

PLANNING BOARD MEETING - JULY 15, 2013

CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.

MEMBERS ABSENT

Denise Mayrer, Chairwoman

Jim Church

G. Jeffrey Haber

Wayne Johnson

John LaVoie

Paul Puccio

Andrew Timmis

Nadine Fuda, Director

Attorney Robert Linville, Esq.

Richard Laberge, Planning Board Engineer

APPROVAL OF MINUTES— June 17, 2013

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

7 Ayes. 0 Noes. Motion carried.

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

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

Carabateas Subdivision published July 6, 2013

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

2013-16/RA/220.-4-7.1/220.-3-7.11

Woodward Rd

Proposed - 2 lot Subdivision and Lot Line

Public Hearing Closed at 7:05 p.m.

Public Hearing Closed at 7:05 p.m.

Richard Tice, Brewer Engineering was present for this meeting.

Chairwoman Mayrer asked if there were any public comments on this application.

There were no public comments

Mr. Johnson asked if parcel 2 currently a separate parcel or is it going to be a created parcel?

Mr. Tice stated that is part of the overall subdivision.

Mr. Johnson stated the lot line is taking off parcel 2 from the remaining lands and transferring it to the lands of Wheeler.

Mr. Tice stated that is correct.

Member discussion on the lot line and the subdivision and what is to be done first.

SUBDIVISION

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

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

WHEREAS, a formal application was submitted to the Planning Board on: June 5, 2013, for approval of a 2-lot subdivision entitled, "Carabateas Subdivision", map prepared by: Brewer Engineering, dated "June 5, 2013", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on July 15, 2013 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 Alan R. Dedrick Executor 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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Carabateas - Lot Line Adjustment

Puccio moved, Church 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.

7Ayes. 0 Noes. Motion carried.

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

Oppose: None

SITE PLAN/ SPECIAL PERMIT

Prudence Properties, LLC / Phillip Moldoff

2013-15/HC/211.-2-20.2

3541 US Rte. 20

Proposed - Site Plan new Napa store

Morgan Moldoff, PE was present for this meeting.

Rich Laberge spoke about the letter dated July 12, 2013 (see letter listed below).

Mr. Johnson asked if we are approving the site plan it should be with the lot line already completed.

Mrs. Fuda stated we are not approving the site plan tonight they have to go to the ZBA first, we are just looking at it tonight and going over Mr. Laberge's letter.

Mr. Johnson question if we are doing the ZBA recommendation tonight or just reviewing the site plan.

Chairwoman Mayrer stated yes we can make a recommendation to the ZBA tonight.

Mr. Johnson stated he did not see it on the agenda.

Mrs. Fuda stated it's not as part of the site plan review, we can make the recommendation.

Continued: member discussion on the side yard setback.

Mr. Johnson asked about the storm drainage that is under the building, does that need to be corrected or should we have some assurances that they have room to go around the new building if the drainage needs replacing.

Miss Moldoff stated the pipe right now is a 12 inch plastic pipe and it was put in 15 years ago. If we were to go around the existing warehouse structure there would be a conflict

with the pipe that runs from Route 20. DOT has a pipe that runs underneath the existing NAPA building and below the warehouse structures to a basin in the back of the property and then outlets to the west.

Mr. Johnson asked if there were easements on that pipe.

Miss. Moldoff stated no.

Mr. Johnson stated his only concern is the pipe that is going to go under the proposed building and maybe Mr. Laberge can come up with a suggestion.

Mr. Laberge stated it is addressed in his letter (see below)

Miss. Moldoff asked about item #4 on Mr. Laberge's letter on the island at the entrance the curb cuts are already there and she would like not to modify the existing area, they will need to get a highway work permit.

Mr. Laberge stated he recommends that she get comments from DOT about the ingress and egress. The Island was just a way to show the general public the correct way to access the property.

There was no more comment for the applicant.

Laberge letter Dated July 12, 2013

Re: Conceptual Site Plan Review

Prudence Properties - NAPA

SPB # 2013-15

Town of Schodack Planning Board

We are in receipt of a conceptual site plan with four plan sheets last revised June 11, 2013 for the above referenced application. We offer the following comments:

- 1) The project is in the HC zone and requires site plan approval.*
- 2) There are two potential side set back concerns:*
 - a) The western sideline setback is deficient. We understand the applicant intends to remedy this with a lot line adjustment with the adjacent property. This adjustment should be completed prior to site plan approval.*
 - b) The setback on the eastern sideline to the existing garage structure is less than required. The existing garage structure may have a variance or may have been allowed as a garage to be as little as five feet from the sideline. The proposed plan appears to show that the existing garage will be attached to the new storage building. As such, we are*

unclear whether it should be considered one structure necessitating the full 20' setback. We request the assistance of the Planning Board attorney in determining how to interpret this situation.

- 3) *The locations of existing and/or proposed site features should be shown as appropriate:*
 - a) *Existing septic system*
 - b) *Existing water supply*
 - c) *Proposed outdoor display areas*
 - d) *Proposed refuse and recycling areas*
 - e) *Proposed exterior lighting*
 - f) *All proposed building exits*
 - d) *Proposed outside storage areas*
- 4) *Landscape islands should be added near the ROW to define the entrance(s) to the site.*
- 5) *The following agencies should be contacted by the applicant to solicit their written comments:*
 - a) *NYS DOT*
 - b) *Rensselaer County DOH*
 - c) *Emergency Services*
- 6) *The applicant should indicate how deliveries will be made safely and without obstructing required parking.*
- 7) *The applicant should include a table of the areas for:*
 - a) *Structure Coverage*
 - b) *Other Impervious Materials*
 - c) *Green Space*
- 8) *Reciprocal easements for access, etc. between the site and the adjacent property should be recorded to allow for use of each others properties, even though they are under common ownership at this time.*
- 9) *The applicant should identify the surface treatment for the areas immediately west of the proposed retail and south of the proposed storage.*
- 10) *The applicant should consider re-routing the storm sewer under the proposed storage building.*
- 11) *A stormwater analysis of the site is needed and a basic Storm Water Pollution Prevention Plan is required. The analysis should show pre and post runoff rates from the site.*
- 12) *The grading and erosion control plan should include:*
 - a) *Location of a stabilized construction entrance*
 - b) *Stockpile locations (if any)*
 - c) *Construction equipment storage areas*
 - d) *Concrete washout areas*

*13) A barrier such as fencing should be shown to separate the proposed site from the adjacent, existing NAPA store during construction.
The applicant should revise their plan in accordance with the above. We will coordinate with the Planning Board attorney regarding the outstanding set back issue in No. 2b above.*

RECOMMENDATIONS TO THE ZBA

Haber moved, Timmis seconded a **"FAVORABLE"** recommendation to the Zoning Board of Appeals.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

The Spinney at Pond View Community Center

2013-20/R-40/1787.-4-2.2/2.16

Pond view Rd

Proposed - Community Center

Richard Tice, Brewer Engineering was present for this meeting.

Mr. Tice stated the original location for the pool and community center was to be located by the pond, they are unable to build there because of artifacts that were found. We are proposing to have the pool and community center located in phase II.

Mr. Johnson stated the parking shown is the existing parking, correct.

Mr. Tice stated that is correct.

Mr. Johnson stated this is not going to change the total of existing parking space.

Mr. Tice stated no is it not changing.

Mr. Johnson asked with the analysis are you going to need additional parking for this project.

Mr. Tice stated there are currently 273 parking spaces for the main building and we were required to furnish 210 spaces.

Mr. Johnson asked about the Pond View Building leases and if they will have enough parking for the tenants.

Mr. Tice stated yes there should be enough plus extra.

Mr. Johnson asked if they have thought about having access to the community center from phase II with sidewalks?

Mr. Tice stated yes, they have thought of that but again, this is just the beginning of the process and changes will need be made.

There were no more comments or questions for the applicant at this time.

SUBDIVISION

Phillip Moldoff
3545 US Rte. 20
Proposed - Lot Line

2013-19/HC/211.-2-20.2

Morgan Moldoff, PE was present for this meeting.

Miss Moldoff stated this is a lot line adjustment to improve the setback on the west side of the lot.

Chairwoman Mayrer asked if there were any questions on this application.

LOT LINE ADJUSTMENT

Johnson moved, LaVoie 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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Donald Fedorowicz
Autumn Way off Miller Rd
Proposed - Lot Line

2013-17/RA/178.-5-1.1/1.2

Peter Van Alstyne, Surveyor, was present for this meeting.

Mr. Van Alstyne stated parcel 1B (3.87 acres) is to be merged with the house parcel of (1.47 acres) which will then be a total of 5.34 acres. This will eliminate the existing easement.

Mr. Johnson asked about the north lot line of the existing parcel, this should be a solid line all the way across.

Mr. Van Alstyne stated that is not an issue.

LOT LINE ADJUSTMENT

Puccio moved, Timmis 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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: none

David & Mary Allan
257 Beaver Rd
Proposed - 2 lot Subdivision

2013-18/RA/190.-11-23

David Allen, applicant was present for this meeting

Mr. Allen stated they would like to take their 10.029 acres and subdivide off 1.677 acres with 205.46 feet of road frontage leaving them a new lot with remaining lands of 8.352 acres.

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

All members agree to send this to for a public hearing on the August 19, 2013

MEMBER DISCUSSION

Miller Road Improvement

Chairwoman Mayrer asked Mr. Laberge to update the board on Miller Road the improvement's that are planned.

Mr. Laberge reviewed his letter on Miller Road area improvements, see attached letter - ***Miller Road Improvements Review 2***

He also stated back in 2007 when Spinney had there site plan review there were concerns over Miller Road. The applicant (Spinney) offered to do some improvements and the Town excepted there offer. The applicant has an account with the Town on Miller Road improvement. Over the last 2 years we have been working on a design solution. With the drainage; they need an easement from the property owner at the lowest point. At this time we are unable to obtain that easement. A less desirable solution but still effective is listed in the attached letter (see below).

It takes the water from the Reno Road end of Miller towards Pondview Drive and goes behind the properties along Miller Road and down into the low wet area.

He asked if there were any questions.

Mr. Johnson asked about the buffer.

Mr. Laberge stated in the back of Spinney prior to this pipe line they were doing planting and were also putting in swales and grading towards a couple of open inlets, at the back outlet of the property and the other towards the highway (I90). He continued to talk about plantings and replacement of trees over the years.

Mr. Johnson stated that you need space between the swales and the property line in order to do the plantings. Also will the access come off of one of the phase 2 roads.

Mr. Laberge stated yes one of his earlier comments was the town needs legal access to that area; we could get a general easement for the driveway to that point.

Chairwoman Mayrer stated will need to do borings to see what the cost of this should be.

Mr. Laberge stated correct we need to test to see how much rock we may run into, we are hoping to not find rock at 14 feet. This is a cost matter. He is trying to keep within the budget that we currently have, he believes there is enough money to complete the storm sewer he is just trying to make sure we are not surprised by other things that are under the surface.

Mr. Timmis asked if there will be curbing on Miller Road? If not, how will we be collecting the water, will it be swale's to catch basins that is covered in grass.

Mr. Laberge stated that basically Miller Road has no edge to the road; all we are adding is the catch basins to pipe.

Chairwoman Mayrer stated tonight we are looking for approval to do the initial studies.

Mr. Laberge explained the applicant has put forth the money and through the applicants engineer (Brewer Engineering) it was requested that funds be used for this rock exploration, the numbers depends on this information, He Recommends the board authorizes up to 3500.00 for this project. And we will update everyone once we know what we are up against and what the final budget should be.

Mr. Johnson asked if we should look at the draining problem area at the Lloyd Scott's property on Reno Road and also the lot # 236 just to see if they could put in something to correct the problem.

Mr. Laberge stated the best we can do for the Scott Property on Reno Road is give him an inlet and catch basin to be able to pump to. Or we would need to lower the system by an additional 3 feet.

There was further discussion.

Johnson moved, Timmis seconded to approve \$ 3,500.00 for the boring studies.

Letter I

Laberge Letter Dated July 12, 2013

Re: Miller Road Improvements Review 2

Spinney @ Pond View

SPB # 72-2005

Town of Schodack Planning Board

We are in receipt of a revised set of plans last revised 7/8/13 for the Miller Road improvements associated with the above referenced project.

We offer the following comments:

- 1) It appears that the proposed storm sewer will require possible removal of up to five mature trees at Nos. 199, 211, 215, and 225 Miller Road. The applicant should have the plan indicate that all the trees are to be removed and that they will be replaced with new trees in accordance with Section 188-44 J of the Town Subdivision code.*
- 2) The "Lane Closure - Time Restrictions" notes on Sheet 8 should be modified to indicate no Eastbound closures will be allowed weekdays from 3 PM to 7 PM.*

In order to keep this process moving towards a construction start, the applicant or their engineer should complete the following in July:

- A. Revise the plan in accordance with the above and submit the revised plans to the Town and this office for review and approval to construct.*
- B. Get cost estimates to determine the presence and depth of rock along the proposed route.*
- C. Complete the process of pricing this work. (Actual pricing will be necessary to refine the final scope of work and keep it in accordance with the June 7th, 2010 agreement.)*
- D. Prepare a draft easement including a legal description for review and recording.*
- E. Meet with the Town representatives to coordinate the construction once the cost information for rock exploration is in hand, an estimate of construction costs are in hand, and the applicant's preferred contractor has been selected.*

Member Discussion # 2

Poyneer Road

Mr. Laberge stated this is an update on the concerns of drainage at the corner of Poyneer Road and Route 150, he has been working with the applicants engineer (Brewer Engineering) and basically the idea is to 2 things there is a paved swale on the right side of the road as you pull onto Poyneer, we to make it deeper by 2 inches or so and a little wider. And to drop the grate elevation on the catch basin to capture more water, he met with DOT, Ken Holmes, they are aware that a lot of it is a maintenance issue; they need to keep them clean. He is awaiting the plans from Brewer Engineering so they have a concrete idea of what they are going to do. The applicant is going to be responsible for making the changes. At this time the Mrs. Fuda the Planning Director has recommended we not issue any building permits until we at least get the plans. They are very close to having them complete. And he will turn them around as fast as he can, maybe in one or two days.

Mrs. Fuda states she needs the boards to agree that once she gets the ok from Mr. Laberge that the plans are good that she can release the Stop Work Order.

Chairwoman Mayrer asked if they were OK with this decision.

All agreed

Member Discussion # 3

Andrew Timmis has resigned effective immediately, he is moving. So it is with a heavy heart that he says he is resigning and we will miss him immensely. And we thank him for his time and contribution to this board.

ADJOURN

Haber moved, Mayrer seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:10 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning