

**PLANNING BOARD MEETING- MARCH 17, 2014  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

**PRESENT**

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

**MEMBERS ABSENT**

**APPROVAL OF MINUTES — MARCH 3, 2014**

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

7 Ayes. 0 Noes. Motion carried.

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

**7:00 p.m. PUBLIC HEARING(s)**

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

Title of the project published Month Day, 2013

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

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Public Hearing Opened at 7:00 p.m.

Public Hearing Closed at (left open)

Love Lutheran Church  
Pheasant Lane & Birchwood Dr.  
Proposed - Senior Housing

2013-5/R20/177.12-5-30

Rev. Henry Albrechtsen, pastor of the Love Lutheran Church, Richard Tice, Brewer Engineering, Edward Kleinke, and Landscape Architect were present for this meeting.

Chairwoman Mayrer stated a few things for tonight's meeting,

- \* There is a brief presentation from the applicant.
- \* The public hearing will then be open, in the interest of time there is just a couple of things that is needed to be dealt with - personal comments be limited to 3 minutes \* and power points 5 minutes.
- \* All comments will be addressed to this board. If questions need to be redirected to the applicant this board will do so.
- \* Everyone should and will be respectful to all speakers or you will be asked to leave.

Mrs. Fuda read the Public Notice that was published in the Troy Record on March 8, 2014.

Chairwoman Mayrer handed things over to the applicant.

Reverend Henry Albrechtsen, Pester of the Love Lutheran Church stated they are looking to expand the ministry in doing so they have looked into various collaborative effects; one of the issues that have come up is affordable housing and affordable senior housing. Their goal is to offer housing, down sized housing at a reasonable rate, lower than anyone else in the immediate area. He then hands everything over to his design team.

Chairwoman Mayrer stated to Mr. Tice that they are only looking for the changes that have been proposed for the site.

Mr. Tice stated he brought two maps, map 1 is the original map and map 2 is current one with changes. Changes were made due to a meeting with DEC. He spoke about the following.

- 1.. the East Greenbush sewage system and the split of the septic system between phase 1 and phase 2
- 2.. parking and the use of garages
- 3.. access roads for emergency services, East Greenbush fire co. has not responded as of Yet.

Mr. Kleinke spoke about the under plantings and the wooded area and trying to retain as much of the wooded area as possible the plans also have the plantings listed.

Keith Langley, Town of East Greenbush Supervisor spoke about his concerns about this project and read the East Greenbush resolution. (see copy in file)

Donald Zee Attorney for the people against the Love Lutheran Church Project spoke about various items and concerns the residence surrounding this project have.

Submitted a letter with the concerns (see file)

- 1—confusion on the age of the residents is it 62 or 55

Chairwoman Mayrer stated the age is restricted to 65 and older

2--section 239M nothing submitted to Rensselaer County requested this public hearing be continued at a later date

Chairwoman Mayrer stated this public hearing is going to be continued at a later date and we are aware that not all the documentation has been submitted but did not want to hold this off. Tonight's public hearing is to get all the residents' concerns and comments heard by the applicant and this board

3--219.72 subsection 15F a multi-family project shall be serviced with central water and sewer. Which requires Town Board approval and not Planning Board approval. And Believes the Planning Board did not notify the Town Board of this face.

Chairwoman Mayrer stated the Town Board was made aware of this project.

Donald Zee stated there is a deficiency in the secur form.

4--traffic study is inaccurate by using ITE standards.

5--219-72 states no more than 12 units per building. and the distance between the buildings is incorrect.

6--soil conditions & drainage

7--Density

8--EAF Concerns. Need modifications done

This application is woefully deficient and this board given the comments from the town of East Greenbush and their concerns this project needs more consideration and more information needs to be given.

Resident, Oakwood Street, stated he and his wife are not against the Church or senior housing and continued to speak about the following, Location of the project, quality of life for the surrounding neighborhoods, noise, Dirt, smell, 13 foot wide road running around the proposed project and the closeness of the dumpster to his home. Construction is in 2 phase's 6 months each phase, who will clean the neighbor's homes and window from the dirt and dust due to construction, pond on Oakwood is for Oakwood drainage can you assure us the pond will not be affected. (see file)

Resident, Oakwood Street, this project is on a poorly chosen plot and is illegal on several levels, violation of neighborhood zoning codes, unexcitable site drainage, decrease in the property values, he then presented a short video of his neighborhood the proposed dormitory style housing is unexcitable. (see file)

Resident, Birchwood Drive, he has lived on Birchwood Drive since 1960 before the church was build, they have always been good neighbors and they have no issues with the church until now, he spoke about the following, the area is all single family homes with deed convents restricting land use. He feels the church would better serve their people by finding a more suitable location for this project. (see file)

Resident, Oakwood Street, read a letter (see file) she feels the negative aspects of this project are as follows, Noise, order's, decrease in property values, unexcitable hours of construction, 4 barrack style of homes in a residential area, tax exempt, additional traffic, (see file)

Resident, Doelner Circle, stated the following, this project is inappropriate for this site, it is in consistent with the town zoning law, It is clear that the proposed septic system is a way to avoid the town's approval process. She read the general standard from section 219, 219B and 219-71F of the zoning law. Landscaping, health and welfare of the surrounding residents. (see file)

Resident, Middlesex Road, Object to this project for all the same reasons as her neighbors including, traffic safety, unfair tax burden, decrease of home values she they posted a copy of a map of the original site plan showing the church as taking up the whole area. Feels this project is wrong and inappropriate for this area. (see file)

Resident, her concerns is as follows, the financial viability of the proposed project, how is the church financing this project, will it be with a construction loan from the Love Lutheran extension fund or other sources. What portion of the rent will be needed to cover the debt service?, proper drainage, she would like the board to require the applicant to have financial commitments be put in place to insure that there will be sufficient reserves to care for the property long term, if the church folds after this is built what happens then, who is going to run this property? (see file)

Resident Oakwood Street, her comments are on the environmental review process and the waste water impact. (see file)

Resident, Oakwood Street, presented a map with push pins representing all the homes against this project. He stated the following - this is a neighborhood and should be lift as a neighborhood - the woods that are proposed to be removes have been used for recreational and a way for the kids to get from one road to another to visit friends - proposed landscaping on the east side of the project by the pond on Oakwood Street - trees will be paved over, crushed by construction equipment and will then die as a result - understory planting will not be enough to block the light from the project - what about replacing trees that die off - the lighting from the proposed site will block the view of the stars. (see File)

Resident, Doelner Circle, spoke about the paper road and stated that people have mistakenly referred to this as an easement or right of way, however based on the subdivision maps it is not an easement and never was an easement it is a paper road. And states that Love Lutheran has no claim to this paper road. (see file)

Resident, Middlesex Road, Presented a photo slide show and read a letter (see file) stated this is more than senior housing it is a large scale commercial non tax paying entity and does not fit in with the character of the neighborhood. His issues is additional traffic,

Resident, Middlesex Road, she has lived here for over 50 years, and have been through a lot of change in this area. She spoke about the character of the neighborhood and the quality of life for the people who live there, then read a section from 219-71 of the town code of general standards.

Resident, Middlesex Road, spoke about the neighborhood and what it means to be a neighborhood, the proposed structure and idea of this project does not fit. To end the problems for this project is to find a better site just not here.

Resident, Middlesex Road, stated she walks through the woods to Lemka's fields, walked to the sand quarry, she showed pictures of her street, (see File)

Resident, Birchwood Woods (Doelner Circle) worried about her gardens and the projects septic systems, quality of life and want the town to protect the residents in that area.

Resident, Doelner Circle, stated he lives next to the supposed abandon land going into the proposed project; the abandoned paper road is at a lower elevation then Doelner Circle. And worry about the proposed septic systems. Asked that the board be open minded to all the comments that are being presented at tonight meeting.

Resident, Doelner Circle, spoke about the decrease in property values, the impact of the lighting.

Resident, Doelner Circle, spoke about the issues of septic and the safety of the kids on the road.

Resident, Oakwood Street, she is opposed to this project and spoke about the quality of life, the loss of the freedom to walk in their neighborhoods.

Resident, Middlesex Road, spoke about the dangers of the road more so in winter because it is dark and the bus stops on that bad corner to pick up her kids for school. The traffic study did not take in account the winter months and the dangers of traffic on the road.

Resident, Oakwood Street, complemented the speakers opposing this project. Explained what the neighborhood means to her and the importance of community. If the Birchwood project was going to move forward they would lose access to the woods and habit living in the woods would be no more.

Resident, Doelner Circle, This project makes no sense since it does not fit in the neighborhood and is surprised that it has come this far with all the outpouring negative comments and the amount of residents that is opposed to this project. The biggest issue is the safety of the roads and the dangers of biking, walking or running; extra traffic will increase these dangers.

Resident, Appletree Lane, the stormwater basin is only 100 feet from their well and would like to know what effects will the stormwater basin have on his and the surrounding wells. He would like to have study's conduct on the well impact, stormwater, and noise from garbage dumpsters pick up. He feels the study was incomplete he feels the parking should be evenly distributed to the entire site and not just facing Oakwood and minimal parking on Appletree side of the site this also includes the placement of the dumpsters.

#### **ADJOURN**

Puccio moved, LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 10:32 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning