

PLANNING BOARD MEETING - DECEMBER 20, 2021
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.

PRESENT

Denise Mayrer, Chairwoman
Wayne Johnson, P.E.
Lawrence D'Angelo
Andrew Aubin, P.E.
James Shaughnessy, P.E.
John LaVoie
Stephanie Leonard
Nadine Fuda, Director
Attorney Craig Crist, Esq.
Richard Laberge, P.E. Planning Board Engineer
Melissa Knights, Assistant to Director

MEMBERS ABSENT

APPROVAL OF THE DRAFT MINUTES FOR — December 6, 2021

Johnson **moved**, Lavoie seconded that the draft minutes be approved, as amended, as the official minutes of this meeting.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Abstain:

PUBLIC COMMENT

Resident had questions on item #6 Muslim Community Cemetery, this was the first time seeing the map and questioned how the body is put in the ground and if there is any embalming. She asked if a study was done on how it will affect the ground water, and if she could see the study. The cemetery is behind her home and questioned the phasing and if the whole site will be prepared or will the clearing be done at the time of the need to move to the next phase?

Chairman Mayrer explained that there is no treatment to the body and that it is a simple pine box when they are placed at the burial site.

Public Hearing

**Nadine Fuda read the hearing notice(s) as published in the Troy Record:
American Tower published December 11, 2021
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing
record(s).**

Public Hearing Opened at 7:09 p.m.

Public Hearing Closed at 7:14 p.m.

Site Plan /Special Permit

American Tower/ Dish Wireless

2021-42/RA/220.-3-8.1-1

10 Beagle Club Way

Proposed - Dish as new user on tower

Applicant's representative was present for the meeting. They are looking for site plan and special permit approval off I 90 they will be the 2nd carrier on this pole. This will create new dish coverage in this area.

Mr. Shaughnessy questioned if the structural study had been done?

Mr. Laberge explained this was in the packet at the last meeting and that he did a review, and it did pass the load test and talks about his letter of December 15th 2021 on his review.

Johnson moved; Shaughnessy seconded that the Planning Board to close the Public Hearing

7 Ayes. 0 Noes. Motion carried.

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

Abstained:

Laberge letter dated: December 15, 2021

Re: Application Review

Dish Wireless - 10 Beagle Club Way

SPB # 2021-42

We have received a copy of the Special Permit and Site Plan application from American Tower. The application is for a co-location on an existing telecommunications tower at 10 Beagle Club Way. The center line of the three new antennas is to be mounted at the 91' level of the existing 123' overall tower height. The antennas are approximately 6' in

height. In addition, a new 5'x7' equipment pad and a cable tray are being added inside the existing fenced closure.

The application has been reviewed in accordance with the Zoning Code §219-71 and §219-72A (34). Pending any substantive comments or other input received at the Public Hearing on this matter, we recommend the Planning Board consider the following:

1. Issue a negative declaration under SEQRA. A copy of the completed Short EAF with the Determination of Non-Significance is enclosed.
2. Grant a minor site plan modification for this project and approval of a Special Permit subject to the following conditions:
 - a. Proof of insurance to be provided as per §219-72A(34)(C)(19).
 - b. Any unused equipment shall be removed from the tower and site.
 - c. An annual inspection and report be submitted per the requirements of §219-72A(34)(C)(15).
 - d. A post installation field report in accordance with §219-72A(34)(C)(17) be submitted.

By: _____
Richard F. Laberge, P.E.
President

C: Craig Crist, Planning Board Attorney w/enc. (via email only)
Darryl Gresham, American Tower (via email only)

LEAD AGENCY

LaVoie moved; Aubin seconded that the Planning Board declare itself to be **LEAD AGENCY**.
7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Aubin moved; D'Angelo seconded that the Planning Board hereby classifies the proposed action as an **Unlisted Action** under SEQRA.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Waive the reading of the proposed negative declaration

Johnson moved; LaVoie seconded to waive the reading of the written **NEGATIVE DECLARATION DETERMINATION OF NON-SIGNIFICANCE**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Shaughnessy moved; LaVoie seconded to Adopt the written **NEGATIVE DECLARATION DETERMINATION OF NON-SIGNIFICANCE**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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 "SEQR"). The Town of Schodack Planning Board (the "Planning Board"), acting as Lead Agency, 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: American Tower, Dish Wireless Co-Locate

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

Conditioned Negative Declaration: **NO**

Location: Existing Tower, 10 Beagle Club Way, Town of Schodack, New York (Tax ID 220-3-8.11)

Description of Action:

American Tower (the "Applicant" or "Project Sponsor") seeks to add Dish Wireless to the existing tower, within its existing compound, therefore a co-location on an existing telecommunications tower. The proposed co-location is such that the center line of the desired three new antennas is to be mounted at the 91' level of the existing 123' overall tower height. The three antennas are approximately six feet in height. Additionally, a new

5' x 7' equipment pad and a cable tray are being added inside the existing fenced enclosure at the aforementioned location (the "Project Site"). The project is subject to sec. 219-71 and 219-72A(34)(a) of the Town's zoning law. Site Plan Modification and Special Permit approval is needed from the Planning Board.

Reasons Supporting This Determination:

See the attached Environmental Assessment Form (EAF) Part 3, Reasons Supporting SEQRA Negative Declaration, which details the Planning Board's analysis, reasoning, and conclusions in making its determination of environmental significance. The 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 EAF Parts 2 and 3.

Lead Agency:

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

For Further Information:

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

Waive the reading of the proposed site plan

Aubin moved; Johnson seconded to waive the reading of the Site Plan Modification Resolution

7 Ayes. 0 Noes. Motion carried.

Johnson moved; D'Angelo seconded to Approve and adopt the site plan modification Resolution.

7 Ayes. Noes. 0 Motion carried.

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

Oppose: None

RESOLUTION AUTHORIZING SITE PLAN APPROVAL—AMERICAN TOWER & DISH WIRELESS; File No.: 2021-42

WHEREAS, the Applicants, **AMERICAN TOWER & DISH WIRELESS** applied for a Site Plan approval concerning the proposed addition of Dish Wireless to the existing tower, within its existing compound, therefore a co-location on the existing telecommunications tower. The proposed co-location is such that the center line of the desired three new

antennas is to be mounted at the 91' level of the existing 123' overall tower height. The three antennas are approximately six feet in height; and

WHEREAS, the Planning Board has adopted a Negative Declaration for the Project and adopted a special use permit; and

WHEREAS, additionally, a new 5' x 7' equipment pad and cable tray is to be added inside the existing fenced enclosure at the aforementioned location (the "Project Site"); and

WHEREAS the Zoning Schedule of Use Regulations of the Town Code permits such activity by site plan approval; and

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

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

A. General considerations.

- (1) The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, channelization structures and traffic controls.
- (2) The adequacy and arrangement of pedestrian traffic access and circulation, including separation of Pedestrian from vehicular traffic, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
- (3) The location, arrangement, appearance and sufficiency of off-street parking and loading.
- (4) The location, arrangement, size design and general Site compatibility of buildings, lighting and signage.
- (5) The adequacy of stormwater and drainage facilities.
- (6) The adequacy of water supply and sewage disposal facilities.
- (7) The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise deterring buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.
- (8) In the case of an apartment complex or other multiple dwelling, the adequacy of unobstructed open space for play areas and informal recreation.
- (9) Protection of adjacent or neighboring properties against noise, glare, unsightliness or other

objectionable features.

- (10) The adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- (11) Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

WHEREAS, thereafter, at its December 20, 2021, meeting, the Planning Board found and determined and authorized site plan approval pursuant to the terms set forth herein.

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

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

*The site plan and access to Beagle Club Way have been designed to provide safe vehicular traffic access and include adequate road width. The proposed Project will not have any appreciable effect on traffic.

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

*There is not expected to be any pedestrian traffic other than for construction and routine maintenance; nevertheless, there is safe passageway for pedestrians to access the site.

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

*The site has been designed to provide sufficient offsite-street parking and loading, all of which will only be needed during construction and routine maintenance.

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

*Applicant's intent is to co-locate on the existing tower; it is compatible and arguable saves the construction of another tower. The site design is compatible with the zone in which it is placed.

(5) The adequacy of stormwater and drainage facilities.

*Existing drainage will not be changed; there is no anticipated increase in on or off-site drainage.

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

* The project as designed is not expected to generate any increased need for water supply and sewage.

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

*The existing state is sufficient to provide sufficient visual and/or noise deterring buffer. There is not proposed any removal or destruction of large quantities of vegetation or fauna. The site's current landscaping is sufficient and will not be affected.

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

*Not applicable.

