

**PLANNING BOARD MEETING – August 5, 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
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

Andrew Aubin, P.E.

APPROVAL OF MINUTES —JULY 15, 2019

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

PUBLIC COMMENT

Resident spoke about Stewarts and wants a ground water analysis on gas, Intersection at Sunset Rd and Columbia Turnpike needs a third lane and a guard rail behind Stewarts where deliveries will be made. And as for Al Symington it is not clear what they mean by clean fill and where it is coming from.

Resident spoke about the special permit issued by the planning board in June regarding the Stewarts project and wants the board to consider rescinding that decision since the zoning board had rescinded theirs.

Resident spoke about the proposed clean fill project and the debate on what clean fill is at the town board level, and we need to keep up to date with these changes and have our laws reflect it.

PUBLIC HEARING

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

Dunkin Donuts published July 5, 2019

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

Public Hearing Opened at 7:10 p.m.

Public Hearing Closed at 7:30 p.m.

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

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

Ray Julkowski, from CPL was present for Dunkin Donuts.

Mr. Julkowski spoke about Dunkin Donuts intent for the site change; they propose a 900 square foot building along with various underground structures associated with the pretreatment of the waste water servicing the facility, the Dunkin Donuts facility is currently hooked up to the central sewer system feeding into the East Greenbush sewer. As part of a court order Dunkin Donuts is required to pretreat the waste water before it is discharged in the sanitation system, the pretreatment equipment will be housed in the proposed new building along with the chemicals such as Caustic soda that regulates PH before being discharged. The building will be split face block and will look like the bakery.

Mr. Laberge spoke about his letter dated June 12, 2019 see below.

Re: Concept Site Review

Dunkin Donuts Wastewater
SPB No. 2019-14
Town of Schodack Planning Board

We are in receipt of a set of plans dated 4/17/19 and Short Environmental Assessment Form signed 4/23/19 for the above referenced project.

We offer the following comments:

- 1) The proposal requires:
 - a. Site Plan Approval
 - b. A Special Permit under the Water Quality Control Act (WQCA)
 - c. RCDOH/NYSDEC approvals
 - d. Approval of the pre-treatment process by the Publicly Owned Treatment Works (POTW) in the Town of East Greenbush
- 2) The applicant should identify the types and quantities of chemicals to be stored on site, and whether any are considered hazardous as defined by the WQCA. If so, secondary containment provisions should be identified.
- 3) The applicant should quantify the noise generated by the aeration equipment to the north of the building along with any other noise generating equipment. Noise mitigation should be included as necessary.
- 4) The applicant should indicate how the aerated sludge holding tank will be accessed by a vehicle to pump it out.

- 5) The applicant should discuss the potential for odor generation from the process including the aerated flow equalization and sludge holding tanks. Odor mitigation should be included as necessary.
- 6) Per the Board's comments, the aesthetics of the building should be enhanced by changing the texture of the siding or adding a band(s) of color to the siding.
- 7) A finished floor elevation should be indicated for the proposed building.
- 8) The planning schedule and plan should be revised to include 5 additional evergreens to the north of the building along the fence line to screen the building and aerators.
- 9) The east and west building elevations appear to be mis-labeled.
- 10) All lighting including the building mounted wall parts need to be full cut off down lighting. If LED, they should also be specified as 3500K or less. The applicant should indicate when they intend the lights to be on.
- 11) The location of erosion and sediment control measures are required to be shown on the site plan.

Resident asked in the event of a fire is this chemical something that the fire department needs to be made aware of.

Chairperson Mayrer stated this will be proposed to engineering.

Mr. Johnson stated the proposed building will look similar to the existing bakery, will the building be painted to match,

Mr. Julkowski stated the bakery actually has the split face block so they will be utilizing the same material.

Mr. Johnson asked Mr. Laberge to look into if there will be any fines imposed should the treatment not be done the way it should.

Mr. Laberge stated that is part of the reason Dunkin Donuts has to do this additional process,

Mr. Julkowski stated the applicant is required by law to follow the process since there is a law suit pending.

Mr. Shaughnessy asked who is going to be maintaining the treatment plant; they are going need to have a licensed person to do the job.

Mr. Julkowski stated Dunkin Donuts will be paying for a licensed operator.

Mr. Shaughnessy asked about the roof trusses, will they be wood or metal.

Mr. Julkowski stated wood trusses.

Mr. Shaughnessy stated that a demo plan to further delineate where you are cutting the existing line to tie into the new treatment system.

Mr. Julkowski state yes they will provide clarification on the discharge and the intended hook up.

Mr. Shaughnessy asked for some code compliance information for the building, if not they should be on the plans notes identifying the construction type, building classification, and the fire rating etc.

Mr. Julkowski stated they can add those to the plans. They normality supply that on the building permits.

All agree to send to engineering

Shaughnessy moved, D'Angelo second to close the public hearing.

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan /Special Permit

T- Mobile new co-location

2019-18/RA/201.-2-39.1

3788 US Highway 20

Proposed - New Co-Location

Allen Hinkley, ATC Tower Services

Mr. Hinkley stated T-Mobile proposed to add 9 antennas at a height of 126 feet on a 160 foot tower located next to the highway garage on US 20, they will also be installing equipment on the ground with in the fenced compound on a 10'x15' concrete pad, there will be 2 radio cabinets and an emergency generator.

Mr. Shaughnessy asked if an analysis has been performed on the tower to make sure it can support the new load.

Mr. Hinkley stated they have submitted a structure analysis report.

Mr. Laberge stated he reviewed all the information submitted see his letter of July 22, 2019. the one thing about the antenna he points out that 8 of them are bar type and one is

the microwave dish that is 3 to 4 feet in diameter which we have seen on other cell towers in the town. Everything meets the town code for cell upgrades.

Laberge Letter dated, July 22, 2019

Re: Application Review

ATC T-Mobile

SPB # 2019-18

We have received a copy of the Special Permit and Site Plan application from American Tower Corp. The application is for a co-location on an existing telecommunications tower along Rt. 20 behind the Town highway garage. The center line of the nine new antennas are to be mounted at the 126' level of the existing 155' overall tower height. One antenna is a microwave dish, the other 8 antennas are approximately 8' in height. In addition, the fenced enclosure will be expanded to incorporate a 15'x17' area for an equipment pad including a generator.

The application has been reviewed in accordance with the Zoning Code §219-71 and §219-72A (34). We recommend the Planning Board consider the following:

- 1. Issue a negative declaration under SEQRA. A copy of the completed Short EAF is enclosed.*
- 2. Grant a minor site plan modification for this project and continue coverage under the existing 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. The report should verify that the nut locking concern and the obstruction in the safety climb from the 10/20/16 report have been rectified.*

SITE PLAN MODIFICATION

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

5 Ayes 0 Noes. Motion carried.

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

Oppose: None

LaVoie moved, D'Angelo seconded a NEGATIVE DECLARATION On the unlisted action

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Shaughnessy moved, LaVoie seconded APPROVAL of SITE PLAN MODIFICATION.

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan /Special Permit

Stewart's Shop

2018-34/HC-R20/178.-14-5/6/7

1540 - 1538 Columbia Tpke.

Proposed - New Stewarts Shop

Chuck Marshall, Stewarts shops was present for this meeting.

Mr. Marshall stated as of June of this year this board granted site plan approval and special use permit for the redevelopment of the corner of Sunset Road and Columbia turnpike, upon that approval an article 78 was submitted challenging the determination of the zoning board of appeals. So the zoning board of appeals has rescinded their decision on the towns water quality control act that was issued in February. So tonight they are here to request the planning board to recirculate the lead agency letters status, reaffirm its negative decoration and re-send them to the zoning board of appeals for the variance from the water quality control act or section 223 of the town code. He asked if there were any questions.

Johnson Motion, LaVoie second for the Director Nadine Fuda to send out lead agency letters to all the appropriate agencies.

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan /Special Permit

Al Symington

2019-20/RA/199.-3-29.111

1191 Brookview Station Rd.

Proposed: Clean Fill Site

Steve Hart, Hart Engineering present for this meeting.

Mr. Hart stated the site is located at 1191 Brookview Station Road and is approximately 20 acres in size, Mr. Symington currently owns the lot in question and is looking to fill in the area with clean fill. Over the years Mr. Symington has worked with Keller Construction and will be hauling clean fill out of Albany. When completed the lot will be graded and seeded.

Chairperson Mayrer asked what kind of clean fill is it.

Mr. Hart stated construction sites such as street digging where they are repairing water pipes and of that nature. The one thing he did clarify with Mr. Symington that he has to go with DEC rules and regulations meaning large slabs of concrete and asphalt are no longer considered clean fill and not allowed on this or any site.

Mr. Johnson asked about the final slope of the hill. Will there be any concern on the slope stability after the site is filled.

Mr. Hart stated it will be 3 on 1 slope. And as far as that grade they will make sure they check that but that is a standard grade for this type of project.

Mr. Laberge asked about the time frame for this site to be at capacity.

Mr. Hart stated they could fill it up in a couple years' time, but that is depending on the amount of work he has and he was hoping to keep this going for a little longer it is his main income.

Mr. Shaughnessy asked about the existing conditions on the site.

Mr. Hart stated it's been a dump site over the years.

Mr. Johnson asked if the town board put any laminations on the hours of operation.

Mr. Hart stated no I don't believe so, they just sent it off to here to be decided on by the planning board.

Mr. Laberge asked if the applicant has a plan to dress the site on a regular basis as once a week grade it and shape the area.

Mr. Hart stated they will put notes on the plans and again if they are doing inspections because of the SWIPPP.

Chairperson Mayrer asked if it would be just Mr. Symington dumping at the site.

Mr. Hart stated there maybe one or two of Keller trucks also going to the site, that is who he works with.

Mr. Johnson asked if there is a weekend water main break in Albany and Keller's will be doing the repairs are they going to find an alternate place to dump because there is no dumping on Sundays.

Mr. Hart stated that is correct Mr. Symington plans on working Monday through Friday no weekends or holidays, Keller will have to go somewhere else for that day.

All agree to send this for engineering review.

MEMBER DISCUSSION

NONE

ADJOURN

Shaughnessy moved, D'Angelo seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:50 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning