

PLANNING BOARD MEETING- APRIL 7, 2008

CALLED TO ORDER BY: CHAIRMAN PETER GOOLD AT:7:07 p.m.

PRESENT

**Peter Goold, Chairman
G. Jeffrey Haber
Wayne Johnson
Denise Mayrer, Vice Chairman
Paul Puccio
Nadine Fuda, Director
Attorney Timothy Nugent, Esq.
Richard Laberge, Planning Board Engineer**

MEMBERS ABSENT

**Sylvester Kedzierski
John LaVoie**

PUBLIC COMMENT

Tim Costo, 161 Shufelt Road, question the board on policies and procedures.

Elizabeth Gable, resident, spoke about flooding in the Blueberry Meadows subdivision, and asked how the board and the town are going to fix this issue.

Mr. Laberge stated he would check into the drainage design and visit the site.

Mr. Puccio asked if an issue is found what happens next.

Mr. Laberge stated there is a period of one-year between the time the subdivision is deemed complete and the time the road is accepted by the town. The developers are responsible at that time to fix all issues.

APPROVAL OF MINUTES—MARCH 17, 2008

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

5 Ayes. 0 Noes. Motion carried.

Ayes: Goold, Haber, Johnson, Mayrer, Puccio

Oppose: None

Abstain: Haber

RECOMMENDATIONS TO THE ZBA
Z664-08/RA/188.-7-19.61

Peter Fish
880 Stony Point Road
Proposed - Side yard set back

Peter Fish, applicant was present for this meeting.

Mr. Johnson asked if the applicant built the home or purchased it from the original homeowner.

Mr. Fish stated they had the home built 10 years ago.

Mr. Johnson asked if a garage was not part of the plan at the that time the house was built.

Mr. Fish stated that is correct, they did not conceder putting in a garage at that time.

Mr. Johnson stated this seems to be a self created situation, and does not feel we can give a favorable recommendation. Maybe we should give 'no recommendation' and let the zoning board address this issue.

Chairman Goold stated in these situation's the Rensselaer County Plan and Economic Development Bureau are required to make a recommendation, in so doing the following statement was made.

'After having carefully reviewed the information submitted as part of the subject referral, the Bureau of Economic Development and Planning has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail.'

Mr. Puccio stated he has a different view on this, he understands that this is not compliant and they had a choice as to where they put the house 10 years ago, But he does not feel that there is an issue with the proposed garage. He states that if we do not vote and leave it as a no recommendation it will give the impression that the board has a negative perspective; he does not feel that way.

Mr. Haber asked if the neighbors would be notified by the ZBA prior to the meeting..

Chairman Goold stated yes, that is correct.

Mr. Haber states he agrees with Mr. Puccio and feels that the board should give a favorable recommendation, and if the neighbors want to object to this item then the ZBA could take that under consideration when making their final decision

Mr. Fish stated he has a letter from his neighbors Pat and Karen McGovern stating that they did not have an issue with the proposed garage.

Puccio moved, Mayrer seconded a "**FAVORABLE**" recommendation to the Zoning Board of Appeals.

4 Ayes. 1 Noes. Motion carried.

Ayes: Goold, Haber, Mayrer, Puccio

Oppose: Johnson

Spinney @ Pond View 72-2005/R-40/178.-4-2.1 **SPECIAL PERMIT**
Pond View Road
Proposed - Adult Community

Dick Tice, Brewer Engineering, was present for this meeting.

Mr. Tice stated he is here to represent the developers at Pond View and to ask the board for a public hearing on the special use permit. He is looking to have the public hearing at the April 21st 2008 meeting.

Mr. Puccio asked if there were any engineering issues.

Mr. Laberge stated not at this time, The special permit is for the senior housing and the R40 zone.

Mr. Puccio states there needs to be a very clear indication from the board that this will be senior housing only and if the applicant changes directions, then this special permit goes away and so does the project.

Mr. Tice states he and the developers understand and realize the special permit regulations.

All members agree to send this to a public hearing on April 21, 2008.

Robert Davis 2008-14/HC/189-10-13 **LOT LINE ADJUSTMENT**
1836 Columbia Tnpk.

Proposed - Lot Line.

Robert Davis, applicant was present for this meeting.

Mr. Davis stated this was always two parcels, the original lot line goes through the pavilion, he would like to move the line fifty feet to the north, lot one will go from 2 acres to 2.7, lot two will go from 4.4 acres drops to 3.7

Mr. Johnson asked about the lot to the west, and wondered if it will be able to be developed in the future. There seems to be a lot of wet land attached to it.

Mr. Davis stated he is not sure how much is actual wet lands, because there are three types of wetlands emerging, existing and receding. This property is listed a receding wet lands.

Mr. Johnson stated that the surveyor should show the existing lot line as a very thin line and the new lot line should be bolder.

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.

5 Ayes. 0 Noes. Motion carried.

Ayes: Goold, Haber, Johnson, Mayrer, Puccio

Oppose: None

School House Acres / Benjamin Marra 2008-7/RA/201.-2-50.12 **SUBDIVISION**
Schoolhouse Rd and Loweree Rd
Proposed - 10 Lot Subdivision

Benjamin Marra, applicant was present for this meeting.

Mr. Marra stated the lots will be from 1 $\frac{1}{2}$ acres to 7 acres. They will have private well and septic, both he and his brother will live in the development so they want to keep it small.

Chairman Goold asked about the length of the cul-de-sac.

Mr. Marra stated it is about 1200 feet in length.

has 14 very detailed comments. And he stated that the board could move this forward with a conditional final approval, subject to the completion of the 14 issue in his letter.

Mr. Puccio asked Mr. Laberge if the 14 items are straightforward and the applicant will not have a problem complying with them.

Mr. Laberge states his letter is fairly detailed, He reviewed the final survey plat that was in the previous set, but he has not reviewed the current set of plans dated March 24, 2008, He does state that nothing is changing in the configuration or the layout of the subdivision. There is one thing the applicant is requesting and that is the prevision for dry sewers be waved.

Mr. Puccio asked about the issue with fire department and that easy access be provided.

Mr. Laberge stated it is not a big deal; the idea for the easy access is to widen the road and the storm culvert due to the open ditch drainage system. And paving a wider spot so a pumper trucker can access a dry hydrant next to the pond.

Mr. Berger asked the board if they would like the dry hydrant located in the street right of way. He was thinking that if he could make it work it may be better for the development to have the hydrant by the road.

Mr. Laberge asked if he was proposing the location of the hydrant be place at the road instead of the pond.

Mr. Berger stated yes, instead of having the hydrant back next to the pond, he would extend the suction pipe to the road.

Mr. Laberge stated his comment was to have the hydrant by the road with a wider turn around for the fire departments pumper truck.

Mr. Haber asked about the amount of frontage.

Mr. Berger stated they have about 3800 feet of frontage.

Mr. Johnson asked about the access to the adjacent lands. The map shows a wider path to both of the larger parcels.

Mr. Berger stated yes, the paths are larger for better access.

Mr. Laberge stated one of his previous comments was to have the applicant do a grading plan for the potential access in the future.

Mr. Haber asked Mr. Laberge about his thought on the dry sewers.

Mr. Laberge stated he looked at the idea of getting hooked up to the East Schodack sewer system with the town engineer (Fraser and Associates) and it did not seem feasible at this time to extend the system to this site.

Mr. Haber asked how close this site is from Nassau Lake.

Mr. Laberge stated to his knowledge the site is about half way, two miles to East Schodack and two miles to Nassau Lake.

Mr. Puccio asked what the disadvantage is of installing the dry sewers.

Mr. Haber stated the problem would be the dry sewers have to be pitched one way or the other and if you put them in you are not sure if you would be going to East Schodack or Nassau.

Mr. Laberge stated that could be an issue, the county road is down hill from this piece of property. If dry sewers are required he would have them brought to the county road, but at this time would not require a pump station.

Mr. Haber stated that with all big developments, it should be a requirement to install sewer lines; the town's goal for the future is to have everyone connected. He also states that the cost is approximately \$10,000 per lot and at 24 lots it would be expensive. But in the long run it should be less expensive now then doing a sewer system after the project is finished.

Mr. Puccio stated now is the time to install sewer lines for future use. He also agrees with Mr. Haber on the cost to the developer but it is really not that much money for a development this size.

Mr. Haber asked Mr. Laberge could you still hook up to a dry sewer system say 10 or 15 years from now.

Mr. Laberge stated that if it sat for a long period he would recommend that the municipality check the lines, such as air testing to make sure it is sound. There is a 50-year life span for the plastic pipe that is being used today. It is a policy decision that the board needs to decide on.

Mr. Johnson asked if in the future the town would be looking toward treating the gray water. This would require a small plastic pipe, which could be installed later at lesser cost than trying to install a gravity sewer at this time. In addition, this seems like an excess burdened to the developer.

Members discuss the merits of having the dry sewer put in by the developer versus the cost to the district at a later date.

Mr. Haber states that the board needs to come to a decision and create a standard stating that if something is within a reasonable distance from a water line or a sewer line the developer should be required to have those lines installed for possible future use.

Mr. Johnson stated that in East Schodack and Nassau the homes are on small lots and they have the ability to put in a leach field to support a septic, this development has large lots, and is also able to support the required wells, septic and leach fields. He feels this is a great expense for the developer to have to deal with when it may never come to be.

Mr. Haber asked about the type of soil the development has.

Mr. Berger stated the soil is mostly clay, 90 % of the homes will have raised bed systems, there is one conventional septic and two that will have a shallow trench.

Mr. Haber asked Mr. Berger what his estimate cost would be per lot for a fill system.

Mr. Berger stated fill systems are about \$15,000 to \$20,000 per lot. He feels the cost of an extra \$10,000 per lot will kill the project.

Mr. Laberge asked if the requirement for dry sewers would make him reconsider the option of a wastewater treatment system.

Mr. Berger stated that they are still talking about a two-mile long hookup. And feels the cost would be too much for this project.

Mr. Puccio asked for clarification, he understands that this is costly but his idea is better today instead of tomorrow and states that if it is done right the first time it will save money for everyone in future.

Mr. Berger stated that he has had experience with dry sewers and the problems that have happened due to the length of time - say 10 to 15 years that they have sat unused. The pipe is plastic but the manholes are concrete and many times the systems will fill with water. Based on his experience there are more negative issues than positives.

Mr. Haber stated that he agrees with Mr. Puccio, but he is more inclined to go with Mr. Laberge and Mr. Johnson's judgment on this and is more inclined to think that the fill systems would work.

Mrs. Mayrer stated that she agrees with both sides, she understands that it is the right thing to do, but she has learned is that if the dry sewers were not used in a reasonable amount of time that they deteriorate so badly that they are of no use in a decade. The point is if the town is not going to extend the sewer line in a period of time that is going to benefit this area then do not put them in.

Chairman Goold stated there are two questions before the board.

- Are we inclined to agree with the engineer recommendation to waive the requirement for dry sewers?
- Are we inclined to give an approval contingent on the applicant following our engineers requirements listed in his letter dated April 1, 2008.

Mayrer moved, Johnson seconded to waive the dry sewers requirement for the subdivision.

5 Ayes. 0 Noes. Motion carried.
Ayes: Goold, Haber, Johnson, Mayrer, Puccio
Oppose: None

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

5 Ayes. 0 Noes. Motion carried.
Ayes: Goold, Haber, Johnson, Mayrer, Puccio
Oppose: None

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

5 Ayes. 0 Noes. Motion carried.
Ayes: Goold, Haber, Johnson, Mayrer, Puccio
Oppose: None

Mayrer moved, Johnson seconded that the following resolution be adopted:

WHEREAS, a formal application was submitted to the Planning Board on: November 7, 2007 for approval of a 30-lot subdivision entitled, "Lands of Sidney Chavin Co. Rt 7", map prepared by: Harold Berger/Brian Holbriiter, dated "November 8, 2007", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on April 7, 2008 at 7:30 p.m., and

WHEREAS, the requirement of the subdivision regulations of the Town of Schodack have been met by said subdivision plat and application;

NOW, THEREFORE, BE IT RESOLVED, that the application of Mario DiGioia be **APPROVED CONTINGENT UPON** submission of final maps, payment of fees and before building permits can be issued, permits to construct well and septic must be obtained from the Rensselaer County Health Department.

ADDITIONALLY, CONTINGENT UPON THE FOLLOWING ITEMS, from the.

The Laberge letter dated April 1, 2008

We are in receipt of revised subdivision plans for the above referenced property last revised March 24, 2008 consisting of thirteen (13) sheets. We offer the following comments:

- 1. Sewage disposal system profiles should be included in the plan set. The septic systems and well locations have not been reviewed by this office since RCDOH will be reviewing and approving them. RCDOH approval is required.*
- 2. The applicant is required by §188-53C(4) to provide dry sewers. The applicant has requested a waiver.*
- 3. The final survey plat should be included in the plan set.*
- 4. The houses shown on Lots 13 & 27 are abutting the ACOE wetland. Signoff by ACOE is needed.*
- 5. The roof and cellar drains on lots 1 – 2 and 15 should be continued to the roadside drainage swale as previously requested.*
- 6. The notes on the plan sheets regarding the access drive to the stormwater management areas should be modified to indicate stone, not gravel.*
- 7. The comments from the Fire Department require a written response to the Fire Department and dry hydrant details should be added to the plan. In addition, easy access must be provided by installing a culvert and widening the paved area in that location to provide a level pull off area.*

8. *Additional erosion control mats are needed along roadside slope on lot no. 13 and stormwater management area 1.*
9. *Stone check dams should be installed on both sides of the driveway on lot 16 to prevent eroded soil from entering County Route 7.*
10. *A Homeowner's Association is required to be formed.*
11. *Storm Easement 2 should be deleted from the final survey plat when submitted.*
12. *A 3' riprap apron should be shown around all drop inlets to assist in preventing silt from entering as previously requested.*
13. *All the proposed driveway culverts should be sized and inverts shown as previously requested.*
14. *Rensselaer County Highway Department approval is necessary.*

When submitting, the applicant should provide a letter with detail as to how each comment above was handled.

We recommend the applicant incorporate these comments into the next submission for review. The Board may wish consider making final approval conditioned upon the above since only detailed technical items remain. We have enclosed the completed SEQRA form for your use and file. Please contact our office with any questions or comments on the above.

5 Ayes. 0 Noes. Motion carried.
Ayes: Goold, Haber, Johnson, Mayrer, Puccio
Oppose: None

ADJOURN

Haber moved, Puccio seconded that the Planning Board meeting be adjourned. There being no objections, Chairman Goold adjourned the meeting at 8:14 p.m.

Respectfully submitted,

Nadine Fuda
Director of Planning & Zoning

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