

TOWN OF SCHODACK COUNTY OF RENSSELAER STATE OF NEW YORK

PLANNING BOARD MEETING- FEBRUARY 4, 2008

CALLED TO ORDER BY: CHAIRMAN PETER GOOLD AT: 7: 00 p.m.

PRESENT

Peter Goold, Chairman
G. Jeffrey Haber
John LaVoie
Denise Mayrer
Paul Puccio
Sylvester Kedzierski
Wayne Johnson
Nadine Fuda, Director
Tim Nugent, Esq.
Richard Laberge, Planning Board Engineer

MEMBERS ABSENT

APPROVAL OF MINUTES—JANUARY 7, 2008

Haber moved, LaVoie seconded that the minutes be as amended.

6 Ayes. 0 Noes. Motion carried.

Ayes: Goold, Haber, Johnson, Kedzierski, LaVoie, Puccio

Oppose: None

Abstain: Mayrer

PUBLIC COMMENT

No public comment

James Parker 2008-1/RA/210.-7-22.3

29 Graw Rd

Proposed - New Home Accessory Apartment.

SPECIAL PERMIT

James parker, Applicant was present for this meeting

Chairman Goold explained that the Mr. Parker is applying for a special permit to construct an accessory apartment in his walk out basement. And asked if the members had any questions.

Mr. Johnson asked if the apartment would have direct access from the back of the home.

Mr. Parker stated the house technically does not have a basement; it is the first floor with full access in the back.

Chairman Goold asked Attorney Nugent if there were any set conditions attached to an accessory apartment, other than what is already in our code. Such as a single front, entrance ect.

Attorney Nugent suggested the board could state, see conditions as listed in the zoning book under section 219-72(31) page 22006 instead of listing each condition at this meeting.

Chairman Goold stated that we would issue this special permit based on conditions listed in section 219-72(31). He also briefly listed the conditions to Mr. Parker and stated Nadine could give him a copy of the code.

Applicant agrees to come back for a public hearing on March 3, 2008

Enderley Farm 2007-45/RA/198.-1-3.11 SPECIAL PERMIT
797 Western Rd
Proposed - Dog Kennel

Ed Tobin, applicant and Hope Tobin were present for this meeting.

Chairman Goold stated the applicant would like to convert a portion of their barn into a dog kennel. And asked the members if they had any question on this item.

Mr. Haber asked if there was a limit to the number of animals, they could house.

Chairman Goold stated 10 is the maximum number of kennels they can have per our code.

Miss Tobin stated they plan to have 7 kennels with the possible overflow of 10 animals.

Chairman Goold suggests the site plan be reviewed by our town engineer.

Mr. Laberge stated because this application is for a special permit it also requires a public hearing. In the mean time, he will review it and have comments before the next meeting.

Mr. Haber stated that the property is fairly removed from neighboring homes, is there any one who is with in the 500 feet of the property that needs to be notified, and if not do, we need to have a public hearing.

Mrs. Fuda stated yes that kennels are by special permit in a RA zone and requires a public hearing.

The applicant agrees to come back for a public hearing on March 3, 2008

**Spinney @ Pond View
Pond View Road
Proposed - Adult Community**

72-2005/R-40/178.-4-2.1

SITE PLAN

Richard Tice, Brewer Engineering and Ed Feinberg applicant were present for this meeting.

Mr. Tice stated that they are here tonight on the Miller Road decision, as to whether or not it is considered a user road. And to request a public hearing in March.

Attorney Nugent stated at the December meeting the road issue was referred to Mr. Laberge and himself for review and he has found nothing to indicate that Miller Road is considered deeded, and believes it is a user road. The town is limited to a maximum of 49 $\frac{1}{2}$ feet which is considered a three rod road.

Mr. Laberge stated he spoke to Ken Holmes from the town highway department on the type of improvements needed for Miller Road.

Mr. Puccio asked if the issues of road repairs be ironed out before the public hearing.

Mr. Laberge stated the road issue came up at the last meeting, the research has been completed and we now know that it is considered a user road. The Details of what improvements to Miller Road still need to be ironed out.

Mr. Tice asked if it's possible to come up with the details, get everyone together to discuss the items, and have the improvement decided (such as work needed or bond to be posted) before the public hearing.

Mr. Haber stated that seems to be the course of action that needs to be taken. He did not want to go to a public hearing with out everything ironed out.

Mr. Laberge stated that the public hearing would also give the board more information as to what the residents and the town would like to see happen to the road.

Mr. Puccio asked to discuss the two issues that have come up because of the road. First being the poor condition of the road. Second is the issue of sidewalks.

Mr. Haber stated there will not be sidewalks if this is handled as a user road.

Mr. Laberge states at this point his focus is on the shape of the road for proper drainage, width, and safety.

Mr. Tice and members all agree to come to a public hearing on March 17, 2008

British American Lot # 8 2008-5/PD-3/178.-12-25 SITE PLAN
30 Empire State Boulevard
Proposed - 3 Story Office Building

Richard Tice, Brewer Engineering, Chris Connors and Spencer Jones from British American were present for this meeting.

Mr. Tice states there is a business looking to relocate from Columbia County to Empire State Boulevard off exit 10. British American is looking to construct a 3 story building on their lot #8 to house the new tenants. It is a 5 ½ acre site, the building will have a total of 43,776 square feet making each of the 3 floors 14,592 feet. Municipal water and sewer will service the site. The firm currently has 140 employees and will have 227 parking spaces which is more then enough.

Mr. Johnson asked about the walk path that goes around the stream, and if it will fit.

Mr. Tice stated that the trail is in the buffer area and is not affected by this construction, and points to the map to show the area in question.

Mrs. Mayrer asked the applicant if they build as need and is the new firm purchasing the building.

Mr. Jones stated that issue is still under consideration, they are trying to work with the company's timetable for the move.

Mrs. Mayrer asked what type of business is the proposed tenant.

Mr. Jones stated they are a marketing firm, they will start with 140 employees with a short-term growth period and max up to 200 employees; their goal is to occupy the entire building.

The members and applicant agree to send this to Richard Laberge for review.

American Alternative Fuel

Site Plan Modification

Boat and RV Sales

2008/4/HC/220.-2-14.2 / To

SITE PLAN

999 Rt. 9

Proposed - 1000 Gallon Propane Tank

Filling Station and conversion of motor vehicles

Jeff Hoffman, representing the applicant was present for this meeting.

Chairman Goold asked about the location of the propane tank.

Mr. Hoffman stated the tank will be located in the rectangle area in the existing island.

Mr. Puccio asked if this is a separate business from boat and RV and is it open to the public.

Mr. Hoffman stated that they are in association with Boat and RV, this item was left off the original site plan. And Yes the propane service is open to the public.

Chairman Goold questioned the office space in the front of the building and if the four garage bays in the back will be used for repairs.

Mr. Hoffman stated they are using the office space and all 4 bays are for repairs and maintenance for the RV's and boats as well as automotive. They also have the ability to do inspections up to heavy trucks; they can pretty much work on anything.

Mr. Johnson asked to check the original site plan to see what was approved, and are they being asked to add the automotive repair as well,

Mr. Haber stated he recalls, they originally approve repairs and maintenance for boat and RV and repair for vehicles that broke down on the highway. As for major repair work such as transmission, that would be done at their Albany facility.

Mr. Johnson asked if this is a change to the agenda, it states 'conversion of motor vehicles'.

Mr. Hoffman stated a conversion is when they take a recreational vehicle and convert it from gas to propane to turn it into a hybrid. It is a standard course of business for all the RV service centers.

Mr. Johnson stated just to clarify this is not for any auto repairs coming off the street, this is just to do conversions for their customers.

Mr. Hoffman stated that is correct.

Chairman Goold asked if they would sell propane to anyone who would come in and want their out door gas grill tank filled.

Mr. Hoffman stated they would fill the gas grill tanks, just like Agway.

Mr. Johnson asked if there would be a place to store 20 gallon propane tanks.

Mr. Hoffman stated no, this is not a tank exchange just a fill station.

Mr. Laberge stated there is a new building code in NY State law requires propane tanks 500 gallons or more to be 25 feet from the building, they are only short by 7 feet. He does not think this is an issue.

Mr. Haber states that they are not changing the use as originally approved, they are just adding the propane service station.

Chairman Goold stated this is just a modification to the original site plan. And asked if we need engineering.

Mr. Laberge stated from his standpoint there is not much if any engineering to be done; he will drive out to look at the site.

Mr. Hoffman stated that the propane tank will be behind the existing bushes in the back, no landscaping is to be removed.

Mr. Laberge stated if there are any questions on the codes his staff will assist if needed.

Chairman Goold stated the original site plan be modified to include the 25 foot distance the tank needs to be from the building as stated in the code.

Mr. Johnson suggested that the towns building department review the site instead of engineering and pass this item tonight

Attorney Nugent states that a new site plan has to be submitted showing the 25 feet between the building and the tank. This should not be up to the building department to make sure the 25 feet is there.

All agreed.

Puccio moved, Kedzierski seconded **APPROVAL of SITE PLAN MODIFICATION.** contingent upon the following conditions:

- a new site plan be submitted showing the 25 feet of distance between the building and the propane tank as required by the new NY state code.

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7 Ayes. 0 Noes. Motion carried.

Ayes: Goold, Haber, Johnson, Kedzierski, LaVoie, Mayrer, Puccio

Oppose: None

Peters Subdivision

2008-2/RA/189.-11-6

SUBDIVISION

Schodack Valley Road

Proposed - 2 Lot Subdivision

Richard Tice, Brewer Engineering was present for this meeting

Mr. Tice stated the Peters are subdividing 3.01 acres to be purchased by the Schodack Valley Fire Department.

Mr. Puccio asked why this is not a lot line adjustment.

Mr. Tice stated that this was what was requested of him to do.

Mr. Johnson asked to have the maps changed.

Mr. Tice stated the maps would be changed accordingly.

Puccio moved, Haber seconded that the lot-line adjustment be accepted and approved. A public hearing and a survey map are not required. The property will be conveyed to the adjacent landowner and become part of that existing parcel. contingent upon the following conditions:

- Brewer Engineering changing the maps to reflect all the technical requirements for a lot line adjustment.

7 Ayes. 0 Noes. Motion carried.

Ayes: Goold, Haber, Johnson, Kedzierski, LaVoie, Mayrer, Puccio

Oppose: None

Abstain:

**Alpine Meadows Subdivisin 2008-3/R-40/219.-1-8.11 SUBDIVISION
South Schodack Road
Proposed - 4 Lot Subdivision**

Richard Tice, Brewer Engineering was present for this meeting.

Mr. Tice states they propose to subdivide land owned by Roy Fredriksen into 4 lots, there is a total of 29.598 acres. Lots 1,2 & 4 will be for single family residential building. These lots will have on-site sewage systems and individual drilled wells. The lot size is as follows, Lot 1 - 1.100 acres, Lot 2 - 0.919 acres and Lot 4 - 24.421 acres. Lot 3 has an existing 4 unit apartment building and garage on 3.159 acres. Mr. Puccio stated that this does not comply with the 200 foot of frontage.

Mr. Tice explains that with zoning of R-40 200 feet of frontage is not required.

Mr. Johnson stated that the frontage for R-40 is 150 feet. and question the 125 feet.

Mr. Tice stated that was correct and they are 150 feet. The tangent distance is 25 feet and the back property line is 152 feet total.

Mr. Haber asked about lot # 1 with the cemetery. And asked who owns it.

Mr. Tice stated there will be a house on the lot and assumes the cemetery belongs to the town.

Mr. Puccio asked if lot #4 constitutes a flag lot.

Mr. Tice stated lot #4 is considered remaining lands and is not being subdivided at this time.

Mr. Laberge asked about the strip of land between lots 1 & 2 is it sufficient as a right a way and will it be graded for future usages.

Mr. Tice agrees to return for a public hearing on March 17, 2008

10A. Re-Appoint Timothy Nugent, Esq., as Attorney for the Planning Board at a salary as set in the year 2008 adopted budget.

Haber move Kedzierski - seconded that Timothy Nugent be re-appointed as Attorney of the Planning Board for the Town of Schodack for the year of 2008

7 Ayes. 0 Noes: Motion Carried.

Ayes: Goold, Haber, Johnson, Kedzierski, LaVoie, Mayrer, Puccio

10B. Re-Appoint Richard Laberge as Engineer for the Planning Board at an Hourly Rate as set in the Contract Extension for one year through December 31, 2008: Dated December 12, 2007 for the year of 2008

Puccio move Johnson seconded that Richard Laberge be re-appointed as Engineer of the Planning Board for the Town of Schodack for 2008

7 Ayes. 0 Noes: Motion Carried.

Ayes: Goold, Haber, Johnson, Kedzierski, LaVoie, Mayrer, Puccio

10C. Re-Appoint Peter Goold as Chairman of the Planning Board for the year of 2008 at a salary set forth in the year 2008 budget.

Puccio move Mayrer seconded that Peter Goold be re-appointed as Chairman of the Planning Board for the Town of Schodack for 2008

7 Ayes. 0 Noes: Motion Carried.

Ayes: Goold, Haber, Johnson, Kedzierski, LaVoie, Mayrer, Puccio

10D. Re-Appoint Denise Mayrer as Vice Chairman of the Planning Board for the year of 2008 at a salary set forth in the year 2008 budget.

Haber Moved Puccio seconded that Denise Mayrer be re-appointed as Vice Chairman of the Planning Board for the Town of Schodack for 2008

7 Ayes. 0 Noes: Motion Carried.

Ayes: Goold, Haber, Johnson, Kedzierski, LaVoie, Puccio

ADJOURN

Puccio moved, Haber seconded that the Planning Board meeting be adjourned. There being no objections, Chairman Goold adjourned the meeting at 8:32 p.m.

Respectfully submitted,

Nadine Fuda
Director of Planning & Zoning

