

PLANNING BOARD MEETING - June 18, 2018
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

MEMBERS ABSENT

Paul Puccio

APPROVAL OF MINUTES — June 4 ,2018

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:

Thomas & Mary Donnelly published June 11, 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.

SUBDIVISION

Thomas & Mary Donnelly
89 Waterbury Rd.
Proposed - 2 lot sub

2018-19/RA/221.-2-9.2

Mary Donnelly, Applicant was present for this meeting.

Mrs. Donnelly stated they are looking to subdivide their land so their daughter could build a home.

Chairwoman Mayrer asked what the amount of acreage being subdivided off is.

Mrs. Donnelly stated the new lot will be 4.18 acres

Mr. Johnson stated he spoke to the surveyor today and he has some changes for the map.

1. The total acreage of the remaining lands needs to be listed including the land on the other side of the road and also a land hook shown connecting the property.
2. The lines for the applicants parcel need to be darken, So you can see both lots are part of this subdivision and this helps the Rensselaer County mapping can understand.

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

6 Ayes. 0 Noes . Motion carried.

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

Oppose: None

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

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

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

WHEREAS, a formal application was submitted to the Planning Board on: June 4, 2018, for approval of a 2 -lot subdivision entitled, "Thomas & Mary Donnelly", map prepared by: William Darling P.L.S , dated "May 29, 2018", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on June 18, 2018 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 Thomas & Mary Donnelly 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

LOT LINE ADJUSTMENT

Jerry & Silvia Redding
23 Orchard Road
Proposed - Lot Line

2018-20/R20-210.-1-1-53

Jerry Redding, applicant was present for this meeting.

Mr. Redding stated they are looking for a lot line adjustment between their property and Robert Keller's property.

Mr. Johnson stated there are several items that need to be fixed on the map

- When doing a lot line the existing and the proposed acreage for each parcel needs to be listed on the map. For both lots on each side of the road.
- Tax map numbers for each parcel need to be listed as well.

He explains to Mr. Redding this is a standard practice to make sure the maps reflect the correct information for the county tax mapping office

Mr. Redding stated our part of it was .49 and the proposed change is .033

D'Angelo 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.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

SUBDIVISION

Birch Builders
Brookview Station Road
Proposed - Strawberry Fields lots 21 - 42

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

Joe Forte, Brewer Engineering, And Ed Brzozowski, Birch Builders were present for this meeting.

Mr. Laberge went over his letter dated June 6, 2018 (see below)

Mr. Johnson asked existing easement C to be replaced by proposed easement Q and it doesn't show the difference between the two on the map, is there somehow to differentiate or is there something else he needs to know.

Mr. Torte stated the 20 lot subdivision is broken up into 2 phases, phase 1 will have 8 lots and the remainder will be listed as phase 2 the final phase. Within the first phase grading will be done for the whole 20 lot subdivision, which includes the road out to Old Post Rd. S., which will stay gravel until the project at which time the road will be paved, also with in the first phase construction they will be creating the detention pond and the entire infrastructure for the drainage. Easement C is on the phase 2 plan.

Mr. Laberge stated there was a very minor change made to the easement by about 5 to 8 feet; he will have to check into it.

Mr. Johnson asked if they should just change the label from C to Q,

Mr. Laberge stated the change will be made so not to confuse anyone.

Mr. Johnson stated the remaining 10.24 acres for Hines, is that a lot being cut off from the remaining lots?

Mr. Laberge stated it is not part of the 20 lot subdivision,

Mr. Johnson asked, it's not part of the subdivision, its already subdivide off?

Mr. Laberge stated they first 20 lots now have homes on them, and the 10.24 acres was attached to the land that is now the subject of this (phase 1 & 2) proposal. So it was subdivided once and it's being further reduced.

Mr. Johnson stated what is being shown on the map is the remaining lands of Hines as a new lot, so when you are counting lots, that is a new lot.

Mr. Laberge stated it's actually the original lot that is now having everything else chopped off the back.

Mr. Johnson stated it needs to be clear to the county when the plans are recorded.

Mr. Laberge stated o.k. we should highlight the line better for mapping.

Mr. Johnson stated on phase 2 for lots 29 to 40 you're proposing to not do the paving until the build out, but what if you don't come back for a length of time and we don't get paved, there should be a bond set up so that road will get paved within 2 years or whatever number of years set.

Mr. Brzozowski stated the road to Old Post So. Is just a secondary road for emergency access and for construction vehicles it is not a main thoroughfare for the residents at this time.

Mr. Johnson stated agree not at this time but in the near future and we should have some reassurance that it will be done.

Mr. Brzozowski stated I would think so to, I have been on this project for 4 years and spend (x) amount of money to get this site done and he will pursue it to the end.

Mr. Laberge stated building lots should not be issued for phase 2 until this planning board gives approval for construction and a note that the road will be in gravel until the end of construction, he did find in earlier minutes that we agreed it could be left as gravel for emergency access and for construction vehicles. But Mr. Johnson makes a good point so what is a good amount of time before there should be a binder course down, is 3 years suitable

Mr. Brzozowski state that is reasonable time to get the homes built,

Mr. Johnson stated if they complete the first phase in a year and a half the 3 years makes since.

Mr. Laberge stated we should have a performance bond set that would say it will be paved in 3 years from the date for the final approve after health department and all that.

Laberge Letter Final Plan Review Dated June 6, 2018

Strawberry Fields Lots 21 - 40

SPB # 2014 - 22

Town of Schodack Planning Board

We are in receipt of two sets of plans for the above referenced subdivision last revised May 11, 2018, and a Stormwater Management Engineering Report last revised May 2018. One set of plans is for Phase 1 and the other Phase 2. We offer the following comments:

1. The subdivision plan must be signed by a licensed surveyor.
2. 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.
3. A Home Owner's Association is required to be formed to own and manage the various facilities.

4. A separate bound copy of the Stormwater O&M is requested for the Town's use.
5. Provide final legal descriptions per markups enclosed.
6. 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. The SWPPP for the proposed project cannot be approved prior to filing the NOT and NYS DEC termination of permit coverage for the original Strawberry Fields.
7. The SWPPP must include a response letter from SHPO indicating there are no archeological issues to be resolved.

The plans and information are sufficiently detailed and as such we recommend the Planning Board consider the following actions:

- A. Make a Negative Declaration under SEQRA. A draft FEAF is enclosed for the Board's review and use.
- B. Grant final approval of the entire phased subdivision conditioned upon the outstanding items above.
- C. Grant construction approval for phase one, conditioned upon the outstanding items above.
- D. Recommend approval of a site development permit for grading on land in Phase 2 during construction of Phase 1 improvements.

C: Ed Brzozowski, Applicant, (via email only)
Dick Tice, Brewer Engineering, (via mail and fax)

SUBDIVISION

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

6 Ayes, 0 Noes. Motion carried.

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

Oppose: None

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

WHEREAS, a formal application was submitted to the Planning Board on: August 13, 2014, for approval of a 22 -lot subdivision entitled, " Strawberry Fields lots 21 to 40", map prepared by: Brewer Engineering, dated "May 11 2018", and

WHEREAS, a public hearing was held on the subdivision application and plat at the Schodack Town Hall on June 18, 2018 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 Birch Builders 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.

ADDITIONALLY, CONTINGENT UPON THE FOLLOWING ITEMS, from the Laberge Letter dated June 6, 2018 and the two items discussed.

1. Lot of 10.24 acres
2. Road bond

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Approval

Shaughnessy moved, D'Angelo seconded that the Planning Board be the approval for Phase 1 construction condition on the outstanding items listed above.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Approval

Aubin moved, D'Angelo seconded Site development permit for the grading of the land of phase 2 during the construction of phase 1.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

LOT LINE ADJUSTMENT

Lands of Rheingold

2018-22/RA/190.-10-7.2 (&) 190.-11-7.11

155 Rice Road

190.-7-2.12

Proposed - Lot Line Adj.

Frederick Rheingold, Applicant was present for this meeting,

Mr. Rheingold stated they want to transfer property that he owns to lands owned by his sister, brother and himself.

Mr. Johnson asked by adding the 2.31 acres to it makes it look like they are creating 2 buildable lots, because of the Niagara Mohawk separation of the lot the original didn't have frontage and now it has frontage.

Mr. Rheingold stated its going to keep the same usage and just for sale it provides an additional land in case the power line wants to extend further out to the north. This would give whoever buys it more frontages to access the back part of the property.

Mr. Johnson stated this is more for access then.

Mr. Rheingold stated correct.

Johnson moved, Shaughnessy 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. Noes. Motion carried.

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

Oppose: None

SITE PLAN

Pheasant Hollow Solar Farm
2670 Phillips Road
Proposed -Solar Farm

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

Postpone to next meeting July 2, 2018

SITE PLAN MODIFICATION

T-Mobile Northeast LLC.
Town Hall Way
Proposed - New Generator

2018-21/RA/189.-10-3.11

Allison Hebet, Agent for T-Mobile was present for this meeting.

Ms. Hebet stated they are looking to install a new generator and a concrete pad in the existing wireless facility.

Mr. Johnson asked if the fuel tank within the generator housing.

Ms. Hebet stated it's just a generator on the concrete pad, there is probably other fuel tanks on the facility that are not T-Mobile.

Mr. Johnson stated this is a 54 gallon of diesel fuel tank, is that within the housing of the generator.

Ms. Hebet stated correct.

Mr. Johnson asked Mr. Laberge if it needed to be double walled to protect the aquifer.

Mr. Laberge stated basically it is an above ground generator and tank on a piece of equipment usually no more than 150 gallons so I don't know if there doubled walled but usually they are purchased and installed as is.

Discussion on the generator, fuel, how often it is inspected, what if there's a leak.

Mr. Laberge stated it is up to the board if they want to have some type of secondary containment we can figure out a solution for it. He didn't know if the board had thought of this before.

Ms. Hebet stated the manufacture is Polar.

Mr. Shaughnessy stated they are extending the existing concrete pad and does not see a detail on tying in the existing or are you making an independent slab. There should be some kind of detail tying it in.

Ms. Hebet stated on page A1 there is the concrete slab and the shows the 5 x 6 x 8 that is being extended on to the existing pad.

Mr. Shaughnessy stated there should be for proper detailing the 5x6x8 should be tied into the existing, typically you would drill into the existing and dowel in so they act as one slab, and asked to have their engineer look into it.

Ms. Hebet stated she would bring it up.

Shaughnessy moved, Aubin seconded APPROVAL of SITE PLAN MODIFICATION. Condition on changes being made to Map A1 and given to the building department 6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

SITE PLAN- Public Hearing remains open to 6/18/18

Robert Scannell / Scannell Properties

2018-11/PD3/200.-6-1.3 & 200.-6-22.1

US Rt. 9
Proposed - Distribution Center

Public Hearing Opened at 7:15 p.m. June 4, 2018
Public Hearing Closed 9:40 June 18, 2018

STENOGRAPHIC MINUTES OF PUBLIC HEARING conducted in the above-entitled matter on Monday, the 18th day of June, 2018, at the Schodack Town Hall, 265 Schuurman Road, Castleton, New York, commencing at 7:15 p.m.

APPEARANCES:

Denise Mayrer, Chairwoman
Members of the Planning Board

REPORTED BY: Theresa Vining, CSR, RPR, RMR

See File

ADJOURN

D'Angelo moved, Johnson seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 9:40 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning