**PLANNING BOARD MEETING – MAY 17, 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 5/17/21

**PRESENT MEMBERS ABSENT**

**Denise Mayrer, Chairwoman**

**Wayne Johnson, P.E.**

**John LaVoie**

**Stephanie Leonard**

**Lawrence D’Angelo**

**Andrew Aubin, P.E.**

**James Shaughnessy, P.E.**

**Nadine Fuda, Director**

**Attorney Craig Crist, Esq.**

**Attorney Chris Langlois Esq.**

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

**Melissa Knights, Assistant to Director**

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

Johnson moved; D’AngeloPuccio seconded that the minutes be approved as amended.

7 Ayes. 0 Noes. Motion carried.

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

Oppose:

Abstain:

**PUBLIC COMMENT**

**PUBLIC HEARING**

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

Terry Frederick **published May 7, 2021**

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

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Public Hearing Opened at 7:06 p.m. Public Hearing Closed at 7:13 p.m.

Terry Frederick 2021-16/MC/201.2-1-16

266 Co. Rte. 7

Proposed- Eating establishment

Terry Fredericks, applicant was present for this meeting.

Mr. Fredericks stated he purchased the old Pirates Cove’s Lakeside Grill on Nassau Lake. He is going to run it the same as it was for the last 70 some years. it will be seasonal outside food on the deck and picnic area, his menu will have hamburgers, hotdogs, chicken, sausage, and sea food. But not from the lake, it will be delivered there will also be ice cream. He plans to do some catering as well the kitchen is quite nice.

Mr. Johnson asked about the 13 x 25-foot space, is that a paved area.

Mr. Fredericks stated yes, it is paved and is a small eating space.

Mr. Johnson stated the site plan should be labeled with paved area so when the building inspector looks at it, he will see what is currently there on site.

Mrs. Fuda stated we can fix that.

Resident texted Mrs. Fuda’s phone and spoke about the Fredericks application, stated this is in a residential area and is afraid it will not be good for this area, he wants time restrictions on when he can operate and if the septic system is up to code for the public restroom.

Mr. Fredericks stated there is no public restrooms, the system is adequate, he had Ken Schuurman come and pump out the tank and check the system. Mr. Schuurman gave him a written statement stating so. Also, the hours will be no later than noon to 8:00 pm.

Resident sent a text to Mrs. Fuda’s phone for her to read, it stated that they are in favor of the re-opening of the grill, they miss the Old Pirates Cove, they feel this will be a nice addition for the residents and for someone coming off the new bike trail.

**UNLISTED ACTION**

Be it resolved that the Planning Board hereby declares itself as lead agency and classifies the proposed action as a unlisted Action under SEQRA.

Aubin moved, LaVoie seconded.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**NEGATIVE DECLARATION**

 Johnson moved; Leonard seconded a **NEGATIVE DECLARATION**.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**RESOLUTION/NEGATIVE DECLARATION OF THE TOWN OF SCHODACK PLANNING BOARD UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT—TERRY FREDERICKS**

 WHEREAS, Terry Fredericks (“Applicant”) seeks to establish a food service operation at the former Pirates Cove at 266 County Route 7. He asserts that the subject property is lake front property. The property is in an MC zone and is located on 0.19 acres (Tax Map ID. 201.2-1-16), County of Rensselaer, New York (“the Project); and

 WHEREAS, the State Environmental Quality Review Act (“SEQRA”) and the regulations thereunder require the Board to undertake a review of the potential environmental impacts, if any, associated with the project before approving same; and

 WHEREAS, a public hearing was held on May 17, 2021; and

 WHEREAS, Part 1 of a Short Environmental Assessment Form has been prepared and reviewed in connection with the proposed Project; and

 WHEREAS, Part 1 of the Short Environmental Assessment Form was transmitted to, if any, all involved agencies, together with notification of the Board’s desire to act as lead agency with respect to the environmental review of the proposed Project; and

 WHEREAS, any/all involved agencies have either consented to Board acting as lead agency with respect to the environmental review of the proposed Project, or have failed to raise any objection thereto within thirty (30) calendar days; and

 WHEREAS, 6 NYCRR Section 617.7 requires a lead agency to issue a written determination of significance with respect to any proposed unlisted action; and

 NOW THEREFORE BE IT RESOLVED THAT the Board hereby resolves to serve as lead agency for the subject action;

 NOW THEREFORE BE IT RESOLVED THAT the Board hereby classifies the action as a Type II action;

WHEREAS, the Board at the May 17, 2021, meeting carefully considered the nature and scope of the proposed Project, as set forth in the Short Environmental Assessment Form prepared with respect to such action, and resolved to issue a Negative Declaration and makes the following determinations which shall constitute the written elaboration and formal Negative Declaration for the aforementioned proposed action:

 1. The proposed action, as noted above, seeks to re-establish a food service operation at the subject location.

 2. The proposed action is classified under SEQRA as an unlisted action.

 3. Upon consideration of the action, review of the Short Environmental Assessment Form, the criteria contained in 6 NYCRR § 617.7(c), including with the help of a professional engineer and personnel from the Planning and Building Department and all other supporting information, the Board identifies the following relevant areas of environmental concern, as set forth hereafter, and analyzes whether the proposed action may have a significant adverse impact on the environment and hereby concludes that it will not.

 4. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations. It is noted that the subject action is located in a zone that permits such use by special use permit.

 5. The proposed action will create no or a small impact in the form of whether it will result in a change in the use or intensity of use of land. As noted above, until it was discontinued in recent years, Applicant says that he subject use was utilized there since 1947.

 6. The proposed action will not impair the character or quality of the existing community. Again, this use is ideally located in the zone it is being placed. It fits with surrounding uses. The proposed use will not adversely impact this portion of the Town or the Town as a whole.

 7. The proposed action is not in a Critical Environmental Area.

 8. The proposed action is projected to have no or small impact, much less no adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. It is noted that the area it is to be located on was created as part of the creation of the bike path.

 9. It is not projected to result in an increase in the use of energy at this time or if there is an increase, it is expected to not be a material increase in usage and will be consistent with the addition of a single-family residence.

 10. There will be minimal on the well and septic treatment. The septic plan will have to be approved by Rensselaer County Department of Health.

 11. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources. Again, the subject use is going where it is permitted and where such uses are encouraged to be located.

 12. The proposed project does not involve, and therefore will not result in, any substantial adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna).

 13. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems. As noted above, this has been the subject of careful study and it is the conclusion of the Board that any impacts are minor and are especially minor considering the adequate protections concerning each of the foregoing.

 14. The proposed action will not create a hazard to environmental resources or human health. This matter has been carefully studied by this Board and it will meet all requirements.

 15. The proposed project does not involve, and therefore will not result in, the removal or destruction of large quantities of vegetation or fauna, a substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on any significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat thereof, or other significant adverse impacts to nature resources.

 16. The proposed project will not create a material conflict with the community’s current plans or goals as officially approved or adopted.

 17. The proposed project will not result in the impairment of the character or quality of any important historical, archeological, or aesthetic resources, or of existing community or neighborhood character. The proposed project is not within a scenic vista nor does it contain a designated scenic resource and, thus, will not impact any such resource.

 18. The proposed project will not result in any major, adverse, change in the use of either the quantity or type of energy.

19. The proposed project will not result in the creation of a hazard to human health.

 20. The proposed project does not involve, and therefore will not result in, 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 such uses. It will in fact restore a recreational resource.

 21. The proposed action will not result in the encouragement or attraction of a large number of people to the site as compared to the number of people that would come absent the action. It will be a seasonal business for the most part.

 22. The proposed action will not result in a material demand for other actions, will not result in changes to two or more elements of the environment which together would result in a substantial adverse impact, and will not cumulatively result in a substantial adverse impact when considered with any related actions.

 NOW, THEREFORE, BE IT RESOLVED that the Board hereby declares/re-declares itself lead agency with respect to the environmental review of the proposed Project; and it is further.

RESOLVED, that the Board finds and concludes that the proposed action is an unlisted action within the meaning of 6 NYCRR 617.2(al); and it is further.

 RESOLVED, that upon consideration of the foregoing, the Board finds and concludes that the proposed action will not result in any significant adverse impacts to the environment; and it is further.

 RESOLVED, that the Board hereby resolves to issue a Negative Declaration with respect to the proposed action.

 Aubin moved, LaVoie seconded a **Special Use Permit**.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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# STATE OF NEW YORK

# TOWN OF SCHODACK PLANNING BOARD

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In the Matter of the Application

## Of NOTICE OF DECISION

TERRY FREDERICKS File No. 2021-16

For a Special Permit

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**WHEREAS,** the Applicant, TERRY FREDERICKS, applied for a Special Permit to operate a food service operation with a food stand at 266 County Route 7, Nassau, New York in the Town of Schodack (Tax Map No. 201.2-1-16), which property is located within an MC District,

**WHEREAS**, such food stands are permitted in MC zones by special permit, subject to site plan review and approval by the Planning Board, and that applicants having applied for such; and

**WHEREAS**, Site Plan and Special Permit procedures were followed and a public hearing was held on May 10, 2021; and

**WHEREAS,** the Planning Board previously resolved to declare itself Lead Agency under the State Environmental Quality Review Act (“SEQRA”),

**WHEREAS**, following the aforesaid public hearing at which no opposition to the

proposed special permit was shown, at its May 10, 2021 meeting the Planning Board resolved to declare itself Lead Agency under SEQRA:

 **WHEREAS**, the Board resolved to issue a Negative Declaration for the proposed action under SEQRA, and

**IT IS HEREBY DETERMINED THAT** upon review of the site plan as submitted, and after further investigation by the Planning Board and upon the final maps and plans as submitted, this Planning Board, after reviewing the requirements of the local zoning law, finds and determines that the proposed use will have no adverse effect on the health, welfare or safety of the general public and will not adversely affect the residents of the immediate neighborhood, is in harmony with the development of the district and with the character and appearance of the surrounding neighborhood, will not discourage the appropriate development and use of the adjacent land and buildings or impair the value thereof, will not affect existing traffic access ways or parking, will not be more objectionable to nearby properties than other permitted uses, and will not adversely affect the general welfare of the inhabitants of the Town of Schodack; and

**IT IS FURTHER DETERMINED THAT,** at its May 10, 2021 meeting thereafter, the Planning Board found and determined the following;

1. The Applicant proposes to operate a food service operation with a food stand at the site of the former Pirate’s Cove Lakeside Grill (tax map no.: 221.2-116) which property is within a MC district. Such activity is permitted at such location by special permit. The Planning Board notes the Applicant has represented that he will continue the same type of business or activity at the location that was located there when Pirates Cove was there.
2. As such, the subject property is to continue with a food service and food stand, as detailed above.
3. Taking into consideration the objectives set forth in Section 219-71 of the Schodack Town Code, the proposed special permit use will promote the public health, safety and general welfare, the comfort and convenience of the public in general and that of the residents of the immediate neighborhood. The granting of the special use permit promotes, at a minimum, the following objectives as set forth in Section 219-71:

a. The proposed area and usage thereof is in harmony with the development of the district, will not discourage the appropriate development and use of the adjacent land and buildings or impair the value thereof;

b. The proposed use will not affect existing traffic access ways or parking and is generally in harmony with the character and appearance of the surrounding neighborhood;

c. The site layout and landscaping and signage will not be more objectionable to nearby properties than other permitted uses, and will not adversely affect the general welfare of the inhabitants of the Town of Schodack; and

d. All proposed buildings will be readily accessible for fire and police protection.

**IT IS FURTHER DETERMINED THAT,** following the aforesaid public hearing (at which no opposition to the proposed special permit was shown), at its May 10, 2021 meeting the Planning Board resolved:

1. to declare itself Lead Agency under the State Environmental Quality Review Act (“SEQRA”); and
2. to classify the proposed action as an unlisted action under SEQRA; and
3. that the application for a Special Use Permit be granted for an initial period of eighteen (18) months on the express conditions set forth herein, including:

a. This permit shall expire on May 9, 2022.

**THEREFORE, PLEASE TAKE NOTICE THAT,** the Planning Board of the Town of Schodack has **GRANTED** the Applicant a Special Use Permit to allow the utilization of the subject property as food service establish with food stand and related use as proposed in the application.

**NO APPROVAL IS DEEMED GRANTED UNTIL THIS DOCUMENT IS SIGNED BY ALL PARTIES**

### Dated: May ,2021 \_See file for signature’s\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 DENISE MAYRER, CHAIRPERSON

 SCHODACK PLANNING BOARD

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 Applicant

**PUBLIC HEARING**

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

Scannell Properties #508 LLC **published May 7, 2021**

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

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Public Hearing Opened at 7:17 p.m. Public Hearing Closed at 8:42 p.m.

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, Terresa Bakner from Whiteman, Osterman & Hanna were present for this meeting. Brad Greggs an Amazon representative was present via Zoom for this meeting,

Chairperson Mayrer recuse herself due to a conflict of interest.

Co-Chair Wayne Johnson will be the chair for this application.

Mrs. Fuda read the public hearing notice.

Mr. Greggs stated he is with Amazon; he leads their Economic Development and Government Relation in efforts this building will help facilitate the delivery of their packages. this building is called a middle mile facility. This site will operate 24/7, the inbound traffic will come from a verity of different fulfilment centers (where their products are stored for inventory) they get put back on the trucks and then head out for the last mile delivery location. Whether it is one of their Amazon last mile facilities or one

of their 3rd party partners such as USPS, UPS, or sometime FedEx. He spoke about the running of the site, employee hours, entrance, the truck entrance and exit, the storm water ponds, guard shacks, screening, sound wall and so on, for full meeting see file for maps, plans, the stenographer notes or watch the meeting on the town of Schodack website.

Co-Chairman Johnson stated we are here to listen to what you are going to do and what the public wants to speak about, this is not the time for questions from the board.

 Mr. Boisvert spoke about the site plan and wanted to remind everyone in the past this site has received special use permit, SEQR and site plan approval for two different sales distributions centers. This project is no different, it is 56 acres comprised of two parcels that were subdivided during the prior application for Questar and other proposed business. he spoke about the site, access points, water, and sewer to the site, and working with National Grid for gas extension, drainage systems, catch basins, manholes etc. (see file for drainage plans.) fire suppression system. DOT signage on both sides of Rt. 150 screening to break up the view of the building from neighboring properties and Rt. 150.

Longer sound wall and trees, lighting poles from 40 feet high to 25 feet, please see file or plans for all changes and updates.

(see file for all letters or watch the Planning Board meeting [www.schodack.org](http://www.schodack.org) to hear them read.)

Mrs. Fuda requested Mrs. Brunner to call in and read her letter for the public hearing.

Mrs. Fuda requested Mr. Brunner to call in and read his letter for the public hearing.

Mrs. Fuda requested Mrs. Williams to call in and read her letter for the public hearing. She did not call in.

Mrs. Fuda requested Morgan Ruthman to call in and read his letter for the public hearing.

Mrs. Fuda stated they have received a letter from the Schodack Valley Fire Chief.

Mrs. Fuda Requested Mr. Gibbie to call in and read is letter for the public hearing.

Chairman Johnson asked if there were anyone else in the public that wanted to make comment, please contact Mrs. Fuda within the next few minutes.

Chairman Johnson stated it was proposed to hold open the public hearing, so we will hold it open for the next 10 days for written comments, he asked if anyone had an objection for holding the public hearing open for the next 10 days?

D’Angelo moved, Seconded LaVoie to leave this Public Hearing open until June 7, 2021 for written comments.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Abstain: Mayrer

Mrs. Fuda stated that as soon as Scannell gives her the power point presentation that was showed here tonight she will put it out on the website.

Chairman Johnson stated if the developer has plans that can be brought in so people can come into the town hall to view.

Mr. Laberge stated he can incorporate the boards comments with his into his next letter.

Chairman Johnson stated for future meeting if the developer has anything they want to present to the board please make sure it is available to the planning board director a week before the meeting, so Mr. Laberge and this board has ample time to review and prepare comments.

Mr. Shaughnessy requests Scannell to form a response letter regarding the comments that were brought up tonight.

Scannell agreed to the request.

Chairman Johnson asked if the applicant had any other plans to go back to DOT to address all the issues that were brought up tonight.

Mr. Boisvert stated yea they have an upcoming meeting with DOT on Thursday May 20, 2021.

Chairman Johnson asked My Boisvert to discuss with DOT is the trucks coming out and the truck entrance, he feels they should be reversed because of the site distance.

Mr. Boisvert stated the site distance is worse if they switch from what they are proposing.

There were no more questions for the applicant at this time.

**Site Plan /Special Permit**

Lisa Fountain/J.J. Pizza 2021-17/HC/178.-12-11

1607 Columbia Tpke.

Proposed – Change in Tenancy

Lisa Fountain owner, Jeff Mayes tenant, were present for the meeting via Zoom.

Mrs. Fountain stated she is looking for a change in tenancy for the space where Crisp Cannoli use to be. He hopes to open next month if approved.

There were no questions for the applicant.

**TYPE II ACTION**

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

LaVoie moved, Leonard seconded.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**CHANGE IN TENANCY**

D’Angelo moved; Shaughnessy 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

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

Hart 3 lot 2021-8/PD3/200.-9-6.12

Dibble Equip 2021-9/PD3/200.-9-6.12

Trojan Energy 2021-10/PD3/200.-9-6.12

US Rt.9

Proposed – Businesses Park

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

Mr. Hart spoke about all the projects listed below.

Dibble Equip 2021-9/PD3/200.-9-6.12

Trojan Energy 2021-10/PD3/200.-9-6.12

Hartland 3 lot 2021-8/PD-3/200.-9-6.1

Mr. Hart stated he received Laberge letters for all the applications (see below under each agenda item) he is working with Rensselaer County on well and septic for each lot. He is working with DOT on the curb cuts. Other than he is looking for any question or comments regarding this project and looking forward to having the public hearings scheduled for the overall park.

Mr. Laberge stated there are 3 sperate concept comments letters (see below) there was a little more detail was added. He recommends setting the public hearing for after the town board potential action on this, possibility the public hearing could be set for the June 7, 2021 planning board meeting. he has not major issues just some detail that needs to be worked out.

Mr. Johnson he is not exactly sure what is on the plans for screening from route 9, he wants to make sure the trees are not big enough that are not going to take 10 years to provide some screening.

There were on more comments for the applicant.

Chairperson Mayrer stated the public hearing will be scheduled for June 7, 2021.

Aubin moved: Leonard seconded to schedule a public hearing for applicants 2020-29, 2021-8, 2021-9 and 2021-10 for June 7, 2021.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**Laberge Letter Dated May 12, 2021**

Re: Concept Plan Review

 **Dibble Equipment Site Plan**

 SPB #2021-09

We are in receipt of a site plan application, Short Environmental Assessment Form, and a concept plan dated December 4, 2020 for the above referenced project. We offer the following:

1. The project is the subject of a Planned Development-2 application under consideration by the Town Board. Site Plan approval is required.
2. The project is located in the Direct Recharge area as defined by the Town’s Water Quality Control Act (WQCA) and requires a special permit under the WQCA. The project is subject to the requirements of that law, in particular section 223-6 (c). In addition the septic system and water supply wells must conform to Section 223 Section B and Section D, respectively.
3. Regarding SEQRA, the project was reviewed as part of the PD-2 application and the Planning Board issued a Negative Declaration. Therefore it is not subject to further review under SEQRA and no coordinated review is necessary.
4. The applicant should provide a written narrative regarding the proposed use of the site and the intended operations. At a minimum this narrative should include information regarding:
5. Number of employees/drivers utilizing the site.
6. Maximum number of vehicles and/or pieces of equipment to be parked on the site.
7. Whether maintenance will be performed on site, and if so, what type.
8. Whether any vehicle washing will be performed on site.
9. Whether any petroleum or hazardous materials will be stored on site, and if so, how much, what types, where, and in what type of containers.
10. A description of the building elevation, color, windows, etc.
11. The applicant should update the site data chart with exact proposed information.
12. In future submissions, the applicant should show the following on the site plan:
13. Existing and proposed grades.
14. Proposed finish floor elevations.
15. An enclosure to screen the dumpster.
16. Proposed signage.
17. Outside storage and display areas other than the material storage yard.
18. Location of doors on the building footprint.
19. Test pit results.
20. Proposed tree types and sizes.
21. Any proposed building mounted lighting.
22. Dimensions of the fire truck turnaround.
23. “No Cut” buffer area along south property lines.
24. The project will require approval/permits by the following agencies:
25. NYSDOT: Highway Work Permit for the driveway and for stormwater.
26. Rensselaer County DOH: Permits for well and septic.
27. The area requiring clearing along US Rt. 9 for sight distance maximization should be shown, or a note added to the plan.
28. It appears that the proposed equipment parking area may not be asphalt pavement. The applicant should identify what the surface treatment will be keeping in mind that a dustless surface is required.
29. Site details will be required with the next submission. The height of any yard lights and their bases should be detailed. All fixtures on site including building mounted should be detailed to show they are full cut off down lighting. If fixtures are to be LED, use of 3000 K diodes or less is preferred with shielding to reduce glare from neighboring properties.
30. The zoning code requires 1 parking space for every 150 sf of office space, or 26 spaces for this site plus any additional spots that may be needed for other employees.
31. The auto parking entrance and building entrance should show additional landscaping.
32. The applicant should clarify if a retaining wall will be built in the southwest corner of the proposed storage yard.
33. Additional plantings should be placed east and west of the equipment yard area to provide additional screening from the adjoining parcels.
34. All draft easements and maintenance agreements should be submitted for review.
35. A SWPPP for the entire plan of common development is needed and should be phased, with the first phase incorporating these limits of disturbance. The SWPPP can be amended for future development.

C: Rodney Dibble (via email only)

 Steve Hart, P.E. (via email only)

Trojan Energy 2021-10/PD3/200.-9-6.12

Rte. 9/Harts Commercial Businesses Park

Proposed – Commercial Building

**Laberge Letter Dated May 12, 2021**

Re: Concept Plan Review

 **Trojan Energy Site Plan**

 SPB #2021-10

We are in receipt of a site plan application, Short Environmental Assessment Form, and a concept plan dated December 4, 2020 for the above referenced project. We offer the following:

1. The project is the subject of a Planned Development-2 application under consideration by the Town Board. Site Plan approval is required.
2. The project is located in the Direct Recharge area as defined by the Town’s Water Quality Control Act (WQCA) and requires a special permit under the WQCA. The project is subject to the requirements of that law, in particular section 223-6 (c). In addition the septic system and water supply wells must conform to Section 223 Section B and Section D, respectively.
3. Regarding SEQRA, the project was reviewed as part of the PD-2 application and the Planning Board issued a Negative Declaration. Therefore it is not subject to further review under SEQRA and no coordinated review is necessary.
4. The applicant should provide a written narrative regarding the proposed use of the site and the intended operations. At a minimum this narrative should include information regarding:
5. Number of employees/drivers utilizing the site.
6. Maximum number of vehicles and/or pieces of equipment to be parked on the site.
7. Whether maintenance will be performed on site, and if so, what type.
8. Whether any vehicle washing will be performed on site.
9. Whether any petroleum or hazardous materials will be stored on site, and if so, how much, what types, where, and in what type of containers.
10. A description of the building elevation, color, windows, etc.
11. The applicant should update the site data chart with exact proposed information.
12. In future submissions, the applicant should show the following on the site plan:
13. The entire site parcel.
14. Existing and proposed grades.
15. Proposed finish floor elevations.
16. Dumpster/recycling enclosure(s).
17. Proposed signage.
18. Outside storage areas including any areas to be used for material stockpiles.
19. Location of doors on the building footprint.
20. Test pit results.
21. Proposed tree types and sizes.
22. Any proposed building mounted lighting.
23. Dimensions of the fire truck turnaround.
24. “No cut” buffer area along south property lines.
25. The project will require approval/permits by the following agencies:
26. NYSDOT: Highway Work Permit for the driveway and for stormwater.
27. Rensselaer County DOH: Permits for well and septic.
28. The area requiring clearing for sight distance maximization should be shown.
29. It appears that the proposed equipment parking area may not be asphalt pavement. The applicant should identify what the surface treatment will be keeping in mind that a dustless surface is required.
30. Site details will be required with the next submission. The height of any yard lights and their bases should be detailed. All fixtures on site including building mounted should be detailed to show they are full cut off down lighting. If fixtures are to be LED, use of 3000 K diodes or less is preferred with shielding to reduce glare from neighboring properties and US Route 9.
31. The zoning code requires 1 parking space for every 150 sf of office space, or 20 spaces for this site plus any additional spots that may be needed for other employees.
32. The auto parking entrance and building entrance should show additional landscaping.
33. Additional plantings should be placed in east and west of the equipment yard area to provide additional screening from US Route 9 and the adjoining parcel.
34. All draft easements and maintenance agreements should be submitted for review.
35. A SWPPP for the entire plan of common development is needed and should be phased, with the first phase incorporating these limits of disturbance. The SWPPP can be amended for future development.

We recommend the applicant revise the plan and application in accordance with the above for further review.

C: Glen Godell (via email only)

 Steve Hart, P.E. (via email only)

**Subdivision / Lot Line**

Hartland 3 lot 2021-8/PD-3/200.-9-6.12

US Rte. 9 Harts Commercial Businesses Park

Proposed – 3 lot Subdivision.

**Laberge letter dated May 11, 2021**

Re: Concept Review

 **Hart 3-Lot Subdivision**

 SPB No. 2021-08

We are in receipt of a minor 3-lot commercial subdivision application and preliminary plat, dated February 18, 2021, for the above referenced project. We offer the following comments:

1. The subdivision is related to the recently reviewed PD application which is being reviewed by the Town Board.

SEQRA has previously been completed for this project and a Negative Declaration was issued by the Planning Board. No further SEQRA action is required.

1. The areas of the “No Clearing” buffer should be identified graphically clearly on the plat.
2. The 60’wide access and utility easement should also be made to benefit the Town of Schodack for utilities.
3. The 20’ wide easement across the frontage of the property should be clearly labeled for sidewalks and utilities for the benefit of the Town of Schodack.
4. A draft maintenance agreement for the common entrance drives should be submitted for review.

We recommend the applicant revise the plat and resubmit it for review.

C: Craig Crist, Esq., Planning Board Attorney (via email only)

 Steve Hart, P.E. (via email only)

**ADJOURN**

Aubin moved, LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning