

PLANNING BOARD MEETING - **SEPTEMBER 21, 2015**  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.

**PRESENT**

Denise Mayrer, Chairwoman  
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**

Wayne Johnson

**APPROVAL OF MINUTES — AUGUST 17, 2015**

Puccio moved, LaVoie seconded that the minutes be approved as amended.  
6 Ayes. Noes. Motion carried.  
Ayes: Aubin, D'Angelo, LaVoie, Mayrer, Puccio, Shaughnessy

**PUBLIC COMMENT**

Resident spoke about Project Red, submitted his letter for the record, see file.

Attorney Tooher spoke for the residents of Birchwood Neighborhood Association, submitted her letter for the record, see file.

Resident spoke about project red and submitted his letter for the record, see file.

Resident spoke about Project Red, submitted her letter for the record, see file.

Resident spoke about Project Red, submitted her letter for the record, see file

**SITE PLAN/ SPECIAL PERMIT**

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:  
MJ Engineering and Land Surveying published September 21, 2015  
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing  
record(s).**  
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Public Hearing Opened at 7:25 p.m.

Public Hearing Closed at 7:30 p.m.

MJ Engineering and Land Surveying  
7 Empire State Boulevard

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

Proposed - 20,000 SQFT Medical Office Building

Joe Bianchi, MJ Engineering was present for this meeting.

Mr. Bianchi stated at last month meeting they reported there were changes make to the site, these changes were driven by poor soils. Since then all up dated plans have been given to Mr. Laberge the towns engineer, they received a comment letter last week and have been working with agree to all those items listed in the Laberge letter, (see attached Laberge letter dated September 14, 2015)

There were no public comments.

Mr. Shaughnessy asked if they had submitted a geo tec. report.

Mr. Bianchi stated that has been provided to Mr. Laberge and is attached to the SWIPPP.

Mr. Laberge stated he received a response letter from Mr. Bianchi and has not been able to review all the comments; however his letter dated September 14, 2015 pending this public hearing if there were no other major changes to the site he believes the board could do a conditional approval upon those comments being satisfied.

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

6 Ayes. 0 Noes . Motion carried.

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

Oppose: None

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

6 Ayes. 0 Noes. Motion carried.

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

Abstain: None

### **SUBDIVISION / LOT LINE ADJ.**

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

**WHEREAS**, a formal application was submitted to the Planning Board on: February 24,2015, for approval of a 2-lot subdivision entitled, "MJ Engineering and Land Surveying", map prepared by: MJ Engineering and Land Surveying , dated "February 23, 2015", and

**WHEREAS**, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on April 20, 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 MJ Engineering and Land Surveying 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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**WATER QUALITY CONTROL- SPECIAL PERMIT <**

LaVoie moved, Puccio seconded that the **SPECIAL PERMIT** under the Water Quality Control Act - Chapter 223 be granted; for an initial period of eighteen (18) months.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**SITE PLAN- APPROVAL**

Puccio moved, D'Angelo seconded that the following approved site plan be adopted:

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**Condition : Sept 14, 2015 Laberge letter**

*Re: Review of Revised Plan*

*7 Empire State Blvd.*

*SPB # 2014-37*

*Town of Schodack Planning Board*

- 1) *The project will require the following approvals or actions:*
  - a) *SEQRA Determination in accordance with the Findings Statement*
  - b) *Subdivision Approval*
  - c) *Minor Lot Line Adjustment*
  - d) *Special Use Permit under the WQCA*
  - e) *Site Plan Approval*

*A public hearing was held on April 20, 2015 for the subdivision, special use and site plan.*

- 2) *The applicant has previously prepared a trip generation analysis which indicates that additional traffic mitigation measures under the 1998 Statement of Findings are not necessary at this time. The May 2012 traffic report prepared by our office for the proposed medical expansion on the north side of Miller Road also indicated that project did not warrant left turn lanes on a traffic signal, but that the Town should identify strategies for installing the improvements in the future. As such, we concur with the applicant's conclusion.*
- 3) *The detailed landscaping plan provides screening from I-90 while leaving the natural vegetation in the southeast corner of the site in tact. The two striped islands in the main parking area should be converted to planting islands with wing curbs and two (2) deciduous trees planted in each. In addition four (4) deciduous trees should be placed on the north*

*side of the entrance drive. The south side of the entrance drive requires plantings on the slope as well.*

- 4) In their previous concept the applicant had agreed to provide a pedestrian connection to Empire State Boulevard. The applicant has indicated that the revised site plan constraints would make it cost prohibitive to do so. As such they are offering a cash payment to fund sidewalks elsewhere on Empire State Boulevard. With this in mind we recommend that the applicant plan and install a 5' wide sidewalks on the west side of the road from where they end at the second BOCES driveway to the northern corner of the Atlantic States parking area for a distance of approximately 500'. This walk could be behind the wing curb and a grass snow storage area but still within the right-of-way.*
- 5) The applicant is proposing to build 109 of the required 133 parking spaces based upon their experience with similar facilities. The applicant has previously provided details of similar facilities with parking ratios for analysis. We find the proposed ratio to be sufficient based on banking parking for future installation if needed. The banked area in the north east corner of the site must be graded as if it were to be parking. In addition, the following note should be added to the plan, near the site statistics. "Banked parking as shown shall be installed by the applicant/owner within 180 days, if the Planning Board determines it to be necessary."*
- 6) A guiderail should be installed along the entrance drive where the grade falls away more than ten (10) feet.*
- 7) The applicant has indicated that there will be no waste or recycling containers exterior to the building and that there will be no outdoor storage. As such, the following notes should be added prominently to the plans:
  - a) "No exterior waste and recycling areas allowed".*
  - b) "No Outdoor Storage Allowed".**
- 8) If roof top HVAC units are be used, the applicant shall visually screen the units from I-90 utilizing architectural treatments on the roof.*
- 9) Site lighting heights have been lowered to use a 15' high pole to be more in scale with the building design. The detail should be modified to show a max height of 15' regardless of the location: grass or parking. In addition all fixtures, site and building mounted are required to be full cut-off down lighting.*
- 10) A 20' utility easement must be given to the Town for the water main extending from Empire State Boulevard to the fire hydrant on site. Ownership of the water main beyond the hydrant will remain the applicant's responsibility.*
- 11) The applicant should indicate the location of a curb stop proximate the 8" main near the edge of the required water easement.*
- 12) The applicant has identified the location of signage for Community Care Physicians on the renderings submitted. Any other signage proposed in the future will require Planning Board review per the Findings Statement.*
- 13) The site plans should call out the proposed subdivision boundary and the proposed minor lot line adjustment boundary where applicable.*
- 14) The plans are required to call out the canopy height.*
- 15) The emergency services access provided around the rear of the building should have a hammer head turnaround provided at the last curve.*
- 16) The applicant should revise the SWPPP and plans where necessary as follows:*

- a) *Page 10: Appendix G is cited as containing the water table depth and infiltrative capacities of the soils. However, Appendix G does not have these.*
- b) *Page 12: Include the requirement for the Owner's/Operators acknowledgement and approval of changes to the SWPPP as may be proposed by the Contractor to improve SWPPP intent and implementation. Provide also in the appendices a SWPPP Amendment Log that allows for the recording of the date, description of amendment to the plan and signature blocks.*

*Include in the SWPPP the requirement to have copies of the Contractors trained individuals certification cards provided on site filed with other SWPPP documentation. (Certificate of Erosion & Sediment Control Training Information/Date of Training/Certificate No.)*

- c) *Page 14: Indicate capacity percentage when maintenance must be performed on the indicated controls.*

*5.1.3 Temporary Soil Stockpile. Clarify the meaning of "if it is a soil-based material." Soil stockpiles shall either be covered by an impermeable tarp or stabilized by the application of seed and mulch upon cessation or completion of the pile in accordance with the General Permit.*

*5.1.5 Temporary Seeding. Revise this requirement to agree with the General Permit Part II.C.3.b which requires the implementation of stabilization measures where activity has ceased temporarily or permanently by the end of the next business day.*

- d) *Page 15: Soil Restoration, indicated on the plans the locations to receive the proposed restoration and reference this section of the SWPPP.*

- e) *Page 17: 5.4.2 Equipment cleaning and maintenance. Revise to require off-site cleaning and maintenance and repair of equipment. Routine removal of accumulated soils from equipment is acceptable, degreasing is not.*

*5.4.5 Concrete wash out areas. Reference the US EPA's Minimum Measure Construction Site Stormwater Runoff Control (Subcategory Good Housekeeping/Materials Management) Stormwater Management Best Management Practices: Concrete Washout. Indicate that the pit is to be lined and include a filter bag for post washout removal of the solids upon evaporation of the wash water.*

*5.4.6 Materials Storage. Indicate that that on-site materials (fueling operations, fertilizer, paints and similar shall be covered and protected from precipitation at all times.*

- f) *Page 19: 6.1 Vegetative Open Swales: The project should use this practice as it relates to the site's generated stormwater in addition to the conveyance of offsite runoff around the project's stormwater management practice. There appears to be sufficient area to implement the use of swales. For example open swales could be utilized in place of the driveway catch basin and drainage pipe and in place of the roof drainage connection to the catch basin.*

- g) *Page 20: Disconnection of the rooftop runoff is feasible and shall be implemented. Use of rain gardens for the roof runoff shall be further evaluated for feasibility.*

- h) *Page 21: Provide an additional map or supplement map FIG-1A to indicate the contributing area(s) used in the water quality volume calculations. Some site areas appear to be graded away from water quality treatment practices directed to off-site areas.*

- i) *Page 26: Post development flow to DP2 for the 1-year 24 hour storm indicates an increase in flow. Revise the proposed design to indicate no increase in flow rate. This may also indicate that the 24 hour extended detention is not being achieved.*
- j) *Notice of Intent: Clarify/revise the following accordingly:*
- k) *Item No. 4 areas versus the areas utilized for the water quality volume calculations provided in Appendix J. Total Disturbed area is indicated as 4.3 acres but WQv calculations indicate 3.02 acres of contributing area. Item No. 37 indicates an existing  $Q_f = 5.4$  cfs whereas table 6-5 would indicate that an existing 17.3 cfs.*
- l) *Drawing C-110: Note on the layout drawing the location of the stormwater management practice required signage per the NYS Stormwater Design Manual Chapter 3 Section 3.5.*
- m) *Drawing C-120: Indicate all pipe inlets and outlets not in a structure to have standard flared end sections with riprap outlet/inlet protection.*
- n) *Drawing C-140: Indicate the required type of slope stabilization to be used. Indicate the symbol for all pipe inlet/outlet end treatments. Provide stone check dams along temporary and permanent swales. Provide intermediate slope silt fence for the drive way slope and the northeast slope areas.*  
*It appears that the southwest corner of the parking lot creates a low area not allowing drainage to occur. Clarify by the addition of construction details and plan callouts how the stormwater that drains from the parking lot to the southeast corner of the proposed lot discharges to the stormwater management practice forebay.*
- o) *Drawing C-504: Revise detail 5 in pavement temporary catch basin grate inlet filter to agree with the SWPPP, see 5.1.6 on page 14 of the SWPPP. The use of filtering logs is not acceptable to this MS4.*  
*Note on detail 6 temporary soil stockpile detail that the entrance to the surrounded pile shall be on the upslope side of the pile. Note the hay bales delineate the entrance to the stockpile area and indicate a maximum width of the hay bale barrier at the entrance located on the upslope side.*
- p) *Drawing C-506: Provide a detail for the required signage for the stormwater management practice per the NYS Stormwater Design Manual Chapter 3 Section 3.5 requirements.*

#### Recommendation

*Since the above comments are technical in nature, the Planning Board has seen the project numerous times, and no comments from the public were received at the public hearing, we recommend the Board approve the project conditioned upon the issues above being resolved prior to signing of the final site plans. If the Board is so inclined, we recommend the following course of action:*

- 1.) *Issue a Negative Declaration under SEQRA and recognizing compliance with the prior Statement of Findings (See enclosed completed EAF).*
- 2.) *Approval of the proposed subdivision.*
- 3.) *Approval of the proposed Minor Lot Line Adjustment.*
- 4.) *Approval of the Special Permit under the WQCA subject to the condition of an initial term of 18 months.*

- 5.) *Approval of the Site Plan conditioned upon the outstanding technical issues identified above, including the provision of sidewalks on Empire State Boulevard, all other administrative items including the establishment of a site review escrow on the amount of \$3,000.00.*

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:  
Stewarts Shops published September 9, 2015  
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing  
record(s).**  
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Public Hearing Opened at 7:33 p.m.

Public Hearing Closed at 7:55 p.m.

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

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

Scott Kitchner, Engineer for Stewarts Shops was present for this meeting.

Mr. Kitchner spoke about the building and the site itself, they are looking to extend the water district from Nassau to include their property. There were very minor comments in the Laberge Letter dated September 15, 2015 ( see below) most of them pertained to the water line and some lighting, site work and signage. In order to have gas sales they had to apply for and received a waiver from the zoning board for the Water quality control act 223. (See Below).

Mr. Stokem asked if this store sits over the aquifer.

Mrs. Fuda stated yes that is why they applied and received a waiver from the water quality control act 223.

Mr. Stokem asked what it takes to get a waiver.

Mrs. Fuda stated you have to appear before the Zoning Board.

Mr. Stokem asked if the town and the board have no qualms in putting gas stations over our aquifer.

Mr. Laberge spoke about the water quality control act and the waver granted. He stated the waver was granted based on the equipment being installed will not have an effect on the safety of human health or the ground water quality.

Mr. Stokem asked how the warning signal transmitted and how long before it is acted on.

Mr. Kitchner stated the tanks are double lined with a brine solution between the walls, there is also an alarm panel in the store and would alert them to the issue and the operations would be shot down.

Mr. Laberge stated at the time a monitoring event should happen, there is no leak to the environment, it is contained within the double of the tank.

Mr. Stokem stated he is not entirely comforted by everything that was said, everyone knows that manmade equipment fail and when you are putting something over a resource that is important to us you as a board might want to rethink the amount of times you want to tempt fate.

Mrs. Spinks stated there was one very serious accident at HESS years ago and that went into the aquifer, this is ridiculous the aquifer is a precious resource in this time and the board keeps putting more and more gas stations over it. I drink that water.

Mr. Mark Gardner owner of the Ace Hardware store across the street, stated he has two concerns one is drainage, the water drains directly onto his land he did mention it to Stewarts and Scott Kitchner went out with a crew and checked out the situation. The second issue is pedestrian traffic on Route 20 since NAPA and the pharmacy opened is huge on the road now.

Mr. Laberge stated regarding the drainage issue Stewarts did take a look at the problem and have change the direction of their storm water flow and it will not be crossing Route 20 but rather it will they are going to extend storm sewers towards the existing DOT structure by the creek.

Mr. Lemka stated asked if the board had received and read the ZBA minutes from the last meeting.

Mrs. Fuda stated they are not done yet.

Mr. Lemka wanted to know what is going to happen to the neighbors well.

Mr. Laberge stated at the meeting the difficulty of back ground test being done on the well water And then prove the penitential of contamination that same neighbor had the same issue of lighting and glare that was addressed after the meeting.

Mr. Lemka asked the distance from the well on New Road to the leach field for Stewarts. And are you planning to make a condition approval that should something happen to their well Stewarts will pay to run the water line to their home.

Mr. Laberge the well is over 200 feet away, and in his review letter he is not recommending them that Stewarts be responsible for the water hook up.

Mr. Stokem stated he is upset that the board has not received and read the minute from the ZBA meeting on September 14, 2015, is that common practice?

Mrs. Fuda stated she informs the planning board of the ZBA's decision's as well as our attorney and engineer was at that meeting.

Mr. Stokem asked if the board was curious as to what went on and what was spoken about at the meetings. You just hear about it and vote and that is good enough.



Mr. Puccio spoke to Mr. Stokem on his comments. He stated that part of what the board does is they pay attention to the technical expertise that is available to them through the engineering firm that supports us. What we are talking about is a gas station that is already in the village and is closing and moving to a different location. This is not something we take lightly but we respect what it is that our technical expertise advises us to do.

Chairwoman Mayrer closed the public the public hearing.

moved, seconded that the Planning Board be **LEAD AGENCY**. This was done on **August 17, 2015**

Ayes. Noes. Motion carried.

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

Oppose:

Aubin moved, Shaughnessy seconded a **NEGATIVE DECLARATION**.

6 Ayes. 0 Noes Motion carried.

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

Oppose: None

#### **WATER QUALITY CONTROL- SPECIAL PERMIT**

Aubin moved LaVoie seconded that the **SPECIAL PERMIT** under the Water Quality Control Act - Chapter 223 be granted; for an initial period of eighteen (18) months.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

#### **SITE PLAN- APPROVAL**

Puccio moved, D'Angelo seconded that the following approved site plan be adopted:

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

#### **WAIVER FROM 223 WATER QUALITY LAW /< ZBA Approval 9-14-15 See Labeerge Letter Below.**

Smith moved, Calarco seconded that the Planning Board be **LEAD AGENCY**.

Ayes: Brewer, Calarco, Maier, Smith. Spada

Oppose: None

Spada moved, Maier seconded a **NEGATIVE DECLARATION**.

Ayes: Brewer, Calarco, Maier, Smith. Spada

Oppose: None

Calarco moved, Smith seconded that the area variance be **GRANTED**.

Brewer	Calarco	Maier	Smith	Spada
Yes	Yes	Yes	Yes	Yes

**ZBA Laberge Letter Dated September 3, 2015**

Re: *Stewart's - New Road*

*SZPB # 2743-15*

*Town of Schodack Zoning Board*

*Dear Chairman Calarco:*

*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 petroleum 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 meets 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 Zoning Board of Appeals can grant approval of this variance request conditioned upon the above containment methods being incorporated into the site plan without jeopardizing the health and safety of the public nor the NYSDEC water quality standards.*

**Laberge Letter dated September 18, 2015**

*Final Review*

*Stewart's - New Road*

*SPB # 2015-24*

*Town of Schodack Planning Board*

*We are in receipt of a response letter dated September 14, 2015 and final plans dated June 22, 2015 last revised September 14, 2015 including architectural elevations, for the above referenced project. We offer the following:*

*General*

- 17) The project is in the HC zone and requires site plan approval. It is an allowable use in the zone.*
- 18) 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 received a variance to the WQCA from the Zoning Board of Appeals at their meeting of September 14, 2015.*
- 19) Rensselaer County Department of Health approval is required.*
- 20) NYSDOT approval is required for work in US Route 20.*
- 21) NYSDEC approval for the petroleum storage and dispensing is required.*
- 22) Approval of the Water District extension request from the Town Board is required.*

- 23) *The plan should be revised to show installation of 60 linear feet of 6' high stockade fence on the O'Neil property to minimize glare to the adjacent Legrave property is required as depicted on the sketch submitted.*
- 24) *After further field review the applicant has proposed a different solution for discharging stormwater from this site will be to connect to our existing drop inlet structure on the north side of US Route 20 approximately 200' west of the creek which crosses under the highway with a 24" culvert and discharges to the creek. Both we and the NYSDOT Rensselaer County Residency concur with this change and the plan(s) should be revised accordingly.*
- 25) *The SWPPP/Stormwater management report comments in our letter of September 3, 2015 are required to be addressed.*

*Since the above comments are technical in nature, we recommend the Board approve the project conditioned upon the issues above being resolved prior to signing of the final site plans. If the Board is so inclined, we recommend the following course of action:*

- 6.) *Issue a Negative Declaration under SEQRA. (See attached SEAF)*
- 7.) *Approval of the Special Permit under the WQCA subject to the following conditions:*
  - a) *An initial term of 18 months; and*
  - b) *Annual certification that the stormwater management unit has been serviced and maintained in accordance with the manufacturer's recommendations.*
- 8.) *Approval of the Site Plan conditioned upon the outstanding technical issues identified above, all other administrative items, and the establishment of a site review escrow on the amount of \$3,000.00 to be deposited prior to the start of construction.*

#### **SUBDIVISION / LOT LINE**

Georgette Byers  
Circle Dr. & Johns Ln.  
Proposed - Lot line

2015-28/R-20/188.-2-3-.116

Richard Tice, Brewer Engineering was present this meeting.

Mr. Tice spoke about the lot line adjustment, stating there was an error in the original maps, that has not been fixed and they have gone back to the ZBA and received a double variance one for area and bulk and front yard setback, he is here tonight looking for an approval on the lot line adjustment.

There were no questions or comments on this application

#### **LOT LINE ADJUSTMENT**

LaVoie 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.

6 Ayes. Noes. Motion carried.

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

Oppose: none

Kyle Mitchision

2015-29/RA/220.-3-1

Co Rte. 32  
Proposed - 3 Lot Subdivision

Pete Van Alstyne, Van Alstyne Land Surveying, LLC was present for this meeting

Mr. Puccio asked Mr. Van Alstyne to explain the map there is a lot happening.

Mr. Van Alstyne stated he has already been in front of the town on Kinderhook and a letter from their planning department Attorney Andrew Howard dated September 16, 2015 was sent giving Schodack the right to be lead Agency. This is a 39 acre lot and Mr. Mitchison is looking to do a 3 lot sub with frontage all on County Rt. 32, there will be no development in Columbia county.

Chairwoman Mayrer asked about the frontage on lot 3.

Mr. Van Alstyne stated 60 feet.

There were no more questions from the board.

Public Hearing to be set for October 5, 2015

Project Red  
1710 Schodack Valley Rd  
Proposed - Sales Distribution Center  
**Subdivision /Site Plan / Special Permit 223**

2015-14 & 2015-13 /PD3/189.-10-40.13

Steve Boisvert, and Eric Redding form Bergmann Assoc. and Dave Spencer, McLane food service were present for this meeting.

Mr. Spencer stated he is the general manager for McLane Food Services, they are a 120 year old company, the products that they distribute and sell to quick service and quick casual restaurants such as frozen, cooler and dry food section and also a small chemical section.

Mr. Puccio asked if they are currently in the area.

Mr. Spencer stated yes

Mr. Puccio asked about the chemical products.

Mr. Spencer stated regular household cleaning supplies you may have in your home such as Tide, Dawn, ect...

Chairwoman Mayrer asked about the range the trucks will travel.

Mr. Spencer stated the whole north east, all of New York State with the exception of the city also all the new England states.

Chairwoman Mayrer asked if this service center did all of the north east or do they have more service centers in the area.

Mr. Spencer stated this will be the sole distribution center for the whole north east. Their next closest service center is in Burlington NJ they take care of NYC and most Pennsylvania, they also have a distribution center in Manassas Virginia.

Mr. Puccio asked about the truck traffic.

Mr. Spencer stated currently they have 17 trucks going outbound at night on a 2 day run, and then come back, so every other day it's the same traffic, in bound is different they receive about 17 trucks daily from 10:00 p.m. and 1:00 p.m.

Mr. Puccio asked about the type of business they supply to;

Mr. Spencer stated your favorite quick service restaurants, he is unable to name the chains its proprietary brands that they have done business with for over 25 years.

Chairwoman Mayrer asked about the amount of employees they will have.

Mr. Spencer stated currently they have 120 employees in Albany and they are looking to expand that to about 146 employees.

Mr. Shaughnessy asked if there were a certain percentage of products being stored for any length of time.

Mr. Spencer stated their inventory is turned around in 7 days.

Resident asked about the amount of sales they do with a 7 day turnaround.

Mr. Spencer stated they do about 180 Million dollars out of the distribution center.

Chairwoman Mayrer stated that there was a survey done stating you were voted the number 1 business to work for.

Mr. Spencer stated this past year they did a very formal surveyed with their team mates through the Albany Business Review and were voted 2014 the number 1 place to work in the country. This year they are doing something different they are going to do the Times Union survey.

Mr. Boisvert spoke about the site distance leaving and entering the site, they have a grading plan where they are shaving the bank along Rt. 150 back to provide for required intersection site distance for truck and car traffic. The elevation at the top of the bank will remain for screening. He spoke about the traffic study and DOT's acceptance of this application (see file ).

Mr. Laberge stated there is a landscaping bond being set up to replace any and all lost tress or screening.

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

6 Ayes. 0 Noes. Motion carried.

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

Abstain: None

### **SUBDIVISION**

D'Angelo moved, Puccio seconded that the following resolution be adopted:

**WHEREAS**, a formal application was submitted to the Planning Board on: April 8, 2015 for approval of a 2-lot subdivision entitled, "Project Red", map prepared by: Bergmann Associates, dated "May 8, 2015", and

**WHEREAS**, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on June 5, 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 Prasad Gadiraju 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

*Laberge Letter dated September 18, 2015*

*Re: Final Review*

*Project Red*

*SPB No. 2015-14*

*Town of Schodack Planning Board*

- *A set of plans last revised September 1, 2015 consisting of 24 sheets.*
- *Updated portions of the Environmental Assessment Report including updated wetlands and endangered species information.*
- *Updated portions of the Storm Water Pollution Prevention Plan (SWPPP) dated September 1, 2015 including an updated Stormwater Management Report last revised September 1, 2015.*
- *Updated Future Roadway Exhibit dated August 27, 2015.*
- *Exterior Building Elevations dated August 27, 2015.*
- *Technical memorandum to NYSDOT dated August 13, 2015 addressing NYSDOTs emailed comments of August 3, 2015 with a revised Traffic Impact Study dated August 2015.*

- Updated Noise Analysis Memorandum dated August 2015 (Rev.1).

In addition, we have received a revised Traffic Impact Study (TIS) dated September 2015 with appendices and two plan sheets entitled Sight Distance Exhibit dated September 17, 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. A park land fee will be due at the time of site plan approval.
4. All documents must be stamped and signed by a professional surveyor/engineer licensed in New York State.
5. The applicant will be responsible for extending sewer and water to the property, as well as necessary improvements to the wastewater pump station on US Routes 9 & 20.
6. NYSDOT has reviewed and approved the revised TIS dated September 2015 and the Site Distance Exhibit dated September 17, 2015. Implementation of all the recommended improvements is required.
7. All proposed easements are required to be filed and a copy of the recorded easements submitted to the Town.
8. Additional confirming test pits in the vicinity of the proposed stormwater basins are required.
9. 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.
10. The required MS4 signage shown on the utility plan should be labeled as such. The required MS4 warning signs should be shown on the utility plan and detailed.
11. A note is required to be added to the General Notes on sheet 2 indicating that construction hours will be limited to 7AM - 5PM per the information submitted in the EAF.
12. Reference has been made to a future guard house. It should be shown and referenced as future structure on the site plan.
13. SEQRA

Attached please find a completed Environmental Assessment Form recommending a Negative Declaration for this project. Also enclosed, please find our analysis supporting this recommendation and a draft notice for your use.

#### APPROVALS

We also recommend the Board approve the project conditioned upon the issues above being resolved prior to signing of the final site plans. If the Board is so inclined, we recommend the following course of action:

- 9.) Issue a Negative Declaration under SEQRA and direct the attached Notice of Determination of Non Significance be filed and distributed.
- 10.) Approve the proposed subdivision.

- 11.) *Approve the Special Permit under the WQCA subject to the condition of an initial term of 18 months.*
- 12.) *Approve Site Plan conditioned upon the outstanding technical issues identified above, all other administrative items, and the establishment of a site review escrow on the amount of \$25,000.00 to be deposited prior to the start of construction.*

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

#### **WATER QUALITY CONTROL- SPECIAL PERMIT <**

Puccio moved, D'Angelo seconded that the **SPECIAL PERMIT** under the Water Quality Control Act - Chapter 223 be granted; for an initial period of eighteen (18) months.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

#### **SITE PLAN- APPROVAL**

Puccio moved, LaVoie seconded that the following approved site plan be adopted:

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Abstain: None

**Condition : Sept 18, 2015 Laberge letter**

**And section of the finding statement.. get from Carol..**

The Members were poled for the final approval on this project.

Aubin	D'Angelo	LaVoie	Mayrer	Puccio	Shaughnessy
Yes	Yes	Yes	Yes	Yes	Yes

#### **SITE PLAN/ SPECIAL PERMIT**

Affinity Auto Sales

2015-30/HC/210.-4-1

6 Shufelt Rd.

Proposed - Change in Tenancy for Auto Sales

Brian Jackson was here on behalf of the applicant Jennette Collin.

Mr. Jackson stated Affinity Auto Sales had been in existence for since 2012 in the city of Rensselaer and have recently purchased the property at 6 Shufelt Road, so they are asking for a change in tenancy to continue their business at this location.

Puccio moved, LaVoie seconded APPROVAL of a change in tenancy at "6 Shufelt Rd."

6 Ayes. 0 Noes. Motion carried.

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



Oppose: None

Dagen Trucking  
Empire State Blvd.  
Proposed - Corporate Center

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

Eric Redding, Bergmann Assoc. and Jeff Dagen, Dagen Trucking was present for this meeting.

Mr. Redding stated they have provided the board with up-dated color renderings of the building and site. Which included a red color band around the middle portion of the building, they have addressed the issue of the extension from Empire Blvd, to Kraft Road should any future development is needed. They are currently addressing a review letter from Rich Laberge and will be discussing it with him. They plan on submitting a full site plan package and SWIPPP report.

Mr. Shaughnessy asked if the red band around the building is of the same material.

Mr. Redding stated yes and it is 4 feet in width.

Back to Rich and a Public hearing is scheduled for October 5, 2015.

#### **ADJOURN**

D'Angelo moved, Puccio seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:44 p.m.

Respectfully submitted,  
Nadine Fuda  
Director of Planning & Zoning