**PLANNING BOARD MEETING – JUNE 15, 2020**

**Called to order by: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

Public Session - 7 p.m. via livestreaming only <https://townhallstreams.com/towns/schodack>

If you have questions on anything on the agenda

Please email your questions to [Nadine.fuda@schodack.org](mailto:Nadine.fuda@schodack.org) or call

518-477-7938 no later than 6pm on 6/15/20

**Next meeting: July 6th, 2020**

**PRESENT MEMBERS ABSENT**

**Denise Mayrer, Chairwoman**

**Wayne Johnson, P.E.**

**John LaVoie**

**Lawrence D’Angelo**

**Andrew Aubin, P.E.**

**James Shaughnessy, P.E.**

**Stephanie Leonard**

**Nadine Fuda, Director**

**Attorney Craig Crist, Esq.**

**Richard Laberge, P.E. Planning Board Engineer**

**Melissa Knights, Assistant to Director**

**APPROVAL OF MINUTES —, MARCH 3, 2020**

**Johnson** moved, LaVoiePuccio seconded that the minutes be approved as amended.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Public comments**

This was put to the end of the meeting for the public to have time to get through to Mrs. Fuda’s phone.

No calls or emails from the public.

**Recommendation to ZBA**

**Stacy Falasco** Z782-20/RA/218.-4-1

1003 River Rd

Proposed- Garage and car port /front set back

Stacy Falasco was present via. Zoom for this meeting.

Chairperson Mayrer asked the applicant to state what it is she is looking to do.

Ms. Falasco stated she is looking to put up a structure on an existing driveway, the structure will be half garage and half car port. The concrete pad is already there, it will set in line with the house at the back of the property.

There were no questions from the members.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

LaVoie moved, Aubin seconded.

7 Ayes. 0 Noes . Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**RECOMMENDATIONS TO THE ZBA**

Aubin moved, LaVoie seconded a **“POSITIVE”** recommendation to the Zoning Board of Appeals.

7 Ayes. 0 Noes . Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Recommendation to ZBA**

Chris McCauley Z783-20/RA/209.-11-11

1313 South Schodack Road

Proposed – Addition and Porch with two front yards

Chris McCauley Falasco was present via. Zoom for this meeting

Mr. McCauley stated they would like to put on a 2 story addition between the house and garage and add a rap around porch to the front of the house.

There were no questions from the board.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

D’Angelo moved, LaVoie seconded.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**RECOMMENDATIONS TO THE ZBA**

LaVoie moved, D’Angelo seconded a **“Positive”** recommendation to the Zoning Board of Appeals.

7 Ayes, 0 Noes. Motion carried.

Ayes: D’Angelo, Aubin, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Recommendation to ZBA**

Lee Wetherby Z784-20/RA/218.3-3-16

648 River Road

Proposed- Over on 10% new Garage

Lee Wetherby was present via. Zoom for this meeting.

Mr. Wetherby stated he would like a 24’x24’ garage on a slab, which puts him over his 10% coverage by 614 feet.

Mr. Johnson asked if the computations were done right for the proposed remaining coverage, it looks like the shed was not removed from the coverage.

Mrs. Fuda stated she would look at it.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

LaVoie moved, Johnson seconded.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**RECOMMENDATIONS TO THE ZBA**

D’Angelo moved; Aubin seconded a **“Positive”** recommendation to the Zoning Board of Appeals.

7 Ayes, 0 Noes. Motion carried.

Ayes: D’Angelo, Aubin, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Recommendation to ZBA**

Keith Zimmermann Z785-20/R-20/188.2-3-22

13 East Dr.

Proposed –New shed over on 10%

Keith Zimmermann was present via. Zoom for this meeting

Mr. Zimmerman stated he is looking to have a 12 x 18 foot prefab shed place on the property by the Backyard Sheds Co.

There were no questions from the members.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

Shaughnessy moved. Johnson seconded.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**RECOMMENDATIONS TO THE ZBA**

D’Angelo moved. Aubin seconded a **“Positive”** recommendation to the Zoning Board of Appeals.

7 Ayes, 0 Noes. Motion carried.

Ayes: D’Angelo, Aubin, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose:

**Recommendation to ZBA**

Julia Gensicki Z786-20/R20/189.1-4-8

2304 north old post Rd

Proposed – New shed over on 10%

Julia Gensicki was present via. Zoom for this meeting.

Ms. Gensicki stated she is looking to have a 10x20 foot shed put in her back yard.

Mrs. Fuda stated that she is over her 10% coverage.

Mr. Johnson stated the map provided does not show the distance from the property line the shed will be.

Mrs. Fuda stated the building department will make sure the shed will be 5 feet from the property line.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

LaVoie moved, D’Angelo seconded.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**RECOMMENDATIONS TO THE ZBA**

LaVoie moved, Aubin seconded a **“Positive”** recommendation to the Zoning Board of Appeals.

7 Ayes 1 Noes. Motion carried.

Ayes: D’Angelo, Aubin, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Site Plan /Special Permit**

Robert Smith 2020-7/HC/200.-9-30

1685 Rt. 9

Proposed – Change in Tenancy

Robert Smith was present via. Zoom for this meeting.

Mrs. Fuda stated to the board that this applicant was to be on the March 16, 2020 meeting and that was canceled until now due to the Covid 19, He started doing take-out orders and this is just a formality.

There were no questions from the board regarding this application.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

LaVoie moved, D’Angelo seconded.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

Johnson moved, LaVoie seconded APPROVAL of a change in tenancy/Special Permit at

“1685 Rt. 9”

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Site Plan /Special Permit**

**Lisa Fountain/ Novrozi Nosratulla** 2020-9/HC/178.-12-11

1607 Columbia Tpke.

Proposed – change in Tenancy

Lisa Fountain was present via. Zoom for this meeting.

Mrs. Fountain stated that Mr. Nosratulla will be opening a pizza shop.

Mr. Johnson asked if there was a plan for social distancing.

Mrs. Fountain stated yes they will abide by the rules of NYS guidelines.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

Johnson moved, LaVoie seconded.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**CHANGE IN TENANCY**

Shaughnessy moved, LaVoie seconded APPROVAL of a change in tenancy at

“1607 Columbia Tpke”

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Site Plan /Special Permit**

**Pine Haven Park** 2020-5/RA/210.-4-9

1428 US 9

Proposed- **Mailbox Station**

No one was available for this meeting.

Mr. Johnson stated the plans for the future storage building it shows the mailbox station is 18 feet from the state right-a-way. He was wondering if this needed to go for a variance.

Mrs. Fuda stated the mailbox station is much further than the 19 feet.

There was discussion on the location of the mailbox station.

Mr. D’Angelo stated they are putting a cover over the existing mailboxes.

**TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA.

Aubin moved, LaVoie seconded.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**SITE PLAN MODIFICATION**

Aubin moved, LaVoie seconded APPROVAL of SITE PLAN MODIFICATION.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**Site Plan /Special Permit**

TJA Clean Energy 2019-3 /R-40/209.-8-1

13 Paul Road

Proposed – Utility Solar SEE ATTACHED

Eric Kenna was present for this meeting via Zoom.

Mr. Laberge spoke about the project, stated he drafted a letter dated March 30, 2020

**(See Below)** regarding the recommendation a conditional approval based on the items listed in his letter. This project has been to the town board, SQRA has been completed so this is basically the final site plan approval. Rich stated that the item Mr. Aubin will speak about some minor changes that need to be added to the final approval.

Mr. Aubin stated C500 A3 typical grass restoration detail, no compacting the subgrade before you put topsoil and seed on it, that is the opposite of what you want to do. Also, C501 the grave drive detail the pervious drive and it noted the compacting the subgrade, that goes against the pervious roadway concept.

Eric Kenna TJA explains the reason for the pervious and the impervious parts of the roadway, it set up that way for construction and the fire trucks access. And spoke about the decommission plan.

# STATE OF NEW YORK

# TOWN OF SCHODACK PLANNING BOARD

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In the Matter of the Application

## of DECISION—SITE PLAN APPROVAL

TJA-NY-13 PAUL ROAD LLC File No. 2019-3

For Site Plan Approval

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**WHEREAS,** the Applicant, TJA-NY-13 PAUL ROAD LLC, seeks Site Plan Approval to construct a ground-mounted solar farm with associated electrical appurtenances on the south side of Paul Road in the Town of Schodack on a portion of an approximate 74-acre site. The solar photovoltaic (PV) system seeks to obtain a total generation of 5.0 mW (AC)/6.3 mW (DC), which property is within a R-40 Residential District (“R-40”);

**WHEREAS,** the majority of the 74-acre site contains a variety of existing uses, including approximately +/- 21.38 acres of wetlands, meadows with amounts of forest and grasslands and shrub hedgerows and one side of the project it is bordered by single family residences;

**WHEREAS**, section 219-78 of The Code of the Town of Schodack (“Town Code”) requires the referral to, and review by, the Planning Board for such project “in accordance with the standards and procedures set forth in this article,” with that article being Article XI, entitled “Site Plan Review;” and

**WHERAS,** section 219-81 of the Town Code” provides that the “preliminary site plan shall include, as appropriate, but is not limited to, the following:

A. General considerations.

(1) The adequacy and arrangement of vehicular traffic

access and circulation, including intersections, road

widths, pavement surfaces, channelization

structures and traffic controls.

(2) The adequacy and arrangement of pedestrian traffic

access and circulation, including separation of

Pedestrian from vehicular traffic, walkway

structures, control of intersections with vehicular

traffic and overall pedestrian convenience.

(3) The location, arrangement, appearance and

sufficiency of off-street parking and loading.

(4) The location, arrangement, size design and general

Site compatibility of buildings, lighting and signage.

(5) The adequacy of stormwater and drainage facilities.

(6) The adequacy of water supply ad sewage disposal

facilities.

(7) The adequacy, type and arrangement of trees,

shrubs and other landscaping constituting a visual

and/or noise deterring buffer between the applicant s

and adjoining lands, including the maximum

retention of existing vegetation.

(8) In the case of an apartment complex or other

multiple dwelling, the adequacy of unable open space

for play areas and informal recreation.

(9) Protection of adjacent or neighboring properties

against noise, glare, unsightliness or other

objectionable features.

(10) The adequacy of fire lanes and another emergency

zones and the provision of fire hydrants.

(11) Special attention to the adequacy of structures,

roadways and landscaping in areas with

susceptibility to ponding, flooding and/or erosion.

**WHEREAS**, all required notice and other procedures have been followed, including but not limited to the supplying of all required information, and a public hearing, on appropriate and timely notice, was held; and

**WHEREAS**, as more fully detailed in the Special Permit decision, this Board has issued and adopted a Negative Declaration and made findings pursuant thereto;

**NOW THEREFORE BE IT RESOLVED THAT** the Board determines the following according to the aforementioned factors:

(1) The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, channelization structures and traffic controls.

\*The site plan and access to the site have been designed to provide safe emergency vehicular access and include adequate road width and turnarounds. As the use is a solar farm, it will not generate much traffic during its operational phase.

(2) The adequacy and arrangement of pedestrian traffic access and circulation, including separation of pedestrian from vehicular traffic, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

\*As noted in the Negative Declaration, the Project will have little effect on traffic. It will generate virtually no traffic other than during the construction phase of the project.

(3) The location, arrangement, appearance and sufficiency of off-street parking and loading.

\*There will be no off-site parking; as noted above there will be virtually no vehicular traffic generated by the Project.

(4) The location, arrangement, size design and general site compatibility of buildings, lighting and signage.

\*The Project involves the locating of a solar farm at the existing residential- rural site. A berm planted with evergreens is to be constructed on the east side of the site access road to provide additional screening to the 200’ setback which consists of forested lands. The site is compatible with existing and surrounding uses.

(5) The adequacy of stormwater and drainage facilities.

\* As noted in the Negative Declaration, there will not be a substantial increase in the potential for erosion, flooding, leaching or drainage as the stormwater system and grading were designed and are to be designed in accordance with all applicable standards. The proposed grading of the site will prevent substantial erosion after completion and during construction erosion control measures will be required and implemented to minimize it as well.

(6) The adequacy of water supply ad sewage disposal facilities.

\*These are also adequate for the Project as designed. The site does not use water or generate wastewater.

(7) The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise deterring buffer between the applicant and adjoining lands, including the maximum retention of existing vegetation.

\*See 4 above, as also noted in the Negative Declaration, the plan does contemplate the removal of some of the existing vegetation, but a portion of the site is being retained in its natural state. Existing fauna will re-establish in adjoining lands. The soils/areas between arrays will be restored after construction.

(8) In the case of an apartment complex or other multiple dwelling, the adequacy of unable open space for play areas and informal recreation.

\*N/A.

(9) Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.

\*The subject Project is part of an existing residential/rural site and especially with the buffering of the site via the landscaping additions, nearby properties will be adequately protected. Additionally, certain proposed utility poles were additionally screened from nearby residences

(10) The adequacy of fire lanes and other emergency zones and the provision of fire hydrants.

\*As designed and discussed in No. 1 above emergency access is sufficient. No additional fire hydrants are planned.

(11) Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

\*See above; as designed, and as more fully detailed in the Negative Declaration, same are sufficient.

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the Board hereby finds and determines that approval for the site plan as referenced in the Laberge Group’s January 27, 2020 letter (the “Site Plan”) is **GRANTED,** conditioned upon applicant satisfying all conditions set forth in the January 20, 2020 letter and any subsequently issued letters, as well as all other administrative matters, from the LaBerge Group to Denise Mayer, Chair of the Town of Schodack Planning Board, all of which are incorporated herein by reference with full force and effect, plus following conditions:

1. The applicant and 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;

2. The following will be required during the construction and life of the facility:

a. Surety for construction and maintenance along with acceptable construction cost estimate;

b. Surety for removal in the amount of $171,000to be held by the Town; and

c. Annual documentation from the utility company that the facility is active.

d. All other conditions imposed in the Laberge letter of March 30, 2020 and any subsequently issued letters.

3. A letter from Applicant that it will comply with all conditions and requirements set forth herein and in any issued approvals and permits.

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** this Board makes this determination based upon the reasons set forth in the March 30, 2020 letter from Laberge Group to Denise Mayer, Chairperson, the adopted Negative Declaration and all findings made pursuant thereto and the Utility Solar Planned Development decision, all of which are incorporated herein and will not be restated; and

**THEREFORE, PLEASE TAKE NOTICE AND BE IT FURTHER RESOLVED THAT** the Planning Board of the Town of Schodack has **GRANTED** the Application for Site Plan Approval to allow the construction of a Solar Farm on the subject property as proposed in the application with the aforementioned conditions and restrictions and also conditioned upon the Applicant satisfying the outstanding issues identified in the aforementioned letter by the following vote: as well as the following additional conditions:

1. Final resolution of all SWPP revisions;

2. C-500A(3) typical resolution to remove compaction

Lavoie motion D’Angelo 2nd the site Plan be approved

The decision was adopted by the following vote

NAME YES NO ABSTAIN

AUBIN X

D’ANGELO X

JOHNSON X

LAVOIE X

MAYRER X

LEONARD X

SHAUGHNESSY X

Laberge Letter Dated: March 30, 2020

Re: **Final Site Review**

TJ A Clean Energy Solar PD

SPB # 2019-3

Town of Schodack Planning Board

We are in receipt of a letter from C&S Companies dated 03/06/2019 (typo 2020) with the following attachments to the letter:

* Plans as follows:
  + Dated March 2020: cover Sheet G-001;
  + Dated October 2019: Aerial Plan C-100; Site Plan C-101; Enlarged Site Plan C-102; Erosion and Sediment Control Plan C-103; Erosion and Sediment Control Details C-500; Site Details C-501; Limited Use Pervious Access Road Detail C-502; Fence Details C-503; Planting Details C-504;
  + Dated March 2, 2020: Photovoltaic 3-Line PV-200; Photovoltaic 1-Line PB-201; Details & Wire Schedules PV-202;
* Manufacturers Specification sheet for solar racking;
* Manufacturers Specification sheet for String Inverter;
* Decommissioning Plan;
* Fencing Product Catalog; and
* Storm Water Pollution Prevention Plan “Draft”, March 6, 2020.

We offer the following comments:

**SWPPP Comments**

1. The SWPPP Notice of Intent (NOI) indicates that the project will not be phased. The NYS Department of Environmental Conservation SPDES General Permit For Stormwater Discharges From Construction Activity Permit No. GP-0-20-001 (the Permit) requires that the disturbed area be limited to less than five acres at any one time unless specific written authorization is provided with additional SWPPP requirements per Part II.D.3 of the permit included in the SWPPP. Since the site has a high percentage of fine silty loam on the site (HSG D soils), which are highly erosive when vegetative cover is removed and the proximity to sensitive environmental areas, the SWPPP should be revised to
   1. Indicate disturbed area be limited to less than five acres at any one time;
   2. Include project phasing plans (7-phases required) prepared in accordance with the Permit, the NYS Stormwater Management Design Manual (Design Manual), and the NYS DEC Standards and Specifications for Erosion & Sediment Control Manual (ES&C Manual); and
   3. Include a revised NOI, questions #5 and #7, which are related to the above.
2. The construction sequence should be revised to
   1. Include a preconstruction meeting with the Town’s Stormwater Management Officer and their engineering representative.
   2. Indicate that delineation of the limits of disturbance should occur prior to the installation of silt fence as the installation of fence is disturbance and should be located inside the limits.
   3. Indicate clearing and grubbing shall not exceed five acres at any one time and should be so noted in the plans and these notes.
3. The SWPPP should include a Town of Schodack Storm Water Management Facility Agreement which is required to be fully executed prior to the start of construction and filed with the registry of deeds.
4. A 2-year event analysis should be provided to demonstrate non-erosion flows over the filter strip berms/stormwater basins has been provided or that additional permanent erosion protection is provided along with the required detail on the plans.
5. The applicant should provide documentation as to why the berm is not being treated as a pocket pond and not required to meet the Design Manual Requirements.
6. The SWPPP should contain post construction operation and management procedures for the storm water management berms and filter strips.

**Site Plan Comments**

1. The limits of the gravel drive should be called out on the plans and a note pointing to the end of the gravel drive and start of the limited use pervious road.
2. The plans should clarify the proposed electrical underground trenching layout as the heavy/bold line types on the plan do not appear to have connections to the proposed electrical interconnect system.
3. The plans indicate existing and proposed land contouring but should also include elevation labels on the contours supplemented by spot elevations.
4. The proposed grading should be shown on the plans and more easily differentiated from existing contours and utilize spot elevations.
5. Areas noted in the SWPPP to be leveled to facilitate the proposed construction should be indicated with proposed grading.
6. The areas noted in the SWPPP to be beamed to retain stormwater should be labeled on the plans as stormwater management areas.
7. Sequence of construction should be revised per the above SWPPP comments on same.
8. Earth berms/stormwater basins:
   * 1. The required stormwater management system required signage per the Design Manual should be provided.
     2. The berm details should include a perpendicular section.
     3. Per Chapter 5 of the Design Manual and Appendix C, the berms should be detailed to include an overflow weir, a gravel diaphragm and include materials specifications for the diaphragm and berm.
9. The plans should indicate the location and sizes of equipment pads and identify the equipment to be placed on these.
10. The fence details should be expanded to indicate posts, rails, gates, foundations, etc. In addition, the fence mesh should be reduced to a 4”x4” opening.

In conclusion, we find the plans sufficiently progressed and recommend that the Planning Board consider Final Site Plan approval conditioned upon the following:

1. Outstanding issues in numbers 1 through 16 above; and
2. Satisfaction of all administrative items.

**Site Plan /Special Permit**

**Cedar Hill Solar** 2019-25/RA/178-8-29.1

Phillips Road

Prosed – Utility Solar

Travis Mitchell was present via Zoom for this meeting.

Mr. Laberge stated the applicant has not been in touch with the Town board but is ready to do so, he spoke about is letter dated June 2, 2020 see attached. We need to complete SQRA, this is a type I action, the applicant has completed, and modified information needed in response to his letter listed above. We need to make a favorable recommendation to the town board for this process to continue.

Mr. Johnson stated in the letters the road and the turnaround is listed 25 feet.

Mr. Laberge stated the fire apparatus access will be 20 feet in width. there is no standard for the maintenance roads. But the fire assess will be 20 feet.

Mr. D’Angelo asked if they plan on 2 poles instead of the 6-pole configuration form the Brookview road for the power connection.

Mr. Mitchell stated it will be 2 poles and 2 pads.

**RESOLUTION—CEDAR HILL SOLAR PROJECT**

**(SEQRA)**

**WHEREAS**, Cedar Hill Solar, LLC is proposing to construct a 7.5 mW (DC) solar array with solid state battery storage on an approximately +/- 100 acre parcel of land in the Town of Schodack (along the west side of Brookview Road in the Town of Schodack, Rensselaer County (188.-6-15); and

**WHEREAS**, this project is a Type I action within the meaning of the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, based on its consideration of the proposed Project, its review of the Environmental Assessment Form and all other supporting information submitted in connection with the proposed Project, and the criteria set forth in 6 NYCRR § 617.7, the Planning Board, as lead agency, has identified and analyzed the relevant areas of environmental concern to determine whether the proposed action may have a significant adverse impact on the environment;

**NOW, THEREFORE, IT IS RESOLVED**, that the Planning Board re-appoints and appoints itself as lead agency, classifies the project as a Type I action and hereby finds and determines that the proposed Project will not have any significant adverse impacts on the environment and therefore issues a Negative Declaration of Environmental Significance pursuant to SEQRA for the reasons set forth in the accompanying Determination of Significance, which is incorporated herein by reference.

LaVoie motion, D’Angelo seconded for the above resolution.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

Aubin motion, Shaughnessy seconded to certified to the Town Board that this application is complete.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

LaVoie motion, Johnson seconded for a favorable recommendation to the Town Board for a PD.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D’Angelo, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Oppose: None

**Site Plan /Special Permit**

**Stewart’s Shops** 2020-10/HC/189..-10-8.31 &32

1811 Columbia Tpke.

Proposed – retail store with gas sales

Chuck Marshal was present via Zoom for this meeting.

Mr. Laberge spoke about his concept review letter dated June 9, 2020 **(See below)**

Mr. Marshal went over the Stewarts Letter dated June 11, 2020 **(Waiting on copy**) unable to heir the conversation on Zoom,

Mr. Aubin asked if the high flow diesel could be moved to a different location.,

Mr. Marshal stated the East side is a better location.

Mr. Johnson stated he would like to make the building look better they the normal looking Stewart’s Shop’s. he likes the one in Perth.

Mr. Marshal stated they could come close to the store in Elizabeth Town, he would check into it.

Mr. Aubin asked about the detention pond in the rear and asked if they would consider putting it underground. Ask about the spillway and where the water goes when it fills up.

Mr. Laberge stated he will look over everything for his next letter.

Mr. Marshal stated they have contacted the Town board on the sewer connection, and they are waiting on their guidance.

Laberge Letter Dated June 9, 2020

RE: **Concept Review**

Stewart’s – 1811 Columbia Turnpike

SPB # 2020-10

Town of Schodack Planning Board

We are in receipt of proposed site plans and architectural elevations last revised May 26, 2020, a short Environmental Assessment Form, and a Traffic Impact Study prepared by CHA dated May 2020 for the above referenced project. We offer the following:

General

1. The project is the reconstruction of an existing retail store with gas sales in the HC zone and requires site plan approval. There is an existing Special Use Permit for the use which will require amendment.
2. The project requires a sanitary sewer district extension by action of the Town Board. The applicant has requested this extension.
3. The project lies in the Direct Recharge Area as defined by the Town’s Water Quality Control Act (WQCA). The existing use and structures existed at the time the WQCA was adopted, and as such, the applicability of the WQCA is being reviewed.
4. The applicant should contact all emergency services with primary coverage responsibility to solicit their comments/approval of plan.
5. Coordination with NYSDOT shall be initiated by the applicant to gain their conceptual approval of extending the two-way left turn lane to the south. NYSDOT approval is also required for the proposed sewer main extension.
6. The parcels need to be combined and be assigned only one tax map parcel number.
7. A utility for the proposed sewer main extension on the applicant’s property is where it is planned on or near their property.
8. Lighting levels should be reduced to prevent the spread of any light beyond the applicant’s property.
9. The stormwater management plan should incorporate an oil stop value in the system prior to the stormwater forebay.
10. The driveway entrance to Ferndale Road should be as close to perpendicular to Ferndale Road as practical.
11. Bends in the proposed 6” PVC stormwater drains should be eliminated to minimize clogging. In addition, cleanouts should be shown at the upstream ends.
12. The well should be abandoned and sealed in accordance with Department of Health requirements.
13. The landscaping plan should be augmented to show additional plantings along the south property line, between the rear of the building and the stormwater area, and the diesel dispenser.
14. The Water Service Detail should indicate Muller corporation stops and curb stops and an Erie pattern on the value box cover.
15. The proposed sanitary sewer main extension should be proposed on a 1% slope and manhole covers should indicate “Town of Schodack Sanitary Sewer.”
16. The proposed sanitary service line should be deeper.

SEQRA

The project is an unlisted action and a coordinated review should be commenced with involved agencies. In addition, the plan should be sent to the County Planning office as a GML 239 referral.

Closing

We will review the details of the stormwater plan and SWPPP in our next letter. In addition, we have requested comments from the Town Water & Sewer Department.

We recommend the following actions to the Planning Board at this time:

1. Declare intent to seek Lead Agency status under SEQRA and direct the Planning Director to initiate a coordinated review.
2. Direct the Planning Director to send the application to the County Planning Department for the GML 239 review.
3. Direct the applicant to provide additional information as necessary and revise the plans in accordance with the above.

**ADJOURN**

LaVoie moved, Mayrer seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning