

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

Minutes of November 8, 2021

The meeting began at 7:30 PM with Chairman David Woodin, and members Harriett Fusco, Peter Fletcher and Paul Henry present. Member Bob Lefebvre was absent. Building Inspector Ben Akin was also in attendance.

Chairman Woodin made a motion to waive the reading of the minutes of the October meeting and to adopt them. Mr. Fletcher^{2nd} the motion and it was approved 4 – 0.

In February 2020, the Board conditionally approved a site plan for 301 Hudson River Road. IUE CWA Local 81359 had purchased the property which contained a former snack bar, a single-family home and seven trailers. Their plan was to convert the snack bar into a meeting hall, use the single-family ranch style home as office space and remove all but one of the trailers. Future plans included developing a recreational picnic grove for union members. The 7th trailer would be allowed to remain until the recreational facility was developed.

As part of the conditional approval, the applicant was to provide access control along Hudson River Road with landscaping. The Board approved a plan that would close the 140 foot opening, leaving a two way driveway entrance built to NYSDOT commercial driveway standards as the property fronted a state highway. Parking for twelve vehicles in front of the property would be provided as well as landscaping utilizing small, low maintenance plantings. NYSDOT had granted conceptual approval to the design, but required that the applicant provide a final plan showing the topography and how the drainage would work before NYSDOT would give its final approval.

The original plan also included concrete curbing to delineate the roadway, the driveway entrance and parking area. Previous conversations with NYSDOT had them agreeing to waive the curbing if the drainage proved to be adequate. The Board also had agreed to the elimination of the curbing subject to NYSDOT approval.

The Union leadership was appearing before the Board to ask reconsideration of the requirements for the curbing and landscaping. See attached letter:

Dear Mr. Woodin:

This is a follow-up to our recent conversation regarding 301 Hudson River Road and to confirm our appearance at the Planning Board meeting on Monday, November 8, 2021, at 7:00. As discussed, the owner, IUE-CWA Local 81359 (the "Union"), is requesting that the Board reconsider its site plan requirements regarding the roadside area at the front of the property. As you know, the Union has significantly improved the property by removing the dilapidated trailers, which were both an eye-sore and a safety hazard. They also improved the office and residence at the front of the property, put in additional parking spots and generally cleaned up the site. Please note that the property is only sporadically used for Union board meetings, which are once a month. Others use the office occasionally on an as needed basis. Also, there is only one tenant left in the back. There is therefore relatively little traffic in and out of the property. In addition, there are good sight lines in both directions. The Board therefore believes that the cost and amount of work necessary to comply with the requirements for landscaped islands and related improvements is not warranted and would respectfully request that the Board reconsider them. Thank you for getting us on the agenda and we will be prepared to discuss this further and answer questions at the meeting.

Jason Singer, an architect, presented the revised plan to the Board. He was accompanied by Stephen Volkheimer (Attorney), Conrad Lape (Union Trustee) and Joseph Hines (Building Committee). The plan would leave the existing parking facility as is (an open area of 140 feet abutting the roadway). Parking stalls would be painted, but there would be no landscaping.

The Board made their point known that they were agreeable to waiving the curbing requirement, but that some form of delineation was necessary to provide access control. Also, landscaping was necessary for aesthetics as well as helping to provide access control. The Board was amenable to modifying the type of landscaping to be used. It was mentioned that the applicant's architect developed the specifics of the plantings as they wanted to minimize maintenance and these plantings were advertised as low maintenance.

The most compelling argument for or against leaving the lot as is and simply providing some striping was the Chair's point that in the winter, markings are obscured by snow and ice and overall fading. It would become a free for all as there would be no positive guidance to direct traffic in and out of the lot as well as where parking should occur. Barriers, curbing, plantings, and/or landscaping would help define the driveway entrance as well as the parking area. Also, as part of the original review, Saratoga County had given their approval provided that there be no parking along the state highway. Without access control, this could occur as there is about 16 feet from roadway to property line.

With the parameters established that some form of access control was necessary as well as plantings (but the type and amount negotiable), the Board and the applicant brainstormed possible ways to achieve the goals. Building Inspector Ben Akin suggested that access control could be achieved by erecting a split rail fence close to the property line. A 3 to 4 ft wide strip of asphalt could be removed and the fencing installed in this strip along with a few small unspecified plantings and some grass. The consensus of both sides was that this could possibly be an inexpensive solution compared to the approved

plan. The Chair cautioned that the plan would still have to be endorsed by NYSDOT and that the delineation of the driveway's entrance would still have to be dealt with as the plan would be to leave an area of 16' x 140' as paved. That area is the NYSDOT ROW and would definitely invite parking if the pavement remained. It is assumed that the pavement was installed many years ago by the owner of the snack bar in an era where access control was not as common. If the pavement is left in place, then NO PARKING signs would be necessary. A better solution would be to remove the pavement and plant grass or low maintenance ground covering.

The Chair then brought up the issue of a CO. He stated that it was his impression based on the letter submitted by the applicant that the meeting hall and house were currently being occupied on a limited basis outside of refurbishing the two buildings. Mr. Lape admitted that some monthly meetings have occurred and that some other personnel had utilized the buildings for other union work. The Chair said that without a CO, nobody should be using the buildings. The only permissible activity is to fix up the buildings. This led to a discussion with the Building Inspector about the possibility of issuing a temporary CO or a permanent CO if the necessary repairs are completed. Joe Hines stated that the punch list items to meet a CO have been finished except for a door that was on back order. That will be installed this weekend and Ben Akin will conduct inspections on Monday, November 15th with the intent of issuing a CO.

Chairman Woodin then stated that with the CO proceeding, an action plan was necessary for outlining the next steps. The Applicant now needs to do the following:

1. Revise the Site Plan to show the fencing and limited landscaping. The application does not have contour lines or show drainage. NYSDOT wants to see how the parking lot drains onto Hudson River Road. The property will have to be surveyed and the required topographical information added to the plan. Previously, NYSDOT said that they would waive the curbing if the applicant demonstrates that the drainage is adequate.
2. Submit an electronic copy to the Planning Board. The Chair will informally distribute the plan to the members and if it seems reasonable to the Board, the Chair will instruct the applicant to forward it to NYSDOT for review and approval.
3. NYSDOT will review the plan and make a decision to approve it or not.
4. If NYSDOT approves, then the Planning Board will accept NYSDOT's letter of approval and convene a meeting to grant the final site plan approval. In the meantime, the Chair will verify that SEQR, 239 Referral and LWRP will not have to be re-visited in order to amend the site plan.

At 8:15 PM, the Board informally discussed the status of various projects in Town that have been or will be subjected to Planning Board action.

Chairman Woodin motioned to adjourn at 8:40 PM and seconded by Mr. Fletcher.