

MINUTES of the Village of Montgomery Planning Board meeting held in the Conference Room of the Village Hall, Clinton Street, on Wednesday, May 24th, 2017, at 7:30 pm.

ATTENDANCE: Chrm. Conero, Mbr. Weeden (absent), Mbr. Crowley, Mbr. Steed, Member Romano, Atty. Kevin Dowd (absent), Eng. Dawn Kalisky of Lanc & Tully, Ross Winglovitz, Marc Devitt, Maria Beltrametti, Diane Ryan, Katie Jackson, Ed Vasapoli, Dominick Vasapoli, Mike Vasapoli

OPEN: Chrm. Conero opened the meeting with the Pledge of Allegiance.

OLD BUSINESS

RE: RIVER STREET SUBDIVISION 208-1-24.1

The Chrm. referred to the engineer's report; that Mr. Winglovitz was to provide some information to the Village engineer to review.

Mr. Winglovitz said they clarified the HDP (high density pipe) with Ms. Kalisky. Ms. Kalisky said John requested profiles and they weren't provided. The pipe sticking out of the ground is an issue. Mr. Winglovitz said the top of the pipe is at ground level. There are two options: one is to leave it close to the ground. John mentioned berming over top of it but the offsite topo comes from the next house up-it splits and sheet flows across here (indicates on site plan). If he provides cover, it will back up water. The other option is to remove it and do it as a swale. He feels what is on the site plan is better. It gets the water past these guys in a closed system but Ms. Kalisky is absolutely right. It's not an area where trucks go. The Chrm. asked if he would get those to Ms. Kalisky. Mr. Winglovitz this is not a solution but this is the best they can do with it. It's either have very little cover over the pipe and maintain the sheet flow off the neighboring property or they have to berm it up and block water. Ms. Kalisky recommended leaving it an open swale with a positive pitch. The Chrm. asked which way it was going to be, is it going to be a swale? Mr. Winglovitz said they will meet with Ms. Kalisky and Buddy out there and confirm that this is the best solution; he would like to leave it as a closed system and not change it.

The Chrm. proceeds with the comment letter...onto #2. Mr. Winglovitz said Ms. Kalisky is looking for calculations on ...of the pipe. There are two pipes, one across the road comes from up River Street-they are not sure of the entire system is there; they know there's a 15 inch pipe. They thought this was a good solution and if there is any failure, or backs up for any reason, it will flow out the basin and flow out to the back. They could certainly upgrade to 18 or if they could figure out where the drainage comes from; there's a big concrete enclosed vault right here (he indicates on site plan), just above Boylan's property. Buddy said it comes from someplace on Union Street. The Chrm. asked what part of the excavation they are doing. Mr. Winglovitz said Mr. Devitt will do all of the work involved with the drains from the street back. The Chrm. clarified that Mr. Winglovitz is commenting on the size of the pipe running down the street now, whether they are 12" or 15". Mr. Winglovitz said yes. The Chrm. said all new installations are 15". Mr. Winglovitz said they don't have calculations to back up that size but that's what's coming in here, with the exception of a small amount of water from across the street-they don't know where that is coming from. The Chrm. said they need to get the calculations to the engineer. Mr. Winglovitz said yes. Ms. Kalisky stated, especially with the less than recommended minimum slope on the pipe; they are looking for calcs to demonstrate that that would be sufficient to keep it clean instead of just backing up. If Mr. Winglovitz wants to go with an open swale line, it becomes a non-issue. Mr. Winglovitz said that's why the catch basin was inserted in the middle, Buddy wanted a spot, because he realized it was flat, that he could get in if he needs to jet

clean it, from midway. Ms. Kalisky said the open swale would flow water as it does naturally, now that it's there. The Chrm. asked if they should leave that up to Buddy. Ms. Kalisky said it is up to the engineers and as long as he is in agreement with it, understanding that doing this is done as is shown right here, is not feasible. Mr. Winglovitz said it's not ideal; it's the best you can do with a closed system for the situation. He cannot lower the outlet anymore. The Chrm. said their concerns are what the residents have; with the runoff, with the water pooling, he's looking for solutions to the water problem, they want to make it right. Ms. Kalisky indicates on the map, Mr. Beegle's property is higher, here's your 372 contour, here's your 370 contour in the natural path of drainage through here, if you put the 370 into the easement area, that does impede the water coming from this property, it doesn't hit the pipe sticking up out of the ground and it allows more area to be a wider swale line-it doesn't have to be two feet wide within the easement to accommodate more water than a 15" pipe would. Mr. Winglovitz said there is no grading showing because there's no contours; they're two footers. He will show where the grading is going to be because it's very flat here, there's no additional contours for him to add. Ms. Kalisky stated that moving that 370 contour where you're tying into it here, actually you're going to leave that drainage line in just outside the driveway area. Mr. Winglovitz asked, the old swale area; is he going to cover that? If he does the closed system and provide a swale next to the closed system on Marc's side, if there is any backup of water it will overflow into the swale and run to the back. Dawn said the closed system, you can't have that with a pipe out of the ground or with an inch of cover over the top. You know HDP is 15" instead of 3". Ross said yes, but its 72 here and 70 here, it's very close to the source but if he mounds it, it backs up water. Dawn said if you leave it as an open swale line, you're not impeding any water. Chrm. Conero said it sounds like it's going to be an open swale. Ms. Kalisky said at the public hearing it was discussed as a proposal. John has asked for information that is not on the revised plans, any of it. She doesn't think their (the neighbors) concern was, as long as we have a piped system we're happy, just as long as water isn't sitting on our property, we're happy. Chrm. Conero said it needs to work. He asks if the swale would be grass. Would it always be maintained a swale? Would it be a Village easement? Who is responsible, the homeowner? Mr. Winglovitz said the Village. Dawn said the maintenance on that swale would be the Village...modify with a catch basin, 87 ft., to be able to jet it out. The Chrm. confirmed, you'd be better off having a swale.

#4 talks about the berm but it was already discussed. Mr. Winglovitz will provide spot elevations to show that the sheet flow will be maintained.

#5 is a revision to the notes, 21 & 22; to change the notes to reflect what is on the site plan.

Ms. Kalisky will speak with Buddy and John regarding the open swale.

There is discussion of a picture of the entire property on River Street.

NEW BUSINESS

RE: 32 RAILROAD AVENUE 202-12-7

A comment letter was not prepared by Lanc & Tully for this as this is just a discussion to direct the applicant in the proper direction. Diane Ryan is speaking on behalf of the applicant. They want to open a hair salon in the 1st and 2nd floors. Chrm. Conero said this is not an SEU. Ms. Kalisky said it is a permitted use in the district that does need site plan approval by the Planning Board. A site plan needs to be prepared and submitted along with SEQRA (environmental review). The footprints are great but they need a survey of the property. There is a requirement

for provision of off-street parking, which is tough on that site. Code requirement for number of parking spaces, you'll never get with the existing piece but the ZBA can grant a variance. The proposed business would be perfect for that location. It is not a high volume; you're going to be busy but we're not talking hundreds of cars trying to park. It's by appointment. Ms. Ryan said it will be off the regular hours than the regular businesses there; they will be open later in the day and on the weekends. Ms. Kalisky said you cannot propose on-street parking and you cannot propose parking on other people's property. Ms. Ryan said they are looking to lease property from the adjacent neighbor. Upon speaking with the Village Attorney, this seems to be a good fit for the building; you may have to be creative with parking. Possibly some employee parking behind the building; a little grading and a retaining wall but you can possibly get some parking spaces in there.

Chrm. Conero said he recalls a previous applicant with a parking plan but Dawn cannot find any records pertaining to that.

Village parking is discussed.

Chrm. Conero asked if they really needed a variance for parking. Dawn confirmed that only the ZBA can grant/waive that. Planning can waive curbing and design.

They will come back.

RE: MINUTES

A MOTION was made to **ACCEPT THE MINUTES OF April 26th, 2017**, by Mbr. Steed and seconded by Mbr. Crowley and carried 4 Ayes 0 Nays.

RE: ADJOURNMENT:

A MOTION was made to **ADOURN THE MEETING AT 8:25 pm** by Mbr. Romano and was seconded by Mbr. Steed and carried 4 Ayes 0 Nays.

Tina Murphy
Deputy Village Clerk