

DRAFT

PLANNING BOARD MEETING - AUGUST 17, 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 — JULY 20, 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

Resident spoke about SEQRA and the process he feels needs to be taken for this project.

Ms. Tooher, Attorney representing Ridgewood Drive, stated that Project Red still has not been identified and stated this is a violation of foil, open meetings law, and stated that it is a requirement of the town to honor that request and disclose the applicant's name. Also stated the application is incomplete and a new public hearing is required at Completion of said application.

PUBLIC HEARING

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

Title of the project published **Month Day, 2015**

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

Public Hearing Opened at 7:09 p.m.

Public Hearing Closed at 7:11 p.m.

Richard Hilbert Solar
1562 Carney Road
Proposed- Ground mounted solar

2015-27/R40/199.-6-26

Edward Shambeau, Monolith Solar was present for this meeting.

Mr. Shambeau asked if the board had any questions on this proposed ground mount solar project.

Mr. Lemka asked what the square footage of this project is.

Mr. Shambeau stated 542 sq. Ft.

SPECIAL PERMIT

Puccio moved, Johnson 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

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

7 Ayes, 0 Noes Motion carried.

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

Oppose: None

Puccio moved, Aubin seconded that the **SPECIAL PERMIT** be: **GRANTED** for a period of **2 YEARS**

7 Ayes, 0 Noes. Motion carried.

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

Oppose: None

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

Title of the project published **Month Day, 2015**

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

Public Hearing Opened at 7:15 p.m.

Public Hearing Closed at 7:24 p.m.

May Frazee
Champagne Dr.
Proposed - Two lots and lot line Subdivision

2015-23/PD-3/200.-9-1.1

Steve Hart, Hart Engineering was present for this meeting.

Mr. Hart spoke about the 2 lot subdivision and the lot line that was previously before the board, they had gone before the zoning board and obtained a variance on the two residential lots with frontage on Champagne Drive.

Mr. Johnson stated he wanted to make sure the lot line adjustment transfer was done before the two building lots are sold so that percale does not become land locked. Can that be done?

Mr. Hart stated that should not be an issue to file the deed with the county prior to the selling of the other two lots.

SUBDIVISION / LOT LINE

LaVoie 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, LaVoie seconded a **NEGATIVE DECLARATION**.

7 Ayes, 0 Noes. Motion carried.

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

Oppose:

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

WHEREAS, a formal application was submitted to the Planning Board on June 8, 2015 , for approval of a 2-lot subdivision and A lot line adjustment entitled, " May Frazee", map prepared by: Hart Engineering, dated "June 3, 2015", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on August 17, 2015 at 7:15 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 May Frazee be **APPROVED CONTINGENT UPON the lot line deed conveying lot 3 to the lands of Donald Hart before the subdivision maps are filed with the county**. 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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: none

RECOMMEND TO THE ZBA

Georgette Byers

Z741.15/R-20/188.-2-3-.116

Circle Dr. & Johns Ln.

Proposed - Lot line

Richard Tice, Brewer Engineering was present for this meeting.

Mr. Tice stated he is here resubmitting this lot line because there was a mistake made with the survey. The error in question is a 5 foot strip along the south line which removes approximately 1000 sq. ft. from the lot. The lot is 25,711 sq. ft. which is about the average lot size in the neighborhood. They felt it was inappropriate to move forward to the Zoning board prior to reappearing before you the planning board with a new corrected map. So he is re-requesting approval to the ZBA for this lot line adjustment.

RECOMMENDATIONS TO THE ZBA

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

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Michael Presti

Z742-15/RA/218.-5-4.12

500 Knickerbocker Rd

Proposed - side yard setback

Michael Presti, applicant was present for this meeting.

Mr. Presti stated he is here looking for a 14 foot side yard setback for a 24 foot addition to his home.

He is looking to put a 24 x 24 addition on the side of his home and a 14 foot side yard setback variance is needed, he is looking for a favorable recommendation to the ZBA.

Mr. Johnson asked about the letter from the health department, stating they did not think the existing septic is adequate for the addition. Have those questions been resolved.

Mr. Presti stated all the septic issues are being taken care of through the department of health; he is currently having plans drawn up to renovate the entire septic system.

Mrs. Fuda stated he cannot get a building permit without a permit to construct from Rensselaer County Health Department.

RECOMMENDATIONS TO THE ZBA

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

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

SUBDIVISION / SITE PLAN/ SPECIAL PERMIT 223

Project Red/ R.J. Valenty 2015-14/PD3/189.-10-40.13

1710 Schodack Valley Rd

Proposed - 2 Lot Subdivision/ Site Plan / Special Permit 223

Steve Boisvert, and Eric Redding form Bergmann Assoc. were present for this meeting.

Mr. Laberge stated to Chairwoman Mayrer that for the purpose of discussion tonight on the subdivision, site plan and special permit could probably be discussed all together, but he points out that his comment letter dated August 12, 2015 on the proposed alignment of the future road around the site on the corner of the proposed subdivision is a tight curve and needs to be looked into and needs to be addressed.

Mr. Boisvert spoke about the Laberge letter dated August 11, 2015 (see below) he also went over their response letter from comment letters that resulted from the public hearing held on June 15, 2015 (see file)

Mr. Puccio asked if the applicant has applied for tax abatements.

Mr. Boisvert stated to his knowledge as of today no.

Mr. D'Angelo asked if they could get a list of products the company will be distributing.

Mr. Boisvert stated he will look into getting the list but as previously stated this facility services restaurant industry.

Mr. Boisvert spoke about the Laberge letter and the future expansion (See file).

Mr. Johnson asked about the easement and when they were going to make a decision on the granting of the easement for the back property.

Mr. Boisvert stated he has been talking to Mr. Laberge about the design of the plans and the road for the easement.

Mr. Puccio asked if the 9 & 20 Associates were land locked without this easement.

Mr. Boisvert stated no they have access through a large wetland off of Route 9.

Mr. Puccio stated then this easement is needed.

Mr. Boisvert spoke about the updated traffic impact study reflecting the new speed limit of 45 miles per hour. The original study was done before the change in speed limit, DOT stated for them to update the existing study.

Mr. Shaughnessy asked about the site distance and the shaving of the berm.

Mr. Boisvert stated the existing berm is about 30 feet high and they are not taking down the height just making a steeper grade for better site distance coming over the hill.

August 11, 2015 - Laberge letter.

*Re: Review of Revised Preliminary Information
Project Red
SPB No. 2015-14
Town of Schodack Planning Board*

We are in receipt of a response to our previous comment letter of June 9th, 2015 consisting of:

- A set of plans last revised July 29, 2015 consisting of 23 sheets.*
- Updated portions of the Environmental Assessment Report.*
- Updated portions of the Storm Water Pollution Prevention Plan (SWPPP).*
- Future Roadway Exhibit.*
- Construction Plan Narrative.*
- Exterior Building Elevations.*

In addition we have received:

- Letter from Bergman Associates dated August 11 regarding comments made at the public hearing.*
- Noise Analysis Memorandum dated August 2015.*
- Email to Fire Department dated July 9, 2015.*
- Revised Lighting Plan Revised August 11, 2015.*

- *Signed FEAF dated August 11, 2015.*

We offer the following comments:

- 1. The project is located in a PD3 zone and is a permitted use as a Sales Distribution Center in that zone. No fueling or maintenance facilities are proposed with the exception of a wash station for the interior of the trailers. The project is looking to subdivide off a 32.5 acre parcel for the facility from a 56 acre parcel. Both parcels will be greater than the minimum lot area of ten acres in the PD3 zone. Subdivision and plan approvals are required.*
- 2. The project is a permitted use under the Town of Schodack's Water Quality Control Act. A special permit is required. Use is subject to the conditions of §223-6C (1) and §223-8.*
- 3. Clarification on the number of truck trips is needed. The applicant should verify that the information provided in Bergman's letter dated August 12, 2015 regarding the number of truck trips is for the full build out.*
- 4. The architectural elevations submitted appear to be for the initial phase of the building. More information of the full buildout should be submitted.*
- 5. A park land fee will be due at the time of site plan approval.*
- 6. The building elevations indicate that there are wall mounted fans on the rear of the building. These are not mentioned in the noise analysis. The applicant should confirm they were included, or revise the noise analysis memo accordingly.*
- 7. NYSDOT has commented on the TIS via an August 3 email to Bergman Associates (see attached). Acceptable responses to their comments are required.*
- 8. All documents must be stamped and signed by a professional surveyor/engineer licensed in New York State prior to final approval.*
- 9. The preliminary grading plan for the future driveway on the remaining lands show that grading will be required on the lands of Project Red. As such, grading easements are required.*
- 10. The radius of the tight curve in the proposed driveway should be increased.*
- 11. Spot elevations to illustrate the grading of the truck wash area will prevent stormwater from entering the sanitary sewer have been added to sheet C111, but no elevation data is shown.*
- 12. 20' wide utility easements to the Town have been shown for the water and sewer lines to a point approximately halfway between manholes 6 and 7. In addition a 30' wide utility easement to the Town has been shown extending southerly to the property line. This 30' easement should be shifted east so that the proposed water main for fire protection does not fall within it.*
- 13. A water meter of appropriate size is needed where the water main leaves the easement to the Town and becomes private.*
- 14. The project will be required to provide a five year performance bond for 10% of the landscape contract value to ensure that plantings survive and natural areas are properly maintained.*
- 15. The drywells in the infiltration basin should conform to the detail shown on C504*

not the elevations given on the grading plan. An additional drywell is needed in Infiltration Basin 2, and both sets of drywells should be interconnected with perforated pipe for equalization should one of a pair become silted in.

- 16. The applicant's engineer has indicated that the lighting discussed and proposed in the traffic report for the driveway intersection with NYS Rte 150 will be submitted under separate cover. This should be submitted as part of the final submittal.*
- 17. The location of a monument sign has been shown. The applicant should indicate whether it will be illuminated internally or by full cutoff down lighting.*
- 18. Regarding the Storm Water Pollution Prevention Plan revised July 29, 2015, Appendix 1, Section VIII, D., an impermeable containment area should be shown on the Plan with appropriate details if equipment cleaning, maintenance, and repair are to occur on-site. In addition, a means for removal of wash water by a licensed hazardous waste hauler will be needed. Alternatively, these activities can be prohibited. The SWPPP should be revised accordingly.*
- 19. Regarding Appendix 19 Stormwater Management Report:*
 - a) Existing Conditions DR-A, composite CN should be recalculated using CN=76.*
 - b) It is not clear on the existing conditions map how DR-A fully drains to Analysis Point #1. Provide a revised map with additional flow path arrows to demonstrate that the areas do drain to the swale along NYS Rte 150.*
 - c) Analysis Point 2, flow length from the most remote point to the analysis point is not accounted for in the Tc analysis. The flow length to Analysis Point 2 must be used in the calculations.*
 - d) Indicate the location of test pits TP-50, 60 and 60A on the plans.*
 - e) Additional test pits and percolation tests are required in the proposed basins and drywell areas to prove that infiltration can be utilized successfully.*
 - f) Designs should be presented for the Rip Rap outlets protection, size, and configuration. A table should be presented on the drawing indicating this information for each outlet.*
 - g) Provide sign details for the post-construction Stormwater management practices in compliance with New York State Stormwater Management Design Manual, Chapter 3, Section 3.5. In addition, the required warning signs should be detailed.*

All agree to continue with engineering review.

SITE PLAN

MJ Engineering and Land Surveying
7 Empire State Boulevard
Proposed - 20,000 SQFT Medical Office Building

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

Joe Bianchi, P.E., MJ Engineering was present for this meeting.

Mr. Bianchi spoke about the changes to the plans, after further testing they found the soils to be very unfavorable for the original plan location and had to relocate to a different part of the site. So what that has done was move the building back the parking to the front and side of the building, stone land scraping and islands in the front parking area. See file for details in file.

Mr. Shaughnessy asked why the ground was not capable of maintaining a one story building.

Mr. Bianchi stated it is both a bearing and a settlement issue. This looked to be a dump site from the construction of I90.

Mr. Johnson asked about the 101 parking spaces no sure if it's correct.

Mr. Bianchi stated they have 101 permanent parking spaces and 32 banked parking spaces.

Mr. Johnson stated the banked parking spaces on the upper right of the map are located on a bank slope. Are you going to build a wall if you ever do need the parking?

Mr. Bianchi stated if the banked parking is needed then yes some sort of retaining wall will be needed.

Mr. Johnson stated but you do not want to build a wall to put in a sidewalk.

Mr. Bianchi stated that wall is larger than the parking retaining wall.

Chairwoman Mayrer stated this is a major change to the site plan and needs further engineering review from the board's engineer. And will require more engineering and another public hearing set for September 21, 2015.

SITE PLAN

Stewarts Shops
New Road and Rte. 20
Proposed - Retail Store w/ Gas Sales

2015-24/HC/211.-2-10.2

Chuck Marshall, Stewart Shops Corp was present for this meeting.

Mr. Marshall stated the overall application has not really changed they are still proposing a 3672 sq. Ft. building with 4 fueling positions with 8 fueling locations total, they are requesting referral to the zoning board for both the signage and water quality. They have submitted a gas installation narrative to Mr. Laberge. It is ahead of DEC standards for gas operations so they are hopeful the zoning board will grant that variance. The other variance required is for signage, in an effort to reduce the sq. footage for the free standing sign they proposed additional diesel pricing on the gas canopy which put them over the number of signs allowed so they revised the plans to have a larger free standing sign and no pricing on the canopy.

Mr. Marshall spoke about the Laberge letter dated August 12, 2015 (see Below) they have begun the process with DOT and DEC, they have not reached out to emergency services but will be doing so shortly.

Mr. Johnson spoke about the lighting and the canopy and the need to keep it on site, and questioned the drainage.

Mr. Laberge stated he will be taking a look at the drainage but he did not have time to review the SWPPP in time for tonight's meeting and he will coordinate with DOT to see if they have any concerns.

All agreed to schedule this for a public hearing on September 21, 2015.

SITE PLAN- APPROVAL

Puccio moved, LaVoie 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

August 12, 2015

Re: Concept/Preliminary Review

Stewart's - New Road

SPB # 2015-24

Town of Schodack Planning Board

We are in receipt of preliminary plans dated June 22, 2015 (received August 11, 2015) including architectural elevations, a Stormwater Pollution Prevention Plan (SWPPP) dated August 11, 2015 and information regarding the petroleum storage and dispensing dated August 10, 2015 for the above referenced project. The plans are sufficiently advanced that we have reviewed more than conceptual items at this time. We offer the following:
General

- 1) *The project is in the HC zone and requires site plan approval. It is an allowable in the zone.*
- 2) *The project lies in the Direct Recharge Area as defined by the Town's Water Quality Control Act (WQCA) which prohibits gas sales. The applicant has indicated that they intend to seek a variance under WQCA. If received then a Special Permit under the WQCA will be necessary and the plans should incorporate other requirements of §223 of the Town Code.*
- 3) *The applicant should contact all emergency services with primary coverage responsibility to solicit their comments/approval of the plan.*
- 4) *Coordination with NYSDOT shall be initiated regarding their requirements for the proposed curb cut location. NYSDOT approval is required.*
- 5) *NYSDEC approval for the petroleum storage and dispensing is required.*
- 6) *The applicant is proposing to extend water from McClellan Road; as such they should request a Water District extension from the Town Board. All mains should be a minimum of 8" in diameter and the proposed hydrant should be moved to the end of the proposed main on New Road to promote flushing.*
- 7) *The plans should note that curb stops and hydrant type shall be approved by the Town Water Department.*
- 8) *All lighting shall be full cut-off, down lighting and should be limited to no more than 16' from the ground elevation.*
- 9) *Consideration should be given to redoing lighting levels in the rear of the building.*
- 10) *The applicant is proposing a free standing sign and two wall mounted signs; one on the main building; and a Diesel pricing sign on the canopy. While these two wall signs are within the square footage allowance, §219-43 allows only one wall sign. The applicant should remove one sign or apply for a variance for the two.*
- 11) *The SWPPP/Stormwater management report identifies this project as a a redevelopment site. As such, no retention is proposed. We will review the SWPPP in a separate letter.*

WQCA Variance

As part of our project review we have reviewed the information presented by the applicant as it pertains to a potential variance under the Town's Water Quality Control Act to allow gas sales. Specifically, we have reviewed the containment aspects of the proposed petroleum storage and fueling facilities with respect to whether the health and safety of the public will be protected and that NYSDEC water quality standards will not be violated by granting a variance.

The applicant proposes gasoline and diesel retail sales. Information regarding the storage tanks and their containment, double walled piping and sumps has been provided which meet NYSDEC current standards. After review of the information submitted we believe that adequate spill protection and detection is provided for these facilities. The one area that

still requires attention is the possibility of spills during the transfer activities that occur on site:

- 1) Transfer of gasoline from the dispensers to retail customers.*
- 2) Transfer of diesel fuel from dispensers to retail customers.*

In order to mitigate the potential contamination from possible spills during these transfers, a containment pad for the diesel island has been incorporated into the design and the applicant has designed the gasoline fueling area to drain to an oil/water separator.

Therefore, we believe the Planning Board can recommend approval of a variance conditioned upon the above containment methods being incorporated into the site plan.

SEQRA

The project is an unlisted action and a coordinated review should be commenced with involved agencies. In addition, the plan should be sent to the County Planning office as a GML 239 referral.

Closing

We recommend the following actions to the Planning Board at this time:

- a) Declare intent to seek Lead Agency status under SEQRA and direct the Planning Director to initiate a coordinated review.*
- b) Direct the Planning Director to send the application to the County Planning department for the GML 239 review.*
- c) Make a positive recommendation to the Zoning Board of Appeal regarding the granting of a variance from the WQCA to allow gas sales, subject to the other conditions of the WQCA.*
- d) Make a recommendation to the Town Board for extending the water district to this location at the expense of the applicant.*
- e) Direct the applicant to provide information and revise the plans in accordance with the above.*

11. Dagen Trucking
Empire State Blvd.
Proposed - Corporate Center

2015-25/PD3/178.-12-24

Engineering

Eric Redding, Bergmann Associates was present for this meeting.

Mr. Redding stated he's here to present the building architectural design for the Dagen Trucking headquarters project. The design is consistent with the other building in the Capitol Corporate campus. (See file for designs plans). The building consists of a brick front, windows along the office portion of the building; the balance of the building is going

to be beige metal panels and overhead doors. He is looking for any comments from the board.

Mr. Puccio asked what was going in the storage building considering there is only one bay.

Mr. Redding stated they transport very large equipment for GE. like turbines and such.

Mr. Puccio asked will there be more access and egress to the storage area.

Mr. Redding stated there are four, one on each side and on each end.

Mr. Laberge stated the applicant is submitting this so the board can give their thoughts on the design. He is also looking for any feedback on this concept.

Mr. Johnson stated he is concerned with the view from the highway. It's a large wall could you put a horizontal color stripe to break it up.

Mr. Redding stated he would look into it.

Mr. Johnson asked about the turn radius and the planned changes from Empire Blvd. to Miller Road.

Mr. Redding stated they are looking into that, a full site plan has not been submitted as of yet as well as traffic in and out of that area.

Mr. Puccio stated he is on the board of Questar and that parking lot is not used much and the back parking is never used. So losing 10 or so parking spaces would not be an issue.

Chairwoman Mayrer asked what if anything is being stored outside the building.

Mr. Redding asked Mr. Dagen to respond. He stated not much if anything.

Mr. Aubin asked if the trucks themselves are stored off site.

Mr. Dagen stated they will be on site as well as about 15 trailer beds.

There were no more questions or comment, this will continue with engineering.

Public Hearing will be in October

MEMBER DISCUSSION

No

ADJOURN

Puccio moved, Johnson seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:33 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning