

**PLANNING BOARD MEETING – FEBRUARY 1, 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 — JANUARY 4, 2015**

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**

Mr. Lemka, spoke about the Brookview Woods right-of-way through to the Lutheran Church property and asked about the town's abandonment of a paper street and if it can be done without planning board approval, being this paper street is part of a subdivision and for the future use as access to adjacent lands.

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

**Grooten Acres, LLC published January 20, 2016**

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

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Public Hearing Opened at 7:11 p.m.

Public Hearing Closed at 7:19 p.m.

**PUBLIC HEARING**

Grooten Acres, LLC  
424 & 438 Schodack Landing Road  
Proposed- 2 Lot and Lot Line

2015-47/RA/225.-3-17 &-20

Frederick Haley, Surveyor was present for this meeting.

Mr. Haley stated the maps were changed according to the request's from the last planning board meeting.

Mr. Johnson stated they still have issues with the property lines for Joan Harris, they need to be shown with a note that all the existing lines need to be removed. And there should be a summary of the acreage for all lots.

Chairwoman Mayer asked the board if they understood what it is they are trying to do. She stated they could take action with a contingent on a proper map.

Mr. Haley stated he cannot and will not put something on a map that has not happened yet.

After further discussion a decision was made to not remove the lines and have a summary block on the map describing the total of the new lots.

### **SUBDIVISION**

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

5 Ayes. 1 Noes . Motion carried.

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

Oppose: Johnson

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

5 Ayes, 1 Noes. Motion carried.

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

Oppose: Johnson

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

**WHEREAS**, a formal application was submitted to the Planning Board on: December 23, 2015, for approval of a 2-lot subdivision and a Lot Line adjustment, Grooten Acres LLC. "Joan Harris and John Grooten", map prepared by: Frederick Harris, dated "December 23, 2015, and

**WHEREAS**, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on February 1, 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 Joan Harris and John Grooten be **APPROVED CONTINGENT UPON** submission of final maps with a summary block added to the map with total lot sizes of each lot, and 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.

5 Ayes. 1 Noes. Motion carried.

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

Oppose: Johnson

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:**  
**Title of the project published January 20, 2016**  
**Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing record(s).**  
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Public Hearing Opened at 7:22 p.m.

Public Hearing Closed at 7:24 p.m.

Kayser Solar

2016-1/RA/209.-11-42.11

1062 Van Hoesen Rd

Proposed - SP/ Ground Mount Solar

Bridget McManus applicant, Kasselmann Solar and William Kayser land owner were present for this meeting.

Ms. McManus stated they are looking to construct a 421.94 sq. ft. ground mount solar array located at 1062 Van Hoesen Rd.

Mr. Puccio stated it is 150 from the road, and the house in front of the solar structure.

Ms. McManus stated correct.

### **SPECIAL PERMIT**

D'Angelo 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, Shaughnessy seconded a **NEGATIVE DECLARATION**.

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

Aubin moved, Johnson seconded that the ***SPECIAL PERMIT*** be: **GRANTED** for a period of **2 YEARS**

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:  
Keller Construction published January 20, 2016  
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing  
record(s).**  
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Public Hearing Opened at 7:22 p.m.

Public Hearing Closed at 7:24 p.m.

Keller Construction

2015-46/HC/210.-4-15.1

Additions/ Alterations

1435 Rte. 9

Proposed - Site Plan Modification

John Keller Jr. applicant and Jameson Phillips project manager were present for this meeting.

Mr. Laberge stated he received a revised plan that clarified a lot of issues from the last planning board meeting and he really has no comment being this is a minor site plan modification. His letter of January 28, 2016 basically recommends approval if the board doesn't have any other issues.

Mr. Shaughnessy stated it looks like Nolan Engineering analyzed the existing structure's and stamped the existing drawings which still show a 70 mile an hour wind load. Did they do a structural analysis based on today's code?

Mr. Keller stated yes.

Mr. Shaughnessy asked if he got any kind of letter summarizing the services they provided and could you submit it for the record. Showing they checked for 90 mile an hour winds.

Mr. Keller stated he has an e-mail from Nolan and can bring it in for the file.

#### **SITE PLAN MODIFICATION**

Shaughnessy moved, D'Angelo 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, Johnson seconded a **NEGATIVE DECLARATION**.

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

Puccio moved, Aubin seconded **APPROVAL** of **SITE PLAN MODIFICATION**.

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

### **RECOMMEND to ZBA**

Diane DiGiorgio

Z748-16/R-20/188.2-3-29.2

11 Johns Lane

Proposed - Area Variance and 10% coverage

Diane DiGiorgio, applicant was present for this meeting.

Mrs. DiGiorgio stated she is looking to put a small addition on her home for an office and laundry room. The addition is coming off the back of the garage and she will need a variance.

### **RECOMMENDATIONS TO THE ZBA**

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **MEMBER DISCUSSION**

#### **Letter from Brewer Eng. On Spinney Buildings**

Mr. Laberge stated we have reaffirmed phase 2 of this project, and at that time they had modified the configuration of the building to take advantage and produce some retaining walls that was needed also at that time they reconfigured some of the units. This letter is intending to just clarify that they're ok in building with the set changes. There is also discussion on the total water demand, there is plenty capacity for both water and waste water for the additional of 12 units. He does not see a problem with it.

If the board seems so inclined that, it is ok to build the total of 206 bedrooms for the full developed project of both phase 1 & 2.

Mr. Laberge stated we could say yes that we reaffirm the intent of the approval of phase2.

Mr. Johnson asked if East Greenbush has anything to say about the addition of the bedrooms and the capacity or is that already set.

Mr. Laberge stated the sewer service is provided to the town under a contract of 45,000 gallons per day on average and his understanding is we are at 24,000 per day on average.

Mr. Johnson stated the map that was supplied does not show the club house and the lot line adjustments that were made. Does that have anything to do with what we are looking at or are we to assume that the original maps we approved are official and this is just for the extra bedrooms.

Mr. Laberge stated this map is just to show the units being designed with the extra bedrooms.

D'Angelo, moved, Aubin seconded that the Planning Board approves the changes described in the spinney letter dated January 18, 2016.

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

### **MEMBER DISCUSSION**

#### **Edgewood Estates Storm water Management letter.**

Mr. Laberge spoke about the letter from Dominic Reco - what they are trying to do is revise the stormwater management facility on Edgewood Estates to be something more manageable. The concept is good he is not quite certain that it can be achieved to the level they want and still meet the MS4 stormwater regulations, so he suggest that if the board so pleases that direct him to send a letter back indicating that the concept may work you need to give us more detail as to how it meets the previous stormwater management intent and the current regulations.

Chairwoman Mayrer stated the motion would be for the Planning Boards Engineer to request more information and assuming it is an acceptable solution they could go ahead with their plan.

Mr. Johnson stated from what he reads they are taking the material from the bottom of the pond and flatting the slopes so they are reducing the area for the bottom of the detention basin.

Mr. Laberge stated there is a four bay there and what to just make sure they do not mess the treatment before it gets into the main pond. He is looking or a sketch plan to start with and then get to the details.

Puccio Motion, D'Angelo seconded the planning board instructs their engineer to continue consulting with Edgewood Estate on the retention pond and all of the changes

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

### **MEMBER DISCUSSION**

#### **TB # 2015-290 Doelner Circle 1,000 ft. of unnecessary highway for abandonment**

Chairwoman Mayrer spoke about an action that was taken on a paper street on a prior Town Board meeting and so we have several issues associated to that, one of which is a jurisdictional issue and that leads to who can do what from the town board prospective but then from the highway department and so on. As specified these paper streets are approved by the planning board for the purposes of dealing with further development and emergency evacuations and all the appropriateness associated to proper planning. So what we are looking to do tonight is have a motion that speaks to the inquiry by our attorney to consult with the town board attorney as to the jurisdictional issues associated to the action that was taken and to report to this board as to those findings.

Puccio motion, Aubin seconded to have the Planning Board attorney inquire and consult with the Town Boar attorney on the action taken by the Town Board.

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

### **MEMBER DISCUSSION**

#### **Pipeline that would pass through the Town of Schodack**

Chairwoman Mayrer stated it looks as though the pipeline that is proposed to pass through Schodack originally had a compressor station attached to it and there are now several sights proposed for this compressor station and one of them is at the end of Burden Lake Road and that happens to be in the town of Nassau and the other second and third one are sited for Schodack. So we are asking our attorney to clarify the issue associated to it.

Robert Linville, attorney stated the Kinder Morgan project is still alive and the Representatives continue to nose around in towns of Rensselaer and Columbia County as to prospective sites for the different parts of the pipe line and compressor station. A large part of this will run through Schodack and it is very important that the Planning Board be

kept informed and up to date on the progress of the project. He suggest to the board a resolution would be appropriate to empower our engineer Mr. Laberge to reach out to Kinder Morgan's engineer and discuss the progress of the project and it impact to the town. When decisions have been made there would be an expectation that Kinder Morgan would submit plans for site plan review applications to this board. So the planning board would have a roll and influence some parts of the decision to come through the town.

Mr. Puccio asked if the issue both the compressor station as well as the actual pipe line.

Mr. Linville stated the whole thing needs to be clear but the compressor stations have the most impact to the town and its residents.

Mrs. Fuda stated the second site is sited on Rt.9 on Kenny Morris's property, behind Keller's and John Nessler's properties. And they are looking to take over 100 acres. So this would be directly over the aquifer.

Mr. Laberge asked exactly what he is looking into. First we want to understand the process and implications to current statutes that currently resides on the books of the town of Schodack. Second did the town join some type of coalition?

Chairwoman Mayrer stated yes they did, it is called the Berkshire Regional Planning Commission.

Chairwoman Mayrer stated there is a desire for our town attorney to investigate exactly what the status is of this project.

Puccio Motion, D'Angelo seconded to have the Planning Board Engineer, Richard Laberge of The Laberge Group contact the Kinder Morgan engineer to discuss and analyze and report back to this board.

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

### **ADJOURN**

Puccio moved, Johnson 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



