North Salem Planning Board Minutes
July 20, 2011
7:30 PM – Annex

PRESENT: **Cynthia Curtis, Chairwoman**
Charlotte Harris, Board Member
Gary Jacobi, Board Member
Bernard Sweeney, Board Member
Frank Annunziata, Town Engineer

ABSENT: **Roland A. Baroni, Esq. – not required to attend**
Robert Tompkins, Board Member

ATTENDANTS:

NSOLF:	**Gloria Stein**
North Salem Center:	**Roger Nitkin**
Hawley Woods:	**Steve Bliss**
	Dan Gould

Chairwoman Cynthia Curtis calls the July 20, 2011 North Salem Planning Board Meeting to order.

REGULAR MEETING:

1. North Salem Open Land Foundation: Gloria Stein (owner – North Salem Open Land Foundation)
Sign Permit (location – Various Addresses)

- Consider Resolution of Sign Plan Approval

Cynthia states this item is a revisit of the North Salem Open Land Foundation (NSOLF) signs. Cynthia states that the Board may recall that they recently gave the NSOLF a sign permit approval. They are back with a slight modification. Cynthia states she encouraged them to think about all of the future signs and consider obtaining a blanket permit. Cynthia did see Bruce Thompson this afternoon and he was pleased that the NSOLF is going in that direction. Cynthia states she prepared a Draft Resolution which was circulated. Cynthia asks the Board whether they have any questions or concerns. Gloria Stein is here tonight to represent the NSOLF. Mrs. Stein shows the Board samples of their current signs, which include sizes and colors. Mrs. Stein states they would like to install signs that will be visible from the road, and easy for people to read. Mrs. Stein states that when people drive through Town they will be able to identify properties they have been giving money to. Mrs. Stein shows a sample of a sign they would like to have for all of their properties, including directional signs which will include rules. Vinyl arrows will be installed in the field once the signs are up. Mrs. Stein shows the dark green being proposed, with white letters. Cynthia states the signs are very attractive. Mrs. Stein states the signs will not be obnoxious. Cynthia confirms the Board has no questions.

Chairwoman motions that the Planning Board Adopt the Resolution of Sign Plan Approval (Generic) for the North Salem Open Land Foundation for all of their Preserved Parcels. Gary Jacobi seconds. All in favor. No opposed.

After the motion, Mrs. Stein confirms she will follow-up with the Building Inspector for the Sign Permit. In the future, a notification should be provided to the Building Inspector for future signs. It will not be necessary for the NSOLF to return to the Planning Board for future Sign Permit Approvals.

2. North Salem Center: Roger Nitkin (owner – Roger Nitkin)

Sign Permit (location – 60 June Road)

- Discussion of Proposed Application

Cynthia states the next item on the Agenda is North Salem Center. Cynthia asked Roger Nitkin to come in and speak with the Board because this is a non-permitted sign. Cynthia states the sign Mr. Nitkin is proposing is rather large and is being proposed in a location that concerns her. Cynthia asks Mr. Nitkin if he would like to provide the Board with an overview.

Mr. Nitkin states he is now a resident of North Salem. Mr. Nitkin states he is the Manager of Salem Center. Mr. Nitkin states that the whole sign saga for this property began back in 1997 when he first became involved with the property. At that time, the tenants were concerned about being visible from the road. They also stated a concern that other properties in Town have signs, and they didn't. Cynthia states that there is a sign, and the tenants have sign permits. Mr. Nitkin states he came before the Board in 1998 with a re-instated application to build a small outbuilding where the shed was before. We were then advised to combine applications. This process took about seven years to obtain an approval for the other building. Mr. Nitkin states the sign was incorporated in that application. Mr. Nitkin distributed materials to the Board which showed that the Site Plan Approval included the same size sign that he is now applying for, which is smaller than the existing sign. Cynthia states the sign on the Site Plan has a requirement for variances, which were never obtained. Mr. Nitkin states that in 2007, M&T Bank was up for a renewal of their lease. One of their conditions for renewing the lease was that they would be allowed to have a sign. This is the only M&T Bank location anywhere among their 87 properties that does not have a sign out by the street. Mr. Nitkin states he believes he came in to talk about this in 2007. Mr. Nitkin states that after a lengthy discussion it was indicated that he would have to come back with a more formal Application to move forward. Mr. Nitkin states that the level of the process put him off until today when one of his tenants, who given the economy, is having a very hard time with visibility from the road. Mr. Nitkin states that every other commercial and public establishment in Town, including the NSOLF has visible identifying signs. Mr. Nitkin states there is even a rock in Town that has a sign. Mr. Nitkin states that he applied to the Building Department and he was informed he would have to make a formal Application to the Planning Board. Mr. Nitkin understood that the Planning Board would refer his request to the Zoning Board of Appeals for a variance. Mr. Nitkin states this is the process that after 12 or 15 years, he is here to fulfill.

Cynthia states that Mr. Nitkin came to talk with her in 2008. At that time Cynthia explained the sign being proposed was very large and much greater than our regulations allow. Cynthia states the Board is working on rewriting the Sign Ordinance to make sure that all signs that go up in North Salem are very small and in keeping with the character of the Town. Cynthia states that Mr. Nitkin is proposing a sign that is four feet wide and eight feet tall. The tenants do have the ability to put up façade signs. In fact, M&T Bank has a façade sign up. Cynthia states Mr. Nitkin is proposing to locate the sign along Titicus Road. Cynthia states that people driving east on Titicus Road will be approaching an intersection in Town where there have been a lot of accidents. The last thing the Board wants to do is to permit anything that would distract a driver from approaching an intersection that requires all of their attention. Cynthia states she drove around to look at the buildings at North Salem Center from different angles. When driving up June Road, the M&T Bank façade sign is visible. When driving west, all of the façade signs are visible. People need to know where 60 June Road is. Drivers today are either using their iphone or a gps device. When trying to locate the nearest bank, 60 June Road would come up. That is the most important sign to put out there. The current North Salem Center sign does not have 60 June Road on it. Cynthia states that it is critical to have a small attractive sign so that anyone trying to find any of the businesses there know where 60 June Road is. Cynthia states that she is not pleased with a sign so big on Route 116. The other Board Members have to weigh in as to whether they think this proposal is appropriate. Cynthia is not sure whether the letters will be legible so as to read all of the tenants proposed to be on the sign. Cynthia states it looks like five or six tenants are being proposed. Cynthia

states that she does not understand why this would be needed when the tenants have façade signs. There is a discussion about the proposed location.

Mr. Nitkin refers to the size and states that size is relative and is in the eye of the beholder. Mr. Nitkin's firm owns and manages real estate offices and there are sizes that are appropriate depending on the location. Having a sign where the letters are so small that people can't see it would be useless, and a dangerous distraction. Mr. Nitkin refers to the location and states they have moved the sign. The proposal currently before the Board is to have the sign on June Road. Cynthia confirms the sign would face drivers going north and south on June Road. Mr. Nitkin states that any sign right at the entrance might block the sight vision for people coming in and out of the property. Regarding the size of the sign, Mr. Nitkin states the proposed sign is actually smaller in terms of height than the existing sign. It is almost the same width, maybe three or four inches wider than the existing sign. Mr. Nitkin states the existing sign is 137 inches above the grade level. The proposed sign is 110 inches above the grade level. The proposed sign would be more than two feet lower. Mr. Nitkin states that the existing sign has been there and blended in with the landscape. Mr. Nitkin states that based on his experience and years in real estate, the comment made that if people know an address they are going to find the business is not correct. Mr. Nitkin states he gets complaints from the tenants who have been told by customers walking in that they didn't know specific businesses were there. If what we have been hearing tonight is true, there would never be a need for any signs. There is a sign in front of this building. Why is there a sign in front of this building? Why is there a sign in front of the Fire House? Why is there a sign in front of Union Hall? Why is there a sign at the Lions Club? Why does the Swan Deli have a sign? Why does Restaurant 121 have a sign?

Cynthia states that there are façade signs for every one of the businesses at North Salem Center. This Board approved a lettering size that is visible from the road. Cynthia states that when driving on Route 116 she can see and read the signs.

Bernard asks how many tenants are proposed to be placed on the sign. Mr. Nitkin states it would depend on how many tenants wish to be included on the sign. We would limit it to five or six. Mr. Nitkin states the Board may want to make that one of their conditions. Mr. Nitkin states he is sorry to have gotten carried away. He states that after 15 years he has pent up thoughts about it. Bernard asks how many businesses are currently there. Mr. Nitkin states there are approximately 15 tenants, but most of them would not need to be on the sign. The deli, bank and physical therapy businesses would like to be on the sign to obtain exposure. Mr. Nitkin states that normally someone in my position would come in asking for a giant sign knowing that it would be negotiated down. Mr. Nitkin states he didn't do that. He does not have the energy after all this time to play this kind of game. Mr. Nitkin went to a sign company to find out what would be appropriate for this kind of property and neighborhood. Mr. Nitkin states again he lives in the Town. Mr. Nitkin states it is nice to have the open land and limitations on commercial development. With that said, there also have to be reasonable standards.

Cynthia states that the signage, in her opinion, is not going to change customer's opinion about whether or not they are going to stop. There will always be someone who has discovered something for the first time. Cynthia does not see a big sign like this making a difference, especially for a bank. When someone is looking for a bank, they would look up the address.

Bernard asks Mr. Nitkin to name some of the businesses that would like to be on the sign. Mr. Nitkin states he is sure the deli would like to be on the sign. Cynthia asks whether these tenants would also want their façade signs, or may we assume the façade signs will come down. Mr. Nitkin states he has not polled the tenants because he didn't want to excite their expectations. Mr. Nitkin states there is a physical therapy and equestrian equipment tenant. Mr. Nitkin states that the first thing that any prospective tenants ask is for a sign on the street. Cynthia asks whether the tenants will have to pay to have a slot on the sign. Mr. Nitkin states

they will probably pay for the cost to prepare their slot. Cynthia asks if 7 sign up and an 8th tenant wants a spot what will happen then. Mr. Nitkin states the first five or six will be in.

Bernard states that Mr. Nitkin mentioned a business that he didn't even know was there. Bernard states that at one time a travel agency was there and asks whether they are still there. Mr. Nitkin states that the tenant had been crying for a sign, and now she is gone.

Gary states that Cynthia made a good point about adding in the address. He does not have a problem with the sign, and agrees with Cynthia that the address should be on it. He does not feel that the sign needs to be this big and states that maybe instead of six panels, it could be cut down to four. He does not know whether the lettering for "North Salem Center" needs to be such a big part on the sign, and states maybe the size could be cut down. Gary states that Mr. Nitkin has made it a point that he wants room for six tenants. Gary suggests cutting it to four panels, add in the address, and shrink the letters for North Salem Center. Gary states he would be a lot more comfortable then.

Cynthia states the Board should do a Site Inspection to see the placement of the proposed sign. Cynthia states that when driving down Titicus Road, people are looking in both directions before crossing over. Cynthia states the sign is being proposed to be located up on the hill.

Charlotte states that it seems to make more sense to have a "North Salem Center" sign with the address more or less where it is located now. As people drive in, there could be a list of the tenants. Charlotte states that a sign this large could potentially cause a problem for people driving back and forth on June Road. This is a major intersection. It would make more sense for people to see a list of tenants when they pull in the driveway. Mr. Nitkin states it makes a lot of sense to add in the address. Mr. Nitkin states he will think about reducing the number of panels from six to four. Mr. Nitkin will think about redesigning the sign so less of the surface area is taken up with "North Salem Center". Mr. Nitkin refers to the placement of the sign on the Site and states the place he is proposing it to be makes more sense from a visibility standpoint. Cynthia asks why not locate the sign where the existing one is now? Bernard states he has never seen the existing sign. Charlotte states it is difficult to see. It is tall and has aged over time. Bernard states that when this new sign goes up everyone will see it for the first week. From that point on, he doesn't think anyone will see it. Someone that is looking for it will find it. Bernard does not see anything wrong with the sign simply because there are a lot of businesses there. If they were spread all over Town, there would be several signs. Bernard states we have to consider that this is a multi-business area. Bernard states that if he hadn't gone to the bank he wouldn't have known there was a travel agency there. Cynthia states Bernard has made an interesting point. If only 4 businesses can go on the sign, and there are 16 there, we haven't made it any better. Charlotte states that why seeing a list of tenants after people pull in may be a good idea. Gary states that we would have made it better because not everybody will want a sign. Gary states he is trying to help Mr. Nitkin get this sign down to a manageable size. Gary is not sure what the magic number of panels would be. Gary states that the Board wants successful businesses in there. Gary asks Mr. Nitkin to work with the Board on the size.

Cynthia states that every time a new tenant comes in, they have to come in and deal with their own sign. It is another process, application, and fee. Cynthia had suggested to Mr. Nitkin, as the Manager of the complex, to obtain a blanket approval for all of the façade signs. Every time a tenant changes so long as they use the space allocated to them, and keep the lettering within the size approved by this Board, those signs may be changed with a simple notification to the Building Inspector without each tenant having to come back in. Mr. Nitkin remembers Cynthia mentioning this. Cynthia states that all of the signs will be clear, neat and consistent. Cynthia states tenants are coming in with requests for different typeface and colors. Nine or ten businesses could be done at one time. Gary states the Board wants these businesses to be successful, but they do not want a traffic hazard created. Cynthia suggests Mr. Nitkin add the address on the sign, and come up with an overall plan for the façade signs. Mr. Nitkin would like to take a step back and would like to know if after

appearing before this Board, the next step would be to go before the Zoning Board of Appeals (ZBA). Cynthia states that Mr. Nitkin would only go to the ZBA if he required a variance. If he stays within the size of the current sign, which is pre-existing non-conforming, then he will not have to go before the ZBA. If Mr. Nitkin is less than 10 feet from the property line, that would trigger a setback variance, and also if you increased the sign, that would prompt the Board to send you over to the ZBA. Mr. Nitkin states the existing sign is less than 10 feet from the property line. He has not measured it. Cynthia will check with the Building Inspector. She believes a pre-existing non-conforming sign may be replaced in the same location. Cynthia states the existing sign was approved as part of the 1980's site plan approval. That is why it is pre-existing non-conforming.

Cynthia states the Board has given Mr. Nitkin a lot of ideas tonight. Cynthia asks Mr. Nitkin if he would like to re-think his proposal and come back with a different package. Mr. Nitkin states it sounds like that is what he needs to do.

Cynthia asks Mr. Nitkin if he could put a post in the ground in the proposed location at the proposed height. The Board will then make a Site Inspection.

Mr. Nitkin states that coming up with a location for the new sign has been difficult.

Cynthia states that in the proposed changes to the sign regulations, if businesses are on a corner lot, they will be allowed two façade signs. Cynthia states that Mr. Nitkin should re-look at all of the façade signs. Mr. Nitkin believes the deli came before this Board for their sign. Cynthia confirms they did receive an approval. It is unfortunate that each one of the tenants have to come before the Board for this process. She encourages Mr. Nitkin to obtain a blanket approval. Mr. Nitkin does not want to get bogged down for a year. Gary states the Board will work with Mr. Nitkin. Mr. Nitkin will have the posts put up for the Board to see. Cynthia states that Mr. Nitkin should ask Dawn for a copy of the sign application for the deli that was just approved at North Salem Center in order to see the size and lettering allowed. Mr. Nitkin states he appreciates the fact that this is a volunteer Board.

3. Discussion Regarding Chapter 89 Fill, and Chapter 189 Sand & Gravel/Tree Removal.

Cynthia states that this discussion will be held over to the August 10th Meeting. Cynthia states that Maureen is on vacation. Bernard refers to Chapter 189 and asks whether he missed that discussion. Cynthia states the Board will be reviewing that next.

WORK SESSION:

4. Hawley Woods: Dan Gould (owner – Hawley Woods, Ltd.)
Subdivision (location – 396 – 404 Hawley Road)

- Discussion of Project Status

Cynthia states we have not had a meeting with the Fire Commissioners. They do not normally meet over the summer. Cynthia spoke with Frank and he generated a list of concerns that have to be dealt with. Cynthia believes the Fire Commissioners next meeting is scheduled in September. Cynthia states that after reviewing the Memo from Frank, the concerns of the Commissioners are not as important as the questions raised by Frank at this point in time. Cynthia states she is not an engineer. She would like Frank to walk us through his Memo. Cynthia shows the Board a Plan she put up which has the proposed house locations on it. Cynthia states the Board still has to discuss the drainage.

Frank will begin at the top of Hawley Road. Frank states the Applicant was before the Board in May with a small preliminary version of their Plan. The Board had discussions on that version. The Board had stated a preference to have the access in the form of a common driveway as opposed to a conventional road that might be accepted by the Town, or even a private road. Both of those options would have required the establishment of a right-of-way, as opposed to a common driveway where there is not an actual right-of-way, but the need for easement access to be obtained in the form of a 280-A Approval from the Town Board. This will allow access off of the easements. Frank states that recommendations were provided to the Applicant on the basic layout. The Applicant has taken the next step, considering the comments and the Boards preference for a common driveway. Frank states that from an engineering perspective, the first 750 feet would still function as a road of some sort. For the first 750 feet we looked at which street standards we felt comfortable with the Board waiving, while taking into consideration the difficult topography. Frank states that no matter what is done, there will be a lot of disturbance. With the interest of reducing the overall environmental impacts we felt that the maximum grade of the access road could be increased from 10% for a street up to 14%, which would significantly reduce the amount of cuts and fill. There was a discussion at the last Meeting regarding the road width. The Applicant presented a couple of options; one 14 foot wide road, and one 16 foot wide road with a couple of stabilized shoulders on the side that would provide a little extra stability in case those areas have to be used for traffic. Frank states there were pull-offs and turnarounds proposed at appropriately placed locations that the Fire Department would need to review given that the access-way is more narrow than a normal street.

Frank states there were a couple of items that we were not comfortable with no matter what it was called.

Cynthia would like to know whether two cars will be able to pass on a street that is 16 feet wide, and what is the meaning of stabilized shoulders. Does that mean a car may drive on that surface? Frank states yes, that was the idea. Frank talks about the surface being either gravel or grass. He also refers to plastic cups that could be filled with soil or gravel. Frank confirms that stabilized shoulders should be able to be driven on in an emergency. Frank states that lanes and roads could be eight feet wide, but it could be tricky with two vehicles. In a situation where there is not a lot of traffic, two cars should be able to pass, with a little cooperation.

Gary refers to the first bullet on Page 2 of the Memo from Frank and would like to know what he means when he talks about the minimum centerline radius of 175 feet. Frank states he was getting to that. Gary would like to know what it means. Frank states it has to do with the layout and curve in the road. It is a calculated dimension. Frank states there should be a measured design radius for the curve for the length or degree. Gary states that is not helping him. Bernard agrees. Gary does not understand why a curve has to be a specific sharpness. Cynthia states because a vehicle may not be able to get around it. Cynthia asks Gary if he would like to see how a centerline curve is measured. Gary states maybe. Frank refers to the first curve at the bottom and draws a sample of the centerline radius for the Board to see. Frank shows an example of where a curve starts and ends, and makes a pie which shows the radius. Frank shows an example of the difference between a 100 foot radius, and a 175 foot radius and states that a car doesn't have to turn so fast if the radius is larger. When traveling down a hill, you don't want to have too sharp of a curve. Bernard asks what the relationship would be between the two points. Gary states it would be 175 feet. Larger curves are discussed. Frank states there are regulations which state that when a new or access-way comes off a road it should be perpendicular to that part of the road. There are no standards for a driveway. Frank refers to the first 750 feet functioning as a road and recommends the proposed curve not be recommended by the Board. Gary states the Applicant is proposing a 55 foot curve, and asks if Frank would like it tripled to 175 feet. Gary states it seems like a huge difference. Frank states yes. Gary states the Applicant is proposing to make a 90 degree turn within 55 feet, and Frank has stated it takes three times longer to make a 90 degree turn. Frank states that it may end up being more of a cut into the hill. Gary states he is confused. The Applicant has proposed a road that makes a 90 degree turn in 55 feet. Frank states yes, that is within the arc that we are talking about. Gary

asks whether the arc should be three times what they have provided. Cynthia states yes, this is in our road regulations. Gary confirms this is the Town Road Regulations. Gary asks if the Town requires 175 feet to make a right turn. Frank states that any street should not have a turn with a radius that is less than 175 feet. Frank states there shouldn't be a 90 degree turn in a road. Frank states a 90 degree turn is a very tiny centerline radius. The Board looks at the diagram. Cynthia states that if someone is coming down the hill, this is a very short area to make that turn. Frank states this is not in terms of direction. Gary states it seems to be a huge distance to have to turn a car in order to go in a different direction. Cynthia confirms that Frank is recommending that there be no variance from the Code. Frank states that is correct, because these are safety related issues. Frank states that, in his opinion, this will be functioning as a street.

Steve Bliss states that James Hahn issued a Memo for another subdivision by the name of Grant's Farm. They created private road specifications. In the specifications it was stated that "the quality of the private road shall be dependent on the number of homes in the subdivision". "A private driveway shall serve three dwellings or less". Mr. Bliss states these are the Town of North Salem's Specifications. Cynthia asks whether Mr. Bliss is reading a document that was developed for one particular subdivision. Mr. Bliss states yes, it was used in a past subdivision. Mr. Bliss states they are using road standards now, but we are trying to get a private driveway to cut down the disturbance in order to serve three homes that will not create a lot of traffic. Mr. Bliss states it seems as if we are going off track here. We are talking about this as if it is a major road. We shouldn't use standards for major roads for something that really is a private driveway. Cynthia states there are no adopted private road standards for the Town of North Salem. Cynthia asks to see the document Mr. Bliss brought with him tonight. Cynthia states this document is dated 1988. There were specifications used for this one subdivision. Cynthia remembers this document and states that it was never adopted by the Town of North Salem. Cynthia states she was on the Planning Board at that time and this was used by the Board as a guideline. Cynthia states there are no set specifications for private roads. Frank is our advising Town Engineer. He will walk the Board through these issues and provide his recommendations. The Board may end up developing a set of specific private road or driveway standards for this subdivision because there is no adopted set of standards. Cynthia would like Frank to go through his recommendations before we hear from the Applicant. Mr. Bliss states that in certain cases, Frank is using standards that shouldn't be applied to private driveways. Cynthia states Frank is using the standards that the Town has. Mr. Bliss refers to the document he brought tonight regarding the width and right-of-way requirement. Cynthia states that Peder Scott drafted those when he used to work for the Town. They were never adopted. It was the only document the Town had to use at the time. Cynthia is not sure whether they were followed 100% or whether there were variations based on the specific subdivision site specifications. Cynthia states the Board would like to get through Frank's recommendations prior to hearing feedback from the Applicant. The Board is trying to build a consensus here as to whether the Board follows the strict recommendations of their Town Engineer or whether latitude may be provided. First, the Board needs to understand Frank's memo. Frank states he is not familiar with the document Mr. Bliss brought with him tonight. Frank states that private driveways may take a range of forms from 2 houses with a 100 foot flat road, to something like the Applicant is proposing, a 750 foot, steep and windy road. Gary asks where Frank obtained this standard where he states "The minimum centerline radius of 175 feet". Frank states that is a Town standard for a private street or a Town street. Gary asks whether there is a difference between a road and a street. Gary asks if this is the provision for a public Town road. Cynthia states yes. It is also the provision for a private road.

Frank refers to the second bullet on Page 2 of his Memo in regards to the proposed intersection being at an angle of not less than 75 degrees for 100 feet. The Applicant has provided approximately 50 feet. Frank states there is a requirement in the Town Code and all Codes that between curves in the road there should be at least 100 feet of straight road so as not to create hairpin turns back and forth. Frank refers to the third Bullet on Page 2 of his Memo in regards to station 80 having a minimum of 60 feet instead of 100 feet. Frank refers to the fourth bullet on Page 2 of his Memo and states there is an insufficient length of the first vertical

curve at the entrance to the project. There should not be a dip. There should be a gradual transition between the steep grades coming down the hill. Frank states that 165 feet is required and 110 feet is proposed. Cynthia states that before we leave the entrance way, looking at the slope map that has been provided, it is not just 3% and then going into 14%. At what point does it change from 3% to 14%? Frank states it all blends together for the purpose of the vertical curve. There is not an exact point where it is actually 3%. The idea of a vertical curve is to have it more gradual before getting into the14%. Cynthia confirms that Frank believes it is too sharp and rising too quickly. Cynthia states that our roads are supposed to be only 10%. Sometimes a variance may be obtained for 12%. Cynthia asks if Frank knows what the width of the road going up to the Sun Valley Drive tower is. Dan Gould from Keane Coppelman states that road width is 20%. Mr. Gould refers to the Driveway Plan view and states there are station numbers listed. Cynthia states that if the Applicant were to try and comply with the Town road specifications they would have to bring the road in, which would result in more of a cut. Frank states the wider turns going around and the first turn would come perpendicular to the road further than it is shown on the Plan. Frank states that is the section of the proposed 20 foot retaining walls he refers to in Comment 4 on Page 3. Mr. Gould states there are 8 feet and 6 feet retaining walls that will be terraced with plants. The walls will only be on one side. We will encounter rock at that point. Cynthia states that working on the different places to cut, in a previous approach to this Plan, the Applicant worked with Roger Schalge at Hahn. Cynthia asks whether this ended up being the best place to make the cut. Mr. Bliss states yes, Hahn had wanted the entrance to be located in this area. Cynthia asks why. Mr. Gould states it maximizes the sight distance in both directions.

Mr. Bliss states that the configuration of the road does have to fold into the drainage plan which they are aware of. We incorporated it into the design of the road, as one may not be done independent of the other any more. We had to have our environmental engineer on board the whole time to come up with a road that works with the drainage plan. Cynthia asks Frank if he has seen the drainage plan. Mr. Gould states they are attempting to come to an agreement on the roadway. Once we come to an agreement, we will submit a full packet that includes revised stormwater plans, associated drawings, profiles, and cut and fill analysis. Mr. Bliss states that going down to 12 feet will help a lot. It will cut down on disturbance and make it a better development.

There is a discussion about the Lost Pond Subdivision. Cynthia states the road going in is long and gradual. Mr. Bliss states that their whole idea is that it is a private driveway. Frank states a concern with a drainage system and the collection of runoff on Hawley Road. Mr. Gould states they have no problem addressing comments 2, 3 and 4. Mr. Gould states that for common driveways, they have used standards at a 30 foot inside radius, or a 38 foot centerline radius would be the minimum that has been used in other Towns in the area. For our design we used a 55 foot centerline radius which is greater than that requirement. In regards to the fire department access, the minimum inside radius was 30 feet. We have provided pull-offs for emergency vehicles. We have shown turning movements for vehicles with templates in the driveway pull-off areas. There is also an area for passing. From comments we received at previous Meetings, we have decreased the platform at the entrance from 4% to 3% in order to provide a flatter area. Cynthia asks how long the length of the 3% is. Mr. Gould states the straight tangent may be 100 feet. Frank states the tangent should apply first, and within that there is a horizontal standard. Within that a vertical standard should be applied. Cynthia asks Mr. Gould if he believes he could comply with that. Mr. Gould states that they had designed the previous private street to the private road standards. It would be a layout similar to the private street. Horizontally it would be similar, and vertically it would be different due to the 14% grade. Cynthia asks if what the Applicant is showing complies with the private road specifications. Mr. Gould states yes, the common drive standards for horizontal junctures. Cynthia is not sure, but she will have to check and see whether those standards were actually used in a similar situation. Mr. Bliss asks whether Cynthia would like his firm to check into this, or Frank. Cynthia states she has a list of the private roads in Town. Cynthia states the point of this is that Mr. Bliss has a copy of private road specifications that were never adopted. Apparently they were used for the Grant Farm Subdivision, and maybe others. We don’t know which aspects were used.

Cynthia states the only driveway she is aware of that is steep and narrow is the one that was approved for the Landi Subdivision, which is Shoecraft on Titicus Road, Keeler Subdivision, and Grant Farm Subdivision. Mr. Gould states they used the AASHTO Manual, and designed the driveway based on mountainous terrain. They recommend a 20 mph design speed which helped with the vertical and horizontal geometry of the roadway. In looking at the 20 mph, when someone is going down the driveway, they will not be going 30 mph as they would on a regular Town Road. People typically drive more cautiously on a driveway especially when sharing it with other residents. That is why we used the standard available in the AASHTO Manual. We used our judgment to design the driveway. In other town codes they also have common driveway standards that relate to horizontal and vertical geometry. The one main sticking point would be at the entrance. The intersection may need to be addressed and worked out between our office and the Town. Cynthia refers to the Cotswold Subdivision and states that when she leaves there, she always drives too fast. She gets to the curve and then has to stop suddenly. Cynthia states the end of the road comes up fast. Charlotte states the difference is that Cotswold has more traffic. Cynthia talks about the Board gaining access to see the driveway for the Shoecraft Subdivision road and a few others. Gary would like to see specifications from Frank, treating this as a common driveway, not as a Town road. Gary states this is potentially overkill for only three homes. Charlotte agrees. Frank states he feels it functions as a road. Frank talks about the length of the road and states it is a safety issue. It is a function of the number of lots and length of the road. There is a discussion about drivers building up speed. Gary states his road is ¼ of a mile long. Drivers don't really get going until the last 100 feet, when going downhill. Gary is under the mindset that three homes should not be considered as a requirement for a road. Cynthia states that in that sense we may allow the narrowness of the road so long as we have the turnovers. That doesn't change the issue that we have a 14% grade. Cynthia asks if the roadway was narrower, would people drive slower. Gary states yes. On a private driveway, people drive down the middle of the road. Cynthia discusses going down to 14 feet of macadam with shoulders. Gary states the more margin of error drivers have the faster they will go. Frank agrees, but states that was one of the reasons the Board wanted a reduced width from the 22 feet Town road. There is a discussion about the width for private roads. Cynthia states that if we treat it as a driveway, we are down to 12%. Gary believes that 14 feet would still be enough for two cars to go by driving slowly. Cynthia asks Frank if the Board told him they didn't want to see paved sections wider than 14 feet would there be room to reconsider other aspects. Frank does not think so. He states it is a balancing act and a safety issue. This past winter has proven that if 14 feet is going to be the only amount plowed, then we are losing our 2 foot shoulder. Cynthia asks the Applicant if they brought the road down to 14 feet of pavement, could they achieve some of these other recommendations from Frank. Mr. Gould is not sure. It will not change the length of the road. Cynthia asks if the curves will improve. Mr. Gould will look into it. Cynthia talks about having less feet to deal with the 14 feet instead of 16 feet. Mr. Gould does not believe the intersection should be looked at as having a 180 degree turn. Someone will make a stop at the intersection and make a left or a right. That is the point of having the sight distance in either direction. When approaching a stop, a driver will make a sharper turn than when driving 20 miles an hour down a driveway. Cynthia states the previous point was that we hope people will come down to the stop.

The Board discusses Saturday site visits to some of these roads.

Cynthia states she is comfortable with a common driveway with sufficient turnovers for passing if the curve is improved. Cynthia talks about a road that is 14 feet instead of 16 feet side.
Cynthia will come up with a list of sites for the Board to visit. Bernard talks about the fire department being on board. Cynthia states to the Applicant that he has heard tonight that the Board would like the macadam brought down to 14 feet. There is a tentative meeting with the Fire Commissioners on September 21st. This will give the Applicant time to improve on the issues that Frank raised. Frank will join the Board on the site visits. The Board discusses Saturdays versus Sundays mornings for site visits. Either is fine. Charlotte states she will be away for two weeks. Cynthia will come up with a list and obtain permission. Cynthia asks the Applicant to point out to the Board if there are any other situations they would like them to check out. Frank

states it is the spectrum of safety. His firm has their liability issues, and the Board has their issues of precedents. Cynthia states that Frank will join us at the Meeting with the Fire Commissioners. Steve Bliss confirms that they will submit three copies of their modified Plans including road safety documentation prior to the September 21st Meeting with the Fire Commissioners.

5. Next Meetings:

- Regular Meeting – August 10, 2011 – note date change
- Work Session – August 24, 2011 – note date change

6. Comments from the Chair:

Cynthia states that the Sign Ordinance went over to the Town Board. It was generally well received. There were a few comments and changed. The only significant change had to do with on-site directional signs having a 100 foot setback which they thought was too much.

7. Resolution:

Chairwoman motions to adjourn the Planning Board Meeting. Bernard Sweeney seconds. All in favor. No opposed.