

**Planning Board Meeting
February 12, 2014**

Present:

Peter Sheridan, Chairman
Marybeth Max
Michael Roets
William Ryan, Alternate
Fred Sievers
Thomas Peterson, Planning Board Attorney

Absent:

Virginia Hewitt

Guests:

Mike Harrington
Kevin M. Dailey
Travis Rosencranse
Diane Shapiro

Agenda: February Monthly Meeting

- Hillman Estates PDD Review
- Open Discussion

At 7:21 PM, Mr. Sheridan called the Planning Board meeting to order, and noted that Ms. Hewitt was absent. He invited Mr. Ryan up to the table.

Hillman Estates PDD Review

Mr. Dailey is here tonight to discuss the PDD for Hillman Estates. Mr. Sheridan indicated the Planning Board would not review all items provided in the Lansing memo, but that any item in particular could be raised. When Mr. Dailey was last here, the Planning Board had not passed the PDD at the time; but since that time, the Village Board has passed PDD legislation unanimously. For the record, Mr. Dailey acknowledged that he and Ms. Max have known each other since high school.

For the PDD, Trustee Woerner recommended that the cul-de-sacs be enlarged to mimic Round Lake landscape. The amount of lots has decreased from over 50 to 40, which is in line with the number of lots could be built if a PDD was not in place. The Village Board recognized the benefits offered by the PDD. At some point in the future, nine lots will be dedicated to the village as a charitable contribution.

The main road comes in from Route 9, with two "egg" shaped cul-de-sacs. The development will occur in two phases, first south, then north. A portion of a lot will be given to the owner of Zack's Sports to square their lot. An easement is also in the works for a water line to the Claydons' and The Mill Restaurant. At the same time, Ms. Shapiro has been involved with the tree survey; the detailed pages are on the plans from Mr. Lansing's office. The 20' buffer zone has been enhanced from the original plan. There are two trail connections to the Zim Smith trail. In regards to Cleveland Avenue, a one-lane emergency road will be added to satisfy the emergency access requirement. The road will look like a trail, but will be able to support emergency vehicles.

Stormwater management has been constructed to DEC standards, and is in the adjacent area of the development. Mr. Dailey has addressed Mr. Harrington's concerns via memo and email, Mr. Dailey would like to reduce any concerns to a minimum. Mr. Dailey acknowledged the hard work of Lansing Engineering to realize the comprehensive plans. The Planning Board needs to approve the site plan before the maps can be filed. Mr. Dailey asked if the Planning Board has any questions. In the absence of immediate questions, Mr. Sheridan turned the floor to Mr. Harrington, who asked Ms. Shapiro to speak first as a courtesy.

Mr. Rosencranse indicated on the map where Ms. Shapiro has marked trees as significant. Although some are in the middle of housing plans, others are able to allow for adjustment of the houses and lots. The types of trees that are going to be planted for landscaping are Autumn Blaze Maple and Allegheny Service Berry. The plan leaves native trees in the green space, but there will be room for new plantings. Per the PDD, they are to preserve as many trees as possible with acknowledgement there will be significant cutting for development. The cul-de-sac trees were not designated for saving, or the 20' buffer, because those areas are already marked for preservation. Per section 15 of the PDD, the village lots will be cleared, to the extent requested by the village.

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For stormwater management, with the exception of one lot which could be deed restricted, there is a natural buffer between the houses and the largest collection pond. Mr. Peterson asked about the vegetation, Ms. Shapiro said that it is a tangled mess, but Mr. Rosencranse said there are some oaks and white pines beyond the clearing line. Mr. Dailey said that until the plan was in progress, they could not place the stormwater management locations with finality, now there are ponds on both sides. Ms. Shapiro pointed out there was one Shag Bark Hickory on a lot that would be worth saving, and Mr. Dailey agreed they are beautiful trees and worth saving. Mr. Harrington also asked if there could be some natural screening and buffering planted between the houses that are back facing to each other. Mr. Sheridan asked if the HOA would be responsible for fencing, and Mr. Dailey said they likely would be responsible for just the sidewalks, if a HOA is formed at all. Mr. Sievers asked if Ms. Shapiro was happy with the results, and she affirmed that she was. Mr. Sievers expressed concerns to ensure the long-term survival of the trees during construction, as it would be disastrous for homeowners to try to take down dying trees after construction was complete.

Mr. Harrington had a few questions about the presentation. An easement was mentioned as part of the village lots, and the Village Board had requested it. The easement out to Route 9 would have minimal wetland impact. Mr. Peterson indicated that an easement would not be needed. The south exit to the Zim Smith could be challenging due to the grading, there were questions if there has to be ADA compliance to the access. He also had concerns about future stormwater management with the village lots. Mr. Sievers indicated even if you build to compliance now, it may not be compliant in the future, as witnessed by developments in excess of fifteen years old. Mr. Harrington said that it would be good to build for future building in mind, and Mr. Peterson agreed with Mr. Harrington. When filing the maps, the nine lots will be identified and deeds transferred to Mr. Peterson.

Mr. Harrington mentioned he cannot attend the 12th next month (Wednesday) and Mr. Sheridan proposed an alternate night, perhaps the 13th (Thursday). Ms. Elford will follow up on the availability of the Community Room.

Additional concerns expressed by Mr. Harrington were in regards to the architectural designs of the homes. If that is coming at a later date, then the Planning Board needs to know when they may expect them. Mr. Sievers indicated that home design and FAR calculations are still in the site plan approval. Mr. Harrington, Mr. Ryan and Mr. Sheridan expressed concerns on waiting until a builder is in place to receive plans for review. Mr. Peterson indicated that the PDD gives the Planning Board the right to dictate materials and planning. Discussion ensued of enacting the review of architectural designs at the time of the first building permit.

Mr. Sievers asked if Mr. Dailey was currently under contract for the development site, which he confirmed. In turn, he will be selling the entire site to a builder. Mr. Harrington asked if this level of detail (renderings) could be included at the time of the sale. A contingency in site plan approval could further enhance this stricture.

In regards to water, Mr. Harrington said under review it appears that the property owner would be responsible from the property to the main. During the site visit, there were concerns about the Zim Smith draining on to properties. Mr. Rosencranse indicated he made a site visit and a berm that runs along the property line would prevent drainage on the property line, and there is conveyance to the appropriate pathways. Mr. Harrington recommended showing that properties could handle the drainage. In regards to soil conditions at the site, Mr. Harrington asked if a geotechnical analysis had been conducted for road stability, Mr. Lansing indicated that he felt this was not necessary. A performance bond was proffered as an alternative as well. Mr. Peterson said at the time of build, that the village engineer could conduct an analysis. If the village does not accept dedication of the road, then they would have to change in order to comply.

If there is need for a mailbox kiosk, Mr. Sievers said he was under the impression that there was ample space at the post office. Mr. Peterson asked if Mr. Dailey could get a letter from the post office to that effect. Mr. Ryan said that the post office makes the final call. Mr. Harrington said plans to have a kiosk should be made as a contingency. Mr. Sheridan said having it as an alternate plan with the maps would be acceptable.

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Mr. Harrington said that water would be under the sidewalk line competing with other underground lines – electric, cable, gas, and sewer (road center). The DPW requested a ten-foot buffer, although Mr. Harrington said five feet might be more reasonable. A separation corridor may work best. Mr. Harrington also agreed with the DPW that there should be air release in the high points of the line. For odor control on sanitary lines, he had reached out to the Saratoga County district, and they agreed with Lansing that it should not be a concern. Mr. Sievers feels strongly that if the issue is not dealt with upfront in the planning that it will be a source of dissatisfaction, as this is a problem for the village now. Mr. Dailey said he will take this back for review.

For village water, some of the material requests have not yet been translated to the map. For the stormwater ponds, there is slight disturbance to the site, which Mr. Rosencranse confirmed is subsequently reseeded and restored. Mr. Harrington indicated that the village could need to contract an excavator in order to create the ponds, as this is unprecedented for the village. As for the structure, there are concerns of how the site is entered, fortified, cleaned, maintained, etc. A four-foot base pool is permanent, and there is permanent fencing. Whether the fence is required is a local decision, although the DEC has it in their code, it can be left off at the discretion of the engineer and the village. Mr. Sievers recommended green vinyl for the fencing. The DPW has requested sampling stations for the chlorine testing, for which Mr. Harrington has the standard design, but the village may have a custom design.

For lighting, there are seven lights at the entrances, but the large ornamental lights would not be inside the development. There would be hookups for lighting posts and exterior lights on the houses and lots. The village may choose to add lights and they would be a designated lighting district. Mr. Sievers suggested an additional three lights at the intersections and one at the trail, but a light analysis would need to be conducted to assess the impact. Mr. Sheridan asked who is responsible for the light structures, and the village assumes responsibility of the lights after installation.

The last point of discussion from Mr. Harrington is the fire truck turning radius. With the geometric design of the roads, it does not comply with the subdivision law. The radius can also be compared to a cul-de-sac, which requires 50' of pavement radius. Lansing's design on the outside of the tight turn is 50', but not from the center of the road. A cul-de-sac would be one-way, counter-clockwise; however, clockwise will not have the same radius ratios. Lansing did an analysis to show that a fire truck can make it through. Mr. Dailey indicated that the original design was for round cul-de-sacs, but the Village Board recommended the new design. Mr. Rosencranse said the measurements were conducted from the outside of the pavement, and meets the 50' radius. The Planning Board examined the counter-drawing presented by Mr. Harrington. Mr. Sievers said the primary truck getting into these areas is the ladder truck and requires 48' to make the turn; however, if there are any cars parked in the road could impact getting through in an emergency. He also asked about tractor-trailers, delivery trucks or buses. Mr. Sievers also recommended working with the highway department about experiences with Malta as new developments have had their own challenges.

Mr. Sheridan said he has spoken to local municipalities and they recommend not taking possession of the stormwater ponds, but ultimately it is a Village Board decision. Mr. Dailey also feels that the future owner would care who had management of the ponds. If it was under a HOA, the HOA could disband and the storm ponds would wind up under the purview of the village. Mr. Sheridan has raised the issue to the Village Board.

Mr. Dailey requested if the engineers could agree on the changes prior to the next meeting, if a public hearing could be set. Mr. Sievers asked Mr. Peterson if the application has to be complete prior to the hearing. The Planning Board needs 62 days to act once the application is complete. If there is anything undone, or the engineer is dissatisfied, the Planning Board need not vote. The application cannot be accepted without a fee; Mr. Peterson said there is a \$10,000 escrow from the developer, but those are engineer fees. This is a separate fee, plus an additional fee per unit, and a requirement for the Planning Board to review the drawings. The Planning Board wants to make sure that all bases are properly covered. Mr. Dailey indicated that they would submit a check, dated today, with the fees paid to set the public hearing. Ms. Whitbeck would be the party to accept the check. Mr. Sheridan will send the information to Mr. Dailey.

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Mr. Sievers indicated that he had to leave in order to take a fire call, however he had no objections to a hearing. Mr. Sievers departed at 10:08 PM. Mr. Sheridan raised a motion to have a public hearing at 7 PM on Thursday March 13, 2014, which Mr. Ryan seconded. The vote was unanimously aye, with no abstains or nays. The information will be sent to Mr. Harrington and the Planning Board by March 6, and in turn, he will share the concerns. Mr. Dailey thanked the Planning Board for their time.

Open Discussion

The Planning Board reviewed the November 13, 2013 minutes, noting this is the first meeting of the Planning Board since November. Mr. Roets moved to approve the minutes as submitted, which Mr. Sheridan seconded. Ms. Elford polled the Board: Mr. Roets – aye, Mr. Ryan – aye, Ms. Max – aye, and Mr. Sheridan – aye.

Mr. Sheridan made a motion to adjourn at 10:14 PM. All were in favor.

Respectfully submitted,

Heather K. Elford

Heather Elford
Planning Board Secretary