

Town of Waterford
Planning Board
65 Broad Street
Waterford, NY 12188

Minutes of July 31, 2023

A Special Planning Board Meeting was held on July 31st. At 7:30 PM, attendance was taken. Chairman Woodin and members Peter Fletcher, Harriett Fusco and Paul Henry were present. Member Robert Lefebvre, Alternate Member Brian Brusco, and Consultant Nan Stolzenburg were absent. Attorney John Dowd was also present.

The meeting was dedicated to reviewing the site plan for 36 Bells Lane. Douglas Stone and Matt Ciprioni of D&M Enterprises of NY LCC received approval on July 17th to subdivide a 9.96 acre parcel on Bells Lane into two lots. The parcel currently contains two homes. A new one-acre parcel with a two-story Colonial style home was created at the east end of the property. The second lot will contain the remaining acreage and a small house located at the western end of the property. The minor subdivision is a prelude to a site plan review that will involve the creation of eight large storage building (150' x 50') containing six storage units (25' x 50' each) for a total of 48 storage units.

Matt Bond of Barber Engineering gave the Board an overview of the site plan. In addition to the 48 storage units, the house on the new one-acre parcel will be sold while the house and out buildings at the western end of the parcel will be torn down.

Two residents attended the meeting. One was Keramatullah Mayar of 27 Bells Lane. The other was John Keefe, a resident of the Village who owns property at the terminus of Bells Lane.

The majority of the meeting was spent discussing point by point Nan Stolzenburg's July 26th Site Plan Review letter. The following are the comments and the outcome of each comment. The response to each specific comment is in bold, italicized font.

Comments Related to Waterford's Site Plan Review Checklist Items

1. Item (6) is not complete. Full site plan submittals need to show the design, type of construction and exterior dimensions of the proposed buildings. Currently, we have only building square footages, and no details on design or type of construction. ***Submitted***

2. Item (7): It is unclear from these plans if the traffic circulation between buildings will be one way or two way. ***Two-way*** I recommend that this be determined and if one way, circulation markings on the pavement be added to show the traffic

pattern desired. If two way, signs indicating two way traffic should be added to alert pedestrians and other vehicles.

a. 161-30 prefers parking to the rear or side but allows parking in the front, as shown on this site plan, with screening and landscaping. This should be provided for. See also comments below related to landscaping. **May use arborvitae.**

b. As per 161-30 (A) (3) (g) requires that all parking lots be designed to meet requirements of the ADA. I recognize this is not a public parking lot, but it is feasible that some renter of the storage may need ADA parking. I recommend at least one of those spots be ADA designed.

c. 161-60 (D) indicates that 1 parking spot for each 1,000 sf of building is required for storage uses. For the 60,000 sf of building they have, that translates into 60 parking spots. They have proposed **24 24 (typo)** spots. For this application, 60 spots seem unneeded, but we do need to recognize that the zoning has a specific requirement. 161-30 (A) (1) does indicate that the Planning Board can establish parking requirements in specific cases to meet 85% of the peak parking demand, and that the number of parking spots should be the minimum necessary to serve the intended use. This should be discussed with the applicant, and if the Planning Board finds that the **24 24** spaces are adequate, this decision should be memorialized in your approval resolution. **Add to condition of approval.** Otherwise, additional parking would need to be added to meet zoning requirements or an area variance sought. **Agree that 24 spaces will be adequate as some vehicles will park inside and not every renter will be coming to the site at daily peak hours. Some renters may use the space for long term storage of boats and autos, while others may store equipment, vehicles and supplies that are used daily by tradesmen.**

3. Item (8): I note that there are several places showing parking spaces. I assume then, that people will walk from their parking spot to a building. As per (8), there are no provisions for pedestrian access. In this proposal, I am not sure there needs to be, but the Planning Board should determine this and work with the applicant to ensure pedestrian safety – that is people who are walking in the vehicle travel lanes to get to their storage bay. **No need, very low volume at low speed.**

4. Item (9): Plans do not show any location for snow storage. This should be noted. Plans do not show any dumpster or trash receptacle areas. Dumpster(s) may not be desired or needed, but this should be discussed, and shown on the plans if needed. **Carry-in, carry-out.**

5. The Planning Board should confirm that these are storage areas only, and that no work will be done within these areas. This should be made part of the approval conditions. **Add to condition of approval.**
6. Item (10): The site plans do not show the design and construction materials of all site improvements. In particular, it appears that fencing is proposed around the home site to be demolished, and around the stormwater management facility.
 - a. What kind of fence, what design, and what details? These should be shown on the details page. **See C130**
 - b. Why is there a fence proposed around the house to be demolished? Is this a temporary fence? If not temporary, what purpose does it serve?
Temporary fencing during demolition.
7. Item (11): The earlier communication with the applicant indicated that they plan on using 'porta lisas' for waste collection and treatment. The location, size, and design of these need to be shown. These do not show up anywhere on the site plans. Location(s) for those features need to be added. Further, I recommend that the applicant provide narrative on how these are to be maintained and by whom, and that conditions of approval reiterate this maintenance as required conditions.
Restrooms are a convenience and not a requirement. The Porta Johns or Lisas would be self-contained. The applicant is withdrawing the use of these waste collection units.
8. Item (12): There are no waterlines shown. Will there be any water provided anywhere? For the porta lisa's? For connecting hoses, or exterior? **None provided** Is it permissible from DOH to have a commercial facility like this without potable water available? **Yes, applicant checked this out.** Details should be provided, or narrative from applicant explaining this. **The units are dry with minimum heat and no A/C.**
9. Item (13): One fire hydrant is shown. **Working with Water Dept. It can be placed wherever needed.** I recommend confirming with the local fire department to ensure that they can get trucks to the rear of the facilities in case of fire. **Can make it.** There are no fire or other emergency zones depicted on the site plans. **Bells Lane is a designated truck access highway for 53' trailers up to the railroad tracks. If either D & M or Just Tanx wants these longer trailers on Bells Lane, they will need to apply to NYSDOT.**
10. Item (14): The site plans do not show electrical connections on-site. **Will Update on C110**

- 11.** Item (15): There is no sign proposed or shown. Confirm if a sign is planned. If one is, the location needs to be shown on the site plan, and then details for the sign design, consistent with 161-31 provided. **Will propose a sign.**
- 12.** Item (16): There are no buffer areas specifically identified. There is no existing vegetation on the parcel to be maintained, but the Planning Board should evaluate whether other buffers are needed. **Plenty of buffer in rear.**
13. Item (17): There are no plans or locations shown for any lighting. A full lighting plan showing all exterior lights on poles and mounted on buildings should be provided for, along with style and bulb. All lighting fixtures should be fully shielded and dark sky compliant. **No light poles. Lighting will be downward, shielded wall packs and dark skies compliant.**
- 14.** Item (19): No landscaping Plan is provided for. A full application will need a landscaping plan. This includes landscaping around a sign, if one is to be placed, and landscaping to screen the front parking areas and to provide for aesthetic improvement and shading. I recommend at least some street trees between the pavement and Bells Lane, and some foundation plantings for the fronts of the street facing buildings. Landscaping in the front is required for commercial buildings in Waterford. The Plan should also identify how the swales and grass areas are to be maintained. **There is a swale along the road to carry drainage and there is not enough room for trees. They will do a draft plan. Mowing will be done at regular intervals.**
- 15.** Item (20): The applicant needs to provide a narrative outlining the construction schedule as this item requires. **Will add.**
- 16.** Item (21 and 22): The Planning Board does not have a list of other entities that may have to give approvals. This is at least DEC with filing the NOI for the SWPPP, but there may be others related to the porta lisa's and water. The applicant needs to provide a list of other permits they may need. **DEC for construction disturbance and Water department for hydrant installation.**
- 17.** Item (23): No SEQR EAF has been provided. I would assume this is an Unlisted Action so a Short EAF could be filled out. However, the Planning Board has the option to require a Full EAF if you feel you need the additional information. A SEAF Part I would be sufficient for the full application to be submitted. **Updated version was provided. PB confirmed next day that it was received.**

18. Item (24): The project site is within the Town's LWRP area. The applicant should fill out the Waterfront Consistency Form, and then the Planning Board should review the LWRP Consistency Review Checklist. **Will do.**

19. Item (25): The applicant should confirm that this area is not in any historic district. **Verified by OPHRH. It is not a historic area.**

Other items:

- 1.** The Manufacturing District requires 35% greenspace. The site plan should indicate where this will be and ensure that future building will not impinge upon this. **Will update chart.**
- 2.** The plans note a vegetated swale between the buildings. What will this be and how will it be maintained? **Roof gutters will drain into vegetative swale and then water will drain from swale.**
- 3.** There are no legends shown on the site plan sheets. Please add a legend to all sheets. Note that C-130 does show fencing, but not included in the legend or described or detailed. **G001 has legend sheet for all.**
- 4.** There does appear to be some sort of feature shown around the disturbed area. Without the legend it is hard to know what that is. **Applicant needs to clarify. There is temporary perimeter protection re: silt fence or perimeter berm. DEC approved. See C 500. The Chairman will check with the Building Inspector re: parking for access around the back of the building.**
- 5.** I recommend that the Town retain an engineer to review the SWPPP. **In the past few years, when we had a disturbance greater than one acre, (Krug property on Fonda Road) we had the applicant's engineer certify the SWWP. Mentioned this to the applicant's engineer as a possibility.**

After the point by point review of the consultant's letter, there was an extensive discussion regarding the reconstruction of Bells Lane. Attorney John Dowd laid out a plan of action to be undertaken. It would require that easements be obtained for both the existing roadway and any widening areas. The existing road is entirely on private property and by having easements granted, this would eliminate liability to the various property owners. In areas where the road is to be expanded, easements would also be needed. The applicants will work with the neighbors to obtain easements and the Town Attorney will process the legal work needed. Town Board approval will eventually be required to accept the easements. Mr. Mayar and Mr. Keefe also addressed the Board and applicant with questions on how the road reconstruction would affect them. Mr. Keefe

told the Board that his deed said that Bells Lane was a prescriptive easement and not a Town ROW. He also used the term “right of passage” is provided.

A public hearing was set for Monday, August 14th at 7:35 PM. Motioned by Mr. Woodin and 2nd by Ms. Fusco. It was approved 4 – 0.

The Planning Board approved a resolution to be lead agency for the SEQR review. Motioned by Mr. Woodin and 2nd by Ms. Fusco. It was approved 4 – 0.

At 9:08 PM, Woodin motioned to adjourn, 2nd by Fusco.