

**PLANNING BOARD MEETING-MAY 6, 2013  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

**PRESENT**

Denise Mayrer, Chairwoman  
Jim Church  
G. Jeffrey Haber  
Wayne Johnson  
Paul Puccio  
Andrew Timmis  
Nadine Fuda, Director  
Attorney Robert Linville, Esq.  
Richard Laberge, Planning Board Engineer

**MEMBERS ABSENT**

John LaVoie

**APPROVAL OF MINUTES— April 15, 2013**

Johnson moved, Timmis seconded that the minutes be approved as amended.  
6 Ayes. 0 Noes. Motion carried.  
Ayes: Church, Haber, Johnson, Mayrer, Puccio, Timmis

**PUBLIC COMMENT**

Resident asked if the cell tower upgrade will increase the value of the tower.

Chairwoman Mayrer stated this is just an upgrade not a new tower they are installing new antennas.

Resident asked the special permit Request for William Petton / Reliable Storage, she wanted to know if this over the aquifer and is it a permitted use.

**PUBLIC HEARING(s)**

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Nadine Fuda read the hearing notice(s) as published in the Troy Record:  
MS4 published

Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing record(s).  
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MS-4 Annual Report

Mr. Laberge explained what MS4 is and stated the full report is on line and also available in the Planning office for review by the public.

Chairwoman Mayrer stated again that this report is available for public review and basically it updated pollutants of concern by watershed, the geographic areas of concern by watershed, matched the public education material pollutants of concern for the geographic area of concern. Rensselaer county communities' website is up and running and it list the individual departments and the responsible person for each minimum measure. If you have not had the opportunity to review the report we will accept written comments up to May 16, 2013. She not opens this item for public comment.

Resident asked who in town, is the responsible person for doing the inspections.

Mr. Laberge stated his office does monthly inspect the areas that have a SWPPP (Storm Water Pollution Prevention Program) such as construction sites and annual inspections of the storm water detention basins etc. Mrs. Fuda is the Storm Water Management officer and is the record keeper for the town. She tries to keep everyone on top of their area and receives a monthly report from different areas such as, the park, Highway garage, and landfill.

Resident stated much of the town sits on the aquifer but for the areas that are delineated is there a different standard for dealing with runoff.

Mr. Laberge stated as far as the MS4 regulations are concerned no there is no additional protection for the aquifer in town. The existing water quality control act is much more stringent than anything you would see under MS4.

Resident asked if this system separate from the sewage system.

Mr. Laberge stated in the town of Schodack the answer is yes.

Resident asked do you address stormwater from the main highway.

Mr. Laberge stated no, each facility owner as in the State, County and Town is responsible for their area.

Resident asked if there were any problems found in the town regarding storm water discharges and contamination and will the report show what is being don't to rectify the problem.

Mr. Laberge stated other than some minor problems the contractors working in town need to be kept after, some of it is a learn curve and they are getting better over time, but

there are no major issues, the report itself is a compilation of activity it is intended to report on what is done and how it is done in accordance with the SWPPP regulation. For example: This public hearing is listed as public awareness and will be listed in next year's report.

Mr. Puccio asked if we are doing ok with the improvement's regarding paper and processing.

Mr. Laberge stated yes we have come a long way in 3 years, reminding and training each year for some like Parks is a seasonal thing so come spring and summer reminders are given and the transfer station for the cleanup days reminders are given, things like that.

Chairwoman Mayrer stated the public hearing is now closed no action needs to be taken.

#### **SITE PLAN**

Servidone Inc.

2013-7/HC/210.-7-41.12

1364 Rt. 9

Proposed - 7000 sq. ft. building

WITHDRAWN

#### **Special Permit**

Cingular Wireless (AT & T)

2013-6/R40/199.-1-39.2

#### **Western Road**

Proposed - Upgrade of AT & T Equipment

Joe Poppa, Cingular Wireless was present for this meeting.

Chairwoman Mayrer asked if there were any questions for the applicant.

Mr. Laberge spoke about his letter (see below) and noted this application is to add antennas to an existing structure; the tower will not be raised in height.

Mr. Timmis asked if this is a 4G upgrade

Mr. Poppa stated correct the existing 6 antennas will remain and 3 more will be added for the 4G LTE service.

Chairwoman Mayrer read the description on the Cingular Wireless application because there is 3 of these on tonight's agenda. This application has been to engineering whereas the other 2 applications will still need to go to engineering.

### Description or Proposed Project

The applicant AT&T mobility proposes to upgrade its existing communication equipment by installing (3) new LTE antennas on its existing mounts on the tower at the same height (antenna centerline) as its existing (6) antennas. Applicant will also install new cabling connected to the antennas and new associated supporting equipment including (6) remote Radio Unites (RRU) on its existing mount on the tower.

Mr. Johnson asked if the applicant was required to attend the next meeting since it is a simple application.

Mr. Poppa stated he is out of town on May 20, 2013 which is the next meeting and would like it if the board would agree to wave he requirement to be at the meeting.

Chairwoman Mayrer asked if anyone had an issue with Mr. Poppa attending the May 20<sup>th</sup> meeting.

All agreed to Mr. Poppa request to wave attendance at the next meeting.

### Laberge Letter Dated May 1, 2013

*ReApplication Review*

*Cingular - 1000 Western Road*

*SPB # 2013-6*

*We have received a copy of the Special Permit application from New Cingular Wireless PLS, LLC (AT&T). The application is for a co-location on an existing tower at 1000 Western Road. The antennas are to be mounted at the 110' level of the existing 120' tower interspersed with existing antennas at that level. The application has been reviewed in accordance with the Zoning Code §219-71 and §219-72A (34). Since it is a co-location of one similar antennae on the three existing mounts, a visual analysis is not warranted.*

*We recommend the Planning Board consider the following:*

- 1. Issue a negative declaration under SEQRA. A copy of the completed Short EAF is enclosed.*
- 2. Issue a special permit or amend the existing special permit with the following conditions:*
  - a. Proof of insurance to be provided as per §219-72A(34)(C)(19).*
  - b. The term of the special permit be for ten years.*
  - c. An annual inspection and report be submitted per the requirements of §219-72A(34)(C)(15) by the owner of the facility.*
  - d. A post installation field report in accordance with §219-72A(34)(C)(17) be submitted.*

## **SPECIAL PERMIT**

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

6 Ayes, 0 Noes. Motion carried.

Ayes: Church, Haber, Johnson, Mayrer, Puccio, Timmis

Oppose: None

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

6 Ayes, 0 Noes. Motion carried.

Ayes: Church, Haber, Johnson, Mayrer, Puccio, Timmis

Oppose: None

Johnson moved, Timmis seconded that the ***SPECIAL PERMIT*** be: **GRANTED** for a period of **5 YEARS (2018)** in-accordance with Rich Laberge letter dated May 1, 2013

6 Ayes, 0 Noes. Motion carried.

Ayes: Church, Haber, Johnson, Mayrer, Puccio, Timmis

Oppose: None

**SPECIAL PERMIT**

Cingular Wireless (AT & T)

2013-8/RA/201.-2-39.2

3790 Rt. 20

Proposed - Upgrade of AT & T Equipment

Chairwoman Mayrer stated this application is similar to the Western Road application. An will also go for engineering review, we already know the details so does anyone have an issue with just sending this engineering.

Mr. Johnson asked the applicant submit a letter stating they agree with Mr. Laberge's letter on each application.

There were no more member discussion; all agree to send this to Mr. Laberge boards Engineer for review

**SPECIAL PERMIT**

Cingular Wireless (AT & T)

2013-9/RA/220.-3-8.12

15 Beagle Club Way

Proposed - Upgrade of AT & T Equipment

Chairwoman Mayrer stated this application is similar to the Western Road application. An will also go for engineering review, we already know the details so does anyone an issue with just sending this engineering.

Mr. Johnson asked the applicant submit a letter stating they agree with Mr. Laberge's letter on each application.

There were no more member discussion; all agree to send this to Mr. Laberge boards Engineer for review

**SPECIAL PERMIT**

William Petton / Reliable Storage  
950 Rt. 9

2013-10/HC/220.-3-11

Proposed - Motor Vehicle Svc./ 24 Hr. Rd. Service

William Petton, applicant was present for this meeting

Mr. Petton stated he provides 24 hour road side service, on site welding and truck and trailer repair. About 90% of his work is on the road. He is hoping to get some work out of pilot such as tire changes and repairs nothing major.

Chairwoman Mayrer stated a resident has asked about on site fuel storage.

Mr. Petton stated he does not store fuel on site; and he would only have a 55 gallon drum of oil on site at one time, he takes the oil to the town garage for disposal.

Mr. Timmis asked if he would be doing oil changes.

Mr. Petton stated no oil changes mostly tire changes and repairs.

Mr. Timmis asked if it was small cylinders for welding.

Mr. Petton stated correct everything he has, has to be portable most welding is on the road.

Mr. Johnson asked if he was cleaning equipment like pressure washing.

Mr. Petton stated not at this location. He offers a mobile auto wash but no one has asked for it.

Mr. Johnson asked if there were any drains in the building.

Mr. Petton stated yes

Mrs. Fuda stated Gary the building inspector and herself went over to the building and there are a couple of drains that they are going to look into to see where the drainage goes. This has to be referred to Mr. Laberge for review; this item needs a special permit.

Mr. Laberge explained to the applicant that the town has an aquifer perfection law and you are limited to the amount fuel, oil and other hazardous liquid on site. Equipment cleaning is that done on site. Do you do most of your work in a building?



Mr. Petton stated yes I will be using the garage but most of my work is done on the road.

Mrs. Fuda asked about the size of the building.

Mr. Petton stated the building is 50 x 100 feet.

All members agree to send this for engineering.

### **ADJOURN**

Haber moved, Paul seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:45 p.m.

Respectfully submitted,  
Nadine Fuda  
Director of Planning & Zoning