

**PLANNING BOARD MEETING - MAY 20, 2019
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

PRESENT

Denise Mayrer, Chairwoman
Wayne Johnson, P.E.
John LaVoie
Lawrence D'Angelo
Andrew Aubin, P.E.
James Shaughnessy, P.E.
Nadine Fuda, Director
Attorney Craig Crist, Esq.
Melissa Knights, Assistant to Director

MEMBERS ABSENT

Richard Laberge, P.E.
Planning Board Engineer

APPROVAL OF MINUTES — May 6, 2019

Johnson moved, LaVoie seconded that the minutes be approved as amended.
6 Ayes. 0 Noes. Motion carried.
Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy
Oppose: None

PUBLIC COMMENT

None

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

Laurel Jacon published May 15, 2019

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

Public Hearing Opened at 7:03 p.m.

Public Hearing Closed at 7:07 p.m.

Laurel Jacon
333 Funk Road
Proposed - 2 Lot

2019-16/RA/226.-4-1.1/1.2

Pete Van Alstyne, Land Surveyor, was present for this application.

Mr. Van Alstyne stated the Jacon family has a total of 230.28 acres; they are going to separate 26.77 acres, all of which is in the town of Schodack. Of that 26.77 acres they

are creating 2 lots one with 4.65 acres the other will be the balance of 21.31 acres which includes the existing house. The balance of 204.32 acres is in the town of Kinderhook.

Mr. Johnson stated the dotted lines around the home need to be listed as "to be removed".

Mr. Van Alstyne stated yes he will have that stated on the final maps.

SUBDIVISION

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

6 Ayes 0 Noes Motion carried.

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

Oppose: None

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

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

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

WHEREAS, a formal application was submitted to the Planning Board on: May 20, 2019, for approval of a 2-lot subdivision entitled, "Laurel Jacon", map prepared by: Van Alstyne Land Surveyor, dated "April 22, 2019", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on MAY 20, 2019 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 **Laurel Jacon** 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: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy

Oppose: None

Subdivision/ Lot Line

Rodney Swartz

2184 Jensis Road

Proposed - Lot Line

2019-15/RA/188.-7-8.12/8.3

Pete Van Alstyne, Land Surveyor, was present for this application

Mr. Van Alstyne handed out new maps stating they added a few extra items; there was a parcel that was discovered in the deed that was something conveyed just recently and there is an easement over the adjoining property with all that added it is a more complete map. So the Swartz own just over 3 acre parcel to the north of Jensis road, a property that is split by Jensis road that has an apartment building, Mr. Swartz inadvertently build his shop on the property line of his two lots so they are doing a lot line adjustment to put the shop on one lot.

Mr. Johnson stated on the parcel that is being transferred needs to have a dotted line stating to be removed" and after the lot line adjustment labeled lot 1A you end up with 4.9 acres but all the other numbers add up to 5 acres is that just a rounding up issue.

Mr. Van Alstyne stated he will check the math.

Mr. Johnson stated on the house lot it shows the adding of .03 acres but then on the other it shows reducing the acreage by .04 acres.

LOT LINE ADJUSTMENT

LaVoie moved, Aubin 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, LaVoie, Mayrer, Shaughnessy

Oppose: None

Site Plan /Special Permit

Cappy's Auto Repair

3539 RT. 20

Proposed - Change in Tenancy

2019-17/HC/220.-7-28

Thomas Capparella, applicant was present for this meeting.

Mrs. Fuda stated presently Mr. Capparella is working out of the old L&M garage and he's looking to move to 3539 Rt. 20 what was Ultra Lube. That property had received a variance many years ago to operate as a auto repair and car lot and that runs with the land forever. The present owner has passed away and the wife is going to rent the property to Mr. Capparella. There is a write up from the applicant in your packets that explains what is he looking to do.

Mr. Capparella stated like Nadine said he is looking to move his shop to 3539 Rt. 20 Nassau the shop has 5 bays where he is now there is only 2 bays. The pre-existing spaces he

counted are at least 20 to 30. He sees no reason he couldn't fit 25 cars there to be worked on or for pick up the property and building are a lot nicer, he has preexisting green space, the only other is there is a waste oil furnace inside that they will use with the waste oil in the winter time but it is also backed up by propane.

Mr. Johnson asked Mrs. Fuda about the previously approved auto sales from the Planning Board. Are we going to have some say as to how many vehicles can be displayed and where.

Mrs. Fuda stated the building he is looking to move to is variance file number is 288 dated 1987. She asked the applicant if he was looking to sell vehicles now.

Mr. Capparella stated he would like to have auto sales in the future but he is not ready for that currently.

Mrs. Fuda stated why don't we put it in his approval to come back to us when he is ready to add sales to his business. at that time we can set the limits on sales then.

Mr. Johnson stated that's fine but we should also make sure there are no floor drains in the garage.

Mr. Capparella stated as far as he knows there isn't any floor drains; he didn't see any during his walk through.

Mr. Johnson stated he is currently approved for 10 cars to be worked on and how many cars are we going to be allowing on this site.

Mrs. Fuda stated correct that's all the room he had.

Mr. Capparella stated he is looking for at least 20 vehicles which would include vehicle drop off, pick up and the ones being worked on. Right now he is limited to 55 gallons of waste oil but he is going to be using that as heat in the winter so he would like that amount increased and he has someone that will come a pick up when he is at full capacity. He needs to get an answer from the building department about how much oil he can store in the building

CHANGE IN TENANCY

Johnson moved, Aubin seconded APPROVAL of a change in tenancy at "3539 RT. 20" with the following conditions

- 1) 20 cars on the lot
- 2) No car sales at this time

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan /Special Permit

Elmbrook Solar Farm

Brookview Road.

Proposed - Utility Solar

2018-41/RA/188.-6-15

Travis Mitchell, Environmental Design, Giovanni Maruca the applicant were present for this meeting.

Mr. Mitchel stated they have been getting together the final details and want to go over some questions from the public hearing.

- 1.. need for better screening on Brookview Road, so they submitted a change with the solar farm roadway rather than parallel with Brookview which looks a little bit better.
- 2.. discussion on batteries, they showed on the site plan where the batteries will be placed as well cut sheets with all the information on the batteries.
- 3.. open space and the requirement of 35 percent open space preservation, they have come to a conclusion and have added that to the plans.
- 4.. they submitted a list prior projects to Mr. Laberge.
- 5.. discussion on the width of the access road. They had originally shown a width of 12 to 15 feet but the fire access requires 20 foot width along with the stormwater plan and in the future if there is any inclination to reduce the width of the road.
- 6.. they are working with Laberge on the SWPPP requirements. They will continue to wrap up SEQR with this board at the same time they pursue the planned development district with the town board.

Mr. Johnson asked about the fire suppression, does anything get triggered to the fire department or to their office to let you know there is a fire in the battery casing. Or does the system automatically shut the system down.

Mr. Maruca Stated the inverters have monitoring check by the hour, the fire suppression would not trigger a warning.

Mr. Johnson asked if they expect any fires that would require the fire department to come to the site. Should the suppression not be adequate to put the fire out?

Mr. Maruca Their understanding is the suppression should be able to handle anything that should be required to get the fire out.

Mr. Johnson asked if there would be a large fire proof area around each battery.

Mr. Maruca stated they are in a steal box on a concrete pad.

Mr. Johnson asked if the steal box would contain everything and not let the fire loose to spread, maybe stone around the pad would help with the containment.

Mr. Maruca stated the battery systems they are using are the Tesla ones and they have been carefully designed to be self-contained and used all around the world the whole design is to not spread fires. But if there is something he would like do differently he will look into it. Stone is a good suggestion.

Aubin moved, D'Angelo seconded a favorable recommendation for the following **special permit** to be sent to the **Town Board** for review and approval of PD2 overlay:

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

MEMBER DISCUSSION

NONE

ADJOURN

LaVoie moved, Aubin seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:41 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning