

PLANNING BOARD MEETING- JUNE 2, 2008

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

PRESENT

Peter Goold, Chairman
Wayne Johnson
Sylvester Kedzierski
John LaVoie
Denise Mayrer, Vice Chairman ----- arrival 7:22
Paul Puccio
Nadine Fuda, Director
Attorney Timothy Nugent, Esq.
Richard Laberge, Planning Board Engineer

MEMBERS ABSENT

G. Jeffrey Haber

APPROVAL OF MINUTES— MAY 19, 2008

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

4 Ayes. 0 Noes. Motion carried.
Ayes: Goold, Kedzierski, LaVoie, Puccio
Oppose: None
Abstain: Johnson

PUBLIC COMMENT:

No Comments

Goold Orchard Festival - Directional Signage

Nadine Fuda Director of Planning presided over this item.

Peter Goold Recused himself from this proceeding.

There were no questions or comments from the board.

Mrs. Fuda stated a memo will be given to the Schodack Town Clerk to process the mass assembly permit.

Puccio moved, LaVoie seconded that the directional signage for Goold Orchard Festival be approved.

Goold Orchard Festival Cont...

4 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, Kedzierski, LaVoie, Puccio

Oppose: None

**Charles Amento Z666-08/R-20/210.3-1-51 recommendations TO THE ZBA
23 Lakeside Drive**

Proposed - Front yard set back and 10% coverage

Charles Amento, applicant was present for this meeting.

There were no questions for the applicant.

Applicant agrees to attend the Zoning Board Meeting on June 19, 2008.

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

5 Ayes. 0 Noes. Motion carried.

Ayes: Goold, Johnson, Kedzierski, LaVoie, Puccio

Oppose: None

**Peter VanAlstyne Z667-08/RA/226.-1-3 RECOMMENDATIONS TO THE ZBA
592 Muitzeskill**

Proposed - foundation setback location

Mr. VanAlstyne senior was present for present for this meeting.

Mr. Puccio asked if the home is set 2.3 feet into the 50 foot right away.

Chairman Goold stated that is correct the foundation location is in the 50 foot right of way.

Applicant agrees to attend the Zoning Board Meeting on June 19, 2008.

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

SUBDIVISION

**Shelly Clarke and Anthony DeFrancesco
Morris Road
Proposed - 4 Lot Subdivision**

2008-19/RA/179.-5-16

Shelly Clarke and Anthony DeFrancesco, applicants were present for this meeting.

Mr. Johnson asked Attorney Nugent if lot number 3 is considered a flag lot.

Attorney Nugent stated it could be. The way this plan is laid out it creates a narrow strip of land instead of having the full radius.

Mr. Laberge stated this looks to have 52 linear feet for the proposed right of way, which is less than the required frontage.

Attorney Nugent stated for a flag lot the required frontage is 50 feet.

Mr. Johnson stated this could be done as a pie shaped flag lot with the required 200 feet of frontage at the 50-foot setback line.

Mr. Laberge asked about the storm water management system, and how they would handle this item.

Mr. DeFrancesco stated this will not be a town road, its to be a privately owned cal-de-sec.

Mr. Laberge stated that a private driveway would require a number of variance. who would retain ownership of this road/driveway.

Mrs. Fuda stated that unless this is a town road this would need several variances. One variance needed is for the lack of frontage, and with the existing frontage you could get two lots one in the front using 200 feet and one lot in the back as a flag lot using the last 50 feet as access.

Mr. DeFrancesco stated that this concept can be changed to the pie shape cal-de-sac with one main drive, as for the drainage, the ground is all gravel with very good drainage.

Mr. Laberge stated the storm water regulations require detaining some of the runoff of water. And the quality of that water, Once you start to disturb the land for example homes, driveways ect, the runoff increases. He asked the board what they want to do and what is required of the applicant.

Shelly Clarke and Anthony DeFrancesco Cont..

Mr. Puccio asked exactly what are they planning for this property.

Mr. DeFrancesco stated lot 1 will be Ms. Clarks home, lot 4 will be his home and lots 2 and 3 will be left for their kids.

Mr. Puccio asked Mr. Laberge what can the board do to help them achieve their goal.

Mr. Laberge stated he recommends the applicant go back to their design professional and further discuss their options and submit other plans informally to Mrs. Fuda so that it can be reviewed before the next meeting.

Attorney Nugent stated they need to focus on the zoning codes and what variances they will need to address. And suggests to contact Mrs. Fuda on any questions they may have before taking this back to the design professional.

Mr. Johnson stated the proposed road looks to be an easement instead of a town road, and asked Attorney Nugent if the easement had to be owned by one property or would all properties claim ownership.

Attorney Nugent stated that is something the applicant needs to work out. The way it is shown tonight it is a town right-of-way, making it a fifth parcel which is not attached to any of the properties. There are less variance needed if the road is listed as an easement with one ownership and three other deeds listing the easement.

Members further discuss the ownership of the easements and other items the applicant needs to work out on their map, before the next meeting.

Applicant agrees to review their plans and come back at a later date.

Pinecrest Estates 2008-11/RA/210.-4-8.122 SUBDIVISION
Robert Kohler
Shufelt Road
Proposed - 5 Lot Subdivision

Robert Kohler, Applicant and Chris Meyers, surveyor were present for this meeting.

Pinecrest Estates Cont...

Chairman Goold spoke to the board on the memo from Mrs. Fuda regarding the Schodack Valley Fire Co. acknowledgement of the 40 foot radius for the cal-de-sec.

Mr. Laberge spoke about his letters dated April 29, 2008 and June 2, 2008. And determined that most of the items have been covered. Remaining comments that need to be finalized are.

- No further subdivision will be allowed on the 4 estate lots.
- Easements still need to be submitted for review to the town on the driveway. And the draft deeds need to be submitted as well.

He recommends this proposal go to a conditional final approval and the paper work can be worked out between himself and Attorney Nugent.

Mrs. Fuda stated that she spoke to Jim Bult the Second Assistant Chief with the Schodack Valley Fire Department; they were very pleased with the 40 foot radius that is to be installed as well the posted house numbers listed at each driveway. (this MEMO is part of this file)

Mr. Puccio asked about Mr. Laberge's letter that no future subdivisions for the 4 large lots will be considered. In addition, wanted to know how the town will make sure that this land will not be subdivided.

Attorney Nugent stated that restrictions would be listed in the deeds and on the final maps stating that no future subdivision will be permitted for these estate lots, the deeds will then be submitted to the county clerks office for filing.

Mr. Johnson asked that on lot #3 the lot lines be adjusted, the existing lot line is very dark and goes through lot #6, this line needs to be toned down so there is no confusion now and in the future as to what this line truly represents.

Chairman Goold asked for any additional comments and reminded the board that they have a recommendation to grant a final conditional approval from the planning board engineer Mr. Laberge.

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

Pinecrest Estates Cont...

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

WHEREAS, a formal application was submitted to the Planning Board on: March 5, 2008 , for approval of a 5 -lot subdivision entitled, "Pinecrest Estates", map prepared by: O.J. Meyer and Son , dated "March 5, 2008", and revised May 29, 2008

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on May 19, 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 Robert Kohler 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 Laberge Letter dated June 2, 2008 .Attorney Nugent requested amendments be made to the June 2, 2008 letter by Mr. Laberge. Specifically comments 2,3, and 4. See revised letter below.

Laberge Letter Dated June 2, 2008

We are in receipt of a subdivision plat dated March 5, 2008, last revised May 29, 2008 from O. J. Meyer & Son along with a two page document entitled "Restrictions to be placed on Subdivision Map and in Deeds" for the above referenced project. The majority of our comments from our April 29, 2008 letter have been addressed and we understand the applicant's attorney has been in contact with the Planning Board Attorney.

We have reviewed the potential for future connection of this parcel with other surrounding parcels and have determined that the need for a possible future connection is not likely to be feasible. Furthermore, since the proposed common driveway is not a proposed Town Right of Way, we do not recommend reserving any future connections.

Therefore, we recommend the Planning Board grant final approval conditioned on the following subject to completing SEQRA and any other concerns the Board may have:

Pinecrest Estates Cont..

- 1) A note indicating "No further subdivision of Lots 2, 3, 4 & 5 will be allowed."
- 2) Reciprocal easements suitable for filing at the Rensselaer County Clerk's Office be submitted for review by the Town.
- 3) Maintenance covenants suitable for filing at the Rensselaer County Clerk's Office be submitted for review by the Town.
- 4) Draft deeds for Lots 2, 3, 4 & 5 suitable for filing at the Rensselaer County Clerk's Office be submitted for review by the Town.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Adelphi Manor 2006-36/RA/188.-7-8.111 **PUBLIC HEARING**
Jensis Road
Proposed - 3Lot Subdivision
Changed from- 7 Lot Subdivision

Nadine Fuda read the hearing notice(s) as published in the Troy Record:

Title of the project published March 5, 2007

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

PUBLIC HEARING- SETUP

Chairman Goold opened the public hearing at 7:45 p.m.

Chairman Goold asked if there were any questions or comments from the public or the board members.

Attorney Nugent asked about the length of the flag lot.

Adelphi Manor Cont...

Chairman Goold stated the flag lot driveway is about 600 feet.

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

WHEREAS, a formal application was submitted to the Planning Board on: September 7, 2006 , for approval of a 3 -lot subdivision entitled, "Adelphi Manor", map prepared by: Todd Development on May 2008 and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on June 2, 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 Todd Development Corp. 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,

- Lot #3 (Flag lot) not to exceed 600 feet

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

ADJOURN

Kedzierski moved, LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairman Goold adjourned the meeting at 8:09 p.m.

Respectfully submitted,

Nadine Fuda
Director of Planning & Zoning

Paul Puccio updates the Comprehensive Plan:

Mr. Puccio updated the board on the comprehensive plan, He and Mr. Laberge from the Laberge Group have constructed a stakeholder questioner. And are waiting on feedback.

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