

Jeffery Schmitt, Planning Board Chair
Dale Warner, Town Planner
Melissa Deffer, Clerk
Teresa Bakner, Board Attorney



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Elizabeth Novak, Board Member
Thomas Rulison, Board Member
Michael Harris, Board Member
Joshua Houghton, Board Member
Michael Santulli, Board Member

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APR 16 2021

TOWN OF DUANESBURG
TOWN CLERK

Town of Duanesburg
Planning Board Minutes
March 18th, 2021
Final Copy

MEMBERS PRESENT Via Zoom: Jeffery Schmitt Chairman, Joshua Houghton, Michael Harris, Elizabeth Novak, Thomas Rulison, Michael Santulli. Also, in attendance Planning Board Attorney Teresa Bakner, Town Planner Dale Warner and Clerk Melissa Deffer.

INTRODUCTION: Chairman Jeffery Schmitt opened the meeting and welcomed everyone to tonight's Planning Board meeting.

OPEN FORUM:

Schmitt/Novak made a motion to open the open forum at 7:04.
Schmitt yes, Novak yes, Houghton yes, Harris yes, Rulison yes, Santulli yes. **Approved.**

Lynne Bruning located at 13388 Duanesburg Rd (**Please see attachment**)

Schmitt/Novak made a motion to close the open forum at 7:05.
Schmitt yes, Novak yes, Houghton yes, Harris yes, Rulison yes, Santulli yes. **Approved.**

PUBLIC HEARINGS:

#20-21 Kagas, Spiro: SBL#53.00-1-29.21, (C-1) located at 9938 Western Turnpike is Site Plan Approval for accessory use under section 5.2.2 of the Town of Duanesburg Zoning Ordinance.

Chairman Schmitt would like to put on record that DEC sent a letter to Mr. Kagas on December 22, 2020 regarding his SPDES permit. (**Please see Attachment**)

Schmitt/Harris made a motion to open the public hearing for the **#20-21 Kagas, Spiro** application.
Schmitt yes, Harris yes, Novak yes, Houghton yes, Rulison yes, Santulli yes. **Approved.**

Spiro Kagas gave his presentation to the public. Spiro explained that his plan is accessory parking is going to be for RV's and tractor trailers to be able to have a place to go to wait for a wash bay to open. Also, this will help the flow for regular car traffic to get thru much easier. There have been problems with cars going in the out entrance and out the in entrance because of the simple fact that there is not enough space there. As far as DEC is concerned, Yes Spiro does have an application in and does plan on adding a 3rd wash bay. For Mr. Kagas to put a 3rd bay in DEC would like to see a replan done on his discharge pond. Which Spiro agreed to do. The add on 3rd bay is in the future not for right now. Spiros main concern right now is to just get the accessory parking done to make things move more smoothly. Mr. Kagas stated that all of his numbers are in line with DEC, and he is working with Jamie Malcom. There have been no violations issued to him and the water is good there and the turtles and muskrats are living and healthy. The bigger plan will be to add on the 3rd bay.

Chairman Schmitt stated that the planning board did get a letter from the public. **(Please see Attachment)**

Patrick Wren located at 9866 Western Turnpike its not clear to Pat where exactly he is going to be putting this parking. The Neighbors did submit a letter with 25 signatures on it expressing concern with anymore expansion to the Wishy Wash. Mr. Wren has concerns with where the parking area is going to be put in. Its right behind his property and he is concerned because when it rains water runs thru like a stream on his property and when you have that parking area all the fluids from the trucks and RV's will be running right onto his property. Mr. Wren is also concerned with the softness of the ground up there if the stone is not properly put into place you will sink, and it will be a mess with the moisture. Pat stated he can not mow his back corner until Memorial Day because of how wet it is. The traffic flow is an issue having big 18 wheelers coming to a full stop at the bottom of a hill. Sometimes the trucks miss the entrance and back in or pull off to the side and cause traffic to have to go into the other lane to get around them. Making the turn into the parking lot is not an easy thing to do with a big rig. When Hannaford was being put in, they said that only one tractor trailer would be going in and out of that facility a day and now a mile away there is a facility that has an unlimited number of tractor trailers coming in and out a day. Mr. Wren would like to suspend anything further with the application until there is more information from DEC.

Kevin Soucy located at 10047 Western Turnpike just down the road from the Wishy Wash. Kevin agrees with Pat Wren many trucks going by every day in both directions. The Trucks are jack knifing, Stopping, backing up and stopping traffic. There are many times that there has almost been accidents. We do not need more trucks and 18-wheeler traffic in this area.

Spiro explained that the entrance to the car wash was widened open 3 years ago about 15 more feet from the original that was put in. The trucks can get in easier. As far as the trucks stopping and backing up, yes that does happen here and there it is not all the time. Spiro cannot help that they pass the driveway. It is properly labeled entrance and exit. The trucks do sometimes come in the exit and out the entrance. It takes roughly 20 mins to do a wash, so things do get backed up sometimes. But with the accessory parking it will take care of the overflow. It has been a truck wash since 1977. Business has just picked up and they are starting to do new things. They have upgraded the bays, black topped the front and looking to eventually have it all done. Spiro took

over the business in 2013 and took an eye sore and turned it into what it is today. It is a commercial property and Spiro does not want to lose anymore business from people because they can't get around the RV's and Trucks. It is just going to be a waiting area so people can pull in and things will flow better. Spiro does hear Mr. Wren's concerns with any kind of water issues. Cobleskill Stone is doing the work and they are reputable. They are going to put 8 inches of crushed stone and also fabric that will be put down to make sure there are no issues. It will be under an acre that will be disturbed.

Board Member Harris asked Mr. Kagas that the reason that the traffic gets backed up is because they don't have room to pull in, not because of any kind of turning radius or with the turn from the highway?

Spiro stated that his turning radius is plenty wide enough, sometimes the trucks just miss the entrance that is why they are backing up.

Patrick Wren Located at 9866 commented that he has lived in his home for 31 years and it has only been a car wash with the occasional trucks without trailers. Now within the last couple years it has turned into trucks with trailers RV's, and they are cleaning out the insides of the trailers not just washing the outsides. Trucks are now pulling in at 3 in the morning. Pat's fear is that they will pull in at early times in the morning, park the trucks sleep in the cabs or wait for people to come wash their trucks. Pat Stated that Cobleskill Stone does a good job, but they are not experts on water runoff. Pat would rather have DEC come in and do a study to see what kind of surface they think should be put down.

Spiro stated that cleaning out the back of the trucks is part of his business and yes, it's new but it is allowed by his permitting. It is only done with hot water. No soap can be used in the trailers. The business is a 24-hour business and it always has been so there will be trucks being cleaned at all hours of the night. Mr. Kagas is the only one in the area that does washouts. The demand is high for washouts, so he started doing them a couple years ago and has been ever since.

Chairman Schmitt asked Spiro how many trucks a day. It was mentioned previously that it was only three a day.

Spiro does not know how many trucks a day will be done it is done by demand some days are busier than others. Mr. Kagas does a full service for trucks, travel trailers, RV's, and mobile homes for the elder. They can either leave the travel trailer or wait with it until they can get the appointment done. That is why this parking is so important.

Chairman Schmitt would like to know if during this presentation has DEC was informed of the washing out of the trucks and is there a criteria that you would or would not wash out.

Spiro stated that yes DEC does know, and the water is tested every 3 months by DEC. Mr. Kagas also stated that he can discharge 600 gallons a day and he does not even come close to that. Spiro has been in touch with Jamie Malcolm from Region 4, and he told Spiro that the accessory parking will have no effect of the car wash and they do not have a problem with it.

Chairman Schmitt wanted to let Mr. Kagas know that when you get an EPS score from DEC as the number 4 in a 9 region you may be underestimating what the cost will be to fix the system.

Board Member Rulison would like to get back on the subject at hand which is a accessory parking lot.

Mr. Kagas explained he is going to do one section at a time. Spiro is working with DEC on his plan. It is just overflow parking.

Town attorney stated that there are questions from the concerned neighbors that they can answer along with the Town Planner. The first question they asked states "The proposed parking area is located in a residential area and borders Agricultural farm fields." Town Planner said yes it does border farm fields, but it is in a Commercial Zone (C-1). Another question that was raised was does it meet the setbacks from the adjoining properties? Town Planner Answered yes it does meet all the setbacks for the Commercial zone.

