

**PLANNING BOARD MEETING - AUGUST 15, 2022  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

**PRESENT**

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

**MEMBERS ABSENT**

Lawrence D'Angelo

**APPROVAL OF DRAFT MINUTES — JULY 18, 2022**

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**PUBLIC COMMENT**

A resident emailed in comments for the public hearing regarding KME Shopping Center.

**PUBLIC HEARING**

-----  
**Melissa Knights read the hearing notice(s) as published in the Troy Record:**

KME Property Development published July 30, 2022

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

-----  
Public Hearing Opened at 7:04 p.m.

Public Hearing Remains Open

KME Property Development

2022-3/HC/189-10-42.12&42.2&41

1764 Columbia Turnpike

Proposed -Retail/storage/Restaurant

Tim Freitag, Bohler Engineering, was present for this meeting.

Mr. Freitag stated since the last time they were before this board there have been no real changes to the site. just as an update to the entitlement process outside of the preview of this board for a special use permit and site plan review, they have submitted water and sewer district extensions request to the town board. They have also submitted a full traffic investigation study; the findings of that study had no significant impacts on the traffic signal or the corresponding roadways. The driveways had adequate site visibility; they are recommending a left lane to be striped on Rt. 9&20 as you approach the sited from the south , the board last meeting declared it intent for lead agency under SEQRA, he believes he 30 days have expired. He is looking for the next step in the process, he feels there is nothing else to go over unless the board has any questions.

Chairperson Mayrer asked about the traffic flow issues and if they were addressed.

Mr. Laberge stated the board discussed the northern most entrance being right in only, he asked if the plan has been adjusted to include this.

Mr. Freitag stated yes that would be right in only and for the left turn movements they would do the center turn lane stripping to accommodate the first driveway.

Mr. Laberge stated when you say the first driveway you mean the one closes to Rt. 150.

Mr. Johnson asked you are still pursuing the left turn arrows at the Rt. 150 intersection.

Mr. Freitag stated that was a requirement of the Scannell site on Rt 150.

Mr. Johnson asked if they determined where the easement for water to Lauster Terrace was going to be located.

Mr. Freitag stated they are working on that with Mr. Laberge and have submitted a concept plan showing where that future connection could be.

Mr. Johnson asked if they made any decisions on merging the 3 lots into 1 so in the future there won't be any issues with boundaries when things need to worked on and fixed.

Mr. Freitag state they are going to have shared easement for stormwater access snow removal and maintenance across these parcels they are keeping all 3 parcels in case there is ever a change in owner

Mr. Laberge asked if they had received any comments back from DOT yet.

Mr. Freitag stated no they have not it is in for a design review.

Attorney Crist asked is it your position that this is an unlisted action.

Mr. Freitag stated yes.

The board discussed how SEQRA needs to be completed before the project can proceed to site plan review / town board approval. It was discussed by Laberge that comments from DOT are necessary before then board can make any SEQRA determination.

Attorney Crist stated we should keep the public hearing open because we have not completed SEQR.

### **CLOSE PUBLIC HEARING**

LaVoie motion; Leonard seconded to close the public hearing.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **UNLISTED ACTION**

Aubin moved; Johnson seconded that he Planning Board declare this an Unlisted action

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **RETRACT THE PRIOR MOTION & THEREFORE KEEP THE PUBLIC HEARING OPEN.**

Leonard moved; Johnson seconded that he Planning Board declare this an Unlisted action

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **SUBDIVISION /LOT LINE**

Caterina Marra

2022-17/RA/201.-2-64

84 School House Road

Proposed - Lot Line Adj

Caterina Marra, applicant, was present for this meeting.

Mrs. Marra stated the foundation was placed to close to the property line and she is looking to do a lot line adjustment.

Mr. Johnson stated the only thing he saw on the map the new property line needs to be solid and stated new property line and the line to be removed needs to be dotted and stated to be removed.

Mrs. Marra stated no problem.

### **LEAD AGENCY**

LaVoie moved, Aubin seconded, that the Planning Board be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **TYPE II ACTION**

Aubin moved; Shaughnessy seconded that the board resolves to issue a **TYPE II ACTION** for this action.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **LOT LINE ADJUSTMENT**

LaVoie moved, Aubin seconded that the lot-line adjustment be accepted and approved. A public hearing is not required. The property will be conveyed to the adjacent landowner and become part of that existing parcel.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

Schodack Golf

2022-18/RA/188.-5-3.11

92 Schuurman Road

Proposed - New Sign & Change in Tenancy

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

Mr. Hart stated he is here for a change in tenancy and a new sign, the sign will be in the same location as the previous sign.

Mr. Johnson asked if they were planning on lighting the sign.

Mr. Hart stated he didn't have an answer for that. But maybe some solar lighting within town code, it would be a nice enhancement if they could light the sign.

Mr. Johnson stated if it was something not to intense, put the lights above the sign pointing down the sign.

Mr. Aubin asked if there was a map of the property showing the buildings that are going to be used for us to have on file to use as a base line for future development.

Mr. Hart states you are basically looking for an existing condition survey on what's on site now and come back showing where the new buildings will be located. They will make sure It gets to the town.

### **LEAD AGENCY**

LaVoie moved, D'Angelo seconded that the Planning Board be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **TYPE II ACTION**

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

LaVoie moved; Shaughnessy seconded.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **CHANGE IN TENANCY**

Shaughnessy moved, Aubin seconded APPROVAL of a change in tenancy at "92 Schuurman Road"

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **NEW SIGN**

LaVoie moved, Johnson seconded APPROVAL of a New Sign at "92 Schuurman Road"

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

**Site Plan / Special Permit**

Horn Dental Office

2022-20/HC/189-10-11.1

4268 US Rt. 20

Proposed - Dental office

Steve Horn, applicant was present for this meeting.

Mr. Horn stated he is seeking approval to put in a dental office at 4268 US Rt. 20 in the bottom half of a home with an apartment above. The footprint of the building will not change, there is no real change to the property.

Mr. Johnson asked about the number of apartments in the building,

Mr. Horn stated there is one building close to the road that they are not touching that has 3 apartments and the second building has one apartment on the first floor and the dental office will be on the bottom floor which is a walk out basement.

Mr. Johnson stated you are talking about 4 apartments with 8 parking spaces

Mr. Horn said correct, they are existing apartments.

Mr. Johnson asked if the proposed parking adequate for the business and apartments.

Mr. Horn stated yes, they have factor it in - including the staff and the patients.

Mr. Johnson asked if the parking spaces for the tenants going to be marked out separately.

Mr. Horn stated yes. Along with the handicap parking.

Mr. Johnson asked about the sign.

Mr. Horn stated after approval the sign will meet all town specifications. And they have no real set idea what it will look like or where it will be placed at this time.

Chairperson Mayrer asked, how many dentist will be working on site.

Mr. Horn stated one, his wife and 2 dental hygienist.

Chairperson Mayrer asked how many people will be employed.

Mr. Horn stated 4 maybe 5 at most.

### **LEAD AGENCY**

Aubin moved; LaVoie seconded that the Planning Board declare itself to be **LEAD AGENCY**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **TYPE II ACTION**

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

Johnson moved; Leonard seconded.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **APPROVE**

LaVoie moved; Leonard seconded to approve this site plan, special permit.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

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

Cecile Gregory Solar

2022-19/RA/211.-2-1.21

3669 US Rt. 20

Proposed - Solar Farm

Bartolo Morales, Cipriani Energy Group, Chris Stroud, COO of Cipriani Energy, Cecile Gregory, land owner were present for this meeting.

Mr. Morales spoke about the solar project located on US Rt 20, this will consist of 2.125 megawatts solar panels, fencing, access road, utility upgrades and the fencing. The project is in the AR zone of the property not in the HC part. They are honoring the 200-foot setback on all property to the north and do not plan on removing any of the trees. They are looking for to start SEQRA at tonight's meeting.

Mr. Laberge asked if this property was logged in the last 3 to 4 years?

Mrs. Gregory stated yes, from the old Toma tire shop down the hill along Rt. 20.

Mr. Laberge asked about the it looks like the wide area needs to be cleared by the old landing going out to Rt. 20. Looking at the plans he suggests the minimize the clearing in that area, the other item would be the connection poles, which are usually in site of the traveling public and other projects have explored ground mounted transformers but not sure if they have implemented them instead of the poles.

Mr. Stroud stated there a certain number of poles that National Grid requires protection equipment on which are generally 2 poles and then their project will have 3, 1 for a disconnect, 1 for a metering package and the 3<sup>rd</sup> one is for fuses. So other than these 3 poles that are about 30 to 40 feet apart the rest of the power lines are underground. As for the tree clearing, he points to the plans and states that is the existing landing for the original tree clearing they will reinforce the culvert, generally they use the DEC haul road specification so it is permeable, they will be engaging with DOT for a permit for the project as well. The questing on the transformer, they will be using a ground mount the size of a one car garage without a structure that's just the size of the transformer on a cement pad with switch gear because the line voltage is about 13,200 volts and this project generates about 600 volts so they will step up the voltage.

Mr. Laberge asked if there were batterie storage on site.

Mr. Stroud stated not on this project. this is a single access track.

Mr. Aubin stated the topography of the property is quite sloped, so in his experience trackers don't like sloped sites very well and asked if they have conducted a collision analysis.

Mr. Stroud stated they have done a whole topographic survey of the site and they have one braking that they use will tolerate up to a 25% slope, they have avoided the steepest section of the property,

Mr. Johnson asked about page C005 of the site plan, it shows a proposed limited tree cutting and it goes right to the property line on the south side, he really don't encourage tree removal right to the property line, out timber harvesting law says 25 feet.

Mr. Strout stated one of their plans was to clear a section back and then merely trim trees farther back because they don't need to do the trees completely down to ground level all the way to the property line.



Mr. Aubin stated what you are saying clear cutting to the ground up to this tree line and a proposed limit cut and maybe a topping of some trees to a certain height. He would like to know the number of trees this effects before you go any further.

Mr. Stroud stated they will make a note of that and give the board an update.

### **MEMBER DISCUSSION**

Van Hoesen Station.

Attorney Crist asked Mr. Laberge about the status of this project.

Mr. Laberge stated after our last meeting the applicant was going to consider the comments and potentially make some revisions and that he still awaits same, and it was discussed how the project has not been deemed complete. We did do seek lead agency letters for both KME and Van Hoesen Station at the same time and do date have not received any comment back, and we are probably close to the 30 days for us to take lead agency status.

### **HART BUSINESS PARK**

Attorney Crist update on Hart Business Park on Rt.9, he is still working with his attorney, and is waiting on the revised easement dedication and other documents to be delivered to him for review by Harts attorney.

### **ADJOURN**

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

Respectfully submitted,  
Melissa Knights  
Planning & Zoning