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

*The existing structure will be the co-location on the existing tower and the minor addition of an equipment pad and cable tray.

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

*The site design provides adequate fire lanes and emergency zones for emergency personnel to access the facility.

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

*The site has been designed to provide adequate drainage to prevent ponding and flooding.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Board hereby finds and determines that approval for the site plan as referenced in the Laberge Group's December 15, 2021 letter (the "Site Plan") is **GRANTED**, conditioned upon applicant satisfying all conditions set forth in the aforementioned December 15, 2021 letter from the Laberge Group to Denise Mayer, Chair of the Town of Schodack Planning Board and in this resolution, as well as all other administrative matters all of which are incorporated herein by reference with full force and effect:

THEREFORE, PLEASE TAKE NOTICE AND BE IT FURTHER RESOLVED THAT the Planning Board of the Town of Schodack has **GRANTED** the Application for Site Plan Approval to allow the utilization of the subject property as a telecommunications tower with co-location thereon as proposed in the application upon the following conditions:

1. that the application for a Site Plan be granted.
2. all recommendations and conditions as set forth in the Laberge Group letter of December 15, 2021. by the following vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
AUBIN	X			
D'ANGELO	X			
JOHNSON	X			
LAVOIE	X			
MAYRER	X			
LEONARD	X			
SHAUGHNESSY	X			

Public Hearing

Nadine Fuda read the hearing notice(s) as published in the Troy Record:
American Tower **published** December 11, 2021
Chairman Mayrer directed the affidavit(s) of publication be made part of the hearing record(s).

Public Hearing Opened at 7:15 p.m.

Public Hearing Closed at 7:19 p.m.

American Tower/ Dish Wireless

2021-43/RA/201.-2-39-1

3788 US Rte. 20

Proposed - Dish as new user on tower

This tower is at US. Rte. 20 this is 156 foot tower all the same equipment will be added to the tower.

Johnson moved; Shaughnessy seconded that the Planning Board to close the Public Hearing
7 Ayes. 0 Noes. Motion carried.

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

Oppose: none

Laberge Letter Dated December 15, 2021

Re: Application Review

Dish Wireless - 3788 US Route 20

SPB # 2021-43

We have received a copy of the Special Permit and Site Plan application from American Tower. The application is for a co-location on an existing telecommunications tower at 3788 US Route 20. The center line of the three new antennas are to be mounted at the 115' level of the existing 150' overall tower height. The antennas are approximately 6' in height. In addition, a new 5'x7' equipment pad and a cable tray are being added inside the existing fenced closure.

The application has been reviewed in accordance with the Zoning Code S219-71 and S219-72A (34). Pending any substantive comments or other input received at the Public Hearing on this matter, we recommend the Planning Board consider the following:

1. Issue a negative declaration under SEQRA. A copy of the completed Short EAF with the Determination of Non-Significance is enclosed.
2. Grant a minor site plan modification for this project and approval of a Special Permit subject to the following conditions:

- a. Proof of insurance to be provided as per §219-72A(34)(C)(19).
- b. Any unused equipment shall be removed from the tower and site.
- c. An annual inspection and report be submitted per the requirements of §219-72A(34)(C)(15).
- d. A post installation field report in accordance with §219-72A(34)(C)(17) be submitted.

Please contact us with any questions or comments on the above.

By: _____
Richard F. Laberge, P.E.
President

C: Craig Crist, Planning Board Attorney w/enc. (via email only)
Darryl Gresham, American Tower (via email only)

LEAD AGENCY

Johnson moved; Shaughnessy seconded that the Planning Board declare itself to be LEAD AGENCY.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Aubin moved; D'Angelo seconded that the Planning Board hereby classifies the proposed action as an **Unlisted Action** under SEQRA.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Waive the reading of the proposed negative declaration

LaVoie moved; Shaughnessy seconded to waive the reading of the written **NEGATIVE DECLARATION DETERMINATION OF NON-SIGNIFICANCE**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: none

Shaughnessy moved; LaVoie seconded to Adopt the written **NEGATIVE DECLARATION DETERMINATION OF NON-SIGNIFICANCE**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**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, 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: American Tower, Dish Wireless Co-Locate

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

Conditioned Negative Declaration: **NO**

Location: Existing Tower, 3788 US 20, Town of Schodack, New York (Tax ID 201.-2-39.1)

Description of Action:

American Tower (the "Applicant" or "Project Sponsor") seeks to add Dish Wireless to the existing tower, within its existing compound, therefore a co-location on an existing telecommunications tower. The proposed co-location is such that the center line of the desired three new antennas is to be mounted at the 115' level of the existing 150' overall tower height. The three antennas are approximately six feet in height. Additionally, a new 5' x 7' equipment pad and a cable tray are being added inside the existing fenced enclosure at the aforementioned location (the "Project Site"). The project is subject to sec. 219-71 and 219-72A(34)(a) of the Town's zoning law. Site Plan Modification and Special Permit approval is needed from the Planning Board.

Reasons Supporting This Determination:

See the attached Environmental Assessment Form (EAF) Part 3, Reasons Supporting SEQRA Negative Declaration, which details the Planning Board's analysis, reasoning, and conclusions in making its determination of environmental significance. The 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 EAF Parts 2 and 3.

Lead Agency:

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

For Further Information:

Contact Person: Nadine Fuda, Director of Planning for the Town of Schodack
Address: 265 Schuurman Road, Castleton, NY 12033

FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS
AND DETERMINATION OF SIGNIFICANCE
REASONS SUPPORTING SEQRA NEGATIVE DECLARATION

**American Tower Dish Wireless Co-Locate
(3788 US Route 20)**

Introduction

The Planning Board, acting as SEQRA Lead Agency, undertook a review of the Project, an Unlisted action, consisting of a co-location on an existing telecommunications tower at 3788 US Route 20. The center line of the three new antennas is to be mounted at the 115' level of the existing 150' overall tower height. The three antennas are approximately 6' in height. In addition, a 5' x 7' equipment pad and a cable tray are being added inside the existing fenced enclosure.

Application History

By application dated November 15, 2021, Applicant filed the subject application. The application noted the desired co-location and the desire to add a 5' x 7' equipment pad and a cable tray. The matter was therefore first presented to the Planning Board at the December 6, 2021 meeting. At the December 20, 2021 meeting the Planning Board held a public hearing, designated itself as lead agency, classified the action and resolved to issue a Negative Declaration.

Discussion of Potential Environmental Impacts

the 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 EAF Part 2.

The Project is a SEQRA Unlisted action. 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. The Town's Planning staff and the Planning Board members, several of whom are professional engineers, also carefully and reviewed the application and the EAF, including the technical reports.

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 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)(I) 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)(I), 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. There is only minimal ground disturbance and minimal additional impermeable area.

The proposed project will not have an appreciable effect on traffic or 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 during construction and routine maintenance.

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 there is only minimal ground disturbance and minimal additional impermeable area.

- (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.

There is no removal or destruction of large quantities of vegetation or fauna. The project will not have 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 since it is a co-location and not a new build.

- (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 since it is a co-location on an existing site.

- (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.

- (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 and is allowable under FCC regulations.

- (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 since it is a co-location and not a new build.

- (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.

Conclusion

The Planning Board, acting as Lead Agency in a 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.

Waive the reading of the proposed site plan

Aubin moved; Johnson seconded to waive the reading of the Site Plan Modification Resolution.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: none

Johnson moved; D'Angelo seconded to Approve and adopt the site plan modification Resolution.

7 Ayes. Noes. 0 Motion carried.

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

Oppose: None

RESOLUTION AUTHORIZING SITE PLAN APPROVAL—AMERICAN TOWER & DISH WIRELESS; File No.: 2021-42

WHEREAS, the Applicants, **AMERICAN TOWER & DISH WIRELESS** applied for a Site Plan approval concerning the proposed addition of Dish Wireless to the existing tower, within its existing compound, therefore a co-location on the existing telecommunications tower. The proposed co-location is such that the center line of the desired three new antennas is to be mounted at the 91' level of the existing 123' overall tower height. The three antennas are approximately six feet in height; and

WHEREAS, the Planning Board has adopted a Negative Declaration for the Project and adopted a special use permit; and

WHEREAS, additionally, a new 5' x 7' equipment pad and cable tray are to be added inside the existing fenced enclosure at the aforementioned location (the "Project Site"); and

WHEREAS the Zoning Schedule of Use Regulations of the Town Code permits such activity by site plan approval; and

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

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

- A. General considerations.
 - (1) The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, channelization structures and traffic controls.
 - (2) The adequacy and arrangement of pedestrian traffic access and circulation, including separation of Pedestrian from vehicular traffic, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
 - (3) The location, arrangement, appearance and sufficiency of off-street parking and loading.
 - (4) The location, arrangement, size design and general Site compatibility of buildings, lighting and signage.
 - (5) The adequacy of stormwater and drainage facilities.
 - (6) The adequacy of water supply and sewage disposal facilities.
 - (7) The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise deterring buffer between the applicant s and adjoining lands, including the maximum retention of existing vegetation.

- (8) In the case of an apartment complex or other multiple dwelling, the adequacy of usable open space for play areas and informal recreation.
- (9) Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.
- (10) The adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- (11) Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

WHEREAS, thereafter, at its December 20, 2021, meeting, the Planning Board found and determined and authorized site plan approval pursuant to the terms set forth herein.

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

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

*The site plan and access to Beagle Club Way have been designed to provide safe vehicular traffic access and include adequate road width. The proposed Project will not have any appreciable effect on traffic.

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

*There is not expected to be any pedestrian traffic other than for construction and routine maintenance; nevertheless, there is safe passageway for pedestrians to access the site.

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

*The site has been designed to provide sufficient offsite-street parking and loading, all of which will only be needed during construction and routine maintenance.

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

*Applicant's intent is to co-locate on the existing tower; it is compatible and arguable saves the construction of another tower. The site design is compatible with the zone in which it is placed.

(5) The adequacy of stormwater and drainage facilities.

*Existing drainage will not be changed; there is no anticipated increase in on or off-site drainage.

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

* The project as designed is not expected to generate any increased need for water supply and sewage.

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

*The existing state is sufficient to provide sufficient visual and/or noise deterring buffer. There is not proposed any removal or destruction of large quantities of vegetation or fauna. The site's current landscaping is sufficient and will not be affected.

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

*Not applicable.

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

*The existing structure will be the co-location on the existing tower and the minor addition of an equipment pad and cable tray.

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

*The site design provides adequate fire lanes and emergency zones for emergency personnel to access the facility.

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

*The site has been designed to provide adequate drainage to prevent ponding and flooding.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Board hereby finds and determines that approval for the site plan as referenced in the Laberge Group's December 15, 2021 letter (the "Site Plan") is **GRANTED**, conditioned upon applicant satisfying all conditions set forth in the aforementioned December 15, 2021 letter from the Laberge Group to Denise Mayer, Chair of the Town of Schodack Planning Board and in this resolution, as well as all other administrative matters all of which are incorporated herein by reference with full force and effect:

THEREFORE, PLEASE TAKE NOTICE AND BE IT FURTHER RESOLVED THAT the Planning Board of the Town of Schodack has **GRANTED** the Application for Site Plan Approval to allow the utilization of the subject property as a telecommunications tower with co-location thereon as proposed in the application upon the following conditions:

1. that the application for a Site Plan be granted.
 2. all recommendations and conditions as set forth in the Laberge Group letter of December 15, 2021.
- by the following vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
AUBIN	X			
D'ANGELO	X			
JOHNSON	X			
LAVOIE	X			
MAYRER	X			
LEONARD	X			
SHAUGHNESSY	X			

Site Plan /Special Permit

Darcy Janowski

2021-45/RA/199.-3-29.3

1295 Simons Road

Proposed - Ground mount solar

Representative from Hudson River Solar proposing a solar array in the back yard at 1295 Simons Rd,

Members reviewed the site plan showing the array at 135 ft. from the property line.
Members Set the Public Hearing for 1/3/21

Site Plan /Special Permit

Muslim Community of Troy

2021-34/RA/177-8-1.112 & 41

2655 Phillips Rd.

Proposed - Cemetery Special Permit

Applicants Engineer was present for the meeting, he will try to answer some of the questions that were asked under public comment. Phase one is the first of three burial sites phases with work being performed only in phase one along with the parking area and buildings at this time will be constructed.

With approximately 50 burials per year, and if it were to double to 100 per year it will take 14 years to fill phase one before moving to Phase two.

Applicants Engineer explained the change of phasing to lessen the impact to the adjoining landowners, members had requested they review and purpose the new phasing plan.

Hanson and VanVleet, PLLC letter dated December 10,2021 (see file)

In conclusion, based on the site location, geology, and site hydrology, the MCT Cemetery will not have any water quality or quantity impacts to the homeowner wells located on Phillips Road adjacent to the cemetery. The homeowner wells located on Phillips Road are

protected by a thick layer of glacial lacustrine clay which overlies the shale bedrock in this area.

They have sited additional plantings to provide additional buffer to the adjoining landowners.

Mr. Laberge would like to see a note added to the plan that up to 30 trees be planted in phase six, seven and eight to be added at the time of development of those phases.

Mr. Laberge would also like to see a note be added to the plan showing a 2nd driveway into the parking area in the upper eastern edge showing 12 to 15 feet, so no graves will be placed in this area.

Mr. Shaughnessy asked that the construction sequence with phase one and the roads be explained as to be installation before moving to phase two.

Applicants Engineer explains to members the construction sequence in phase two with the loop roads and clearing of land as phases six, seven and eight are required.

Members send this for further review by Mr. Laberge.

Site Plan /Special Permit

Schodack Golf

2021-38/R20 RA/188.-5-5.11

92 Schuurman Road

Proposed - lead agency resolution only

Whereas: Applicant Schodack Golf LLC. seeks a 12-lot subdivision on Schuurman Road

Whereas: Applicant has submitted an EAF.

Whereas: The subject action is an Unlisted Action

Now therefore be it resolved that the Planning Board hereby directs the Planning Director to circulate notices to all involved agencies of its desire and intention to seek lead agency status for the aforementioned action

LaVoie moved Aubin seconded, that the board request the Director of Planning and Zoning to mail out letters to the appropriate entries seeking lead agency status.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Johnson, LaVoie, Leonard, Mayrer, Shaughnessy

Abstain: D'Angelo

Site Plan /Special Permit

Joel O'Neil

2021-44/HC/200.-9-17.1

1525 Rt.9

Proposed - Car lot (John Keller old Lot)

Wave the reading and to Adopt the Special Permit

Johnson moved, Shaughnessy seconded to approve and adoption of the aforementioned Special Permit.

7 Ayes. 0 Noes. Motion carried.

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

Oppose None

Wave the reading and to Adopt the Site Plan Modification Application

LaVoie moved, Shaughnessy seconded to approve and adoption of this site plan modification.

7 Ayes. 0 Noes. Motion carried.

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

Oppose None

Mr. Johnson noted one change on the Special Permit to be changed to say Auto Sales only.

STATE OF NEW YORK

TOWN OF SCHODACK

PLANNING BOARD

In the Matter of the Application

of

JOEL O'NEIL

For a Special Permit

NOTICE OF DECISION

File No. 2021-44

WHEREAS, Applicant, JOEL O'NEIL, applied for site plan approval and a Special Use Permit to continue to operate a used car sales lot at the corner of US Route 9 and Maple Hill Road in the Town of Schodack (Tax Map No. 200.-9-17.1), which property is within the Highway Commercial (HC), thereby seeking to continue a use allowed the prior owner via Special Permit dated December 8, 1992 (Case No. 91-48) and the variance issued on August 19, 1991 (case No. Z387) but with the construction of a 30' x 30' garage; and

WHEREAS, the Zoning Schedule of Use Regulations of the Town Code permits such proposed activity upon obtaining site plan review and a special use permit; and

WHEREAS, all special use permit application procedures have been followed and a public hearing, on appropriate and timely notice, was held on December 6, 2021; and

WHEREAS, at its December 6, 2021 meeting thereafter, the Planning Board found and determined the following:

1. The Applicant proposes to continue to a used car sales lot at Route 9 and Maple Hill Road in the Town of Schodack (Tax Map No. 200.-9-17.1) which property is within a Highway Commercial (HC). All existing approvals, as noted above, shall continue with the exception that Applicant is allowed to construct a 30' x 30' garage.
2. Taking into consideration the objectives set forth in Section 219-71 of the Schodack Town Code, the proposed special permit use 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, will not affect existing traffic access ways or parking, is generally in harmony with the character and appearance of the surrounding neighborhood, 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
3. Also determined that the request to modify the existing site plan is hereby granted;

WHEREAS, following the aforesaid public hearing at which no opposition to the proposed special use permit and site plan approval was shown, at its December 6, 2021 meeting the Planning Board resolved:

1. to declare itself Lead Agency under the State Environmental Quality Review Act ("SEQRA"),
2. to issue a Negative Declaration for the proposed action under SEQRA, and
3. that the application for Site Plan Approval and the Special Use Permit be granted for an initial period of _five (_5_) years on the express conditions set forth herein:
 - A. Compliance with all conditions and requirements as set forth in the aforementioned existing approvals.

THEREFORE, PLEASE TAKE NOTICE THAT, the Planning Board of the Town of Schodack has **GRANTED** the Applicant a Special Use Permit and Site Plan Approval to allow the proposed operation of an automobile sales shop on the subject property as proposed in the application.

Dated: January __, 2021

DENISE MAYER, CHAIRPERSON
SCHODACK PLANNING BOARD

Applicant—Joel O'Neil

Site Plan /Special Permit

Crown Castle / Dish Wireless

2021-39/RA/189.-10-3.11-1

78 Route 150

Proposed - Adopt the notice of decision and site plan modification resolution.

NOTE: Lead Agency, Unlisted Action, Neg Dec of Non-Significance, Adopting of SEQRA
Neg Dec of Determination of Non-Significance,
Were all adopted at the December 6, 2021 meeting.

Wave the reading and to Adopt the Special Permit.

Aubin moved, Leonard seconded to approve and adoption of the aforementioned Special Permit.

7 Ayes. 0 Noes. Motion carried.

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

Oppose None

STATE OF NEW YORK

TOWN OF SCHODACK

PLANNING BOARD

In the Matter of the Application

of

CROWN CASTLE USA INC. &

DISH WIRELESS

NOTICE OF DECISION

File No. 2021-39

WHEREAS, the Applicants, **CROWN CASTLE USA INC. & DISH WIRELESS** applied for a Special Permit to co-locate Dish Wireless to the existing tower, within the existing compound, therefore a co-location on the existing telecommunications tower at 78 Route 150, Schodack. The proposed co-location is such that the center line of the desired three new antennas are to be mounted is at the 88' level of the existing 196' overall tower height. The three antennas are approximately six feet in height. Additionally, a new 5' x 7' equipment pad and 8' high cable tray is to be added inside the existing fenced enclosure at the aforementioned location (the "Project Site"); and

WHEREAS, the Zoning Schedule of Use Regulations of the Town Code permits such activity by special permit in the subject zone; and

WHEREAS, the Planning Board previously resolved to declare itself Lead Agency under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, following the aforesaid public hearing at which no opposition to the proposed special permit was shown, at its December 6, 2021 meeting the Planning Board resolved to issue a Negative Declaration for the proposed action under SEQRA; and

WHEREAS, all special permit application procedures have been followed and a public hearing, on appropriate and timely notice, was held on September 20, 2021; and

It is hereby determined as follows:

1. Applicants applied for a Special Use Permit to co-locate Dish Wireless to the existing tower, within its existing compound, therefore a co-location on the existing telecommunications tower at 78 NYS Route 150, Schodack, NY. The proposed co-location is such that the center line of the desired three new antennas is to be mounted at the 88' level of the existing 196' overall tower height. The three antennas are approximately six feet in height. Additionally, a new 5' x 7' high cable tray is to be added inside the existing fenced enclosure at the aforementioned location, the tax id of which is # 189.-10-3.11-1;
2. Section 219-72A(34) of the Town Code sets forth detailed requirements for personal wireless telecommunications service facilities.
3. Taking into consideration the objectives set forth in Section 219-71 of the Schodack Town Code, the proposed special permit use 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, will not affect existing traffic access ways or parking, is generally in harmony with the character and appearance of the surrounding neighborhood, 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.
4. That the application for the Special Use Permit be granted for an initial period of (5) years on the express conditions set forth herein:
 - B. Applicants are to supply proof of insurance per section 219-72(A)(34)(C)(19); and
 - C. Any unused equipment shall be removed from the tower and the site; and
 - D. An annual inspection and report be submitted per the requirements of section 219-72(A)(34)(C)(15); and
 - E. A post installation field report in accordance with section 219-72(A)(34)(C)(17) shall be submitted; and
 - F. Comply with the provisions of Section 219-72A(34) of the Town Code; and
 - G. Prior to the commencement of construction Applicants shall demonstrate to the Town's Building Department that the proposed foundations(s) meet all applicable setback requirements.

THEREFORE, PLEASE TAKE NOTICE THAT, the Planning Board of the Town of Schodack has **GRANTED** the Applicants a Special Use Permit to allow the requested co-location.

NOTE: Please see file for signed documents.

Wave the reading and to Adopt the Site Plan Modification Application.
Johnson moved, Shaughnessy seconded to approve and adoption of this site plan modification.

7 Ayes. 0 Noes. Motion carried.

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

Oppose None

RESOLUTION AUTHORIZING SITE PLAN APPROVAL—CROWN CASTLE USA, INC. & DISH WIRELESS; File No.: 2021-41

WHEREAS, the Applicants, **CROWN CASTLE USA, INC. & DISH WIRELESS** applied for a Site Plan approval concerning the proposed addition of Dish Wireless to the existing tower, within its existing compound, therefore a co-location on the existing telecommunications tower. The proposed co-location is such that the center line of the desired three new antennas are to be mounted at the 88' level of the existing 196' overall tower height. The three antennas are approximately six feet in height; and

WHEREAS, the Planning Board has adopted a Negative Declaration for the Project and adopted a special use permit; and

WHEREAS, additionally, a new 5' x 7' equipment pad and 8' high cable tray is to be added inside the existing fenced enclosure at the aforementioned location (the "Project Site"); and

WHEREAS the Zoning Schedule of Use Regulations of the Town Code permits such activity by site plan approval; and

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

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

A. General considerations.

- (1) The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, channelization structures and traffic controls.
- (2) The adequacy and arrangement of pedestrian traffic access and circulation, including separation of Pedestrian from vehicular traffic, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
- (3) The location, arrangement, appearance and sufficiency of off-street parking and loading.
- (4) The location, arrangement, size design and general Site compatibility of buildings, lighting, and signage.

- (5) The adequacy of stormwater and drainage facilities.
- (6) The adequacy of water supply and sewage disposal facilities.
- (7) The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise deterring buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.
- (8) In the case of an apartment complex or other multiple dwelling, the adequacy of usable open space for play areas and informal recreation.
- (9) Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.
- (10) The adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- (11) Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

WHEREAS, thereafter, at its December 6, 2021, meeting, the Planning Board found and determined and authorized site plan approval pursuant to the terms set forth herein.

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

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

*The site plan and access to NYS Route 150 have been designed to provide safe vehicular traffic access and include adequate road width. The proposed Project will not have any appreciable effect on traffic.

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

*There is not expected to be any pedestrian traffic other than for construction and routine maintenance; nevertheless, there is safe passageway for pedestrians to access the site.

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

*The site has been designed to provide sufficient offsite-street parking and loading, all of which will only be needed during construction and routine maintenance.

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

*Applicant's intent is to co-locate on the existing tower; it is compatible and arguable saves the construction of another tower. The site design is compatible with the zone in which it is placed.

(5) The adequacy of stormwater and drainage facilities.

*Existing drainage will not be changed; there is no anticipated increase in on or off-site drainage.

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

* The project as designed is not expected to generate any increased need for water supply and sewage.

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

*The existing state is sufficient to provide sufficient visual and/or noise deterring buffer. There is not proposed any removal or destruction of large quantities of vegetation or fauna. The site's current landscaping is sufficient and will not be affected.

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

*Not applicable.

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

*The existing structure will be the co-location on the existing tower and the minor addition of an equipment pad and 8' high cable tray.

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

*The site design provides adequate fire lanes and emergency zones for emergency personnel to access the facility when the improvement to the access road is completed.

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

*The site has been designed to provide adequate drainage to prevent ponding and flooding.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Board hereby finds and determines that approval for the site plan as referenced in the Laberge Group's December 1, 2021 letter (the "Site Plan") is **GRANTED**, conditioned upon applicant satisfying all conditions set forth in the aforementioned December 1, 2021 letter from the Laberge Group to Denise Mayer, Chair of the Town of Schodack Planning Board and in this resolution, as well as all other administrative matters all of which are incorporated herein by reference with full force and effect:

THEREFORE, PLEASE TAKE NOTICE AND BE IT FURTHER RESOLVED THAT the Planning Board of the Town of Schodack has **GRANTED** the Application for Site Plan Approval to allow the utilization of the subject property as a vehicle tire sales and repair facility as proposed in the application upon the following conditions:

1. that the application for a Site Plan be granted.
 2. all recommendations and conditions as set forth in the Laberge Group letter of December 1, 2021.
- by the following vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
AUBIN	X			
D'ANGELO	X			
JOHNSON	X			
LAVOIE	X			
MAYRER	X			
LEONARD	X			
SHAUGHNESSY	X			

ADJOURN

Leonard moved; LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:37 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning