

PLANNING BOARD MEETING – NOVEMBER 7, 2016
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.

PRESENT

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

MEMBERS ABSENT

John Lavoie

APPROVAL OF MINUTES — OCTOBER 17, 2016

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

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

PUBLIC COMMENT

None

Public Hearing/Subdivision

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

Stanley and Jesse Cohen published October 29, 2016

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.

Stanley and Jesse Cohen
Jordan Lane
Proposed - 2 lot Subdivision

2016-35/RA/201.-2-50.13

There were no questions for the applicant

SUBDIVISION

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

6 Ayes. 0 Noes . Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose: None

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

6 Ayes, 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose: None

D'Angelo moved, Puccio seconded that the following resolution be adopted:

WHEREAS, a formal application was submitted to the Planning Board on: October 12, 2016 for approval of a 2 - lot subdivision entitled, "Stanley and Jesse Cohen", map prepared by: David Dickinson, dated "10/4/16", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on November 7, 2016 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 Stanley and Jesse Cohen 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.

ADDITIONALLY, CONTINGENT UPON THE FOLLOWING ITEMS, from the Laberge Letter dated

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose: none

Subdivision/ Lot line

Brehm Lot Line

2016-29/PD-3/200.-6-16/200.-6-17

North Hillcrest Rd

Proposed - Lot Line

Peter Bertram was present for this meeting representing Mrs. Brehm.

Mr. Bertram stated they went to the ZBA on Monday October 24, 2016 and was approved for the lot line adjustment and he is here tonight looking to get the final approval.

Mr. Johnson spoke about the changes to the map which was discussed already between Mr. Bertram and Mrs. Fuda. Mr. Johnson wants to make sure the changes are on the new maps to be signed by the board.

LOT LINE ADJUSTMENT

Puccio moved, D'Angelo 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.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose: None

Site Plan/ Special Permit

Scaccia Commercial Building
US Rte. 20
Proposed- New Building

2016-30/HC/211.-2-24.2

Applicant did not come to meeting.

Evolution Site Services
18 Clove Rd
Proposed - New Cell Tower

2016-33/RA/219.-1-2.1

Applicant did not come to meeting

Paul Schweid
771 Columbia Turnpike
Proposed- Elite Rim Repairs LLC.

2016-37/HC/178.-15-5.2

Paul Schweid, applicant was present for this meeting.

Mr. Schweid stated they are looking to use the existing building at 771 Columbia Turnpike for his business called Elite Rim Repairs, LLC. There will be no changes to the building, this business is not a car dealer ship they work with dealers repairing rims and dumpers on dealer rental cars and high end vehicles, there will be no oil changes or painting of vehicles on site. The parking lot will be striped and delineated for the 10 employees and the trucks and well as for the customers so everyone will know the in and out of the facility they use for pickup and delivery of the rims to clients. The front of the building will be a showroom

of the rim and touch up products they use and clients will be able to purchase rims at this site.

Mr. Puccio asked if it is a drive up business.

Mr. Schweid stated 90% of the business is from dealers and the items that need repair will be transported by the dealerships, what they bring in are leased vehicles. But they also take in drive up business as well.

Mr. Puccio asked about the amount of parking that is going to be needed on site.

Mr. Schweid stated to start he has 10 employees and 5 company vans and hopes this to expand like his other business in Long Island.

Mr. Laberge wanted to clarify vehicles or just the rims come in from the dealers.

Mr. Schweid stated predominantly the rims are picked up by his van drivers. In the future they hope to have the dealers bring in the vehicles.

Mr. Laberge asked about the work on bumpers>

Mr. Schweid stated they do touch up work on bumpers, no painting.

Mr. Laberge asked about the noise and if the work is done inside the building.

Mr. Schweid stated very little noise and yes all inside.

Mr. Laberge stated the only real site change is the stripping of the parking lot correct, and other items that need to be addressed are no outdoor storage is allowed as well the dumpster needs to have screening.

Mr. Schweid stated correct on the stripping and the others he is ok with as well.

Mr. Aubin asked about the refuge, it is full body parts or pieces.

Mr. Schweid stated there will be not refuge, the bumpers are only touch up scrapes with a powder rubbing compound.

Mr. Johnson asked if they are leasing the property of purchasing all 3 lots.

Mr. Schweid stated they are purchasing the entire property.

Sending this item to engineering for review and this will be looked at as a special use permit

Dagen Trucking
Empire Blvd.
Proposed - 100 Foot Addition Site Plan Mod.

2016-38/PD3/178.-12-24

Steve Boisvert Bergmann Associates was present for this meeting.

Mr. Boisvert stated he is here to present Dagen request for a 100 x 85 foot by expansion to his existing building. There will be no expansion to the existing driveway or parking area. Part of this request will result in the relocation of the some storm sewer, a water main and adjust the grades along the south side of the lot to accommodate the finish floor to be the same as the finished building.

Mr. Puccio asked about the turning radius coming out at the end of the new addition.

Mr. Boisvert stated as of now it is sufficient for the smaller trucks but certainly not for the bigger trucks.

Mrs. Fuda stated the bigger trucks go through the building at the side entrance and the crane removes the cargo and then continues out the other side.

Mr. Johnson asked where the contractor going to stage the work.

Mr. Boisvert stated he is not sure. But Mr. Dagen purchased the 5 acres next to this site and that maybe the staging area; he is looking to build another building on that area as well sometime in the future. The time crunch is getting the addition closed in before the winter.

Mr. Laberge stated the current lighting on the building needs to be down casted and shielded. As he drove by on I90 the glare is very evident.

Sending this to engineering.

Darleen Meppen
3500 US Rt. 20
Proposed - Change in Tenancy Nassau Computer Repair.

2016-36/HC/211.-3-8.11

Lloyd Miner, Nassau Computer Repair was present for this meeting.

Mr. Miner stated he owns Nassau computer repairs and have been at his current place for 6 years and is looking to move his business to 3500 US Rt. 20. This site is better for him and his clients, it is wheelchair accessible, he gets a lot of seniors with computer issues and this site is a lot better for that.

Mrs. Fuda stated this applicant is only taking one room the front office.

Mr. Miner stated it is suite A

Mr. Johnson asked about the site layout and parking.

Mrs. Fuda stated there is plenty of parking.

Mr. Miner stated the road/driveway goes around the building.

CHANGE IN TENANCY

Aubin moved, Johnson seconded APPROVAL of a change in tenancy at "3500 US Rt. 20 (New Road)"

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose: None

MEMBER DISCUSSION

Ed Brzozowski for E.W.Birch Builders from Strawberry Fields was here to explain to the board the outcome of the trees to be planted on certain lots within Strawberry Fields.

Mr. Brzozowski stated he ended up back to the homeowners on the 8 trees that were missing and asking them if they wanted two trees added to their property, one home owner stated they would like them the others did not want the trees. So he is here hoping the board would take the balance of \$1200.00 to be donated to the park land fees and as a result release the monies that are in a \$35,000 cash bond and a \$15,000 letter of credit.

Aubin moved, D'Angelo seconded that the \$1200.00 balance for the trees that were not planted to be donated to the town's parkland fees and the town to release all funds back the E.W. Birch.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose: None

Robert Linville, Planning Boards Attorney spoke about the sidewalk issue at the Spinney of Pond view phase 1, the consensus after an informal survey conducted with the residents

resulted in many of them saying they didn't use the sidewalk because it was not a stable place to walk so they walk in the road, His opinion is that the original agreement to install adequate sidewalks should be done, the asphalt should be removed and a safe sidewalk should be installed. The board needs to vote on what they want the Pond view owners to do.

Chairwoman Mayrer stated the matter before this board, do we want to go back to the builder stating we requested sidewalks and that was what was proposed and they need to put the sidewalks in.

Mr. Shaughnessy asked about the amount of liner feet has to be changed.

Mr. Johnson some areas would be adequate but there is a number of areas where it goes around catch basins is not a good area to walk. Is there an issue with permeable area where they are worried about eliminating the two foot between the edge of the pavement and the sidewalks.

Chairwoman Mayrer stated they wanted to take out the grass.

Mr. Laberge stated that he is not sure we required sidewalks or if it was an option; we will have to look into it further. They were on the final site plan just not sure how they got there

Mr. Shaughnessy asked what was on the final plan asphalt or concrete.

Mr. Laberge stated asphalt

Mr. Shaughnessy stated this is going to be a challenge to get them to change now.

Mr. Laberge stated it is a quality issue and an asphalt sidewalk can be just as good as a concrete one if done properly.

Mr. Aubin asked are we going to ask them to do an assessment of the area in question.

Mr. Johnson stated they should have some ADA requirements that they should meet for seniors.

Robert Linville stated the inquiry goes back to what was agreed to and what was approved and what did they assent to do in their drawing they filled with in the town. We have a credibility issue here and if an applicant is allowed to slide after they have received an approval on certain conditions and those conditions have not been met and we don't police it, it sets a bad precedent. He would suggest as Mr. Laberge did to go back to the files

showing the approval and the terms and what the description of sidewalks might have been there and direct them to do what was to be done.

Chairwoman Mayrer stated we need to go back and see what was proposed and what was approved, but the other thing is Mr. Johnson brought up an issue if the service is un-useable and uneven let it meet ADA requirements. We will revisit this issue the next go around.

Troy Den Besten

Robert Linville planning board attorney spoke about Troy Den Besten and his efforts to get ahead of a site plan review and board approval and is lawyer Dave Cook wrote to Mr. Linville and CC Mrs. Fuda seeking a minimal approval for Troy to do some clean up in the parcel he had cleaned off without an permit from the town he wants to stabilize the area and start the well and water line to a paddock and run electric for a pump. He does propose to prepare a sit plan in the next few weeks and request a meeting with Mrs. Fuda to review the site plan. And his reaction to this request to fix something after going ahead without any approvals we should not give the partial approval but instead have Mr. Den Besten do the site plan for the boards review and take it from there. He needs to call attorney David Cook back with what the board's decision is.

Mrs. Fuda stated the location is on Kingman Road next to the Beagle Club property. The Carabateas 98 acres parcel, in trying to create a horse farm, he downed about 5 acres of trees, had equipment in there creating big piles of dirt, clearing and pulling out stumps. She went to the site with Phil from Laberge because this is now an MS4 issue as well and spoke to Troy. In her opinion what is needed is a site development permit with a SWIPP and a notice of intent to DEC and a plan for the whole parcel, this was told to him in the beginning what he would need and he didn't like that idea and continued on, she wrote a notice of determination after having a conference call with Phil from Laberge, Mary Berry from DEC, Dave Gasper from DEC, and Bob Summers from AGI and markets and herself, Troy contacted Bob Summers and told him he was making pastures and was told By Bob he was exempt and the town can't interfere and stop you. At that point Mrs. Fuda contacted Mr. Summers and had him visit the site and sent him pictures, after that Mr. Summers understood her position. Troy is in and AGI district but he is not a farm and is not AGI exempt.

Mr. Johnson asked was he doing any erosion control.

Mrs. Fuda stated no, but I understand he now has erosion control in place . The land is level, and hay was put down and seed, as of today she had not been out to look.

The board decided to have Attorney Linville hold off calling Attorney Cook back until there was another site visit with Phil from Laberge and others to see the current condition of the lot before a decision is made.

ADJOURN

Johnson moved, Aubin seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:55 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning