

**PLANNING BOARD MEETING-DECEMBER 16, 2013  
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**

**APPROVAL OF MINUTES — NOVEMBER 18, 2013**

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

6 Ayes. 0 Noes. Motion carried.

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

**PUBLIC COMMENT**

Attorney for the residents that are concerned about the Love Lutheran Church project spoke on the merits of the senior housing project and the negative impact it will have on the community.

Resident spoke against the Love Lutheran Church and his main concern is on the pond and preserving the wild life in and around the pond.

Resident spoke about the screening between the homes on Oakwood Ave and the proposed senior Housing project.

Resident spoke about the church's proposed private septic system in a residential neighborhood; he spoke about the depth of the water table.

Resident spoke about the drainage, the water comes from Englewood and Timberledge down to Oakwood and behind his house into the pond and into the woods, he worries about the extra drainage from the church project and all their septic systems in the drainage area.

Chairwoman Mayrer encouraged the public to submit all questions and comments for the Love Lutheran Church project in writing and mail to the Town Hall or e-mail to Mrs. Fuda in

the planning office. So the board could review the information and try to incorporate any of your concerns.

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

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:  
Richard Wenk published December 16, 2013  
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing  
record(s).**  
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Richard Wenk 2013-23/RA179.-2-4.2  
128 Sagendorf Rd  
Proposed - 2 lot Subdivision

Public Hearing Opened at 7:15 p.m.

Public Hearing Closed at 7:16 p.m.

Kevin McGrath, land Surveyor was present for this meeting

Mr. McGrath stated the land owner who lives in California and is looking to subdivide off the existing home with 2.70 acres and leave the remaining land at 39.4 acres. The home is in contract to be sold.

Chairwoman Mayrer asked if the board or any member of the public wished to make comment.

There were no comments for the applicant

Mr. Johnson stated he did not see and issue with the way the map has been drawn up.

**SUBDIVISION Richard Wenk**

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

D'Angelo moved, Puccio seconded a **NEGATIVE DECLARATION**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

**WHEREAS**, a formal application was submitted to the Planning Board on: July 23, 2013, for approval of a 2 -lot subdivision entitled, " Lands if Richard Wenk", map prepared by: McGrath Land Surveyors , dated "December 1, 2013", and

**WHEREAS**, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on December 16, 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 Richard Wink 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

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

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

Frank Pinette Jr. published Month Day, 2013

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

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Frank Pinette Jr.

2013-29/R40/199.-7-14.2

1026 Maple Hill Road

Proposed - 2 lot Subdivision

Public Hearing Opened at 7:21 p.m.

Public Hearing Closed at 7:24 p.m.

Frank Pinette, Applicant was present for this meeting.

Chairwoman Mayrer asked if the board or any member of the public wished to make comment.

Mr. Johnson stated his only concern was that the board saw a couple of different variations of this subdivision and what was sent to the zoning board is not what was this

board is looking at tonight. He was concerned that they do not know what the ZBA had approved.

Attorney Linville stated the issue was the location of the shed and the approval was as such that the shed needed to be moved or removed for the property.

Chairwoman Mayrer asked Chairman Calarco if that was a fair representation of what happened at the zoning board.

Mr. Calarco chairman of the ZBA stated the first map showed the lot with the shed as part of the property and on further review the configuration of the lot could not be done with gaining extra acreage alongside the barn and down the ravine. The applicant tried to purchase extra land but the current land owner would not sell. So the new map shows that the shed is actually on the other property owners land and the approval states the shed have to be taken down or moved onto the new lot.

Mr. Johnson request that in the future the planning board gets to see what the ZBA actually approves or copy of the variance.

#### **SUBDIVISION Frank Pinette Jr.**

Puccio 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

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

**WHEREAS**, a formal application was submitted to the Planning Board on: October 2, 2013, for approval of a 2 -lot subdivision entitled, " Lands of Pinette", map prepared by: Surveysmith , dated "September 30, 2013", and

**WHEREAS**, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on December 16, 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 Frank Pinette 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

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

Love Lutheran Church

2013-5/R20/177.12-5-30

Pheasant Lane & Birchwood Dr.

Proposed - Senior Housing

Richard Tice and Tom Brewer, Brewer Engineering, Edward Kleinke, Landscape Architect, Michael Fanning, Mosaic Associated and Pastor Henry Albrechtsen, Love Lutheran Church was present for this meeting.

Pastor Albrechtsen stated the church made some changes to the site plan after hearing of some of the complaints and concerns of their neighbors. Tonight they plan to submit the changes to the board and the board engineer Mr. Laberge for their review. A couple of items are a wooded and shrub boundary between the neighbors and the new units, as well as a new septic field.

Mr. Tice stated this is a 68 unit project on 11.9 acres on Pheasant Lane and they are looking to construct in 2 phases, each phase will have 34 units, East Greenbush at this time cannot accept sewage so they have developed an onsite septic field.

Mr. Brewer spoke about the proposed septic field which is will be located at the front of the property so that sometime in the future the church and the housing units could be able to hook up to the East Greenbush sewer system.

Mr. Fanning for Mosaic Associates spoke about the design of the site and the buildings, the site design has not changed since the first concept. They designed this to look and feel like a home and to fit in with the neighborhood.

Mr. Kleinke, landscape architect stated he has visited the site and has come up with a better way to screen the senior housing from the neighbors, there plan is not to take down the trees but leave them and fill in the lower area with undergrowth so the tall canapé of the exiting trees will screen he second story and the undergrowth will screen the lower portion of the units, they plan to do the south, east and west sided of the site. He does

not believe a berm will be in the best interest of the church or the neighbors. As time goes they will have a full list of plantings planned for this site.

Chairwoman Mayrer asked about the under plantings and the effect on the trees.

Mr. Kleinke stated there are two different types of conditions for under plantings. The southerly boundary of the site has very good sun light and the shade conditions of the canapé is not that problematic, but there is a plant pallet that will tolerate shade for the other sides of the site.

Chairwoman Mayrer asked Mr. Tice to show the audience the roads in adjacent to the church site.

Mr. Tice explained to the audience the map and showed them where the roads are.

Mr. Puccio asked Mr. Tice to point out the pond that everyone is concerned with.

Mr. Tice stated that many years ago they had done the Deerfield development and the they had installed a drainage facility a detention basin on the Deerfield section 3 project, the overflow from the drainage pond flows onto the church property though a natural drainage way. However the overflow is what was created in the low area is the pond which was not there before because the maintenance was not done on the Deerfield detention pond.

Mr. Puccio asked if the drainage will be corrected.

Mr. Tice stated yes the drainage will be picked up and flow into the drainage system within the project.

Mr. Puccio asked will you be draining what is now a pond.

Mr. Tice stated yes they will be draining that area.

Mr. Puccio asked the water will then move into the water basin at the bottom of the site.

Mr. Tice stated correct.

Mr. Puccio asked about the parking for the church and is it adequate for this project.

Mr. Tice stated it has at this time but they will be adding some spaces for the church.

Mr. Johnson asked about the drainage coming off of Oakwood that did not go to the pond but through one of the neighbor's back yard. Where is that drainage swale located?

Mr. Brewer pointed to the map and the location of the part of the pond that is affected by the runoff.

Member discussion on the drainage from between lots 8, 9 and 10 there are apparent swales that drain onto the church property. They drain into the pond and should be addressed because it can't be handled by the natural drainage in the woods.

Mr. Brewer stated they need to maintain the ability for this area to drain properly.

Chairwoman Mayrer asked who currently owns the pond.

A resident stated the Deerfield home owners association.

Chairwoman Mayrer stated the Deerfield home owners association owns the pond and should be maintaining it correctly.

Mr. Brewer stated correct, it has silted in and is not maintained.

The audience stated no

Chairwoman Mayrer stated that if the pond is not dredged it has to be maintained for drainage by the home owners association. That is part of what the home owners association is supposed to do. This will be further explored at a later date.

Mr. Church asked about the septic, in the future if the East Greenbush town lifts the consent order to add more septic flow would the church then hook up to the sewage system.

Mr. Tice stated yes that is what they want to do that is why they plan to install the pipes in case they can hook up later.

Chairwoman Mayrer stated that at this time the new site plans will be submitted for review to the Planning Boards Engineer Mr. Laberge. She then explained the steps in this process - first what was proposed tonight will be going to engineering for review. Second we will research what's going on with the pond and responsibilities of the home owners association. Third there will be a follow up meeting in January and at that time we will schedule the public hearing. Also please submit all your comment in writing ether by email to Nadine Fuda or mail them to 256 Schuurman Road attention Nadine Fuda Director of Planning and Zoning. All your comments are given to the board and will be discussed.

**ADJOURN**

Puccio moved, LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:05 p.m.

Respectfully submitted,  
Nadine Fuda  
Director of Planning & Zoning