

PLANNING BOARD MEETING - MAY 3, 2021
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.

Public Session - 7 p.m. via livestreaming <https://townhallstreams.com/towns/schodack>
If you have questions on anything on the agenda
Please email your questions to Nadine.fuda@schodack.org no later than 6pm on 5/3/2021

PRESENT

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.
Attorney Chris Langlois, Esq. was present for Scannell.
Richard Laberge, P.E. Planning Board Engineer
Melissa Knights, Assistant to Director

MEMBERS ABSENT

APPROVAL OF MINUTES — APRIL 19, 2021

Johnson moved, LaVoie 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 COMMENT

Mrs. Brunner called in and read her letter to the board on the topic of Scannell Properties, see file for copy of letter.

Subdivision / Lot Line

Roberts Lot Line
959 South Schodack Rd
Proposed - Lot Line

2021-11/RA/219.-1-25.1

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

Mr. Hart stated the Roberts want to do a lot line adjustment on the 2 parcels they own. The total property is 15 acres the existing house sits on about 14 acres of land and after

the proposed lot line adjustment it will be brought down to around 11.7 acres, the small lot will go from 0.8 acres to 3.06. It is showing to be a flag lot with 60-foot right-a-way.

Mr. Johnson stated he spoke to Steve last week about this project regarding the notes for the acreage on the existing and proposed lot, he would like to see it closer together to avoid confusion as to what goes where, especially on the smaller lot. He also asked about the remaining lands which is another parcel. To him it looks like a landlocked parcel and he was wondering if they have any idea on how they would access that property.

Mr. Hart stated that lot is on a separate tax map parcel and is identified parcel 219.-1-8.115 the family is going to keep that as a separate lot, it does appear to be land locked, but the owners have access.

There were no other questions for Mr. Hart.

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

LOT LINE ADJUSTMENT

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.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Site Plan /Special Permit

Lisa Fountain/ Sheila Burl

2021-13/HC/178.-12-11

1607 Columbia Tpke

Proposed - Change in Tenancy CBD Shop

Lisa Fountain applicant and Shelia Burl Tenant were present for this meeting.

Mrs. Fountain stated Shelia is looking to open a retail store in what use to be Justine's Hair Salon. She is also asking for the two spaces in front of the store as a curb side service.

Mr. Aubin question the health department letter stating Ms. Burl has a temporary approval status, it sounds like the application has been accepted if you receive an approval from us. It sounds like you cannot open the store until then, correct.

Ms. Burl stated as of right now she is temporarily approved, and they said they would contact her if they needed further information.

Mrs. Fountain stated the health department said Ms. Burl had to have a location for the business before they would give you a full approval.

Mrs. Fuda stated the board could approve this application contingent on receiving a copy of the Health Department final approval and license for this business. Plus, she will need a certificate of occupancy from the building department prior to opening.

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

CHANGE IN TENANCY

D'Angelo moved; Leonard seconded APPROVAL of a change in tenancy at "1607 Columbia Tpk"

- Pending the approval letter from the Health Department.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Jason Grant

2021-14/HC/178.-12-14

1603 Columbia Tpk.

Proposed - Change in Tenancy

Bakery Wholesale /Butcher Shop

Jason Grant, applicant was present for this meeting via Zoom.

Mr. Grant stated he purchased the old Stewarts at 1609 Columbia Tpk. and is looking to put in a butcher shop, it will be set up pretty much the same as Stewarts Shop with the coolers and the customer area. In the side lot he was going to put a farmers' market in for the local farmers, this of course will be seasonal, all parking will be in the big parking lot.

As for the butcher shop, there will be some smoking of the meat with an electric smoker and that will be done through the building department.

Chairperson Mayrer asked if this butcher shop will be retail.

Mr. Grant stated yes, they will be selling raw meats, beef, chicken etc. from this store.

Mr. Johnson asked about the farmers market area, are they only using the paved area?

Mr. Grant stated there is a grass area next to the parking lot, Stewarts had picnic tables there for their customers use. It might be used the same way,

Mr. Johnson asked if this would be a 7 day a week farmers market?

Mr. Grant stated its early yet, he is just collecting farmer information, he would know better what days they would like to bring their goods to sell.

Mr. Johnson asked if he was going to stripe the additional parking where the gas pumps and underground tanks were.

Mr. Grant stated yes, now that the parking lot is paved, he will be having it striped.

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; Shaughnessy seconded.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

CHANGE IN TENANCY

LaVoie moved, Aubin 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

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

Mr. Laberge spoke about his April 29, 2021 letter. (See Attached) and the letter he received from Mr. Mitchell covered many of the items from a previous Laberge letter dated February 23, 2021 (See File) so things are well whittled down to a short list of technical comments. We are ready for the planning board to review and certify to the town board for the solar PD application. Prior to sending this to the town board this board needs to work through the SEQR process. If this board Neg Dec's this project they could consider and recommend this application to be certified to the town board for a PD decision. He then asked Mr. Mitchell if he had any comments.

Mr. Mitchell stated he did not have any comments and thanked Mr. Laberge for the summary of the letter and the few technical points that needs to be dealt with.

Mr. Johnson asked if we were going to receive anything from Kinderhook on their public hearing.

Mr. Laberge stated Kinderhook did have their public hearing and since Schodack Planning board is lead agency Kinderhook is waiting for us to make a determination under SEQR before they can take an official action. To his knowledge they are satisfied with current layout of the project.

Laberge Letter Dated April 29, 2021

Re: 2nd Preliminary Plan Review
Green Dale Solar
SPB # 2020-28

We are in receipt of the following for the above referenced application:

- Environmental Design Partnership, LLP (EDP) response to review letter dated April 19, 2021.
- EDP email correspondence regarding type and limits of clearing proposed April 28, 2021.
- EDP email attachment Green Dale Solar Decommissioning Statement April 28, 2021.
- EDP email attachment from NYS OPRHP SHPO April 29, 2021.
- EDP letter noting revised site plan changes achieving 200' setback dated March 22, 2021.

- Full Environmental Assessment Form Part 1 dated February 2, 2021 updated April 13, 2021.
- Rensselaer Co. Letter noting, not an involved agency under SEQRA, dated March 3, 2021.
- Rensselaer Co. Economic Development and Planning, Notification of Zoning Review Action dated March 2, 2021.
- Visual Impact Assessment Report (VIAR), dated February 1, 2020, updated by VIAR March 2021.
- Manufacturers specifications for:
 - Three phase transformers Cooper Power Series with decibels indicated.
 - Power inverter HEMK 600V; and
 - Freemaq DC/DC converter.
- Storm Water Pollution Prevention Plan (SWPPP) revised to April 2021.
- Stormwater Management Narrative revised to April 2021; and
- Project plans sheets 1 thru 11 all sheets revised to April 5, 2021.

The project is subject to §219-39.3 of the Town's zoning law. As such the application must comply with the regulation for planned developments in Article XII of the zoning law including referral by the Planning Board of the application to the Town Board for approval. With the above in mind, we offer the following comments on the materials submitted and on the outstanding requirements of §219-39.3:

1. The applicant has noted that they are seeking wetland disturbance coverage under the USACOE Nationwide Permit process. Final permit restrictions on development, if any, should be included in the SWPPP at the time of receipt.
2. The applicant has provided additional plans to show the point of connection, equipment, and any required utility poles, towers, battery storage etc. and additional vegetative screening. Vegetative screening should be provided for the DC converter/battery storage, transformer/inverter, and spare parts storage area to provide screening for the receptor(s) to the east.
3. The applicant has noted that they have contacted the NYS Thruway regarding any potential issues with glare and are awaiting a response. Further, the visual assessment indicates that glare would not be an issue for vehicles traveling on this section of the Thruway.
4. The solar decommissioning statement includes an estimate of the cost to decommission the facility that includes salvage values for various components of the system. We recommend that the stated salvage value for the solar panels be eliminated as there is no basis for the stated unit value of solar panels nor historical data to substantiate that these will be of any future value.

SWPPP, Stormwater Management & Erosion and Sediment Control

5. New York Office of Parks, Recreation and Historic Preservation (OPRHP) State Historic Preservation Office (SHPO):
 - a. final review comments should be included in the SWPPP.
6. The applicant has indicated that areas within the proposed fencing (27.75 ac.) and

the access road (+3 ac) are proposed to be cleared of brush & trees with stump removal and that limited tree cutting is proposed outside the fence limits with stumps and brush to remain. Therefore, the plans should be revised to provide /indicate:

- a. A phasing plan to limit exposed disturbed soils to under 5 acres at any one time.
 - b. A note indicating that earth disturbances shall not exceed 5 acres at any one time.
 - c. Plans that clearly indicate the phases with acreage of disturbance for each phase.
 - d. Plans that indicate the limits of areas outside of the fenced and access roadway area that will involve tree cutting with stumps to remain; and
 - e. Additional temporary erosion and sediment controls to be placed within each phase of the project.
7. The SWPPP table of contents indicated Section 5 to contain the Long-Term Operation and Maintenance Checklists but this is not found and should be included to supplement the Section 1 part VI narrative.

SEQRA Recommendation

We recommend the Planning Board issue a Negative Declaration under SEQRA for this project. Forthcoming for your review and use will be a Full EAF with Parts 1, 2, and 3 completed including reasoning supporting the Negative Declaration. If the Planning Board issues a Negative Declaration, the involved agencies should be notified, and the Declaration needs to be published in the Environmental Notice Bulletin.

Recommendation for PD Application Certification to the Town Board

The project is subject to §219-39.3 of the Town's zoning law. As such the application must substantially comply with the process for planned developments in Article XII of the zoning law including referral by the Planning Board of the application to the Town Board for approval of the proposed PD-2 designation for the proposed utility scale solar collector system. Provided that the Board completes the SEQRA process as recommended above, we find the application to be complete, and we further recommend certification of the application by the Planning Board to the Town Board.

Recommendation for a Favorable Recommendation of the PD Application to the Town Board

Lastly, after review of the material submitted, we find the following:

- a) The plan conforms to the Town's Comprehensive Plan.
- b) The plan meets the plans and objectives and general criteria of 219-32.2 and 219-39.3.
- c) The plan concept is sound and meets local and area wide needs.
- d) The plan, when approved by the Planning Board, will provide adequate physical and human protections.

Assuming favorable Town Board consideration of the PD Application, the applicant should submit the required/requested information to the Planning Board for further review. Please contact our office with any questions or comments on the above.

STATE ENVIRONMENTAL QUALITY REVIEW ACT
NEGATIVE DECLARATION
NOTICE OF FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS
AND
DETERMINATION OF NON-SIGNIFICANCE

This notice is issued pursuant to and in accordance with Article 8 of the New York State Environmental Conservation Law and the regulations promulgated thereunder and set forth at Title 6, Part 617 of the New York Code of Rules and Regulations (collectively, the State Environmental Quality Review Act, or "SEQRA"). The Town of Schodack Planning Board (the "Planning Board"), acting as Lead Agency in a Coordinated Review, has determined that the proposed action described below will not have any significant adverse environmental impacts, that a Negative Declaration of Environmental Significance should be issued, and that a Draft Environmental Impact Statement need not be prepared.

Reasons supporting this determination are fully explained below.

Project Name: Green Dale Solar Farm

SEQRA Status: Type I: **YES** Unlisted: **NO**

Conditioned Negative Declaration: **NO**

Location:

North of County Route 32, South of the NYS Thruway I90, East of US Route 9 and West of Chadwycke Court, Town of Kinderhook, Columbia County (Tax Map ID 227.00-1-7) and Town of Schodack, Rensselaer County, New York (Tax Map ID 13.00-1-6 and 13.00-1-45).

Description of Action:

Green Dale Solar, LLC (the "Applicant" or "Project Sponsor") is proposing to construct a 5 MW (AC) / 7.5 MW (DC) solar array with solid state battery storage on a +/- 129.4 acre parcel of land in the Town of Schodack, Rensselaer County and the Town of Kinderhook, Columbia County. The Applicant seeks to construct solar arrays that are 8.5 feet in height, of variable width and length but generally totaling 1,100 feet in width and 1,000 feet in length. The site is comprised of approximately 25% wooded sloping land, 61% meadows or areas of unmaintained farm fields, 14% of the area consisting of protected wetlands (the "Project Site"). The project is subject to sec. 219-39.3 of the Town's zoning law. The Project Site is currently zoned Residential Agricultural ("RA") in the Town of Kinderhook and Planned Development 1 in the Town of Schodack.

In addition to Town of Schodack Town Board approval for the Planned Development District, the following permits/approvals are needed for the Project as intended:

- Site Plan Approval by both Planning Boards of the Town of Schodack and Town of Kinderhook

- NYS General Municipal Law Section 239-m referrals from both the Rensselaer and Columbia County Planning Boards.
- US ACOE Nationwide Permit No. 14/51; and
- NYSDEC Stormwater SPDES Construction General Permit coverage.

Reasons Supporting This Determination: See the attached Environmental Assessment Form (EAF) Part 3, Reasons Supporting SEQRA Negative Declaration, which details the Town of Schodack's Planning Board analysis, reasoning, and conclusions in making its determination of environmental significance. This Planning Board has carefully considered the criteria for determining significance as set forth in SEQRA regulations at 6 NYCRR § 617.7, and has thoroughly evaluated the Project's potential environmental impacts as identified in Full EAF Parts 2 and 3.

Lead Agency:

Town of Schodack Planning Board
265 Schuurman Road
Castleton, NY 12033

For Further Information:

Town of Schodack
Contact Person: Nadine Fuda, Director of Planning
Address: 265 Schuurman Road; Castleton, NY 12033
Telephone: (518) 477-7938

Town of Kinderhook
Contact Person: Nataly D. Jones, Secretary to the Planning Board.
Address: P.O. Box P; Niverville, NY 12130
Telephone: (518) 784-2233 extension 301

Copies of this Notice have been sent to:

Town of Schodack:

- Town Board
- Planning Board
- Highway Department
- Valatie Rescue Squad
- South Schodack Fire District

Town of Kinderhook:

- Planning Board
- Fire Department
- Highway Department
- North Chatham Fire District

Department of Health & County Planning Boards:

- Rensselaer County
- Columbia County

New York State:

- Department of Transportation
- Thruway Authority
- Department of Health
- Department of Environmental Conservation
- Energy and Development Authority
- Office of Parks, Recreation and Historic Preservation

U. S. Army Corps of Engineers

Environmental Notice Bulletin

FULL ENVIRONMENTAL ASSESSMENT FORM PART 3

EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS AND DETERMINATION OF SIGNIFICANCE REASONS SUPPORTING SEQRA NEGATIVE DECLARATION

GREEN DALE SOLAR PROJECT

Introduction

The Town of Schodack Planning Board (S-PB), acting as SEQRA Lead Agency, undertook a coordinated review of the Project, a Type 1 action, consisting of the construction of a construct a 5 MW (AC) / 7.5 MW (DC) solar array with solid state battery storage on a +/- 129.4-acre parcel of land in the Town of Schodack, Rensselaer County and the Town of Kinderhook, Columbia County. The project is located North of County Route 32, South of the NYS Thruway I90, East of US Route 9 and West of Chadwycke Court, Town of Kinderhook, Columbia County (Tax Map ID 227.00-1-7) and Town of Schodack, Rensselaer County, New York (Tax Map ID 13.00-1-6 and 13.00-1-45). The solar arrays that are 8.5 feet in height, of variable width and length but generally totaling 1,100 feet in width and 1,000 feet in length. The site is comprised of approximately 25% wooded sloping land, 61% meadows or areas of unmaintained farm fields, 14% of the area consisting of protected wetlands (the "Project Site" of "Site"). The Project is considered a utility scale solar array.

Application History

- The matter began by the Applicant's application to the Town of Kinderhook Planning Board on December 23, 2020 and by application to the SPB dated December 29, 2020, which was submitted and was also signed by Gillian Black of Green Dale Solar, LLC, and the property owner Toros Shamlian, Jr,. Several items accompanied the submission, including the Full Environmental Assessment Form (FEAF) Part 1 signed and dated 12-28-2020 as well as several copies of the proposed concept site plan.
- The Applicant made a sketch plan submittal on January 8, 2021 to the Town of Kinderhook Planning Board.
- The Town of Kinderhook Planning Board on January 21, 2021 conducted a sketch plan review meeting with the Applicant.

- The Applicant submitted additional information to the Town of Schodack Planning Board on January 22, 2021 that include preliminary plans, a Storm Water Pollution Prevention Plan (SWPPP), an engineer's report, an updated FEAF Part 1 and a draft visual assessment report.
- By letter dated January 25, 2021 the Laberge Group submitted a sketch plan review letter. The letter provided both comments and requested additional materials from Applicant.
- The Applicant presented the proposed project to the Town of Schodack Planning Board at a January 4, 2021 meeting of the Planning Board. At that January 4, 2021 meeting, the Planning Board agreed to send the project for engineering review to the Laberge Group (the Town of Schodack Planning Board's engineering consultants).
- Since the project is within 500 feet of a municipal boundary, the Town of Schodack Planning Board as a course of action filed the General Municipal Law 239 (l) and (m) zoning Referral Form with the Rensselaer County Planning Board (Economic Development and Planning) on February 4, 2021.
- At the Town of Schodack Planning Board meeting the Board discussed seeking lead agency status. Thusly, The Town's Planning Department initiated the process via letters dated February 4, 2021, contacting potentially interested agencies, such as the Town of Kinderhook Planning Board, among others, regarding the Town's desire to undertake a coordinated review and be designated as lead agency in the review of the Type 1 Action.
- In response to the January 25, 2021 Laberge Group review letter, by letter dated February 12, 2021, the Applicant's engineer submitted additional materials, including but not limited to:
 - An engineering construction plan set for the project.
 - A visual assessment report detailing the visual assessment at the various vantage points set forth therein.
 - Revised and updated EAF Part 1;
 - An agricultural data statement; and
 - Via electronic transmission on February 24, 2021:
 - A coordinated electrical system interconnect review as prepared by National Grid.
 - Manufacturer's information on proposed equipment's noise output;
- The Town of Kinderhook Planning Board reviewed the preliminary project plans with the Applicant on February 18, 2021.
- Project plans were submitted to the Colombia County DPW on February 24, 2021.
- By letter dated February 23, 2021, Laberge Group provided additional comments, including in response to the aforementioned materials submitted by Applicant's engineer. The letter concluded:
 - That plan revision were required to include additional notes and information;

- That review and comment was required to be submitted from The NYS Office of Parks, Recreation and Historic Preservation (OPRHP);
 - That a Jurisdictional Determination (JD) was required to confirm the locations of mapped protected wetlands; and
 - That additional visual assessment was required to demonstrate the intended screening, and address pad mounted equipment as well as the interconnection power poles.
- At the March 3, 2021 meeting of the Planning Board the matter was once again considered. The Applicant's Engineer presented the project and discussed among other things the project setback from the power line property line which should be treated as a property line and not an easement line and thus the applicable 200 ft setback was agreed to be from the power line property line. The Town Engineer's sketch plan review comments were reviewed and noted that the action is a Type 1 action per SEQRA. The S-TB concluded the meeting with a resolution to seek Lead Agency with all members approving.
- By letter March 3, 2021, received from the Rensselaer County Bureau of Economic Development and Planning, the Bureau concluded that the project would not have a major impact on County plans and that local jurisdiction shall prevail.
- On March 16, 2021 the Applicant submitted a visual impact analysis to the Town of Kinderhook Planning Board.
- On March 18, 2021 the TOK-PB accompanied the Applicant's Engineer on a site visit to review visualization simulations in the field.
- The Town of Kinderhook Planning Board once again reviewed the preliminary project plans with the Applicant during their March 18, 2021 meeting.
- At a meeting of the Town of Kinderhook Planning Board on March 18, 2021 the planning board made a motion and passed to appoint the Town of Schodack Planning Board as lead agency in the SEQRA review of the Green Dale Community Solar Farm application and schedule a public hearing on the matter from April 15, 2021.
- The Town of Kinderhook Planning Board filed their referral form with the Columbia County Planning Board (Economic Development and Planning) on March 22, 2021.
- In response to the February 23, 2021, additional comments letter issued by Laberge Group, by letter dated March 22, 2021, the Applicant's engineer submitted additional materials, including but not limited to:
 - Revised engineering construction plan set for the project; and
 - Full Environmental Assessment Form, Part 1 Project & Setting, dated March 22, 2021.
 - The Applicant indicated the revised plans included a revised solar array layout to enable the project to achieve the required 200 ft. setback from the power line property.
- Revised project plans were submitted to the Columbia County DPW on March 26, 2021.

- The Town of Schodack Planning Board held a meeting April 5, 2021 at which time the matter was heard. The project was noted as being reduced in acreage (38 down to 28 acres, approximately) as a result of plan revisions to adhere to the 200 ft. setback from any property line (the power utility lands in this case). The project was noted as setting aside approximately 9.5 acres of open space. Concern was raised over the potential for noise from transformers with the applicant response noting that there would be none at night and that the level of noise during generation would be significantly dissipated after the sound traveled 400 ft. to the property. Visual screening was also discussed with the abutting landowner, noting that they are working with the applicant for appropriate satisfactory screening.
- The Town of Kinderhook Planning Board held a public hearing on the matter April 15, 2021 noting that they could not act further until the Town of Schodack Planning Board acted on SEQRA. After a presentation of the project fully revised by the applicant, the public hearing on the matter was closed after two commenting members of the public spoke in support of the project.
- In response to the February 23, 2021 Laberge Group review letter, by letter dated April 19, 2021, the Applicant's engineer submitted additional materials, including but not limited to:
 - A revised set of project plans that include proposed plantings to screen the project.
 - Revised Visual Impact Study with Additional visualizations.
 - Updated SWPPP and Stormwater narrative; and
 - Manufacturers information on equipment that includes noise output levels.
 In the response letter, the applicant noted that they are in discussions with the NYS Office of Parks Recreation and Historic Preservation and will provide copies of ongoing correspondence.
- The Columbia County Planning Board held a meeting and considered the matter on April 20, 2021 and issued a letter response to the Town of Kinderhook Planning Board via electronic mail on the same date indicating approval and providing informal comments for consideration.
- On April 23, 2021 the Town of Kinderhook Planning Board was delivered a revised full submittal for approval.
- Via electronic mail delivery the Applicant provide a letter dated April 29, 2021 from the NYS Parks, Recreation and Historic Preservation State Historic Preservation Office noting that the project will have no adverse impact to historic and cultural resources.
- A solar decommissioning plan was electronically transmitted to the Town of Schodack Planning Board's engineer on April 28, 2021.
- Thereafter, Laberge Group issued a letter dated April 29, 2021 with additional comments and recommending a Negative Declaration under SEQRA. The letter also recommended the Planning Board certify the Solar PD application to the Town Board

as complete and that the Planning Board make a favorable recommendation to the Town Board regarding the application.

Discussion of Potential Environmental Impacts

The Town of Schodack Planning Board has carefully considered all potential environmental impacts associated with the Project. Below is a discussion of those potential impacts, set forth in the order in which they appear in the New York State Department of Environmental Conservation's ("NYSDEC") SEQRA Full EAF Part 2.

The Project is a SEQRA Type I action. NYSDEC's SEQR Handbook specifically addresses whether an environmental impact statement ("EIS") is always required for a Type I action. According to NYSDEC, "the lead agency must evaluate information contained in the EAF, and additional applications, filings or materials, against the criteria in [6 NYCRR] 617.7 to make a determination of significance for each Type I action. SEQR responsibilities for Type I actions may be met by a well-documented, well-reasoned negative declaration."

The materials submitted in support of the Project Sponsor's applications were generated, at least in part, by licensed engineers and/or qualified consultants. The conclusions and suggested impact avoidance measures proffered by these professionals were based on established engineering principles, industry standards, NYSDEC and technical data, which have been verified by the Planning Board's own professional engineer and were done over a significant period of time. The Town's planning staff and the Planning Board members, several of whom are professional engineers, also carefully and thoroughly reviewed the application and the EAF, including the technical reports.

During the course of the Project's SEQRA review, the Planning Board, Town Planning staff, the public and the applicant's representatives engaged in an active and comprehensive evaluation of the Project Sponsor's submissions. As stated by the NYSDEC SEQR Handbook, "the lead agency may make a request for any additional information reasonably necessary to make its determination." Questions were asked, clarifications and revisions were requested, and responses were provided.

The Planning Board and its consulting engineer have assessed each of the potential SEQRA-related impacts, identified its magnitude and determined the potential impact's importance.

Lastly, the Planning Board has reviewed the criteria for determining significance contained in 6 NYCRR Part 617. This evaluation, which is based in the same information supporting its conclusions regarding Part 2 of the Full EAF, confirms the Planning Board's conclusion that a Negative Declaration of Significance should be issued for the Project.

Discussion of 6 NYCRR Part 617 Criteria For Determining Significance

The Town of Schodack Planning Board has evaluated the Project using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). NYSDEC's SEQR Handbook provides "that not every conceivable impact needs to be considered; speculative impacts may be ignored."

As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The proposed project will not have a substantial adverse change in existing air quality as there are no emissions.

The proposed project has been designed to have no effect on ground or surface water quality or quantity. A SWPPP will be prepared, reviewed, and will be approved when appropriate.

The proposed project will not have any appreciable effect on traffic or create any noise issues. The equipment proposed on site generates very little noise and is placed far enough away from any property/lease lines that it will not be audible. The project generates no traffic except that generated during construction and/or maintenance activities.

There will not be a substantial increase in solid waste generation. The project does not generate any solid waste during its operation.

There will not be a substantial increase in potential for erosion, flooding, leaching or drainage problems as the stormwater system and grading were designed in accordance with the applicable standards and a stormwater analysis will be included in the SWPPP for the project. The proposed grading of the site will prevent substantial erosion after completion and during construction erosion control measures will be employed to minimize it as well.

- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources.

While the plan does remove some existing vegetation, a portion of the site is being retained in its natural state as delineated on the plan. A USACOE permit will be obtained for wetland disturbance, which has been represented to the Board will be obtained without issue. Since the site is part of a larger suburban/rural setting, any existing fauna will re-establish themselves in adjacent areas. The project will not have substantial interference with the movement of any resident or migratory fish or wildlife species; it will not have any impacts on a significant habitat area; there are no substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; and there are no other significant adverse impacts to natural resources.

- (iii) the impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14(g) of this Part.

The project is not part of a critical environmental area.

- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted.

The project does not create a material conflict with a community's current plans or goals as officially approved or adopted.

- (v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The project does not impair the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character. The State Historic Preservation Office was consulted and found that the project would have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places. While the proposed use will remove agricultural land from production, the removal is limited to the lease term for the solar facility. Adjacent lands will remain accessible for agriculture. At the end of the lease, solar equipment will be removed, and disturbed soils restored.

- (vi) a major change in the use of either the quantity or type of energy.

The project will not create a major change in the use of either the quantity or type of energy. It will in fact produce electricity.

- (vii) the creation of a hazard to human health.

The project will not create a hazard to human health. It has been designed in accordance with applicable regulations and standards.

- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

The project will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

The project will not encourage or attract a large number of people.

- (x) the creation of a material demand for other actions that would result in one of the above consequences.

The project will not create a material demand for other actions that would result in one of the above consequences.

- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

The project will not create changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

- (xii) two or more related actions undertaken, funded, or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The project does not involve two or more related actions undertaken, funded, or approved by an agency, none of which has or would have a significant impact on the environment, but

when considered cumulatively would meet one or more of the criteria in this subdivision, even when the lot line adjustment is factored.

Conclusion

The Town of Schodack Planning Board, acting as Lead Agency in a Coordinated Review under SEQRA, has thoroughly evaluated all aspects of the Project and carefully reviewed all relevant materials. For the reasons set forth above, the Planning Board has determined that the Project will not have any significant adverse impacts on the environment. As a result, a Negative Declaration will be filed and distributed pursuant to SEQRA regulations, and a Draft Environmental Impact Statement need not be prepared.

RESOLUTION—GREEN DALE SOLAR PROJECT (SEQRA)—ADOPTING NEGATIVE DECLARATION

WHEREAS, Green Dale Solar, LLC is proposing to construct a 5 MW (AC) / 7.5 MW (DC) solar array with solid state battery storage on an approximately +/- 129.4-acre parcel of land in the Town of Schodack, Rensselaer County and the Town of Kinderhook, Columbia County (north of County Route 32, Columbia County (Tax Map ID 227.00-1-7) and Rensselaer County (Tax Map ID 13.00-1-6 and 13.00-1-45).); 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 attached Determination of Significance, which is incorporated herein by reference and the reading of which is waived.

D' Angelo moved; LaVoie seconded; to waive the reading.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Johnson moved; Shaughnessy seconded; for the Planning Board do a **resolution Certifying the PD application to the Town Board.**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

D'Angelo moved; Aubin seconded for the Planning Board do a Resolution for a **favorable recommendation to the Town Board**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Scannell Properties #508 LLC

2021-5/PD-3/189.1-10-40.131/189.-10-40.132

Rt 150

Proposed - Sales Distribution Center

Steve Boisvert, Adam Frosino from McFarland & Johnson, Daniel Madrigal for Scannell Properties, Terresa Bakner from Whiteman, Osterman & Hanna were present for this meeting via Zoom.

Mr. Laberge spoke about his letter dated April 29, 2021 (See Below) in April the applicant submitted significant detail on their project including a set of plans and the environmental assessment report. when they went through all the information it resulted in a short 9-page letter with a lot of technical detail. The applicant is here tonight to up-date the board on the information. And if this board concurs there is enough information for the public to comment on it and we could set a public hearing date.

One item that we were waiting for was the comment letter from DOT which was received on Friday April 30, 2021 by the applicant and forwarded to the town.

Mr. Frosino stated they want to update the project and formally ask for a public hearing to be set for the May 17, 2021 meeting.

There is one small change to the rendering that was submitted last month and that is the concrete pull off area for employees to be dropped off and the bus shelter was moved from one side to the other of the lot. (See Plans in File) he spoke about the plans and the changes to the site and looking for questions or comments from the board.

Mr. Johnson asked about one of the views(Collins property) that shows a significant amount building that is going to be seen from the property. Are you expecting the adjacent property owner to maintain a buffer, so they will not see the building or are you going to be doing something to protect the view?

Mr. Frosino stated they just superimposing the building behind the vegetation to show where it will lie. So, the building will not be visible they are looking to have the existing vegetation to remain.

Mr. Johnson stated the is assuming you have all pine trees and not deciduous trees.

Mr. Frosino stated that is true, in winter there will be less foliage.

Mr. Johnson asked if all the trees were on their property and not on the adjacent landowners.

Mr. Frosino stated it is a combination of ownership. But most are on the applicant's property. He continued to go through several pages of intent for the property please see stenographer notes or view the meeting on Schodack.org under planning.

Mr. Aubin questioned view #10 on the superimposed image of the building on the left side of the page asked if that is a representation of the sound wall.

Mr. Frosino showed the wall and the building on view #10

Mr. Aubin stated the wall only goes to the corner of the building correct.

Mr. Frosino stated currently, yes.

Mr. Albin stated if the adjacent landowner between Birchwood and your proposed site were to take the trees down than the building will be visible.

Mr. Frosino stated to a certain degree yes.

Mr. Aubin stated currently the adjacent land is being timber harvested and come fall the building will be visible to Richwood Drive. Plus, the height of the lighting in the parking area will be 40 feet tall which will also be visible to the residents. looking at your lighting plan it appears the lighting fixtures are specified for 4000 kelvin on the temperature range, he believes on the other project it was requested to have a lower kelvin rating and these come in a 3000k which would be preferable, they are a less bright with less glare fixture. He would also like the applicant to look at the employee parking lot and consider dropping those lights to 30 foot mounting height. Knowing that you will probably have to install a couple more lights, this will still decrease the amount of light visible from the road.

Mr. Frosino stated they will take this into consideration.

Mr. Laberge stated number 15 of his comment letter refers to the lighting issue and the downgrading from 4000k to 2700 to 3000k. he also recommends 25-foot light poles.

Mr. Johnson stated they should be looking at the box to make sure it extends down far enough so you are not looking at the fixture itself.

Mr. Shaughnessy stated as a follow up on the previous comments, as you may or may not be aware, we have received a number of comments on screening in general and also the noise impact.

Mr. Frosino stated they are currently proposing a 600 foot long and 15-foot-high sound wall with vegetation along the wall they have not revised this plan to date and are looking of input from the board and the residents to see what an appropriate solution is would be for the visual and sound issues.

Mr. Shaughnessy stated it sounds like based on everything the board is hearing coupled with the other projects that are currently going on adjacent and potential future projects he thinks it would be a good idea to increase what you propose for the sound wall, and I am assuming the trees you are proposing are staggered.

Mr. Frosino stated they are open to revisions to the project.

Mr. Shaughnessy asked Mr. Laberge to speak on the noise issues from the other Scannell project.

Mr. Laberge stated item number 30 speaks to that issue of noise and the southern part of the project and the adjacent property. The owner of the property Van Hoesen Staten has submitted a letter requestion a longer wall between their property and the Scannell site. another item he spoke about was the grade change from where the 600 ft. noise wall stops the grade change for the trailer parking is lower and then it goes up hill which makes a berm, he asked Mr. Frosino to touch on this subject of noise and where it is coming from.

Mr. Frosino stated this area is lower than the property line. the grass area is graded down to the truck trailer parking area which will act as a natural berm and they wanted to keep the vegetation or as much as possible in that area. To address the noise on site they are working with a noise consultant with updated criteria, and he is in the process of revising the noise study that will address some of the comments that have come up.

Mr. Laberge asked if they were considering any type of noise attenuation on the roof.

Mr. Frosino stated as part of the update to the noise study more detail analysis is being completed with additional detail as the building design is being progressed.

Mr. Johnson asked if they have looked at the Route 150 profile for vertical site distance.

Mr. Frosino stated yes, they have taken site distance measurements at all the proposed driveways. They were on site today to verify some of the distance comments from NYSDOT. They are in the process of reviewing that information.

Mr. Laberge stated regarding the DOT comment on the RT. 9&20 intersection with RT. 150, are there any proposed changes there. Do you expect any offsite work at that intersection?

Mr. Frosino stated yes, they are adding east bound and west bound turn lanes with left turn arrows. It is all included in the traffic impact study.

Mr. Laberge stated the town has concerns on the pedestrian safety and access. Since the other facility has been built, they have seen pedestrian get off the bus at the park and ride on Rt. 150 crossing Rt. 9& 20 and walk to the new facility. They town would like to preclude that from happening here and is hoping to have a safe pedestrian pathway or sidewalk but also to have pedestrian signals at the intersection. This is in his letter, (See Below)

Mr. Frosino stated no thoughts yet, they are still in the planning stage on that topic.

Chairperson Mayrer stated the applicant needs to be prepared to announce the name of tenant at the public hearing.

LaVoie motion D'Angelo seconded to schedule the **public hearing** for May 17, 2021.
7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Laberge Letter Dated April 29, 2021

Re: Preliminary Site Plan and SEQRA Review
Scannell NY Rt 150 Site Plan
SPB No. 2021-05

We are in receipt of a set of site plans dated March 31, 2021, architectural elevations dated March 29, 2021, an Environmental Assessment Report dated April 2, 2021, and a Full Environmental Assessment Form signed March 31, 2021 for the above referenced project. We offer the following conceptual comments:

1. The project is located in a PD3 zone and is a permitted use as a Sales Distribution Center in that zone. No fueling or maintenance facilities are proposed on site. The project is looking to combined previously approved subdivided parcels to form a 56-acre parcel. A deed combining the parcels is required to be filed, and proof of the merger of tax parcel identification numbers should be submitted.
2. The project is a permitted use under the Town of Schodack's Water Quality Control Act and lies mainly in the Direct Recharge area with a small portion of the site in the well head protection zone. A special permit is required. Use is subject to the

conditions of §223-6C (1) and §223-8.

3. The project is proposing approximately 45% of the land area to be open space of which 5% is stormwater facilities. Article XII of the Town Zoning Code requires not less than 35% and therefore the amount of open space provided is insufficient. The applicant should:
 - a) Identify "natural areas" on the site plan (it is assumed there are areas outside of the Limit of Disturbance, please label accordingly).
 - b) A note should be added to that effect and that the site will not be further developed or subdivided.
4. Prior to signing of the site plans, the applicant should provide a five-year performance bond to ensure that plantings survive and natural areas are properly maintained.
5. A park land fee will be due prior to site plan signing.
6. The project should confer with all emergency services with primary responsibility for the site to solicit their comments on the proposed plan. Emergency services should be asked to comment on their capacity to serve the proposed project and whether those services believe any additional training or equipment is required. Comments should be requested in writing (email is acceptable).
7. Easements for the benefit of the Town for utilities, including water and sewer, should be shown for possible future connection of utilities to the parcel to the south.
8. A NYSDOT work permit will be required; as such coordination regarding the three (3) proposed driveways should be initiated with NYSDOT and both the Planning Department and our office should be kept informed of NYSDOT comments.
9. The Traffic Impact Study should be submitted to NYSDOT. We await their comments.
10. The applicant should show traffic control devices limiting outbound trucks to right turns only.
11. Additional directional signage to I-90 and the NYS Thruway should be added on the east bound NYS Rt 150 approach to the US Rts 9 & 20 intersection.
12. A portion of the site development is very close to the adjacent parcel to the south. The Board has requested increasing the distance between the paved areas and the southern property line to allow for landscaping to mature and provide additional screening of future development on the parcel to the south.
13. The applicant should indicate if they intend to install any solar panels on the site, and if so, identify their location.
14. The applicant has indicated that utility poles along NYS Rt 150 will be relocated. If so, consideration should be given to placing utilities underground for all or a portion of those utilities.
15. Exterior free-standing lighting fixtures should only be full-cut off down lighting mounted at a lower height than 37 feet. A total height of 25 feet or lower from grade is recommended.
 - a. Light fixture details and specifications should be included in the next

- submittal.
 - b. A plan showing lighting levels should be submitted.
 - c. 4000k LED lighting is proposed. The LEDs should be between 2700K and 3000K.
 - d. The luminaire of the lighting should be shielded below the level of the fixture to reduce the potential for source glare.
16. Provide elevations of the guard sheds as mentioned on the architectural elevations.
17. Additional visual simulations should be provided from key vantage points surrounding the property including, but not limited to:
- a. NYS Rt 150
 - i. In front of lands of N/F Conlin
 - ii. At the US Rts 9 and 20 intersection
 - b. US Rts 9 and 20 south of NYS Rt 150
 - c. Julianne Dr. in the vicinity closest to the project
 - d. Interstate 90
 - i. Bridge over Mordener Kill
 - ii. Bridge over NYS Rt 150
18. The applicant should consider snow storage requirements as they relate to the proximity of the proposed fencing to the asphalt. Centralized snow storage areas are prohibited under the Town's Water Quality Control Act. Some snow storage areas appear to be in the drive lanes of the employee parking. A pavement maintenance plan should be submitted indicating where snow will be plowed to and how ice melting materials will be minimized.
19. The location of waste/recycling areas should be shown on the plans with adequate screening for aesthetic purposes as necessary.
20. The applicant should indicate how the forklifts will be refueled and if any fuel for the forklifts will be stored on site outside of the building.
21. The 4" sewer should be increased to an 8" sewer and extended from SM9 to SM13. In addition, it should be designed so that it can be extended and utilized by the parcel to the south. This sanitary sewer should be turned over to the Town in an easement for public use.
22. Provisions for a sidewalk along NYS Rt. 150 should be made along the frontage of the parcel to the Rt 9/20 & Rt 150 intersection, and continue to the CDTA Park & Ride/Bus Stop. Pedestrian signals should be installed on the southern and western legs of the intersection.
23. In order to utilize infiltration, the depth of groundwater/bedrock must be verified to be at least 3' below the floor of the facility. Infiltration tests are needed for each area to be used for infiltration.
24. A detail of the proposed retaining wall is required.
25. A detail of the fire tank and pump house is needed.
26. The applicant should clarify where the water service connection detail applies.
27. Per the geotechnical report, fill slopes over 20' in height should be benched.

28. The 2011 Endangered Species Report should be updated by a qualified professional.
29. Additional landscaping should be added along the truck entrance to screen the site from points along NYS Rt 150 and from the Rts 9 & 20 intersection and west.
30. The noise analysis appears to show that the property to the south will be affected by both HVAC and truck noise. In addition, this property may be developed and should not be considered to "buffer" the Richwood Drive neighborhood to the south. The analysis should model the site to the south as developed with less vegetation to see what effect it may have on the Richwood Drive neighborhood. Impacts to the existing neighborhood under this scenario should be mitigated, as well as, the impacts on the vacant property.
31. All the noise mitigation measures listed in the study should be incorporated onto the site plan as notes.
32. The proposed vegetation clearing to increase sight distance for trucks exiting the site should be shown on the plans and appropriate NYSDOT permits secured.
33. The applicant should refine the 2021 Base Volumes in the Traffic impact Study to better balance them throughout.
34. The applicant should confirm that the installation of the center turn lane does not affect the sight distances presented.
35. An appropriate warning sign(s) should be installed on the eastbound side of NYS Rt 150 prior to the truck exit driveway.

Sheet Specific Notes

G-02

36. The notes under the heading "Water Main" indicate that a backflow preventer will be in the building. Please clarify if a device is planned in addition to the device in the meter pit.

EX-00

37. A note should be added that existing easements for access, grading, and utilities will be extinguished.
38. A note should be added that the lots will be combined into one and one Tax Identification Number will apply.

C-00

39. Consideration should be given to extending the sound wall to the northeast and/or placing sound enclosures around the rooftop HVAC units.
40. A bold note should be added indicating "No Outdoor Storage Allowed."

C-01

41. The height of the automatic license plate reader should be noted, or a detail provided.

C-05

42. Show sidewalk to tank/pump house as shown on other plans.

UT-01

43. A 12" tee and two (2) valves are needed near the truck entrance for future water main extension to the property to the south.
44. Hydrants on Rt 150 are needed near the intersection and at the end of the main.
45. The applicant should provide a guiderail detail(s) appropriate for both the truck and automobile traffic.
46. The applicant should change proposed 4" sanitary line to an 8" sanitary line and show a 30' wide utility easement.

UT-03

47. The applicant should show a 12" tee and two (2) valves, and a hydrant on southwest corner of intersection.
48. Clarify what is meant by "valve in meter vault" on the note at the point of connection to the existing main.

UT-04

49. The slope of the proposed sewer boring under Rt 9 & 20 should be increased to a minimum of 1% to allow for construction tolerances and to ensure a minimum slope. The applicant should consider coordinating with the landowners on the northwest corner of the intersection to install the sewer under Rt 150 on the west side of the intersection and then proceed with sewer north along the west side of NYS Rts 9 & 20 to a crossing under NYS Rts 9 & 20 at a point just upstream of the existing sanitary pump station.
50. Prepare a preliminary design to show the gravity sanitary sewer can be extended from SM13 to the property to the south at a later date.
51. Show areas of controlled fill on the profile for the Primary Groundhouse Sanitary.

SS-01

52. We did not review these plans at this time.

LP-01

53. Additional plantings are needed along the truck entrance to screen the project from the Rt 150 and Rts 9 & 20 intersection area.

LP-02

54. Additional plantings should be considered in the following locations:
 - a. Above the southwest corner of the retaining wall;
 - b. Along the entire eastern property line;
 - c. Along the outside of the house wall; and
 - d. Along the south end of the property.

BG-103

55. Signage needs to clearly and boldly indicate "ALL TRUCKS" at the truck entrance. If allowed by NYSDOT, an informational highway sign(s) directing trucks should be installed on the westbound lanes of NYS Rt 150.
56. Signage needs to clearly and boldly indicate "NO TRUCKS" at the employee entrance.

SWPPP & Stormwater Plan Comments

57. The Storm Water Pollution Prevention Plan should include the following:

- a. Completed and signed Notice of Intent;
 - b. Contractor Certification Statements (General and Sub-contractors);
 - c. Documentation with SHPO OPRHP of review and subsequent findings and project requirements;
 - d. A complete description of potential pollutant sources and means of controlling/mitigating their effects on the quality of stormwater;
 - e. Documentation such as from the NYSDEC Environmental Resource Mapper and from the U.S. Fish and Wildlife Information for Planning and Consultation and project requirements/findings/mitigations;
 - f. Long-term Operation and Maintenance Plans for the stormwater management practices (catch basins, swales, sediment basin fore bays, infiltration basins, lawns, landscaping, oil water separators, diversion structures, overflow weirs, etc.);
 - g. Town of Schodack Maintenance Agreement;
 - h. A full stormwater analysis to include, but no limited to:
 - i. The analysis that indicates that infiltration basins dewater the WQv in less than 48 hours;
 - ii. The actual field/laboratory testing confirmed soils infiltration rates should be used in the infiltration basin models;
 - iii. Type II Rainfall should be used in the analysis; and
 - iv. Soils with dual HSG classifications shall use the more restrictive soil HSG in the analysis.
58. Drainage area maps should be revised to indicate:
- a. The time of concentration flow path segments with all the variables used in determining each segment of the time of concentration, such as: the travel flow length; average velocity; paved or unpaved surfaces; drainage path sediment slope; surface roughness coefficient; channel flow section information;
 - b. The project's soils and hydrologic soil group areas; and
 - c. Proposed SMPs.
59. Infiltration practices cannot be used as temporary sediment basins. Provide the location of temporary basins and their designs.
60. Masonry mixing areas/batch plants shall be contained in a manner similar to concrete truck wash outs.
61. The plans should revise the sequence of construction to indicate construction of infiltration practices installed after upstream construction is completed and finally stabilized.
62. The soil borings test locations previously performed on other base mapping should be shown on these project plans. Of particular concern is the elevation of ground water and ensuring that the proposed basins are a minimum of 3 feet above seasonal high water. The soil borings and infiltration test locations shall be shown on the plans and must be provided for the designs to be considered for acceptance.

63. The total area of disturbance in acres shall be shown for the LOD.
64. The plans should indicate the proposed locations of the SMP signs.
65. Construction notes (also provided in the sequence of construction) that indicate the infiltration area be protected from heavy construction equipment traffic and not connected to the storm system until the completion of construction and the final stabilization of all upstream areas.
66. Elevations for the infiltration basin and sedimentation basin shall be provided to indicate construction elevations and stormwater analysis elevations.
67. An observation well for the infiltration basin shall be shown on the plans.
68. The erosion and sediment control sequence must include all relative required elements per the E&SC Standards (page 2.15).
69. A project phasing plan is required to limit soils disturbance to less than 5 acres at any one time, or a waiver should be requested.
70. Temporary diversion ditches should be indicated by grading plans and include stone checks and outfall erosion protection.
71. Construction details for the diversion structures should be provided.
72. Drainage structures P2-11 and P2-1 should be connected upstream of the diversion structure to allow water quality flows to divert to the oil water separator first.
73. Portions of the proposed roads do not drain to a water quality and control stormwater management practice. The entire road(s) must be minimally addressed in the design by providing the required water quality treatment. Treatment of the impervious surfaces is required for the entire truck exit and entry driveway, as well as, for the employees parking lot drive.
74. The infiltration basins do not have any overflow detailed to address flows that exceed capacity as designed or resulting from lack of maintenance. Provide details in the SWPPP and designs for the infiltration practices outlet control structures and stabilized channel to final overflow point. Additionally, a means to draw down the basins should be provided in the event standing water issues occur in the future.

We recommend the applicant incorporate changes regarding the above in their next submission and include a response letter which addresses the resolution of each of the above comments.

C: Craig Crist, Esq., Planning Board Attorney (via email only)
Daniel Madrigal, Scannell Properties (via email only)
Steve Boisvert, P.E., McFarland Johnson (via email only)
Adam Frosino, P.E., McFarland Johnson (via email only)

ADJOURN

Aubin moved; Shaughnessy seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning