

**PLANNING BOARD MEETING – JULY 15, 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.
Richard Laberge, P.E. Planning Board Engineer
Melissa Knights, Assistant to Director**

MEMBERS ABSENT

Chairperson Mayrer request an Attorney client privilege meeting 7:00 PM

D'Angelo Motion LaVoie Second

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Chairperson Mayrer request to end Attorney client privilege meeting 7:21PM

Aubin Motion, Shaughnessy Second

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

APPROVAL OF MINUTES — JUNE 17, 2019

Johnson moved, Shaughnessy 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

PUBLIC HEARING

**Nadine Fuda read the hearing notice(s) as published in the Troy Record:
Dunkin Donuts published Month Day, 2019
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing
record(s).**

Public Hearing Opened at 7:00 p.m.

Held open till next meeting on August 5, 2019

Dunkin Donuts
1792 Columbia Turnpike
Proposed - Site Plan Mod
Wastewater treatment

2019-14/PD-3/189.-10-8.21

Applicant was unable to attend the meeting due to personal reasons.

LaVoie Motion, D'Angelo seconded for this public hearing be held open until the August 5, 2019 meeting.

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, applicants engineer was present for this meeting.

Mr. Laberge Spoke About his letter Dated July 3, 2019 (See Below) stating the applicant responded quickly to his letter. They updated their plans and supplied a letter from SHIPPO regarding NO effect for this project; the stormwater plan was revised, attached to the end of the letter is the long form EAF.

Mr. Mitchel stated he had nothing further to add other than the July 3, 2019 was generally housekeeping items that were responded to as Mr. Laberge stated they are relativity minor in nature and doesn't expect anything significant to come up. They are in front of the town board for the (PD) planned development district approval, they had the public hearing last week, to move that process forward they need a declaration from this board, after that they go back to the town board for the approval on the (PD).

Laberge Letter Dated July 3, 2019

Re: **Preliminary Plan Review**

Elm Brook Solar Farm

SPB #2018-41

- A letter from Environmental Design Partnership dated 06/17/19 responding to our letter of 06/04/19 preliminary review;
- A letter from the NYS Park, Recreation, and Historic Preservation date 06/05/19;
- Storm Water Pollution Prevention Plan (SWPPP) last revised June 2019;
- A Memorandum from Brandon Ferguson, PE of the Environmental Design Partnership dated 06/17/19 with an attachment "A" Stormwater Modeling Calculations dated 06/14/19.
- Plan set consisting of 11 sheets revised to 06/17/19.

The project is subject to §219-39.3 of the Town's zoning law. The Planning Board has certified the application to the Town Board and while review of the site plan is continuing at the applicant's request, site plan approval cannot be considered until a PD-2 solar overly is granted by the Town Board.

With the above in mind, we offer the following comments on the materials submitted and on the outstanding requirements of §219-39.3:

1. The Applicant should submit the USACOE's response to this request indicating their concurrence the project can proceed with the proper permits.
2. The Applicant maintains that the proposed Solar Field fencing will be aesthetically pleasing and will be supplemented by the CCTV monitoring system. In addition, the Applicant has indicated that routine inspection, maintenance and replacement of fencing components will be performed along with other equipment maintenance within the facility.
 - a. The fence mesh to be utilized should be specified on the drawings and be no longer than a 4"x4" opening.
3. The Applicant has acknowledged and agreed that the property owner must submit proof of insurance in an amount acceptable to the Town. Town shall be named a Certificate Holder and be provided notice if the policy is to be cancelled.
4. The Applicant has acknowledged and agreed to provide the following prior to the start of construction and maintained throughout the construction and life of the facility:
 - a. Surety for construction and maintenance along with acceptable construction cost estimate;
 - b. Surety for removal; and
 - c. Annual documentation from the utility company that the facility is active.
5. The SWPPP should include the memorandum from Brandon Ferguson, PE of the Environmental Design Partnership dated 06/17/19 with an attachment "A" Stormwater Modeling Calculations dated 06/14/19.

6. The SWPPP should contain the post construction long-term operation and maintenance for the proposed "level spreaders".
7. The Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-O-15-002 should be revised to include the additional erosion & sediment control practice "level spreaders". Revise questions 25 and 26 questions accordingly.
8. NOI question number 41 regarding if a USACOE permit is required should be completed upon receipt of the above mentioned USACOE request for a LONO.
9. NOI question number 43 should be revised to yes as the Town is a regulated, traditional land use control MS4.
10. Since the level spreaders will be a permanent erosion control practice, the SWPPP should contain the Town of Schodack's Stormwater Control Facility Maintenance Agreement which is required to be fully executed by the Applicant/Owner/Operator of the facility and filed with the Registry of County Deeds (See the attached standard form).
11. In order to maintain the intended disconnection of impervious areas by promoting overland filtering and infiltration of stormwater (non-rooftop disconnection); in areas where the ground slope exceeds 5%; the Applicant has proposed the use of "level spreaders" to maintain sheetflow conditions.
 - a. However, the level spreader as detailed may not adequately perform without the added required elements as per the requirements of the New York State Standards and Specifications For Erosion and Sediment Control. The design/detail shall be revised to meet the requirements of a flow spreader, per page 3.19 Standard and Specifications for Flow Spreader. Alternatively, the Applicant could propose the use of infiltration berms per the Maryland's Stormwater Design-Guidance-Solar Panel Installations and increase the width of the level spreader to 24 inches.
 - b. The Applicant should include the required inspection and maintenance schedule for this stormwater management practice in the project SWPPP.

SEQRA Recommendation

We recommend the Planning Board issue a Negative Declaration under SEQRA for this project. Attached for your review and use is a Full EAF with Parts 1, 2, and 3 completed including reasoning supporting the Negative Declaration. If the Planning Board issues a Negative Declaration, the involved agencies should be notified and the Declaration needs to be published in the Environmental Notice Bulletin.

C: Craig Crist, Esq., Planning Board Attorney, w/encs (via email only)
Giovanni Maruca, Eden Renewables w/encs (via email only)
Travis Mitchell, RLA, EDP w/ encs (via email only)

SITE PLAN / SPECIAL PERMIT

Aubin moved, LaVoie seconded a **NEGATIVE DECLARATION** biased on the documentation submitted

6 Ayes 0 Noes Motion carried.

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

Oppose: None

Site Plan Mod

Buds Florist

2019-19/HC/200.-9-8

1614 Rt. 9

Proposed - Site Plan Mod

Jennifer Clark, Applicant, was present for this meeting.

Mrs. Fuda stated there is a site plan showing the new grass area and parking which creates a better flow. They have also split the building and created 2 business spaces. There is a Nail Salon on one side and the florist on the other.

Mr. Clark stated they have toned the business operation down quite a bit, took down the green houses and created parking in that area and took out the parking in the front of the floral shop and made it green space, they eliminated one of the two curb cuts to prevent people from entering onto the green space. They have spoken to the state and sent pictures of where the current sign is located; they would like the sign next to the island by Rt9 he is just waiting for the OK to do that.

Mr. Johnson asked if there would be adequate restrooms for the 2 businesses or are you going to share.

Mr. Clark stated they are going to share.

Mr. Johnson asked if there were going to be adequate parking spaces the way the new parking is laid out.

Mr. Clark stated the old parking area was just a free for all, he is working with someone to get parking lines in the new area and create 2 handicap and 7 regular spots.

Mr. Johnson asked about closing off the un-used curb cut to keep people from driving onto the grass. Maybe use a fence of some sort to keep people from driving into that area.

Mr. Clark stated that is fine.

SITE PLAN MODIFICATION

Johnson moved, Aubin seconded APPROVAL of SITE PLAN MODIFICATION.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

MEMBER DISCUSSION

None

ADJOURN

LaVoie moved, Shaughnessy seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning