

**Minutes
Warrensburg Planning Board
June 29, 2010**

Board Members Present: David Spatz, Lynn Smith (Alternate), Shale Miller, Laura Moore, Art Healy

Board Members Absent: Joyce Harvey, Danielle Robichaud (Alternate)

Others Present: Tom Lewis, Nancy Trimbur, Jonathan Lapper, Kathy Galusha, Eileen Frasier, Joe Pereira, Abelina Cardoza, Morgan and Fay Crandall, Peter Haggerty, Austin Markey, Jane LeCount, Phyllis Jacobs, Kathy Ferullo, Dorothea Potter, Ruth Fruda, Regina Porter, Faith Buck, Paul Gilchrist, Lenore Smith, Bryan Rounds, Gary Cooper, Maynard and Mrs. Baker, Jean Hadden, Theresa Whalen, Gary Rounds, Diane Newell, Alex Szabo, Robin Richards, Al Smith, Laura Dana, John McGlire, Larry Lawler, Robert and Peggy Knowles, Linda Harrington, Dayelin Roman, Patti Corlew, Chris Belden (Zoning Administrator)

Meeting Commenced at 6:30 p.m.

Mr. Miller - ...call this meeting to order. Town Planning Board, Town of Warrensburg. We have quorum. We have the approval for the previous minutes, meeting minutes. Anybody have any comments on those?

Mr. Healy - I make the motion we accept them as is.

Mr. Spatz - I'll second that.

Mr. Miller - All those in favor.

RESOLUTION #2010-23

Motion by: Art Healy

Seconded by: David Spatz

RESOLVED, to approve the Planning Board minutes of June 8, 2010 (without correction).

DULY ADOPTED ON THIS 29TH DAY OF JUNE, 2010 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Lynn Smith, Shale Miller, Laura Moore, Art Healy

Nays: None

Mr. Miller - Old business, we have a public hearing for SPR 2010-4, 3827 Main Street. The applicant is Stewart's Shop Corporation, to allow convenience store with gas pumps. What we'll do is we'll have Stewart's come up and, and talk about their revised plans that they've done and then we'll hear from the public. Okay. Hi, let me

just hand out a small copy of what you all got large copies. This is exactly the same thing.

Mr. Spatz - Thank you.

Mr. Lewis - Okay. From the last meeting, we were asked to add additional landscaping in a number of areas. That was done. We added benches, we added bike racks. We have two restrooms. We now have the interior that was also on the large plan. I have an 11 x 17 if anyone wants the interior.

Mr. Healy - (Inaudible) have the interior.

(Tape inaudible).

Mr. Lewis - It should be on the (inaudible).

Mr. Healy - Thank you.

Mr. Lewis - And that interior shows there are now two restrooms. We've agreed to replace the old post office, not, the office next to the old post office. We old post office (inaudible), but whatever this board decides, the siding should be of our shop where we'll match that. On the plan, we've limited the... We made a note that, that we're limiting the lighting to a half hour before opening and a half hour after closing. We've made it a grease trap. Yesterday I received an approval letter with some contingencies from the Water and Sewer District that asked for a grease trap and some other items. And we agree to all those. And on the site plan, we were asked to show where the snow will be stored and when I was here... When we were here last time, we hadn't thought about the obvious, which his behind the old post office on Elm. There's a huge area there. And we also show another area. And there's a note, if there's ever a storm of some consequence and we have to haul it off-site, like we do at so many locations, we'll haul it off-site. We didn't put it on the, the site plan, but we agree that the old location will not be a Stewart's Shop. We're going to remove the gas, the tanks. Then the Board asked us for different architectural designs and different structures under the canopy, and, and you all had that. And so that's an update if we want to open the public hearing and then we'll get into whatever the Board wants to. Does that work?

Mr. Miller - Does anybody on the Board have questions for Mr. Frasier (Lewis) right now?

(Tape inaudible).

Mr. Miller - Lewis, I'm sorry. (Inaudible). Okay, I'm going to open up the public comment in reference to the architectural design of the building. We're going to maintain our three minutes rule from last, the last meeting which we extended to four minutes, but we're going to do three, and it's going to be one turn each for everybody. So come up, state your name, address and we'll take your comments.

Mrs. Potter - Dorothea Potter. Looking at the plans that I've seen, I don't see where Stewart's is gaining anything by moving up there as far as square footage of their building. In fact, the new one's going to be smaller. So the only thing that they're doing is adding

more gas pumps. So instead of being a convenience store, they're really a gas station. And I think that's what you should be looking at. Do you want a gas station there? Not a convenience... And also, we've asked about the canopy design, and maybe you guys have seen it, but we none of the rest of us that object to this have any idea of what its like.

Mr. Miller - Okay, I think you have a...

Mr. Healy - It's posted right there, isn't it? On the bottom is the canopy?

(Tape inaudible).

Mr. Miller - The alternates I don't think... Do you have handouts for those or?

(Tape inaudible; people talking at once).

Mrs. Moore - You can provide that to the public so you can (inaudible). Okay. This information...

Mr. Healy - Anybody else (inaudible).

Mrs. Moore - ... available typically at the Planning and Zoning Office and public was available to review that at anytime. So I apologize if you didn't, if that was a misunderstanding that this information was available for your review.

Mr. Miller - I think we received it last Wednesday, right Chris?

(Tape inaudible; people talking at once).

Mrs. Potter - Yeah, I was going to say, it doesn't like it fits in with the historic kind of thing. It looks pretty...

Mrs. Moore - There's six options.

(Tape inaudible).

Mr. Belden - What's that?

Mr. Miller - The question was, that it doesn't fit in with the historic...

Mr. Belden - Okay.

Mr. Miller - ...district, and there's six options there.

(Tape inaudible).

Ms. Frasier - (Inaudible) and Stewart's could review all six options (inaudible) having access to seeing it. We would really appreciate that, Mr. Lewis. If you could present all six options to the community.

Mr. Lewis - Do you want me to do it now or..?

Mr. Miller - Yeah, go ahead.

Mr. Lapper - (Inaudible).

Mr. Miller - Well, I guess both. Might as well get that out of the way and then...

Mr. Healy - You got yours? Okay.

Mr. Miller - Basically we were provided with quite a few different options. They're not all drastic changes, but there are basically (inaudible) and finish issues and different material changes. The, I have my preference, but I'm sure everybody else does here too, but you go ahead and...

Mr. Lewis - We submitted what we think we were asked for. This is the original. Just to begin with what we had offered. And then there was talk about either doing vinyl siding or cement board. And so that's what this is where we can do either one or the other, and these are the taller windows. And, and then we've got either cement board or vinyl siding with the shorter windows and then we have different, different combinations where the whole bottom has stone, and that would be option 4, for the board members to... (Inaudible) with, with short windows and again either cement board or vinyl siding or storm. Then option 5 has the same as four, only the tall windows, and option 6 is what we call our Adirondack design which when we were here last year, this is what the board had actually asked for. But that was then and this is now, and this is a different area, so I understand. As to the canopies, we were asked to show different supports, so option 1 shows what we had originally offered. The columns are square. Option 2 we were asked to look at round columns, and I've got some photos that I'll hand up to the Board and I've a got a few extra copies. We were asked to photo a gas operation in Lake George opposite Pirates Cove. Is that right?
Mr. Miller - Yeah.

Mrs. Smith - Pirates Cove, yeah.

Mr. Lewis - And we have some photos of that. Option 3, has a different kind of support that's kind of squared and this, this is sort of like the one that someone had mentioned in Saratoga. And then option 4 would be the same thing, only round columns and then we have option 5, which has kind of a like a rounded bracket. Six shows the same thing with a rounded column and 7 is yet another design of different supports, and then 8 would be the same with round columns. You want to see the photos of the round columns?

Mr. Miller - We haven't seen it, but I think these guys...

Ms. Frasier - (Inaudible) ask a question, if I may?

Mrs. Moore - Eileen? Sorry. Can you ask the question to the Board?

Ms. Frasier - Okay (inaudible). It's really for Mr. Lewis because I don't think you have the answer (inaudible). My question is, with the buildings that you've presented, how does that fit into the community, (inaudible) community because we want to make sure that if it's going to be there, it should be conforming to the rest of the community and not something that's non-conforming. And a lot of us have, whether they're Victorian and people who are across the street, so some of our concerns is that if it does go in, I want to make sure that it's conforming to the community, and it's not an eyesore for people who come to stay at my bed and breakfast (inaudible) church across the street. So I would like Mr. Lewis to express that to the community because a lot of us do have that concern, if it is going to be approved.

Mrs. Smith - (Inaudible).

Mr. Miller - I just want to make a point on this picture. The round column, it's not, it's not the whole thing as its whole. This is finished for one thing, but it's just the use of the round column with the typical Stewart's top, I think, would look better than the square. That's all, that's why I mentioned this. I saw this. I was driving by and I saw the round column and ya know, it could be painted white and, and look...

Mr. Lewis - And if that's what the Board wants, we'll do it. But the difficult... The consequence of it is that the island here, which is 3 x 10...

(Tape inaudible; people talking at once).

Mr. Lewis - ...and with the round columns and the supports, if, if you take (inaudible) and you attach it to something which is rectangular, you see, there's a space (inaudible) round and flat. So it means that the island becomes larger, the 3 by 10 becomes 4 by 12, and if the Board wants it, we'll do it, but we don't think that it's practical and we hope that (inaudible).

Mr. Miller - Okay. These actually don't sit on an island here. They sit right on the ground.

Mrs. Trimbur - They will in our...

Mr. Miller - In yours? Okay.

Mrs. Smith - Okay.

(Tape inaudible; speaker not up to the microphone).

Mr. Miller - The Lake George 1572, which station's that? Is that your current Stewart's?

Mr. Lewis - Sorry?

Mr. Miller - The first picture?

Mr. Lewis - Oh yeah. That's... I wanted to show the support of what would be, I think, option 3, and that's an actual photo with that.

Mr. Miller - Hm hm.

Mr. Lewis - That's right. That's so that you had a real life photo.

Mr. Miller - Alright.

Mr. Lewis - That's option 3.

Mr. Healy - Before you sit down, would you like to answer Mrs. Frasier, Ms. Frasier's question.

Mr. Lewis - Our, our opinion is that it does fit in. That, that we've been asked by the Board to make it white, the either do the cement board to fit in better or the vinyl siding. We don't particularly want to do it. We don't think it'll look as nice, but the Board certainly has the discretion. And our opinion that if this shop is built, they'll be much more compliments than negative comments. That's our opinion.

Mr. Healy - Thank you.

(Tape inaudible).

Mrs. Potter - I, I hate to bother you again, but looking at that island where the, or where the gas tanks are, and the pictures he shows us, it looks like cars were going to come between the tanks

there. Ya know, like, they were going to be a long thing and then they're driving through it. This one looks like... I don't see the direction that the cars are coming in to those...

(Tape inaudible).

Mr. Miller - Yeah, they're going to be coming in from the, from the ends. And the outside.

Mrs. Potter - So they're going to be driving in between?

Mr. Lewis - (Inaudible) cars that would go or they'll go here or they'll go here or here and then they're going to go out this way.

Mrs. Potter - Alright.

(Tape inaudible).

Mrs. Potter - There's two lanes of cars between the two...

Mr. Lewis - Yes.

Mr. Miller - Yeah.

Mrs. Potter - ...pumps and one on either side.

Mr. Lewis - There's one here, one here, a lane here and a lane here. So you could have as much as eight cars at the same time.

Mrs. Potter - Hm hm.

Mr. Lewis - That's maximum; one, two, three, four, five, six, seven, eight. (Inaudible).

Mrs. Potter - The canopied you showed us look like they were longer with cars coming...

Mr. Lewis - Well, the...

Mrs. Potter - ...this other way.

Mr. Lewis - Yeah, the angle... This...

Mr. Miller - Yeah, it's a different design.

Mr. Lewis - This is that, but if you're, if you're standing here, here, and you're looking this way, that's what this is. And that's...

Mr. Miller - These... I'm sorry. These pictures are just to show the columns and the, the structure of it. Anybody else?

Mrs. Smith - The one that's there now?

Mr. Spatz - The one in Lake George. (Inaudible).

Mrs. Newell - Hi, I'm Diane Newell, 29 Library Avenue. I'm, did I hear correctly that the Board prefers vinyl siding on the building?

Mr. Miller - Actually I don't.

Mrs. Newell - Over Hardy Board.

Mr. Miller - No.

Mrs. Newell - Over...

Mr. Miller - Personally I prefer Hardy Board.

Mrs. Newell - I thought I heard that, and I, my question is, did I hear it wrong?

Mr. Miller - No. I don't know about anybody else, but...

Mr. Healy - We haven't made a decision yet.

Mrs. Newell - I think, ya know, vinyl is really out of character with the historic...

Mr. Miller - Although...

Mrs. Newell - And if, if you've ever...

Mr. Miller - Let me... On that point, many of the houses on Elm Street have been redone with vinyl, and you cannot tell the difference.

Mrs. Newell - Well, that's, hm. Well, I will say that I've actually...

Mr. Miller - There's a few people sitting here that own those houses.

Mrs. Newell - ...had the chance to, to inspect the Hardy Board, which is the cement board he's talking about.

Mr. Miller - Yep.

Mrs. Newell - Up close, and it is a really nice looking product.

Mr. Miller - Hm hm.

Mrs. Newell - From far away, it's just as beautiful as wood and I hear that it's very environmentally friendly and I hear that it is insect resistant.

Mr. Lapper - True.

Mrs. Newell - I think it looks much better than vinyl.

Mr. Miller - Okay.

Mrs. Newell - I know that vinyl's been a good thing to, for maintenance, I think, for people and that's, it's a good reason, but I vote for no vinyl.

Mr. Miller - Like anything there's different levels. You can buy very cheap vinyl or you can buy very good vinyl. So that's what that is, but...

(Tape inaudible).

Mr. Miller - Maynard.

Mr. Baker - I'm prepared a short statement. I want to thank you, Mr. Chairman and the Board members for your tested patience in this long, out, drawn-out project. A few proclaimed members of the minority group had questioned Stewart's just about everything regarding this new store from the roof over the gas pumps, access to and from various town and state roads, color of the buildings, lighting and bike racks, to name a few. This project has been dragged out and milked to the tune of, I estimate, to Stewart's over \$50,000, not counting what it cost the town for our town attorneys, which I'm sure is in the thousands. With this said, I'm asking you, Mr. Chairman, to close this public hearing and vote for or against this Stewart's store, project and its location. And I thank you.

Mr. Spatz - Thank you, Maynard.

(Tape inaudible).

Mr. Miller - Anybody else with to speak?

Ms. Frasier - The only thing I'm asking for, a lot of us have spent a lot of time on this and regardless it's cost us a lot of time and energy. We have done a lot of research. We've looked at different, whether it's how properties look, whether it's zoning and so we have taken our time, because we care about Warrensburg. We care about the future of Warrensburg. I could die tomorrow; who cares, but the Town is still going to be here and I guess our concern as citizens is that you think about your decisions and that work with Stewart's. We're not saying we don't want Stewart's here. Everybody has made this

like we're against Stewart's and Hudson Headwater. We're not. The point is, we're concerned about our, our community. We're concerned about the growth of our community, and we just want the right decisions to be made, and we want to... And that's all we're asking. And if it costs the Town a little money, who cares? We're taxpayers. We pay the taxes. So I guess I'm a little concerned that people think that, that we're just a few people. We had over 500 signatures of people who were concerned about this Town. Not concerned about Stewart's; not concerned about Hudson Headwaters. They were concerned about the future of Warrensburg. Now you may not like me, but I really don't care, because it's not about me either. It's about some of us really believe in this community. We believe in the future and we do believe in per, preserving a little bit of history. There's not a whole lot left in this country. So people can be very critical of us and they have been critical of us, but ya know, that's why we have the first amendment, isn't it?

Mr. Miller - Hm hm.

Unknown Speaker - Right.

(Applause)

Mr. Healy - Where's my plans. You got 'em back there?

Mrs. Moore - Oh. Is it possible to have the plans that were...

Mr. Healy - Can I have 'em returned please?

Mrs. Moore - ...(inaudible).

Mr. Lewis - (Inaudible).

Mr. Miller - Anybody else wish to speak?

Mr. Healy - (Inaudible).

Mrs. Porter - I am Regina Porter. I don't live anywhere near the point in question, but the fact that we're discussing architectural details sounds to be as if the decision has been made.

Mr. Miller - It's part of the process.

Mrs. Porter - Because I think that more than another gas station, we badly need a nice place for us seniors to go when our house is too much for us (inaudible) and, and this would be ideal because you wouldn't need a car, and you wouldn't have to be begging for rides 'cause you're within walking distance of just about everything you would. Now, has the decision been made?

Mr. Miller - It has not been made yet, no.

Mrs. Porter - Well, that's encouraging to me 'cause I don't want to go to one of those places.

Mr. Miller - I understand.

Mrs. Moore - I can, just, sidetrack a bit with, in regards to senior housing. The 1987 Comp. Plan doesn't have any information within it regarding senior housing; however, the Comp. Plan process that we're currently working on that I current chair has identified that as a, as an item for discussion is senior housing. So there will be information in the new upcoming about senior housing, so (inaudible).

Mrs. Porter - I appreciate that information, but that sounds as if that will be looked at after this decision is made and it really is such a good location for a senior (inaudible) anywhere in the village.

Mrs. Fruda - I'm Ruth Fruda. I know I Lake George, next to the Sacred Heart Church, their peer center, they have lovely middle income housing. I don't think the property there... I can't say because I haven't measured it. I don't think the property there is any more, any smaller than this property over here, and I'm sure whoever built...

Mr. Miller - I understand that, but, but I'm going to have to stop you. That is not what we're talking about tonight.

Mrs. Fruda - Oh, I know. I understand.

Mr. Miller - And I have to stay on topic.

Mrs. Fruda - Okay.

Mr. Miller - So, appreciate your input. Thanks.

Mrs. Fruda - Okay.

Mr. Miller - Anybody else with comments?

Mr. Gilchrist - I'm Paul Gilchrist. Last week or la, two weeks ago, whenever it was, this last meeting was, there was a lot of discussion about traffic and pedestrians. I'm going to get off topic, because we have new information and that's a legitimate reason for getting off topic. A study has been done by eight people, far more comprehensive than the study that was presented to you by CME back then.

Mr. Miller - You say people, was it a...

Mrs. Newell - Citizens.

Mr. Miller - Your citizens.

Mr. Gilchrist - Paying citizens.

Mr. Miller - Okay.

Mr. Gilchrist - And studied all those intersections that CME studied and more, because CME missed several important intersections, and a report has been written. The numbers are incredibly different from what CME came up with, four or five times the volume of pedestrians and bicycles that they came up with. I would strongly urge that this Board not make a decision until you have studied that data, because that relates to safety of school children. And you heard all the comments, I'm sure, last, last time, but I didn't hear any discussion among the board members here about the numbers and the data that was presented to you last time. Another thing that would amount to new information is that in site plan review, you're required to look at economic impact data. That's, that's part of your job and none of that has been looked, not a single thing, I don't think. You've heard one or two comments about economic impacts, but you've not collected any data. You've not analyzed it, you've not written a report about your analysis, and yet we've, we've heard nothing from the Board about your conclusions about economic data. Those are two

comments that would amount to, to new information if you, if you gathered it, and there are people here tonight that can talk more about the pedestrian and the traffic data. I think it's your responsibility and I know not all of you've had bonafide training. Some of you have; some of you haven't. And there is some concern among people about anyone on this Board that might have a conflict of interest in this matter. So I would urge you to think very carefully and exert more diligence in your considerations. There's no reason why you'd have to make a decision tonight. And I would urge you not to, until you gathered more information, economically, about pedestrians and anything else that, that you should exert diligence on. Thank you.

Mrs. Dana - I can give you the pedestrian data of a direct comparison to theirs, except for that we adjusted the time to when the elementary school let it out, let out, instead of starting at 3:00.

Mr. Miller - Okay. I'm going to ask you to...

Mrs. Dana - I am Laura Dana; I live at 25 Library Avenue. I'm sorry that I skipped that spot. So their total in March or April 1st...

Mr. Miller - Well, I'm going to stop you...

Mrs. Dana - This... You don't want to hear our information? I believe it's my right.

Mr. Miller - Well, the public hearing is for the architectural review.

Mrs. Dana - I've heard many comments that weren't just on that.

Mr. Miller - Well...

Mrs. Dana - Since I've walked in the door. So they had 18 total citizens...

Mr. Miller - I'm going to...

Mrs. Dana - ...crossing...

Mr. Miller - Excuse me.

Mrs. Dana - ...and biking...

Mr. Miller - Excuse me. I'm going to ask him his opinion is of this.

Mr. Hill - Mr. Chairman, I think recommendation would be to accept the information from...

Mr. Miller - In writing or verbal?

Mr. Hill - In whatever they want to submit, writing...

Mrs. Dana - I want to tell you it verbally.

Mr. Miller - Okay.

Mrs. Dana - 18 pedestrians were reported at the intersection of Route 9 and Emerson Avenue, Route 9/Stewart Farrar, Elm Street/Stewart Farrar, Elm Street/Library Avenue. They counted 18; now is March 31st and April 1st. We counted 77. This was during the a.m. hours. We did a... No, that was a.m. They had zero bicycles; we had nine. Some of it could be the fact that it was March; probably not a big of a pedestrian time of the year. In the p.m. hours, they had 29 total pedestrians. We had 73. They had seven bikes; we had 13. An interesting fact is that the majority of the pedestrians didn't use

the crosswalks, especially near the Stewart Farrar area. They crossed wherever it was most convenient, and I think that adds to, of course the safety factor that you're not necessarily looking for pedestrians to be crossing mid-street, and we, ya know, we have a lot of observations and that was one of the major observations that I would like you to be aware of. We saw bicycles, wheelchairs, strollers, scooters. We saw a young bicyclist who couldn't even cross the street because he tried to use the crosswalks, but then he got to the other side and there was the curb, and the same thing happened with the wheelchair. It actually went into the intersection of Elm and Stewart Farrar and were in the street because of the way it's set up.

Mr. Miller - Actually...

Mrs. Dana - There are a lot of concerns.

Mr. Miller - Bicycles are supposed to be in the street. They're not supposed to be on the sidewalks.

Mrs. Dana - Well, this was a young...

Mr. Miller - Doesn't matter.

Mrs. Dana - ...elementary school student who was trying to cross over to the sidewalk and he got stuck in the, in the intersection for awhile, trying to negotiate the curb. Numerous cars on, north of Elm Street, which would be Library Avenue to the North...

Mr. Belden - Ms. Dana, your time has expired.

Mrs. Dana - ...backing out of their driveways into Elm Street.

Mr. Miller - Your time's expired. Your welcome to submit that.

Mrs. Dana - Thank you.

Mr. Cooper - (Inaudible) time. She still has a minute and five seconds.

Ms. Frasier - Good for you.

Mrs. Dana - Okay.

Mr. Cooper - She still has a minute and five seconds.

Mrs. Dana - Then I'm not done.

(Applause)

Mr. Healy - Wait a minute; wait a minute.

Mr. Miller - This is our timekeeper.

Mr. Spatz - This is our timekeeper, and your time is up. Thank you.

Mr. Miller - Yep.

Mrs. Dana - Thank you.

Unknown Speaker - (Inaudible).

Mrs. Harrington - Linda Harrington, Main Street. My question is what dates were those numbers taken and number two I don't think that we can hold Stewart's liable for people who don't obey the traffic laws. If people don't use the crosswalks, if bicycles don't use the roads and hand signals the way they should, that's not Stewart's fault, folks. That's the way we train and teach our children to cross streets. So if they don't know how to do it, we need to retrain them.

Ms. Richards - Robin Richards, I live on Library Avenue, and with all due respect for all the time that was spent by the volunteers gaining that information, there is a question of time that was spent by the volunteers gaining that information. There is a question of time. I believe it might have been around Americade week or Bike Week in Warrensburg. In addition to that, there is a number of school activities going on during the day which increase that traffic which not, would not make it a normal amount of traffic and as somebody who lives on Library Avenue, in both the directions across the bridge from Milton, there's a significant amount of traffic that is increased at this point in time through that area to get anywhere on River Street, I have to go up Library Avenue and I counted at least 90% of my trips through that area, would've gone down the other direction and not through there. So I'm not sure it's going to be an increase in traffic, but there may be actually a decrease in traffic and I would just like the Board, if they're going to look at this information, to look at those factors.

Mr. Miller - Thank you.

Mrs. Moore - (Inaudible).

Mr. Miller - Yeah, go ahead.

Mrs. Moore - In the board members' packets, we received a, a follow-up letter from Creighton Manning Engineering in reference to the concerns that were raised with, at the last public hearing. And they conducted a further assessment of the traffic conditions associated with the Milton Street bridge closure. I'm not going read through this, through it verbatim, but I'm going to go to the summary, at the last page. And you're more than welcome to come to the Planning and Zoning Office and obtain the same piece of information that I'm reading from. Based on discussions with Warren County DPW, the bridge closure has likely increased traffic volumes in the Stewart's study area. The traffic data collected and analyzed as part of the Stewart's project included any increased, diverted traffic at the four study area intersections. That being said, the reopening of the bridge will likely revert travel patterns to pre-bridge closer, closure conditions and reduce traffic volumes within the Stewart's study area. The traffic data analysis presented in the design report prepared for the Milton Street bridge project was also reviewed. So the document has limited or, supports the conclusion that the reconstruction of the bridge will have relatively minor traffic impacts that can be accommodated by the existing roadway network. We discussed this last time in reference to what a collector road is and what main street is and we all, my understanding is that this particular road, Elm Street, is a collector road, meaning it is a feeder. It feeds into, from the collector road into Main Street, from the, our local streets. And that's information that I thought would be beneficial to the public, since board members already have it.

Mr. Miller - Thank you. Anybody have any comments?

Mrs. Dana - Can I just make a comment about the Americade comment?

Mr. Miller - Yes.

(Tape inaudible).

Mr. Miller - I know.

Mrs. Dana - The data we were recording on pedestrians, we did include data from the morning of Americade, but no Americade people were crossing the street. These were local peop, kids walking to school and parents walking their kids to school. We did not report any of the traffic from Americade afternoon or Americade morning. We're just looking at pure pedestrians, bicyclists and there were no people, walking around that early in the morning when we (inaudible) from Americade, so we thought it was valid information. We're just looking at the pedestrians. Thank you.

Mr. Miller - Any other further comments? I need a motion to close.

Mr. Spatz - I make a motion to close the public hearing.

Mrs. Smith - Second it.

Mr. Healy - Second it.

Mr. Miller - All those in favor.

RESOLUTION #2010-24

Motion by: David Spatz

Seconded by: Lynn Smith

RESOLVED, to close the public hearing for application #2010-4 by Stewart's Shops Corporation, tax map #211.13-1-39, for property located at 3827 Main Street, to allow convenience store with gas pumps.

DULY ADOPTED ON THIS 29TH DAY OF JUNE, 2010 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Lynn Smith, Shale Miller, Laura Moore, Art Healy

Nays: None

Mr. Miller - Okay. I did receive a letter and I wanted to talk about it quick before in reference to some of the plantings and whatnot, just, as species. The site plan called for, I believe, sugar maples, and the suggestion was to use a strain of, of Elm that's resistant to Dutch Elm that may actually perform a little bit better.

Mr. Lewis - We had gotten that letter and I asked our landscape expert (inaudible) sugar maples were, are far more superior. It's not a money issue. Nancy, do you know?

Mrs. Trimbur - (Inaudible).

Mr. Miller - Right.

Mr. Lewis - (Inaudible).

Mr. Miller - Well, it's just a... Again, it's a suggestion. It's something that... I'm not a tree expert certainly. I was given information and I thought I'd pass it on. So...

Mr. Lewis - The money is the same and (inaudible).

Mrs. Smith - Arborist.

Mr. Lewis - Arborist who said sugar maples are much more lasting, they look better, same money and we think you will be happy with sugar maple.

Mr. Miller - Okay, board members, questions and comments for Stewart's. Start with the building.

Mrs. Moore - The building?

Mr. Miller - Yep. I think we'll just take a quick survey of the options given to us so far. What is the individual preferences as far as option 1 through 5, 6. So we can kind of settle on one maybe and...

Mrs. Moore - Okay.

Mr. Miller - ...work from a base. Personally, I'll start off with #4.

Mr. Spatz - I'll second that.

Mrs. Smith - #4.

Mrs. Moore - I have 4 as well. There's some minor changes.

Mr. Healy - I don't like any of 'em.

Mr. Miller - Okay then. What do you have? Well, then we'll start with the hardest one then. What are you, what do you suggest?

Mr. Healy - No, I'll go with the Board. I just...

Mr. Miller - Well, I just wanted... If your, if you have...

Mr. Healy - I just don't think it fits Victorian; that's all.

Mr. Miller - Okay. There is...

Mr. Healy - To me, it's a square box. I mean...

Mr. Miller - For the record, it's not all Victorian in the neighborhood too. You have, there's a mix there.

Mr. Healy - I just...

Mr. Miller - So, there's a little arts and crafts, there's, there's Victorian, there's, ya know, there's gothic, there's everything.

Mr. Healy - (Inaudible) I just don't (inaudible).

Mr. Miller - Okay.

Mrs. Smith - (Inaudible).

Mr. Spatz - Yeah, that would be (inaudible).

Mr. Miller - One of the suggestions was to sort of by us that, we've talked before the meeting, was to eliminate some of the posts, the intermediate posts, which come from a cost savings for you guys probably, but...

Mr. Lewis - (Inaudible).

Mr. Miller - Yeah, I know.

Mrs. Moore - (Inaudible) east elevation.

Mr. Miller - Yeah, let's start with the east elevation. It would the first one in from the left and, and first one in from the right would, would probably...

Mr. Lewis - You rather NOT have those?

Mr. Miller - Yeah.

Mr. Spatz - Correct.

Mrs. Smith - Yeah.

Mr. Miller - It just seems to get a little busy, that's all.

(Tape inaudible).

Mr. Miller - They're not supports. They're just decorative. Right?

Mrs. Smith - Decorative, aren't there?

Mr. Miller - The one's that support the, the porch façade would be, obviously required, but...

Mr. Lewis - Okay.

Mrs. Moore - I guess we, we're (inaudible) the supports, can we adjust either the windows or the columns, so that the columns are not in front of the windows?

Mr. Miller - I, I...

Mrs. Smith - No?

Mr. Miller - ...have a comment about that. I, I battle this everyday with people.

Mrs. Moore - Alright. (Inaudible).

Mr. Miller - The (inaudible) in front of the door in a straight on elevation, but when you're standing in there, you got to consider line of sight.

Mrs. Moore - Okay.

Mr. Miller - Okay? It, it's, if you're looking at a 3-D rendering, you'd notice that it, it is, doesn't... You've never going to see it exactly like that.

Mrs. Moore - Okay.

Mr. Miller - That's the problem with elevations.

Mrs. Moore - With elevations.

Mr. Miller - Yep. I had a quick question. I noticed the plan. It's a single door, entry door, but there's a double door on the side. Right?

Mrs. Trimbur - No.

(Tape inaudible).

Mr. Miller - Oh, okay. So there's only one (inaudible).

Mrs. Trimbur - There's only one... No, there are two. There's a delivery door, a single and a single.

Mr. Miller - But that's not a, a...

Mr. Lewis - For the public, there's only one.

Mr. Miller - One exit, okay.

Mr. Lewis - Try to keep it simple.

Mr. Miller - Oh, it's an access... I was just talking about function, but just wanted... If they feel the, they can handle the load, that's...

Mrs. Trimbur - It works very well.

Mrs. Smith - (Inaudible).

Mr. Spatz - (Inaudible) bring up the (inaudible).

Mrs. Smith - If you wanted to make it look more Victorian, you could put like a (inaudible) on the top.

Mrs. Moore - This is an electric panel?

Mrs. Smith - (Inaudible) Victorian.

(Tape inaudible; members talking at once).

Mr. Miller - That's looks a little... To me, that's a little too farmy, yeah.

Mrs. Smith - Or, like window. Not a window, but...

Mr. Healy - There's three doors on this.

Mrs. Moore - We need some clar... I'm going to go, step back, just a clarification on that, of which ones are doors and which ones are not doors.

Mr. Miller - This, this she said is the electric panel access from the exterior. It's a locked door. Right?

Mrs. Trimbur - All the electric panels are (inaudible).

Mrs. Moore - This is an electric panel.

Mr. Healy - Okay.

Mrs. Moore - This is a delivery door.

Mr. Miller - It's reflected on the plan though or on the elevations.

(Tape inaudible).

Mrs. Moore - Or no... This is... That's... That's the main door? 'Cause these are the columns.

(Tape inaudible; people talking at once).

Mrs. Moore - Delivery door.

Mr. Miller - Are they...?

Mr. Healy - Entrances are there.

Mrs. Moore - That is not an entrance. That's how I access the electric panel.

Mr. Healy - Okay.

Mrs. Moore - It's not a, it's a door to walk through.

Mr. Healy - Two, two.

Mrs. Moore - Right.

Mr. Healy - Thank you.

Mr. Miller - I don't want to get too far into this, but it's not an access door, anyways. It's where their electrical panels are. It's not reflected on the elevation (inaudible). What does that...? Are those...?

Mr. Lapper - It's on the floor plan.

Mrs. Trimbur - The floor plan'll show it.

Mr. Miller - Yeah, I know. The floor plan shows it, but...

Mr. Belden - It's also on the site plan.

Mr. Miller - (Inaudible) six panels doors or are they...

Mrs. Trimbur - No, they're not.

Mr. Miller - ...just steel...

Mr. Spatz - Solid steel (inaudible).

Mr. Miller - Okay. That faces Main Street, right? That side. Am I correct?

Mr. Healy - According to this.

Mrs. Moore - Yes.

(Tape inaudible).

Mr. Miller - No, it doesn't. It faces the... We're looking at it like this. So it's like this. So it faces the back of the property or the fence.

Mr. Healy - What are we talking about.

Mr. Miller - Yeah.

Mrs. Moore - This is Main Street.

Mr. Miller - Yes, it's over here. This is right here.

Mr. Healy - Right here.

(Tape inaudible).

Mr. Miller - It faces the, the side of the property.

Mrs. Moore - Right there.

Mr. Miller - Right there.

Mrs. Moore - The electric panels.

Mr. Miller - So it's not visible.

Mr. Healy - No, it would be in the back.

Mr. Miller - Alright. Okay. I think we understand now. I think we got a grasp of it. Everybody understand now?

Mrs. Smith - Hm hm.

Mr. Miller - Where it is?

Mrs. Smith - Yep.

Mr. Miller - So there's still, there's one door, a main entry door and there's an access door for supplies in, in the back.

Mrs. Moore - Hm hm.

Mr. Miller - Which also, which faces the, Elm Street.

Mrs. Smith - Elm Street.

Mr. Miller - Side. There's a (inaudible) you can't see it from the street because of the...

(Tape inaudible).

Mr. Healy - That would face Elm Street, yes.

Mr. Miller - Yeah, it faces the side of the property.

Mr. Healy - (Inaudible). This is Elm Street here.

Mr. Hill - So just for clarity in the record, the main entrance doors, I think it would be worthwhile to, to specify clearly in the record which street the main entrance door...

Mr. Miller - Main entrance door faces Main Street.

Mr. Hill - Main entrance door faces Main Street.

Mr. Miller - Yep.

Mr. Healy - (Inaudible) panel here. This'll be...

Mr. Miller - This where (inaudible) sign is.

Mr. Healy - This is Elm.

Mrs. Moore - Yes.

Mr. Healy - (Inaudible).

Mrs. Moore - Yes.

Mr. Healy - With the panel in the back.

Mrs. Moore - Yes.

Mr. Miller - Okay. So we addressed the posts, question about the doors. I guess we want to go to siding.

Mrs. Moore - For the south elevation, they're going to remove those two decorative ones?

Mr. Miller - Yes, on the south elevation, it would be the two deco posts that are...

Mrs. Smith - In the middle.

Mr. Miller - ...on either side of the windows.

Mrs. Smith - Yeah...

Mr. Spatz - Eliminated...

Mrs. Trimbur - I thought we eliminated one in the front.

Mrs. Moore - No, that's...

Mrs. Trimbur - (Inaudible).

Mrs. Moore - Not the corners.

Mr. Miller - No, not the corners.

Mrs. Smith - Not the corners. The ones in the middle.

Mrs. Trimbur - We're eliminating the ones in, here?

Mr. Miller - Yep. (Inaudible).

Mr. Healy - By the front door.

Mr. Spatz - The ones in the middle on each side (inaudible).

Mrs. Trimbur - Okay.

Mr. Miller - So basically, four posts on the corners.

Mrs. Smith - Yes.

Mr. Miller - And...

Mrs. Trimbur - Correct. (Inaudible).

Mrs. Moore - The two posts supporting the...

Mr. Miller - Yeah.

Mrs. Moore - ...entrance canopy.

Mr. Miller - Yep.

Mr. Healy - (Inaudible) shows this and it shows this. (Inaudible) these two here.

Mrs. Moore - Yeah, (inaudible).

Mr. Healy - (Inaudible).

(Tape inaudible; discussion between Mrs. Moore and Mr. Healy).

Mr. Miller - (Inaudible) options were given east and south on all of these, so.

Mrs. Smith - Yeah. (Inaudible).

Mr. Miller - It's reflective all the way around, basically. The post at each corner and two posts supporting the porch, and that's it.

Okay...

(Tape inaudible).

Mr. Lewis - Do you want cement board or what?

Mr. Miller - That's, we haven't gotten that far yet. We're getting there next, I think. We just wanted to clarify the posts first and then...

Mrs. Moore - Is there is a discussion about where this...

Mr. Miller - The height of it?

Mrs. Moore - The height of the... The heighth.

Mrs. Smith - (Inaudible).

Mr. Miller - Personally, I think, where it's showing is at the bottom of the, the short windows being at that height and regardless of grade, reflective of... And then...

(Tape inaudible).

Mr. Miller - Down a grade. That'll be shown as like a, like a small or (inaudible) stone kind of look. Do you have a sample? No. The stone you don't?

Mrs. Trimbur - No.

Mr. Miller - Just the...

Mrs. Trimbur - It'll be like what's on our north country store.

Mr. Miller - Alright. Yeah, which looks good.

Mr. Healy - The one in Queensbury?

Mr. Miller - Yeah.

Mr. Healy - I was there yesterday.

Mrs. Smith - Looks nice.

Mr. Miller - Personally I think the, the Hardy Board would be a good choice, but I don't know about anybody else.

Mrs. Moore - I think cement, cement board is, is, would be my preference.

Mr. Miller - Anybody else? Opinions?

Mrs. Smith - I like the cement board.

Mr. Miller - Are you familiar with it? A little bit?

Mrs. Smith - I like the cement board better than the vinyl. Just my...

Mr. Miller - No you have vinyl shakes on the one in Queensbury, right? Cedar shake vinyl.

Mr. Healy - Cedar shakes, it looked to me.

Mrs. Trimbur - No, it's not cedar shake down in Queensbury.

Mr. Healy - Looks like it.

Mrs. Trimbur - North Queensbury?

Mr. Miller - North Queensbury.

Mrs. Trimbur - North Queensbury (inaudible).

Mr. Healy - What is it?

Mrs. Trimbur - It's architectural (inaudible). Not shakes.

Mr. Miller - They're shingle.

Mr. Healy - Shingle.

Mrs. Trimbur - Shingles.

Mr. Miller - Yeah. Well, vinyl.

Mrs. Trimbur - No, they aren't vinyl.

Mr. Miller - No, not on the roof. I'm not talking about the roof. I'm talking about siding.

Mrs. Trimbur - Yes, it's vinyl.

Mr. Miller - It's vinyl and it's a, a cedar shake.

Mr. Healy - They sure look it.

Mr. Miller - An architectural cedar shake.

Mr. Spatz - Cedar shake.
Mr. Miller - The heavy grain.
(Tape inaudible).
Mr. Miller - Yeah.
Mr. Spatz - He was saying...
(Tape inaudible).
Mr. Miller - There's a house...
Mrs. Smith - The Lake George one.
Mr. Miller - Yeah, the house right next, right behind the current
post office, has this, almost the same product on it.
Mr. Lapper - Right.
Mr. Healy - (Inaudible).
Mr. Spatz - Shale, is that what you have in mind is..?
Mr. Miller - No, I just, I just wanted to...
Mr. Spatz - Right.
Mr. Miller - ...clarify it. I like, if, given between vinyl siding, if
it's going to be a clapboard, I think the cement board's a better
choice than vinyl clapboard. And we talked about colors, was white.
What color was the shingle on the roof going to be?
Mrs. Trimbur - It's going to be a cream color (inaudible).
Mr. Healy - Didn't he show us cream the first time?
Mr. Miller - Yeah.
Mrs. Moore - Cream for the...
Mr. Healy - For the siding?
Mrs. Moore - The siding.
Mr. Healy - In fact, he gave us (inaudible).
Mrs. Moore - (Inaudible) looking for a different color on the siding
versus white?
Mr. Healy - Like Rite Aid down in Lake George.
Mrs. Moore - Yes.
Mr. Healy - That's what he showed us.
Mr. Miller - (Inaudible) options for...
Mr. Healy - (Inaudible) like that Rite Aid down in Lake George?
Mrs. Smith - The siding.
Mr. Healy - That was the color? Remember we looked at that picture?
Mr. Lewis - (Inaudible). Yeah. Yeah.
Mr. Healy - It was like that, that color, the siding you have a Rite
Aid.
Mr. Lewis - Yeah, I think actually the board asked us to (inaudible).
Mr. Miller - That's the color you're proposing for the, for the
walls.
Mrs. Trimbur - No, no, no. That is the texture.
Mr. Miller - Okay.
Mrs. Moore - These are colors that we can elect for the actual...
Mr. Lewis - (Inaudible) cream...
Mr. Miller - Siding.
Mrs. Moore - Siding.

Mrs. Trimbur - (Inaudible).

Mr. Healy - There it is right there, isn't it?

Mr. Lewis - We, we took some photos of (inaudible) across the street (inaudible) cream looks better, if you want it lighter (inaudible).

Mr. Healy - Like that.

Mrs. Moore - Okay.

Mr. Healy - Wasn't it?

Mr. Miller - Yeah, that's...

Mr. Healy - Wasn't that (inaudible).

Mr. Miller - (Inaudible) vinyl. The church is white. Yep.

Mrs. Moore - So the color that, was it a woodland cream that you sort of looked at.

Mr. Miller - Of these colors, what was your choice?

Mr. Lewis - Ya know, it might sound kind of counter-intuitive, but we really do like the building to look nice.

Mr. Miller - Right.

Mr. Lewis - We really do.

Mrs. Trimbur - We can...

(Tape inaudible).

Mr. Lewis - And Nancy's only built about 200 of these. I'm only at about 100.

Mrs. Trimbur - Sailcloth.

Mrs. Moore - Sailcloth, okay.

Mr. Lewis - Sailcloth, that would be...

Mrs. Trimbur - We have a sample in our home office. (Inaudible).

(Tape inaudible).

Mr. Lewis - We had a sample, but I lost it.

Mr. Healy - Yes, you gave it to us initially. There it is right there.

Mr. Miller - Oh you need that diamond (inaudible) to cut the stuff. I, I don't, I don't mind that color, but the white... What color are the windows, are they aluminum clad?

Mrs. Trimbur - Aluminum, silver.

Mr. Miller - Silver.

Mrs. Trimbur - And the reason why (inaudible) to do that is (inaudible) go back a couple of years later and (inaudible).

Mr. Miller - Yeah.

Mrs. Trimbur - The aluminum will hold up to 7,000 customers a week. (Inaudible).

Mr. Miller - Right.

Mrs. Trimbur - That's not my preference, aluminum, but I found...

Mr. Miller - Durability and...

Mrs. Trimbur - The durability outweighs the aesthetics.

(Tape inaudible).

Mrs. Moore - White, white would look better with that type of trim.

Mr. Miller - It would blend a little bit more, yeah.

Mr. Healy - White for the trim over that color?

Mrs. Moore - Well... There's two colors. There's... What we just learned was that the windows themselves would be aluminum in color and so out of the colors that, the sailcloth was suggested or some other color.

Mrs. Smith - White would look better.

Mrs. Moore - Such as white might be a better choice. I don't, I don't really, I don't have a preference other than understanding that the aluminum might go better with white versus...

Mr. Healy - Right.

Mrs. Moore - ...the sailcloth color. I haven't seen it. So...

Mr. Miller - The, and the sound would be of a lighter color or a grayish, I'm thinking.

Mr. Lewis - I think it's gray. Isn't that what we had with...?

Mrs. Trimbur - It's a little beige-ier.

Mr. Miller - A little beige-ier.

Mr. Healy - What'd she say?

Mrs. Moore - A beige.

Mr. Lewis - More beige.

Mr. Healy - Oh, okay.

Mrs. Trimbur - We'd like to do the (inaudible) show you a picture of that or (inaudible).

Mr. Miller - If you've got pictures, sure.

Mrs. Moore - In North Queensbury?

Mr. Miller - You don't have 'em with you?

Mr. Lewis - (Inaudible) to Saratoga and come back?

Mr. Miller - I believe it's a, the, the siding is a darker color.

Mr. Spatz - Yes, kind of a grayish color.

Mr. Healy - Yes.

Mr. Miller - And the stone is a...

(Tape inaudible).

Mr. Miller - It's like a charcoal almost.

Mr. Lewis - Well we could match it.

(Tape inaudible).

Mr. Lewis - The thing of it is, if the Board likes that, then we'll match it.

Mr. Spatz - That's a nice looking building down there.

Mrs. Smith - Yeah, it is a nice looking building.

Unknown Speaker - That is a nice looking building.

Mrs. Smith - Hm hm.

Mr. Lewis - (Inaudible) through the Town of Queensbury... Have you ever heard about the Town of Queensbury Planning Board? Have you ever heard anything about them?

Mr. Miller - Yep.

Mr. Lewis - You know how they're difficult?

Mr. Miller - When I have a trouble sleeping, I watch it on t.v.

Mr. Lewis - One meeting. One meeting. They looked at the design and it's like, it was (inaudible). But there was no (inaudible).

Mrs. Smith - Yeah, that's the (inaudible).

Mrs. Moore - The sailcloth color would like better with the stone.

Mr. Miller - Yep.

Mrs. Moore - So... It's a thought.

Mr. Healy - (Inaudible).

Mrs. Moore - Sailcloth would look better with the stone...

Mr. Healy - Yes.

Mrs. Moore - ...and there's such a large amount of stone there.

Mr. Healy - Yes.

Mr. Miller - Right.

Mrs. Moore - And the stone would blend, would help defer the...

Mr. Miller - Were you thinking about the same color for the trim or go with a..?

Mrs. Trimbur - White.

Mr. Miller - A white with the trim, okay. And then the roof shingles would be like a brown or a black or?

Mrs. Trimbur - It's going to be grayish color.

Mrs. Smith - Like the stone.

Mr. Miller - Like charcoal, yeah. Okay. Architectural?

Mrs. Trimbur - Yes.

Mrs. Moore - So it would be option #4, remove some, the designated columns, sailcloth color for the building color, white color trim, charcoal type roof and understanding that the windows would have a silver or aluminum trim.

Mr. Lapper - Hardy Board siding.

Mrs. Moore - And Hardy Board siding.

Mr. Miller - In sailcloth color.

Mr. Healy - (Inaudible) four of 'em, you're removing?

Mr. Miller - Yes.

Mr. Healy - Okay. I didn't know if you understood that.

Mr. Lewis - Yep. Thanks .

Mr. Healy - Two in the front, two on the side.

Mr. Miller - And there aren't any... There weren't any on the back, right?

Mr. Healy - Yes.

Mrs. Smith - No.

Mr. Healy - (Inaudible) right here.

Mrs. Moore - Those are the corners. The corner stays.

Mr. Healy - The corner's staying.

Mrs. Moore - Corners stay.

Mr. Hill - Mr. Chairman?

Mr. Miller - Yes.

Mr. Hill - I'm sorry to interrupt, but just with regard to the columns again, just for clarity in the record, if you could just re-say which columns the Board is asking to be removed (inaudible) about option #4, is that right...

Mrs. Moore - Correct.

Mr. Miller - Yep.

Mrs. Moore - Yes.

Mr. Miller - Option #4... Okay, I'll do it. On the East elevation, it would be from left to right, there would be a corner post, they would eliminate the next inboard post, the next post shown on the, on the elevation is a porch support which would stay. Then next one to the right is also a porch report, porch post, which would stay. The next one would be eliminated and then the following with the corner would, would be there. On the South elevation, same left to right, would be the corner posts and the two inboard posts would be removed. The eight-hand corner post would stay and obviously the porch support posts would stay. And we only have East and West, East and South elevations here, so basically you're looking at four corner posts on the building and two porch supposed, porch post supports and that's it.

Mr. Belden - You said, you said four, four corner posts?

Mr. Miller - There's four corners to the building right? Yeah.

Mr. Lapper - There's three.

Mr. Belden - Is there one on the opposite, on the..

Mr. Lapper - (Inaudible) with two different..

Mr. Belden - On, on the, I guess the West elevation.

Mr. Miller - I don't have a West elevation.

Mrs. Smith - (Inaudible) we don't have a West elevation.

Mrs. Moore - (Inaudible) corner post on the West elevation.

Mr. Lapper - The same post is shown on the two elevations..

Mr. Belden - Right.

Mr. Lapper - ...(inaudible) so there's three.

Mr. Miller - Yes.

(TAPE 1 SIDE A CAME TO AN END).

(Tape inaudible).

Mr. Miller - Alright, are we done with..?

Mrs. Moore - I don't have any other questions or comments about..

Mr. Miller - The building.

Mrs. Moore - The, the elevation.

Mr. Miller - Okay. Probably the only other comment I could make on the, on the facia, and I realize these are not final elevations, probably close, but maybe some, some sort of shadow board on the trim, ya know, a bump on the trim instead of just a flat..

Mrs. Trimbur - Flat.

Mr. Miller - ...board. That would, ya know, it's typical architectural enhancement. Everybody understand what that is?

Mr. Lewis - No, but I don't need to know. She does.

Mr. Miller - No, I'm talking to the Board.

Mrs. Moore - (Inaudible) bases of like the (inaudible).

Mr. Miller - Yeah, where this... What you would have is, is, instead of just a flat eight inch board, you would have a, a board that sits at the top, and it creates a shadow line there.

Mrs. Moore - Okay.

Mr. Miller - And it just breaks that up a little bit. It gives it a little bit...

Mrs. Smith - (Inaudible).

Mr. Miller - Yeah, it would run like this. 'Cause on the ends here, it would (inaudible). It just breaks that up and creates a shadow line there on that lower part. Okay, so we're option #4... You want to run down through them quick, just so we can...

Mrs. Moore - Yep.

Mr. Miller - ...move on. You want to down through the, on the building options. Just, just to...

Mrs. Moore - The canopy or..?

Mr. Miller - No.

Mrs. Moore - No.

Mr. Miller - The building. Are we all set on the building? Everybody understand where we're at.

Mr. Healy - That's external; not internal, right?

Mrs. Moore - Correct.

Mr. Miller - Internal, as a Board I don't know how much... What do you have in mind there? What are you thinking?

Mr. Healy - Well...

Mr. Miller - We addressed, the, the...

Mr. Healy - ...like the one they have up here, they got white brick and then inside it's red brick, okay. They have four booths.

Mr. Miller - Okay.

Mr. Healy - Are there going to have three booths, four booths? How many tables? The one down in...

(Tape inaudible).

Mr. Healy - Pardon? Yeah, I saw that, yeah. Okay. That's all I'm saying (inaudible).

Mr. Miller - Right. I just... Interior decoration, we're, we're not going to go there.

Mr. Healy - Okay. I just know what I saw at Queensbury and what I saw at the Lake George and what I saw up here. That's all.

Mr. Lewis - (Inaudible) this is the same as Queensbury.

Mr. Healy - Okay, that...

Mr. Miller - Same color treatments and...

Mrs. Trimbur - Yes.

Mr. Lewis - Yeah.

Mr. Healy - That's three with one table.

Mr. Lewis - Correct.

Mr. Healy - Okay. Lake George is four booths.

(Tape inaudible).

Mrs. Trimbur - Lake George is...

Mr. Healy - Lake George is four.

Mrs. Trimbur - (Inaudible) interior design (inaudible).

Mr. Healy - This one up here is three.

Mr. Miller - Probably different volume too.
Mr. Healy - With one table.
Mr. Miller - Okay, so...
Mr. Lewis - (Inaudible) circulation will be much better, much better.
Mr. Miller - Alright. Well, let's discuss the canopy now.
Mr. Lewis - Again, (inaudible).
Mr. Miller - Right.
Mr. Lewis - And (inaudible) round.
Mr. Miller - Right and I understand...
Mr. Lewis - (Inaudible).
Mr. Miller - And I did not understand the consequences of that before, but I, I was just trying to come up with an idea, a way of making it, tie it to the building a little bit.
Mrs. Smith - Tie it to the building, yeah. Yep.
Mr. Miller - But...
Mr. Lewis - It's a practical side of things that, that...
Mr. Miller - Personally I think the less on it, the better.
Mr. Lewis - I agree with you.
Mr. Miller - As far as I'm concerned, but just because I think when you start trying to dress it up and make it something it's not, then I think you, you're just adding clutter to it. But that's my opinion. But if that's the case, then I think probably option 1 with the colors that we talked about before with whites that, ya know, aren't real shiny. Kind of, ya know, that's my... Anybody else have...
Mr. Lewis - Well, that's easy.
Mrs. Moore - That was my concern was not shiny.
Mr. Lewis - That's easy.
Mr. Healy - I was down in Queensbury yesterday and it was raining and it was dark. Those lights were down. Other than that, they never went outside that...
Mr. Lewis - Yeah...
Mr. Healy - They shine right straight down.
Mr. Lewis - That's a great invention.
Mr. Healy - They never went outside that canopy.
Mr. Lewis - We were very, very pleased.
Mr. Healy - I saw that.
Mr. Lewis - It's like three times more money; it's clearly worth it.
Mr. Healy - Yeah, it's... It doesn't out... It doesn't shine outside that area at all. It's much less intrusive on the neighbors. So were the lamps going around the parking lot. They were on too.
Mr. Lewis - And... I think that's only the second or third (inaudible).
Mr. Spatz - Lake George has it.
(Tape inaudible).
Mr. Spatz - Lake George has it and Queensbury. You're going to have perimeter lighting on the building also, correct?
Mr. Lewis - With the same kind..?

Mr. Spatz - Right.
Mr. Lewis - Yes.
Mr. Spatz - Very good.
Mr. Miller - Yeah, that's a good point. Are there soffit lights and everything. There's really not much (inaudible).
Mrs. Trimbur - (Inaudible) lighting.
Mr. Miller - Yeah.
Mrs. Moore - Option 1 is...
Mr. Miller - To me, that's, (inaudible) on that. Does anybody else? Does, I mean, there's a lot of options here with the different brackets and everything, but I don't know how...
Mrs. Smith - (Inaudible).
Mr. Miller - Okay. I think... I mean, if it was... I think it looks good in Lake George with the Adirondack mix, but I think in here we're just going to go... I think if we're going to go with square in the point that we're trying to keep as small as possible which will help with keeping them hopefully visually down (inaudible).
Mrs. Moore - (Inaudible) with the (inaudible) issue on sight.
Mr. Miller - It would lessen the amount of space between the...
Mrs. Moore - Right.
Mr. Miller - ...between these.
Mrs. Moore - Yes. And I don't... That's not a good idea.
Mr. Healy - (Inaudible) in Queensbury, they angled the pumps.
Mrs. Moore - Yes.
Mr. Healy - The pumps were angled. I thought that was...
Mr. Miller - (Inaudible) angled too.
Mr. Healy - No, not here, but the ones down there were angled.
Mr. Lewis - Yeah, and that's because of, that, that wasn't on a corner lot.
Mr. Healy - Right.
Mr. Lewis - And so, and that was actually a big deal on the Planning Board, was, was how they were angled like this. They wanted all four of them like this and the consequence of that is that, that if these are filled, this guy's got to go all the way around.
(Tape inaudible).
Mr. Lewis - Yeah, that worked well there.
Mr. Healy - On that site.
Mr. Lewis - Yeah, that work well there.
Mr. Healy - It wouldn't work here.
Mr. Lewis - Yeah, it's... This is...
Mrs. Smith - (Inaudible).
Mr. Miller - Right.
Mr. Lewis - ...(inaudible).
Mr. Miller - There was one suggestion that there might, ya know, that the canopy be done with some sort of slow (inaudible) or something, but the realities of that is snow and downfall, yeah.
Mr. Lewis - (Inaudible).

Mrs. Smith - (Inaudible) same color as the (inaudible).

Mr. Miller - Yeah, we're talking about all white for the canopy, right?

Mrs. Smith - All white, yeah.

Mr. Miller - And off-white or flat white of some sort that does reflect.

(Tape inaudible).

Mr. Healy - ...reflect.

Mrs. Moore - So I have option 1, all white, non-reflective.

Mr. Miller - The pumps will be the same as these, the black and silver, most likely?

Mrs. Trimbur - It may be gray versus (inaudible).

Mr. Miller - Okay. I just, yeah. It's hard to tell here. It looks like gray or silver. I didn't know if it was like a stainless.

Mrs. Trimbur - Well, (inaudible) having trouble with (inaudible).

Mr. Miller - Right.

Mrs. Trimbur - (Inaudible) and I'm not sure (inaudible).

Mr. Miller - So, we'll sidestep here just a little bit. With the building being the cement board, that is what we'll do on, on the post office then?

Mrs. Trimbur - (Inaudible).

Mr. Miller - Okay. Same color?

Mr. Lewis - On the office next to the post office?

Mr. Miller - Right, the addition. Yeah, yeah. Not over the brick. We wouldn't want it...

Mrs. Moore - The, go, switch to the sign for a quick second. The sign remains the same as proposed. The sign remains the same as proposed. Sort of a monument sign appearance with an LED to just display the gas.

Mr. Lewis - Yes.

Mrs. Moore - Okay. Internally lit?

Mrs. Trimbur - Yes.

Mrs. Moore - Right? The Stewart's itself.

Mr. Miller - Alright.

(Tape inaudible; board looking over information).

Mr. Miller - Canopy is going to be white, off-white color, non-reflecting. (Inaudible) to the site itself.

Mrs. Moore - Okay.

Mr. Miller - It looked... We talked about raising the berm at the corner.

Mr. Lewis - Right.

Mr. Miller - Raise that up, okay.

Mr. Lewis - (Inaudible) the flowers.

Mr. Miller - Yeah.

Mr. Lewis - ...or whatever.

(Tape inaudible).

Mr. Miller - And the trees that will eventually grow in there.

Mrs. Moore - And you're putting a bike rack that is...

Mrs. Lewis - That's on the new plan we just gave you.

Mrs. Moore - That will be...

Mr. Miller - (Inaudible).

Mr. Lewis - Remember, there were two large sheets that we handed in last Wednesday, the big sheets, but it's on that little one I gave you this evening.

(Tape inaudible; people talking at once).

Mr. Miller - Oh, okay.

Mrs. Smith - (Inaudible).

Mr. Lewis - If it turns out there's a need for two, we'll just add another one.

Mrs. Moore - Okay.

Mr. Miller - Dumpster?

Mrs. Moore - (Inaudible). Dumpster is located on the north corner?

Mr. Lewis - Yes.

Mr. Miller - Is that screened?

Mr. Lewis - Yes.

Mr. Healy - White fencing?

Mr. Lewis - I don't think there's white fencing. I think it is...

Mr. Healy - The one I saw was white.

Mrs. Moore - Should it be white?

Mr. Healy - (Inaudible) your garbage in the (inaudible).

Mr. Lewis - You mean the enclosure around the dumpster?

Mr. Healy - Yes.

Mr. Miller - Yeah. Screened by fencing or is, is it open?

Mr. Lewis - I think (inaudible).

Mr. Belden - It's page F6 of your site plan.

(Tape inaudible).

Mrs. Trimbur - It's chain link with green vinyl strips.

Mr. Healy - That's right.

Mr. Miller - That concrete retaining wall is there now, right?

That's shown there? Tom?

Mr. Lewis - (Inaudible).

Mr. Miller - That concrete retaining wall that's there, that's there now? Okay. And you're adding plantings to it?

Mr. Lewis - We're going to work something out with the neighbor.

Mr. Miller - The Lloyd's?

(Tape inaudible).

Mr. Miller - Okay.

(Tape inaudible).

Mrs. Potter - What did you just say about the neighbors?

Mr. Miller - The plantings on the north side of the property, he said he won't...

Mrs. Potter - Oh.

Mr. Miller - ...do anything without discussing it with the Lloyd's.

Mrs. Potter - I thought you were...

Mrs. Smith - This one?

Mr. Lewis - With the Lloyd's.

Mrs. Potter - I thought you were still talking about the dumpster.

Mr. Miller - Anything adjacent to the properties, they'll be advised to...

(Tape inaudible).

Mrs. Moore - Yes, that's in the front corner.

Mr. Healy - Yeah. Shale, (inaudible).

Mr. Miller - Yeah. Yeah, I saw that last time.

Mr. Belden - Here you go.

Mr. Spatz - Right here.

Mrs. Smith - Oh, you got it?

Mr. Spatz - Is there a reason why you're using that type fencing around the dumpster?

Mrs. Trimbur - That's something that we stock in our warehouse. These things get bumped all the time. It's easy for us to repair.

(Inaudible).

Mr. Miller - It's typically picked up during the day? Garbage or..?

Mrs. Trimbur - Yes.

Mr. Miller - Once a week or twice a week?

Mrs. Trimbur - It depends on the store. This one would be picked up in the summer twice a week. In the wintertime, once a week.

Mr. Spatz - The fence around the dumpster in Queensbury's a little more decorative, I believe.

Mrs. Trimbur - It is. (Inaudible).

Mr. Lewis - This is kind of hidden. The, the elevation of the Lloyd's house is, is a lot higher (inaudible).

Mr. Miller - This is going to slope down around, so you don't... It's not like you can see it from (inaudible).

Mr. Miller - The, the sidewalk where the new curb cut's going to be... The sidewalk where the new curb cut's going to be on the Stewart Farrar...

Mr. Lewis - Right.

Mr. Miller - That's going to be redone to slope down to that, 'cause it's pretty high there. Right?

Mr. Lewis - (Inaudible).

Mr. Miller - Is there?

Mr. Lewis - (Inaudible).

Mr. Miller - I just... I think (inaudible) would be a good... It doesn't look like it's indicating that it's sloping there, but which I really think it ought to.

Mrs. Trimbur - It says sidewalk installed to match existing.

Mr. Miller - Okay, but you got that, wherever that sidewalk is along there, it's like 12 inches off the ground, off the road. If you put a curb cut in there, you're going to end up with a step.

(Tape inaudible).

Mr. Miller - Yeah, I think if it sloped down to that, ya know, just so if there is, ya know, anybody in a wheelchair or, or...

Mr. Lapper - People bicycling.

Mr. Miller - Bicycle... Well, bicycles aren't supposed to be on the sidewalks.

Mrs. Smith - Yeah, that's right.

Mr. Miller - I made that point already. But, ya know, strollers, and...

Unknown Speaker - Okay.

Mr. Miller - Wheelchairs and whatnot, I think, just don't want 'em diving off that.

Mr. Spatz - (Inaudible).

Mrs. Smith - Yeah.

Mr. Miller - And I think if you look around, the, that was done, or tried, they try to do that on Main Street as much as possible. Used to be (inaudible).

(Tape inaudible).

Mr. Miller - I think he said last time that it gives people a false sense of security too.

Mr. Healy - (Inaudible) there. People (inaudible) stop. The come and go.

Mr. Miller - (Inaudible) like the pedestrian crosswalks.

Mrs. Smith - (Inaudible) useless.

Mr. Miller - Don't assume they're going to stop.

Mrs. Moore - Should I go through?

Mr. Miller - Yep. Go ahead.

Mrs. Moore - (Inaudible) board members were provided with a draft resolution; however, there's some items that, that are identified in Section 211-39 under Planning Board review standards, (inaudible) just needed additional clarification...

Mr. Hill - Mr. Chairman?

Mr. Miller - Yes.

Mr. Hill - I'm sorry. Before you go any farther, because it sounds like your starting to review a draft resolution for the project, one thing that I wanted to ask you, if you had reviewed before is the Storm Water Management Plan for the project. It's part of the file and I was just reviewing... Chris was kind enough to pull it out so that I could take a look at it, and I've just been reviewing the executive summary and some of the material in it and I just, I think it's important that the board members also have an opportunity to take a look at it. So for any board members who haven't seen it, if you don't mind, I'll pass it across and encourage you to look through it, check the executive summary and just examine that and make sure that that looks acceptable from your perspective or if you have any questions about it.

Mrs. Moore - My thought was, was because there's some information within that section that you, there's some blanks and I thought it be helpful if the board manually went through that and...

Mr. Hill - There is...

Mrs. Moore- ...fill in those blanks.

Mr. Hill - There is a section of the draft resolution, you're right, Laura, that addresses storm water management considerations.

Mrs. Moore - There some other things you had in here, so I don't know if, if that would be more beneficial for having information for the resolution.

Mr. Hill - The only reason that I think it be would useful to take a look at the storm water management plan, so that when you get to the section of the resolution, you've got the benefit of the review of the storm water management plan for making any comments in that section of the resolution.

Mrs. Moore - Okay.

Mr. Hill - It should be noted that the Stewart's project would review or excuse me, would disturb less than one acre of area. And so, and the, the storm water management plan makes note of the fact that it would disturb less than one acre, so therefore, it does not exceed the DEC SPEDES threshold and is subject to a different set of standards and there are fewer requirements with regard to storm water management. Basically the storm water being conveyed off the site after development can't exceed the volume of storm water going off the site pre-development. That would be the standard that they would have to meet. But other than that, there apparently are no additional requirements.

(Tape inaudible).

Mr. Miller - They have storm, ya know, a...

Mr. Healy - Yes.

Mrs. Moore - And, and I...

Mr. Miller - (Inaudible) structure set up for that.

Mr. Healy - Yes.

Mrs. Moore - In regards to storm water, Sheet S1 shows the existing catch basin of storm water control devices on the site and road surrounding the site. Sheet S3 and S5 provides detail on the new storm water control devices to be installed on site, also showing flow direction. Their plans show they will accommodate storm water generated on their site through an underground storm water control array. My understanding is that obviously they will not, they will accommodate all the storm water on site and instead of, in some cases, where you can put a storm water pond in, they're actually storing this water, if it occurs, under the, under the, the pavement.

Mr. Miller - Hm hm.

Mrs. Moore - Which is a good system.

Mr. Miller - (Inaudible) kids falling in a pond.

Mr. Hill - It sounds like that, the comments that you just read, Laura, sound like they're consistent with what the executive summary of the storm water management plan says, which is basically that the post development flows, if I'm reading it correctly, won't exceed the pre-development flow, so.

Ms. Frasier - (Inaudible).

Mrs. Moore - I apologize. Let me get it back down. I switched seats this evening.

Ms. Frasier - (Inaudible) coming through.

Mrs. Moore - Okay. I'll just follow up again. It regards to storm water. Sheets S1, these are the plans that we received recently. Show the existing catch basins and storm water control devices on the site and the roads surrounding the site. Sheets S3 and S5 provide details on the new storm water control devices to be installed on site, also showing the flow direction. Their plans show that they will accommodate storm water generated on their site through an underground storm water control array. And instead of putting in a pond, we've seen other developments do that. Larger developments typically put in a pond. In this case, they're actually storing that water, if it occurs, underneath the pavement in a, in a chamber system. So it's very similar to a pond. So... What I'm going to go through, for the Board information, is under your Section 211-39. It's Planning Board review standards. Some of these items are outlined in this draft resolution, but I think it would be beneficial for ourselves to go through it as part of, which we typically do during reviews of site plans. I'm going to manually go through one although. Number 1, what it is, is Planning Board's review of the site plan shall include as appropriate, but not limited to the following general considerations 1) the location arrangement, size, design and general site capability of buildings, lighting and signs. In this section, we've identified as a Planning Board that we prefer option #4 that's been provided by the applicant. This building type would be a sailcloth color, white color trim, charcoal type color roof and then it goes further on that option 1 for the canopy, also a white color, but in this case non-reflective over the gas pumps. And that covers the building itself. Lighting for the project is described as will be down-lit LED and the gasoline sign will be an LED type as well as interiorly light. The underside of the canopy will be lit but there will be no lighting on the sides. We understand that the applicant has agreed to turn off, turn all lights off one half hour after closing at 12 midnight and to keep all lighting off until one half hour before opening at 5:00 a.m. Deliveries will not be made during school hours or late at night. (Tape inaudible).

Mrs. Moore - Also in reference to this item #1, we understand there will be two signs, one on the building and one freestanding sign at the corner of Main Street, New York State Route 9 and Stewart Farrar.

The applicant has agreed to retain the former post office building located on the project site at the corner of Stewart Farrar and Elm Street. Okay, and also...

Mr. Miller - (Inaudible).

Mrs. Moore - We can add in this section the post office will be, post office addition will be, will...

Mr. Healy - Resided.

Mrs. Moore - Will be resided... Where is it?

Mr. Miller - It's the one up... No, you don't have the same one. You using the old one. You started making notes on the old one?

Mrs. Moore - No, this is (inaudible). Are you on page 2?

Mr. Miller - (Inaudible). No, (inaudible). You're right.

Mrs. Moore - Alright.

Mr. Miller - (Inaudible) wrong one.

Mrs. Moore - Okay. (Inaudible). The post office will be... The post office addition will contain, will be sided with the same in similar material as the building which is sailcloth and was, called cement board siding.

Mr. Miller - Yes.

Mrs. Moore - And also for item #1, the project is a permitted use in the Hamlet Commercial zoning district and has been... Hold on.

(Inaudible) wording. ...designed to be compatible with the surrounding area. Okay. Item #2, or did anybody, did board members have any questions about item #1?

Mr. Miller - No.

Mrs. Moore - And are you in agreement?

Mrs. Smith - Hm hm.

Mr. Miller - Yep.

Mrs. Moore - With that? Item #2 is in reference to the adequacy and arrangement and vehicular traffic access, circulation, including intersection of road width, pavement services, dividers and traffic controls. We understand that the vehicle entrances to the project site will provided on Main Street, New York State Route 9 and on Stewart Farrar Street. Vehicles, exits will be at these locations and also onto Elm Street. The curb cuts on to New York State Route 9 and Stewart Farrar Street will be 40 feet wide as requested by Warren County DPW to allow tankers and delivery trucks to navigate safely. The exit to Elm Street will be for a right-turn exit only and the curb and pavement will be configured to control exiting vehicle movement for turns only.

Mr. Healy - (Inaudible).

Mrs. Moore - If you have comments, yes.

Mr. Healy - I'd like to be able to, maybe a year after they have their grand opening (inaudible) address this traffic pattern that we're talking about right now. In case there's any...

Mr. Miller - Elm Street exit or in general?

Mr. Healy - Elm Street. I'd rather see that as a service entrance. But that's my opinion; that's all.

Mr. Miller - (Inaudible).

Mr. Healy - But I'd like to be able to come back and address the traffic pattern a year after they open.

Mr. Lapper - (Inaudible).

Mr. Healy - If there's a problem, fine. If there isn't, (inaudible). I'd just like to be able to come back and address that traffic problem, if there is. If there isn't, there's no problem. You're saying there isn't. Let's try it for a year. That's all I'm saying.

Mr. Lapper it would be a dead-end if... All those spaces wouldn't work, you'd have to have that (inaudible).

Mr. Healy - You're talking parking spaces, right?

Mr. Lapper - Yeah, yeah. That's why we need that exit only, to accommodate parking for the office unit.

Mrs. Trimbur - For the rental unit.

Mrs. Smith - For the rental unit.

Mr. Healy - Who are you, sir?

Mr. Miller - He's their lawyer.

Mr. Lapper - I'm Jon Lapper, the, the project attorney.

Mr. Healy - You're representing Hudson Headwaters?

Mr. Lapper - And Stewart's.

Mr. Healy - Okay.

Mr. Miller - The point, if you close it off in a year from now, then those sites, then those don't work.

Mrs. Moore - Well, I don't think he's suggesting. He's not... He's not suggesting... He's not suggesting closing it. He's actually, he's actually suggesting making it in/out over here.

Mr. Miller - It is out.

Mr. Healy - It's out only.

Mrs. Moore - (Inaudible) in.

(Tape inaudible).

Mr. Miller - Oh, an in?

Mrs. Moore - In.

Mr. Healy - I'm saying a service entrance. That's all.

Mr. Lewis - Thank you for saying that, but we'd rather have it that way, but, but it doesn't work that way because it's, it has to be right out only and the narrowness of it is just the right size for an out vehicle. But you couldn't go in because the parking for the...

Mr. Lapper - Diagonal spaces.

Mr. Lewis - ...the post office is diagonal.

Mr. Healy - What's the width of that (inaudible) behind the back of the post office (inaudible).

Mr. Miller - We talked about that last time. It's 15 feet, maybe.

Mr. Belden - I think about 18 feet.

Mr. Lewis - In other words...

Mr. Healy - I know where you're talking. I've walked (inaudible).

Mr. Lewis - (Inaudible).

Mr. Healy - Yeah, I know.

Mr. Lewis - If a car came in and these guys are parked this way, then that's a conflict. (Inaudible) car going this way.

(Tape inaudible).

Mr. Lewis - The width is...

(Tape inaudible; people talking at once).

Mr. Lewis - ...is 37 ½.

Mr. Healy - I just think if we're going to have a, we've had so much noise about the traffic problem, that we look at it in a year from now and if there's a problem, we fix it. If there isn't, we don't say nothing. That's all.

Mr. Miller - We've done that in the past. We have done that. I don't have a problem with that if everybody's... Doesn't mean that it's going to change. It's just a consideration.

Mrs. Moore - I'm just going to keep that comment on the back burner at the moment? Kay? Continue with traffic and adequacy.

Evaluations were done on the site traffic pattern to, that will allow access of delivery trucks and vehicles with trailers. The applicant provided drawings that clearly showed that you could, it could accommodate delivery trucks and our tourist type traffic in that particular, on that site. And in regards to the entrance on Stewart Farrar, the applicant has agreed that the sidewalks...

Mr. Miller - Well, I think all the, all the...

Mrs. Moore - Actually all the entrances should be designed to meet the new access points... The sidewalks should be designed to meet the new access points.

Mr. Lapper - The grade.

Mrs. Moore - The grade. Okay. In reference to the traffic study for the project prepared by Creighton Manning in lies three access point and four off-site intersections. All onsite and offsite intersections showed a level of service of C or better and the current levels of service will not change as a result of the project. And in addition, seasonal adjustment (inaudible) was also done on, based on DOT data, which increases the volumes on Elm Street and New York State Route 9 by 25%, again not changing the level of service. Creighton Manning also explained that the sight distances entering and exiting the site based on the speeds measured in the field, rather than the posted speeds were evaluated and found to be sufficient. DOT and... New York State DOT and DPW both reviewed the traffic assessment prepared by CME and sighed off, signed off on the plan. The applicant has adopted the recommendation of the County DPW that the driveway exiting on to Elm Street should be restrict to right turns only and DOT had indicated that it will reevaluate the need for a northbound left turn arrow at the (inaudible) located at the corner of Route 9 and Hudson Street to see if conditions have changed.

Mr. Miller - During the Summer peak...

Mrs. Moore - During the Summer peak travel. Also, and we heard this earlier, additional evaluation of the impact of reopening the Milton Street bridge was done by CME in response to comments. According to this evaluation, closure of the bridge resulted in rerouting of traffic, which may have increased traffic in the vicinity of the project site. This increased traffic was included in the original traffic analysis done for the project. When Milton Street bridge is reopened, traffic will likely return to the original pattern, which will reduce traffic in the vicinity of the project site, but will have relatively minor impact. So in conclusion, in reference to traffic and maybe board members have additional information or would care to comment, the project as designed and project area are capable of handling the traffic for the proposed use and existing uses in the area. Anybody have any comments on that?

Mr. Spatz - No.

Mr. Miller - (Inaudible).

Mrs. Moore - Okay.

(Tape inaudible).

Mrs. Moore - I'm still thinking about that.

Mr. Healy - Hah?

Mrs. Moore - I'm still wondering how, if we do consider adding a, a review again for the Elm Street access point, but...

Mr. Healy - What do you mean?

Mrs. Moore - You've asked for us to review it again in a year and sometimes that's...

Mr. Healy - Just the traffic.

Mrs. Moore - Just the traffic for Elm Street.

Mr. Healy - (Inaudible) the project.

Mrs. Moore - Okay.

Mr. Healy - Just the traffic.

Mrs. Moore - Kay. It's still in the back of my mind. Number 3, is the item, location arrangement, appearance and sufficiency of off-street parking and loading. There will be 30, 30 parking spaces including six parking spaces for the former post office building. (Inaudible evaluations of these onsite traffic patterns, including access of delivery trucks, including gasoline delivery tankers.

Mr. Healy - (Inaudible).

Mrs. Moore - Yes.

Mr. Healy - Did you people ever think about donating it to the town, as far as the Chamber of Commerce and senior citizens, that building? Or you strictly up to renting that.

Mrs. Trimbur - We'd like to rent it.

Mr. Healy - Pardon?

Mrs. Trimbur - We would like to rent it.

Mr. Healy - Okay. Thank you.

Mr. Lewis - The serious answer is that we have...

Mr. Healy - That's a serious answer.

Mr. Lewis - (Inaudible) more of an answer, and I'm not sure that I may have mentioned the last time I was here. When I started with the company in 1992, we gave away a half a million dollars to all the communities who, who (inaudible). Last year that was at two and a half million dollars. We have learned that it's very good business; it's the right thing to do. So we've earned a certain reputation as donating a lot of money, a lot of product, and, and I think chances are good... I haven't looked at, at, ya know, what was done for Warrensburg (inaudible), but I'm sure we've been very consistently supportive, much more than your average corporation is (inaudible).

Mr. Healy - Well, you did 1.2 billion dollars in sales last year. You also gave your employees 30 or 33 million dollars in an employee fund.

Mr. Lewis - Thank you.

Mr. Miller - You ask a question and (inaudible) answer.

Mr. Healy - I read a lot.

Mrs. Potter - Shale?

Mr. Miller - Yes.

Mrs. Potter - (Inaudible) talk about the cistern or this underground water thing for the storm water.

Mr. Miller - Yep.

Mrs. Potter - Now that whole lot slopes down towards Stewart Farrar. So apparently you're going to have to put that cistern or something down there and there are oil tanks. Their big storage tanks are down (inaudible).

Mr. Miller - It is adjacent to the oil tanks.

Mrs. Potter - You don't have to worry about the oil something in the storm water?

Mr. Lewis - Right now it is draining into county (inaudible). So we're removing it completely out of that and it's being directed into the (inaudible). So we're actually improving the (inaudible).

Mrs. Potter - Yeah, but (inaudible) water isn't running off now because there is grass and there's dirt and stuff like that. But when you (inaudible) macadam, you're going to have (inaudible). It's not that I'm arguing (inaudible), but it has... That cistern's got to be down in that area where your oil tanks are because that's the (inaudible) goes.

Mr. Miller - I'm trying to find it here. I just had it two seconds ago. (Inaudible). Here it is. Yeah, it's...

Mr. Lewis - (Inaudible) all of the drainage, none of this will go across the street (inaudible).

Mr. Miller - It is between where the gas tanks are, the gray, light gray tanks and the post office, is where it is, which is, you're correct, it's where it slopes down to. But as far as contamination of that or whatever, the tanks are installed by all the State

regulations that are required to follow now. They're fiberglass tanks, I believe?

Mrs. Trimbur - And electronically monitored.

Mr. Miller - And electronically monitored. So we've had... We've had major... We had major... I understand we've had major catastrophes in this town, the gas... The...

Mrs. Potter - Hm hm.

Mr. Miller - The car wash, I know people that live next door to there and you couldn't, you could like a glass of water on fire practically, so those days, as far as gas stations are regulated and everything, I think are hopefully over, but...

Mrs. Potter - (Inaudible) was over to.

Mr. Miller - Well...

Mr. Hill - Mr. Chairman? Just, again, just for the record, I'm not sure I heard. Did the applicant say that the proposed underground gasoline storage tanks or triple-walled?

Mr. Lewis - No, no. Double, double-walled. Pipes are...

Mr. Hill - Pipes are triple-walled and the tanks or double-walled. And is there some kind of a monitoring system or?

(Tape inaudible).

Mrs. Smith - Electronically.

Mr. Hill - Electronic monitoring. Does that..?

Mr. Lewis - ...throughout the entire system. At all points.

Mr. Hill - Does that provide an alarm or something inside or is that..?

Mr. Healy - Yes.

Mrs. Trimbur - It provides an alarm inside and we also get the record at our corporate headquarters.

Mr. Healy - It's on our drawings too. The whole system.

Mrs. Newell - Mr. Chairman, (inaudible) to the setup, it's likely that the storm water management was available to the public; however, it's (inaudible) that most of the public probably doesn't know how to assess anyway. I just would like to make some comment about that (inaudible) please. It's not... I just... I don't want to argue with anything...

Mr. Miller - Right, I am aware of that, but we have closed the public hearing and we need to proceed and, I, I think we all have to rely on the expertise of the people that created these things.

Mrs. Newell - I'm not worried about anything. It's actually something that I hope (inaudible) more responsible. They should take care of the whole property, even if the (inaudible) does not have to go through the big, ya know, fancy (inaudible).

Mr. Miller - I think they've done that.

Mrs. Moore - Yeah, they are.

Mrs. Newell - No, no, no, but...

Mr. Miller - They didn't have to do any storm water management.

Mrs. Newell - Are they going to take care of the entire property?

Mr. Miller - Yeah.

Mrs. Newell - 'Cause they didn't really say that, I don't think. (Inaudible) talking about, you talked about storm water for the Stewart's, less than one acre (inaudible) site.

Mr. Lewis - It's the whole lot.

Mrs. Newell - But what about...?

Mr. Miller - Yeah, it includes the whole property.

Mrs. Newell - Thank you.

Mr. Miller - Yeah.

Mrs. Moore - Okay.

Mrs. Newell - (inaudible) responsible for it all...

Mr. Miller - Yeah, I know. It would be...

Mrs. Newell - (Inaudible) it's clearly less than the (inaudible).

They don't have to do the extra stuff. They (inaudible). Yes thank you.

Mr. Miller - It does, it does encompass the whole.

Mrs. Newell - I appreciate you taking the time out to explain that. Thank you.

Mrs. Moore - Hm hm. We're still on item 3 and I, I can bring this to conclusion for item 3. If board members have other comments, let me know. The project is designed has sufficient parking and arrangement for off-street parking and loading. Okay. Item 4 is the adequacy and arrangement of pedestrian traffic, access, circulation, walkway structures, controlled intersections with vehicular traffic and overall pedestrian convenience. Sidewalks across the project entrance and exit points will be removed to avoid giving pedestrians a false sense of security. Two bicycle racks will be provided on site. Two picnic tables will provided in front of the building and two park benches will be provided on Main Street. Two restrooms will also be provided.

Mr. Healy - Can I say something about the park benches?

Mrs. Moore - Yes. Yes.

Mr. Healy - What kind of benches you going to put there, cement? They're not going to stay there long. We have a history of our benches disappearing.

Mr. Lewis - We'll chain 'em down.

Mrs. Smith - Yeah.

Mr. Healy - Okay. I'm just saying (inaudible).

Mr. Lewis - No, I appreciate your (inaudible).

Mr. Healy - No problem. I'm just saying we have a history from Jack Toney's all the way up to the post office, they disappeared.

Mrs. Newell - Mr. Chairman, will the board please repeat the statement...

Mrs. Moore - Sure.

Mrs. Newell - ...about the sidewalks being removed from (inaudible)...

Mr. Miller - Yes.

Mrs. Newell - ...remove a false sense of security...

Mr. Miller - I'll address that. In the original plan, they had a sidewalk going from the island to the building. It was a, just a designated area within the parking lot. None of the sidewalks are being removed around the, around the facility.

Mrs. Newell - I thought curb cut was in that sentence and it just made all of the (inaudible).

Mrs. Moore - We'll remove that. Yeah. Actually... I don't think it's necessary to include it because it's worded, because of its wording. We know that the sidewalks will remain. They're adjusting the sidewalks to meet the new entrance, access points to the site is, is what, what that should, what that information should relay.

Unknown Speaker - (Inaudible).

Mrs. Moore - Are you saying what?

Unknown Speaker - Are they repairing them also. They're in very bad shape.

Mr. Miller - Does the Town have a plan for that?

Mr. Lewis - I don't know.

Mr. Miller - They're going to... They're going to be responsible for making the, the area right directly in that. The rest of it is the town and you can, you can inform the, the powers that be that those are in trouble and...

Mrs. Moore - In need of work.

Mr. Miller - I had to the other day.

Mr. Hill - Mr. Chairman, just to clarify. I'm sorry. For the record, under that paragraph regarding the sidewalks. Are, is the board deleting that first sentence. Is that what's going on?

Mrs. Moore - I would suggest deleting that first sentence and, in place of that, relaying some type of information that explains the sidewalks are being adjusted at the access points for the project to meet the grade appropriately. For conclusion of that, item number, number 4, pedestrian amenities on site and access to the site have been addressed by the project design. Any comments from board members on that.

Mr. Miller - No.

Mrs. Moore - Okay.

Mrs. Smith - No.

Mrs. Moore - Okay, number 5 is the adequacy of storm water and drainage facilities...

(Tape inaudible).

Mrs. Moore - Sorry. Yep. The plans...

(Tape inaudible).

Mrs. Moore - Yep. The plans, how do they do that? Sorry, I'm reading from two different pieces of information. As (inaudible) storm water drainage facility, the plans submitted by the applicant show the existing catch basin, the storm water control devices on the project site and road surrounding the site. I've already read through this. The plans also provide details on the new control,

water control devices to be installed as part of the project. Storm water runoff would be handled through an underground storm water control array. Again, the, in conclusion for that, the project by design has, has adequate storm water and drainage facilities on site to accommodate storm water, storm water for the project.

Mr. Belden - Mr. Chairman?

Mr. Miller - Yes.

Mr. Belden - If I just (inaudible) mentioned back in the section about adequacy of pedestrian traffic.

Mrs. Moore - Hm hm.

Mr. Belden - Two picnic tables, I was just wondering if there was any clarification of where those will be placed? (Inaudible) the building but it looks like there's landscaping...

Mr. Miller - There's two right in, under the porch.

Mrs. Trimbur - Underneath the porch.

Mr. Miller - On either side of the entrance.

Mr. Belden - Okay. I thought there was landscaping in that section.

Mr. Miller - (Inaudible). No, there's none on the, on the landscaping plan.

Mr. Lewis - (Inaudible).

Mr. Miller - I don't think there is on the landscaping plan.

Mrs. Moore - (Inaudible).

Mr. Lewis - It's on, it's on the (inaudible) plan. It's on (inaudible) old site plan. (Inaudible) forgot to put it on the new one. It was on the old one. So here's where they are, right over here.

Mr. Miller - Right, and...

Mr. Lewis - It's in the middle.

Mr. Belden - And I guess the question arises out of the revised landscaping plan. It looks like some plants and flowers, some plantings be added in that section, I believe.

Mr. Miller - It's outside of the, of the roof.

Mr. Belden - Just outside of the...

Mr. Miller - The picnic tables are under the roof.

Mr. Belden - Under the roof. Okay, I'm sorry.

Mr. Miller - That's... You got one door so they're on either side there.

Mrs. Moore - Any other comments on adequacy of storm water drainage facilities?

Mr. Healy - (Inaudible).

Mrs. Moore - Okay. Number 6 is adequacy of water supply and sewage disposal facilities. The project will be served by Town water and sewer facilities and there is adequate capacity to provide these services. The board received information from our Water and Sewer Superintendent explain, reiterating that the site has adequate capacity to provide services. A conclusion for that is the project as by, as designed and as required by our Highway, or our Water and

Sewer Superintendent will meet, has adequate water supply and sewage disposal facilities.

Mr. Healy - (Inaudible).

Mrs. Moore - Oh...

Mr. Healy - If you read it, it would answer some questions.

Mrs. Moore - Okay. Read it into the record? Okay. I have approved the one inch water line. There will be a 1,000 gallon grease, grease trap...

(TAPE 1, SIDE B CAME TO AN END)

Mrs. Moore - There will a thousand gallon grease trap. Applicant must purchase a water meter and backfill preventer. The old surface lines for both water and sewer should be dug up and capped at the property line at the owner's expense. 7 is... Any questions on that one, for number 6? Number 7 is adequacy and type of arrangement of trees and shrubs and other landscaping constit... I'm not going to pronounce that. ...visually and/or...

Mr. Miller - Constituting.

Mrs. Moore - There you go. ...visually and/or noise buffers between the applicants and adjoining lands including the maximum retention of existing vegetation. Landscaping has been provided between the project and adjacent residential uses along Main Street and Stewart Farrar, including vegetative raised berm at the corner of Main Street and Stewart Farrar. Landscaping includes the deciduous and evergreen trees and shrubs and various perennials. And I think that addresses... I think I... The information that was additionally provided I don't think is necessary unless other board members think that should be included. Okay, I skip all the way down to streets and the proposed, proposed landscaping enhances the project area and I just have the... The proposed landscaping enhances the project area. I don't know if anybody else has additional wording for that. I was trying to convey that the applicant has addressed landscaping on the site to the board's information request as well as the public's information request. Any comments? Okay. His efficacy of fire lands and other emergency zones and the provisions of fire hydrants. The 40 foot wide access points on Main Street and New York State Route 9 and Stewart Farrar Street and the design of circulation patterns allows for large delivery trucks and will provide adequate access for emergency vehicles. And our conclusion is the project does not interview with existing (inaudible) emergency vehicles and is adequate for emergency vehicles. And that includes our, the services that are provided in town (inaudible). Any questions on that?

Mr. Hill - Is... Do we know the location of the nearest fire hydrant to the proposed project?

Mr. Miller - (Inaudible) the plan.

Mr. Spatz - I think there's one up there by...

(Tape inaudible).

Mr. Spatz - I think there's one up there by Dr., the chiropractor.

Mrs. Moore - Dr. Chamberlain's.

Mr. Spatz - (Inaudible). I believe, don't... And then I think there's one on Elm Street...

Mrs. Smith - (Inaudible).

Mr. Miller - I think there's one right there by the post office.

Mrs. Smith - Right by the post office there.

Mr. Miller - On the post office property.

Mr. Healy - Right. That's what I thought.

Mrs. Smith - (Inaudible).

Mr. Spatz - Near the library (inaudible).

Mrs. Smith - ...by, by Dr. Chamberlain's and then (inaudible).

Mrs. Moore - 'Cause it... The house, the, the project is located within how many feet of the firehouse?

Mr. Belden - It's right there on the corner of the library.

Mr. Healy - the firehouse...

Mrs. Smith - There is (inaudible).

Mrs. Moore - It's within I'd say at least within 500 feet.

Mr. Spatz - And there's one at the firehouse.

Mr. Healy - Yeah. That's what I'm saying. That would be closer than Chamberlain's.

Mrs. Smith - There's one at the library too. There's one at the library too.

Mr. Miller - Oh yeah. There's one. It's right on the corner of Library...

(Tape inaudible).

Mr. Miller - Very close.

Mr. Hill - So is it correct to say that there's a, based on the project drawings, there's a fire hydrant at the corner of Library Avenue and Main Street?

Mr. Miller - No, and Elm.

Mr. Hill - I'm sorry.

Mr. Belden - And also at the corner of Emerson and Main Street, across the street.

Mr. Miller - Okay. So there's one on either side.

Mrs. Moore - Either side. Yes, that is correct. Number 9 special... Right? No.

Mr. Miller - It's a little redundant, isn't it?

Mrs. Moore - Yeah. Special... It says with special attention, the adequacy and impact of structures, roadway and landscaping in areas susceptible to ponding, flooding and erosion. I would just go back to the same conclusion that was derived in item #5, the adequacy of storm water and drainage facilities. That the project storm water management plan will eliminate any potential ponding or flooding on paved surfaces. And there's a note here that different... Information provided - exposed soils will be covered to prevent erosion. Any comments or questions from board members?

(Tape inaudible).

Mrs. Moore - Number 10, again we're going to... Adequacy of soil, ground cover to ensure that exposed ground surfaces shall be protected by vegetative growth or other (inaudible) that is capable of preventing soil erosion of eliminating objectionable dust. And this indicates 24% of the site will be green space, including landscaping for the project and existing green space along Elm Street, adjacent to the old post office building, which will remain undisturbed. Again, all exposed soil will be covered by mulch or grass. That, that addresses ten of the items in 211-39. (Inaudible) B in reference to this section. I'll read this because this is, this (inaudible) compliance with all other provisions of the zoning ordinance. The proposed project is in compliance with other provisions of the zoning ordinance and no other actions are required by the Town Board, Planning Board or Zoning Board of Appeals. Okay. And then there's... That completes Section, meeting compliance and consistent with section 211.39 of our Zoning Ordinance. Does Board members have any questions or comments? Does staff have any questions or comments?

Mr. Hill - Just one, one question. Going back...

Mrs. Moore - Okay.

Mr. Hill - ...to I think it's labels as item G on page 5, continuing onto, to the top of the middle of page 6, there was some additional information in the draft paragraph, which I don't believe that you touched on, begging on page 6, the end of the third line, talking about...

Mrs. Moore - Six existing trees.

Mr. Hill - "six existing trees", so on and so forth. I'm not clear on whether you intended to delete that, the remaining information in that paragraph or whether you just thought that it was unnecessary to go into that level of detail.

Mrs. Moore - I, I didn't think it was necessary, but if you have guidance that we should include specific numbers and dbh's and species and (inaudible) through that, but...

Mr. Miller - We can also just accept the vegetation plan as, landscape plan as...

Mrs. Moore - Provided.

Mr. Miller - Yeah.

Mrs. Moore - Okay.

Mr. Miller - Which basically, you compiled this by using that plan. Right?

Mr. Hill - I think the, yes, the draft was based on what the applicant submitted and just calls out some of the details in there and it might be useful to, to note if, if you don't want to go through it in detail, my recommendation would be that you just keep it in there, even if you don't want to read it all.

Mrs. Moore - Okay.

Mr. Hill - And, and just note that it was, the proposed plan indicates that shrubs will be added between the sugar maples along Stewart Farrar Street to block headlights from shining onto properties across the street, which is the...

Mrs. Moore - Okay.

Mr. Hill - ...kind of the concluding statement there.

Mrs. Moore - Can I say 'so added'?

Mr. Hill - Pardon?

Mrs. Moore - Can I say 'so added'?

Mr. Hill - Yes.

Mrs. Moore - Thank you.

Mr. Hill - Yeah, we would recommend that you not delete that, that...

Mrs. Moore - That's fine. I will... It's not deleted. It's part of... I will not read that information other than in conclusion, it should be included on our resolution. (Inaudible). Okay. The other section is in reference to 211-40 and (inaudible) the Town of Warrensburg to provide services and facilities required by the project.

Mr. Miller - Water and sewer.

Mrs. Moore - Yeah, the town, Town of Warrensburg will be able to provide the services and facilities needed for this project by utilizing existing services and facilities. No new services or facilities are being created due to this project.

Mr. Hill - Mr. Chairman.

Mr. Miller - Yes.

Mr. Hill - I know we've been through this section in some level of detail, but again for clarity in the record, I would just like to suggest that the Board go back and look at these items and in particular, at the, at the end of each items, at the end of each item rather, there is a conclusion or a proposed conclusion there, and just wanted to ask that you look again at those conclusions, and confirm whether or not after looking at the information contained in each section, whether that satisfies the requirement under your site plan review requirements.

Mr. Healy - You want the whole board to vote on that?

Mr. Hill - I'm not asking, not asking for a vote...

Mrs. Moore - Just a...

Mr. Hill - ...but, but for a review and a consensus. For example, at the end of item A, there is a sentence which states that the project is a permitted use in the Hamlet Commercial zoning district and has been designed to be as compatible, as practicable with the surrounding area. I think Laura read that in her initial pass-through of that. That's in the nature of the conclusion with regard to that section and just wanted to make sure that all of you are aware of that and see if there is anything that needs to be added or revised, if you have any changes to that or if you're, if there's a

consensus that that is an appropriate statement and then likewise going on through the other remaining letters, just to reconfirm.

Mrs. Moore - In a, under that information that was provided, it did some suggest some language change and the project is a permitted use in the Hamlet Commercial zoning district, and has been designed to be compatible with the surrounding area. I let... I (inaudible) misunderstood what it means to be as compatible, as practicable with the surrounding area. If it's compliant with the zoning ordinance, then I think it's compatible with the surrounding area, as designed.

Mr. Hill - And the, is there a general consensus on the board that that's an appropriate statement.

Mr. Healy - (Inaudible) consensus, whatever you want to call it.

Mr. Hill - Yeah, there's no need for a roll call. Just...

Mr. Healy - Right.

Mr. Hill - Okay.

Mrs. Moore - Okay.

Mr. Hill - And then I would, item B, after conclusion of item B, I think, Laura, you had some proposed language at the, at the end for item B, and I, again, just kind of a summary statement as to whether or not the traffic, access, circulation, road widths, pavements, surfaces, dividers and traffic controls are adequate from the board's prospective.

Mrs. Moore - That conclusion was the project as designed and project area are capable of handling the traffic (inaudible) proposed, for the proposed uses, use and existing uses in the area.

Mr. Hill - Okay.

Mrs. Moore - Is that..?

Mr. Hill - That's your... You're proposed conclusion there?

Mr. Miller - Yes.

Mr. Hill - Okay. And is, is the board, is there a general agreement on that?

Mrs. Moore - Yeah.

Mrs. Smith - Yes.

Mr. Hill - Okay. And then you also had a proposed conclusion for item C, I think...

Mrs. Moore - Right.

Mr. Hill - ...as well. Right?

Mrs. Moore - The project is, as designed, has sufficient, sufficient off-street parking and loading, say loading facilities?

Unknown Speaker - Excuse me. Can you (inaudible).

Mrs. Moore - Okay. The question is, is in reference to location, arrangement and appearance and sufficiency of off-street parking and loading and the conclusion that I understood, the project, the project as designed has sufficient off-street parking and loading facility or capacity, and I don't know if the board has a preference for one of those words.

(Tape inaudible).

Mr. Hill - And with regard to the location and arrangement, are, are you saying it's adequate with respect to the location, arrangement and, and number. It's all sufficient in that regard?

Mrs. Moore - Yes. It meets the, our code, our zoning code.

Mr. Hill - Hm hm. Okay. Paragraph D, if we could just touch on that again.

Mrs. Moore - Yep.

Mr. Hill - I know you made a change, the Board made a change in some of the wording in paragraph D.

Mrs. Moore - Okay. Yeah, I removed that first sentence but it appears confusing and we wanted to have information to indicate that the sidewalks at all access points would, would be designed to accommodate a change at the access points, and I don't..

Mr. Hill - I think you were saying that the sidewalks on that are adjacent to the curb cuts will be designed to meet the surrounding grade. Right?

Mrs. Moore - Yes.

Mrs. Smith - Right.

Mr. Lewis - I was, I was surprised that that would be on the site plan. I think it was on the plan. There's a note in right here that's pointing to it.

Mr. Miller - I didn't see a, an actual, arrows or anything that..

Mr. Lewis - Yeah, in addition to that, it'll also have (inaudible).

Mr. Miller - Oh, okay.

Mrs. Smith - Okay.

Mrs. Moore - Okay.

Mr. Lewis - (Inaudible).

Mrs. Moore - So it's compliant.

Mr. Hill - And so was, was your overall conclusion there with that modification that the arrangement of the pedestrian traffic access and circulation and the walkways and control of intersections and so on and the overall pedestrian conveniences adequate and meets your, your code then?

Mrs. Moore - Yes.

Mr. Miller - Yes.

Mrs. Smith - Yes.

Mr. Hill - And I think (inaudible) paragraph E, I believe your conclusion was that the storm water management and drainage design is adequate and meets the code if I, if I understood your proposed conclusion correctly. Is that, is that it?

Mrs. Moore - Yes.

Mr. Miller - Yes.

Mr. Hill - Okay. And then for item F you read into the record the letter from the Water and Sewer Superintendent with the four requirements that his department had and I think your conclusion there was that the.. The proposed conclusion was that the, the town's water and sewer service, water and sewer facilities would be used and

that there's adequate capacity in the town to provide those services. Is that right?

Mrs. Moore - Yes.

Mr. Hill - Okay. And you spoke about G and I think you're, you're leaving the proposed paragraph there for item G intact and I think you adopted the proposed conclusion there. I think you, you basically agreed with that proposed conclusion at the end.

Mrs. Moore - I guess I had questions about that information as it indicates visual and noise impacts and I don't, I think that the landscaping actually enhances the project. I don't think there was any concerns identified under visual and noise. I don't know how to reword that.

Mr. Miller - I think the addition of the berm and the shrubs were to try to mitigate noise and, and light.

Mrs. Moore - Okay.

Mr. Miller - From the..

Mrs. Moore - So do you want to keep that, keep that language in there?

Mrs. Smith - Keep that in there.

Mr. Miller - Yeah.

Mrs. Moore - Okay. So the language on the conclusion for..

Mr. Miller - G.

Mrs. Moore - ...for G will remain.

Mr. Hill - Okay. Now just for the record, that would be at the proposed landscaping, I think you said enhances the project and provides adequate mitigation of visual and noise impacts without interfering with visibility for traffic entering and exiting the project.

Mr. Miller - Correct.

Mr. Hill - So you... Okay. So a slight revision there.

Mrs. Smith - Yep.

Mrs. Moore - Yeah.

Mr. Hill - General board consensus on that?

Mr. Spatz - Yes.

Mrs. Moore - Yes.

Mr. Hill - Now item H, was the adequacy of the fire lanes and other emergency zones and provisions to the fire hydrants and you noted the locations of the nearest fire hydrants. We identified two at Library and Main and Emerson and Main, I believe.

Mrs. Moore - Yes.

Mr. Hill - And is it the board's general conclusion that there's adequate fire lanes and emergency zones and fire hydrants then?

Mr. Miller - Yes.

Mrs. Moore - Yes.

Mr. Belden - I'm sorry. I'm sorry. That was Library and Elm.

Unknown Speaker - And Elm.

Mr. Hill - Library and Elm, I apologize. Thank you, Chris. Library and Elm.

(Tape inaudible).

Mr. Hill - Okay. Then I think in item I, I believe you adopted the statement there, the proposed statement with regard to the adequacy of the structure roadways and landscaping in areas with, susceptible to ponding, flooding and other erosion.

Mrs. Moore - Yes.

Mr. Hill - You adopted that without change.

Mrs. Moore - We also referred it back to, (inaudible), and if it's, if you don't think it's... We related it back to item E.

Mr. Hill - Item I.

Mrs. Moore - Efficacy of storm water (inaudible).

Mr. Hill - Storm water management. And then item, item J and K, I believe, for both of those items you adopted the proposed language with regard to...

Mrs. Moore - Yes.

Mr. Hill - The conclusions on those items.

Mrs. Moore - Yes.

Mr. Hill - The adequacy of the soil and the ground cover, to ensure that the exposed ground surfaces would be protected by vegetative growth or other substance capable of preventing soil erosion and eliminating objectionable dust, and you found that, the proposed conclusion there appropriate and the compliance with all other provisions of the zoning ordinance, you found that there is such compliance. And then item L which as you property identified as related to code section 211 40, 211-40, you found that there would be adequate government services without, to serve the project without the need to create any new government services, if I understood you all correctly.

Mrs. Moore - Yes.

Mr. Hill - Okay. I think there's, at this point, you're, would be looking... There's a section on here for proposed conditions. I know you identified a number of project changes that have been discussed with the applicant tonight. And I should hasten to add that the fact that there is a space, spaces for four proposed project conditions and you should not, in anyway, view that as any kind of a limitation. It's just by way of example. So this would be an appropriate place to identify any appropriate project conditions.

Mr. Miller - Okay.

Mr. Lewis - Chairman?

Mr. Miller - Yes?

Mr. Lewis - If I may, we talked over one of the things we had agreed to (inaudible) amend (inaudible). When we said that the lights wouldn't go on until a half hour before closing, (inaudible) opening I'm sorry (inaudible). (Inaudible) set on a timer the night before and that's fine in the summertime and the springtime and the fall-

time, the but the winter when it gets really, really dark (inaudible) gets light much, much later, what we'd like to do is have flexibility to have the timer set earlier and as soon as the partners in the shop 'cause sometimes they may get their 45 minutes or hour earlier. Then they'll shut off, so it only remains on half hour before they open. We'd like to have that flexibility. It's just a safety factor, to have the partners, ya know sometimes... I'm sure Warrensburg is a safe place, but some of the town's we're in, there is a safety issue (inaudible). (Inaudible) months when it gets light really later.

Mr. Miller - I'm, I'm fine with that. Seasonally...

Mr. Lewis - (Inaudible) flexibility.

Mr. Miller - Seasonal flexibility for lighting considerations (inaudible).

Mr. Lewis - Once they're in their shop, then they'll shut it off.

Mr. Miller - Right.

Mr. Lewis - So (inaudible).

Mrs. Moore - Alright.

Mrs. Trimbur - (Inaudible) lighted path.

Mrs. Moore - Alright.

Mrs. Trimbur - So they're not walking into a pitch-black site.

(Tape inaudible).

Mrs. Moore - ...page 2.

Mrs. Trimbur - It's a combination of timer and (inaudible) but we override it and shut it off. (Inaudible).

Mr. Healy - Seasonal. (Inaudible).

Mrs. Moore - So I, let me... I going to suggest that staff can agree to turn all lighting off one half hour after closing at 12 midnight and to keep all lighting off until one half hour before opening at 5 a.m., allowing for, also allowing for seasonal adjustment for lights on for employees. Is that..?

Mr. Miller - For employee...

Mrs. Moore - Safety?

Mr. Miller - Arrival. He said once they get inside the building, they can turn it off.

Mr. Hill - You might be able to modify that sentence to say one half before opening at 5 a.m., except during winter months, and you can define those months if you wish, but except during winter months when the applicant may turn on the lights up to one hour before store opening. Is that what you're trying to accomplish.

Mr. Lewis - I'm not sure that it's only winter (inaudible).

Mrs. Trimbur - (Inaudible) dark, I don't want the employee to have to walk into a dark lot.

Mr. Hill - Hm hm.

Mrs. Trimbur - And it may be dark at 4:30 (inaudible).

Mr. Healy - Would seasonal handle that?

Mrs. Moore - Does the word seasonal address..?

Mr. Miller - That would give 'em a little more flexibility...

(Tape inaudible).

Mr. Hill - That's fine, if you want to use seasonal. Certainly that's, that's up to you. Hm hm.

Mrs. Moore - Except during appropriate seasonal...

Mr. Lewis - Yeah, appropriate is just the right word.

Mr. Miller - It's appropriate.

Mr. Lewis - It, it's just the appropriate word.

Mrs. Moore - Okay. Okay. Do board members have any conditions that have not been, been addressed?

Mr. Miller - No. For these items, we can, first of all would be the, the building material conditions as noted prior. I don't know if we want to write 'em out. We've already, they're already listed in the front. Right?

Mrs. Moore - As noted under item A.

Mr. Miller - Under item A.

Mrs. Moore - I guess as (inaudible) reassurance to identify it again, we, I mean, we've already selected a design for sailcloth color. Should we identify it as a condition?

Mr. Lewis - Other than the architectural items, all the things we were asked the last time that I read off...

Mr. Miller - Hm hm.

Mr. Lewis - ...(inaudible) those are all on the site plan that we submitted last Wednesday.

Mr. Miller - Right.

Mr. Lewis - So the only new thing is, would be the architectural stuff.

Mrs. Trimbur - The colors.

Mrs. Smith - Colors.

Mrs. Moore - The colors.

Mr. Lewis - (Inaudible).

Mr. Miller - Right. SO does anybody have any, an issue (inaudible) conditions you want to discuss right now? That you thought of.

(Tape inaudible).

Mr. Hill - I think it, it certainly wouldn't hurt for purposes of clarity to read through those items again, make sure that there's a common understanding between the Board and the applicant as to exactly what the, the, is expected here. So, Laura, did you make a list as you went through or..?

Mrs. Moore - I, I made a list earlier and just to, I mean, I can say there was nine items. I... Actually, there was ten; I remembered another one. But I identified with the applicant through Chris, site should include bike racks as proposed. That's been completed, so that's on the plan. Additional landscaping to be included at the corner of Main Street and Stewart Farrar as proposed, that's been provided to us. Number three was installation of benches in appropriate locations along Main Street. Two have been provided on the site plan. Agreed to install, installation of two restrooms.

The board was provided with an interior layout that shows two restrooms. Agree to remove siding on post office and replace with Dryvet or similar material. This one has been amended to have the building consistent with the Stewart's building.

Mr. Hill - Right, the addition on the post office will be fiber cement siding; same on the proposed store itself. Right?

Mrs. Moore - Yes.

Mr. Miller - How about this: architectural details as per item A for all buildings and structures. We outlined in item A what (inaudible).

Mrs. Moore - Okay.

Mr. Miller - I don't know. It just seems redundant to go through all those again, but everybody understands? Alright. Read this item A again just so everybody understands.

Mrs. Moore - Because the Planning Board has indicated to the applicant that the board prefers design #4, sailcloth (inaudible) sailcloth color.

Mr. Miller - Yep.

Mrs. Moore - White, white trim, charcoal roof, light color trim, charcoal roof and design option #1 for the canopy over the gasoline pumps. That includes all white and non-reflective.

Mr. Miller - (Inaudible) posts, some of the post removal in there, that wasn't listed.

Mrs. Moore - That was not listed. (Inaudible). Okay, let's add that there. In reference to the design #4, we would be removing...

Mr. Miller - Identified posts.

Mrs. Moore - Identified posts. Do you want me to..?

Mr. Hill - That was pretty, that was pretty clearly laid out in the record previously. I think everybody's...

Mrs. Moore - Okay, so...

Mr. Hill - ...got a good understanding of that. So I think you can just incorporate that by reference, and that's fine.

Mrs. Moore - As indicated in the record.
(Tape inaudible).

Mrs. Moore - Okay. Mr. Healy has brought up that in one of our previous ones we had a, the existing gas station will no longer be a gas station and tanks be removed. Is that a condition that the board wants to do as a condition or is that an understanding? The applicants made it clear that, that...

Mr. Lewis - 100%.

Mrs. Smith - (Inaudible).

Mr. Hill - If the board wants that as a condition, I'd recommend that you have it as a condition, so it's clearly stated.

Mr. Miller - Yep.

Mrs. Moore - Okay. One other item that I had, and I think that it's mentioned in here, that deliveries would not interfere with...

Mr. Healy - School (inaudible).

Mrs. Moore - Right. To the best of their ability. And they have agreed to that.

Mr. Miller - Timed deliveries.

Mrs. Moore - I understand that there may be the time that the unexpected...

Mr. Belden - Mr. Chairman?

Mr. Miller - Yes.

Mr. Belden - I don't know if you wanted to mention it in this part of the resolution, but the shadow bump, I don't know if that's something you want to...

Mr. Miller - Yeah. Actually (inaudible). Shadow board (inaudible).

Mrs. Moore - Okay. Shadow board. Under item A, it should also include architectural reference to a shadow board on the overhang.

Mr. Miller - Yeah. In reference to the deliveries, do, time deliveries to accommodate pedestrian and school traffic.

(Tape inaudible.)

Mr. Miller - School traffic?

Mr. Lewis - School kids.

Mrs. Smith - Yeah.

Mr. Miller - Okay.

Mr. Healy - (Inaudible).

Mrs. Moore - Oh yes. Yep. Mr. Healy brought the other one... Any use of the old post office will be subject to the site plan review. That should be a condition.

Mr. Miller - Yep.

Mrs. Corlew - Except for office.

Mr. Miller - Yeah, any other, yeah.

Mr. Belden - Except for office use?

Mr. Lewis - That would be more reasonable.

Mr. Healy - It says any use.

Mr. Miller - Yeah, but as I our code is written...

Mr. Belden - As the code is written, any new land use is subject to site plan review, so if an office was to go in the existing post office building, then they wouldn't require site plan...

Mr. Miller - Right.

Mr. Belden - ...approval.

Mr. Healy - Retail (inaudible) retail, right.

Mr. Miller - Right.

Mr. Healy - (Inaudible) do it for retail.

Mr. Miller - Right, if you, if you have an existing retail site and you...

Mr. Healy - Right.

Mr. Miller - ...one goes out and one comes in, you don't need site plan review. If you an existing office space, one goes out, one comes in, you don't need site plan review.

Mr. Healy - That's right.

Mr. Miller - So any other use other than office...

Mr. Belden - Right.

Mr. Miller - ...should be site plan review.

Mr. Lewis - That's fine.

Mr. Miller - That's how we (inaudible). Right?

Mrs. Moore - Hm hm. Yep.

(Tape inaudible).

Mr. Miller - Okay. Anything else?

(Tape inaudible).

Mrs. Moore - That's on the plan though. So you want to read through the conditions?

Mr. Miller - Yeah, sure. Condition A would be architectural details as per item A for all buildings and structures as noted. Item B would be existing gas station to remove tanks. The gas station will no longer be a gas station. Item C - timed deliveries to accommodate school traffic. And item D - post office subject to site plan review is use other than office space. That's all I have.

Mr. Hill - Mr. Chairman, just a matter of clarification, you're, as far as deliveries are concerned, does that include trash pickup as well as deliveries?

Mr. Lewis - (inaudible) was exiting out on Elm and that's what that was all about.

Mr. Miller - Yeah.

Mr. Lewis - We'd actually offered that (inaudible). It just made sense.

Mrs. Potter - Buses also come onto Stewart Farrar (inaudible).

Mrs. Newell - Eight full size buses go right by.

(Tape inaudible).

Mr. Miller - They take Stewart Farrar? I thought they came up the firehouse hill.

Mrs. Dana - Yes, but they (inaudible), but then they leave Stewart Farrar and make a right on Main.

Mrs. Newell - Everyday.

(Tape inaudible).

Mrs. Newell - Everyday.

Mr. Lewis - ...pedestrians walking out there.

Mrs. Dana - But you don't want to tie up that school traffic either.

Mr. Miller - Well, I just, I can't believe the school goes that way.

Mrs. Newell - Oh, it does.

(Tape inaudible).

Mr. Miller - Yeah, that may have to be adjusted. I mean that, that to me, does not make sense as it is right now.

Mrs. Newell - They do, everyday.

Mrs. Dana - There's also minivans from other schools that are traveling (inaudible).

Mr. Miller - Okay. Alright.

(Tape inaudible).

Mrs. Moore - Okay, the other item was Mr. Healy's comment about reviewing it in a year, reviewing...

Mr. Miller - Excuse me. Laura's speaking.

Mrs. Moore - The other item was in reference to reviewing the traffic on Elm Street in a year. I put... I don't, as a Board member, don't think that's necessary but...

Mr. Miller - I don't either. Anybody else?

Mrs. Smith - Probably not necessary, but it probably wouldn't hurt either.

Mr. Healy - Hah?

Mrs. Smith - It's probably not necessarily, but it would... I mean...

Mr. Healy - They're there talking now about school bus going down Stewart Farrar...

Mrs. Smith - That's what I'm saying, it might not hurt to...

Mr. Healy - (Inaudible).

Mrs. Smith - It might hurt to... It might not hurt to review it in a year.

Mr. Miller - Well, that could also be addressed with the school at the school board level.

(Tape inaudible).

Mrs. Moore - I guess in reference to reviewing traffic again, does staff have any suggestions or is that something that you'd be able to do in a year or I mean, it's not... It wouldn't be staff's evaluation of traffic. It's kind of hard to bring it back...

Mr. Miller - If we didn't make it... I think what she's saying is if we didn't make it a, a line item on here and in a year there is a traffic issue, is there a avenue that somebody could down to evaluate that after the fact?

Mr. Belden - I can't speak for the Highway Department, but I don't really see a necessity for it.

Mr. Healy - I just don't want people coming to the Town Board and screaming at the Town Board that they have a traffic problem which we did not address. That's all.

Mrs. Dana - Good point.

Mr. Healy - That's all I'm saying.

Mr. Belden - I think that's been exhausted in the...

Mr. Healy - It's no big deal (inaudible).

Mr. Belden - ...traffic study.

Mr. Healy - If you want to drop it, drop it.

Mr. Belden - I think, ya know, the fact that County DO, DPW and New York State DOT have signed off on it, I think that's kind of (inaudible), but it's your decision.

Mr. Healy - I know it's a county road, I know it's a state road.

Mr. Miller - Right.

Mr. Healy - But it's in Warrensburg.

Mrs. Moore - So is it..?

Mr. Miller - Yes, no, no... ..yes... No?

Mr. Spatz - No.

Mr. Miller - No?

Unknown Speaker - I object.

Mr. Miller - Two yeses and three nos. So that's not a line item.

Mrs. Moore - Okay. Alright. I brought it up again.

Mr. Healy - I'm not going to fight (inaudible).

Mrs. Moore - Okay.

Mr. Miller - Those stand. Anything else?

Mrs. Moore - I don't have any other items or questions about the site plan (inaudible) information that's been provided. We've, we have information on file that addresses all the elements of the site plan review.

Mr. Healy - Hm hm.

Mr. Miller - Okay. Anything else? Staff?

Mr. Hill - I don't think so. You had a report submitted with regard to storm water management, traffic and so on and so forth. Are the Board members satisfied with the information that's been submitted in the forms of the reports and the plans that have been submitted?

Mr. Miller - Yes.

Mrs. Smith - Yes. (Inaudible).

Mr. Healy - Yeah. I'm okay with it.

Mr. Spatz - Yes.

(Tape inaudible).

Mr. Hill - I think if there's no further questions from the board for the applicant and no further, and if you don't have any further discussion that you want to engage in, then it would seem that you've arrived at a point where you could make a motion with regard to the project. You've had a lot of discussion about the draft resolution and you've made some modifications to the draft resolution, so I think the suggestion would be that if you're inclined to, to make a motion, someone's inclined to make a motion, that they make a motion to, and I'm assuming at this point based on all the discussion, that you would be entertaining a motion to approve. If that's the case, I think the appropriate motion would be a motion to approve based on the proposed resolution of approval as modified by the board tonight.

Mr. Miller - Can I get a motion?

Mrs. Moore - I'll make that motion.

Mr. Spatz - I'll second it.

Mr. Miller - All those in favor.

Mr. Healy - Aye.

Mr. Spatz - Aye.

Mrs. Moore - Aye.

Mr. Miller - Aye.

Mrs. Smith - Aye.

Mrs. Moore - We're making the (inaudible) making the motion as described by the Town's Attorney.

Mr. Hill - Correct.

Mrs. Moore - Is that..?

Mr. Hill - The motion as you, as you modified it here tonight.

Mrs. Moore - As modified here tonight.

Mr. Hill - Yeah. And I don't know if you usually do this, but and I know you just did a kind of a, I think we got everybody's indication that they approved it, but I think I would just for the record, that Patti note, and just do an individual roll call member by member and each go on the record with your vote.

Mr. Miller - Okay. Start (addressing Mr. Healy).

Mr. Healy - Patti.

Mr. Miller - (Inaudible).

Mr. Healy - Yes.

Mrs. Moore - Yes.

Mr. Miller - Yes.

Mrs. Smith - Yes.

Mr. Spatz - Yes.

Mr. Lewis - Thank you very much for all your time and suffering.

RESOLUTION #2010-25

Motion by: Laura Moore

Seconded by: David Spatz

WHEREAS, Stewart's Shops Corp. (the "applicant") has submitted an application to the Planning Board for Site Plan approval pursuant to Article VII of the Town Zoning Ordinance for a convenience store with four self-serve gasoline pumps (the "Project") on an approximately 1.16 acre lot located at the corner of Main Street/NYS Route 9 and Stewart Farrar Avenue (the "Project Site"); and

WHEREAS, a portion of the Project Site was rezoned from Professional Multi-Family to Hamlet Commercial by the Town Board by amendment of the Town Zoning Map on March 16, 2010; and

WHEREAS, prior to adoption of the Zoning Map amendment, the Town Board was duly designated as Lead Agency for purposes of reviewing the potential environment impacts of the then-proposed re-zoning and of the Project, pursuant to the State Environmental Quality Review

Act (SEQRA), and adopted a SEQRA Negative Declaration - Determination of Non-Significance for the re-zoning and the Project; and

WHEREAS, as required by General Municipal Law Section 239-m, the site plan application for the Project was referred to the Warren County Planning Board for its review; however, due to a lack of quorum no recommendation was provided within 30 days, which constitutes a default approval according to the notification received from the County Planning Board; and

WHEREAS, the Planning Board opened a Public Hearing on the Site Plan application for the Project on June 8, 2010 and continued the Public Hearing to June 29, 2010, when it was closed, and

WHEREAS, the Planning Board has reviewed the application materials submitted by the Applicant and all comments made at the Public Hearing and submitted in writing through and including June 29, 2010;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board determines that the application complies with the review considerations and standards set forth in Article VII of the Zoning Ordinance for Site Plan approval as further discussed below:

(A) Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.

The Project Site is located within the Hamlet of Warrensburg Historic District contiguous to property or properties which are listed on the National and/or State Historic Registers. In response to comments on the appearance of the Project, additional building and canopy options have been provided by the applicant to make it more compatible with surrounding building styles. The Planning Board has specified design

#4 (among designs provided by the Applicant) for the building with "sail cloth"-colored cement board clapboard-style siding, white trim with shadow board on the overhang, gray architectural shingles, aluminum window frames, removal of certain columns (as specifically identified on the plan drawings) and certain other details. The Planning Board specified design #1 for the canopy over the gasoline pumps with a non-reflective, flat-white surface, black and gray/silver pumps, and certain other details. The sign at the intersection of NYS Route 9/Main Street and Stewart Farrar Street will be monument style. The siding on the former Post Office addition will be replaced to be the same as the Project building.

Lighting for the Project will be down-lit LED and the gasoline sign will be LED-type. The underside of the canopy will be lit but there will be no lighting on the sides. The applicant has agreed to turn all lighting off one-half hour after closing at 12 midnight and to keep all lighting off until one-half hour before opening at 5 AM, except that lights may be turned on earlier prior to arrival of employees during appropriate seasonal months for safety reasons. Gasoline deliveries will not be made during school hours or late at night.

There will be two signs, one on the building and one free-standing monument-style sign at the corner of Main Street/NYS Route 9 and Stewart Farrar Street. As discussed below, landscaping will be provided on the site to minimize the visibility of the Project. The applicant has agreed to retain the former Post Office building located on the Project Site at the corner of Stewart Farrar Street and Elm Street so that the Project will be less visible to residents of Elm Street and Library Avenue. The applicant has also agreed to replace the siding on the existing Post Office addition to be the same as the Project.

The Project is a permitted use in the Hamlet Commercial zoning district and the building, canopy, lighting and sign have been designed to be as compatible as practicable with the surrounding area.

(B) Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.

Vehicle entrances to the Project Site will be provided on Main Street/NYS Route 9 and on Stewart Farrar Street. Vehicle exits will be at these locations and also onto Elm Street. The curb cuts onto NYS Route 9 and Stewart Farrar Street will be 40 feet wide as requested by Warren County DPW to allow tanker and delivery trucks to navigate safely. The exit to Elm Street will be for a right turn exit only, and the curb and pavement will be configured to control exiting vehicle movement for right turns only. Evaluations were done of the on-site traffic patterns to allow access of delivery trucks and vehicles with trailers and to avoid backups and fender benders.

The traffic study for the project prepared by Creighton Manning Engineering (CME) analyzed the three site access points and four off-site intersections: NYS Route 9/Emerson Avenue, NYS Route 9/Stewart Farrar Street, Elm Street/Stewart Farrar Street and Elm Street/Library Avenue. Traffic counts were taken on March 31ST and April 1ST. The afternoon peak hour was adjusted to include traffic generated by the school and counted on a weekday when school was in session. Pedestrian traffic was also counted. With a 60% pass-by credit, vehicle trips were estimated at 60 during the morning peak hour and 50 in the afternoon. All on-site and off-site intersections showed a level of service of C or better, and the current levels of service will not change as a result of the project. A seasonal adjustment analysis was also done based on NYS DOT data which

increased the volumes on Elm Street and NYS Route 9 by 25%. The level of service remained acceptable.

Sight distances entering and exiting the site based on speeds measured in the field rather than the posted speed limits were evaluated and found to be sufficient. A suggestion was made that parking could be restricted for approximately 25 feet on either side of the side driveways to minimize impacts of parked vehicles on visibility.

NYS DOT and the Warren County DPW have both reviewed the traffic assessment prepared by CME and signed off on the plan. The applicant has adopted the recommendation of the County DPW that the driveway exiting onto Elm Street should be restricted to right turns only. NYS DOT has indicated that it will re-evaluate the need for a northbound left turn arrow at the signal located at the corner of NYS Route 9/Main Street and Hudson Street during the summer peak travel season to see if conditions have changed.

An additional evaluation of the impact of re-opening the Milton Street Bridge was done by CME in response to comments. According to this evaluation, closure of the Bridge resulted in re-routing of traffic which may have increased traffic in the vicinity of the Project Site. This increased traffic was included in the original traffic analysis done for the Project. When the Milton Street Bridge is re-opened, traffic will likely return to original travel patterns which will reduce traffic in the vicinity of the Project Site but will have a relatively minor impact.

At the continuation of the Public Hearing on June 29th, residents made comments about traffic counts which they had recently taken. After hearing such comments, the Planning Board is satisfied with the traffic reports and information provided by the Applicant's engineer,

CME, and with the traffic reviews and approvals from NYS DOT and the Warren County DPW.

The Project will be capable of adequately handling the traffic generated by the proposed uses and existing uses in the area.

(C) Location, arrangement, appearance and sufficiency of off-street parking and loading.

There will be 30 parking spaces, including six parking spaces for the former Post Office building if it is rented out for office or other use in the future. Ten of the 30 spaces will be located adjacent to the Project building / new convenience store and 14 will be located along the edge of the Project Site. The six spaces intended for use by tenants of the former Post Office building are located near that building. As noted above, the evaluations of on-site traffic patterns included access for delivery trucks, including gasoline delivery tankers.

The Project's off-street parking and loading facilities will be adequate with respect to location, arrangement and number.

(D) Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

Sidewalks adjacent to curb cuts will be graded and sloped to meet the surrounding grade and to be in compliance with laws and regulations for handicapped access. Two bicycle racks will be provided on the site. Two picnic tables will be provided in front of the building and two park benches will be provided on the Main Street side of the property. Two restrooms will be provided inside the new convenience store.

The Project's on-site pedestrian amenities meet the requirements for site plan approval.

(E) Adequacy of storm water and drainage facilities.

The plans submitted by the applicant show existing catch basins and storm water control devices on the Project Site and roads surrounding the Site. The plans also provide details on the new storm water control devices to be installed as part of the Project. Storm water runoff will be handled through an underground storm water control array.

The Project's storm water management and drainage design are adequate and meet the requirements for site plan approval.

(F) Adequacy of water supply and sewage disposal facilities.

The project will be served by Town water and sewer facilities and there is adequate capacity to provide these services. As requested by the Town Water and Sewer Superintendent, the Project will include a thousand gallon grease trap, the applicant will purchase a water meter and a backflow preventer and the old surface lines for both water and sewer will be dug up and capped at the property line at the owner's expense. With compliance with these requirements, the Project's water supply and sewage disposal facilities will be adequate.

(G) Adequacy, type and arrangement of trees, shrubs and other landscaping constituting visual and/or noise buffers between the applicant's and adjoining lands, including the maximum retention of existing vegetation.

Landscaping will be provided between the Project and adjacent residential uses and along Main Street and Stewart Farrar Street, including a vegetated raised berm at the corner of Main Street and Stewart Farrar Street. Landscaping includes deciduous and evergreen

trees and shrubs and various perennials. Six existing trees, ranging from a 12" dbh oak to a 42" dbh maple will remain. The arborvitae shrubs to be planted along the concrete retaining wall between the project and the adjoining property on Elm Street will provide both visual and noise mitigation. The mixed planting of Colorado Blue Spruce trees and arborvitae shrubs, together with the existing Maple trees that will remain, will reduce visual and noise impacts to the adjacent property on Main Street. The Sugar Maple trees along the perimeter of the Project Site will be consistent with trees in the surrounding neighborhood and tall enough to reduce the visual impact of the convenience store and gas pump canopy. Shrubs will be added between the Sugar Maple trees along Stewart Farrar Street to block headlights from shining onto properties across the street.

The proposed landscaping will enhance the Project and provide adequate mitigation of visual and noise impacts without interfering with visibility for traffic entering and exiting the Project.

(H) Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.

The 40' wide access points on Main Street/NYS Route 9 and Stewart Farrar Street and the design of circulation patterns to allow for large delivery trucks will provide adequate access for emergency vehicles. The nearest fire hydrants are located at the corner of Library Avenue and Elm Street and the corner of Emerson Avenue and Main Street/NYS Route 9, close to the Project Site.

The Project will not interfere with existing emergency vehicle trips and will provide adequate access to the Project for emergency vehicles.

(I) Adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

The Project's storm water management system, as described in paragraph (E) above, will eliminate any potential ponding or flooding on paved surfaces. As noted in paragraph (J) below, exposed soils will be covered to prevent erosion.

(J) Adequacy of soil and ground cover to ensure the exposed ground surfaces shall be protected by a vegetative growth or other substance that is capable of preventing soil erosion and of eliminating objectionable dust.

24% of the site will be green space, including landscaping for the Project and the existing green space along Elm Street adjacent to the old Post Office building which will remain undisturbed. All exposed soils will be covered by mulch or grass. These measures will be adequate to prevent erosion and eliminate objectionable dust.

(K) Compliance with all other provisions of the Zoning Ordinance.

The proposed Project is in compliance with the other provisions of the Zoning Ordinance and no other actions are required by the Town Board, Planning Board or Zoning Board of Appeals.

(L) Ability of the Town to provide services and facilities required by project.

The Town will be able to provide the services and facilities needed for the Project by utilizing existing services and facilities. No new services or facilities will need to be created due to the Project.

2. The Planning Board therefore grants Site Plan approval for the proposed Project, conditioned upon the following:

A. The Project will include the architectural details agreed to at the Planning Board meeting on June 29, 2010 and discussed in paragraph 1(A) above and consistent with the minutes of the June 29th meeting.

B. The gasoline tanks at the current location of the existing Stewart's Shop will be removed and the facility will no longer be used as a gasoline station.

C. Deliveries to the Project Site and trash-truck pick-ups will be timed to avoid pedestrian and vehicle traffic related to school opening and closing times, with allowance for occasional unavoidable conflicts.

D. Any proposed use of the former Post Office building except for office space will require Site Plan approval pursuant to Article VII of the Zoning Ordinance.

The Resolution was unanimously approved by roll call vote.

(Tape inaudible).

Mr. Miller - Oh yes, I'm sorry. Motion to adjourn.

Mrs. Corlew - Thank you.

Mr. Healy - Second it.

Mr. Miller - All those in favor.

Motion by Shale Miller, seconded by Art Healy and carried to adjourn Planning Board meeting of June 29, 2010 at 9:05 p.m.

Respectfully submitted,

Patti Corlew
Recording Secretary

RESOLUTION #2010-23

Motion by: Art Healy
Seconded by: David Spatz

RESOLVED, to approve the Planning Board minutes of June 8, 2010 (without correction).

DULY ADOPTED ON THIS 29TH DAY OF JUNE, 2010 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Lynn Smith, Shale Miller, Laura Moore, Art Healy
Nays: None

RESOLUTION #2010-24

Motion by: David Spatz
Seconded by: Lynn Smith

RESOLVED, to close the public hearing for application #2010-4 by Stewart's Shops Corporation, tax map #211.13-1-39, for property located at 3827 Main Street, to allow convenience store with gas pumps.

DULY ADOPTED ON THIS 29TH DAY OF JUNE, 2010 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Lynn Smith, Shale Miller, Laura Moore, Art Healy
Nays: None

RESOLUTION #2010-25

Motion by: Laura Moore
Seconded by: David Spatz

WHEREAS, Stewart's Shops Corp. (the "applicant") has submitted an application to the Planning Board for Site Plan approval pursuant to Article VII of the Town Zoning Ordinance for a convenience store with four self-serve gasoline pumps (the "Project") on an approximately 1.16 acre lot located at the corner of Main Street/NYS Route 9 and Stewart Farrar Avenue (the "Project Site"); and

WHEREAS, a portion of the Project Site was rezoned from Professional Multi-Family to Hamlet Commercial by the Town Board by amendment of the Town Zoning Map on March 16, 2010; and

WHEREAS, prior to adoption of the Zoning Map amendment, the Town Board was duly designated as Lead Agency for purposes of reviewing the potential environment impacts of the then-proposed re-zoning and of the Project, pursuant to the State Environmental Quality Review Act (SEQRA), and adopted a SEQRA Negative Declaration - Determination of Non-Significance for the re-zoning and the Project; and

WHEREAS, as required by General Municipal Law Section 239-m, the site plan application for the Project was referred to the Warren County Planning Board for its review; however, due to a lack of quorum no recommendation was provided within 30 days, which constitutes a default approval according to the notification received from the County Planning Board; and

WHEREAS, the Planning Board opened a Public Hearing on the Site Plan application for the Project on June 8, 2010 and continued the Public Hearing to June 29, 2010, when it was closed, and

WHEREAS, the Planning Board has reviewed the application materials submitted by the Applicant and all comments made at the Public Hearing and submitted in writing through and including June 29, 2010;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board determines that the application complies with the review considerations and standards set forth in Article VII of the Zoning Ordinance for Site Plan approval as further discussed below:

(A) Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.

The Project Site is located within the Hamlet of Warrensburg Historic District contiguous to property or properties which are listed on the National and/or State Historic Registers. In response to comments on the appearance of the Project, additional building and canopy options have been provided by the applicant to make it more compatible with surrounding building styles. The Planning Board has specified design #4 (among designs provided by the Applicant) for the building with "sail cloth"-colored cement board clapboard-style siding, white trim with shadow board on the overhang, gray architectural shingles, aluminum window frames, removal of certain columns (as specifically identified on the plan drawings) and certain other details. The Planning Board specified design #1 for the canopy over the gasoline pumps with a non-reflective, flat-white surface, black and gray/silver pumps, and certain other details. The sign at the intersection of NYS Route 9/Main Street and Stewart Farrar Street will be monument style. The siding on the former Post Office addition will be replaced to be the same as the Project building.

Lighting for the Project will be down-lit LED and the gasoline sign will be LED-type. The underside of the canopy will be lit but there will be no lighting on the sides. The applicant has agreed to turn all lighting off one-half hour after closing at 12 midnight and to keep all lighting off until one-half hour before opening at 5 AM, except that lights may be turned on earlier prior to arrival of employees during appropriate seasonal months for safety reasons. Gasoline deliveries will not be made during school hours or late at night.

There will be two signs, one on the building and one free-standing monument-style sign at the corner of Main Street/NYS Route 9 and Stewart Farrar Street. As discussed below, landscaping will be

provided on the site to minimize the visibility of the Project. The applicant has agreed to retain the former Post Office building located on the Project Site at the corner of Stewart Farrar Street and Elm Street so that the Project will be less visible to residents of Elm Street and Library Avenue. The applicant has also agreed to replace the siding on the existing Post Office addition to be the same as the Project.

The Project is a permitted use in the Hamlet Commercial zoning district and the building, canopy, lighting and sign have been designed to be as compatible as practicable with the surrounding area.

(B) Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.

Vehicle entrances to the Project Site will be provided on Main Street/NYS Route 9 and on Stewart Farrar Street. Vehicle exits will be at these locations and also onto Elm Street. The curb cuts onto NYS Route 9 and Stewart Farrar Street will be 40 feet wide as requested by Warren County DPW to allow tanker and delivery trucks to navigate safely. The exit to Elm Street will be for a right turn exit only, and the curb and pavement will be configured to control exiting vehicle movement for right turns only. Evaluations were done of the on-site traffic patterns to allow access of delivery trucks and vehicles with trailers and to avoid backups and fender benders.

The traffic study for the project prepared by Creighton Manning Engineering (CME) analyzed the three site access points and four off-site intersections: NYS Route 9/Emerson Avenue, NYS Route 9/Stewart Farrar Street, Elm Street/Stewart Farrar Street and Elm Street/Library Avenue. Traffic counts were taken on March 31ST and April 1ST. The afternoon peak hour was adjusted to include traffic

generated by the school and counted on a weekday when school was in session. Pedestrian traffic was also counted. With a 60% pass-by credit, vehicle trips were estimated at 60 during the morning peak hour and 50 in the afternoon. All on-site and off-site intersections showed a level of service of C or better, and the current levels of service will not change as a result of the project. A seasonal adjustment analysis was also done based on NYS DOT data which increased the volumes on Elm Street and NYS Route 9 by 25%. The level of service remained acceptable.

Sight distances entering and exiting the site based on speeds measured in the field rather than the posted speed limits were evaluated and found to be sufficient. A suggestion was made that parking could be restricted for approximately 25 feet on either side of the side driveways to minimize impacts of parked vehicles on visibility.

NYS DOT and the Warren County DPW have both reviewed the traffic assessment prepared by CME and signed off on the plan. The applicant has adopted the recommendation of the County DPW that the driveway exiting onto Elm Street should be restricted to right turns only. NYS DOT has indicated that it will re-evaluate the need for a northbound left turn arrow at the signal located at the corner of NYS Route 9/Main Street and Hudson Street during the summer peak travel season to see if conditions have changed.

An additional evaluation of the impact of re-opening the Milton Street Bridge was done by CME in response to comments. According to this evaluation, closure of the Bridge resulted in re-routing of traffic which may have increased traffic in the vicinity of the Project Site. This increased traffic was included in the original traffic analysis done for the Project. When the Milton Street Bridge is re-opened, traffic will likely return to original travel patterns

which will reduce traffic in the vicinity of the Project Site but will have a relatively minor impact.

At the continuation of the Public Hearing on June 29th, residents made comments about traffic counts which they had recently taken. After hearing such comments, the Planning Board is satisfied with the traffic reports and information provided by the Applicant's engineer, CME, and with the traffic reviews and approvals from NYS DOT and the Warren County DPW.

The Project will be capable of adequately handling the traffic generated by the proposed uses and existing uses in the area.

(C) Location, arrangement, appearance and sufficiency of off-street parking and loading.

There will be 30 parking spaces, including six parking spaces for the former Post Office building if it is rented out for office or other use in the future. Ten of the 30 spaces will be located adjacent to the Project building / new convenience store and 14 will be located along the edge of the Project Site. The six spaces intended for use by tenants of the former Post Office building are located near that building. As noted above, the evaluations of on-site traffic patterns included access for delivery trucks, including gasoline delivery tankers.

The Project's off-street parking and loading facilities will be adequate with respect to location, arrangement and number.

(D) Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

Sidewalks adjacent to curb cuts will be graded and sloped to meet the surrounding grade and to be in compliance with laws and regulations

for handicapped access. Two bicycle racks will be provided on the site. Two picnic tables will be provided in front of the building and two park benches will be provided on the Main Street side of the property. Two restrooms will be provided inside the new convenience store.

The Project's on-site pedestrian amenities meet the requirements for site plan approval.

(E) Adequacy of storm water and drainage facilities.

The plans submitted by the applicant show existing catch basins and storm water control devices on the Project Site and roads surrounding the Site. The plans also provide details on the new storm water control devices to be installed as part of the Project. Storm water runoff will be handled through an underground storm water control array.

The Project's storm water management and drainage design are adequate and meet the requirements for site plan approval.

(F) Adequacy of water supply and sewage disposal facilities.

The project will be served by Town water and sewer facilities and there is adequate capacity to provide these services. As requested by the Town Water and Sewer Superintendent, the Project will include a thousand gallon grease trap, the applicant will purchase a water meter and a backflow preventer and the old surface lines for both water and sewer will be dug up and capped at the property line at the owner's expense. With compliance with these requirements, the Project's water supply and sewage disposal facilities will be adequate.

(G) Adequacy, type and arrangement of trees, shrubs and other landscaping constituting visual and/or noise buffers between the

applicant's and adjoining lands, including the maximum retention of existing vegetation.

Landscaping will be provided between the Project and adjacent residential uses and along Main Street and Stewart Farrar Street, including a vegetated raised berm at the corner of Main Street and Stewart Farrar Street. Landscaping includes deciduous and evergreen trees and shrubs and various perennials. Six existing trees, ranging from a 12" dbh oak to a 42" dbh maple will remain. The arborvitae shrubs to be planted along the concrete retaining wall between the project and the adjoining property on Elm Street will provide both visual and noise mitigation. The mixed planting of Colorado Blue Spruce trees and arborvitae shrubs, together with the existing Maple trees that will remain, will reduce visual and noise impacts to the adjacent property on Main Street. The Sugar Maple trees along the perimeter of the Project Site will be consistent with trees in the surrounding neighborhood and tall enough to reduce the visual impact of the convenience store and gas pump canopy. Shrubs will be added between the Sugar Maple trees along Stewart Farrar Street to block headlights from shining onto properties across the street.

The proposed landscaping will enhance the Project and provide adequate mitigation of visual and noise impacts without interfering with visibility for traffic entering and exiting the Project.

(H) Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.

The 40' wide access points on Main Street/NYS Route 9 and Stewart Farrar Street and the design of circulation patterns to allow for large delivery trucks will provide adequate access for emergency vehicles. The nearest fire hydrants are located at the corner of Library Avenue and Elm Street and the corner of Emerson Avenue and Main Street/NYS Route 9, close to the Project Site.

The Project will not interfere with existing emergency vehicle trips and will provide adequate access to the Project for emergency vehicles.

(I) Adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

The Project's storm water management system, as described in paragraph (E) above, will eliminate any potential ponding or flooding on paved surfaces. As noted in paragraph (J) below, exposed soils will be covered to prevent erosion.

(J) Adequacy of soil and ground cover to ensure the exposed ground surfaces shall be protected by a vegetative growth or other substance that is capable of preventing soil erosion and of eliminating objectionable dust.

24% of the site will be green space, including landscaping for the Project and the existing green space along Elm Street adjacent to the old Post Office building which will remain undisturbed. All exposed soils will be covered by mulch or grass. These measures will be adequate to prevent erosion and eliminate objectionable dust.

(K) Compliance with all other provisions of the Zoning Ordinance.

The proposed Project is in compliance with the other provisions of the Zoning Ordinance and no other actions are required by the Town Board, Planning Board or Zoning Board of Appeals.

(L) Ability of the Town to provide services and facilities required by project.

The Town will be able to provide the services and facilities needed for the Project by utilizing existing services and facilities. No new services or facilities will need to be created due to the Project.

2. The Planning Board therefore grants Site Plan approval for the proposed Project, conditioned upon the following:

A. The Project will include the architectural details agreed to at the Planning Board meeting on June 29, 2010 and discussed in paragraph 1(A) above and consistent with the minutes of the June 29th meeting.

B. The gasoline tanks at the current location of the existing Stewart's Shop will be removed and the facility will no longer be used as a gasoline station.

C. Deliveries to the Project Site and trash-truck pick-ups will be timed to avoid pedestrian and vehicle traffic related to school opening and closing times, with allowance for occasional unavoidable conflicts.

D. Any proposed use of the former Post Office building except for office space will require Site Plan approval pursuant to Article VII of the Zoning Ordinance.

The Resolution was unanimously approved by roll call vote.