

**PLANNING BOARD MEETING - FEBRUARY 2, 2015
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

PRESENT

Denise Mayrer, Chairwoman
Wayne Johnson
John LaVoie
Lawrence D'Angelo
Paul Puccio
Andrew Aubin
James Shaughnessy
Nadine Fuda, Director
Attorney Robert Linville, Esq.
Richard Laberge, Planning Board Engineer

MEMBERS ABSENT

APPROVAL OF MINUTES — January 5, 2015

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

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

PUBLIC COMMENT

None

TIMBER HARVESTING / SPECIAL PERMIT Public Hearing

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

Title of the project published January 24, 2015

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

Public Hearing Opened at 7:00 p.m.

Public Hearing Closed at 7:06 p.m.

Kyle Mitchison

2015-1/RA/220.-5-1

Co. Rte. 32

Proposed- Timber Harvesting

Kyle Mitchison, applicant was present for this meeting.

Mr. Mitchison stated he is looking to do clearing on approximately 3 acres to extend the existing farm field and limit cutting will be done on approximately 15.64 acres with trees in diameter of 12 inches. The selection cutting will be done on the northeastern strip between the property border and power lines.

Chairwoman Mayrer stated they have 35.64 acres but the harvesting and clear cutting will take place on 18.65 acres.

Mr. Mitchison stated correct.

Mr. Puccio asked how much of the area is wooded.

Mr. Mitchison stated the acreage is already cleared to the power lines it is just the other field.

Mr. Johnson asked about the access road and the landing for the cuttings.

Mr. Mitchison stated the access road if the existing road to access the farm.

Mr. Johnson stated there needs to be 25 foot buffers all around the property line.

TIMBER HARVESTING

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

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

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

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

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

- a bond in the amount of \$1200.00 will be required.
- this permit will expire on: January 1, 2016
- Attorney Linville will draft a document for Chairwoman Mayrer's signature. The document shall include: hours of operation, Monday through Friday, 7 a.m. to 5 p.m., Saturday, 9 a.m. to 5 p.m. with no harvesting on Sundays and holidays.

- The Forrester agrees to use the New York Best Management Practices.
- There will be a 25' buffer on all adjacent properties.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

SITE PLAN

Christakts Mikilliats/ 9&20 Diner

2015-3/HC/189.-10-15

1842 Columbia Turnpike

Proposed - Change of Tenancy (9 & 20 Dinner)

Christakts Mikilliats, applicant was present for this meeting.

Chairwoman Mayrer asked the applicant to explain what they plan to do with the dinner.

Mr. Mikilliats stated they would like to reopen the 9&20 dinner as a restaurant and will be serving American, Italian and Greek food. He would like the hours to be to midnight. The only thing he is requesting is to raise the sign higher to be seen from the road.

Mr. Puccio asked if he had been in the restaurant business before.

Mr. Mikilliats stated yes he used to live in Kingston and managed a restaurant there.

CHANGE IN TENANCY

Puccio moved, Aubin seconded **APPROVAL** of a change in tenancy at

1842 Columbia Turnpike

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

SITE PLAN

Robert Phelps and Jason Don

2015-2/HC/210.-7-31.172

1222 US Rte. 9

Proposed - Change of Tenancy

Robert Phelps and Jason Don, applicants were present for this meeting.

Chairwoman Mayrer stated the applicant want to purchase the property at 1222 US Rte. 9 and move their roofing business there.

There were no questions for the applicant.

CHANGE IN TENANCY

LaVoie moved, Puccio seconded **APPROVAL** of a change in tenancy at 1222 US Rte. 9.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

SITE PLAN

MJ Engineering and Land Surveying

2014-37/PD-3/178.-12-21

7 Empire State Boulevard

Proposed - 20,000 SQFT Medical Office Building

Applicant was not present for this meeting.

Mr. Laberge spoke about his letter (see below)

Laberge Letter Dated January 28, 2015

Concept Review

7 Empire State Blvd.

SPB # 2014-37

We are in receipt of a conceptual site plan dated December 2, 2014, architectural rendering dated January 5, 2015 and a project narrative dated December 24, 2014 for the above referenced project. We offer the following:

- 1) The project is in an area which was the subject of a Final Generic Environmental Impact Statement and Statement of Findings adopted by the Town of Schodack on December 29, 1998. The project is in a PD3 zone and requires site plan approval. It is an allowable use per the Findings Statement.*
- 2) The project lies in the Direct Recharge Area as defined by the Town's Water Quality Control Act as will require a special permit be issued. The applicant should incorporate necessary requirements of S223 of the Town code.*
- 3) The applicant should verify the Finding Statement requirements have been met including but not limited to the following:*
 - a) Traffic issues are analyzed. The applicant is referred to Laberge Group's letter dated May 15, 2012 regarding the traffic impact for a similar*

proposal on the north side of Miller Road. A copy of the letter has been sent to their Engineer.

- b) Contact with all emergency services with primary coverage responsibility.*
- 4) The Findings Statement gives the Board license to direct architectural, landscaping, and other aesthetic qualities of the proposal. The building aesthetics appear adequate for the development, and a more detailed landscaping plan will be required as part of the preliminary/final submittal. A rendering or perspective of the rear of the building from the point of view of a car on the highway may be helpful for the Board to ascertain the view from I-90.*
- 5) Prior to a public hearing, the plan should be revised as follows:*
 - a) The location of I-90 ROW, the nearest travel lane and the power lines should be shown.*
 - b) North arrow should be added.*
 - c) A subdivision location map should be added in order to show the location of the project in the subdivision.*
 - d) Site coverage statistics should be added along with zoning, parking requirements, building height, etc.*
- 6) The applicant should verify the requirements of the approved subdivision as it pertains to a requirement to construct Atlantic Drive. It appears the filed subdivision map includes Atlantic Drive as a Phase 3 requirement and the proposed plan appears to infringe upon the Atlantic Drive right of way.*
- 7) The applicant is proposing to build 100 of the required 133 parking spaces based upon their experience with similar facilities. The applicant should provide details of similar facilities with sufficient information for analysis. Also, the concept plan should be revised to show the location(s) and configuration of the banked spaces.*
- 8) The location of the following should be shown:*
 - a) Waste and recycling areas;*
 - b) Any outdoor storage;*
 - c) Any ground mounted equipment;*
 - d) All exterior exits;*
 - e) Wetland boundaries; and*
 - f) Open space boundaries.*
- 9) Given the depressed location of the site from I-90 and the proposed use of roof top HVAC units, the applicant should visually screen the building as much as possible including consideration of the following: additional plantings on the proposed site; and, planting on NYSDOT Right of Way to gain additional height for the screening.*
- 10) The applicant should provide a pedestrian connection to the street.*
- 11) Site lighting heights should be lowered to a maximum of 20' high to be more in scale with the building design.*

- 12) *An easement from the adjoining parcel will be necessary based upon the proposed driveway alignment. The approximate grade of the driveway should be noted.*
- 13) *The location and approximate size of Stormwater management facilities should be shown of the concept plan. A Stormwater Pollution Prevention Plan (SWPPP) will be required with the next submittal.*

SITE PLAN MODIFICATION

Brian Hart Site Plan Modification
1525 Rte. 9&20
Proposed - Site Plan Modification

2015-5/HC/178.9-2- 4.1

Steve Hart, Hart Engineering was present for this meeting.

After discussing the lot line, the new trailers, the property possibly being purchased and solely owned by Brian Hart. The decision was made for the following.

- 1 - no outdoor storage
- 2 -two trailers are to be removed.
- 3 - Minimum easements need to be filed with the county.

SITE PLAN MODIFICATION

Puccio moved, LaVoie seconded **APPROVAL** of **SITE PLAN MODIFICATION**.

Condition: the removal of the two new trailers

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

SITE PLAN

Hart Engineering
US Rte. 9
Proposed - Sports Center

2011-44/PD-3/200.-9-6.12

Steven Hart, Applicant was present for this meeting.

Mr. Laberge spoke about this project which stated back in 2012, and his letter dated January 28, 2015. (See Below).

Mr. Hart stated Mr. Laberge covered the entire project and they concur with all his comments from the Laberge letter dated January 28, 2015, and there are still some things they need to look at such as parking, water and sewer/septic. They have gotten approved for their DOT curb cut and he will make sure all data is turned into the town.

Mr. Johnson asked if there were ball fields still planned.

Mr. Hart stated all the ball fields are on top of the septic fields.

Mr. Johnson asked if the field parking would be in addition to the main building.

Mr. Hart stated correct.

Laberge Letter Dated January 28, 2015

Concept Plan Review

Rte 9 Sports-Plex

SPB # 2011-44

Town of Schodack Planning Board

We have completed a concept review of the above referenced project at the applicant's request. We note that the plan set reviewed was advanced beyond that normally submitted for concept review. As such, we have limited our comments to those typical of concept reviews. The plan set reviewed was last revised November 4, 2013. We offer the following:

- 1) This project is in a PD3 zone and is an allowable use as a Health/Recreation facility.*
- 2) The project received a State Development permit in December 2012 after a Stormwater Pollution Prevention Plan was approved and a NYSDEC Stormwater SPDES permit issued. Grading operations under that permit are approximately 75% complete.*
- 3) The project requires Site Plan approval and a Special Permit under the Town's Water Quality Control Act since it lies in the Direct Recharge Area of the Schodack Terrace Aquifer.*
- 4) The applicant is proposing to screen the building from adjoining properties and by maintaining a limit of clearing well away from the property line. In addition trees are planned in front of the building and around the sides. Rain guards are proposed adjacent to the front and rear of the building to assist with stormwater management.*
- 5) The project is proposing septic fields and is presumed to be served by a private well although a connection is shown to a water main. No water main exists in the ROW. Rensselaer County Department of Health approval will be necessary for both the septic and well.*
- 6) A revised SWPPP for the project will be required since the existing SWPPP was only for the preliminary grading operations.*
- 7) A parking analysis is required to validate the number of spaces provided.*
- 8) The applicant should confirm:*
 - a) Whether there will be any outside storage;*
 - b) The proposed height of the building;*

- c) *The height of the proposed lamp posts;*
- d) *The location of any other ground mounted equipment; and*
- e) *NYS DOT's acceptance of the driveway location.*

Puccio moved, LaVoie seconded **APPROVAL** to continue with the site development permit.
7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

LOT LINE

Brian Hart & Eric Hart
1515 & 1525 Rte. 9&20
Proposed - Lot Line

2015-4/HC/178.9-2-2&4.1

Steve Hart, Hart Engineering was present for this meeting.

Mr. Puccio asked Mr. Hart to explain what this request is for.

Mr. Hart stated one building is under construction and with the construction a lot line is needed between Eric Hart and Brian Hart to accommodate the addition.

Mr. Puccio asked if the building exists.

Mr. Hart stated it is under construction.

Mrs. Fuda stated it was under construction it now has been issued a stop work order.

Mr. Johnson asked if the issue with the trailers have been addressed.

Mr. Hart stated he has been in contact with Mrs. Fuda and as of today he is not sure.

Mrs. Fuda stated the trees have been planted the issue is corrected but being monitored.

LOT LINE ADJUSTMENT

Johnson moved, Puccio seconded that the lot-line adjustment be accepted and approved.
A public hearing is not required. The property will be conveyed to the adjacent landowner and become part of that existing parcel.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Puccio, Shaughnessy

Oppose: None

MEMBER DISCUSSION

Mrs. Fuda stated to the board the letters placed on the counter are on the solar laws. Also the paperwork on the Capitol Regional Planning classes and if you would like to attend please get back to her so she can submit the paperwork.

Mr. Puccio stated the building department has been seeing a lot of permit request for solar collectors to be installed in a variety of places. And as a town we need some degree to both encourage opportunities for alternative energy sources and at the same point in time control how it is that these things are constructed and built in the town. So a committee has been set in place with Zoning Chairman David Calarco, Planning & Zoning Director Nadine Fuda, and Nicole Allen from Laberge and himself. This committee is looking at and restricting the zoning code. And they were asked to specifically look at solar collectors the document you have is basically a reflection of what it is they have done so far. They have considered looking at these solar collectors accessory structures so that they will fall under all the codes that exist for accessory structures that limits the number of accessory structures on any given property too two. They have another meeting to discuss this next week with hope to submit this to the town board at their next meeting.

ADJOURN

Aubin moved, Johnson seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:20 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning