

**PLANNING BOARD MEETING - MAY 16, 2016
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

PRESENT

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

Denise Mayrer, Chairwoman
John LaVoie

APPROVAL OF MINUTES — MAY 2, 2016

Puccio moved, D'Angelo seconded that the minutes be approved as amended.

5 Ayes. 0 Noes. Motion carried.

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

PUBLIC COMMENT

Resident spoke on the Valente project and submitted paperwork from DEC for the file.
See file number 2016-16.

Resident spoke about the Marrero 2 Lot Subdivision, File # 2016-9 stating that it is a flag lot and his understanding is that you cannot have a building on the access portion of the flag and there is a preexisting garage in that area which is about 20 feet from their property line. At the last meeting the applicant was told to move the garage and now they are being told it is remaining.

Mrs. Fuda stated that as long as the garage meets the setbacks of 50 from the road and it is pre-existing it is allowed.

Resident asked what the setback allowed from their property line.

Mrs. Fuda stated for a detached garage is 5 feet. The applicant came into the office and is planning to build her home on the flag lot and at that time she was thinking of removing the garage but she has changed her mind it is fine she is not in violation of any zoning laws.

Resident spoke on the Valente project and stated he is disappointed in the town and the boards for not acting quick enough to be able to change what can happen in this area of the town and what should not happen is letting this become a warehouse area.

Resident spoke to the board on two items on the agenda one being the Valente property and the timber harvesting - no warehouse for that area and the owner for the property for the timber harvesting are shady at best. The board needs to be slow in acting on these items.

Resident spoke on Valente and if the town board has determined and passed on the definitions for a warehouse or a sales distribution center to this board. He asked if some members of this board working on this project. And wanted to know what the holdup was in getting this done.

Mr. Puccio stated they are in the process of revising the entire zoning code in a comprehensive way. Definitions relate to the entire code. And as result it is 300 pages that have to be picked apart and put back together. It is a lengthy process.

Resident stated the zoning in the area is not hard to understand, if you want to change the zoning to allow warehouses anywhere, this is not good and the laws were put in place to protect their area from the wrong kind of development.

Public Hearing

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

Joe Strevell published Month Day, 2015

Acting chairman Johnson directed the affidavit(s) of publication be made part of the hearing record(s).

Public Hearing Opened at 7:24 p.m.

Joe Strevell / Stewart Daniels

2591 Phillips Rd.

Proposed - Timber Harvesting/ Special Permit

Public Hearing Closed at 7:42 p.m.

2016-15/RA/177.-12-2.211

Mr. Strevell stated the plan is the same as last year, he is looking to finish the timber harvesting with a new harvester. The previous guy only did about 10% of the harvesting.

Mr. Johnson stated the map is unreadable because it is a copy.

Mrs. Fuda sent Melissa up to the Planning Office to get the original file from last year for the board to review.

Member and applicant and Mr. Lemka discuss this applicant.

Mrs. Fuda stated they have to follow the state best management practices. And if there is ever an issue anyone can call DEC and file a report.

Mr. Johnson asked if the property was flagged the 25 feet property boundary's because it was stated logging was done on or close to the property lines.

Mr. Strevell stated to his knowledge that is not correct, you can see the flags he and Mr. Lemka put out and no trees were taken in those areas.

TIMBER HARVESTING

Puccio moved, D'Angelo seconded that the Planning Board be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

Aubin moved, LaVoie seconded that the **SPECIAL PERMIT** be **GRANTED** contingent on:

- a bond in the amount of \$1200.00 will be required.
- this permit will expire on May 16, 2016
- Attorney Linville will draft a document for Chairwoman Mayrer's signature. The document shall include: hours of operation, Monday through Friday, 7 a.m. to 5 p.m., Saturday, 9 a.m. to 5 p.m. with no harvesting on Sundays and holidays.
- The Forrester agrees to use the New York Best Management Practices.
- There will be a 25' buffer on all adjacent properties.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan/ Special Permit

Roderick Valente

2016-16/PD-3/189.-10-40.131

1710 Schodack Valley Road

Proposed - Site Plan Modification

Eric Redding PE., Bergman Associates was present for this meeting.

Mr. Redding stated they are proposing a site plan modification from the previously approved sales distribution center along Rt. 150 the site is identical to the original plan in use and layout with just a few changes (he posted the map on the board) The applicant is

looking to lower the elevation floor by 5 feet, and he is going to be building a 60 thousand sq. ft. building to start and will build out further as the need presents itself.

Mr. Puccio asked who the building is being built for.

Mr. Redding stated the applicant is currently looking for a renter.

Mr. Johnson asked if the property has been subdivided.

Mr. Redding stated yes and has been filed with the county and is not looking to change anything.

Mr. Johnson asked about the easement to the 9&20 associate's property is that still in effect?

Mr. Redding stated correct it still exists and will not be changed.

Mr. Johnson asked about lowering the elevation by 5 feet.

Mr. Redding stated the applicant would like to reap the benefits of the material on the site.

Mr. Johnson asked if there were numbers on the amount being taken.

Mr. Redding stated approximately 100 thousand cubic yards.

Mr. Puccio asked under the DEC regulations does this fall into the realm of mining. Or is this a construction exception.

Mr. Redding stated this is just part of construction.

Mr. Puccio asked Mr. Laberge about the approval process from DEC play out in terms of your engineering review and our approval process.

Mr. Laberge stated he believes DEC will be interested in whether it's an approval site plan so there is some coordination that will have to be done. But this board in the past as with other stated permits we have approved proposal with conditions upon DEC, DOT permits and so on.

Mr. Johnson asked if you change the grade by five feet does that change the access roads.

Mr. Redding stated it does not change the layout of them just means the roads will not be as steep. But lowering the building also helps with the screening to the neighborhood to the south. Two rows of staggered evergreen trees were proposed and approved with the last application and still stands.

Subdivision

Marrero 2 Lot Subdivision
110 Waterbury Rd.
Proposed - 2 Lot Subdivision
Correction to the Map filed

2016-9/RA/221.-2-9.5

NOT RE-APPROVING - this is an explanation on the survey

Mrs. Fuda stated this map was adjusted to reflect the deed from the neighboring property because the deed was not available from the applicant.

D'Angelo moved, Johnson seconded that the Planning Board agreed to sign the adjusted map for filing.

Storm Water Public Hearing

2016 Storm Water Annual Report Public Hearing

Mrs. Fuda read the public hearing notice,

There were no questions or comments.

Site Plan/ Special Permit

T- Mobile Wireless
1000 Western Road
Proposed- adding one new Micro. Dish
Added 5/13/16

2016-18/RA/ 199.-1-39.1

Michael Baroody, NB&C (Network Building & Consulting) was present for this meeting.

Mr. Baroody stated they are looking to add a smaller microwave dish to the tower.

SPECIAL PERMIT

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

6 Ayes 0 Noes. Motion carried.

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

Oppose: None

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

6 Ayes 0 Noes Motion carried.

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

Oppose: None

Puccio moved, LaVoie seconded that the **SPECIAL PERMIT** be: **GRANTED** for a period of **5 YEARS**

6 Ayes 0 Noes. Motion carried.

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

Oppose: None

Kevin Cioffi

2016-17/HC/200.-6-6

950 Rte. 9

Proposed - Site Plan Modification

Kevin Cioffi, applicant was present for this meeting.

Chairman Johnson asked Mr. Cioffi what his plans were and what was he looking to do.

Mr. Cioffi stated he is looking to expand his storage units by adding 3 more buildings, he is looking to start with one building for now because the removal of the hill is going to take some time as it is all shale.

SITE PLAN MODIFICATION

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

MEMBER DISCUSSION

ADJOURN

Johnson moved, LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning