

**PLANNING BOARD MEETING - JUNE 2, 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
Nadine Fuda, Director
Attorney Robert Linville, Esq.
Richard Laberge, Planning Board Engineer**

MEMBERS ABSENT

Andrew Aubin

APPROVAL OF MINUTES — MAY 16, 2014

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

6 Ayes. 0 Noes. Motion carried.

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

PUBLIC COMMENT

There were no public comments

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

David Crawmer published May 23, 2014

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

Public Hearing Opened at 7:02 p.m.

Public Hearing Closed at 7:03 p.m.

David Crawmer

2014-9/HC/178.11.16.2

1590 Columbia Tpk.

Proposed - 2 Lot Subdivision

David Crawmer, applicant was present for this meeting.

Chairwoman Mayrer asked if there were any questions for Mr. Crawmer.

There were no questions for the applicant.

SUBDIVISION

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

WHEREAS, a formal application was submitted to the Planning Board on: May 8, 2014, for approval of a 2-lot subdivision entitled, "David Crawmer", map prepared by: McGrath land Surveyors, dated "May 1 2014", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on June 2, 2014 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 David Crawmer 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.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Recommend to ZBA

Nicholas Hotz

Z724-14/R-20/189.1-3-16

2270 Old Post Road

Proposed- Area Variance

Nicholas Hotz, applicant was present for this meeting.

Chairwoman Mayrer asked the applicant to explain what he wanted to do.

Mr. Hotz stated he was looking to build a deck on the back of his house and the size of the deck put him over the 10% coverage so he is here requesting a recommendation to the Zoning Board of Appeals.

Mr. Johnson stated this is a very limited amount going over the 10% and it does not encroach on any side yards any more than it already does he feels that a favorable recommendation is warranted.

RECOMMENDATIONS TO THE ZBA

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

SITE PLAN/ SPECIAL PERMIT _

Paul Puccio

2014-10/RA/208.-6-9

1421 Muitzeskill Rd

Proposed - Retail Store

Steve Hart, Hart Engineering was present for this meeting.

Paul Puccio recused himself from this application.

Mr. Hart explained that Mr. Puccio would like to open a retail store in the old Agway feed store. He understands that this property is in the RA zone and list several reasons why this business is in keeping with the current and past history of this building. The following list what Mr. Hart spoke about.

C1 - This property has been in continuous commercial use since the 1860's

C2 - when the zoning code was established in Schodack, the site qualified as an accessory use in the RA zone.

C3 - When the property was subdivided in 1985, the house became a separate lot. The other lot is comprised of 2 parcels divided by County Route 1.

C4 - Since subdivision, the site has been continuously use for commercial purpose.

C5 - At the time of the subdivision, the new owner of this site intended to use it as a retail store with food service. That business never fully developed and eventually the property was sold.

C6 - Since 2007, the current owner has operated the site as an art studio, craft and retail sales facility, and warehouse.

He furthered stated that at this time we are asking for concept approval, in writing, to continue use of this property for possible retail and food services commercial purposes. It is understood that a full site plan will be required in the future, prior to further development. However, concept approval for the intended uses is a contingent item in the contract to purchase the property.

There are significant Issues that must be addressed.

I1 - The site is partially in the flood plain.

I2 - There is no current septic system servicing the 2 buildings.

I3 - any septic system must be built above the flood plain elevation. Therefore, the septic system and the water service from the existing well must cross County Route 1

I4 - parking must be addressed - the size of which will be dependent upon use and will be situated on the north parcel.

I5 - about 1.5 acres of the 4.5 acres is unusable due to the both the north and south sides have significant bedrock outcrops and the south parcel includes one half of the stream bed.

Finally without concept approval of this potential use further development of the site will not occur.

Chairwoman Mayrer asked if the members had any questions for Mr. Hart.

Mr. Johnson asked about the uses that we are looking at tonight. Or are we saying that we are not opposed to using the property as a commercial use in an RA zone.

Chairwoman Mayrer stated we are looking at the concept of this staying a commercial retail use in a RA zone.

Mrs. Fuda stated as a retail store anything in the Highway Commercial or the Local Business (HC or LB) zone is what we are looking at. But back in the early 2000's the town looked at business in the RA zone and created a zone called Local Business (LB) this parcel was forgotten it has been a retail store for years and we need to get it on the map as such. Example is Scarnato's was one on them it was also a residential zone as well as eddies electric into an LB zone somehow this parcel got missed. The zoning comity has recognized that there are a few out there that need to be changed because they have been retail the entire time.

Chairwoman Mayrer asked the board on the decision for this parcel to remain a commercial retail site.

The board members unanimously support the development of this property for retail use.

Special Permits Closed

Mrs. Fuda explained that the listed of special use permits are no longer in business and just need to be closed out and then vaulted.

2007-45/RA/198.-1-3.11/ Ederley Farm / Dog Kennel

2007-44/PD-1/227.-1-12.2/ Nature's Warehouse Inc.

2007-35/PD-3/189.-10-14 / Robert Davis / Wholly Cow

2007-25/RA/208.-3-3.10 / Tina Murray/ non for profit equine rescue

2009-18/HC/210.-7-51/ George Cooper / Fastpitch Universe, Inc.

LaVoie moved, D'Angelo seconded to close the above listed Special Use Permits.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

MEMBER DISCUSSION /If needed

Timber harvesting for the Beagle club property, the harvesting permit is up this month and he has not started due to inclement weather and would like to start now.

Damon Hartman/ Beagle Club
Beagle Club Way & Kingman Rd
Proposed - Timber Harvesting

2013-12/RA/220.-8.1

Puccio moved, LaVoie seconded that the ***SPECIAL PERMIT*** be ***GRANTED*** for an additional 4 months or until the end of October 2014.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Chairwoman Mayrer asked to go into executive session

Puccio moved, D'Angelo seconded that the board go into executive session.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

ADJOURN

Puccio moved, D'Angelo seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 7:30 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning