

**PLANNING BOARD MEETING - JANUARY 4, 2021  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:04 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  
Melissa Knights, Assistant to Director

**MEMBERS ABSENT**

Stephanie Leonard

**APPROVAL OF MINUTES — NOVEMBER 16, 202**

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**

Attorney Craig Crist read 2 emails from residents regarding the Ali Dog Retreat.  
Please see file.

Resident called in, stated she is concerned about the sound proofing of the kennel and would like more detail; she owns the adjacent 60 acres.

Resident called in, stated that they are not in favor of this project, and doesn't want a lighted sign.

-----  
**Nadine Fuda read the hearing notice(s) as published in the Troy Record:**

Albany off the Leash published December 10, 2020

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

-----  
Public Hearing Opened at 7:15 p.m.

Public Hearing Closed at 7:35 p.m.

**Site Plan /Special Permit**

Anthony Ali

2020-20/RA/191-2-5.111

128 Boyce Road

Proposed - Dog Training/retreat

Anthony Ali, applicant and Steve Hart, Hart Engineering were present for this meeting via Zoom

Mr. Johnson stated the driveway going to the 10-acre training area was to be shown on the plans and was wondering if Mr. Laberge received anything.

Mr. Laberge stated he believes they were going to forgo the driveway and asked the applicant to comment on this.

Mr. Hart stated they added a sidewalk about 30 feet long to go to the 12-acre training area the intent to eliminate the second-long driveway.

Mr. Johnson stated the sidewalk area needs to be big enough to handle a small ATV or even something bigger in case of an accident and medical workers need to get to the training field.

Mr. Johnson asked how do they plan to fix the road after the timber harvesting.

Mr. Ali stated there is a current driveway where the previous owners pick to build their new home, and that's where the timber landing will be.

Mr. Johnson stated he needs a plan showing where the landing is going to be.

Chairperson Mayrer asked for detail on the soundproofing.

Mr. Ali stated the soundproofing will be on the exterior of the building with a specific insulation and a sound board will be used.

Chairwoman read a letter by a resident stating he is not in favor of this project. (see file for original).

Mrs. Fuda asked Mr. Hart to talk about the fire districts response to the project.

Mr. Hart stated fire district submitted a letter dated December 1, 2020 with 6 comments. He addressed the comments in a letter dated December 30, 2020 (see file) The fire district asked about a fire alarm, sprinklers, maximum number of dogs on site, the staff hours, and contact people.

Mr. Harts response to these comments were. Yes, there will be a fire alarm as well as a knox box, no sprinklers as this is a 1200 sq. ft. building, the maximum number of cages is 15, at the minimum would be maybe 5 dogs at one time. The staff hours will be 6am to 9pm so the animals will have a bit more coverage then a normal kennel. The phone numbers for the two owners Alex Rayner and Anthony Ali were given to the fire district.

Mr. Hart addressed a couple of comments from the letters that were read, one was regarding the sign that will be mounted to the building, it will not be lit, and the size for a RA zone is 20 sq. ft which is what they are requesting.

Mr. Johnson stated the map passed around shows the timber harvesting landing and driveway, but since they do not plan to have driveway to the training field, what are they going to do about the logging road, are they going to plant and or landscape it so it can not be used in the future.

Mr. Hart stated that is fine, it can be a condition of the site plan approval.

A resident called in to the meeting and stated she is opposed to this project because it will affect the sale of houses to be built on her property.

Chairperson Mayrer asked Mr. Ali if they have done this type of business elsewhere.

Mr. Ali stated yes, they have another site where dogs are kenneled.

Chairperson Mayrer asked how do you know there is not going to be a disturbance with dogs barking all night.

Mr. Ali stated they have been doing this a long time working with dogs in small groups, they are playing and training, you will get a bark here and there but ideally, they are with their trainers walking and training.

Mr. Shaughnessy asked Mr. Ali to elaborate on the type of sound proofing they are going to use.

Mr. Ali stated they are going to use a soundproofing board, extra thick sheetrock, soundproofing insulation and there is a spacing channel between the clap board. It is the same type of things used in a music studio.

Mr. Aubin asked if they could supply any type of references from neighbors that live around your other sight. To put some of the concerns from the neighbors.

Mr. Ali stated sure, he can do that.

Mr. Aubin stated in point of order the timber harvesting in entirely to support this project, correct.

Mr. Ali stated correct.

Mr. Shaughnessy asked if the applicant could submit a wall section for the soundproofing.

Mr. Ali stated yes, he could do that.

Chairperson Mayrer asked what the source of heating is.

Mr. Ali stated they are using a outside wood boiler.

One condition is to have the soundproofing on all walls of the kennel.

### **CLOSE THE PUBLIC HEARING**

Aubin moved, LaVoie seconded to close the public hearing,  
5 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Johnson, LaVoie, Mayrer, Shaughnessy

Oppose: none

Abstain: D'Angelo

### **RESOLUTION—ALI DOG RETREAT PROJECT (SEQRA)**

**WHEREAS**, Ali Dog Retreat is proposed to construct an approximately 1,500 sq. ft building on a 64.4-acre parcel of land in the Town of Schodack, 128 Boyce Road (Tax ID 191.-2-5.111) on a portion of a 64.4-acre site; and perform timber harvest on the same lot; 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’s, its review of the Environmental Assessment Form and all other supporting information submitted in connection with the proposed Project’s, 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’s may have a significant adverse impact on the environment;

**NOW, THEREFORE, IT IS RESOLVED**, that the Planning Board appoints itself as lead agency, classifies the project’s as a Type I action and hereby finds and determines that the proposed Project’s 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.

*RA for the reasons set forth in the accompanying Determination of Significance, which is incorporated herein by reference.*

There was discussion on the approval before receiving the references, Mr. Laberge stated that he reviewed the environmental work on parts 2 and 3 and agrees with Mr. Aubin thoughts given he knowledge on sound transmission and distance, he finds the sound to be none or small impact in the environmental analyses, so if the board is comfortable he believes they can move forward with the **NEGATIVE DECLARATION**

**Special Permit**

Anthony Ali  
128 Boyce Road  
Proposed - Timber Harvesting

2020-22/RA/191-2-5.11

**See above for Lead Agency and Negative Declaration.**

The applicant agrees to have the following submitted before the next meeting on February 1, 2021

- Section of the exterior soundproofing wall
- References from neighbors adjacent to their other facilities.
- Reclamation on the timber harvesting haul road.
- Information on the 6 ft. wide path to the training site and how emergence vehicles will be able to access that area.

Mr. Johnson stated he feels that making the 6-foot pathway 10 feet would be better for emergency vehicles.

Mr. Ali stated that the 10-foot path is fine with him.

**Timber Harvesting Special Permit**

Van Hoesen Station  
Morgen Ruthman  
Proposed - Timber renewal  
[Mruthman@thespinneygroup.com](mailto:Mruthman@thespinneygroup.com)

2019-36/PD3/189.-10-36

Morgan Ruthman, applicant was present for this meeting via Zoom.

Mrs. Fuda stated the harvesting permit expired on December 16, 2020 and they are here for a 6-month extension.

Mr. Ruthman stated that they didn't get started on the harvesting until November, so they are requesting additional 6 months.

There were no questions or comment from the board.

Shaughnessy moved, LaVoie seconded that the **SPECIAL PERMIT** be **Renewed** contingent on the same conditions as originally posted.

- this permit will expire on July 4, 2021
- 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.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Green Dale Community Solar Farm

2020/28/PD-1/227.-1-7

County Rt. 32

Proposed - PD-2 Utility Solar

Travis Mitchel, Environmental Designs engineer and Giovanni Maruca applicant, were present to this meeting via Zoom.

Mr. Mitchel went over the site and the solar array, it is 135-acre site with frontage on Rt.32, the Rensselaer and Columbia County line goes through the property with most of the property in Rensselaer County and the frontage in Columbia County. It's a 7.5-megawatt solar array, the panels will sit on 37 acres in total, this is subject to a PD2 approval from the Schodack Town Board. He said they submitted the plans to Kinderhook But it would seem reasonable for Schodack to be lead agency since most of the property sits in Schodack.

Mr. Aubin asked if a visual analysis was done for county Rt. 32.

Mr. Mitchel stated yes, he expects one to be done involving County Rt.32.

Mr. Laberge asked Mr. Mitchell about the I90 loop and the visual impacts of this property. Will it be visible

Mr. Mitchel stated he doesn't think there will be any visual impacts in that area.

Mr. Giovanni spoke about the 50-foot setback for the electric lines. This project is like the Elmbrook site. where the owner of the land owns each side of the electric lines and therefore, they can build right up to the lines without any setbacks.

Mrs. Fuda stated he is correct they have had similar ones with National Grid right-a-ways.

Mr. Laberge stated looking at the map that was submitted he thought the property line extended to the National Grid right-a-way so if there is lands on the other side that will have to be clarified on the plans.

Mr. Aubin stated if the applicant can demonstrate they have control on the other side of the power lines would be great.

All agree to send this to Laberge Engineering.

Hart Commercial Businesses Park 2020-29/PD3/200.-9-6.12

US Rt.9

Proposed - Businesses Park

Steve Hart, Hart Engineering was present for this meeting via Zoom.

Mr. Hart stated his plan is to subdivide the 25-acre parcel into 3 lots. Lot 1 and 2 will have site plans and lot 3 will be remaining lands. He is looking to do 5 parcels in total, 2 buildings shown on the left have actual business's looking to move in, the 2 buildings on the right and the 1 in the back are future business's Lot, lot 1 will be 4.7 acres with a 16 sq. ft. building, it has office space in the front and a garage and warehouse in the back, lot 2 .06 acre lot with a 10k building constructed. Lots 3,4 & 5 are shown as to what they could look like with proposed parking well and septic. Minimum lot size it 2 acres and the frontage to each lot will be a minimum of 50 feet, they road coming into the site will be a private road and not be maintained by the town. It will be constructed to fit all emergency vehicles. Each lot will have its own well and septic to service the businesses. He asked the board for any comments.

Mr. Shaughnessy asked about the size difference for building 1, the plan says 21.6k sq. ft. and Mr. Hart stated it is 16k sq. ft. which is the correct size.

Mr. Hart stated that the 21.6k sq. ft included the gravel or crusher run for the storage area in the back of the building.

Mr. Johnson stated the proposed storage area for Trojan Electric looks to be 100 feet from Rt. 9, they need to show some heavy screening such as a fence, you also need to show the driveways without the buildings on lot 3 showing the turnaround.

Mr. Aubin stated we need a phasing plan.

Mr. Hart stated that is not problem.

Mr. Laberge asked what the total frontage on Rt.9

Mr. Hart stated it is about 1500 feet.

Mr. Laberge spoke about the process, 1. Being they need the PD approval from the Town board. 2. Subdivision and site plan applications, 3. Others would be permits for the water quality control act and asked Mr. Hart if that is what the approval process he understood.

Mr. Hart stated yes. Site plan for lots 1 and 2 and leaving proposed lots 3, 4 & 5 as remaining lands until a time he has clients that would like to build.

Mr. Laberge stated the town is looking to extend utilities south on Rt.9 and asked if the applicant was willing to plan a corridor for water to be brought to the site in the future. Such as easements so the town could extend the service sometime in the future.

Mr. Hart stated they are not opposed to that, there is enough room for a 20-foot easement along Rt9 should the town want to bring water, sewer or gas down Rt. 9.

All agree to send this to engineering

#### **MEMBER DISCUSSION**

Kevin Cioffi

2020-25/HC/220.-3-11 950

Rte. 9

Proposed - Resolution only



Mr. Aubin stated at the last meeting the board specifically asked if trees were going to be removed on the south side of the building to make room for the new storage units and Mr. Cioffi stated no but they clearly did remove trees. It just a matter of point that he did what he said he wouldn't.

Chairperson Mayrer stated we will approve this but would like Mrs. Fuda to contact Mr. Cioffi about the trees.

Mrs. Fuda stated she will do that.

Aubin Motion, LaVoie second to wave the reading of the resolution,  
6 Ayes. 0 Noes. Motion carried.  
Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose: None

Shaughnessy Motion, D'Angelo seconded, to reaffirming the  
**Unlisted Action - ORIGINAL APPROVAL 11/16/20**  
Shaughnessy moved; Johnson seconded that the Planning Board declare this to be an  
Unlisted Action  
6 Ayes. 0 Noes. Motion carried.  
Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose: None

Quiet Hill Development, LLC  
County Rt. 7  
Proposed - Resolution only

2020-26/RA/R-20/201.2-13.1 113

Aubin Motion, Johnson second to wave the reading of the resolution,  
6 Ayes. 0 Noes. Motion carried.  
Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose: None

D'Angelo Motion, LaVoie seconded, to reaffirming  
**ORIGINAL APPROVAL 11/16/20 SUBDIVISION / LOT LINE**  
Aubin 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

D'Angelo moved, LaVoie seconded a **NEGATIVE DECLARATION**.  
6 Ayes. 0 Noes. Motion carried.  
Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose: None

**ADJOURN**

Shaughnessy moved; D'Angelo seconded that the Planning Board meeting be adjourned.  
There being no objections, Chairwoman Mayrer adjourned the meeting at 8:30 p.m.

Respectfully submitted,  
Nadine Fuda  
Director of Planning & Zoning