

**PLANNING BOARD MEETING - DECEMBER 6, 2021  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

**PRESENT**

Denise Mayrer, Chairwoman  
Wayne Johnson, P.E.  
Lawrence D'Angelo  
Andrew Aubin, P.E.  
James Shaughnessy, P.E.  
Stephanie Leonard  
Nadine Fuda, Director  
Attorney Craig Crist, Esq.  
Richard Laberge, P.E. Planning Board Engineer  
Melissa Knights, Assistant to Director

**MEMBERS ABSENT**

John LaVoie

**APPROVAL OF THE DRAFT MINUTES FOR — NOVEMBER 15, 2021**

Johnson moved, Aubin seconded that the draft minutes be approved, as amended, as the official minutes of this meeting.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Absent: LaVoie

**PUBLIC COMMENT**

None

Public Hearing

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

Schodack Golf published November 26, 2021

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

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Public Hearing Opened at 7:02 p.m.

Public Hearing Closed at 7:08 p.m.

**Site Plan /Special Permit**

Schodack Golf

2021-38/R20 RA/188.-5-5.11

92 Schuurman Road

Proposed - 12 lot subdivision

Member Lawrence D'Angelo recused himself from this application.

Steve Hart, Hart Engineering was present for this meeting.

Mr. Hart stated there was nothing really changed. He updated the board on what was happening.

No real update to the planning board. He is here tonight to get any public comments. But he went over the 11 building lots on Schuurman Road which will have septic fields but hooked up to town water, and the remaining lands of 294 + or - acres which use to be the 36-hole golf course.

Mr. Johnson stated he is looking at the drainage off site how to avoid water going down to the culvert on Schuurman Rd.

Mr. Hart spoke to Ken Holmes about the drainage area and will make sure he follows up with Mr. Laberge, Mr. Holmes stated he doesn't recall any problems in that area.

Mr. Johnson stated he thinks the project will need to do a drainage study.

Mr. Hart stated they will check out where all the drainage patterns are, and it is probably the area for the last couple of homes. But he anticipates the water will have no problem infiltrating into the ground.

Leonard moved; Aubin seconded that the Planning Board to close the Public Hearing

5 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Johnson, Leonard, Mayrer, Shaughnessy

Abstained: D'Angelo

November 18, 2021

Public Hearing

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:  
Muslim community of troy Title of the project published Month November 26<sup>th</sup>, 2021  
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing  
record(s).**  
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Public Hearing Opened at 7:09 p.m.

Public Hearing Closed at 7:28 p.m.

**Site Plan /Special Permit**

Muslim Community of Troy

2021-34/RA/177-8-1.112 & 41

2655 Phillips Rd.

Proposed - Cemetery Special Permit

Applicants Engineer gave the members an update on the project. The lay out has stayed the same one driveway and a parking area. They will have an area for handicap parking on the paved area the rest of the roads will be gravel roads. They will have a maintenance shed to house the lawn mowing equipment.

Resident Walsh, questions how the cemetery will affect his ground water and would like to see environmental, on the project. He was told to come to the planning office to review the file.

Resident Peterson, question how many plots would be in the cemetery.

Applicants Engineer went through the phases and how many plots are in each phase and the buffer that will stay in place.

Johnson, this applicant has been before us a few times, they have added things we have asked for and question if they would have salt on site and if they would have a dumpster.

Aubin, question if they would have a gate at the entrance to the cemetery, Mr. Laberge suggested they reserve a future second access road area to Phillips Rd.

No Salt will be on site, and they will have a dumpster also they have no plans for a gate at the entrance.

Shaughnessy, question the phasing of plan and ask how long each phase will take before they move the next phase. Gavin said they have about 50 plots filled each year. they will look at moving the phasing around to keep the plots from the neighbor and have the phasing start to the northeast corner moving counter clockwise.

Johnson moved; Shaughnessy seconded that the Planning Board Close the Public Hearing 6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**VIA EMAIL AND MAIL**

Denise Mayrer, Chair  
Town of Schodack Planning Board  
265 Schuurman Road  
Castleton, New York 12033

Re: **Preliminary Site Plan Review**  
MCT Cemetery  
SPB No. 2021-34  
Schodack Planning Board

Dear Chairwoman Mayrer:

We are in receipt of additional information as follows:

- A. Storm Water Pollution Prevention Plan (SWPPP), dated November 2021.
- B. Stormwater Management Narrative, dated November 2021.
- C. Project Plans "MCT Cemetery", dated November 5, 2021;
- D. A letter from the Muslim community of Troy, dated November 5, 2021; and
- E. A Full Environmental Assessment Form (FEAF), signed November 1, 2021.

We offer the following:

1. The project is in the RA zone and requires a Special Use Permit for a cemetery use, as well as site plan approval.
2. While the burial use is not subject to the Town's Water Quality Control Act (WQCA), the maintenance building use is in the Direct Recharge Area and requires a Special Permit under the WQCA. The use is subject to the constraints of §223-6(c) and other relevant portions of the WQCA.
3. The project is proposed to be constructed in phases and involves approximately 50 acres of land in the four phases proposed including more than 10 acres of physical ground disturbance. As such, the project is a Type I action under SEQRA.
4. The applicant should forward comments from emergency services including Fire, Police and EMS. The Castleton Ambulance Squad should also be contacted.

5. The applicant has indicated they are looking for site plan approval of Phase 1, 2, & 3 at this time, which is all the area east of the powerlines.
6. The applicant's rights to cross the power line right of way will be required to be documented before any development of lands to the west can be considered.
7. The applicant has indicated they wish to have only one access; however, a second access to act as an emergency access is prudent. It is suggested the applicant consider an emergency access in the northeast corner of the project which could connect to the northeast corner of the parking area. This access can be chained off to prevent people from using it during normal operations of the cemetery.
8. The landscaping plan needs to include a defined width in feet for natural buffer areas and distances along adjacent residential properties. All these areas should be shown as "No-cut, natural buffer areas" on all plan sheets.
9. The landscaping plan should also identify the significant trees (12+" ABH) to be preserved as noted by the applicant in the project narrative letter.
10. The landscaping plan should also show proposed plantings along the buffer area as described in the project narrative letter on the top of Page 2.
11. An asphalt entrance apron (50+ feet) and handicap parking area should be installed. All other surfaces should be "dustless". The gravel access road detail shows crushed stone which should also be used in the parking area. A detail of the parking area should be provided.
12. The future on-site septic area should be labeled as such.
13. The proposed rules and regulations of the cemetery should be finalized by the applicant so that some or all of them can become conditions of site plan approval.
14. The maximum height of the building(s) should be noted on the plan set.
15. A prominent note should be added that there will be no waste/recycling areas, outdoor storage areas, or exterior lighting.
16. The proposed sign should be relocated to be on the property. A detail of the sign should be submitted.

#### SWPPP Comments

17. We note that the SWPPP is currently a draft document until authorized by the Town's MS4 designated authority and NYS DEC. As such, the following documents shall be included in the final SWPPP:
  - a) A signed copy of the final Notice of Intent (NOI) that was filed with NYS DEC;
  - b) A signed copy of the MS4 SWPPP Acceptance Form;

- c) A copy of the NYS DEC Acknowledgement letter authorizing the project with conditions as may be noted.
  - d) All completed Contractor and Subcontractor certification statements that identify:
    - i) The specific elements of the SWPPP that each Contractor and Subcontractor will be responsible for.
    - ii) Contractor/subcontractor responsible for installation and maintenance of erosion and sediment control devices.
    - iii) Their names, titles, and signatures for the trained contractor.
    - iv) The name, addresses, and telephone numbers of the contracting firms and the date signed.
  - e) Copies of the Trained Contractors certification cards showing completion of the NYS DEC-endorsed training in the principles and practices of erosion and sediment control; and
  - f) The final SWPPP should be signed by a responsible corporate officer, general partner, proprietor, principal executive officer, ranking elected official, or duly authorized representative.
18. The correspondence with The NYS Historic Preservation Office (SHPO) Office of Parks, Recreation, and Historic Preservation (OPRHP) that documents OPRHP's review and subsequent finding of "no impact" for the project should be included in the SWPPP when received.
19. The SWPPP / Stormwater Management Report and project site design should be reconsidered to address the requirements of the NYS DEC Stormwater Design Manual (Design Manual) five step process which should include a discussion of the techniques used or not with reasons why they were not implemented on this project. This should include preservation of natural buffers, reduction in impervious cover, and runoff reduction techniques used or considered.
20. Section II.A of the SWPPP states "Topsoil material shall have at least 2 percent by weight of fine textured stable organic material." However, New York State Standards and Specifications for Erosion and Sediment Control, page 4.59 states, "Topsoil material shall have at least 6 percent by weight of fine textured stable organic material."
21. Section III, item 3, the sequence of major activities should include a pre-construction meeting to be held with the Town's Stormwater Management Officer and MS4 Consultant, the Operator, and Contractors and Qualified Inspector.
22. Section IV of the SWPPP includes a section for infiltration basins; however, no infiltration basins are proposed.
23. Long term operation and maintenance procedures for the ponds should be included in the SWPPP.

24. The stormwater analysis and design should be revised using the rainfall value of 7.0 inches for the 100-year 24-hour design storm per Chapter 4 of the Design Manual.
25. The summary tables for the ponds should be included in the report in addition to the plans and should include the water quality volumes with percentages provided in the permanent pool and extended detention indicated.
26. The hydraulic group specific reduction factor for Type D soils should be used in calculating the minimum RRv.
27. In accordance with the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges From Construction Activity Permit No GP-0-20-001 (the General Permit), Part III.B.2.c the drainage area maps (“Pre-Conditions Map” and “Post-Conditions Map”) provided shall be revised to also indicate the following for each drainage area/analysis point:
  - a) The time of concentration flow path segments with all variables used in determining each segment of the time of concentration. This typically includes flow length; average velocity; land slope; surface roughness coefficient; 2-yr 24-hr rainfall, channel flow section information (cross-sectional flow area, wetted perimeter, etc.); and
  - b) Soil types, hydrologic soil group, and weighted CN values.
28. The project sequence of construction must include all relative required elements per the E&SC Standards (page 2.15).
29. The material staging area, equipment storage area, and concrete washout should be shown on the plans. Additionally, a detail for a concrete washout should be included.
30. While project phases are indicated on the plan, the limits of clearing and soils disturbance should be better defined by a specific delineation and call out on the plans.
31. Each permanent Stormwater Management Practice (SMP) is required to have a SMP sign of size and containing the wording per Section 3.5, Page 3-12 of the Design Manual.
  - a) The plans should indicate the proposed locations of the SMP signs; and
  - b) The plans should include SMP sign details that include sign size and wording that is to appear on each sign.
32. The specific location for silt fencing to be installed should be indicated on the plans and along the contour, not at an angle to the slope.
33. The minimum length of stabilized construction entrance should be extended from 50 feet to 100 feet minimum due to the presence of the HSG D soils.

We recommend the applicant should submit the revised information above for further review.

Very truly yours,  
LABERGE GROUP

Aubin moved; Johnson seconded that the Planning Board declare itself to be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

D'Angelo moved; Aubin seconded that the Planning Board hereby classifies the proposed action as a **Type I under SEQRA**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Public Hearing

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:  
Crown Castle/ Dish Wireless Title of the project published November 26th, 2021  
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing  
record(s).**  
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Public Hearing Opened at 7:29 p.m.

Public Hearing Closed at 7:30 p.m.

**Site Plan**

Crown Castle / Dish Wireless

2021-39/RA/189.-10-3.11-1

78 Route 150

Proposed - Dish wireless new user on tower Special Permit

Dan Vadney, Crown Castle was present for this meeting.

No Public comment

Aubin moved; Johnson seconded that the Planning Board to close the Public Hearing

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None



## **LEAD AGENCY**

Shaughnessy moved; Aubin seconded that the Planning Board declare itself to be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

D'Angelo moved; Leonard seconded that the Planning Board hereby classifies the proposed action as an **Unlisted Action** under **SEQRA**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**Waive** the reading of the proposed negative declaration

Shaughnessy moved; Aubin seconded to waive the reading **NEGATIVE DECLARATION DETERMINATION OF NON-SIGNIFICANCE Set forth below**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Shaughnessy moved; Aubin seconded to **ADOPTING SEQRA NEGATIVE DECLARATION of DETERMINATION OF NON-SIGNIFICANCE**

6 Ayes. Noes. 0 Motion carried.

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

Oppose: None

## **STATE ENVIRONMENTAL QUALITY REVIEW ACT NEGATIVE DECLARATION**

### **NOTICE OF FULL ENVIRONMENTAL ASSESSMENT FORM PART 3 EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS AND DETERMINATION OF **NON-SIGNIFICANCE****

This notice is issued pursuant to and in accordance with Article 8 of the New York State Environmental Conservation Law and the regulations promulgated thereunder and set forth at Title 6, Part 617 of the New York Code of Rules and Regulations (collectively, the State Environmental Quality Review Act, or "SEQR"). The Town of Schodack Planning Board (the "Planning Board"), acting as Lead Agency, has determined that the proposed action described below will not have any significant adverse environmental impacts, that a Negative

Declaration of Environmental Significance should be issued, and that a Draft Environmental Impact Statement need not be prepared.

Reasons supporting this determination are fully explained below.

**Project Name:** Crown Castle, Dish Wireless Co-Locate

**SEQRA Status:** Type I: **NO** Unlisted: **XX**

Conditioned Negative Declaration: **NO**

**Location:** Existing Tower, 78 NYS Rt 150, Town of Schodack, New York (Tax ID 189.-10-3.11-1)

**Description of Action:**

Crown Castle (the "Applicant" or "Project Sponsor") seeks to add Dish Wireless to the existing tower, within its existing compound, therefore a co-location on an existing telecommunications tower. The proposed co-location is such that the center line of the desired three new antennas are to be mounted at the 88' level of the existing 196' overall tower height. The three antennas are approximately six feet in height. Additionally, a new 5' x 7' equipment pad and 8' high cable tray is being added inside the existing fenced enclosure at the aforementioned location (the "Project Site"). The project is subject to sec. 219-71 and 219-72A(34)(a) of the Town's zoning law. Site Plan Modification and Special Permit approval is needed from the Planning Board.

**Reasons Supporting This Determination:**

See the attached Environmental Assessment Form (EAF) Part 3, Reasons Supporting SEQRA Negative Declaration, which details the Planning Board's analysis, reasoning, and conclusions in making its determination of environmental significance. The Planning Board has carefully considered the criteria for determining significance as set forth in SEQRA regulations at 6 NYCRR § 617.7 and has thoroughly evaluated the Project's potential environmental impacts as identified in EAF Parts 2 and 3.

**Lead Agency:**

Town of Schodack Planning Board  
265 Schuurman Road  
Castleton, NY 12033

**For Further Information:**

Contact Person: Nadine Fuda, Director of Planning for the Town of Schodack  
Address: 265 Schuurman Road, Castleton, NY 12033  
Telephone: (518) 477-7938

**Copies of this Notice have been sent to:**

NA

**FULL ENVIRONMENTAL ASSESSMENT FORM PART 3**  
**EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS**  
**AND DETERMINATION OF SIGNIFICANCE**  
**REASONS SUPPORTING SEQRA NEGATIVE DECLARATION**

**Crown Castle Dish Wireless Co-Locate**

**Introduction**

The Planning Board, acting as SEQRA Lead Agency, undertook a review of the Project, an Unlisted action, consisting of a co-location on an existing telecommunications tower at 78 NYS Rt 150. The center line of the three new antennas are to be mounted at the 88' level of the existing 196' overall tower height. The three antennas are approximately 6' in height. In addition, a 5' x 7' equipment pad and 8' high cable tray is being added inside the existing fenced enclosure.

**Application History**

By application dated October 20, 2021 Applicant filed the subject application. The application noted the desired co-location and the desire to add a 5' x 7' equipment pad and 8' high cable tray. The matter was therefore first presented to the Planning Board at the November 1, 2021 meeting. At the December 6, 2021 meeting the Planning Board held a public hearing, designated itself as lead agency, classified the action and resolved to issue a Negative Declaration.

**Discussion of Potential Environmental Impacts**

The Planning Board has carefully considered all potential environmental impacts associated with the Project. Below is a discussion of those potential impacts, set forth in the order in which they appear in the New York State Department of Environmental Conservation's ("NYSDEC") SEQRA EAF Part 2.

The Project is a SEQRA Unlisted action. The materials submitted in support of the Project Sponsor's applications were generated, at least in part, by licensed engineers and/or qualified consultants. The conclusions and suggested impact avoidance measures proffered by these professionals were based on established engineering principles, industry standards, NYSDEC and technical data, which have been verified by the Planning Board's own professional engineer. The Town's Planning staff and the Planning Board members, several of whom are professional engineers, also carefully and reviewed the application and the EAF, including the technical reports.

The Planning Board and its consulting engineer have assessed each of the potential SEQRA-related impacts, identified its magnitude and determined the potential impact's importance.

Lastly, the Planning Board has reviewed the criteria for determining significance contained in 6 NYCRR Part 617. This evaluation, which is based in the same information

supporting its conclusions regarding Part 2 of the EAF, confirms the Planning Board's conclusion that a Negative Declaration of Significance should be issued for the Project.

**Discussion of 6 NYCRR Part 617 Criteria for Determining Significance**

The Town of Schodack Planning Board has evaluated the Project using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(I) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). NYSDEC's SEQR Handbook provides "that not every conceivable impact needs to be considered; speculative impacts may be ignored."

As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(I), the Project will not have a significant adverse impact on the environment.

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic, or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The proposed project will not have a substantial adverse change in existing air quality as there are no emissions.

The proposed project has been designed to have no effect on ground or surface water quality or quantity. There is only minimal ground disturbance and minimal additional impermeable area.

The proposed project will not have an appreciable effect on traffic or noise issues. The equipment proposed on site generates very little noise and is placed far enough away from any property/lease lines that it will not be audible. The project generates no traffic except that during construction and routine maintenance.

There will not be a substantial increase in solid waste generation. The project does not generate any solid waste during its operation.

There will not be a substantial increase in potential for erosion, flooding, leaching or drainage problems as there is only minimal ground disturbance and minimal additional impermeable area.

- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources.

There is no removal or destruction of large quantities of vegetation or fauna. The project will not have substantial interference with the movement of any resident or migratory fish

or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources since it is a co-location and not a new build.

- (iii) the impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14(g) of this Part;

The project is not part of a critical environmental area.

- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted.

The project does not create a material conflict with a community's current plans or goals as officially approved or adopted.

- (v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The project does not impair the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character since it is a co-location on an existing site.

- (vi) a major change in the use of either the quantity or type of energy.

The project will not create a major change in the use of either the quantity or type of energy.

- (vii) the creation of a hazard to human health.

The project will not create a hazard to human health. It has been designed in accordance with applicable regulations and standards and is allowable under FCC regulations.

- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

The project will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses since it is a co-location and not a new build.

- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

The project will not encourage or attract a large number of people.

- (x) the creation of a material demand for other actions that would result in one of the above consequences.

The project will not create a material demand for other actions that would result in one of the above consequences.

- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

The project will not create changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

- (xii) two or more related actions undertaken, funded, or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The project does not involve two or more related actions undertaken, funded, or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

### **Conclusion**

The Planning Board, acting as Lead Agency in a review under SEQRA, has thoroughly evaluated all aspects of the Project and carefully reviewed all relevant materials. For the reasons set forth above, the Planning Board has determined that the Project will not have any significant adverse impacts on the environment. As a result, a Negative Declaration will be filed.

Shaughnessy moved; Johnson seconded to **ADOPTING SEQRA NEGATIVE DECLARATION** 6 Ayes. Noes. 0 Motion carried.

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

Oppose: None

Shaughnessy moved; Aubin seconded to Approve and Adopting the Special Permit 6 Ayes. Noes. 0 Motion carried.

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

Oppose: None

Johnson moved; Aubin seconded to Approve and adopting the site plan modification. 6 Ayes. Noes. 0 Motion carried.

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

Oppose: None

**Laberge Letter Dated December 1, 2021**

Application Review

Dish Wireless - 78 NYS Rt 150

SPB # 2021-39

We have received a copy of the Special Permit and Site Plan application from SBA Communications Corp. The application is for a co-location on an existing telecommunications tower at 78 NYS Rt 150. The center line of the three new antennas are to be mounted at the 88' level of the existing 196' overall tower height. The antennas are approximately 6' in height. In addition, a new 5'x7' equipment pad and 8' high cable tray is being added inside the existing fenced closure.

The application has been reviewed in accordance with the Zoning Code §219-71 and §219-72A (34). Pending any substantive comments or other input received at the Public Hearing on this matter, we recommend the Planning Board consider the following:

1. Issue a negative declaration under SEQRA. A copy of the completed Short EAF with the Determination of Non-Significance is enclosed.
2. Grant a minor site plan modification for this project and approval of a Special Permit subject to the following conditions:
  - a. Proof of insurance to be provided as per §219-72A(34)(C)(19).
  - b. Any unused equipment shall be removed from the tower and site.
  - c. An annual inspection and report be submitted per the requirements of §219-72A(34)(C)(15).
  - d. A post installation field report in accordance with §219-72A(34)(C)(17) be submitted.

Public Hearing

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**Nadine Fuda read the hearing notice(s) as published in the Troy Record:**  
**Marra 2 lot Subdivision published November 26th, 2021**  
**Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing record(s).**  
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Public Hearing Opened at 7:34 p.m.

Public Hearing Closed at 7:35 p.m.

**Subdivision**

Marra Subdivision  
Schoolhouse Road  
Proposed- 2 lot

2021-41/RA/201.-2-50.121

Ms. Marra was present for the meeting and was the only person who commented at the public hearing.

Aubin moved; Johnson seconded that the Planning Board to close the Public Hearing  
6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Leonard, Mayrer, Shaughnessy  
Oppose: None

Johnson moved; Aubin seconded that the Planning Board declare itself to be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.

PB 12/6/2021

310-2021

Ayes: Aubin, D'Angelo, Johnson, Leonard, Mayrer, Shaughnessy  
Oppose: None

D'Angelo moved, Leonard seconded that the Planning Board hereby classifies the proposed action as a **Type II under SEQRA.**

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Leonard, Mayrer, Shaughnessy  
Oppose: None

Leonard moved; Johnson seconded that the following resolution be adopted:  
**WHEREAS** a formal application was submitted to the Planning Board on: November 8, 2021, for approval of a 2-lot subdivision entitled, Isidore, Benjamin & Nicolino Marra, map prepared by: Frederick J. Metzger, dated October 30<sup>th</sup>2021, and

**WHEREAS** a public hearing was held on the subdivision application and plat at the Schodack Town Hall on PUBLIC HEARING December 6th at 7:34 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 Benjamin Marra 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.

Leonard Moved Johnson 2nd Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Leonard, Mayrer, Shaughnessy  
Oppose: none

#### **Site Plan /Special Permit**

Joel ONeil

2021-44/HC/200.-9-17.1

1525 Rt.9

Proposed - Car lot (John Keller old Lot)

Joel ONeil, applicant was present for this meeting.

Ms. Fuda tells members they have a copy of the variance and special permit that was issued to the previous owner for this site to have a used car lot on this site. Joel is a new owner and wants to have the special permit in his name and to build the proposed building from the original site plan submitted and approved.

PB 12/6/2021

311-2021



Aubin, ask about the building and the flood plain.

Johnson said the last time Mr. Keller was in they had asked to have sleds put under each car to protect the water system well for the village. He would also like to see a buffer on the Maple Hill Roadside and questioned what will be in the building and if repairs would be on site.

Mr. O'Neil states the building is just an office, the employee would have a temp rest room and that no one would be their full time.

Mr. Johnson, ask that # 10 and 11 on the EAF should be checked no if Mr. O'Neil agrees then you can change the EAF to state that.

Ms. Fuda, states that the variance will not change, that runs with the land not the owner. The Special Permit will need to be changed to update the owner.

Mr. Fuda, States if the flood plain has changed from the time the foundation was installed then at the time of building permit the building inspector will check that and if there was a change then Mr. O'Neil will have to raise the floor up to two feet above the high-water line per the flood plan.

Aubin moved; Leonard seconded that the Planning Board be **LEAD AGENCY**.

6 Ayes. 0 Noes . Motion carried.

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

Oppose: None

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA. No further action is required.

Leonard moved; D'Angelo seconded.

6 Ayes. 0 Noes . Motion carried.

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

Oppose

Leonard moved, Aubin seconded that the **SPECIAL PERMIT** be: **Granted for Joel O'Neil for a period of Five (5 ) YEARS**

6 Ayes 0 Noes. Motion carried.

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

Oppose: none

#### **Site Plan /Special Permit**

American Tower/ Dish Wireless

PB 12/6/2021

2021-42/RA/220.-3-8.1-1

312-2021

10 Beagle Club Way  
Proposed - Dish as new user on tower

Members refer this application to Richard Laberge

**Site Plan /Special Permit**

American Tower/ Dish Wireless  
3788 US Rte. 20  
Proposed - Dish as new user on tower

2021-43/RA/201.-2-39-1

Members refer this application to Richard Laberge

**ADJOURN**

Leonard moved; Johnson seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:49 p.m.

Respectfully submitted,  
Nadine Fuda  
Director of Planning & Zoning