

Planning Board Public Hearing

September 3, 2019 Minutes

Chairman Kozakiewicz called the meeting to order at 7:00pm.

Roll call:

Al Kozakiewicz — present

Fred Franko — present

Kim Hart — present

Mike Voght — present

Peter Kiernan — absent

Lynne Delesky — present

Rick Gilmour — present

Members of the public in attendance: Caryn Mlodzianowski of Bohler Engineering representing applicant Primax Properties LLC, William Fielding, Briana O'Hara of the Leader-Herald, John Delesky.

Proceedings

Al Kozakiewicz said why we are here tonight is to look at the application from Caryn Mlodzianowski of Bohler Engineering representing applicant Primax Properties LLC. Why were are here is that they have made an application for a [Site Plan Review](#) and a [Subdivision](#) for property [SBL#83.-1-1](#) currently owned by the Caroga Lake Volunteer Fire Company. This is the property on State Highway 29A, across the street from the Washington Square triangle formed by State Highway 10 and State Highway 29A.

Rick Gilmour asked if the property transfer had already occurred. The board discussed this and the Planning Board consensus was that no transfer had yet occurred.

Al Kozakiewicz said there are two parts to the application. One is the subdivision of the Caroga Lake Volunteer Fire Company property to construct a retail business building. The other is the Site Plan Review. We have what looks to be a wet-stamped drawing with all the information on it. This is straightforward. We'll deal with this in time, but he thinks there's no question we have sufficient information for the subdivision. He asked the Planning Board if all members had time to look at the application materials. All Planning Board members had. Questions he has including traffic — including what does NYSDOT say is normal traffic on State Route 29A currently, traffic addition to the store, wastewater, kind of business (we believe it is going to be a Dollar General but at some point somebody has to tell the Planning Board that), hours of operation, any issues with lighting or noise, and anything else the board thinks about.

Fred Franko had some significant questions, starting with the SEAF.

Al Kozakiewicz said that SEQR is normally done after the application is complete because we wouldn't have the information needed to answer all those questions.

Fred Franko asked if this is a 2.1 acre disturbance of the existing site.

Caryn, says it was a bit less than that.

Fred Franko said it shows 1.8 acres and asked, shouldn't this be a long form?

Caryn Mlodzianowski said they typically do a SEAF for this size project. It is at the Planning Board's discretion as well.

Fred Franko said item #5, this is outside the Comprehensive Plan area in the report that was done previously. It is really the first new piece of retail and it is actually outside the area that was scoped for retail development.

Al Kozakiewicz asked if Fred Franko was referring to the Comprehensive Plan that formed the basis of the Zoning Ordinance. Fred Franko agreed.

Fred Franko said the Comprehensive Plan's Town Center was identified for retail development. The proposed project is some 200 yards outside the Town Center described in the Comprehensive Plan. It involved things like including pedestrian access and access by walking from the Town Center. They could probably address with sidewalks. There were accommodations put in for the Town Center that would be appropriate for this project because it is right on the outside of the area identified by the Master Plan. Item #6, this does change the predominate character of existing built or natural environment. That is incorrectly noted in item #6.

Kim Hart said she'd heard of Dollar General building buildings that fit into the landscape. Is this being considered?

Caryn Mlodzianowski said she was happy to show the architecture and get the Planning Board's thoughts.

Fred Franko asked about the meaning of early to mid-successional in item #14.

Caryn Mlodzianowski replied that they checked off forest, grassland, and suburban.

Fred Frank repeated his question on the meaning of early to mid-successional?

Caryn Mlodzianowski said she'd have to confirm that.

[Early successional refers to the first growth on newly cleared lands. It comprises mostly grasses and shrubs that need continued disturbance to be maintained. Mid-successional growth includes shade-tolerant trees that grow quickly and replace the early successional species.]

Fred Franko noted that item #18 refers to retention ponds. It was noted that the applicant wasn't providing those, but the plans do show a couple of water retention ponds.

Caryn Mlodzianowski asked number 18?

Fred: Correct.

Caryn Mlodzianowski said they are still waiting on soil testing. They assume there would be infiltration and it would not be retained in a pond. That is still to be confirmed.

Mike noted that the drawing has storm water ponds.

Caryn Mlodzianowski agreed.

Fred Franko brought up item #2 which discusses other agencies that require permits and approvals as well. He asked if this has already gone through the APA [Adirondack Park Agency]?

Al Kozakiewicz said it has been presented to the APA. He asked Caryn Mlodzianowski if she got adjudication.

Caryn Mlodzianowski said it is still in review.

Fred Franko said the one he is really concerned about is NYSDOT, it seems like a difficult corner. It seems like the entry

site is right on an intersection. He had always understood that was generally not acceptable with NYSDOT.

Caryn Mlodzianowski said one of the first things they did is submit the layout to NYSDOT. They have already approved that location.

Mike said there is already a curb cut there.

Fred Franko said it is just a piece of asphalt.

Mike agreed.

Fred: Regarding a Site Plan Review, he is interested in seeing what the elevations look like — what kind of accommodations are being made for the context that includes signage, lighting, and landscaping — which he did not find much indication of on this drawing.

Rick Gilmour said the sign is probably their regular Dollar General sign.

Kim Hart said that we [the Planning Board] should not have to assume what the sign will look like.

Fred Franko said he would like to see the sign. It is part of the Planning Boards review to consider such items. He suspects they are going to have signage on the building as well. He'd very much like to see what those look like with the idea that we have a certain sort of direction from the legislators' document: the Zoning Ordinance to maintain the character.

Al Kozakiewicz said there is a sign ordinance. If it is not consistent with the Ordinance, they would require a variance.

Fred Franko said we also have some direction regarding the landscaping, the appearance of the building itself, and particularly, the lighting, and, as Al Kozakiewicz said, the hours of operation.

Rick Gilmour asked if there was lighting on the drawings.

Al Kozakiewicz said there is a section in our Zoning Ordinance that actually deals with some of the technical details of lighting and it has to do with lines of sight.

Fred Franko said it has to do with no light source being visible from adjacent properties.

Fred Franko said that was the gist of what he was concerned about.

Al Kozakiewicz said before we let Caryn Mlodzianowski present, does anybody have any questions? The Planning Board had no further questions.

Caryn Mlodzianowski sets up artwork and drawings on an easel.

Al Kozakiewicz said he understood that Dollar General uses a cookie-cutter plan.

Fred Franko said he'd done research and Dollar General has not been afraid, his research, to accommodate local conditions. They have a wide variety of exterior appearances of the buildings and he's hoping that this will reflect that this is a ...

Al Kozakiewicz interrupted Fred Franko.

Rick Gilmour said, really?

Al Kozakiewicz said he was sure they were here to present the Adirondack provincial look that we're so well-known for.

Mike Voght asked Fred Franko if he'd seen the Dollar General in Lake George.

Fred Franko said he'd driven by it last week.

Mike Voght said he liked the front of that one and asked Fred Franko if he agreed.

Fred Franko said I thought they could do better. Speaking to Caryn, he said this was a big thing for the Town of Caroga — this is the first big retail delivery and he thought it would set the standard for what would follow. He said he was looking to the applicant to set a high bar for everyone else that follows.

Caryn Mlodzianowski thanked the Planning Board for its initial comments and feedback. She showed a rendered version of the site plan that they submitted. This is a subdivision of 2.1 acres, plus or minus, leaving 57 acres plus or minus. They are proposing a 9,100 square foot plus or minus retail store. She reminded the Planning Board that the first thing they did was to send this to NYSDOT: the applicant wanted NYSDOT's feedback and approval of the access location. They wanted to get that approval up front. All the required setbacks are met. This store is in the Highway Commercial zoning district. They have met the setbacks as well as the parking quantity of 31 spaces. The parking is designed so that a tractor trailer can pull in and back into loading area at the back corner of the store. There are no municipal facilities so the site will have a new drilled well located within an island within the parking lot. The septic field will be located back behind the building at least 200 feet back to meet that separation distance. They discovered there are off-site wetlands that impacted their site. The wetlands were confirmed by the APA: a 100 foot buffer applies. The applicant had their surveyor map the wetlands and locate a 100 foot buffer so that they stayed out of that. The buffer follows

within the tree line that is there. That will act as a good natural buffer.

Al Kozakiewicz asked if that was the dotted line.

Caryn Mlodzianowski confirmed that was the case. Regarding traffic, DOT looks at the counts, peak hours, morning, night and weekend. This store will use pass-by trips. Dollar General is not typically a destination place. Wastewater is going to be back behind the building. They are having the percolation tests and APA will be witnessing those tests as required. The proposed tenant is Dollar General. [This is the first official acknowledgment that Dollar General is the proposed tenant.] Caryn Mlodzianowski is with Bohler Engineering and they represent Primax Properties, LLC. Primax is the developer and they are under contract to purchase the property, pending all permits and approvals. Dollar General is their tenant. Their tenant sets the hours. If the Planning Board needs more information, Bohler Engineering is happy to ask them. There are going to be lights on the building as well as one or two light poles for the parking lot for safety. Everything is dark-sky compliant and downward facing fixtures. They can provide a lighting plan.

Fred Franko requested to see the “cuts” [cut sheets] on the equipment itself.

Caryn Mlodzianowski agreed. She noted that they had gone to LED fixtures for efficiency. As far as noise goes, typical noise associated with a retail store. There is no food preparation so there are no odors or impacts. It is very low water usage. Female and male restroom and mop sink, so very minimal. They are happy to look at the Short Environmental Assessment Form and the issues that Fred Franko brought up. Regarding elevations they didn't see any regulations locally specific to architecture. They know they

are in the Adirondack Park. The Amsterdam store is a typical metal building with split face block on the front: all flat lines. They want to take it a step further and get the Planning Board's thoughts on what Bohler has brought this evening as far as elevations go. She again acknowledged that they are in the Adirondack Park and are trying to fit in more. Caryn Mlodzianowski showed an exterior rendering. They created a peak and stepping the roof down on either side. The sign over the doorway is their standard sign. Siding would be horizontal Hardie Board siding [fiber cement board]. There would be a wainscot base along the front. There are faux shutters and awnings. There are LED arm fixtures to get to the parking area. Caryn Mlodzianowski showed a perspective view. Signage would be from the tenant, Dollar General.

Kim Hart asked what the criteria was for Dollar General wanting to come to a location.

Caryn Mlodzianowski replied that Dollar General has a market research department. She's not aware of the research that Dollar General did.

Kim Hart asked if the Planning Board would have access to the research.

Caryn Mlodzianowski replied that NYSDOT has the traffic data and that is accessible.

Kim Hart asked if Dollar General feels the town is growing or dying?

Al Kozakiewicz said you can learn a lot by using Google. He found the stores can gross \$230 per square foot per year. That's

\$2,100,000 per year. He's not sure how much they are legally required to disclose to us.

Fred Franko said that as far as he can determine from what was readily available online, they are identifying small rural unsupported areas such as Town of Caroga for a sort-of supermarket. He asked if they had fresh food.

Caryn Mlodzianowski replied that they do have coolers.

Al Kozakiewicz said he thought it was manufactured products and hard goods similar to the department store in Speculator: detergents, staple foods that have a very long shelf life.

Fred Franko said that as far as he can tell, they go for underserved markets and then try to establish a beach head.

Al Kozakiewicz said he just wants gasoline and milk.

Kim Hart said as far as the Comprehensive Plan, we need to think about these things and how this would impact the development and growth of businesses in this area. More information is better.

Fred Franko said they didn't specifically target a large-box retail. This isn't a huge box retail, but it is a big box retail store. That is where his concerns are.

Al Kozakiewicz said it is a franchise store. The problem is 10,000 square feet doesn't get you that much bigger than Groom's or Vrooman's. A real big box store like a Lowes is 150,000 square feet. A Walmart can be 250,000 square feet. That's big.

Fred Franko said again this is a beachhead. We have to think carefully about how we handle this and how we set the bar for people who come after this. He thought the rendering was a very

nice start for an elevation of a building that begins to respond to an Adirondack aesthetic. It is a little bit suburban. He has some ideas.

Al Kozakiewicz said Fred Franko is an architect.

Fred Franko said that is a fair and sincere effort to make it not like a box. He'd be very interested in seeing if they could come up with some kind of lighting that was a little more traditional. Dollar General is not afraid of having the traditional curved lighting elements. He prefer something more traditional instead of something this modern. If Dollar General ever bailed out on us, we've got a lot of retail buildings that are vacant on that same strip. We'd want something that would be adaptable for the next tenant. We'd want this to be as high-quality and presentable as possible for the next tenant.

Al Kozakiewicz said Adirondack style would be typically described as "rustic", using native materials, unfinished logs, native stones, rough-cut lumber.

Fred Franko said he thought that's valid and from his research he's found that Dollar General has not been afraid to reach out and conform to or agree with local jurisdictions. There's one in Orlando that is beach themed.

Kim Hart said people are seeking relief from city and suburbia and we're working on making it feel like you are near a lake, in the country somewhere.

Al Kozakiewicz said that down the road, there were two places. One fits right in and the other is right out. The now abandoned Grooms, which grew haphazardly. It wasn't planned to be that way and now it is closed. Across the street is Vrooman's Restaurant that actually has a log cabin rustic look to it. That is an

idea of what he thinks what looks good in town and what doesn't look good in town.

Rick Gilmour said everybody is thinking different ideas here. He said Fred Franko would have to give is drawings of what he's thinking.

Fred Franko said, funny enough, he has some. He has a problem with the Planning Board getting too involved with design, as a general rule. He thinks what Bohler has presented is a very valid start.

Al Kozakiewicz said he agreed with Fred Franko on this. It is not appropriate for the Planning Board to micromanage. Then the Planning Board would be taking on a lot of responsibility for things the Planning Board has no control over whatsoever. His opinion is that the Planning Board is at an informal stage of the process where it is perfectly acceptable for Fred Franko to reach out to Bohler and share some ideas. The real blunt tool the Planning Board has is to vote to not approve the Site Plan. He does not think it is appropriate to guide Bohler into building a building that the Planning Board likes. Bohler is responsible for selling the design to its own client.

Fred Franko said there are plenty of jurisdictions that do this, but Town of Caroga is not one of them.

Al Kozakiewicz agreed.

Mike Voght asked what the grade is going to be, the final grade. He asked if they were dead heading it or putting a slope to it.

Caryn Mlodzianowski said she's expecting it to be pretty balanced. There's going to be some spoil.

Mike Voght restated his question: are they putting a dead head straight retaining wall or a slope?

Caryn Mlodzianowski said they want to avoid a retaining wall.

Al Kozakiewicz said he assumes it naturally slopes to the left and to the north.

Mike Voght said he did not want a dead head straight drop.

Caryn Mlodzianowski said they were not.

Al Kozakiewicz said the things that were discussed the Planning Board would want documented, including the NYSDOT on traffic. The things that Fred Franko asked about: the lighting fixtures that you are going to use. We can vote to approve the Site Plan and the Subdivision and the APA can still stop it in its tracks if they don't adjudicate in Bohler's favor. We are not experts in terms of sanitary engineering: Whatever the APA says is appropriate the Planning Board will be OK with that. We want Bohler to document traffic, lighting, hours of operation, signage with the application materials.

John Delesky asked if there was any public comment allowed.

Al Kozakiewicz said this is an informal meeting.

Mike Voght said there were two storm water ponds.

Caryn Mlodzianowski said they would be connected.

Mike Voght asked about someone building above (to the right) of this site. Can that party above you (elevation) use Bohler's system?

Caryn Mlodzianowski said the other project's storm water would have to be separate.

Al Kozakiewicz asked if there is any drainage from the pond to the lake or is it strictly infiltration or evaporation?

Caryn Mlodzianowski said eventually there would be an overflow (she pointed to the drawing) that goes into the wetland.

Rick Gilmour asked if the two ponds would be connected.

Caryn Mlodzianowski said yes, via a pipe or a swale will run.

Mike Voght said he was all in favor of it running towards the back.

Rick Gilmour said the Caroga Lake Volunteer Fire Company owns the property in the back.

Mike Voght agreed.

John Delesky said somebody on the Planning Board had asked if this was a sign that the Town of Caroga was dying or living. It is going to be a new building: it is a sign that the Town of Caroga is alive and well.

Kim Hart said Dollar Generals were not a real sign of growth.

Al Kozakiewicz said they're opening what they believe is something that is appropriate for the demographics of the community. This is an odd place. You've got a handful of monied people who live on a couple of lakes or who live on large plots of land and you've got a lot of people that just scrape by that probably make up a large number of the people in town. Dollar Generals are not like evil places.

Rick Gilmour said he didn't know why were discussing that.

Al Kozakiewicz said basically in terms of the Town of Caroga. He would like Stewart's Shops.

Mike Voght said we already have a Stewart's: we can buy gas at the Canada Lake Store and get groceries and milk.

Al Kozakiewicz said they only have regular. They don't have non-ethanol premium.

Fred Franko said it is a little bit of concern that this will have a detrimental effect to smaller businesses that are currently operating.

Al Kozakiewicz said there aren't any.

Kim Hart said there are two store that are doing quite well.

Fred Franko said Canada Lake Store and the Red Store (Campers Corner).

Al Kozakiewicz said Canada Lake seems to mostly draw from around Canada Lake. The Red Store (Campers Corners) doesn't sell hard goods. They're much better for fresh food items, food prepared on premises, for beer, and for proximity to the campground across the street.

Fred Franko said, duly noted. Again it is a concern, a franchise comes in it tends to squeeze out single operators. Dollar General is targeting underserved areas. Town of Caroga is the absolute definition of that. It is a risk to the small operators, but it is also providing a service.

Al Kozakiewicz said if it is underserved, his argument is that means there is room for noncannibalistic growth of those kinds of goods and services.

Mike Voght noted that audience member Bill Fielding had raised his hand and had a comment and he would love to hear that comment.

Bill Fielding said Bohler Engineering is going to build adjacent to the Caroga Lake Volunteer Fire Company property. Bill Fielding asked Caryn, have the Bohler engineers gotten together with the Fire Department engineers regarding elevations? If Bohler goes first, the Fire Department could go “holy smokes, I didn’t know that was going to happen”. Have the two engineering firms dovetailed together? There is quite an elevation change.

Caryn Mlodzianowski responded that Bohler has survey and topography and the Fire Department engineers do as well. Bohler takes the topography up to and past the proposed subdivision lines, so that Bohler knows what they are tying into and the Fire Department would have to match into the existing topography.

Bill Fielding suggested that Bohler and the Fire Department do that before starting breaking ground because either could have a rude awaking as to what the other is going to do with its water. Is this flat roof with interior drains or is it a sloped roof with drains off the sides of the building?

Caryn Mlodzianowski responded that it is a sloped roof that drains off this side.

Bill Fielding said there would be a lot of water.

Caryn Mlodzianowski said it would be collected in roof drains (she pointed these out) and brought to the storm water area.

Al Kozakiewicz is the knee wall thing done specifically to collect the storm water runoff or aesthetic?

Fred Franko said it was aesthetic.

Rick Gilmour said it was to hide the air conditioning.

Caryn Mlodzianowski agreed that there would be equipment up there. It is built up on the front to hide that. The roof itself is pitched. It is fairly flat.

Al Kozakiewicz sought confirmation that it is not a gabled roof.

Caryn Mlodzianowski said no it is not.

Al Kozakiewicz asked if it was a shed roof.

Caryn Mlodzianowski confirmed that it was.

Fred Franko was surprised that they didn't have a covered entry.

Caryn Mlodzianowski said there is a vestibule. The vestibule goes within the store.

Al Kozakiewicz said, just so you know, the technical term is [coarse language redacted by secretary] cold here.

Rick Gilmour asked the secretary not to record the above language used by Al Kozakiewicz.

Kim Hart asked about how will the building be heated and the electric service.

Caryn Mlodzianowski said they are proposing a propane tank back behind the dumpster enclosure. HVAC is on the roof. Electrical would come off the street.

Fred Franko said it would have to comply with energy code, etc.

Mike Voght agreed.

Rick Gilmour asked what the timing was with the APA.

Caryn Mlodzianowski predicted that Bohler would have the APA's feedback within the next few weeks.

Rick Gilmour said after the feed back, the APA would have to come on site for the percolation test.

Caryn Mlodzianowski agreed.

Al Kozakiewicz said he'd seen correspondence on this back in August.

Caryn Mlodzianowski said they were waiting for APA feedback.

Rick Gilmour noted that the Planning Board's timing is going to be changed.

Al Kozakiewicz said that's a technical thing. Since the APA has jurisdiction and you need adjudication from both of us, we could approve it, not even make it contingent on the APA. If the APA saw reason to stop it, it would stop it dead in its tracks.

Rick Gilmour said he'd rather see APA give their approval before the Planning Board does a lot of work.

Caryn Mlodzianowski said Bohler was fine with that being the condition.

Al Kozakiewicz noted that they were both on the critical path.

Caryn Mlodzianowski agreed.

Caryn Mlodzianowski reviewed the list of items she would provide: the NYSDOT correspondence with the approval of the driveway, the lighting plan, the lighting cut sheets, the Environmental Assessment Form and any of those revisions, architecture if there is anything else Bohler can look at, modify and take a look at.

Fred Franko reminded Caryn Mlodzianowski about landscaping.

Caryn Mlodzianowski agreed.

Al Kozakiewicz asked if this was a type one or type two or unlisted SEQR action? Al Kozakiewicz thought it was a Short Environmental Assessment Form.

Caryn Mlodzianowski said typically we see it as unlisted. A type two would be no action. Typically, Bohler uses a short form. It is up to the Planning Board. If the Planning Board accepts the Short Environmental Assessment Form, if the Board accepts to be lead agent, just to get that process started.

Al Kozakiewicz said you have to have somebody who is a governmental agency, it's typically the Planning Board, for things like this. Unless we see something obviously wrong, we'll vote on it and move on.

Rick Gilmour asked if Caryn Mlodzianowski was going to get a landscape plan to the Planning Board.

Caryn Mlodzianowski said yes.

Rick Gilmour asked about signage, even if it is just pictures and dimensions.

Caryn Mlodzianowski said she would see what she could do.

Caryn Mlodzianowski said they would circulate it to the county to get their comments as well.

Al Kozakiewicz said it was the [first section of the supplementary regulations](#). It is an on-premise sign. It is not exempt. It can be lighted, but it can't have any flashing, intermittent, or rotating type lights. It is all pretty much spelled out here. It will need to be consistent with what is in here.

Caryn Mlodzianowski agreed.

Fred Franko said he was looking for what was compliance with [Article 6: Site Plan Review](#).

Caryn Mlodzianowski agreed.

The secretary noted that the [Zoning Ordinance](#) was online.

Caryn Mlodzianowski asked if it was appropriate to send it to Fulton County now for their comments.

Al Kozakiewicz said if Fulton County will take it now without the Planning Board having finished its work, then Bohler can go for it.

Fred Franko would like to see the landscaping.

Caryn Mlodzianowski agreed.

Caryn Mlodzianowski asked if the Short Environmental Assessment Form was acceptable, with the revisions suggested.

Al Kozakiewicz said that after the Planning Board sees the full application, the Planning Board will then be in a better position to answer that question.

Motion: Al Kozakiewicz moved to approve the minutes of the April 17, 2019 meeting. Fred Franko seconded the motion. All were in favor.

Al Kozakiewicz asked for a motion to adjourn.

Motion: Fred Franko moved to adjourn. Rick Gilmour seconded the motion. The vote was unanimous.

The meeting adjourned at 8:00 PM.