

**PLANNING BOARD MEETING - MARCH 19, 2018
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

PRESENT

Denise Mayrer, Chairwoman
Wayne Johnson
John LaVoie
Lawrence D'Angelo
Andrew Aubin
James Shaughnessy
Paul Puccio
Attorney Craig Crist, Esq.
Richard Laberge, Planning Board Engineer

MEMBERS ABSENT

Nadine Fuda, Director

APPROVAL OF MINUTES — MARCH 5, 2018

Aubin moved, LaVoie seconded that the minutes be approved as amended.

6 Ayes. 0 Noes. Motion carried.

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

Abstain: Puccio

PUBLIC COMMENT

None

PUBLIC HEARING /Special Permit

Melissa Knights read the hearing notice(s) as published in the Troy Record:

Kenneth Goldman / Tony Gale published March 9, 2018

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

Public Hearing Opened at 7:00 p.m.

Public Hearing Closed at 7:05 p.m.

Kenneth Goldman / Tony Gale

2018-7/RA/201.-2-30

Loweree Road

Proposed - Timber Harvesting

Tony Gale, Harvester, was present for this meeting.

Mr. Johnson asked when leaving the site where are the trucks hauling too.

Mr. Gale the lumber will be going to Duanesburg.

Mr. Johnson asked if the trucks will be taking the shortest routes to the highway and if he is aware of the 25-foot buffers.

Mr. Gale stated yes to both questions.

Mr. Puccio asked where the trucks would be leaving the site and the landing area.

Mr. Gale stated it's above the house in the woods, you can't really see the landing from the road, and they would be leaving between the two homes.

Mr. Puccio asked about the distance between the two homes.

Mr. Gale showed the road that is to be used between the two houses to Mr., Puccio on the map.

Mr. Puccio asked if the road was shale.

Mr. Gale stated correct.

TIMBER HARVESTING

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

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Puccio moved, D'Angelo seconded a **NEGATIVE DECLARATION**.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Puccio moved, LaVoie seconded that the **SPECIAL PERMIT** be **GRANTED** contingent on:

- a bond in the amount of **\$ 2100.00** will be required.
- this permit will expire on: March 19, 2019
- Attorney Crist will draft a document for Chairwoman Mayrer's signature. The document shall include: hours of operation, Monday through Friday, 7 a.m. to 5 p.m., Saturday, 9 a.m. to 5 p.m. with no harvesting on Sundays and holidays.
- The Forrester agrees to use the New York Best Management Practices.
- There will be a 25' buffer on all adjacent properties.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

LOT LINE

Fedorowicz Lot Line

2018-5/RA/178.-5-18.21

400 & 404 Miller Road

Proposed- Lot Line

John Fedorowicz, the applicant was present for this meeting.

Mr. Fedorowicz stated the lot line change is for 400 Miller Road where there's an existing house we have a garage that sits on our property and neighbor is going to purchase the 0.91 acres property to add the garage to his lot.

LOT LINE ADJUSTMENT APPROVAL

Puccio moved, LaVoie 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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

LOT LINE

Thomas & Lynn Mitchison

2018-8/R40/221.-1-8.24

Waterbury Road

Proposed - Lot Line

Peter Van Alstyne, Land Surveyor, was present for this meeting.

Mr. Van Alstyne stated this is for a merger and a lot line adjustment for the lands of Mitchison on Waterbury Road. The Mitchison's own 3 parcels on the North side of Waterbury Road. They are a 76.79 acres, 19.26 acres and 0.8 acres.

The lot line adjustment will be taking 2.53 acres from the 19.26 acres and increasing the 0.8 acre parcel to 3.33 acres leaving 16.73 acres. This will now be merged to the adjacent 76.79 acres creating a lot of 93.52 acres.

LOT LINE ADJUSTMENT APPROVAL;

LaVoie moved, D'Angelo 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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

LOT LINE

Scaccia Lot Line

2018-9/HC/211.-2-24.2

US Rte. 20

Proposed - Lot Line

Todd Scaccia, applicant, was present for this meeting.

There were no questions on this lot line adjustment.

LOT LINE ADJUSTMENT APPROVAL;

Aubin moved, D'Angelo 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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan

Scaccia Commercial Building

2016-30/HC/211.-2-24.2

US Rte. 20

Proposed- New Building/PH site plan

Todd Scaccia, The Applicant was present for this meeting.

Mr. Laberge state on January 31, 2018 Mr. Scaccia did reply on the Laberge review letter dated January 24, 2017 (see below). And he is assuming the changes with stormwater and site engineer have been applied to the new information he received this evening. He will review and issues a new letter at that point he will inform the board on the next steps to take, either a recommendation for approval or a recommendation for approval with conditions.

Mr. Johnson asked if the easement information go to the attorney.

Mr. Laberge stated not yet.

Mr. Scaccia stated the easement was completed by his attorney and he will get Mr. Laberge a copy for his records.

**Laberge letter dated
Preliminary Site Plan 2nd Review
Scaccia Auto Building - PB # 2016-30**

January 24th letter

We are in receipt of a revised site plan set with four plan sheets last revised February 19, 2017 by Caola Engineering for the above referenced application. We offer the following comments:

- 1) The project is in the HC zone and requires site plan approval. It also requires special use permits for motor vehicle service and motor vehicle sales, and one for the WQCA since it lies in the Direct Recharge Area.
- 2) The project is subject to the applicable provisions of §219-72(16), §219-72(33), and §223. A use variance and area variance from §219-72(33) will be necessary for the motor vehicle sales for:
 - a) Used car sales without new car sales;
 - b) Structure closer than 50' to the property line.
- 3) The project abuts a property to the south that was the subject of a site plan review that was never finalized in 2011 (SPB #2010-39). That review required an easement for parking from the subject applications' parcel which is in conflict with the proposed site plan. In addition, a drainage swale was planned on the subject parcel as well. The applicant's engineer has indicated that Mr. Scaccia will address all coordination issues. We recommend that Mr. Scaccia consider withdrawing #2010-39 application. This can be done via correspondence to the Planning Department indicating the same.
- 4) The locations of existing and proposed easements as required by the owner or as required below.
- 5) The following agencies should be contacted by the applicant to solicit their written preliminary comments regarding the site plan:
 - a) NYSDOT regarding the location of the existing driveway and the stormwater discharge to their system.
 - b) Rensselaer County DOH regarding well and septic (permit approval will be required before site plan signing).
- 6) On sheet C-2 the outdoor display area should be shown as spaces 31-34 only (4 spaces). In addition the note on that sheet should be revised to indicate the same.
- 7) A reciprocal easement for access, etc. between the site and the adjacent property to the west should be recorded to allow for use of each other's properties, even though they are under related ownership at this time. The applicant's engineer has previously indicated that Mr. Scaccia will address this comment.

- 8) The site plan set should show the proposed septic system plans and detail. While the septic system will not be reviewed by this office, in order to avoid duplication of effort, RCDOH approval is required.
- 9) We did not receive a revised SWPPP with this submission, but per our October 18, 2017 letter, a revised SWPPP is required to satisfy the following comments:
- a) Preparer and Owner/operator certifications of the SWPPP are required.
 - b) Introduction
 - i. Delete the word "Preliminary" from the next submittal.
 - ii. The NOI indicates the site area as 1.4 acres with existing and future impervious area as 1.4 ac. The SWPPP and NOI should be revised using the pre-developed condition to determine the existing conditions characteristics not the partially developed site conditions. Using Google Earth imagery indicates that 100% of the site was pervious. This condition should be applied to the pre and post runoff analysis presented.
 - iii. Add the Town of Schodack's deed covenant maintenance agreement as the "enforceable mechanism" and include this document in the appendix of the SWPPP.
 - c) Description of Drainage Area
 - i. Existing Conditions
 - 1. The US Fish & Wildlife response indicates a potential threatened species and no critical habitat, it does not indicate "no threatened or endangered species". This should be clarified in the text.
 - 2. The site is within the Kinderhook Lake watershed, with site discharges flowing to an unnamed tributary to the Valatie Kill. This should also be noted in the NOI.
 - ii. Proposed Site Development
 - 1. The area of disturbance is indicated as 1.54 acres. This area should be used in the NOI as the area of permit coverage sought not the parcel area of 1.4 acres previously cited.
 - 2. This section should indicate that since the project is located in the Kinderhook Lake watershed it is subject to the general permit requirements for post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards (Chapter 10) included in the technical standard, New York State Stormwater Management Design Manual ("Design Manual). As such, the SWPPP should be revised and resubmitted to include the requirements of Chapter 10.

3. The NOI question 11 should be revised to reflect this condition indicating, yes.
4. The topographic base mapping is insufficient for the proposed stormwater hydrological analysis for this site. Provide spot elevations and one foot contours within the site, and sufficiently beyond the proposed site disturbance to enable a determination of stormwater flow into the area; and out from the area and potential impacted areas located adjacent to the site disturbance.
5. All proposed disturbed area is required to be routed to a stormwater management practice for quality and quantity control.

d) Erosion & Sediment Control Plans and Details Sheets

- i. Provide a vicinity map with scale and north arrow.
- ii. Clarify the symbols used on the plan to definitively enable distinguishing between like symbols, for example the drainage divide line, property line and street lines.
- iii. Provide a sequence of construction and schedule of maintenance for temporary and permanent controls.
- iv. Indicate the limits of proposed disturbance to be permitted. The site is indicated as 1.4 acres, but disturbance is indicated as 1.54 ac.
- v. Indicate the existing vegetation delineation limits.
- vi. The predevelopment drainage areas map should show the existing site conditions and note that the area has undergone significant alteration from 2009-2010 when it was still largely wooded.
- vii. The drainage area maps should show the entire tributary areas. See also the previous topographic mapping comment.
- viii. Soil types/boundaries and hydrologic soil group should be indicated on the drainage analysis maps.
- ix. Tc flow paths indicated should include segments such as sheet flow, shallow concentrated and channel segments with slope and length of each segment indicated.
- x. Provide additional silt fence especially along the east and the southern property line where the slope to adjacent property is over 20 feet in elevation difference. Provide additional intermediate silt fence at locations such as just down slope of the proposed septic system construction. Indicate areas to receive erosion control matting. Indicate areas to receive soil de-compaction. Indicate proposed porous surfaces and treatments such as lawns, shrubs, etc.
- xi. Indicate how drainage will be directed to the stormwater practices with additional notes and spot elevations especially along the southern and eastern site boundaries.

- xii. Correct or clarify the stormwater planter detail elevations. Elevations indicated are not consistent with the specified material layer depths and ponding required.
- xiii. Since the stormwater ponds may be constructed on shale fill or a highly fractured underlying soil, the ponds should be specified with an impermeable liner.

The applicant should revise their plan set and SWPPP in accordance with the above and submit full size hardcopies along with a letter explaining how the comments have been addressed to the Planning Department with copy to this office.

To Laberge for further engineering review

Special Permit

Pheasant Hollow Solar Farm
2670 Phillips Road
Proposed -Solar Farm

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

Steve Hart, The applicant was present for this meeting

Mr. Hart stated over the last 3 months he has received and worked on the Laberge letter dated (January 23, 2018). The updated information was just handed to Mr. Laberge for review. He is here to just update the board that they are still active. (see file)

Mr. Laberge stated the planning board reviews the project and it is then passed onto the Town board for review.

There were no other questions

To Laberge for further engineering review

Site Plan

Hart Engineering
US Rte. 9
Proposed - Sports Center

2011-44/PD3/200.-9-6.12

Steve Hart, Lisa Despart, applicants were present for this meeting.

Mr. Hart stated updated the board on some of the changes that were made to this application, this is now going to be a 62,000 sq. ft. dome style building, which will consist of an office, bathrooms, sitting areas, registration, and concession area. Inside the

structure will have a turf field for all sports to use, the outside will have 3 large soccer fields, some sand volleyball courts and a softball field.

Mr. Johnson asked about the parking, when two teams are playing the next teams are showing up, will there be enough room for the number of people currently on the fields and the ones waiting to utilize the same fields.

Mr. Hart stated this site mimics the Bethlehem sports complex and they are working on the traffic counts.

Mr. Laberge stated this is just a presentation nothing has been submitted at this time.

Mr. Aubin asked if there is a timeline for the start of this project.

Mr. Hart stated the site plan is a 3 to 4 month process; the architectural is 6 months, so he is looking at an approval on paper maybe in October of this year and at the latest start by March of 2019.

Mr. Johnson asked about the size difference between this dome and Bethlehem's complex.

Mr. Hart stated this is about 25% smaller than the one in Bethlehem.

To Laberge for further engineering review

MEMBER DISCUSSION

None

ADJOURN

Puccio moved, Aubin seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:40 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning