form at entrance / sign planting area.

[SEE Cornell for recommended plants: <http://www.hort.cornell.edu/uhi/RecommendedTrees>

[Woody shrubs for stormwater retention pdf](#) ]

Joe Patricke and Garry Robinson would review efficiency of Stormwater management that addressed plant use of storm water /soil in their report.

**Gayle Osborn asked** about invasiveness of certain plants. Jim Gillespie responded that the plants selected were from the D EC list of plants. [SEE sheet 13 for bio-retention plants]

**The chair asked Stefanie DiLallo Bitter about the technical matter / need of holding a public hearing for the “subdivision” / merging of parcels and subsequent lot line change. Stefanie** agreed to hold a hearing consistent with village law. **Joe Patricke agreed.**

**TJ Wade moved to hold a public hearing on THURSDAY November 12<sup>th</sup> at 7:05 PM for the merging of tax map parcels 37.54-1-15.11 and 37.54-1-15.3 Debbie Fitzgibbon seconded and the motion passed unanimously.**

**Nick Bodkin questioned Mr. Gillespie about the proposed fence along Hudson Avenue** as to why it stopped before ending at the property. Mr. Gillespie explained that he had substituted thick row of evergreens as a buffer instead of the fence. The planning board was recommending a continuation of the fence to keep out light traffic /short cuts (?)

**Nick Bodkin also asked about relative condition of sidewalk and whether there would be a continuation of improvements to sidewalk and curbs along 5th St., adjacent to the property? Mr. Patricke would inspect before the next meeting.**

The public hearing scheduled for project subdivision / merging of tax map parcels

Question of improvements along 5<sup>th</sup> street questioned Mr. Patricke to inspect 5th Street

**Chair's COMPOSIT CHECK LIST June 10 / September 9 / October 14 site plan review**

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

- #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 B. asked** about 3 evergreens currently blocking drive. A demolition plan or notes ~~to be~~ provided.  
**Stormwater area will not be snow storage area. Plans to be Reviewed and reported on by Robinson and Patricke.**

- #6 a.     **X SEE: Preliminary PLAN**
- #6 b.     **X** 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 3<sup>rd</sup> 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 affirmatively.(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](mailto:afrankenfeld@agftc.org)]  
**Thomas Wade noted** the 2002 study [- the Chair
  
- #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      **X** Location design and construction details, **to be Reviewed by Robinson and Patricke**
  
- #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 submitted **Gayle Osborn asked** about details **Jim Gillespie Responded it would be LED lighting**
- #18  Designation of the percent of building area
- #19  General landscaping plan and planting schedule; 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  Referral to county pursuant to GML-239 m (see attached)
- #22  A **public hearing** will be required for any subdivision [merging / lot line adjustments] **A Public hearing scheduled for Nov. 12 at 7:05 p.m.**
- #23  A **Village Zoning Board of Appeals Public Hearing and Review** had been scheduled for **June 25**
- #24  Survey, Details, Plans to be **reviewed by Joe Patricke and Garry Robinson and 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

## VI. NEW BUSINESS

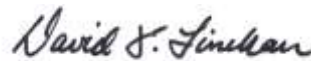
1. Respond to the Village Board's [Trustee Bill Hayes] request of to **UPDATE PLANNING AND ZONING WEBSITE in 2015(?).** Update Village Zoning Codes and Planning Policy pursuant to the most recent comprehensive plan.

**VII. CHAIR's REVIEW OF CORRESPONDANCE / Resources**

1. Various E-Mails, Calls
2. Planning Commissioner's Journal  
All content on [PlannersWeb.com](http://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 November 12, 2015.**  
**Submittal Deadline is Wednesday October 21<sup>th</sup>, 2015.**

**IX. REQUEST OF CHAIR FOR MOTION TO ADJOURN**  
**Debbie Fitzgibbon moved** to adjourn the meeting and **Nick Bodkin seconded** and the motion passed unanimously. The meeting was adjourned at **7:50 P.M.**



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