

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

Minutes of May 12, 2008

A Public Hearing was called at 7:30 PM. The Planning Board has requested to name itself Lead Agency in the SEQRA process for a project proposed by Christopher Marchand of three- four dwelling multi family units on Mercer Street. The ZBA currently has Lead Agency Role and has agreed to let the Planning Board take over the role.

A member of the audience asked why the Planning Board was taking over the Lead agency role.

Chairman Woodin replied that the Town benefits by having a Town Engineer work with the Planning Board. The Town ZBA works with the Town Attorney. The SEQRA process will be easier with the Planning Board; the ZBA part in this process is small. The ZBA is only responsible for the Special Use Permit and the Variance.

Chairman Woodin went on to explain that the Site Plan Approval lies with the Planning Board, the ZBA and the Planning Board work side by side, but eventually after the SEQRA process is completed the Planning Board will play a big part in this project and it is easier to have the Planning Board take the lead now.

The Chairman discussed letters he received from Saratoga County and CDTA regarding the project.

The Chairman replied that there is no negative affect to switch the Lead Agency Role from the ZBA to the Planning Board.

The Chairman closed the Public Hearing at 7:37 PM.

The Chairman made a motion to adopt the Planning Board as Lead Agency in this project. Due to the fact that the request needs thirty days to pass, the motion will pass on May 14th contingent that no agency objects to the Planning Boards request before that time. The motion was seconded by Fusco with voting as follows:

Wendth	yes
Fletcher	yes
Fusco	yes
Chairman Woodin	yes

Chairman Woodin instructed the applicant, Mr. Marchand, to now proceed as the Planning Board is Lead Agency.

The meeting began at 7:37 PM with attendance taken. Present were members Harriett Fusco, Peter Fletcher, David Wendth, and Chairman David Woodin. Absent were members Robert Lefebvre and Richard Hurst. Also present was Rene Lipatas from Clough Harbour.

Christopher Marchand stated that he has been going through the formal administrative steps; he has not submitted any plans as yet. He received a response from DEC regarding endangered species and asked if he could proceed to a full set of site plans.

Ms. Lipatas replied that the first step in this process is the actual sketch plan and some requirements are missing such as contours which have to be shown on the plan.

Chairman Woodin stated that the formal sketch plan is due.

Ms. Lipatas replied that Mr. Marchand needs to revise the plan he has to include the missing requirements. This is the sketch plan which needs to show more in relation to topography.

Mr. Marchand replied that it was his full intent as he progressed further into the process to show all the necessary requirements. He will revise the plans.

Ms. Lipatas also stated that stormwater management needs to be addressed for the site as well. Determining what type of stormwater management is necessary as it may change what you are able to do with the site.

Mr. Marchand stated that his disturbance will be less than one acre. He was hoping to bypass the SPEDES permit in this case.

Ms. Lipatas responded that the disturbance is 0.96 acre, Waterford is an MS4 community and he should go through all the motions for the permit.

Mr. Marchand questioned the soils at the site.

Ms. Lipatas referred to the FEAF and runoff needs to be addressed and properly managed. The contours need to be shown and tie ins that can add to the area of disturbance.

Chairman Woodin asked about the next ZBA on May 27th and what is their intent at the meeting.

Mr. Marchand stated that he needs to mail out notices for the Public Hearing. The ZBA will vote on the variance and special use permit but cannot vote until he is finished with

the SEQRA process. He was holding back from doing any extra work due to the fact that the variances are in limbo.

Chairman Woodin replied that the Planning Board has limited input where the ZBA is concerned; it may be July before the ZBA is ready for a formal vote on the variances. Both variances need to be approved before the project can move onto the Planning Board for a vote.

Ms. Lipatas stated that the ZBA can vote contingent on closing the SEQRA process.

Mr. Marchand spoke about the reason for the archeological study at the site as it was a gravel pit many years ago.

Chairman Woodin answered that there will be a basic first step study as this is a SHIPPO site. Most likely anything of interest is already gone, but the study may take some time.

Chairman Woodin again mentioned the letters he received regarding the Planning Board request to take over the Lead Agency role for the project. There were no issues from CDTA, Saratoga County, and DEC. There were other letters sent out and the recipients have until May 18, 2007 to respond.

Katherine Forget, a resident of Mercer Street asked if the information relating to the SEQRA process is available for public view.

Ms. Lipatas replied that any of this information can be FOIL'ed through the Town Clerk's Office.

Chairman Woodin also interjected that the report is available for viewing or pages may be photocopied for a charge. The report can be quite lengthy and the Town only receives one copy.

Mr. Marchand stated that he had no further questions.

Chairman Woodin stated that the ZBA has a public hearing in two weeks relating to this project and they cannot make a decision on the variances until after the SEQRA process is completed.

Ms. Lipatas confirmed that was correct.

A resident of Mercer Street questioned the markings that were sprayed around the site and what workers were doing there.

Mr. Marchand answered that he was aware of a water line running through the property and he had asked the water department to mark where the water line was located for ease of future plans. There is no work being done at this time.

Chairman Woodin stated that there will be some work done at the site in order to comply with the SEQRA process, but concrete cannot be poured.

Mr. Marchand answered that he will have to dig deep test pits for stormwater management purposes. The buildings will be on slabs so they will not have basements.

The Chairman stated that the burden of proof will be on Mr. Marchand to show why he should have a public use permit.

Dave Wendth commented on a few errors he found in the FEAF.

Ms. Lipatas referred the Board to page 2 of Clough Harbours summary of the SEQRA review done on the project. Here, comments related to the FEAF and revisions that need to be addressed are listed.

Mr. Marchand questioned the aquifer map he used for his reference.

Ms. Lipatas told Mr. Marchand she will give him a copy of the map she uses.

Mr. Fletcher voiced his concern regarding the lack of proposed parking spots for the buildings. There are eighteen spots planned for twelve units. Maybe this needs to be addressed again.

Mr. Marchand answered that the current zoning states one parking spot for each unit. He increased the number of parking spots himself. This is something he may be willing to discuss throughout the process.

Mr. Fletcher asked if there was room on the site to add more parking spots.

Mr. Marchand replied that when the topography of the site is done that will help answer the question.

The Chairman replied that he was not able to finish the minutes of the April 14, 2008 meeting.

The Chairman made a motion to close the meeting at 8:11 PM, seconded by Fusco.

