

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

June 12, 2008

The meeting began at 7:30 PM with attendance taken. Present were members Peter Fletcher, Bob Lefebvre, Harriett Fusco, Planning Director Richard Hurst, and Chairman David Woodin. Also present was Rene Lipatas from Clough Harbour. Absent was David Wendth.

Chairman David Woodin made a motion to reaffirm the Planning Boards role as Lead Agency in the SEQRA process for the Mercer Street Apartments project. The Planning Board voted in May to accept Lead Agency contingent on there were no questions or comments from concerned agencies within the 30 days. The motion was seconded by Fletcher. The motion passed 5-0 with voting as follows:

Fletcher	yes
LeFebvre	yes
Fusco	yes
Hurst	yes
Chairman Woodin	yes

The minutes of the April 14, 2008 meeting were read. The Chairman made a motion to accept the minutes, seconded by Lefebvre. The motion passed 5-0 with voting as follows:

Fletcher	yes
LeFebvre	yes
Fusco	yes
Hurst	yes
Chairman Woodin	yes

The minutes of the May 12, 2008 meeting were read. The Chairman made a motion to accept the minutes, seconded by Fusco. The motion passed 5-0 with voting as follows:

Fletcher	yes
LeFebvre	yes
Fusco	yes
Hurst	yes
Chairman Woodin	yes

A member of the audience asked about being able to view the minutes on the website.

The Chairman stated he had sent the up to date minutes to the webmaster, Russ McAllister, and he would follow up on that.

Christopher Marchand spoke to the Board regarding his project for three –four unit dwellings on Mercer Street. Nothing new has been submitted since the last meeting and he is planning on coordinating one submittal. He has been working on the comments from Clough Harbour regarding his FEAF and he is intending to submit a revised FEAF with the site plan as soon as he hears from the remaining departments that provide services to Waterford. He has already received feedback from Delaware Engineering on behalf of the Water Department. They are asking for more information on development. The Superintendent of Waterford Schools also responded with no adverse impacts.

Mr. Marchand went on to say that he intends to have submittals next month. He has done some preliminary soil testing with test pits of about nine and ten feet. There was no evidence of water, just sand and gravel.

Chairman Woodin clarified that Mr. Marchand will be submitting plans at the July meeting.

Mr. Marchand replied yes.

Ms. Lipatas informed Mr. Marchand that she will need to review the submittals before the Board meeting. The submittals need to be received at least two weeks prior to the Board meeting to allow ample time for review and write ups. These submittals discussed will need to be sent to Clough Harbour for the first week in July.

Chairman Woodin stated that he has also received a copy of the letter from Delaware Engineering. He also asked about the outcome of last months ZBA meeting regarding the special use permits as he was not able to stay until the meetings end.

Mr. Marchand replied that the end of the meeting consisted of audience comments. There were concerns regarding transient tenants and evidence of hardship.

Chairman Woodin outlined the SEQRA process and stated there are two outcomes, there will either be not enough information submitted or the submittal answered all the questions on the issue. A negative declaration can then be issued if the facts indicate that particular determination.

Ms. Lipatas replied that there will need to be a public hearing on SEQRA.

The Chairman replied that if he does submit in July and it is all deemed complete then the Board can vote to determine if there is significant impact.

Ms. Lipatas replied that in her review Part 2 of the Draft FEAF Project Impacts and the Magnitude states moderate impacts and nothing significant. Once the Board closes the SEQRA process the ZBA can close out the variances.

The Chairman reminded Mr. Marchand that both variances are needed in order to proceed with the project. The project will then come back to the Planning Board. This may delay the preliminary concept plans to be submitted in August.

Mr. Marchand stated that his site plans are essentially done; he is just waiting to hear from a few departments.

The Chairman replied that it may be the August meeting when he can submit site plans based on the review from Clough Harbour and the Planning Board. It may be the September meeting before the Board can vote on the site plans.

Ms. Lipatas asked about the ZBA approval process.

The Chairman stated that the ZBA works differently than the Planning Board when they approve their minutes. At each meeting they vote to accept the decision of the prior meeting. This can delay a decision for another thirty days. If the ZBA is able to vote on the variances in July they will have a Record of Decision in August and the Planning Board can move the project forward in September.

Katy Pickney of 15 Mercer Street asked about the changing of the Town Zoning Code as it relates to the required 100 feet of frontage for a new home.

The Chairman replied that there are no plans to change the Town Code as it relates to required frontage. Each applicant has the right to appear before the ZBA for a variance if their project does not meet the required frontage.

Mr. Marchand stated that he has 220 feet of frontage on Middletown Road, 50 feet on Hillview Terrace and 50 feet on Mercer Street which is over 300 feet of total frontage. Does all this count?

The Chairman answered that he wasn't sure if it the total frontage required is 1200 feet, (100 feet frontage for each of the 12 apartments) or 300 feet total (100 feet for each of the three buildings). The ZBA can clarify this at the next meeting.

Ms. Lipatas stated that she has always interpreted the zoning to be 100 feet frontage per physical building. The total frontage for this project would need to be 300 feet total which is 100 feet for each building.

Ms. Pickney asked about the wear and tear that this project will cause to Mercer Street and the properties. There were issues regarding dumping at the site when Mr. Gimelli owned the property years ago. Are there requirements to help keep the neighborhood clean? The neighbors are worried about their yards and pools being dirtied by dust and debris from the trucks and the construction.

Ms. Lipatas stated that all those concerns are the reason there is a Stormwater Management and Erosion Control Plan for the project. There are measures put into place to control these

issues. There will be a controlled construction entrance, silt fence around perimeter of project and other measures Mr. Marchand needs to submit as part of his application process.

Ms. Pickney asked who enforces these measures.

Chairman Woodin replied that the oversight will shift to the Building Inspector after the Planning Board approval.

The name of the Building Inspector, Mario Caradori, was given to the attendees.

Mr. Hurst stated that Mr. Marchand has to keep the roads clean, but the residents need to understand that this is a construction zone and the debris will be contained to the site as best as humanly possible.

The Chairman stated the Town and Village of Waterford will work together to oversee this project as it does involve both governments.

The Chairman told Mr. Marchand that he will see him at the July meeting.

Mr. Hurst informed the Board that the tennis nets are all installed at Riverbend Park.

The Chairman asked Mr. Hurst about the new children at play signs that went up near the Park. They are not the original signs that were part of the approved plan. A copy of the letter sent to Frank Barbara in 2007 regarding items that need to be addressed in Riverbend was supplied for reference.

Mr. Hurst replied that Mr. Barbara may not have gotten this letter as new faces have appeared in the company, but the Town still has money left in escrow for the playground. When the Town takes the road over we can determine if the money to put the signs up and fix the small things is taken out of their escrow or if they are going to fix them.

The Chairman stated that the traffic medians in Riverbend have been filled in with pavement.

Mr. Hurst replied that they will be imprinted (stamped to look like red brick) when they top the road.

Ms. Lipatas asked if any contact has been made with Mr. Hajeck.

The Chairman answered no.

The Chairman made a motion to close the meeting at 8:15 PM, seconded by Hurst.