

**PLANNING BOARD MEETING - JUNE 20, 2022**  
**CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

**PRESENT**

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

**MEMBERS ABSENT**

**APPROVAL OF THE DRAFT MINUTES FOR — JUNE 6, 2022**

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

4 Ayes. 0 Noes. Motion carried.

Ayes: Johnson, LaVoie, Leonard, Mayrer

Oppose: None

Abstain: Aubin, D'Angelo, Shaughnessy

**PUBLIC COMMENT**

Resident read a letter on Van Hoesen Station, see below and also added to file

**Recommendation to the ZBA**

Guy & Casharon Ninstant

Z808-22/R20/189.1-11-10

51 Prestwick Drive

Proposed - Area Variance

Casharon Ninstant, Applicant and Jasper Mills, son-in-law were present for this meeting.

Mr. Mills stated the applicant is looking to get a variance to build a 2-car garage on their property, being the house sits on a corner lot they have 2 front yard setbacks. The garage will be on the side of the home next to Schuurman Road.

Mr. Johnson stated on the dimensions that are on the sketch are not correct per his phone app. His phone shows from the road to the house is around 72 feet. Is the 67 feet on the sketch to the fence or the road.

Mr. Mills stated the 67 feet is from the house to the fence.

Mr. Johnson stated the app. only show 45 feet from the house to the fence. So if you put in a 28 foot garage that leaves you 17 feet from the house to the garage.

Mr. Mills stated the measurements are from the house to the road. they want to stay inside the fence, and he is not sure exactly what the distance is from the fence to the road.

Mr. Johnson asked what is the 28 feet listed on the sketch.

Mr. Mills stated it is from the proposed garage to the road.

Mr. Johnson stated His thought is to make a no recommendation and let the ZBA handle this their way.

Chairperson Mayrer stated to make sure your measurements are clearer before you go the zoning board meeting.

Mr. Aubin stated he would make a recommendation they get in touch with the building inspector and maybe have him meet you at your house and have him verify your measurement.

#### **RECOMMENDATIONS TO THE ZBA**

Johnson moved, LaVoie seconded a **"NO ACTION"** recommendation to the Zoning Board of Appeals.

7 Ayes 0 Noes. Motion carried.

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

Oppose: None

#### **Site Plan /Special Permit**

Van Hoesen Station

2021-24/PD3/189.-10-36

1735 Richwood Drive

Proposed - PD2 site plan

Morgan Ruthman, applicant, and Scott Lansing from Lansing Engineering were present for this meeting.

Mr. Ruthman stated he wanted to respond to a couple of Mrs. Bruner comments. As far as the property adjacent his ,he has been monitoring the sound wall the progress which he

understands will be constructed at some point. As far as the setback comments, this was also brought up by this board and that will be discussed. Regarding the photo simulations, they were taken in the springtime of this year after the timber harvesting was complete. In terms of the project density, there was an email exchange with Mr. Laberge that clarified the number units, this will be discussed later. Concerns on the traffic study, he believes this will be worked out during the project during projects approval and review cycle. He thinks strongly that there is a need for this type of housing in this area.

Mr. Lansing spoke briefly stating they are in the early stages of the process working towards an approval for this process, they are primarily here for a recommendation to the town board on the PD process. he spoke about the Laberge letters and believes they are down to a couple of comments that need to be addressed. #5. Deals with the setback, townhouse units next to Richwood Estates, they currently have about 55 to 60 feet from the property line. Within that area they were requested to look at screening , and they have come up with an evergreen planted row, approximately 122 trees, which would be refined during the site plan process, and they are hopefully successful with the town board in getting the zone change for the area. Last comment is #6 regarding density, as for Spinney the correct buildable average is about 29, with 186 units which is about 6.4 units per acer. Van Hoesen Station there is about 39 acres for the 262 units which is about 6.7 units per acer. With their experience with multifamily design, they feel this is a low-density project compared to other areas such as the city of Saratoga Springs which would be 20 to 25 units per acre. they feel the low-density is better suited for this site.

Mr. Aubin asked this site has no age restriction correct.

Mr. Morgan stated they are family, professionals and seniors, no restrictions on the age.

Mr. Laberge stated he agrees screening and density were the two items in his letter are issues that needs to be looked at and the board needs to be satisfied with the finished design. At some point they do effect the impacts of the project and the SEQRA analysis. A quick note on the density, he looked at Mr. Rothman's analysis and pulled out the old Spinney plans and feels it is shy of a few acres, everything including all the small details needs to be looked at and not glossed over when you get to the site plan process so, he is glad they went through a lot of items and worked through them. He would like to get the boards input on what was discussed.

Mrs. Leonard asked if they were proposing a fence as well.

Mr. Lansing stated there is not fence, just the double row of evergreens.

Mr. Laberge stated these double row of trees are being planted what was the 40 to 45 foot of minimum natural area that what shown on a previous plan. Correct?

Mr. Lansing stated correct.

Mr. Laberges stated so there would no longer be a 45-foot natural area. It will be a planted screen

Mr. Lansing stated just a portion of the 45 feet will have plantings.

Mr. Johnson stated the town has had other projects where they talked about putting in plantings within the existing trees without having to clear out the existing trees and vegetation. If you plan young trees, it will take years to created screening, by leaving the existing trees that will help. You might want to look into this.

Mr. Lansing stated that is an excellent point, during the site plan they will be able to show a specific grading plan around those units and the exact clearing plan.

Mr. Johnson spoke about the resident's comment and his request for sidewalks being enough space, you really need to have space between curb and the sidewalk and the building, you need sidewalks for people to get from their cars to the building.

Mr. Lansing stated as far as the sidewalks that are shown in front of the buildings are modeled after their existing site and have not been an issue.

Mr. Johnson stated town code is fine, but this site will be here a long time and he doesn't see people wanting to come in if they cant park their cars.

Mr. Lansing stated the complex has a shared parking lot; it has worked out with their other sit for over 30 years.

Mr. Laberge asked member Mr. Aubin if he would consider some service lots scattered in between some of the town houses.

Mr. Aubin stated yea something more flexible, so there is no issues with someone parking someone else's parking spot.

Mr. Laberge asked what do the town house actually do with their garbage and recyclables.

Mr. Ruthman stated same concept as the Spinney, it goes to the curb to be picked up by the trash company.

Mr. Laberge stated the new plan submitted does not show the septic system concept, so you have to remember a chunk of space needs to be held out for that.

Mr. Ruthman stated they can make it work.

Mrs. Leonard stated last time you said that the building in the middle were going to be held back for the septic filed was going to be placed. So to like with Spinney not everything was built at once, so what do you anticipate being the most important? How will this be phased out.

Mr. Ruthman stated correct for both the septic and the build out of the proposed site, not everything will be built at the same time. They haven't fully refined the phasing plan, but one of the things that makes this a good site is the loop traffic cycle it allows you to maintain the resident access in certain parts of the property while construction access is in another part, so it doesn't disturb the residents.

Mrs. Leonard stated in all of these apartments and town homes are leased ?, is there going to be an HOA,

Mr. Morgan stated the apartments and town homes will be rentals and they are not proposing an HOA.

Mr. Laberge asked if the town houses be modeled after the Spinney project with single story units.

Mr. Morgan stated he could look at that.

Mrs. Leonard stated she would have to agree with keeping the natural screening and adding trees.

Mr. Morgan stated enhancing what is there as opposed to removing everything and starting from scratch. And just so you know the timber harvesting is complete.

Mr. D'Angelo stated he still like to see the whole roll of town houses moved back more or put the duplexes down that road and then transition into the town homes, he feels the is way to much density for what you have proposed.

Mr. Shaughnessy stated he agrees with Mr. D'Angelo on the density relative to the traffic, you have 76 more units that are proposed here then the Spinney has currently, and they are over 55-year-old residents, retirees, empty nesters not families with kids, which will have more cars then that of Spinney senior housing. These vehicles are emptying

out onto Richwood Drive. he feels like this traffic pattern would have more of impact on the residents already coming and going.

Mr. Ruthman stated the traffic counts were done by VHB and looked at the impacts and he will have Mr. Lansing speak on this topic, also they have limited the amount of cars that residents are allowed to have.

Mr. Lansing stated VHB outlined in their conclusions that the project is expected to generate 104 new vehicle trips per morning peak hour and 130 vehicle trips during the weekend. And they are not recommending any mitigation to the Richwood Drive and the US Rt. 9 intersection.

Chairperson Mayrer stated that doesn't make any sense since from a logical standpoint. What about school buses and other vehicles, is that factored into your document.

Mr. Lansing stated absolutely they would be using the same roads. He would check with VHB to see what they have included in the study.

Mr. Shaughnessy asked do you have any experience with the absorption field (septic) tank installation for the units and how many will there be and abandoning it at a future date.

Mr. Lansing stated they do have experience in dealing with them. It is proposed as a septic tank disposal system, the tanks are by the units each unit will have their own tank and it is all pumped to the septic field, we would prefer to have sewer hookup and not have to deal with the septic system all together,

Mr. Shaughnessy stated you touched on the one issue he has had all along with this whole process, you would rather wait for the sewer, so why is this board seeing the same proposal over and over with minimal changes. Wouldn't it make sense to wait until we definitely what is happening with the sewer. Or are you satisfied with going forward with the septic if the sewer is not happening in the next couple of years.

Mr. Lansing stated their preference is public sewer, but the applicant is willing to move forward with the septic system.

Mr. Ruthman stated he wants to have the opportunity to talk to the town board about the sewer situation, but they can't do that until they move past the SEQR process with this board.

Mr. Laberge stated back to the SEQR concept everything we are talking about here goes into the analysis of SEQR so they can make a determination and this board needs to do

that before they send this application to the Town Board. Yes, this project is going back and forth but it is flushing out things this board is concerned about.

Mr. Ruthman stated he agrees with Mr. Shaughnessy statement, and he feels this is a topic that needs to be done with the town board.

Mr. Laberge stated the planning board has to understand whether they feel that it is not an environmental impact. He feels it was a good question to ask, do you try to build on that septic field after the fact or you just don't build on it and it becomes a community space. And he heard comments about density next to the residential neighborhood, like lowering the two story to one story for the town homes.

Mr. Ruthman stated these are conceptional drawings that can be single or double story buildings. Nothing is concrete.

Mr. Laberge stated to this board, make any more comments and proposed revisions that they feel need to be addressed if they so desires. Then the process will proceed.

Mr. Johnson asked about the septic field, it is strictly a leach field, where all the tanks will pump to.

Mr. Lansing stated correct.

Mr. Laberge asked if there was going to be a SPEDES permit.

Mr. Lansing stated yes.

Mr. Laberge asked is there going to be a licensed operator,

Mr. Lansing stated not for a subservice system.

Mr. Laberge asked if there was an operations plan the board can review, that states the tanks will be pumped out on a regular basis.

Mr. Lansing stated they will look into that. He agrees this needs a SPEDES permit, and they have to work with Rensselaer County Health Department.

Mr. Aubin stated do you have any deep test results if so the board should be able to review it considering this is a conventional system and not a raised bed system.

Mr. Johnson stated if you have too much perk you need to show how you are going to avoid putting too much into the soil, there is supposed to be evaporation not having everything trickle into the aquifer.

Mr. D'Angelo stated would you test the effluent for household chemicals.

Mr. Lansing stated that is typically not done for residential systems that is more for the industrial type of system.

Mr. D'Angelo stated you are looking for a high volume of wastewater compared to small developments.

Mr. Laberge stated he would suggest the applicant take in everything that was talked about tonight and to revise then represent the site plan along with a cover letter explaining what the changes are and then hopefully the board will reflect favorably on the changes,

Mr. Lansing stated in review of what was discussed this evening.

1. The screening and buffering plan
2. Increased auxiliary parking.
3. Wastewater treatment system.
4. Height of the buildings.
5. Density

Chairperson Mayrer stated the board seriously wants the applicant to consider the density of the project. And come back with a less dense plan.

Mr. D'Angelo stated he would like to see the road moved back from the residential homes. And increased the proposed buffer of 45 feet between the residential homes and the town homes,

Mr. Johnson stated you said that the town homes would only be allowed 2 vehicles, how is that controlled. And who enforces that rule.

Mr. Ruthman stated the vehicles are registered to the units and they enforce it.

Attorney Crist stated the applicant said that they have to register the vehicles when they sign up to rent a unit, correct?

Mr. Ruthman stated yes

Mrs. Leonard stated what happens if the renter has an RV or a boat.



Mr. Ruthman stated they are not allowed on site.

Mr. Laberge went over what Mr. Lancing had listed above as to what the board is looking for and he agrees that 1. Density, 2. buffer (plantings of evergreen and not to take out the existing vegetation, 3. Greater set back to the residential area of Richwood Drive, 4. And one-story units in the area backing Richwood Drive. 5. Increased auxiliary parking, 6. Septic system - soils info and site soils info and a narrative of and operational plan.

Mr. Aubin stated the traffic needs to be addressed, and a traffic study needs to be conducted, take a look at possibly channelizing something between the intersection from your project to Richwood Drive as well as the intersection of US Rt. 9. Left and right lanes leaving the site as well as a one-way entrance into the Richwood Drive.

Mr. Laberge stated to the applicant when you review what was discussed and adjust your plans please submit to the town and his office for review,

Attorney Crist asked the applicant if they agree with the Mr. Laberge on what was discussed.

The Applicant agreed.

The board agrees for this to be sent to engineering,

### **MEMBER DISCUSSION**

None

### **ADJOURN**

D'Angelo moved; Leonard seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:22 p.m.

Respectfully submitted,  
Melissa Knights  
Planning & Zoning