

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

Minutes of December 10, 2018

The meeting began at 7:30 PM with Chairman David Woodin, and members Harriett Fusco, David Wendth, Peter Fletcher and Robert Lefebvre present. Nan Stolzenburg, representing Adirondack Mountain Engineering was also present.

A reading of the minutes for the October 8th meeting was conducted. They were approved on a motion by Chairman Woodin and seconded by Mr. Lefebvre. The motion passed 5 – 0 after Chairman Woodin asked that two typos regarding the address of 35-B Saratoga Avenue be corrected.

Jason Wellington, owner of Joyful Beginnings Day Care on 3<sup>rd</sup> Street appeared before the Board seeking site plan approval for a second daycare located in the Hostig Plaza on 35-B Saratoga Avenue. This particular site was the former location of the defunct Tree of Life Christian Day Care. It has been out of business for about five years and the facility has remained vacant since then.

Chairman Woodin gave a summary of the proceedings that have previously occurred with the day care proposal. In November, the ZBA re-affirmed that the Special Use Permit granted in 2009 was still applicable as it follows the property. In addition, as long as the same type of use follows the original grantee, then the special use permit is still valid.

The Planning Board had a long discussion of potential issues with the site plan. Unfortunately, neither the Town or the applicant had a copy of the 1995 site plan that was approved for the property. The Town's Planning Consultant, Nan Stolzenburg, indicated that there should be a physical plan of the property before the Board so that any changes made could be put on the plan as a permanent documentation. The Board did have a 1995 draft copy, but changes to it was made prior to the final site plan approval. So, at best, it was somewhat difficult to know how accurate this 23 year old draft plan was relative to the site today.

Typically, a public hearing is held for a commercial site review. Since a public hearing was held when the applicant appeared before the ZBA last month and nobody attended to offer comments, the Board is not requiring an additional hearing.

The first issue of the site plan review discussed was outside lighting. There were questions as to whether there was sufficient lighting on the premises. The Board said that they wanted the lighting reviewed to determine the adequacy. After the meeting,

Chairman Woodin drove immediately to the site and drove around the complex. A number of lighting banks were observed on the two buildings. However, more than half of them were not illuminated. If the existing lighting was restored to proper working order, then it would be sufficient.

Traffic circulation was perhaps the most complex issue discussed. Mr. Wellington produced an email from one of the property owners stating that the original plan required one way traffic around the back of the main (southern) building. Mr. Fletcher mentioned that there use to be a ONE WAY sign at the corner of the former B&J Auto Parts store. Chairman Woodin said that he also recalled one way traffic at some point. Despite the signs being taken down, there was never any approval by the Board to have two way traffic. Therefore, the matter should be one of deciding what signs and markings are needed to restore the one way circulation plan.

As part of the circulation plan, Dave Wendth expressed concern with delivery trucks mixing with children walking to the outside playground on the property. He asked that some type of signing be placed to alert motorists traveling between the two buildings that children might be present. After much discussion, it was decided that the applicant should hire a professional engineering firm to develop a traffic circulation plan. The study should examine how truck traffic enters and exits for deliveries to each business and how potential conflicts between trucks and the children could be minimized. This access way is also used as a secondary entrance to the museum. The engineer would be responsible for developing a viable traffic circulation plan and include the necessary signing and markings on the plan as well.

When Towpath Tavern was granted approval several years ago, one of the conditions was that the parking lot be re-striped. The lot is in need of re-striping and if parking remains in front of the four storefronts facing south in the north building, then the diagonal stalls need to be restriped using a 60 degree angle rather than a 45 degree angle.

A large green bin is located near the sidewalk in the main parking lot. The bin is for used clothing donations. It was formerly located at the south end of the property. Chairman Woodin asked that it be removed as there is a streetscape project scheduled to occur in 2019 that would enhance the aesthetics on this block of Saratoga Avenue with new pavement, sidewalks, trees, benches, bike racks and improved drainage. Mr. Wellington was in agreement as he also noted that the donated goods were being left outside the bin.

Signing for the business will include a spot on the main sign at the edge of the sidewalk and a sign placed on the wall outside the front door. The Board reviewed Section 161-31(1)(b) regarding size of signing. Mr. Wellington will present a drawing of the proposed signs to the Building Department for review. Based on the discussion, the signs will be approximately the same size as were used for the other day care center.

There is an outside playground that is immediately to the east of the back of Towpath Tavern. On the final plan to be submitted, the playground shall be labeled. The playground is a leftover from the previous day care and is enclosed with fencing that is also encircled by jersey barriers to prevent any vehicle penetrating into the playground.

With the return of the circulation plan to one way vs two way traffic in front of the former day care, it will have an impact on some of the other tenants. The tenants are to be notified of the changes with the circulation plan.

After identifying the above concerns, the Board was ready to proceed with a conditional approval. Before that could occur, the Board had to be named Lead Agency for the SEQRA process and then for the Board to issue a negative declaration regarding the environmental impacts.

Chairman Woodin motioned that the Town Planning Board be named as Lead Agency for the SEQRA process. Mr. Lefebvre seconded the motion and it was approved 5 – 0.

Chairman Woodin motioned that the Town Planning Board approve a resolution to issue a Negative Declaration regarding the environmental impacts. Ms. Fusco seconded the motion and it was approved 5 – 0.

Chairman Woodin motioned that the Town Planning Board approve the site plan conditionally. Mr. Wendth seconded the motion and it was approved 5 – 0. The conditions are as follows:

1. Adequacy of lighting to be determine. Since a post meeting observation indicated that more than half the lights were not operating, they shall be returned to good operating order.
2. The applicant shall retain the services of a professional engineer specializing in traffic operations to conduct a study of the traffic circulation flow in the plaza, particularly between the two buildings and develop a plan that is to be approved by the Planning Board before issuance of a CO. The plan shall indicate all necessary signs and markings that are to be installed by the owner of the plaza.
3. The parking lot shall be restriped prior to June 1, 2019. The diagonal parking in front of 35-B Saratoga Avenue shall be angled at 60 degrees.
4. The Clothing Donation Box at the front of the plaza property shall be removed for aesthetic reasons.
5. A design of the signs for the business shall be approved by the Building Inspector and be in accordance with the size requirements specified in Section 161-3(1)(b).
6. The playground shall be labeled on the site plan. The site plan can be an enlarged copy (e.g. 20" x 30") from Google Earth or equivalent showing an aerial view of the plaza. All new signs and markings shall be placed on the plan.
7. The plaza owner shall send written notification to the tenants explaining the proposed changes in traffic circulation. A copy of the notification shall be provided to the Planning Board.

Mr. Wellington was asked what is the process he has to go through with the State of New York in order to secure his necessary approvals. He explained the process and stated that at best, he could have approval in 6 to 8 weeks from this point.

Chairman Woodin ended the meeting with some miscellaneous information:

1. The upcoming Annual Planning Conference in Saratoga Springs has been pushed back a week to early February. Registration information has not been released yet.
2. The Champlain Canal Trail construction will be bidded on December 13<sup>th</sup>.
3. Surveyors and traffic counters have been spotted in the vicinity of Hillview Lane. Speculation is that these are preliminary steps in any future development of the Grattan subdivision.
4. Discussion of Middletown Square and what will become of it now that the lawsuit has been resolved.
5. Congratulations to Bob Lefebvre who has now completed 30 years on the Planning Board (1989 – 2018).

The meeting was adjourned at 8:55 PM on a motion by Chairman Woodin and seconded by Mr. Fletcher.