

**PLANNING BOARD MEETING- JANUARY 9, 2012
CALLED TO ORDER BY: CHAIRPERSON DENISE MAYRER AT 7:02 p.m.**

PRESENT

Denise Mayrer, Chairman
Jim Church
G. Jeffrey Haber
Wayne Johnson
John LaVoie
Paul Puccio
Andrew Timmis
Nadine Fuda, Director
Attorney Robert Linville, Esq.
Richard Laberge, Planning Board Engineer
Teresa Bakner, Esq.

MEMBERS ABSENT

APPROVAL OF MINUTES - DECEMBER 19, 2011

Johnson moved, Haber seconded that the minutes be approved as amended.

7 Ayes. 0 Noes. Motion carried.

Ayes: Church, Haber, Johnson, LaVoie, Mayrer, Puccio, Timmis

Chairwoman Mayrer stated the second order of business is the 15 minute the public comment period. For this particular meeting we are respectfully request that the public comments with reference to Dollar Tree be held until the end of the meeting. With the understanding that if someone cannot stay until the end and wish to speak now that will be accepted. There are also two other item on the agenda tonight that also need to be addressed. She then thanked the audience for their patience and understanding.

Public Comment (15 minutes)

Chairwoman Mayrer opened the public comment and asked if anyone had comments on Becky Bell, Children's Play Center and or Back yard Sheds.

There were no comments.

SITE PLAN/ SPECIAL PERMIT

Becky Bell / Children's Play Center
1530 Columbia Turnpike
Proposed - Change in tenancy

2011-48/HC/178.9-3-9.1

Becky Bell, applicant was present for this meeting.

Chairwoman Mayrer asked Miss Bell to present her proposed business.

Ms. Bell stated she is proposing an indoor children's play center at 1530 Columbia Turnpike, She had a business similar to this in Price Chopper Plaza and left due to the rent increase. This is a place where parents can bring their children to play, they focus very strongly on family values, and they do birthday parties. It is all old fashion play using your imagination; there are no coin operated machines or video games.

Chairwoman Mayrer asked if the parents would be staying or are you providing child care,

Ms. Bell stated most parents stay but they do allow people to drop off their kids for a maximum of 3 hours for doctors visits or to run errands. This does not constitute child care.

Chairwoman Mayrer asked what qualifications does the staff have to have to be employed.

Ms. Bell stated she screens staff very carefully and right now it is only her and Jeff Shelding and they have both been working with children in the community for 20 or more years. They do fill in with high school students when needed.

Chairwoman Mayrer asked how many children at one time.

Ms. Bell stated the maximum is 30 with parents. Drop off kids are limited to 3 or 4.

Mr. Haber asked if this business requires any social service permits.

Ms. Bell stated no, by social services definitions child care is regular care provided to children for more than 3 hours a day. They might see the same child once or twice a week for a couple of hours.

Mr. Timmis asked if they were going to need any changes internally for a handicapped access bathroom upgrades.

Ms. Bell stated not that she knows of.

Chairwoman Mayrer stated she thinks what he is asking is if this was going to be handicap accessible.

Ms. Bell stated at this point she does not believe the building is handicap accessible.

Chairwoman Mayrer asked the board if they agree to approve this item as a change in tenancy.

CHANGE IN TENANCY

Puccio moved, Church seconded **APPROVAL** of a change in tenancy at 1530 Columbia Turnpike

Condition : that there be consideration for handicap accessibility

7 Ayes. 0 Noes. Motion carried.

Ayes: Church, Haber, Johnson, LaVoie, Mayrer, Puccio, Timmis

Oppose: None

Back Yard Shed Co./Peace Dale Village

2011-47/PD-1/220.-1-2

1208 US Rte. 9

Proposed - Display lot for storage Sheds / site plan mod

Ryan Becker, son of applicant Fred Becker for Back Yard Sheds, was present for this meeting.

Chairwoman Mayrer asked applicant to speak about the proposal.

Mr. Becker stated they are proposing a display lot on U.S. Route 9 at Pease dale Village to bring more attention to their product. This is an unmanned lot no business will be conducted on this site.

There were no questions or comments from the members.

SITE PLAN MODIFICATION

Puccio moved, Church seconded **APPROVAL** of **SITE PLAN MODIFICATION**. To add Backyard Shed display at 1208 U.S. Route 9, (Peacedale Property)

7 Ayes. 0 Noes. Motion carried.

Ayes Church, Haber, Johnson, LaVoie, Mayrer, Puccio, Timmis

Oppose: None

Close Out Special Permits

Lucey Mining / RJ Valente

90-2/RA/189.-10-1

Chairwoman Mayrer stated this item is a Special Use Permit that needs to be closed out.

Mrs. Fuda stated this mine is located behind the Town of Schodack gravel bank and has been closed for several years.

Mr. Haber asked if all the terms and conditions for the initial agreement been met with.

Mrs. Fuda stated yes, she checked with the town clerk Mrs. Donna Conlin and everything was satisfied with her office and New York State DEC mining has signed off on the project.

Chairwoman Mayrer asked if the board had any more question and if they were ready to vote on closing this mine.

There were no more questions or comments.

Puccio moved, LaVoie seconded that the *Lucey Mining SPECIAL PERMIT* be Closed
7 Ayes 0 Noes. Motion carried.

Ayes: Church, Haber, Johnson, LaVoie, Mayrer, Puccio, Timmis

Oppose: None

9 & 20 Associates /Dollar Tree 2011-39/PD3/189.-10-36 & 189.-10-40.13
Route 150
Proposed - Sales Distribution Center

Steven Boisvert, Gregg Urspring, Kelly Thompson and Joe Vankirkoff, engineers for Bergmann Associates were present for this meeting.

Mr. Boisvert spoke about the changes to the site plan, these changes are the direct result from the comment they heard from the Planning Board public hearing, written public comments and the neighborhood meeting held at the Schodack Valley Fire House. The project is now a single phase project consisting of 1,012,000 square feet; they eliminated the second phase to offset two construction seasons. The project still contains two entrance points one for truck traffic and the other for employees. There will not be a physical connection between the two lots with the exception of emergency vehicles. The biggest changes that were made are the following

- The building was moved 33 feet north towards Route 150.
- The edge of pavement in the south 60 feet.
- Buffer increase to 141 feet.
- Reduced the trailer parking along the back to about 28 feet and they are for pup trailers.

- Drainage report is complete. Prior to drainage, water will enter the infiltration basin there will be a water quality pond, the purpose of the water quality pond is to meet the DEC requirements and filter any of the pollutants coming off the parking lot. There are two ponds one is in the south west corner and the other is in the front of the site.
- Two types of deliveries one is by appointment which is dropped off at a certain loading dock and they swing around to the shipping area to pick up a trailer and leave the site, the other type is with no appointment they will have a specific parking stall to drop the trailer and pick a loaded trailer and again leave the site. We will not have live deliveries. Which is where they come in back up to a unloading dock, keep the truck running to wait for it to be reloaded and then leave.
- The trailers on site will be moved by a yard truck called a mule.
- There will be a guard shack on site that will be manned 24 hours a day.
- The guard shack was moved back 70 feet further into the property giving room to stack at least 16 trucks on site and not on route 150.
- There will be no on site tractor maintenance, washing or fueling.
- The refrigeration room was moved 60 feet north.
- A noise abatement wall will be added along the south curb line, they double the tree plantings in that area as well.
- The width of the pavement was reduced by 7 feet.
- The project will disturb roughly 60 acres out of the 104 acres.

Last note all technical studies have been added to the Schodack Town website for everyone to review.

Kelly Thompson, Engineer for Bergmann Associate to speak on the Traffic impact study.

Ms. Thompson stated she oversaw the traffic impact study that was performed; the purpose of the study is to examine the existing conditions and to document them and then to predict what the traffic impacts would be once the development is in place.

- There will be two driveways associated with this development and the driveway location in relation to the existing intersection of route 9 & 20 and Route 150.
- They found the traffic analysts would show that traffic operations are sufficiently well in those areas, even in the morning peak hours.
- They did determine the condition relating to the driveways requires them to add some appropriate warning signs.
- A spot speed study was performed in the area and found that traffic was moving at the a higher rate of speed than anticipated.
- There are not speed signs posted in this area so therefore the statutory speed adjacent to this development is 55 m.p.h.
- Warning signs are going to be suggested for this area.
- Reinforcing the shoulder in the area for the driveways and routes 9 & 20.

Joe Vankirkoff, Engineer with Bergmann Associates, spoke on the environmental noise studies.

Mr. Vankirkoff stated they looked at the existing and the proposed noise level, they took actual noise measurements within the neighborhood that is adjacent to the project. The noise level is very typical of a rural and suburban area. He then went into the decibel levels and they range from 45 to 50 during the day and drops 4 to 5 decibel in the evening which is normal for this area. They looked into the noise that would come from the site such as.

- The refrigeration unit
- Truck and car traffic that move around the area.

And the proposed levels at the facility would be 1 to 4 decibels on site and that is within a range of acceptable increase that would not be annoying to residents. Anything 6 decibels would be unacceptable.

A noise barrier and plantings are proposed between this site and the residents.

Gregg Ursprung, Engineer with Bergmann Associates, spoke on the stormwater management and drainage.

Mr. Ursprung spoke about several different items

- the site has two different drainage areas for this site that were evaluated, one drains towards a swale along route 150 and into the Moordener Kill, the balance of this site plus runoff from the neighborhood also drains down to the Moordener Kill. They are proposing two stormwater management ponds and explained to the board how they will work. When you create an impervious surface you can control the peak runoff, but sometimes the volume of runoff increases from the site. The filtration system will help recharge the ground water aquifer. Dollartree has agreed to make improvements to the drainage easement through the neighboring property's to make sure the water is directed through the area correctly. He then spoke about the aquifer and pointed to the map showing the area. The project is located in the direct recharge area and he pointed to what part of the site have the well head protection area (Please see map in file) the project will comply with all aspects of the water quality control requirements.
- With regard to petroleum storage, there is a 360 storage tank on site that is used for the fire pumps and is located in the pump house. There is also a 2000 gal fuel tank that is provided for a diesel generator that is located on the west side of the building and both will have a secondary containment.
- He then spoke about the geotechnical studies and the test holes and borings (see map in file) there were a total of 38 test holes and 32 borings and they generally

found the site to be sand and gravel except in the southeast there is some bedrock. Again pointed to the map.

- Stated with the air study as Mr. Boisvert stated earlier the trucks will come in drop a load and pick up a new load and leave, if trucks do have to wait on site for any length of time by New York law they are required to turn off the truck's after 5 minutes. The drivers participate in an EPA smart way program, there are really not non standard building emissions of any concern. NYSDEC standard of air quality of the traffic states if you are above a level C- you are in good standing, this site and the building is rated at a level of B or better.

Mr. Boisvert stated that Dollartree participates in sustainability and all their distribution centers recycle corrugated, plastic wrap and pallets. They use high energy lighting and water conservation.

Chairwoman Mayrer thanked the Bergmann team and asked the board if they have any questions.

Mr. Johnson asked how many decibels will the noise wall reduce in the neighborhood of Richwood Drive.

Mr. Vankirkoff stated based on an 8 to 10 foot high noise barrier could achieve 8 to 10 decibel reduction.

Mr. Johnson stated with the refrigeration units 30 feet high on the roof does that make the building act as a noise wall.

Mr. Vankirkoff stated correct.

Mr. Johnson asked about the traffic, the studies stated that the amount of traffic turning into the facility is not going to be so great as to create a problem for the amount of vehicles. But if there is stacking on 150 into the site how many can be stacked on 150 waiting to get in.

Mr. Boisvert stated they did not look at stacking on Rt. 150 they feel the trucks should be able to get into the site without a problem and if stacking is needed there is room for 8 trucks per lane that is a total of 16 trucks. This is why the guard shack was moved further back to allow for off road stacking if needed.

Mr. Johnson stated the vehicles on route 150 heading towards 9 & 20 will cause truck stacking in peak hours, without a turn lane into the site stacking might be an issue.

Mr. Boisvert stated he will have Ms. Thompson answer that and they will take look at that area.

Mr. Thompson stated the delivery trucks that are coming in at the morning peak hours are only 8 and they are at different time slots, they do not anticipate that they will be coming at the same time. So they do not anticipate any conflicting traffic going in the opposite direction. They did examine a left turn lane and the need was not there to require one.

Mr. Puccio asked where the infiltration basin will be in relationship to the detention ponds.

Mr. Boisvert stated there are two infiltration basins on the property (he pointed to the map) stating the reason they are not blue like the water quality pond it's because they will not be retaining water. Runoff will go from the ponds to the infiltration basins putting water back into the aquifer.

Mr. Puccio asked under what circumstances would the water ever go into the Moordener Kill.

Mr. Boisvert stated for the small storm events up to a little smaller 10 year storm will be handled by the ponds and the infiltration basins anything over that say a 10 year storm or greater like 100 year storm the ponds would over flow and follow a natural drainage course to the stream.

Mr. Haber asked about the arrival time of the trucks, trucks can get delayed due to storms, maintenance issues so how do you know that trucks coming from a long distance will not show up all at once and cause an issue on Route 150. He visualizes 2 to 3 trucks and a couple of cars stacked on 150 without a problem but how many trucks can be stacked on site before the guard shack.

Mr. Boisvert stated 16 trucks, two rows of 8.

Mr. Haber stated he is interested in learning more about the noise waves and if the building is higher than the homes on Julianne Drive how much sound travels laterally, how much drops off, how do sound waves flow.

Mr. Vankirkoff stated it is like a sphere, it travels in all directions. The further you move away the sound drops off 6 decibels.

Mr. Haber asked if the elevation is a factor in the sound waves.

Mr. Vankirkoff stated if you are in the direct line of site is only when you have a drop off based on distance. But in the real world things get in the way to reduce the noise buildings, topography, planting all reduces sound waves.

Mr. Haber asked if natural gas would be on site.

Mr. Boisvert stated yes.

Mr. Haber stated he was wondering if they had thought to have a natural gas generator instead of diesel.

Mr. Boisvert stated they will take that into consideration.

Mr. Timmis asked if they were incorporating oil water separators in the discharge ponds

Mr. Boisvert stated not in the pond, each catch basin and manhole will have a sump over the outlet to the catch basins.

Mr. Timmis asked about the design of the basin.

Mr. Boisvert stated the water quality ponds will be lined to hold the water and filter out the pollutants, the infiltration system will be in its natural state as it is today they are not disturbing the area and will be leaving the vegetation.

Mr. Timmis asked about the winter conditions, how will that be handled.

Mr. Boisvert stated they are discussing that with the town engineer, and they will be providing drywells at the base of the infiltration basins so that water can drain down into the drywells and infiltrate below the frost layer.

Mr. Timmis asked since there is no real direct discharge to the Moordener Kill is a spdes Permit required.

Mr. Boisvert stated not anything more than the general spdes permit.

Mr. Timmis asked about the truck back noise, will it be a chirp and not the beep.

Mr. Boisvert yes they looking into it.

Mr. Church asked with all the water we had this past summer do you for see any issue with the drainage.

Mr. Boisvert stated they are designing the drainage systems within the DEC guidelines. And that requires the design to handle up to the 100 year storm.

Mr. Timmis asked what the sound barrier wall going to be constructed of.

Mr. Boisvert stated they are looking into a couple of options; one is a solid wood barrier.

Mr. Vankirkoff stated the sound barrier wall has to be solid in order for it to work.

Mr. Johnson asked about the hours of operation when they are constructing the facility

Mr. Boisvert stated they are looking for 2 - 10 hour shifts so roughly 6 am to 2 or 3 am. Then that will scale down to 2 - 8 hour shifts.

Mr. Johnson asked for zones to be created so the construction work would not be near the residents during the evening hours.

Mr. Boisvert stated absolutely.

Mr. Puccio asked about the ground water table and if it would change during construction.

Mr. Ursprung stated the water table is really far enough below the surface that the grading done on site will not impact the ground water. The ground water was 8 feet below the grade at the lowest part of the site.

Chairwoman Mayrer asked about the traffic study and the impact with school bus traffic.

Ms. Thompson stated she examined the school bus traffic that they are aware of and most of that remains north and south on 9 & 20, there was one bus that was noted going west and east bound on Schodack Valley Road or Route 150. But during the afternoon peak hour which coincides with the buses there is perhaps one or two cycles of the intersection of signal at 9 & 20 and route 150 would show some direct impact with school buses, but nothing significant the impact should be negative with this development.

Chairwoman Mayrer asked what is the worst case scenario that they experienced in other facilities with weather and the scheduling of deliveries and having to store vehicles.

Mr. Boisvert stated he would have to speak to Dollar tree and get back to the board with that answer.

Chairwoman Mayrer asked about the generator on site that is a backup generator correct and does not operate unless there is a power outage.

Mr. Boisvert stated correct only in a power outage.

Chairwoman Mayrer asked if they could supply the noise impacts for the generator.

Mr. Boisvert stated he would get that done and report back to the board along with the run time of the generator between fueling be it 8 or 24 hours run time.

Mr. Puccio asked for them to add the normal test cycle of the operation of the generator.

Mr. Boisvert stated he believes the test are once a month but will check into it.

Mr. Laberge stated his letter dated January 5, 2012 touched upon some of the items that the board has talked about tonight and if they had any questions regarding the letter just contact him, See Laberge letter below.

Terresa Bakner, special counsel for the Schodack Planning Board.

Ms. Bakner stated she wanted to make a couple of recommendation for the board to consider, the first would be to extend the written public comment period to the next Planning Board meeting which is held on January 23, 2012. And the second recommendation would be that the Planning Board hold a special workshop on January 30, 2012 for the Planning Board to ask Mr. Laberge any questions regarding this project also to get any legal questions answered. This workshop will be open to the public but not for public comment.

Chairwoman Mayrer asked the board if they had any questions on this recommendation.

There were no questions on this request and Chairwoman Mayrer read the notice to the Board and the public.

Haber moved, Timmis seconded the following resolution

Whereas, the Town of Schodack Planning Board has received an application for a site plan approval and special use permit for a sales distribution facility to be constructed by Dollartree;

Whereas, the Town of Schodack Planning Board coordinated the determination to be lead agency for this Type 1 action pursuant to the NY State Environmental Quality Review Act and declared itself lead agency at the last meeting of the Planning Board;

Whereas, the Town of Schodack Planning Board held a public hearing on the applications at the last meeting of the Planning Board and gave the public until December 31, 2011 to provide written comments on the project;

Whereas, the Planning Board would like to encourage the public to review the reports on the project that have been and are being posted through a link on the Town's website;

Now, Therefore, Be it Resolved that the opportunity for providing written comments on the project is hereby extended until the Planning Board's meeting on January 23, 2012 and that a notice of this extension of time to provide written comments will be posted on the Town website.

7 Ayes. 0 Noes. Motion carried.

Ayes Church, Haber, Johnson, LaVoie, Mayrer, Puccio, Timmis

Oppose: None

Chairwoman Mayrer opens the public comment and wanted to make a few item clear.

- This is an extension of the public comment period that ordinary occurs in due process at Planning board meetings, this is not a Public Hearing.
- She respectfully request the comments be held to 2 minutes in consideration of anyone else that wishes to comment.
- She also respectfully request that the audience respects the fellow members of the public when they are speaking and may not necessarily agree with your point of view on this subject.
- All comments should be addressed to the board and not the applicant.

Chairwoman Mayrer asked if any member of the public have any comment on this application.

Carl Racquet, 2 Sally K Lane asked about the traffic coming out and going in on Route 150 and if they will be traveling down towards Old Post Road.

Mr. Boisvert showed Mr. Racquet the location of Rt. 150 and 9 & 20 on the site map. Trucks will not be permitted to turn left leaving the facility.

Michael Maychack, 1681 Julianne Dr. stated he just moved here 4 years ago feels he is going to lose equity in his home because of this warehouse and asked how long, is the south noise abatement wall going to be.

Mr. Boisvert showed the Mr. Maychack the distance of the abatement on the site plan.

John Barone, law firm of Toher & Barone LLP representing Barbara & David Spink, 2 Star Terrace, spoke about a short letter he submitted to the town on their behalf, he stated the information on the town website is coming fast and he has not had enough time to read and study all of it. He is going to have experts to review and process the information, and he stated the zoning code does not support a retail distribution center they consider this to be a truck terminal. He continued to speak about the aquifer, water quality and pollution. Also asked the town to consider the tax abatements and what that all entails.

Paul Stackelberg, 57 Irish Hill Road, he feels it is a truck terminal and is concerned about the wells and should not be in the recharge area and away from the well head. This should have a full environmental impact statement.

Rich Fedigan, 7 Star Terr, asked about the 8 to 10 foot sound wall, and asked how does that compare to the height of the truck stacks in direct noise. Moving the guard shack back only gives them enough for 2 more trucks and trailers. He questioned the truck traffic, the peak times of delivery and the schedule of deliveries vs. unscheduled deliveries.

Tom Thornton, 2072 Brookview Road, asked about the truck and forklifts noises.

Karen Kaufman asked why the board only acted on one of the Special Councils recommendations and not the one for meeting on the 30th.

Chairwoman Mayrer stated the workshop does not need a resolution. But the meeting will be noticed.

John Schmidt, 1704 Richwood Drive read a letter (see file)

Debra Lebrecht, 1511 Van Hoesen Road asked about the noise level on I90 as it is now and the addition of 60 more trucks. And is concern she will hear more truck with the new Fedex building and now this.

Larry Cash, 77 Woodward Road complained about the amount of truck traffic, and the amount of 165 trucks a day. Dollar Tree stated the northeast corridor is their fastest growing area and he feels the demographics do not fit that statement. He feels this could get out of hand and sees at least 200 trucks in and out a day.

Maureen Conlin, 1671 Julianne Drive asked about the noise wall and suggests they go the entire distance behind all the homes that butt up behind this site and go higher than 8 to 10 feet.

Tom Marquit, 1695 Julianne Drive, asked about the idling for 5 minutes and he does not believe the local law enforcement can enforce that law. Being he is a trucker he knows it does not get followed. He feels it is a DEC enforcement. And what is he going to hear sitting on his deck at 2 in the morning. Does he call DEC to complain?

Shannon Bates, 1684 Julianne Drive, spoke about the idling the trucks going in and out with the diesel fumes her kids have allergies and she has asthma. And this will make things worse.

John Baumeister, 1667 Julianne Drive, asked about tandem trailers and the big square of a building that is proposed, the truck traffic, and further impact studies beyond the square.

David Spink, 2 Star Terr, asked how the Planning Board is going to protect the towns empty spaces, and the type of development that are they legal or not are degrade out town.

Chuck Forte, 1679 Julianne Drive, spoke about the noise wall and the size of it, he also runs a distribution warehouse and looking at the entrance distance from 9 & 20 one tandem truck is over 150 feet there is not room for more to be stacked on Rt.150. he also spoke about the schedule of deliveries, he feels 8 trucks an hour is a false statement.

Ed Cullings, 1712 Richwood Drive, spoke about the traffic issue and the percentage of trucks coming off the 11E exit and at exit 12 - what is that percentage and how many of them would be tandems. He asked if the board is going to promote an amendment to the DOT law allowing tandems to go down Route 9.

Chairwoman Mayrer stated the project would have to be approved in order for DOT to consider an amendment. So since this project has not been approved then nothing can be proposed to the state DOT. With DOT everything is project specific.

Peter Zoner, not a resident of Julianne Drive, Stated he is in favor of Dollar Tree. There was big opposition to Hannaford when they came here and no one really knows that they are there. He spoke about the man who read his letter about his dream home and not being able to afford it after putting a lot of money into it only to sell the home in 10 years to get his money back he wants to know how much invested is everyone if they are looking to move anyway. And he agrees with Supervisor Dowds that the town needs business and the revenue. Once Dollar Tree is there the people will get use to, People don't like change but change is good.

Karen Baumeister, 1667 Julianne Drive, she asked about the type of funding will the school district receive, and how will that effect the financial aid the schools currently receive.

Joe Visalli, 1381 Sunset Road. Asked about the traffic, noise, state pilot, lighting, taxes, stating the quality of life in Schodack will change.

Tamera Tillman, 7 Pinewood Ave. what is the decibel volume, length of time does it take to deteriorate one hearing, how many decibels does an average house block. What is the consistent decibel level coming from this project? Also what is the type of lighting going to be used.

Ray Lemka, 2406 Phillips Road, how many people from Schodack will be employment at this facility. He feels all warehouses should be at exit 12. Spoke about the studies presented to the town, how fast this project is progressing, the height of the building, truck beeping sounds, water runoff and the aquifer.

Chairwoman Mayrer asked Mr. Lemka if he has read the studies that have been submitted.

Mr. Lemka stated his computer is having trouble downloading the studies the screen keeps jumping.

Chairwoman Mayrer stated that all the studies are in the Planning office for anyone to come in and review and she encouraged everyone to read all the available information and come into the town hall should you not be able to access them via your home computer.

Ken Stokem, 1001 Maple Hill Road, compared this project to the two homes that were built down the road from his house and the inconvenience it caused him with the dirt and noise. The residents as well as he are never considered by the town and are never reimbursed for this inconvenience when any kind of project is approved in this town. He now points to Dollar Trees map with his red laser pointer and asked questions what they did to protect the stream going from Richwood Drive to the Moordener Kill.

Mr. Urspring state the storm water runoff is directed to the two on site ponds.

Mr. Stokem asked Mr. Urspring to stay for more questions. He then asked Chairwoman Mayrer to ask Mr. Urspring if all the disturbed land graded to flow to the ponds.

Mr. Urspring stated correct and in the pavement there will be catch basins. The other side of the site it is collected in the storm sewer system and a number if catch basin inlets.

Mr. Stokem asked if this facility ever caught on fire and thousands of gallons of water is used to put out that fire how would it be kept from getting into the aquifer and the Moordener kill, the current landscaping would allow all the tainted water to flow into the detention ponds and ultimately filter into the aquifer and creek and also the town wells, He stated that Paul Stackelberg spoke the other night about the town well and when you draw water for the project you create a positive vs. a negative flow in that direction. Putting contaminates into the water. So his question is how are they going to protect the town water well from their site.

Chairwoman Mayrer stated that Bergman will gather the information and put it out on the website.

Mr. Stokem stated the Planning Board has the ability to apply stipulations on this project such as.

- The ultimate removal of this building when this company is no longer using it, is it 5 years, 10 years, 15 years who is responsible to take it down or will it sit there indefinitely unused. It is hard to get companies in this town as it is who is going

to want to renovate an existing structure. He feels we should put conditions on Dollar Tree for its removal when it is no longer in use.

- The town should if legally possible put a condition on Dollar Tree that they cannot sue the town when the pilot is up to bringing down their assessments.
- Also put a condition on Dollar Tree that they have to hire a certain number or percentage of Schodack residents or even Rensselaer County residents to work at this facility.

Are all the Dollar Tree facilities referred to as Sales Distribution Centers or is this the only one you will have.

Chairwoman Mayrer stated Bergman will respond to that at a later date and post the answer on the town web site.

Tyler Colberson stated he wanted to remind everyone the positive aspects for this project, we are talking about potentially 50 people on Julianne Drive who pay say 5000 or a little more in taxes per home and in the first base year if this project there is going to be a 750,000 in tax benefit that is a big jump for our tax base from the current 10,000 to 12,000 dollars being paid on this vacant land. He said he heard a lot of people stating tonight that they took a risk on the area and buying a home here and so did Rodney Valente he purchased this land on speculation also hoping to realize a gain in his investment. Hopefully this development will help him realize his dream and in the process help the town with employment and a bigger tax base. For the groups that look at this area as a potential for a retail development need to understand this is next to exit 11 and very close to exit 12 which makes this an excellent place for a sales distribution center or something of this nature. A Duie Pyle is a trucking terminal this project is not. It ships its own product to its own stores. Just want everyone to keep in mind there are a number of upsides to this development such as more business to spring up all along the Route 9 Corridor to exit 12. The only deterrent for more development is the lack of water and sewer service in this area. All big business need water for the sprinkler systems.

Shawn, Stony Point Road, spoke about the following,

- Intersection of routes 9 & 20 and route 150 - when leaving 150 and turning left on to Rt. 9 & 20 is a 130 degree turn, will there be changes to that intersection.
- Warning signs - he suggest they use flashing signs.
- Noise abatement wall seems to short for the proposed building. Asked if the wall will keep the noise from bouncing around the area
- Taxes.
- Why this location - he has done some research and found property around exit 12 which he feels would fit this project. One is 116 acres and is split by Duck Pond Road and stated he spoke to the owner and he is willing to sell the 70 acres side of Duck Pond Road.
- Is there any plans for doing a green roof on the building.

Chairwoman Mayrer closed the public comment part of this meeting and wanted to remind the public of a few items

- Please take advantage of the information on the web site. And if you cannot access the web site please come in to the Planning office all the documents are there for your use.
- A resolution was passed this evening extending the written comment period to the next meeting January 23, 2012.
- There will be a work shop schedule for January 30, 2012 regarding this project, to be held here at the Town Hall at 7:00 - there will be a public notice published for this item.

Laberge letter dated January 5, 2012

Re: Conceptual Site Plan Review
Dollar Tree (Project Liberty)
SPB No. 2011-39
Town of Schodack Planning Board

We are in receipt of a set of plans dated December 14, 2011 for the above referenced project and offer the following conceptual comments:

1. The project is located in a PD3 zone and is a permitted use as a Sales Distribution Center in that zone. No fueling or maintenance facilities are proposed. The project is located on two parcels comprising 103± acres, which is greater than the minimum lot area of ten acres. Site plan approval is required.
2. The project is a permitted use under the Town of Schodack's Water Quality Control Act. A special permit is required. Use is subject to the conditions of §223-6C (1) and §223-8.
3. The project is consistent with the following from the Schodack Comprehensive Plan's Guiding Principle #5 to "encourage business growth around the I-90 exits ... to build a strong tax base for public services ..." In addition; it is consistent with the Vision Statement encouraging commercial development along existing commercial corridors.
4. The project is consistent with the Town of Schodack Route 9 Corridor Development Plan as follows:
 - a) Truck traffic is concentrated where flow will be minimal and highway access greatest.
 - b) The facility will provide employment opportunities.
 - c) The facility is a "clean" operation that does not threaten the aquifer more than existing activity.
 - d) The proposed facility is not water intensive and does not use or generate hazardous materials more than existing activities.
5. The area and bulk requirements in a PD3 zone are set on a project by project basis.

There are no defined setbacks, building heights, maximum structure coverages, etc.

6. The project is proposing approximately 50% of the land area to be open space. Article XII of the Town Zoning Code requires not less than 35%. The applicant should:
 - a) Provide a further breakdown for such categories as lawn area, natural area, stormwater area, etc.
 - b) Identify natural areas on the site plan and indicate the areas shall not be further developed or subdivided.
 - c) Provide a five year performance bond to ensure that plantings survive and natural areas are properly maintained.
 - d) Provide an offer of cession to the Town for an easement on the natural areas to be accepted at some time in the future if the Town so desires, and agree to have the Town create a special district on the proposed site to fund recreation activities and the maintenance of the open space.
 - e) A park land fee will be due at the time of site plan approval.
7. The project is located on two separate parcels. A deed combining the parcels into one is required to be filed and a request for a single tax parcel identification number is needed.
8. Portions of the residential neighborhood known as Birchwood Estates are close to the active areas of the site along the southern border. Consideration should be given to increasing the distance between the active areas of the site and the residential neighborhood.
9. Site design should include provisions for visual screening and reduction of noise affecting the residential neighbors.
10. Exterior lighting fixtures should only be full-cut off down lighting mounted at a reasonable height. Lighting details and specifications should be included in the next submittal.
11. Photo simulations should be provided from key vantage points:
 - a) Julianne Drive
 - b) Richwood Drive/Star Terrace
 - c) Appropriate surrounding roadways.
12. Additional evergreen screening is needed:
 - a) Along the north and east side of the northern stormwater area.
 - b) East of the truck entrance from the NYS Rte 150 ROW to guard shack.
 - c) On south side of site closest to the residential neighborhood.
 - d) Consideration should be given to transplanting existing, on site, mature evergreens to the area adjacent to the residential areas.
13. The applicant should consider snow storage requirements as they relate to the proximity of the proposed fencing to the asphalt. Centralized snow storage areas are prohibited under the Town's Water Quality Control Act.
14. Environmental Studies
 - A. General
Credentials should be provided for the engineers and/or scientists performing each analysis.

B. Wetlands

The report indicates that wetlands D, E, and F are isolated and that the US Army Corps of Engineers should be consulted regarding the jurisdictional status. The applicant should provide further information regarding that recommended consultation.

C. Soils

No Comment.

D. Endangered & Threatened Species

No Comment.

E. Noise

- i. The report makes no mention of relative elevation of the various receptors to the proposed facility. The report should clearly verify that the proposed solid noise shielding the roof exhausts is high enough to account for any elevation differences.
- ii. The noise assessment follows acceptable methods, however Leq tends to "flatten" the overall noise level. It is recommended that the report examine the impact of multiple trucks moving on site in all three zones to determine the noise level at the receptor even though it may only be for a short duration. While many of these short duration noises cannot be avoided, consideration should be given to minimizing them.
- iii. The report should discuss the impact of back up alarms and other high decibel short duration noises. Consideration should be given to minimizing short duration, high frequency sounds.
- iv. The report does not indicate if refrigerated trailer units will be operated on site and if so the mode of operation, number, and time of day. Further detail is required.
- v. A discussion of the seasonality of noise impacts should be included.

F. Stormwater

- i. The infiltration basins should have mechanisms to address reduced infiltration into frozen ground soils. We suggestion appropriately sized drywells with perforated pipes in stone beds.
- ii. Appropriately sized and maintained oil/water separators or water quality inlet structures are requires per §223-6C(1) j of the Town Water Quality Control Act.
- iii. An Owners Maintenance Manual should be provided with inspection forms and a maintenance schedule.
- iv. A containment layer under the pretreatment basins will be required.
- v. An energy dissipater or rip rap should be installed at the outlets of the overflow culverts.
- vi. The applicant should clarify where the water from the truck entrance flowing towards Route 150 goes.
- vii. The grading along truck entrance should be revised so the ditch line flows into the existing drainage channel.
- viii. The applicant has offered to assist in providing a more positive drainage solution in the vicinity of the existing drainage easement on Julianne Drive. This should be shown on the preliminary plans.

- ix. The applicant should provide an analysis showing the impact of the addition of the proposed impervious surface to the ground water levels in the vicinity as well as a discussion of the impacts on Mordener Kill. A discussion on the impact on drainage and wells in the vicinity should be included.

G. Traffic Study

A traffic study is required to analyze the level of service impacts as well as other safety issues associated with the proposed project. The analysis should recognize school bus traffic. The applicant should confirm the pavement thickness on NYS Rte 150 from the site to US Routes 9 & 20 is sufficient to carry the truck loading proposed.

15. The location of waste/recycling areas should be shown on the plans with adequate screening for aesthetic purposes as necessary.
16. Emergency access should be provided between the employee parking area and the trailer parking in the south west portion of the site.
17. Additional detail regarding the guard house and fire pump station is needed. Protection from vehicles hitting the facilities should be added and a detail shown.
18. A narrative construction plan for the proposed project should be submitted which incorporates graphics to illustrate the hours of operation and a schedule of activities by time of day in the areas adjacent to the residential neighbors including grading/site construction and building construction. The plan should also incorporate specific actions and graphics to be taken regarding noise, lighting, dust, mud, etc.
19. Preliminary plans should include details of all site features for further review.

We recommend the applicant incorporate changes regarding the above in their next submission. We will continue to review the information as received.

ADJOURN

Johnson moved, Timmis seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 9:45 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning