

1 STATE OF NEW YORK COUNTY OF RENSSELAER

2 TOWN OF SCHODACK

3 *****

4 PLANNING BOARD MEETING

5 *****

6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY L. STRANG, a Shorthand Reporter
8 commencing on August 17, 2020, 265 Schuurman
9 Road Castleton, New York at 7:00 P.M.

10

11 BOARD MEMBERS:

12 WAYNE JOHNSON, ACTING CHAIRPERSON

13 JAMES SCHAUGHNESSY

14 LAWRENCE D'ANGELO

15 ANDREW AUBIN

16 STEPHANIE LEONARD

17

18 ALSO PRESENT:

19 CRAIG CRIST, ESQ., COUNSEL TO THE BOARD

20 NADINE FUDA, DIRECTOR, PLANNING & ZONING

21 MELISSA KNIGHTS, PLANNING & ZONING SECRETARY

22 CHARLES MARSHALL, STEWART'S SHOPS

23 DAWNE KELLY

24 RICHARD CICERO

25 JOHN KELLER

1 ERIC SEEBERGER

2 ALEX RAYNER

3 DEREK DELARDI

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1 ACTING CHAIRPERSON JOHNSON: I would like
2 to call the meeting to order.

3 First item on the agenda is approval of
4 the minutes. Do we have any comments from
5 any of the members?

6 (There was no response.)

7 Can I have a motion to accept the
8 minutes?

9 MR. AUBIN: Aubin; so moved.

10 MR. D'ANGELO: D'Angelo; second.

11 ACTING CHAIRPERSON JOHNSON: I abstain.

12 Okay, a period of public comment.

13 Nadine said we had a letter.

14 MS FUDA: I will let Craig read that.
15 that's on item number seven.

16 MR. CRIST: This is an email dated Friday,
17 August 14th at 8:26 AM from Samantha West. The
18 subject is finalize questions for August 17th
19 Planning Board meeting.

20 Good morning, Nadine. I appreciate your
21 help with my questions around Planning Board
22 meetings and zoning. Thanks. Below you will
23 find my finalize questions\concerns I would
24 like brought about the meeting on Monday.
25 Please let me know if you have received

1 these and if there is any concern on your
2 behalf. Questions for number six on Planning
3 Board meeting agenda August 17, 2020.

4 One. I would like to know if and what
5 measures will be considered in terms of the
6 barking of dogs and kennel at night? What
7 happens if dogs are barking for the night
8 and there is no one on the property? This
9 will affect neighbors who live adjacent to
10 the property. I would like to know if noise
11 abatement actions are being considered such
12 as soundproof walls, evergreen planting,
13 etcetera.

14 Two: Will the driveway that leads to
15 the kennel have a lot of traffic that could
16 potentially disturb the house across the
17 street? Will there be traffic at all hours,
18 or are there certain business hours? If
19 traffic is increased for business on this
20 drive, will measures be taken to diminish
21 this disturbance of headlights shining into
22 the house across the street; for example,
23 evergreen planting. Thanks again, Nadine.
24 Enjoy your weekend. Let me know you have
25 received this. Kindly, Samantha.

1 Once again, that was from Samantha
2 West.

3 ACTING CHAIRPERSON JOHNSON: Okay, thank
4 you.

5 First item on the agenda is
6 recommendation to the ZBA, Richard Cicero,
7 Oakwood Street, side yard setback.

8 MS FUDA: Tell him to go ahead and tell us
9 what he wants to do.

10 MS. KELLY: Richard, please go ahead and
11 tell us what you want to do.

12 MR. CICERO: Okay. I guess I need a
13 variance for a deck I'm proposing to build of
14 the side setback that is going to be less than
15 the current 30-foot requirement. The houses on
16 23 Oakwood Street and all the houses in this
17 area of development were built many years ago
18 when that 30-foot side setback was not in
19 place. So, many of the houses themselves are
20 sitting closer than 30 feet from the side. A
21 lot of the houses right in my immediate
22 vicinity here - the lots are all like
23 rectangular and many vary. The side setbacks
24 are along that long rectangular lot. It's
25 common for them to be less than 30 feet.

1 The deck I am proposing is off the back
2 of my house and my particular lot is not
3 quite rectangular. It is slightly angled. I
4 am proposing to actually - as the deck
5 starts to progress back - have a go at an
6 angle so that it would remain at least 10
7 feet away from my neighbor's property line.

8 I would like glad to answer any
9 questions, if you have any.

10 ACTING CHAIRPERSON JOHNSON: Do any Board
11 Members have questions?

12 (There was no response.)

13 Seeing no questions, can we have a
14 recommendation -

15 MS FUDA: You need an action first.

16 ACTING CHAIRPERSON JOHNSON: We need to do
17 actions.

18 MS FUDA: Be it resolved that the Planning
19 Board hereby certifies the proposed action as a
20 Type II action under SEQRA.

21 Somebody willing to motion and second?

22 ACTING CHAIRPERSON JOHNSON: Can I have a
23 motion for Type II action?

24 MR. AUBIN: Aubin; so moved.

25 MR. D'ANGELO: D'Angelo; second.

1 ACTING CHAIRPERSON JOHNSON: All in favor?

2 (Ayes were recited.)

3 Opposed?

4 (There were none opposed.)

5 Now we have a recommendation to the

6 ZBA. It can be either positive or negative,

7 but we have to make a motion.

8 MR. SHAUGHNESSY: I will make my positive

9 motion for recommendation to the ZBA;

10 Shaughnessy.

11 MR. D'ANGELO: Second; D'Angelo.

12 ACTING CHAIRPERSON JOHNSON: All in favor?

13 (Ayes were recited.)

14 Opposed?

15 (There were none opposed.)

16 So, that's past. So, you will be going

17 to the ZBA

18 MS FUDA: In September. I believe it is

19 September 13.

20 MR. CICERO: Very good. Thank you very

21 much. I appreciate it.

22 ACTING CHAIRPERSON JOHNSON: Next item on

23 the agenda subdivision lot line, Keller/Conlin;

24 1322 Angelo Avenue.

25 MS FUDA: John, can you tell us a little

1 bit about the lot line?

2 MR. KELLER: Yes, we have been working
3 with Jeff and Donna Conlin. They had some
4 upgrades that they needed and needed more land
5 back there. So, we decided in working with them
6 and we were going to sell them some of our land
7 that we recently purchased to give them a
8 little bit bigger yard so they have a little
9 bit more flexibility back there to add onto
10 their leach pit. I think it works out to like
11 not much - one-tenth of an acre; .066 acres. It
12 would give them a little bit more room in their
13 back lawn.

14 ACTING CHAIRPERSON JOHNSON: We can see
15 that on the map. Do any of the members have a
16 question?

17 (There was no response.)

18 I had a couple of points about the map.
19 It shows that the original outline should be
20 removed - just a little note with an arrow
21 to the lot line. Then, somewhere probably
22 within the area of the Conlin's property
23 should show the original area is .39 acres
24 and then after the transfer it will be .456
25 acres, I believe, if I did the math right.

1 MR. KELLER: I can barely hear him. Was
2 the question referring to the back?

3 MS FUDA: So John, there are two points.
4 The line between - the old line of Donna and
5 Jeff that needs to read to be removed and then
6 it needs to show what Donna and Jeff's original
7 property acreage was and then what it will be.

8 I can call you tomorrow to clarify
9 that.

10 ACTING CHAIRPERSON JOHNSON: So, we are
11 going to have that map adjusted to reflect
12 those changes.

13 MR. KELLER: I think we can clean this up.
14 I think the premises here was just to clean it
15 up and subdividing - giving them some more land
16 to help the issues they have. Really it's been
17 a long-standing issue that they have had that
18 we are now solving and taking care of.

19 MS FUDA: Okay, thank you, John.

20 MR. KELLER: Okay, thank you.

21 MS FUDA: Be it resolved that the Planning
22 Board hereby certifies that the proposed action
23 is a Type II action under SEQRA.

24 Can I have a motion and a second?

25 ACTING CHAIRPERSON JOHNSON: I'll make the

1 motion; Johnson.

2 MR. SHAUGHNESSY: Second, Shaughnessy.

3 ACTING CHAIRPERSON JOHNSON: All in favor?

4 (Ayes were recited.)

5 Opposed?

6 (There were none opposed.)

7 Can I have a motion to approve the lot
8 line adjustment for Conlin/Keller as stated
9 previously.

10 MR. D'ANGELO: I will make a motion;
11 D'Angelo as previously stated - the map with
12 notes on it.

13 MR. AUBIN: Aubin; second.

14 ACTING CHAIRPERSON JOHNSON: All in favor?

15 (Ayes were recited.)

