



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

P.O. Box 219
Galway, NY 12074
(518) 882-6070

PLANNING BOARD MEETING AGENDA

Meeting Date/Time: **October 23, 2012 - 7:30 p.m.**

Location: Town Hall – 5910 Sacandaga Road, Galway, NY

1. Convene Meeting
2. Roll Call
3. Review of minutes of September 25, 2012 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing – None scheduled

7. Public Meeting

Preliminary Review/SEQR Review & Classification:

- Application #12/011 – Application of Stewart's Shops Corp for SPR/SUP for redevelopment of tax parcel #172.-2-13.121 located at 1841 Route 29 in the Commercial Zone of the town of Galway for construction of a 3000 sq ft convenience store with self-service gas pumps
8. Privilege of the floor
 9. Other business
 10. Adjournment



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MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: October 23, 2012 – 7:30 p.m.

MEETING CALLED TO ORDER at 7:32 p.m. by Chair, Ruthann Daino.

MEMBERS PRESENT: Ruthann Daino, Rebecca Mitchell, Mary Lynn Kopper, Win McIntyre, Mikel Shakarjian, Carol DeLorme; Clerk, Martin Pozefsky; board counsel

MEMBERS ABSENT: None

ALSO PRESENT: Mike Tillson (town board liaison in audience), applicant, and one person in the audience

REVIEW AND APPROVAL OF MINUTES

All board members previously reviewed the minutes of the September 25, 2012 meeting. **Motion by Mary Lynn Kopper** to approve the minutes as presented. **Second by Rebecca Mitchell.** Voice vote: All ayes. Motion carried.

CLERK'S REPORT

- Received transmittal from Saratoga County Clerk's Office: 1 map was filed during month of September – Survey/subdivision of Lands of Arthur B. Keller, Jr. & Edward W. Keller
- Flyer received from Washington Co. Local Development Corp & the NYS Dept of State regarding an upcoming workshop to be held Wed., Nov 7th from 5:30 pm to 9:00 pm
- Letter received from the Saratoga County PB regarding their review of the Stewart's Shop application – Decision: Approve

CHAIR'S REPORT - Nothing to report

PUBLIC HEARING – None scheduled

PUBLIC MEETING

Preliminary Review/SEQR Review & Classification of Application #12/011 – Application of Stewart's Shops Corp for SPR/SUP for redevelopment of tax parcel #172.-2-13.121 located at 1841 Route 29 in the Commercial Zone of the town of Galway and construction of a convenience store with self-service gas pumps

Tom Lewis was present representing Stewart's Shops Corp. Recapped the history surrounding their purchase of the property and the requests regarding variances that will be addressed by the Zoning Board of Appeals next month. Presented a revised building plan which Board members had an opportunity to review just prior to the start of the meeting. (The plans were not received in time to mail them.) The building size is being increased slightly. Mr. Lewis explained that they had been told for years that stores could not exceed 3,000 sq ft because they have a beer license. Recently learned that this was referring only to retail space, not storage, cooler space, etc. Therefore, they are proposing a slightly larger store at this site (3,384 sq ft). Otherwise plans have not changed. Questions from board members followed:

Win McIntyre – Asked about the height of the sign. Why 15' vs. 10'? Mr. Lewis explained that it was a matter of site distance/visibility. A 15' high sign is more visible and more likely to be noticed by cars traveling at or in excess of 55 mph than a lower sign (say 10' as the regulations specify). Cars see the sign sooner and may decide earlier that they want to stop. Also view it as somewhat of a safety issue; the sooner drivers notice the sign and decide they want to stop, the safer it is from a traffic standpoint.

Win – Asked about the history/age of the buried fuel tanks on the property. Mr. Lewis responded he was not sure but believed they may have been installed in the 1970s. However, Stewart's would be digging them up and replacing them as part of the redevelopment. Stated they have an extremely good relationship with DEC and follow the rules strictly regarding removal of tanks and cleaning up of any contamination, which will result in an extremely clean site prior to reconstruction.

Win – Had questions regarding the septic system. Who governs installation? Mr. Lewis stated he believes NYS DOH (as Sara Co does not have a health dept) but may also fall under the purview of the town building inspector. They will follow NYS DOH law.

Ruthann – Asked if 1000 tank size is standard and how did they arrive at that size? Is it adequate? Mr. Lewis – Not really sure but assumes the engineer came up with that size based on projected use. Mr. Lewis stated this is something the town engineer could discuss with their engineer.

Mikel Shakarjian – Asked about the hours of operation. Mr. Lewis - Normal hours of operation is 5:00 am to 12:00 pm, but the norm is an 11:00 closing time. Usually start a new store at a 12:00 closing and then let patronage dictate the eventual closing time.

Mikel – Asked about lighting. Mr. Lewis – All lighting is new LED, flush mounted and down lit.

Mikel – Asked about vegetation; Will any efforts be taken to preserve existing vegetation? Mr. Lewis responded affirmatively. They leave trees where ever possible.

Mikel – Asked if they could put in more evergreen vegetation on the north side of the property to serve as a buffer between Stewart's and the neighboring property? Mr. Lewis indicated agreement with that. Ruthann asked if it could be something other than

arborvitae; not sure that would be the best choice for that location. Also Planting Detail simply states "evergreen tree". Could they be more specific on the plan?

Mikel – Asked if the store will have an emergency generator? Mr. Lewis – The shop will not have one on premises but the corporation owns a lot of generators. It is their practice to bring them to any shop that experiences a power outage as quickly as possible.

Mikel – Noticed some stores have picnic tables; Would this be something this store would have? Mr. Lewis responded that again, this is something that is "use driven". They usually put them out at the beginning. If people use them they stay, if not they remove them.

Mikel – Had questions regarding water runoff. Mr. Lewis responded that it would be at or less than what is there currently. They would address water runoff when developing the site. Ruthann reported that she asked Jim Mitchell about the grading and drainage, so he will look at that also. In particular she has concern about the steep bank at the back of the site and how that will be stabilized. Has been graded to deflect away from the building but she is still concerned about the stability of the bank (doesn't even look like a mowable slope). No further discussion/questions.

Chair – Since this application involves a coordinated review by the PB and ZBA with the PB doing preliminary review tonight, felt the PB should act as lead agency. Board members agreed. **Motion by Win McIntyre** to designate the PB as lead agency. **Second by Mary Lynn Kopper**. Voice vote: All ayes. Motion carried. PB then conducted SEQR review. **Motion by Mary Lynn Kopper** to grant application #12/011, application of Stewart's Shops Corp a negative SEQR declaration. **Second by Rebecca Mitchell**. Roll call vote: Ruthann Daino, yes; Mary Lynn Kopper, yes; Win McIntyre, yes; Rebecca Mitchell, yes; Mikel Sharkajian, yes. Motion carried. GRANTED A NEGATIVE SEQR DECLARATION.

Board discussed scheduling of public hearing for next month. Would be dependent upon ZBA granting the required variances. Consensus was that they could set a date for public hearing contingent upon the granting of the variances. **Motion by Win McIntyre** to set public hearing on this application for 11/27/12 pending granting of the required variances by the Zoning Board of Appeals. **Second by Mary Lynn Kopper**. Roll call vote: Ruthann Daino, yes; Mary Lynn Kopper, yes; Win McIntyre, yes; Rebecca Mitchell, yes; Mikel Sharkajian, yes. Motion carried. No further discussion.

PRIVILEGE OF THE FLOOR – None requested

OTHER BUSINESS

Chair – Again discussed the map submitted by Beth Kruger for LLA approved by the PB a couple months ago. Still has not submitted a survey map or even a map drawn to scale that would be suitable for signing.

Mary Lynn Kopper – Reported on complaints she has received regarding “heavy duty garbage” being dumped (probably by trespassers) in a sand pit off Hermance Rd. They don’t know who it belongs to or who they should complain to. She was uncertain as to what to tell them. Following discussion she was advised they should probably contact DEC.

Board discussed alternative dates for December meeting if unable to hold public hearing in November. 3rd Tuesday (Dec. 18) or 3rd Wednesday (Dec. 19) were agreed upon. Clerk will check with town clerk regarding town hall availability should the need arise.

Motion for adjournment by Mary Lynn Kopper. Seconded by Win McIntyre. Voice Vote: All ayes. Motion carried. Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Carol L. DeLorme

Carol L. DeLorme, Clerk