

Town of Milton

Building/Zoning/Planning Department
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PLANNING BOARD MINUTES

7:00 pm December 16, 2020

Town Hall 503 Geysers Rd

Present:

Chairman Bartow

Mr. Marsicano

Mr. Collins

Ms. VanDeinse-Perez

Ms. Stevens

Mr. Whittel

Ms. Padula

Also Present:

Planning Official: William Lewis

Town Engineer: Joel Bianchi

Planning Board Attorney: Mr. Keniry

Chairman Bartow: Good evening and welcome to the September meeting of the Town of Milton Planning Board. Ms. Blanchard would you please call the attendance of the Board. I

would also note that we have in attendance our Engineer Joel Bianchi and Director of Planning and Codes Bill Lewis and our Deputy Clerk Amanda Zawada.

Chairman Bartow: We will start this evening with a Pledge to the Flag.

Pledge to the Flag

Pledge led by Chairman Bartow

Chairman announcement(s)

Chairman Bartow: For this evening meeting we are continuing our hybrid arrangement with both in-person attendance of the Board, staff, project applicants and some public while we are also Zooming the meeting. It is my pleasure to announce that at the December 9th Town Board meeting Nancy Padula was appointed as a full member of the Planning Board to complete the term of Marco Bianchi who had to resign from the Board due to personal reasons. Nancy welcome and we appreciate your attending this evening remotely.

Chairman Bartow: We have a couple opportunities for the public to interface with us this evening and I would ask that if you are Zooming with us and want to make a public comment please use the hand wave feature and alert us to your interest in commenting. You may also use the Q&A feature and submit a question; however, we will not accept anonymous questions, please submit your name with your question.

Chairman Bartow: If you have dialed in on the phone feature of Zoom and would like to make a comment, please call Bill Lewis at 518-884-2764 or text Bill at 518-376-1831 and provide him your name and interest in making a comment. He will alert me to a comment, and we can unmute your phone.

Chairman Bartow: As with our usual comment protocol we request that you announce yourself, state your address and then present your comments in 3 minutes or less.

Chairman Bartow: On December 11th I emailed Supervisor Zlotnick and Councilwoman Kerr regarding pending appointments to the Planning Board for the Alternate Member and for the expiring term of John Whittle. I also inquired about continuing education for Board members in 2021. I recommended that the Town Board consider waiving the mandatory continuing education for 2021 since the opportunities for training are impacted due to COVID-19. I have not heard back from them yet but will let you know when I do.

Chairman Bartow: That concludes my comments, does anyone from the Board have any questions or comments currently?

Minutes approval for October 21, 2020 Planning Board Meeting

Chairman Bartow: Everyone should have the minutes from our October 21st Board meeting.

Motion to approve October 21, 2020 Planning Board minutes made by Ms. Stevens, 2nd by Mr. Whittel, Mr. Marsicano-yes; Ms. Padula-yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens-yes; Mr. Whittel-yes; Chairman Bartow-yes.

Minutes approval for October 30, 2020 Special Planning Board Meeting

Chairman Bartow: Everyone should have the minutes from our October 30th Board meeting.

Motion to approve October 30, 2020 Minutes made by Mr. Whittel, 2nd Mr. Marsicano. Mr. Marsicano-yes; Ms. Padula-yes; Mr. Collins-abstain; Ms. VanDeinse-yes; Ms. Stevens-yes; Mr. Whittel-yes; Chairman Bartow-yes.

Public Comment

Chairman Bartow: At this point we will open the meeting to comments from the public. Again, I would ask that if you are Zooming with us and want to make a public comment please use the hand wave feature or submit via the Q&A button and alert us to your interest in commenting. If you have dialed in on the phone and would like to make a comment, please call Bill Lewis at 518-884-2764 or text Bill at 518-376-1831 and provide him your name and interest in making a comment.

No Public Comment – closed Public Comment Section at 7:8 pm

Site Plan Review and SUP Application for Rowland St. LLC- 352 Rowland St 190.10-1-

1.1

Chairman Bartow: This evening we start our first review of the proposed Site Plan and possible Special Use Permit for a commercial retail project at 352 Rowland St. The project is for a proposed NAPA retail store and an accessory retail outlet on the same premise. I would note that Bill Lewis and I met with Mike Munter and Jeff shore on this project on November 20th and I met with them again on December 4th. This project builds off an original proposal for a strip mall on the same site approved in 2016. That project filed by Mr. Pfiel was never started and this represents a change and contingency on the sale of the property.

Chairman Bartow: Everyone should have before them for review the following:

1. Site Plan Review Application dated 12/2/20
2. Special Use Permit application dated 12/2/20
3. Preliminary Concept Plan dated 11/2020
4. Sketch Plan map dated 12/1/20

5. Layout Plan map dated 12/1/20
6. Proposed Floor Plan dated 11/30/20
7. Proposed Elevations Plan dated 12/2/20
8. Revised Site Plan Checklist that I shared with Mike Munter and Jeff Shore following our 12/4 meeting to summarize what I felt was necessary for site plan review.
9. SEAF Part 1 undated but received 12/4/20
10. Site Plan dated 11/30/16
11. Site Plan Application and SEAF dated 12/29/15
12. SWPPP dated 12/30/15
13. MJ Engineering Review #1 letter dated 12/16/20

Chairman Bartow: Regarding SEQRA the applicant has provided us with a SEAF Part 1 for consideration. The project is an Unlisted Action. I will entertain a Motion for the Milton Planning Board to serve as lead agency for this proposal.

Motion for the Milton Planning Board to serve as lead agency for this proposal made by Mr. Whittel, 2nd by Mr. Collins. Mr. Whittel, Mr. Marsicano-yes; Ms. Padula-yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens-yes; Mr. Whittel-yes; Chairman Bartow-yes.

Chairman Bartow: Given the outstanding information on this project we cannot complete the Determination of Significance so we will look to that in January.

Mr. Munter and Mr. Shorr, would you please present the project to us?

Mr. Shorr: We own the Napa store in Ballston Spa and the Napa Auto Parts store in Saratoga as well as a store in Queensbury. We surveyed the site at 352 Rowland St which we believe would be a good home for the store. We would like to move our store from the Town of Ballston to the Town of Milton. Our business serves a lot of the business in the community. To help us do that, we have hired the services of Munter Enterprises.

Mr. Munter: I am representing Jeff Shorr and Napa. We are here to seek 're-approval'. This Board previously approved this site in 2016. The project was 11,600 sq ft retail facility with potential for nine (9) tenants. The original plan looked like this and we wanted to stay with the original design and concept. With that, we have to make some adjustments to meet the needs of Mr. Shorr's building use and what the layout would be. We have the same site layout and traffic and parking strategy. However, parking used to be on the North side of property, and we have moved it more central to allow traffic flow around the building. He does get deliveries from 18-wheelers. He has 12-15 employees and 8-10 service carrier vehicles delivering parts to garages and customers. We understand the Town Center guidelines. There is a large utility easement by National Grid. We kept the building in line with the outline of the street. He was previously approved for 133,150 sq. ft. We were able to make the impervious blacktop area smaller. We are not disturbing any further area than

we were the first time. We are still requesting a general retail use but shifted it to be more in line with the needs and what is operational. We previously had approved 45,860 sq. ft of blacktop. We currently have 45,250 sq ft. The building was 11,700 sq ft and now is 15,500 sq ft. We show some bank parking at this time which we don't feel we need to build. It shows now if down the road, we saw the need for that parking. It shows the site can handle that area.

Mr. Munter. We have a customer entrance on the south side. There are a lot of windows for offices and retail space. The entrance is tucked in the corner. The windows lend nicely to feel like an open environment. On the East end of the building we have about a 3,000 sq ft space allocated for a tenant. At this current space is about 12,000 sq ft. We thought it was wise to give the applicant something to grow into so in the interim he could use that for a tenant. The building has a variety of materials on it. We have some horizontal clapboard type materials. We are also considering a metallic project for longevity of the paint. We are using some of the different heights on the façade to give character to the building and also to shield the equipment that would be on the roof. Our intent is to stay about the same as what was approved in 2016. We are sticking with the same landscaping, lighting, and streetscape. We are not changing anything else that was approved other than the configuration and the shape of the building. We recognize that we will have to provide some engineering to show the stormwater and grading works on this site. We feel the underground stormwater chambers will be more than adequate for what we have here. We have screening against the back. A fence that was proposed will still be in play. We plan to stick with the same monument type sign with a sign permit. We are not asking to change anything other than the configuration, of what was already approved in 2016. I had a chance to read the comments from MJ Engineering. At this time, I would like to rescind, on the Special Use Permit, the gasoline and service station. We do not want to add anything that will hinder your thoughts on how this property is used. That was not our intent.

Chairman Bartow: You would only have to take off would be fast food, drive thru and gas station and personal service. You had talked about adding a hairdresser in there and that wouldn't require a SUP. We need to know more of what you would be putting in there.

Mr. Munter: The traffic flow wouldn't be much different than what was approved. It is one major tenant and one small tenant. The traffic will be less and more uniformed. The business is usually opened from 8am-6pm. The deliveries come in after general business hours. The road around the building was put there to help with the trucks and emergency vehicles.

Mr. Bianchi: We issued our letter this morning. I think any response should be in writing. Once we have that, we can assist the Board in completing part 2 of the SEQRA and helping with the findings of SEQRA. On the Site Plans and the Stormwater, the applicant has recognized it is an amendment to a previously approved project, but they will need to produce detailed plans that reflect those changes. They will have to update the stormwater

plans, the SWPPP, to reflect the current project proposal to account for some minor stormwater changes that have occurred since 2016 and are in effect in 2020.

Chairman Bartow: On the checklist that I have given the applicant, item number 5, I will revise that checklist and make sure you get a copy.

Chairman Bartow: Will they need a general permit from DEC for the stormwater?

Mr. Bianchi: Yes, from my understanding, they never sought coverage under the 2016 SWPPP. They would need to do a new SWPPP under the new regulations and seek coverage under the new permit.

Mr. Munter: We will update the grading plans, get a new SWPPP, detail the landscaping and lighting and move forward with the parcel.

Mr. Bianchi: Get approvals in place, relative to water and sewer, because the Town does not control that.

Mr. Munter: We do have approval letters from 2016, on the water, sewer, well and from DEC.

Mr. Bianchi: If you could provide those copies, I think that would satisfy a lot of our comments so that the application is full and complete.

Mr. Marsicano: How late at night would the trucks be coming in to deliver product?

Mr. Shorr: Typically 9pm or 10 pm. It is usually a 28ft truck.

Mr. Marsicano: They would come in on the east side? Like counterclockwise?

Mr. Munter: They would come around the loop so they won't have to turn the truck around. It is designed to allow a 53 ft truck to get around the loop.

Mr. Marsicano: How tall is the fence on the east side?

Mr. Munter: A 6ft chain link fence. It is the same type of fence that was approved to use around the recycling and trash area. There is a decent amount of natural barrier that will be left.

Mr. Whittel: What are you classifying as retail space? What is the split between your tenant to you and why did you determine that specific split amount?

Mr. Shorr: The retail stores hundreds of thousands of dollars in product on site. We do not give retail buyers access to the entire property. We give them the ability to work through a showroom area. The remainder of the space, we use as warehouse where our employees have access to our storage.

Mr. Munter: The retail area for Napa is confined to the front part of the building.

Mr. Whittel: How did you get to the number of 37 parking spaces and how many are allocated to the tenant and to you?

Mr. Munter: He has about 15 employees. There are 11 spaces in the back. He would need a few of these spaces for employees. *Shows on map*

Mr. Whittel: Did you consider putting some parking spaces in the back by the dumpster, for your employees?

Mr. Munter: That is where 2 small retention areas are. That is why we didn't get into that. The property drops off in the back, so it is a good place to have it.

Mr. Whittel: I see that your business has a lot of vehicles. I want to make sure there is enough parking for your employees, your delivery vehicles, and the customers. If you could just consider your parking and see if where there is pervious pavement in the back for parking. If you could look at that and give us an idea for next time.

Mr. Munter: We did run those numbers and that is how we came up with 50 spots. 25 spots for our employees and customers which leaves 25 spots. If there was a tenant that came in with a lot of parking, we could easily add 12 spots. I understand your point but we are trying not to mess with the engineering that was done already.

Chairman Bartow: I want to note the number of signs there. It might be tight on square footage.

Mr. Munter: This sign is approximately 130 sq ft. The tenant will get 15% of their façade.

Mr. Whittel: Can you describe what you are going to do in the front?

Mr. Munter: We have to fence this off. We have to be very sensitive to our grading in that area. We have to cross this easement with a substantial road section to protect these utilities. We are going to add a sidewalk and some trees along the road. After we clear, there is not much natural vegetation left other than the southern boundary and we will leave as much as possible along the residential area. Our looping *area* is southern half of the site. The sign on the building is down on this corner. *Shows on map*

Chairman Bartow: Cumberland Farms never did the last 15-20 feet of sidewalk that goes to their driveway. You might want to talk to them. How are we going to get that last 15 feet of sidewalk?

Chairman Bartow: I will entertain a motion to schedule a Public Hearing for January 20, 2021 at 7:05 pm for Site Plan Review of 352 Rowland St.

Motion to schedule Public Hearing made by Ms. Stevens, 2nd by Mr. Whittel. Mr. Marsicano-yes; Ms. Padula-yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens-yes; Mr. Whittel-yes; Chairman Bartow-yes.

Site Plan Review Application for 91 Hutchins Rd. 190.-3-1.11

Chairman Bartow: The Milton Town Board has accepted the request for an amendment to the 91 Hutchins Rd. PDD which we conceptually reviewed on October 21st

The applicant is seeking to amend the PDD legislation, Local Law #5, passed on October 24, 2018, to increase the number of available garages in the units from fifty-two (52) to seventy-one (71). That would create nineteen (19) Units that would have two-car garages and 0leave 33 Units with single car garages.

Chairman Bartow: For our review, this evening we have before us:

1. Correspondence dates September 10, 2020 Michael Toohey to the Town Board requesting the proposed amendment to the PDD
2. Draft legislation to amend the Hutchens Rd. Senior Housing PDD Legislation and Site Plan
3. Original Site Plan for the PDD dated 1/29/19
4. Site Plan Review application dated 12/2/20
5. PDD Amendment Plan map dated 10/27/20
6. Correspondence from engineer Joel Bianchi to the Town Board dated 11/9/20.
7. Minutes of the Milton Town Board meeting of November 12th and Resolution 58-2020 of the Town Board affirming their lead agency status on this project and affirmation of the Negative Declaration for purposes of SEQRA.
8. Saratoga County Referral 11-20-20
9. MJ Engineering Review dated 12-16-20

Mr. Dannible: I'm with EDP on behalf of Malta Land to amend the approved Site Plan to allow for 19 of the approved units to have a 2-car garage. This project has been in front of the Board at several meetings. I think this should be the easiest approval. It is just an amendment of the Site Plan. There are no changes to the environmental impact with this project. It doesn't change any bedroom counts or traffic. We've had a couple minor increases in impervious area. We reviewed a letter provided by MJ Engineering. We can certainly provide documentation that there is a negligible effect on stormwater management system that we could handle either by increasing the height of the overflow spillway or putting in a pervious pavement. It is relatively minor and no changes to the Site Plan as we look at it today. We are here tonight to obtain a final approval for the amended Site Plan so we can obtain the proper building permits.

Chairman Bartow: The Town Board did approve the local law.

Mr. Lewis: The applicant has been a tremendous job on site retention. If you get a chance, take a look around. They have done a nice job with the prep work for the buildings. The

additional garages will be an asset to that area with getting cars off the street. I have been monitoring the site and it looks great.

Mr. Bianchi: The Town Board as the Lead Agency reaffirms SEQRA and the Planning Board as an involved agency is bound by those findings. With the Town Board adopting the Local Law allowing these changes.

Chairman Bartow: Does the Board have any questions or comments?

Chairman Bartow: I would note that on November 12th the Town Board also held a public hearing on this project and there was no public comment on the proposed amendment. I do not see any need for the Planning Board to hold its own public hearing as the amendment is rather de minimis and there does not appear to be any concerns.

Chairman Bartow: I will entertain a Motion to approve the Site Plan amendment for the PDD at 91 Hutchins Rd. as dated on the plan map of 12/2/20 on two conditions; provide an update on the grading plan and provide a letter of analysis indicating the stormwater system can accommodate the site changes.

Motion to approve the Site Plan for 91 Hutchins Rd. made by Mr. Whittel, 2nd by Mr. Collins. Mr. Marsicano-yes; Ms. Padula-yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens-yes; Mr. Whittel-yes; Chairman Bartow-yes.

Continuation of Site Plan Review for McNeary -433 Geysers Rd. 190.7-1-63

Chairman Bartow: Next, we have a Site Plan application for a general office use alteration in the Town Center at 433 Geysers Rd. As part of this review, we have before us:

1. Site Plan Review Application, SEQRA SEAF Part 1 (incomplete), office floor plan, and proposed McNeary Realty Lease between Fred McNeary and the Town of Milton.
2. Correspondence dated September 28, 2020 from Ernest Gailor regarding a "Certificate of Construction Compliance"
3. Correspondence dated October 9, 2020 from Fred McNeary to the Milton Town Planning Department and a completed SEQRA SEAF- Part 1, and a site map of the property.
4. Copy of the original Building Permit Application dated May 31, 1988
5. Copy of a Day Care site plan date unknown
6. Various documents from 1987-88 regarding variance requests, County Referrals and Planning Board reviews
7. A "Change of Tenant Office Building Map dated 12-2-20

8. A modified Site Plan Checklist from October 21st, 2020.

Chairman Bartow: Is there a representative for the project here that would like to present the project to the Board?

Mr. Kimmer: From ABD Engineers. I am here on behalf of Geysers Rd project. It is my understanding that this project was already reviewed and there was a need for a Site Plan for a change of tenant. The Site Plan was made by us and submitted to you. I can answer any questions.

Chairman Bartow: On October 21st we provided attorney David Pentkowski with a modified checklist for the site plan review regarding this project. All we have received is a map showing the building with a note of "Building to Change Tenant No Site Work Proposed". This is woefully short of what we requested for a site plan as required for the alteration of a building in the Town Center. Is the applicant planning on submitting a complete application? If not, then I recommend that the Planning Board table this application until such time as we have a complete application.

Mr. Kimmer: I have the checklist in front of me and I can see what those items are but nothing on site is actually changing. It's all shown on the Site Plan.

Mr. Lewis: When we did the meeting, we had some issues with the lighting, parking egress in and out of the facility. Also, we didn't have a definite wastewater. Are you paying sewer to Heritage Springs or do you have septic? We are looking to have those items listed on the Site Plan

Chairman Bartow: we are looking for more detail on items. This site is in the Town Center. The location of outdoor storage, sewer and water.

Mr. Kimmer: We show sewer and water on the map. The sewer goes out to the main sewer on Geysers Rd.

Mr. Bianchi: There is a major modification going on. It is in the Town Center. There are things that were requested where that the map may show it but there is an expectation that a narrative should have been provided. A one sentence narrative on all these areas would help the board.

Chairman Bartow: We wanted it broken down to show the other businesses. We wanted to make sure we got this all up to speed and up to date. There could be ADA compliance requirements. We wanted to know the ingress and egress of the offices. There were concerns about the lighting. Depending on what the uses are, we are not even sure the parking is adequate to accommodate them all.

Mr. Kimmer: I wasn't at the last meeting but I have a good idea of what you are looking for. We can come back to the next meeting and get you what you need.

Chairman Bartow: Can you get that to us by January 6, 2021?

Mr. Kimmer: Yes

Chairman Bartow: I recommend that we schedule a Public Hearing for January 20, 2021 at 7:10pm. Can I get a motion?

Motion to schedule a Public Hearing made by Ms. Stevens, 2nd by Mr. Whittel. Mr. Marsicano-yes; Ms. Padula-yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens-yes; Mr. Whittel-yes; Chairman Bartow-yes.

Other business

Is there any other business to be brought before the Planning Board?

No other business

Adjourn

Motion to adjourn made by Mr. Whittel, 2nd by Mr. Collins. All in favor.

Adjourned at 8:12pm

APPROVED