16 Opposed?

17 (There were none opposed.)

18 ACTING CHAIRPERSON JOHNSON: So carried.

19 MS FUDA: Thanks, John. I'll call you
20 tomorrow.

21 MR. KELLER: Thanks, everybody. Have a
22 nice night.

23 I'll reach out to you tomorrow, Nadine.

24 MS FUDA: Thank you.

25 ACTING CHAIRPERSON JOHNSON: Item 5,

1 Seeberger, proposed single family home.

2 MS FUDA: So, members, I put the Code
3 section in your packet that states that on a
4 farm for farmhands, if they have more than
5 three mobile homes - this is actual in Town Law
6 and not zoning law - that they need to have
7 Planning Board approval. So, it is a simple
8 approval for us under Chapter 147.

9 ACTING CHAIRPERSON JOHNSON: Do we have
10 any questions for the applicant or from the
11 Board?

12 (There was no response.)

13 Does the applicant have anything they
14 would like to say about the proposal?

15 MR. SEEBERGER: I will give a brief --
16 there a lot and when we make deliveries, I'm
17 usually the one who goes in and does it
18 currently.

19 The house isn't going to really look
20 like a trailer, it's going to be made of a
21 stone foundation on the outside. It's going
22 to look like a one-story ranch, for the most
23 part.

24 ACTING CHAIRPERSON JOHNSON: Can you
25 explain why you need two thousand-gallon septic

1 tanks?

2 MR. SEEBERGER: The septic tanks - what
3 was your question?

4 ACTING CHAIRPERSON JOHNSON: Why would you
5 need two thousand-gallon septic tanks, if that
6 is only a single-family house?

7 MR. SEEBERGER: We only have one - I was
8 looking to construct one.

9 MS FUDA: Your site plan shows two; one on
10 each side of the house.

11 MR. SEEBERGER: Sorry, so the blue one was
12 a secondary if I chose to build that, but then
13 I would have had to change the elevation. So, I
14 went with the longer route and it is the red
15 one and not the blue one.

16 ACTING CHAIRPERSON JOHNSON: So, you are
17 going with the red one, you said. Why are you
18 building it near the road rather than in the
19 back with the other trailers that are already
20 on the property?

21 MR. SEEBERGER: To keep it closer to the
22 store and also keep an eye on it after hours
23 when we are not there.

24 ACTING CHAIRPERSON JOHNSON: And it
25 proposes a single family.

1 MR. SEEBERGER: Yes.

2 ACTING CHAIRPERSON JOHNSON: Any other
3 questions from the Board?

4 (There was no response.)

5 I need to do a Type II action?

6 MS FUDA: Lead agency.

7 ACTING CHAIRPERSON JOHNSON: Be it
8 resolved that the Planning Board hereby
9 classifies the proposed action is a Type II
10 action under SEQRA. Do I have a motion?

11 MR. AUBIN: So moved; Aubin.

12 ACTING CHAIRPERSON JOHNSON: I need a
13 second.

14 MS. LEONARD: Leonard; second.

15 ACTING CHAIRPERSON JOHNSON: All in favor?

16 (Ayes were recited.)

17 Now could I have a motion to approve
18 site plan for Seeberger?

19 MR. SHAUGHNESSY: So moved; Shaughnessy.

20 ACTING CHAIRPERSON JOHNSON: I will
21 second; Johnson.

22 All in favor?

23 (Ayes were recited.)

24 Opposed?

25 (There were none opposed.)

1 So, you are all set.

2 MS FUDA: You are all set, Eric. I will
3 okay this tomorrow for the Building Department.

4 MR. SEEBERGER: Awesome, I appreciate it.
5 Thank you, everyone.

6 ACTING CHAIRPERSON JOHNSON: Next item on
7 the agenda is Anthony Ali, 128 Boyce Road,
8 proposed dog training/retreat.

9 Can you explain to us what you propose
10 to do?

11 MR. RAYNER: So, we own a business called
12 Off the Leash Canine Training that we have
13 owned for about 7 years. Primarily, we operate
14 in the North Greenbush area and we have various
15 packages for clients and one of our packages is
16 a board and train package. We take a dog in for
17 two weeks and train it for the client and after
18 the two weeks we turn it over.

19 Long story short, we do board dogs. We
20 bought this piece of land to kind of move
21 our operation to this area. So, we do need
22 the ability to have a kennel that we can
23 construct and we also have clients as well
24 that are boarding clients that we have
25 acquired just through doing the boarding and

1 training program. Ideally, we need to set up
2 a boarding facility there. Probably not as
3 populated as the general boarding facility
4 that's just doing those things that we are
5 more primarily based off of training. We do
6 want the ability to be able to do that.

7 We are also looking to get into a
8 little bit more specialized training for
9 police work and things like that.

10 You can see in our site plan that we
11 are looking to clear 8 acres as well to be
12 able to have some room to play and run and
13 some of that specialized training.

14 ACTING CHAIRPERSON JOHNSON: How many dogs
15 do you propose to have at the facility?

16 MR. RAYNER: How many dogs will be at the
17 facility?

18 ACTING CHAIRPERSON JOHNSON: Yes.

19 MR. RAYNER: Probably about 15 to 20.

20 ACTING CHAIRPERSON JOHNSON: Do we need a
21 specific number, Nadine?

22 MS FUDA: You're going to refer this to
23 Rich to review, anyway.

24 ACTING CHAIRPERSON JOHNSON: It's going to
25 go to engineering for review.

1 There is going to be living quarters on
2 the property?

3 MR. RAYNER: Living quarters - like
4 building a house on the property?

5 MS FUDA: Yes.

6 MR. RAYNER: Yes, not immediately but it
7 is in the plan. We are trying to get this
8 project done first and foremost because we need
9 to have the plans in place by October when our
10 lease is up.

11 ACTING CHAIRPERSON JOHNSON: We have a
12 letter from a citizen that was asking about the
13 dogs barking and if someone would be around to
14 address that issue if they are barking in the
15 middle of the night. How would that be handled?

16 MR. RAYNER: I'm assuming the question is
17 about barking and barking in the middle of the
18 night. So, we're very familiar with setting
19 this up. We would soundproof the outside walls
20 and things like that. They all have cameras
21 that are monitored - motion sensors and things
22 like that. The barking should not be an issue.
23 We know how to soundproof things. We will not
24 run into those issues.

25 ACTING CHAIRPERSON JOHNSON: So, the

1 animals won't be running outside at night where
2 they can be barking and be heard.

3 MR. RAYNER: No, they should not be able
4 to hear the animals inside at night or anytime
5 they are inside the facility.

6 Outside, we are 500 feet off the road
7 based on the Code. We should not have any
8 problems. Actually the other piece of land
9 will primarily be when they are outside that
10 we are proposing to clear - it's very far
11 off from many neighbors so we don't foresee
12 any problems with them hearing dogs.

13 ACTING CHAIRPERSON JOHNSON: And you don't
14 have any proposal to have people coming in and
15 out of the facility at night so they will be
16 headlights shining into the neighbor's
17 property.

18 MR. RAYNER: No.no one will be coming in
19 at night. Like I said, it's very low traffic. A
20 lot of our things - we meet clients to do
21 pick-ups. This piece of land is a little bit
22 off the beaten path so the majority of the time
23 our trainings are meeting them to do pick-ups
24 or it's a quick drop-off. Nobody's really
25 coming to hang out the facility. Just to

1 address that, there should be no traffic or
2 anyone coming there at night.

3 ACTING CHAIRPERSON JOHNSON: Thank you.

4 MR. LAVOIE: All the dogs are going to be
5 inside at night.

6 MR. RAYNER: Yes, they are all inside.

7 MR. LABERGE: Hi, this is Richard Laberge,
8 the engineer that this is getting referred to.
9 I just want to clarify, you are building new
10 kennels in the kennel area?

11 MR. RAYNER: Yes, it is a brand-new
12 building that we are constructing.

13 MR. LABERGE: Okay, and then the existing
14 barn - is there any use proposed for those
15 buildings?

16 MR. RAYNER: No, there isn't.

17 MR. LABERGE: No office use or anything
18 like that?

19 MR. RAYNER: No, as of now, we actually
20 recently rented an office over in Schodack at
21 9 and 20 so that's our plan for any of our
22 clerical work. No, we don't have any immediate
23 plans for an office. The barns are just for
24 storage at this point.

25 MR. LABERGE: Okay, then they are storage.

1 Then you did say that you are clearing
2 the 8 acres and you have to clear the three
3 acres too, correct?

4 MR. RAYNER: Yes.

5 MR. LABERGE: So, we might be getting into
6 stormwater issues with that, depending upon
7 your plan. Just be aware of that as well.

8 MR. RAYNER: Okay.

9 ACTING CHAIRPERSON JOHNSON: Any other
10 questions?

11 (There was no response.)

12 So, this is going to go to the engineer
13 for review.

14 Thank you, sir.

15 Next item on the agenda is Albany off
16 the Leash.

17 MS FUDA: Which is a change in tenancy
18 where they are renting the office space.

19 ACTING CHAIRPERSON JOHNSON: This is at
20 1676 Columbia Turnpike.

21 MS FUDA: The owners are Mr. Delardi.

22 ACTING CHAIRPERSON JOHNSON: Mr. Dilardi,
23 would you like to explain what you are
24 proposing?

25 MR. DELARDI: We would just like to have a

1 change of tenancy to change tenant for their
2 administration offices at our building at 1676
3 Columbia Turnpike.

4 MS FUDA: So, for members, this is an
5 existing building. This building has been many
6 different things. The one that sticks out in my
7 mind is gravestone markers that used to be sold
8 there. So, anyone who has lived in Town a long
9 time will remember.

10 ACTING CHAIRPERSON JOHNSON: Down by the
11 Fire Chiefs?

12 MS FUDA: Down by the Fire Chiefs,
13 correct.

14 ACTING CHAIRPERSON JOHNSON: So, you have
15 adequate parking and facilities at the site?

16 MR. DELARDI: Yes, we do.

17 ACTING CHAIRPERSON JOHNSON: Any questions
18 from members?

19 (There was no response.)

20 MS FUDA: So, be it resolved that the
21 Planning Board hereby certifies the proposed
22 action is a Type II action under SEQRA.

23 We will need a motion in the second for
24 that.

25 ACTING CHAIRPERSON JOHNSON: Can I have a

1 motion?

2 MR. D'ANGELO: DeAngelo, I will make a
3 motion.

4 MS FUDA: Second?

5 MR. SHAUGHNESSY: Shaughnessy; second.

6 ACTING CHAIRPERSON JOHNSON: All in favor?

7 (Ayes were recited.)

8 Opposed?

9 (There were none opposed.)

10 Can we have a motion for approval for
11 the change in tenancy at 1676 Columbia
12 Turnpike?

13 I will make the motion; Johnson.

14 MS. LEONARD: I'll second; Leonard.

15 ACTING CHAIRPERSON JOHNSON: All in favor?

16 (Ayes were recited.)

17 Opposed?

18 (There were none opposed.)

19 Okay, you're all set, sir.

20 MR. DELARDI: Thank you everyone.

21 ACTING CHAIRPERSON JOHNSON: Next item on
22 the agenda is Stewart Shops 1811 Columbia
23 Turnpike proposed a retail store with gas
24 sales.

25 MR. MARSHALL: We provided a response to

1 Rich's letter. I did not think that there was
2 anything necessarily to go through.

3 We subsequently also addressed Wayne's
4 concern about storage in the stormwater
5 basin and the basin's ability to handle
6 back-to-back events. I just went to the
7 plans and kind of made some of the requested
8 changes including expanding the easement
9 area, language for which was provided to
10 Chris Langlois, Rich and Nadine. That's
11 really it. Other than that, there's nothing
12 completely new. If you want me to pull up
13 the plan, I can share my screen if there's
14 anything you want to see.

15 ACTING CHAIRPERSON JOHNSON: Is there
16 anyone on the Board would like to see the
17 plans?

18 MR. LABERGE: This is Rich. I think we
19 have the plans in front of us if we get into
20 something maybe that might be necessary, Chuck.
21 I will just comment about a few things in our
22 August 11th letter, which actually Phil Koziel
23 of my office put together. I was off last week.
24 So, it's a few nuts and bolts things.

25 Probably the biggest - we need a DOT

1 work permit and I did touch base with Guy
2 Tedesco with regard to a connection to their
3 system and they don't want one - the DOT. I
4 knew that from other projects we work on.
5 So, I did confirm with him specifically on
6 this project.

7 The other thing was regarding the Water
8 Quality Control Act. We do have a
9 determination from the Building Inspector
10 and the Building Inspector has determined
11 that the use can continue without the need
12 to apply for a variance under the Water
13 Quality Control Act. However a special
14 permit under the Water Quality Control Act
15 is required. That was something we were
16 waiting on and we got that determination.

17 Some nuts and bolts about the
18 easements. I think Chuck mentioned that
19 earlier. Stewart's did submit an operations
20 plan that we need to review. It's still an
21 outstanding comment. We just didn't get to
22 it. The same thing with the monitoring
23 wells. They submitted them and I wanted to
24 review that. Phil Koziel wasn't comfortable,
25 so we just left that as a comment.

1 Then the SWPPP comments on the second
2 page of our letter are all there, as well.
3 None of those would preclude - there's
4 nothing that would preclude the site plan
5 being approvable.

6 So in short, all those comments could
7 become conditions. We went ahead and went
8 through SEQRA and attached it to our letter.
9 We went through Part II of the EAF and put
10 together a draft Resolution for a negative
11 declaration and working with Craig, drafted
12 that for the Board's review. That is
13 attached, as well. I'm sure you have taken a
14 look at it. If the Board moves on SEQRA
15 tonight, we are further recommending that a
16 modification of the special permit for the
17 use be granted just so it's updated with the
18 property; and that the Water Quality Control
19 Act special permit be granted as well. Just
20 with the conditions - the normal conditions
21 that would be renewed 18 months after the
22 building -- the building permit or the CO is
23 issued - I think that's how they normally
24 work that and that the monitoring wells
25 shown on the site plan be continued to be

1 certified and all the documentation would be
2 submitted to the Town per the schedule. I
3 did briefly look at the schedule even though
4 it is still a condition in here. It is
5 similar to the last Stewart's that we
6 reviewed where they go through when they get
7 a baseline monitoring of five quarters and
8 then they go and do monitoring and sampling
9 of the wells every fifth quarter. So
10 basically, you are moving through the
11 seasons of the year looking for seasonal
12 changes. So, it's basically an annual
13 monitoring but rotating through the seasons
14 and that is quite standard.

15 Lastly, obviously we are recommending
16 site plan approval conditioned upon all the
17 items in our letter. I guess if the Board
18 has any questions, I can answer them about
19 anything in the letter, or if anything else
20 is outstanding. They made a lot of changes
21 that we heard the last time.

22 We did have some items that we
23 discussed and we could not see reasons to
24 change anything beyond what they have
25 changed. We have left our comments as per

1 our August 11th letter.

2 ACTING CHAIRPERSON JOHNSON: Rich, check
3 the adjustment on the retention basin. Are you
4 confident that this detention basin isn't going
5 to overflow and if it does, where the water is
6 going to go?

7 MR. LABERGE: Chuck, do you want to
8 comment on that before I jump in?

9 MR. MARSHALL: My comment was just that
10 Scott Kitchner was our designer and engineer
11 and provided a letter separate from our
12 response to the Laberge letter indicating the
13 100-year storm -- and the top elevation at that
14 point provided that fact that subsequent a
15 100-year storm could also be handled in the
16 basin without any type of overflow. So, I don't
17 have anything other to provide other than the
18 letter from our engineer and then the lack of
19 connection to the DOT system from DOT are kind
20 of the driving factors here.

21 MR. LABERGE: I found my note. Phil, what
22 do you think?

23 I had Phil take a look of the overflow.
24 We will never say never because a 500-year
25 storm event -- but the basin itself - Phil

1 is comfortable with the 100-year and even
2 beyond the 100-year that there is extra
3 capacity in the system. It is going to pop
4 out of one of the grates and then flow into
5 9 and 20 eventually. There is a lot of extra
6 capacity in the system. So, we were
7 comfortable that there is capacity in it.

8 ACTING CHAIRPERSON JOHNSON: Under the
9 Water Quality Control Act does that require
10 that they maintain the bottom of the retention
11 basins, rather than let them fill in with trees
12 and grass.

13 MR. LABERGE: Certainly. On behalf of the
14 Town, we inspect the facilities annually. We
15 basically give them a once-over. They are
16 responsible to maintain them so that they are
17 operating, especially in an infiltration basin
18 that needs to be kept that way. It will be
19 important that any salts be cleaned out and
20 actually the Town is the enforcement vehicle
21 but they work with DEC if they need an extra
22 nudge - if any developer or facility owner
23 needs an extra nudge.

24 ACTING CHAIRPERSON JOHNSON: Okay, thank
25 you.

1 MR. AUBIN: So, Chuck, I don't know if you
2 can hear me, but I am assuming the gas Island
3 on the site plan is the correct one. It's page
4 G1 that shows a gasoline canopy detail that is
5 completely different, both in size and
6 orientation. Are we to ignore G1?

7 MR. LABERGE: It's possible. Let me take a
8 look.

9 MR. AUBIN: G1 shows the canopy being at
10 129 feet. The site plan is roughly 106 feet. I
11 think it actually calls out 106. The islands
12 are at an angle of 125 degrees; on G1 they are
13 90 degrees on the site plan.

14 MR. LABERGE: So, the title page shows the
15 west elevation of 100 feet, which roughly
16 matches up with the site plan. I do believe the
17 detail is an error.

18 Chuck, can you add anything to that?

19 MR. MARSHALL: I guess I don't understand
20 because I show a canopy of 26 x 106 with pumps
21 perpendicular. I guess I don't understand.

22 MR. AUBIN: We got the wrong map, then.
23 I've got the wrong map.

24 MR. LABERGE: Well, no, you may not. I
25 think the detail is wrong.

1 MR. MARSHALL: The T-1 detail should have
2 a canopy length of 106.

3 MR. AUBIN: That's G1.

4 MR. LABERGE: I think we're talking about
5 three things. T-1 is the title page, which has
6 a length of 100. The canopy detail on G -as in
7 gas - has a canopy length of 129 and the site
8 plan is approximately 106.

9 MR. MARSHALL: The T-1 site plan detail
10 should be changed to read 106. The S2 site plan
11 detail - the dimension is correct. The G1 plan
12 should be modified to show the pumps
13 perpendicular and a 160 foot canopy. Those are
14 obviously errors in typing and I will be
15 correcting them. The 106 feet on S2 and T1 are
16 correct.

17 MR. AUBIN: Thank you for the
18 clarification.

19 MR. LABERGE: Thank you for catching it.

20 ACTING CHAIRPERSON JOHNSON: So, that
21 needs to be corrected and Rich will let us know
22 or he will approve it. What is our next step?

23 MS FUDA: Well, we have a whole gang of
24 Resolutions; SEQRA being the first.

25 The first motion I will ask for is a

1 waving of the full reading of the of the
2 SEQRA Resolution.

3 Can I have a motion and a second?

4 MR. AUBIN: Aubin; so moved.

5 ACTING CHAIRPERSON JOHNSON: Can I have a
6 second? I will second it; Johnson.

7 All in favor?

8 (Ayes were recited.)

9 Opposed?

10 (There were none opposed.)

11 MS FUDA: Now we will do the SEQRA.

12 The Planning Board, acting as lead
13 agency in the coordinated review conducted
14 under the State Environmental Quality Review
15 Act, SEQRA, has determined that the proposed
16 action will not have a significant adverse
17 impact on the environment and therefore
18 issues a negative declaration of
19 environmental significance pursuant to
20 SEQRA.

21 We'll need a motion and a second.

22 ACTING CHAIRPERSON JOHNSON: Does someone
23 want to make the motion?

24 MR. D'ANGELO: DeAngelo, I will make the
25 motion.

1 ACTING CHAIRPERSON JOHNSON: I need a
2 second.

3 MS. LEONARD: Leonard, second.

4 All in favor?

5 (Ayes were recited.)

6 Opposed?

7 (There were none opposed.)

8 MS FUDA: Special use permit determined -
9 I need a motion and a second to waive the
10 reading of the Resolution.

11 MR. SHAUGHNESSY: So most; Shaughnessy.

12 MR. AUBIN: Aubin; second.

13 ACTING CHAIRPERSON JOHNSON: All in favor?

14 (Ayes were recited.)

15 Opposed?

16 (There were none opposed.)

17 MS FUDA: Now we need a motion and a
18 second to approve the special use permit.

19 ACTING CHAIRPERSON JOHNSON: Can I have a
20 motion?

21 MR. D'ANGELO: I'll make the motion;
22 D'Angelo.

23 ACTING CHAIRPERSON JOHNSON: Can I have a
24 second?

25 MR. SHAUGHNESSY: Second; Shaughnessy.

1 All in favor?

2 (Ayes were recited.)

3 Opposed?

4 (There were none opposed.)

5 MS FUDA: I need a motion and a second to
6 waive the reading of the full Resolution for
7 the Water Quality Review Act.

8 ACTING CHAIRPERSON JOHNSON: I will make
9 the motion; Johnson.

10 MR. AUBIN: Aubin; second.

11 ACTING CHAIRPERSON JOHNSON: All in favor?

12 (Ayes were recited.)

13 Opposed?

14 (There were none opposed.)

15 MS FUDA: Then we need a motion and a
16 second.

17 Please take notice and be it further
18 resolved that the Planning Board of the Town
19 of Schodack has granted the application of
20 special permit to allow the demolition of
21 the existing convenience store and canopy
22 and construction and operation of a new
23 convenience store with self-service gasoline
24 sales on the subject property as proposed
25 and the application and has therefore met

1 the conditions in the following vote.

2 We need a motion in the second.

3 ACTING CHAIRPERSON JOHNSON: We need a
4 motion please.

5 MR. D'ANGELO: Motion; D'Angelo.

6 ACTING CHAIRPERSON JOHNSON: Second?

7 MR. MARSHALL: Aubin; second.

8 ACTING CHAIRPERSON JOHNSON: All in favor?

9 (Ayes were recited.)

10 Opposed?

11 (There were none opposed.)

12 MS FUDA: Now, I am going to call roll.

13 (The roll was called and the motion was
14 passed unanimously.)

15 The next motions are for the site plan.

16 First we need a motion in a second to
17 waive the full reading of the Resolution.

18 ACTING CHAIRPERSON JOHNSON: I will make
19 the motion. Can I have a second?

20 MR. SHAUGHNESSY: Second; Shaughnessy.

21 ACTING CHAIRPERSON JOHNSON: All in favor?

22 (Ayes were recited.)

23 Opposed?

24 (There were none opposed.)

25 MS FUDA: Therefore please take notice and

1 be it further resolved that the Planning Board
2 of the Town of Schodack has granted the
3 application for site plan approval to allow the
4 demolition of the existing Sunoco convenience
5 store and gasoline refilling station and the
6 construction of a new stewards shop convenience
7 store with the retail self-service gasoline on
8 the subject property as proposed in the
9 application and the aforementioned conditions
10 and restrictions and also conditioned upon the
11 application satisfying the outstanding issues
12 identified in the aforementioned letter of the
13 following vote.

14 We need a motion the second and I will
15 call roll.

16 ACTING CHAIRPERSON JOHNSON: Can I get a
17 motion?

18 MR. SHAUGHNESSY: So move, Shaughnessy.

19 ACTING CHAIRPERSON JOHNSON: Can I have a
20 second?

21 MR. AUBIN: Second; Aubin.

22 ACTING CHAIRPERSON JOHNSON: All in favor?

23 (Ayes were recited.)

24 Opposed?

25 (There were none opposed.)

1 MS FUDA: Now we are going to call the
2 roll.

3 (The roll was called and the motion was
4 passed unanimously.)

5 That's the end.

6 ACTING CHAIRPERSON JOHNSON: That's it. I
7 think you're all set Chuck.

8 MR. MARSHALL: Thank you guys, again. And
9 as always, we'll meet with Rich on the
10 particulars on the conditions.

11 MR. LABERGE: Yes, we will work through
12 the conditions and the revisions that the Board
13 noted, but not tomorrow and later this week and
14 next.

15 MR. MARSHALL: Okay, sounds good. Thanks
16 guys.

17 ACTING CHAIRPERSON JOHNSON: Thank you.

18 MS FUDA: I don't have any member
19 discussion.

20 Can we have a motion to adjourn?

21 MR. D'ANGELO: So moved; D'Angelo.

22 ACTING CHAIRPERSON JOHNSON: Second;
23 Johnson.

24 All those in favor?

25 (Ayes were recited.)

1 Opposed?

2 (There were none opposed.)

3 Whereas the above entitled proceeding
4 was concluded at 7:50 PM)

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1 CERTIFICATION

2

3 I, NANCY L. STRANG, Shorthand Reporter
4 and Notary Public in and for the State of
5 New York, hereby CERTIFIES that the record
6 taken by me at the time and place noted in
7 the heading hereof is a true and accurate
8 transcript of same, to the best of my
9 ability and belief.

10

11 Date: _____

12

13 _____

14 Nancy L. Strang

15 Legal Transcription

16 2420 Troy Schenectady Road

17 Niskayuna, NY 12309

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