

PLANNING BOARD MEETING - NOVEMBER 20, 2017
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.

PRESENT

Denise Mayrer, Chairwoman
Wayne Johnson
john LaVoie
Lawrence D'Angelo
James Shaughnessy
Nadine Fuda, Director
Attorney Robert Linville, Esq.
Richard Laberge, Planning Board Engineer

MEMBERS ABSENT

Andrew Aubin
Paul Puccio

APPROVAL OF MINUTES — OCTOBER 23, 2017

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

None

RECOMMENDATION to ZBA

Loguan Madison
29 Cold Spring Ave.
Proposed - front setback

Z771-17/R20/201.12-9-1

Jennifer Madison, applicant, was present for this meeting.

Mrs. Madison stated they are looking to rebuild their garage after a fire destroyed it.

Chairwoman Mayrer asked if this was a setback issue.

Mrs. Fuda stated yes.

Mr. Shaughnessy asked if the issues with the property had been resolved.

Mrs. Fuda stated yes they have found homes for the chickens and goat.

Mrs. Fuda stated to the applicant that they will have to come back for the ZBA meeting on December 11, 2017.

RECOMMENDATIONS TO THE ZBA

Shaughnessy moved, LaVoie seconded a **"FAVORABLE"** recommendation to the Zoning Board of Appeals.

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

SUBDIVISION/LOTLINE

Birch Builders

2014-22/RA/188.-5-8.11

Brookview Station Road

Proposed - Strawberry Fields lots 21 - 42

Birch Builders was not present for this meeting and Richard Laberge the board engineer spoke about his letter. See below

Mr. Laberge stated Strawberry Fields lots 21-42 have preliminary plans submitted which resulted in the letter (see below) half the letter is on stormwater which is extremely technical. He spoke to Mr. Tice last week and he stated they are working on revisions and a response to his letter.

Mr. Johnson asked if they phase this and extend existing cul-de-sac are they going to have a secondary access while they are working on the road and for safety access after phase one is complete. Or will the phasing not include the new road off the cul-de-sac.

Mr. Laberge stated their intent is to extend the cul-de-sec but not to build the other access off South Old Post Road until they build the second phase.

Discussion on the width of the road in phase 2 because of one access, Mr. Laberge stated he will talk to Mr. Tice about a secondary access.

Mr. Johnson asked about the street trees, are we going to require them every 100 feet and three feet into the property line or are we going to be doing something else?

Mr. Laberge stated he stuck with the code of 1 tree every 100 feet, 3 feet on the inside of the right-of-way. As long as the trees are there they should be able to adjust where they are placed according to the lot.

Everyone agrees to have the applicant work with engineering on the Laberge letter below.

Laberge Letter Dated November 14, 2017

Preliminary Plan Review

Strawberry Fields Lots 21 - 40

SPB # 2014 - 22

We are in receipt of two sets of plans for the above referenced subdivision dated September 2017 and a Stormwater Management Engineering Report. One set of plans is labeled Phase 1 and the other Phase 2. We offer the following comments:

1. Proposed lot 28 lies on top of R.O.W. dedicated to the Town as part of the adjacent subdivision. The applicant will need to request these lands be released from the Town, or revise their plan. The Town Board must indicate that they are willing to release portions of the existing ROW back to the developer.
2. Fire protection issues must be incorporated into the planning of the subdivision. The fire department should be contacted for their comments and requirements. Written comments from these agencies should be submitted to the Town.
3. Measures should be proposed to minimize the disturbance of the lands to be dedicated to the Home Owner's Association and on lot 39 along South Old Post Road. At a minimum, a forever "no cut" area 80 feet wide should be shown along South Old Post Road.
4. A preliminary subdivision plat is to be filed is required to be submitted for review.
5. A table of all proposed lots should be prepared showing acreage, frontage, and depth.
6. A note should be added indicating no further subdivision of lot 39 will be allowed. A deed restriction will be required to filed in the County Clerk's office and a filed copy submitted.
7. The plan should be revised to incorporate the previously planned ROW into the "Remaining Lands of Hines". In addition, the applicant should consider designating this lot as a building lot under this subdivision action so that there is no confusion as to whether it is a buildable lot.
8. All easements proposed to be extinguished should be identified as such and a request made to both the Town and Homeowner's Association for approval of same.
9. The boundaries of the proposed 50' wide drainage easement along South Old Post Road should be shown on the map and extend south to the new intersection with the proposed road.
10. Owners of the existing detention area and access to it should be identified and labeled. If the access is an easement, it should be labeled as such.
11. All storm sewers are required to be a minimum of 15 inches in diameter.
12. Sheet number 2 needs to be revised for this project.
13. The delineation of the project phasing should be refined to indicate that the proposed easement reconfiguration will be done as part of Phase 1 including the new culvert under the proposed road in the vicinity of lots 35 and 40.
14. Maintenance access into the proposed stormwater area along Old South Post Road is required.
15. Driveways cannot exceed 3% for the first 50' in length, and must have a low point prior to meeting the road. The low point should be identified by a spot elevation(s) on the plan.
16. The swale between lots 22 & 23 should be moved to be centered on the property line.
17. A swale is needed on the property line between lots 23 & 24.
18. The profile of Woodland Drive between station 1+00 and 5+00 should be smoothed out and the storm sewer adjusted accordingly.
19. The storm sewer on the south side of Woodland Drive cul-de-sac should be extended to the east of the driveway for lot 26.
20. All septic fields and wells are subject to the approval of the Rensselaer County Department of Health. In order to avoid duplication of effort, our office has not reviewed these plans or details. We note that the pump curves on sheet 10 in the Phase 1 plan set are labeled incorrectly or extraneous.

21. Street trees and monumentation must be shown per code on all the plan sheets.
22. The scale on sheet 5 should be reviewed and revised as appropriate.
23. The straw bale dike detail should be removed or the location of same indicated on the plans.
24. The pavement replacement detail should indicate 2-1/2 inches of binder and 1-1/2 inches of top course asphalt.
25. Sheet 12 in the Phase 1 plans should call out the silt fence symbol; and any other storm water attributes (stockpiles, etc.)
26. The typical catch basin detail should indicate the size of the structure(s). The referenced table could not be found.
27. The street tree planting details should include notes regarding the type of tree(s) and that placement is to be 100 foot on center and 3 feet from the ROW on the lots.
28. The controlled fill area should be shown graphically on the plan view. A note should be added to the detail indicating that any on site material to be used must be stockpiled and tested (1 test per 500 cubic yards) prior to its use as controlled fill material.
29. The pavement section on sheet 9 of the Phase 1 plan set appears to be a duplicate of the same detail on sheet 7.
30. The typical road section should show the street tree location on both sides of the ROW.
31. Sheet 11 of the Phase 1 plan set indicated the detention basins will be constructed as part of Phase 2. It should be Phase 1.
32. The overall grading plan in the Phase 2 plan set needs to be shown at 1-inch = 50 feet scale for clarity and further review.
33. The 35 foot wide drainage easement at the rear of lots 38 & 40 should be called out as being conveyed to both the Town and the HOA.
34. Landscaping plans are needed for the two cul-de-sacs.
35. Swales are needed on the property line between lots 38 and 40, 36 and 37, 32 and 33, and 33 and 34. Given the slope between the lots, additional swales may be needed to prevent cross lot drainage.
36. The vertical curve at station 10+50 on Road A in Phase 2 requires smoothing by increasing the K value.
37. The FEAF should be revised and resubmitted to include the Environmental Mapper page and as appropriate for any of the comments above.

Regarding the Storm Water Pollution Prevention Plan (Stormwater Management Engineering Report) we offer the following comments:

38. The original Strawberry Fields subdivision is required to file a Notice of Termination (NOT) with the Town for approval. A prerequisite to the NOT is the recording of the required deed covenant to ensure continued long term maintenance of the stormwater facilities. As such, the SWPPP for the proposed project cannot be approved prior to the NOT and NYS DEC termination of permit coverage for the original Strawberry Fields.
39. Infiltration rates are noted as assumed at 3 inches per hour on page 4:
 - a. Soils properties shall be confirmed by actual on-site testing in accordance with Appendix D of the NYS DEC Stormwater Management Design Manual (Design Manual). The depth to seasonal high ground water and infiltrations rates shall be reported and designs revised as may be necessary (such as increased pretreatment volume) to reflect actual conditions.
 - b. Infiltration rates in the existing infiltration shall be confirmed.
40. Proposed sizing and design calculations:
 - a. Table 4, Water Quality Volume Summary, appears to be partially cut off. The table should be corrected to show the entire table.

- b. Appendix A: The site location map should be revised to include a north arrow and plan scale.
41. Appendix B: Soil and watershed boundary maps require revisions to more precisely indicate the existing and proposed study drainage areas.
- a. The pre-development watershed map should indicated additional area draining from the north side of the road to Woodland Drive and include the area draining to the cul-de-sac (including the cul-de-sac).
 - b. The pre-development watershed map should indicate the additional area draining from adjacent lawn area at the entrance to Farm View Drive that flows to the drainage system inlets at this area.
 - c. The post development watershed map should be revised same as the requirements for pre-development map.
 - d. The post development watershed map, Post Area 3 drainage divide should be revised to account for the proposed drainage swale located between Lots 22 and 23.
 - e. The proposed land use change, adding building lots 21 and 28 along, removal of the existing cul-de-sac and continuance of Woodland Drive should be accounted for in the post analysis and should be included in drainage area that flows to the existing storm drainage system in Woodland Drive.
 - f. Existing developed lot grading and roof drainage should be confirmed and drainage divides adjusted on the maps to accurately indicate if the entire home and yards drain to the storm system or to rear yards un-detained.
 - g. The proposed development designs should stipulate how roof drainage is to discharge and site grading detailed sufficiently to indicate if just the front yards or the entire yards are proposed to discharge to the Phase II storm drainage system.
42. Appendix D: The stormwater model should be revised.
- a. Include analysis of the infiltration basins, by providing supporting calculation to demonstrate that the basin has the capacity for the proposed runoff and that the basin dewater within the required 48 hours.
 - b. Provide the stage storage calculations to support the pretreatment sizing to 100% of the $WQ_v = 16,808$ cubic feet.
 - c. Revise the model to demonstrate inflow into the existing infiltration basin, stage storage characteristics, exfiltration through the floor of the basin and outflow to the proposed downslope basin.
 - d. Revise the model to demonstrate inflow into the proposed infiltration basin, stage storage characteristics, exfiltration through the floor of the basin and outflow to downslope.
43. Appendix F: The green infrastructure sizing calculations should include calculations demonstrating that the infiltration basins fully dewater the entire WQ_v within the required 48 hours.
44. The SWPPP post construction maintenance plan should be revised to include:
- a. The required concrete washout pits, construction staging area, and soil stockpile protections.
 - b. The installation and maintenance details & notes for each proposed erosion and sediment control measure proposed all in conformance with the 2016 NYS Standards and Specifications for Erosion and Sediment Control.

45. Appendix A: SWPPP/Erosion Control Plan:

- a. The storm sewer system along lots 38, 39, and 40 appears to discharge directly into the proposed infiltration basin. This system should be revised to provide pretreatment of stormwater prior to discharging into the basin.
- b. The project phasing plan references temporary diversion swales to divert flows from the infiltration basin. These swales should be depicted on the Erosion Control Plan.
- c. The approximate limits of disturbance for the project should be depicted on the plan.
- d. Areas to be preserved as open space and buffer should be clearly labeled and delineated.
- e. Provide the addition of check dams for proposed swales and details.
- f. Additional silt fence for the project should be included on the North side of Lots 23 and 24 along the edge of the embankment and along the south-east side of Lots 31 and 32.
- g. Inlet protection measures should be depicted on the Erosion Control Plan.
- h. A rip rap outlet is being proposed at the northerly end of Easement "A", however there does not appear to be a stormwater conveyance system discharging to this location. Revise the Erosion Control Plan for this location as required.
- i. Indicate the location of proposed wells and 100 foot separation required from infiltration areas.
- j. Indicate stabilized stone construction exists for all lots, and for the two points of access/exit from Phase II.
- k. Provide additional controls to protect the existing and proposed storm drainage system.
- l. Provide additional controls to restrict lot construction access to stone construction exits. This is particularly important for this Phase II as Phase I demonstrated a lack of control and subsequent heavy sedimentation of the roads and discharge to the storm system.
- m. Indicate the phases of development and specific controls for each phase.

46. Appendix B: Construction Details:

- a. Revise the stormwater management practice signage detail to indicate the practice proposed (infiltration basin) in place of that indicated (bio-retention area 1).
- b. Indicate the requirement for the infiltration basin (section view) bottom of the basin to be a minimum of three feet above the seasonally high groundwater table elevation. This elevation shall be documented by on-site soils testing.
- c. The Treatment Area Plan View shows a contour labeled as both elevation 290 and 288. Revise this plan to show only the correct elevation for this contour.

47. The infiltration basin should be revised.

- a. Include an overflow spillway and means of dewatering the basin in the future should maintenance be required.
- b. In addition, the design should determine if the receiving downstream swale is suitable for the anticipated flows or if erosion protection is needed from the pond to a location that is not susceptible to erosion.

48. Appendix C: Notice of Intent and MS4 Acceptance Form:

- a. Question 4 is incomplete, provide the required information.

- b. Question 9, although the project is proposing to infiltration all runoff there is a potential for a discharge to occur in which case the closest waterbody should be identified as the Moordener Kill, an off site stream.
 - c. Question 15, 16 runoff may be discharged to road side swales maintained by the Town.
 - d. Question 24, provide email address.
 - e. Question 27a, indicates soil restoration. While the plans note the method, the locations for soil restoration are not noted nor delineated on the plans.
 - f. Question 37 should not select the waiver response (question 37A) that indicates a downstream analysis. Qp and Qf criteria is met with the use of the proposed infiltration of 100% of the runoff. Further, the post-development rates should be zero to indicate the proposed infiltration of all runoff from the site.
49. Appendix E: The draft presented cites the incorrect county and town. Use the Town of Schodack MS4 required standard form of maintenance agreement. Upon subdivision/site plan approval the agreement should be fully executed and filed with the county deeds and a copy provided to the Town's Stormwater Management Officer.
50. Appendix F: Post construction maintenance provides criteria for long term maintenance for the infiltration basins.
- a. Additional reference should be made to the Maintenance Guidance Stormwater Management Practices September 7, 2016 NYS DEC that includes inspections and maintenance.
 - b. Additionally, the designer should review their presented schematic of the infiltration basin for components that should be incorporated into their design, such as underdrainage, outlet structure and clean outs.
51. Appendix G, Construction Inspection checklist should only be provided for the proposed stormwater items. Further the checklist should include more specifics on requirements.
52. The SWPPP should include documentation of consultation with NYSHPO about potential impacts to historic places with a response letter from SHPO included.
53. As the SWPPP is currently a draft document until authorized by the Town's MS4 designated authority and NYS DEC; the following completed documents shall be included in the final SWPPP:
- a. SWPPP Preparer's Certification;
 - b. Owner/Operator Certification;
 - c. Contractor's Certification Statement; and
 - d. The Owner/Operator shall identify a trained contractor for the project and provide a copy of their certification card to the Town's Stormwater Management Officer.

Many of the above comments are applicable to both the Phase 1 and Phase 2 plan sets. We recommend the applicant incorporate these comments appropriately into the next submission for review. Please contact our office with any questions or comments on the above.

Nadine Fuda read the hearing notice(s) as published in the Troy Record:
George Barna published November 11, 2017

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

Public Hearing Opened at 7:08 p.m.

Public Hearing Closed at 7:20 p.m.

George Barna
1607 Schodack Valley Rd.
Proposed - 2 lot subdivision

2017-34/R20/189.-15-5

Fredrick Metzger, Land surveyor, was present for this meeting

Mr. Metzger stated he is here for an approval on a 2 lot subdivision, the property is located on the corner of Route 150 and North Old Post Road, there is an existing house at the front of the property has access off of Route 150 the new proposed lot will have its own access off of North Old Post Road.

Mr. Johnson asked if the well and septic were well within the lot containing the structure?

Mr. Metzger stated yes they are.

Mr. Johnson asked about the red dotted lines on the map.

Mr. Metzger stated those dotted lines are the original property line before the back lot was added years ago and the I-90 / North Old Post Road right-of-way was taken

There were no public comments or questions for this application.

SUBDIVISION

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

5 Ayes. 0 Noes . Motion carried.

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

Oppose: None

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

5 Ayes, 0 Noes. Motion carried.

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

Oppose: None

Johnson moved, LaVoie seconded that the following resolution be adopted:

WHEREAS, a formal application was submitted to the Planning Board on: November 9, 2017 for approval of a 2-lot subdivision entitled, " George Barna", map prepared by: Fredrick Metzger Land Surveyor , dated "June 8, 2017", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on November 20, 2017 at 7:00 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 *George Barna* 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.

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan /Special Permit

Pheasant Hollow Solar Farm

2017-35/RA/177.-8-1.111

2670 Phillips Road

Proposed -Solar Farm

Steve Hart, Applicant was present for this meeting.

Mr. Hart stated that he is looking to have a solar farm put in on his property across the road from Pheasant Hollow golf course, the proposed solar array will be a 500KW, per town guide lines, the array will be located 640 feet off of Phillips Road, .

Mr. Johnson asked that Mr. Hart look at the setback between this array and the power line right-a-way, and asked if the access to the panels inside the fencing is adequate to get in to do clearing and mowing and general maintenance. Also the map shows a power line going from the array towards Phillips Road.

Mr. Hart stated the power will run to Phillips Road and back feed to the power to the power lines.

Mr. Johnson asked if the solar will be owned by the golf course or a different company.

Mr. Hart stated they plan on setting up a separate LLC. But this project is with him and his brother Brian and they also own the golf course.

Mr. Johnson asked if there should be an easement for access to this LLC.

Mr. Hart stated there will be a land lease for the property plus an access easement for maintenance.

Member discussion with Steve Hart on the sharing the solar power with residents.

Mr. Hart stated he is unaware how that would work and could look into it.

Mr. D'Angelo asked if the poles to the lines be underground instead of overhead.

Mr. Hart stated he would prefer them to be underground and he will look into it.

Mr. Shaughnessy asked if there was going to perform a visual analysis with the neighbor's

Mr. Hart stated they could certainly look into it. There is also a visual EAF which he has not seen in his career but is going to look into.

Mr. Laberge asked where do they stand with the coordination with the Town of East Greenbush, are they going to require sight plan approval?

Mr. Hart stated this is a brand-new application so it is the first time he is hearing before this board and later he will contact East Greenbush and they will probably do a minor site plan approval.

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

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

All members agree for this to go to engineering.

MEMBER DISCUSSION

Stuart Allen

2017-28/RA/190.-11-23.1

257 Beaver Road

Proposed - Ground Solar location Change

Mr. Stuart Allen, applicant was present for this meeting.

Mr. Allen stated he is here mending a previous application for the ground mount solar farm build on his parent's property, the two closest corners to Beaver Road were installed at 86 and 82 feet instead of where it was original site was proposed on the survey.

Mrs. Fuda asked if he had a foundation location.

Mr. Allen stated he has no documents with him.

Chairwoman Mayrer stated she believes it is closer than the 82 feet and is actually more like 50 feet so with that being said we need to see the survey, do you have one.

Mr. Allen stated no

Chairwoman Mayrer asked who did the survey

Mr. Allen stated he believes Brad Towler from Monolith Solar.

Chairwoman Mayrer asked to have Brad brought into the next meeting with a survey.

Mrs. Fuda stated the building department is requiring a stamped foundation location map to be submitted, our law requires 75 feet but when the building department did the inspection they believe the solar array is maybe 50 feet. It may be 75 feet from the road but it needs to be from the property line and there is an easement for national grid with in that area. She explains to the board that this is before us because the building department wants a foundation location plan stamped by a surveyor otherwise this is a violation and needs to go for a variance.

Chairwoman Mayrer stated we need Brad Towler, the surveyor come into the building department for review.

ADJOURN

Shaughnessy moved, LaVoie 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