Town attorney asked Mr. Kagas how he will handle abandoned vehicles on the property or try to overnight park, Spiro answered with they will be Towed right away. There are cameras on the property and is monitored. Spiro understands that storage is not allowed on this property with its current zone.

Town attorney also brought up that there was a question about neon lights and music being played 24/7? Is there something you can do to turn the music off at night? Mr. Kagas agreed to shut the music off at night for the neighbors. Spiro did state that neighbors have said something in the past about the music and sometimes it does get left on when he is there washing. There is a neon light that says open, and he did not realize that it was an issue, but he would like to keep it on because he is a business open 24/7. Mr. Kagas explained that he is trying to be neighborly.

Board Member Houghton asked Mr. Kagas if the food grade material was based on his permitting or off your preference? Yes, it is off Spiros Preference. So, it is not a contingency of Mr. Kagas permitting.

Town Attorney brought up a question about question from the neighbors about vandalism? And how the car wash has been vandalized several times over the last years?

Spiro stated that it has been vandalized only one time. He did not press charges he just had the boys from across the street, do some public service over at the car wash. No authorities were involved. Most people respect the car wash.

Cecelia Baum located at 9965 Western Turnpike directly across from the carwash and she has concerns with the trucks that are parked at the end of the driveway with their refrigerators running all night long with the lights and trucks. Cecelia says trucks are there overnight as well.

Mr. Kagas stated that for a truck to be considered overnight it has to be 8 hours and there has never been a truck there for that long. Maybe 3-4 hours. Spiro only washes out empty trailers, so they have an empty load, and their refrigeration is not even on. Its not a truck stop. It is a truck wash.

Patrick Wren located at 9866 Western Turnpike would like to talk about the fields that will be getting hayed and bailed. Livestock is fed with this hay. Pat's main concern is the runoff that will cross his property. He would like a guarantee that nothing that gets spilled, dropped, or dripped will end up on his backyard. Pat has a well and ground water that he's worried about.

Spiro stated that DEC has already been notified and Jamie Malcom did not have a problem or concern with this overflow parking.

Mr. Wren said he was not notified by DEC nor did they come on his property. Everything comes running down Pat's yard and you could put as much stone down but if something gets spilled back there its going into the ground. The Planning Boards responsibility is to protect the residences who live around these commercial properties. Its an invitation to trucks to go park their trucks and take a nap until its their turn to be washed.

Board Member Novak stated that a SWPP is not required but they will have to follow DEC storm water design manual.

Board Member Harris asked if they should recommend a swale or some sort of drainage for the property.

Spiro stated there is already a swale that is preexisting there, and it runs down the driveway.

Mr. Wren took pictures because it has been raining all day and there is a river running through the back of his yard and is all coming from the field where Spiro wants to put his parking. There is no diversion.

Mr. Kagas stated he will put more diversions in but there is a swale already running North to South along the driveway, but Spiro will tap into it and add East to West one as well to help with the runoff. Also Mr. Kagas stated there will be enough of a buffer between both properties. Spiro stated he is going to bring an architect in and get something more detailed. Spiro stated he is trying to work with Mr. Wren and be neighborly.

Board Member Houghton would like for the plans to have on them the setbacks for the C-1 district clearly visible.

Kevin Soucy located at 10047 Western Turnpike feels that putting additional parking out back will increase the truck traffic. Mr. Soucy stated that Mr. Kagas has never shown much respect for his neighbors. They have complained about the music for years and nothing as changed. He believes that trucks will be there overnight with the refrigeration running. There is no good neighborly relationship going on.

Chairman Schmitt has a question for Mr. Kagas about the screening for Mr. Wren.

Mr. Kagas stated he is a 24-hour business and cameras that are monitored so if he sees anything happening that should not be, he will take action. As far as visual screening Spiro said he can do plantings and even put up a privacy fence.

Patrick Wren would rather have screening on the North-South side because of the dirt road kicks up a lot of dust. And some greenery in the back.

Mr. Kagas is trying to put black top down eventually.

Board Member Rulison understands that residences are worried about trucks on route 20, but you must understand you live on Route 20 there are trucks that by all day long and to say that one truck being pulled into a driveway is going to be a major upset, but that's not going to stop the trucks from driving on a main road. Water running down hill is common if you buy a house at the bottom of a hill you must expect that water will flow down. People must be reasonable about what they are complaining about.

Patrick Wren is aware that water does run downhill but there have never been trucks parked behind his house with potential hazard.

Lynne Bruning located at 13388 Duanesburg Rd hears a lot of good intentions and an absence of regulations and permits. If this project were to move forward is there a way to place restrictions of which will protect the neighboring and abutting properties from the noise, pollution and storm water runoff. When you speak of screening it is your whole entire parcel that should be screened not just what you can see out of your kitchen window.

Chairman Schmitt would like to point out in the Town of Duanesburg zoning ordinance the screening and landscaping is only applicable to parking areas. We don't have any mention of access roads at this time. Section 13.2.4 is about screening for parking areas. **(Please see Attachment)** Schmitt recommends that Spiro takes pictures from Mr. Wrens property to make sure nothing is visible.

Mr. Kagas has no problem planting fast growing pines or greenery. Spiro would like Pat to be happy.

The board would like to see for the next meeting from Mr. Kagas

1. Additional information of the run on/runoff control.
2. Screen Plan
3. Estimate of traffic flow in and out of the facility
4. A better business plan to include the development of the 3rd bay and how it will impact the overall parking and traffic thru the facility.

Schmitt/Novak made a motion to extend the public hearing for the **#20-21 Kagas, Spiro** application until April 15th, 2021 meeting.

OLD BUSINESS:

#20-01 Casale Group LLC; SBL# 25.00-2-1.311, (R-2) located at 1485 Mariaville Scotch Church is seeking a Special Use Permit under section 3.5.3; section 8.4(1) and section 14.6.2 of the Town of Duanesburg Zoning Ordinance. Darryl explained that he is still waiting to hear from

the department of health. Two documents were turned into the clerk the first was the size of the septic system. The ARC did an upgrade awhile back to the septic system. The second was a test to see if there was any coliform in the water, which was negative. The Department of Health kicked back Mr. Casale application for 2 reasons. First it was because he put down himself as the operator and it didn't meet the charter and competency requirements. And the other reason was that they wanted an architectural stamp on the application. Mr. Casale consulted an attorney Lori Seavers who is an assisted living attorney. They are working together thru the application process. They got ahold of an architect out of Schenectady called the architect who original drew up the plans for this very building back in the early 90's. The Department of Health is so backed up from the year 2020 that it is going to take about a year for this application to go thru. The ARC sent their own maintenance crew to get the whole water system going again and added chlorine to the system and ran it for a couple days.

This is a SEQRA Type II action no further action is required.

Harris/Rulison made a motion to set a public hearing for the #20-01 Casale Group LLC application on April 15, 2021.

Harris yes, Rulison yes, Schmitt yes, Novak yes, Houghton yes, Santulli yes. **Approved.**

NEW BUSINESS:

#20-17 Gemmiti, Paul: SBL#52.00-1-12.221, (R-2) located at 1756 McGuire School Rd is seeking a 3 lot Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Land surveyor Mark Blackstone is representing Mr. Blackstone has added setbacks for the shed located on lot 2. For Lot 1 he added the 200 foot with line to provide a building envelope for a purposed residential structure. A purposed septic area, driveway, and house to identify that the SWPP 1 acre threshold will not be crossed. Mr. Blackstone submitted a FEAF, but the Town Planner would like to amend it to reflect a couple minor points. For lot 2 the existing well is shown. Mark must get ahold of Paul to clarify where the septic is shown. Mark is going to have for next meeting site distances for the purposed driveways. A coordinated review will be sent out to DEC, County DPW, County Planner, and OPRHP. A notice will be sent out along with a copy of the application and AG data statement to the county and to the surrounding farm operators within 500 feet.

Novak/Harris made a motion to declare the Town of Duanesburg Planning Board SEQR lead agency for the #20-17 Gemmiti, Paul subdivision and characterizing it as a SEQR Type I action. Novak yes, Harris yes, Schmitt yes, Houghton yes, Santulli yes Rulison yes. **Approved,**

SKETCH PLAN REVIEW:

None

MINUTES APPROVAL:

Schmitt/Harris made the motion to approve February 18th, 2021 Planning Board minutes with a minor correction to the attachments.

Schmitt yes, Harris yes, Novak yes, Houghton yes, Rulison yes, Santulli yes. **Approved.**

OTHER:

Chairmen Schmitt would like to seek advice from Town Attorney on the issues that were brought up during the open forum,

Town Attorney addressed the comments by stating the minutes were posted to the website by the town clerks office. They have been working with Town Board Member Ganther to address questions like date stamping and the rest. For the attachments that were not attached to the final but were attached to the draft minutes could be corrected. Once the meeting minutes are approved by the board they are turned into final minutes and the town clerk then stamps them received. Each set of minutes are stamped, and they turn into the official minutes of the town. There is no rule on having to have attachments attached to the minutes.

ADJOURNMENT:

Santulli/Rulison made the motion to adjourn at 8:55pm.

Santulli yes, Rulison yes, Novak yes, Houghton yes Schmitt yes, Harris yes. **Approved.**

PO Box 160
Quaker Street, NY 12141

Jeffery Schmitt, Chairman Duanesburg Planning Board
5853 Western Turnpike
Duanesburg, NY 12056

Transmitted via email: mdeffer@duanesburg.net and jhowe@duanesburg.net

March 18, 2021

Re: planning board minutes posted on town website

Dear Chairman Jeffery Schmitt and the Planning Board,

Please include my statement as read into the minutes in the official record of the meeting minutes as posted on the town website. I will email the clerk my statement.

My review of the the 2018 Planning Board Minutes show that the:

Time and date stamp on the webpage is omitted.

Time and date stamp on the meeting minutes document PDF, as posted on the town website, is omitted.

My review of the the 2019 Planning Board Minutes show that the:

Time and date stamp on the webpage is omitted.

Time and date stamp on the meeting minutes document PDF, as posted on the town website, is omitted except for the May 16, 2019 minutes.

The November 21, 2019 minutes page 1 through 3 as posted on the town website section OPEN FORUM reflects "Lynn Bruning located at 13388 Duanesburg Rd had some questions, comments and concerns. (**please see attachment.**)" The attachment is omitted.

This is most curious because on December 11, 2019 I photographed the draft minutes as posted on the bulletin board at town hall. These draft minutes contained my statement and supporting images.

The December 19, 2019 minutes pages 1 through 4 as posted on the town website reflect that OPEN FORUM "Lynn Bruning located at 13388 Duanesburg Rd had some questions, comments and concerns. (**please see attachment.**)" The attachment is omitted.

My review of the 2020 Planning Board Minutes shows that the:

Time and date stamp on the webpage is omitted.

Time and date stamp on the meeting minutes document PDF begins with the June 18, 2020 meeting thru the December 17, 2020 meeting. The December 17, 2020 minutes are stamp "RECEIVED FEB 01 2021 TOWN OF DUANESBURG TOWN CLERK". This is in excess of the two weeks as required by New York State Open Meeting Law.

January 16, 2020 minutes pages 1 through 4 posted on the town website reflect under OPEN FORUM "Lynn Bruning located at 13388 Duanesburg Rd had some questions, comments and concerns. (please see attachment.)" The attachment is omitted.

February 20, 2020 minutes pages 1 through 3 posted on the town website reflect under OPEN FORUM "Lynn Bruning located at 13388 Duanesburg Rd had some questions, comments and concerns. (please see attachment.)" The attachment is omitted.

May 21, 2020 minutes pages 1 through 4 posted on the town website reflect under OPEN FORUM "Clerk Deffer stated that she received a letter from Lynn Bruning that was forwarded by email to the Planning Board members with some questions, comments, and concerns." The letter is omitted.

The planning board's agendas as posted on the town website include a time and date stamp. Please see attachment. Why don't the minutes?

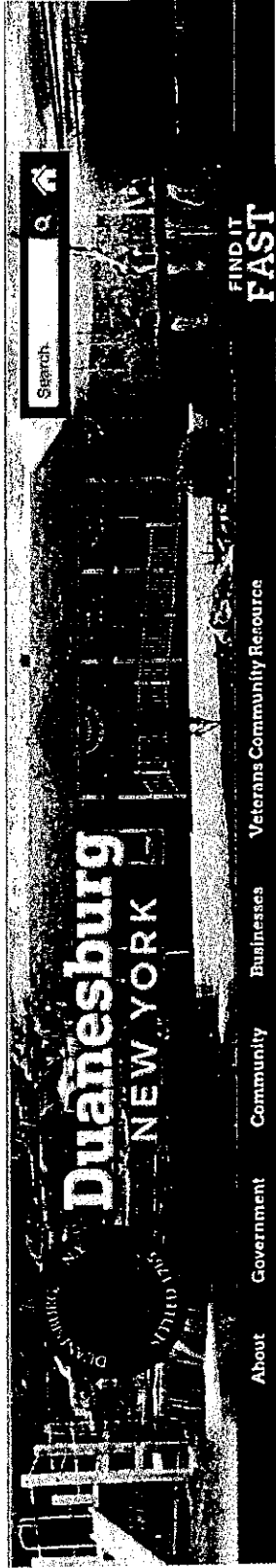
Providing time and date stamps on meeting minutes provides residents the ability to know if the town is following by the New York State Open Meeting Law. Failure to time and date stamp meeting minutes invites fraud. My August 26, 2020 letter to the Town Board documents that the July 16, 2020 planning board minutes as found on the town website on August 21, 2020 at 11:00AM was not the same documents as found on the town website at 4:30PM. Providing a time and date stamp would afford the tax payers a measure of accountability, transparency and equal access to all.

Why is the town prohibiting the public from tracking changes in the planning board minutes?
Why is the planning board omitting taxpayer statements from the record?
Why is the planning board depriving the taxpayers access to public documents?

Thank you for your assistance and consideration.

Respectfully,
Lynne Bruning
720-272-0956
lynnebruning@gmail.com

Cc: Roger Tidball, Supervisor Town of Duanesburg



January 21, 2021 Public Hearing Hickok
March 18, 2021 - Public Hearing Kagas
Planning Board Meeting Videos
State Environmental Quality Review Act
(SEQRA) Forms

Contact Info

Phone:
(518) 895-8920
Address:
Planning Board
5853 Western Turnpike
Duaneburg, NY 12056
United States
See map: Google Maps

Home » Planning Board

March 18, 2021

SUBMITTED ON: MARCH 23, 2021 - 9:45AM

Upload file:

📎 march_agm.pdf

Date: Thursday, March 18, 2021 - 7:00pm

Time and Date Stamp
provided for Planning
Board Agendas
This is omitted on
the Planning Board
Minutes.



Duaneburg
NEW YORK

5853 Western Turnpike, Duaneburg, New York 12056 | Phone: (518) 895-8920
Hours: Monday - Friday: 8am to 4pm (*closed: 12pm to 1pm)

Login

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 4

1130 North Westcott Road, Schenectady, New York, 12306-2014

Phone: (518) 357-2045

www.dec.ny.gov

VIA ELECTRONIC MAIL (wishywashcarandtruckcentre@yahoo.com)

12/22/2020

Mr. Spiro Kagas, Owner
Ultimate Wishy Wash Car & Truck Centre
9938 Western Turnpike
Delanson, N.Y. 12053

Re: SPDES No. NY0122891
Request for Information

Dear Mr. Kagas:

In accordance with the Environmental Benefit Permit Strategy (EBPS), the Department will be conducting a comprehensive review of your SPDES permit to ensure that it complies with all current/applicable laws and regulations. More information on the EBPS can be found here: https://www.dec.ny.gov/docs/water_pdf/ebpsoverview.pdf. This facility has received an EBPS score of 234 as described to you in our telephone call today.

You explained in our call today that certain capital improvement projects are being planned at your facility, principally the addition of a third car wash bay (in addition to the two existing car bays and one pet wash bay) and effluent reclamation (to be used during the car rinse cycle). It was noted that infrastructure exists for the third bay and that all necessary reclamation equipment is present at the site for installation. In accordance with 6 NYCRR 750-2.10, please note your final SPDES permit must be issued before approval of any design related documents can occur and before construction of any upgrades can begin.

An electronic fillable version of all the requested forms can be found at the following address: <https://www.dec.ny.gov/permits/6287.html>

Please submit the following items electronically to SPDESApp@dec.ny.gov on or before March 31, 2021:

1. Industrial SPDES Permit Application Form NY-2C: It is our understanding that you wish to have the modified SPDES permit reflect both of these upgrades. As such, please note that your responses should be specific to current conditions and those to exist after the proposed upgrades are completed.

If you have any questions regarding this letter, please contact me at (518) 357-2385 or james.malcolm@dec.ny.gov.

Sincerely,



James E. Malcolm, P.E.

Professional Engineer I



Department of
Environmental
Conservation

cc/ec: D. Thorsland, Regional Water Engineer, DEC Region 4 (by e-mail)
D. Canestrari, Section Chief, Bureau of Water Permits, DEC Central Office (by e-mail)
T. Gabriel, Division of Environmental Permits, DEC Region 4 (by e-mail)

Town of Duquesburg Planning Board
RE: March 18, 2021 Public Hearing

Application of:

#20-21 Kagas, Spiro: SBL#53.00-1-29.21, (C-1) located at 9938 Western Turnpike is site plan approval for accessory parking use under section 5.2.2 of the Town of Duquesburg Zoning Ordinance

We are writing this letter to express our concern and opposition to the above application. In the event we are unable to attend the Zoom Meeting on 3/18/21 we want to make sure our voices are heard.

Our concerns include the following;

1. The proposed parking area is located in a residential area and borders agricultural farm fields.
2. Environmental Concerns from standing/parked vehicles
 - a. Air Pollution
 - b. Noise Pollution
 - c. Water Pollution – ground water contamination from leaking fuel and oil
 - d. The run off from this car wash currently feeds into the Normanskill Creek
3. Abandoned vehicles
4. Set backs for adjoining properties?
5. Overnight parking – who will enforce this?
6. Commercial truck drivers using this space to sleep overnight
7. Traffic concerns
 - a. Traffic flow on Rt 20 has become dangerous due to tractor trailers coming to a complete stop on a 55 MPH road and then backing up in order to navigate a tight turn into the existing driveway.
 - b. We believe a traffic study is in order to ensure the safety of the residents living in the area.
8. The current car wash operates 24/7 with neon lights and music also playing 24/7
9. The potential for increased criminal activity due to unattended vehicles. The car wash has been vandalized several times over the past few years.
10. What types of hazardous materials are being washed out of these trailers?

Name (Print)	Address	Signature
<u>Vicki Hofmann</u>	<u>9760 Western TPKE</u>	<u>Vicki Hofmann</u>
<u>CARLA LETTEER</u>	<u>9712 WESTERN TPKE</u>	<u>Carla Letteer</u>
<u>BLAISE THOMAS</u>	<u>9712 WESTERN TPKE</u>	<u>Blaise Thomas</u>

Town of Duanesburg Planning Board
RE: March 18, 2021 Public Hearing

Application of:
#20-21 Kagas, Spiro: SBL#53.00-1-29.21, (C-1) located at 9938 Western Turnpike is site plan approval for accessory parking use under section 5.2.2 of the Town of Duanesburg Zoning Ordinance

Continued;

Andrew J. Balog

10007 western tpke
Delanson, NY 12053

Andrew J. Balog

Nicolas M. Balog

10007 western tpke
Delanson, NY 12053

Nicolas M. Balog

Evan Bradt

10103 Western TPKE
Delanson NY 12053

Evan Bradt

Stacy Bradt

10103 western tpke
Delanson, NY 12053

Stacy Bradt

Gary Bradt

10103 western Turnpk
Delanson N.Y 12053

Gary Bradt

Zachary Bradt

10103 western TPKE
Delanson NY 12053

Zachary Bradt

Adriana Edmonds

12044 western TPKE
Delanson NY 12053

Adriana Edmonds

Stephen Soucy

10047 western Turnpike
Delanson NY 12053

Stephen Soucy

Town of Duaneburg Planning Board
RE: March 18, 2021 Public Hearing

Application of:
#20-21 Kagas, Spiro: SBL#53.00-1-29.21, (C-1) located at 9938 Western Turnpike is site plan approval for accessory parking use under section 5.2.2 of the Town of Duaneburg Zoning Ordinance

Continued;

<u>Patrick Wren</u>	<u>9866 Western Tpke</u>	<u>Patrick Wren</u>
<u>Patrick O'Hanlon</u>	<u>9897 Western Tpk</u>	<u>Patrick O'Hanlon</u>
<u>Kathryn O'Hanlon</u>	<u>9897 Western TPK</u>	<u>Kathryn O'Hanlon</u>
<u>Kevin Soucy</u>	<u>10047 Western TPK</u>	<u>Kevin Soucy</u>
<u>Cecelia Baum</u>	<u>9965 Western Tpk</u>	<u>Cecelia Baum</u>
<u>Steven Baum</u>	<u>9965 Western Tpke</u>	<u>Steven Baum</u>
<u>Geoffrey Kritzner</u>	<u>9848 Western Tpke</u>	<u>Geoffrey Kritzner</u>
<u>Heidi Kritzner</u>	<u>9848 Western Turnpike</u>	<u>Heidi Kritzner</u>

Town of Duanesburg Planning Board
RE: March 18, 2021 Public Hearing

Application of:

#20-21 Kagas, Spiro: SBL#53.00-1-29.21, (C-1) located at 9938 Western Turnpike is site plan approval for accessory parking use under section 5.2.2 of the Town of Duanesburg Zoning Ordinance

Continued;

RAY BAUM

10057 WESTERN TPK
DELANSON, NY

Ray Baum

Zachary Kobak is

10193 Western Tpk
Delanson, NY

3888

Paul Simkins

10213 Western Tpk
Delanson, NY 12053

Paul Simkins

Brenda J Soucy

10047 Western Tpk
Delanson, NY 12053

Brenda J Soucy

Sharon Wren

9806 Western Tpk
Delanson, NY 12053

Sharon Wren

13.2.3 Off Street Loading. Loading spaces shall be provided for each commercial or business use in sufficient location and size so that no loading and unloading operations infringe upon any sidewalk, street, or parking areas. Each off-street loading space shall be at least fifteen (15) feet wide, thirty-five (35) feet long and, if covered, fourteen (14) feet high. No loading spaces shall be located within any required front yard, or closer than ten (10) feet from any lot line adjoining a residentially developed or zoned property. Sufficient screening shall be provided along all lot lines abutting residentially developed or zoned property to largely obscure the loading space from the residential use. The Planning Board or Zoning Board of Appeals may waive the requirement if in their discretion the commercial or business use does not require off street loading.

13.2.4 Screening and Landscaping

All parking areas containing more than five (5) parking spaces shall be located at a minimum of ten (10) feet from any residentially developed or zoned property. Sufficient screening shall be provided to obscure the parking space from the residential property.

13.3 TRAFFIC HAZARDS

13.3.1 Visibility at Intersections. On a corner lot, no fence, wall, hedge or other structure or planting shall be erected, placed, or maintained within the triangular area formed by the intersecting street lines and a line joining said street lines at points which are thirty (30) feet distant from the point of intersection, measured along said street lines.

13.3.2 Distracting Lights. No artificial lights or reflecting devices shall be located or displayed where such lights or devices interfere with or compete for attention with traffic signals or divert the attention of operators of motor vehicles or otherwise create traffic hazards, or create glare on any neighboring property.

13.4 SIGNS

13.4.1 Purpose. The purpose of this section is to permit such signs that shall not, by their size, location, construction or manner of display, obstruct the vision necessary for traffic safety or otherwise endanger public safety. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve scenic and natural beauty and provide more visual open space by permitting and regulating signs in such a way as to support and complement the objectives and goals of the Town's Comprehensive Land Use Plan.

13.4.2 Signs A sign permit is required for those signs expressly allowed in this section. Non-conforming signs in existence prior to the adoption of this Ordinance or any amendment hereto shall not be relocated or altered except in conformance with this section. Any change in the content of a nonconforming sign, including names, words, logos, or similar information, shall constitute an alteration. The maximum sign area requirements as set forth in this Section shall apply to a single side of a sign. On a two sided sign only one side shall be counted in computing the sign's area. No portion of a sign shall be closer than ten (10) feet from all lot