

TOWN OF SCHODACK COUNTY OF RENSSELAER STATE OF NEW YORK

PLANNING BOARD MEETING-MARCH 3, 2008

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

**PRESENT**

Peter Goold, Chairman  
John LaVoie  
Denise Mayrer  
Paul Puccio  
Sylvester Kedzierski  
Wayne Johnson  
Tim Nugent, Esq.  
Richard Laberge, Planning Board Engineer  
Melissa Knights, Planning Assistant

**MEMBERS ABSENT**

G. Jeffrey Haber  
Nadine Fuda, Director

**APPROVAL OF MINUTES—FEBRUARY 4, 2008**

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**PUBLIC COMMENT:**

Bryan Dooley, Schodack Valley Road, Spoke against item #4 the Olthoff Field subdivision.

Lisa Osmanzai, 1298 Schodack Valley Road, spoke against item # 4 the Olthoff Field Subdivision and has submitted a 9-page statement that has been added to the file.

Lisa Trubitt 1297 Schodack Valley Road, spoke against item # 4 the Olthoff Field Subdivision.

Renee Schule, 1294 Schodack Valley Road, Spoke against item #4 the Olthoff Field Subdivision and has submitted a 3-page statement that has been added to the file.

Jim Quinn, 1302 Schodack Valley Road, spoke against item #4 the Olthoff Field Subdivision.

KimmeY Subdivision  
NY Rt. 150 and 151  
Proposed - 13 Lot Subdivision

2007-39/RA/179.-5-32.111

SUBDIVISION

Duane Rabideau, Van Guilder Land Surveyor was present for this meeting.

Mr. Rabideau spoke about the change in plans. November of 2007 they presented a plan for a 13-lot subdivision and after review with the board and the issue on the amount of driveways onto Route 151 it was decided at that time to look at different ideas, They are now submitting a revised plan that includes a cul-de-sac and 16 lots. They are requesting approval to do the subdivision in two phases.

Phase 1 consist of lots 1-6 located on Route 150.

Phase 2 will consist of 4 lots with private drives onto Route 151 and the cul-de-sac with 6 additional lots.

Mr. Johnson questioned lot 9 and if there is enough room to put in a well and septic. He notes there is only 100 feet width from the house lot line and the wet lands.

Mr. Rabideau stated yes, there is enough room and the land in that area is sandy soil. By health department standards the septic can be with in 100 feet of the core wet lands.

Mr. Johnson asked if the driveways on 150 will have problems crossing the wet lands.

Mr. Rabideau stated they would have to get wet land disturbance permits.

Mr. Johnson asked about detention ponds for the water that will come off the new road.

Mr. Rabideau stated his engineer said that the water run off is an issue that can be resolved.

Mr. Johnson asked if there were to be any detention ponds they would be on phase 2.

Mr. Rabideau stated that is correct.

Chairman Goold explained the process to Mr. Rabideau by stating this will be referred to the planning board engineer Mr. Laberge for review, when all findings have been addressed the applicant can return for further discussion.

Mr. Laberge stated he will put together a review escrow letter. He also states that even though this project will be phased we will still need engineering on the cul-de-sac road to show what is intended can actually be built. At least a 70% design showing how everything will fit together as well as the storm water issue.

Mr. Puccio asked if SEQR has to be completed on the whole parcel.

Mr. Laberge stated correct the SEQR process will be done on the parcel as a whole.

The applicant agrees to wait for the review and escrow letters from Mr. Laberge.

Olthoff Field Subdivision            2008-6/RA/188.-5-24.22            SUBDIVISION  
1290 Schodack Valley Rd  
Proposed - 3 Lot Subdivision

**This Application was withdrawn.**

Thomas Maslanka, representative for applicant was present for this meeting.

Do to lengthily discussion between the board members and the Mr. Maslanka, the option was given to ether withdraw this application, revise their plan and come back to the planning board, or continue with no guarantees that this will be approved.

Some of the topics addressed were on the lack of frontage, shared driveways, car lights coming and going from the property.

Mr. Maslanka stated that he would withdraw this application.

School House Acres / Benjamin Marra            008-7/RA/201.-2-50.12            **Subdivision**  
Schoolhouse Rd and Loweree Rd  
Proposed - 10 Lot Subdivision

**Pulled out of meeting to return on April 7<sup>th</sup> 2008**

Stavroulla Stamoulis / 9&20 Dinner            2008-9/HC/189.-10-15  
1842 Columbia Turnpike  
Proposed - Site Plan Modification

Mr. Stamoulis was present for this meeting.

Mr. Laberge spoke about his review of the modification to ass a 10 x 20 cooler to the rear of the building and found no issues with this request.

There were no comments from the board.

Mayrer moved, Kedzierski seconded **APPROVAL** of **SITE PLAN MODIFICATION**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

James Parker                    2008-1/RA/210.-7-22.3  
29 Graw Rd  
Proposed - new home with accessory apartment.

PUBLIC HEARING  
Special Permit

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**Melissa Knights read the hearing notice(s) as published in the Troy Record:**

**Title of the Accessory Apartment March 3, 2087**

**Chairman Goold directed the affidavit(s) of publication be made part of the hearing record(s).**

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Chairman Goold opened the public hearing at 7:30 p.m.

Chairman Goold asked if the members had any comment on this proposed accessory apartment.

At this point Mr. Lempka stood up to state that the lot is in the shape of an 'L' and this is not an approved lot and goes against the law.

Mr. Puccio stated that this lot is 600 feet deep and 200 feet wide, and with the 'L'

it is 4.18 acres. If this was shaped as a rectangle it would still be approved.

Mr. Lempka stated fine this one works but there are others in the town that are up for approval that do not meet the requirements set by the accessory apartment law.

Bryan Dooly asked does the town keep track of these homes before and after the sale of the property. When sold, the new owners will not use the accessory apartment as a rental unit. This has happened in the past.

Chairman Goold referred to the section of code ( 219-72 'D" change of owner ship section one and two)

Chairman Goold reviewed the special permit law requirements for an accessory apartment to Mr. Parker.

Chairman Goold asked the members of any questions.

There were no further comments.

Chairman Goold closed the public hearing at 7:42 p.m.

Kedzierski moved, Mayrer seconded that the Planning Board be **LEAD AGENCY**.

6 Ayes. Noes. Motion carried.

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

Oppose: None

Puccio moved, Mayrer seconded a **NEGATIVE DECLARATION**.

6 Ayes Noes. Motion carried.

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

Oppose: None

Kedzierski moved, Puccio seconded that the **SPECIAL PERMIT** be **GRANTED**:

6 Ayes Noes. Motion carried.

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

Oppose: None

Enderley Farm  
797 Western Rd  
Proposed - Dog Kennel

2007-45/RA/198.-1-3.11

PUBLIC HEARING

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**Melissa Knights read the hearing notice(s) as published in the Troy Record:**

**Title of the Dog Kennel March 3, 2008**

**Chairman Goold directed the affidavit(s) of publication be made part of the hearing record(s).**

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Chairman Goold opened the public hearing at 7:43 p.m.

Ms. Tobin was present for this meeting.

Ms. Tobin stated the barn has 5 horse stalls that they will convert into the kennels. They have decided that there will be 7 over night dogs with an overflow of 10 because of drop off and pick up times.

Chairman Goold asked if the board had any questions for the applicant.

There were no further comments.

Chairman Goold closed the public hearing at 7:46 p.m.

Puccio moved, Mayrer seconded that the Planning Board be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.  
Ayes Goold, Johnson, Kedzierski, LaVoie, Mayrer, Puccio  
Oppose: None

Kedzierski moved, Mayrer seconded a **NEGATIVE DECLARATION**.

6 Ayes 0 Noes. Motion carried.  
Ayes Goold, Johnson, Kedzierski, LaVoie, Mayrer, Puccio

Oppose: None

Johnson moved, Puccio seconded that the *SPECIAL PERMIT* be *GRANTED*:

6 Ayes 0 Noes. Motion carried.

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

Oppose: None

### Comprehensive Plan

Planning Board members discussed the Laberge Group letter dated February 7, 2008 regarding the Additional Services Proposal.

The proposal is on the following three items

- Demographic/Economic Profile
- Stakeholder Interviews
- Mapping

Mayrer moved, Puccio seconded a favorable recommendation to the Town Board to accept the change in scope as recommended on the Laberge Group letter dated February 7, 2008

6 Ayes 0 Noes. Motion carried.

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

Oppose: None

### ADJOURN

Mayrer Moved, Kedzierski seconded that the Planning Board meeting be adjourned. There being no objections, Chairman Goold adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning

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