

**PLANNING BOARD MEETING - JANUARY 9, 2023  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

**PRESENT**

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

**MEMBERS ABSENT**

**APPROVAL OF DRAFT MINUTES — December 19, 2022**

Johnson moved, LaVoie Seconded to approved at the next meeting. February 6, 2023

7 Ayes. 0 Noes. Motion carried.

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

Abstained:

**PUBLIC COMMENT**

No public comments

**PUBLIC HEARING**

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

Andrew Pappas Solar published December 30, 2022

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

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Public Hearing Opened at 7:00 p.m.

Public Hearing Closed at 7:08 p.m.

Andrew Pappas Solar  
1312 Muitzeskill Road  
Proposed - Ground Mount solar.

2022-37/RA/ 208.-1-12

Courtney Roberts, Empire Solar Solutions, was present for this meeting.

Mr. Petrone resident stated he owns the property to the right is this proposed solar array and asked to see the plans.

Ms. Roberts showed him the map and discussed the proposed solar array,

Mr. Petrone stated his daughter my someday build a house in his field next the solar and requested screening for his property.

Ms. Roberts stated that is something they can do, they usually put in 8-foot evergreens depending on the amount of screening needed.

Mr. Johnson asked as to what was just agreed to with the neighbor.

Ms. Roberts stated evergreen screening to make sure the neighbor in the southeast of the site cannot see any of the array.

There were no more questions from the members.

### **Close Public Hearing**

Aubin moved; LaVoie 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

Opposed: None

### **TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA. No further action is required.

LaVoie moved, D'Angelo seconded.

7 Ayes. 0 Noes . Motion carried.

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

Oppose: None

### **LEAD AGENCY**

Shaughnessy moved; Johnson 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

### **SPECIAL PERMIT**

D'Angelo moved, Leonard seconded that the **SPECIAL PERMIT** be: **GRANTED** for a **period of 20 YEARS**

Conditions: screening of the array on the southeast side of the property.

7 Ayes 0 Noes. Motion carried.

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

Oppose

### Lot Line Adj

Kurt Nusbaum

2022-36/R40/178.-11-27.1

1550 Columbia Tpke

Proposed - Lot Line Adj

Kurt Nusbaum, applicant was present for this meeting.

Mr. Johnson asked if the surveyor came to the meeting, he had questions for.

Mr. Nusbaum stated no.

Mr. Johnson stated most of what was done on the plans are better but it is not completely accurate, first his math shows the remaining lands of parcel 3 should be 28.890 instead of 28.828, that should be checked out. there is a very small triangle that is being transferred to the house property next door.

Mr. Nusbaum stated they want to clean up the property by adjusting the lots.

Mr. Johnson stated if you do the math you can determine that .061 acres and maybe that should be part of either the table or on top where it shows the parcel 4, it stated the acreage is 2.269 and proposed afterwards its 2.330, but you need to show the numbers showing what is being added or taken away to make since of the numbers. The same goes for all 4 parcels, you need to show the existing before the adjustment and the final numbers after the adjustment.

Mr. Nusbaum stated he will have his surveyor check the numbers.

### TYPE II ACTION

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA. No further action is required.

Aubin moved, D'Angelo seconded.

7 Ayes. 0 Noes . Motion carried.

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

Oppose: None

### LEAD AGENCY

D'Angelo moved; LaVoie 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

### **LOT LINE ADJUSTMENT**

Johnson moved, LaVoie 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. ***Upon the conditions Requested by the board and the submission of a map that clearly defines what the board has requested and the approval of the easement language by the planning board attorney.***

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Susan Kugler  
3197 Rt. 150 & 26 Morris Road  
Proposed Lot Line Adj

2023-1/RA/179.-5-23.1 & 18.1

Daniel Peeters, Capital District Land Surveying was present for this meeting.

Mr. Peeters stated he is representing the Kugler family on this lot line adjustment there was a questionable area in the south end of the parcel there is an overlap that was found between the town of Schodack and the Kugler property. he met with the town supervisor and attorney Langlois and discussed this minor piece of land, and it was presented at the town board meeting, the lot will have a town board resolution on January 12, 2023 to convey this property to the Kugler.  
See below .

Mr. Laberge stated he had a conversation with Attorney Langlois on this and for the resolution to be completed the planning board needs to complete its process in order for the town board to proceed.

Mr. Peeters stated there were multiple deeds made up of Saddle Club Hill subdivision and the Highlands subdivision. When he put the deeds together, there was an error, in the subdivision and with the lot that the town owns.

Mr. Johnson asked if he knew what the town lot is for.

Mr. Peeters stated it is green space, there are a few drainage easements that feed into it.

Mr. Johnson asked was the acreage of the town lot added to the proposed lot getting acreage.

Mr. Peeters stated it was included, but there was an error in the descriptions of the acreages.

Mr. Johnson stated that is what the board looks at when reviewing the map.

Mr. Peeters stated it does include the added town acreage.

Mr. Johnson stated the Kugler parcel is getting the 3<sup>rd</sup> of an acre added to their lot.

Mr. Peeters stated correct.

There was board discussion with Mr. Peters on the acreage. He stated he made the changes just prior to this meeting and the map he has shown the correct amount of acreage, which is 74.88 existing, 36.26 new acreage and the receiving parcel 11.54 existing and 47.80 new acreage.

Mr. Johnson stated the maps need to be cleared up they don't show the existing property lines for the receiving parcel as being solid, and it stated to be removed. The acreage on the doner parcel is being added to the receiving parcel. He agrees to adjust the maps per the board's recommendation.

#### **Resolution 2023-086**

*Authorize the Supervisor to execute a Quitclaim Deed on behalf of the Town to Susan Kugler, Marilyn Clopman, and Robert Cohen transferring title to approximately 13,277 square feet of land adjacent to the Saddle Club Hill subdivision to correct a description error between the parties' respective parcels, subject to Town Attorney approval as to form and substance.*

#### **TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA. No further action is required.

Shaughnessy moved; Aubin seconded.

7 Ayes. 0 Noes . Motion carried.

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

Oppose: None

#### **LEAD AGENCY**

DeAngelo moved; LaVoie 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

### **LOT LINE ADJUSTMENT**

Johnson moved, LaVoie 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. **Upon the conditions that new maps be drawn up regarding the changes Requested by the board and resubmit for signing and the Town Board resolution on the transfer of property to the adjacent parcel.**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Ellsworth III & Edwards

2023-2/RA-R40/211.-4-7 & 211.-4-8.18

372 Waterbury Road

Proposed - Lot Line Adj

Kenneth Ellsworth III, applicant and Matthew Bowe, land surveyor were present for this meeting.

Mr. Ellsworth stated he is looking to do a lot line adj.

Mr. Johnson stated first on the map it stated boundary to be removed it should have an arrow to the adjacent line.

Mr. Bowe stated you mean the boundary to be removed and the other boundary after the adjustment.

Mr. Johnson stated there is another boundary that needs to be labeled. And they should have the tax map numbers shown on the lots.

Mr. Bowe stated the tax map numbers are listed below in the references.

Mr. Johnson stated to make it easier for the county to make sure the tax map are correct the map really needs to have the information on each lot. The before acreage and new acreage as well as the tax map numbers.

Mr. Bowe stated ok he will do that.

## **TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA. No further action is required.

Johnson moved; D'Angelo seconded.

7 Ayes. 0 Noes . Motion carried.

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

Oppose: None

## **LEAD AGENCY**

Shaughnessy moved; Johnson 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

## **LOT LINE ADJUSTMENT**

D'Angelo moved, Leonard 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. **Upon the conditions that new maps be drawn up regarding the changes Requested by the board and resubmit for signing**

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

## **Site Plan / Special Permit**

Thomas Driscoll

2022-38/HC/210.-7-41.23

30 Commercial Drive

Proposed - Change in Tenancy

Thomas Driscoll, applicant, and Eric Cullum owner were present for this meeting.

Chairperson Mayrer stated this is back because of the parking and the type of business that was going to be operated and when in this building.

Mr. Johnson stated the applicant didn't come up with the required parking for the area but from looking at what he has he can see he does have plenty of parking, but the spots need to be striped.

Mr. Driscoll stated the lines are there they are just faded; the owner is going to redo them this year.

Mr. Johnson gave Mr. Laberge the plans from the last meeting for him to see. and aske him to look at the code and see what the parking requirements should be. He also asked if he had 15 people come in of pistol training and photography. The board needs to see exactly what is going on and what is going on. There will be no parking on the road. also, the plans do not show a unit 1 or unit 2, which unit are you planning on 2

Mr. Laberge stated the use is basically training,

Mr. Driscoll stated it is mostly hobby classes, the training is up to 15 people and sometimes they are handled at a fire house or a Gorge Morton electric and other place, he wants to have a unit 1 but

Mr. Johnson asked about the office space.

Mr. Driscoll stated they both have office space he has unit 2 the smaller space, the other side has more garage space.

Mr. Johnson asked Mr. Cullum to mark up the plan to show the two spaces. Then there was discussion on the two spaces.

Mr. Laberge asked if there was any live fire in this space.

Mr. Driscoll stated yes, he is currently speaking with the building inspector about what is required but right now there will only be training. NYS qualifications requires 5 shots 4 yards away at a target that is 25  $\frac{1}{2}$  by 11 inches wide.

Mr. Laberge stated unit 2 is the west side of the building, he feels this is sufficient for our records if this is accurate flour plan of unit 2. In the future if this changes you may have to come back before this board for a revisit to the entire building.

#### **TYPE II ACTION**

Be it resolved that the Planning Board hereby classifies the proposed action as a Type II Action under SEQRA. No further action is required.

LaVoie moved, Leonard seconded.

7 Ayes. 0 Noes . Motion carried.

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

Oppose: None

#### **LEAD AGENCY**

D'Angelo moved; Johnson 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

**CHANGE IN TENANCY**

Leonard moved; Aubin seconded APPROVAL of a change in tenancy at "30 Commercial Drive"

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Mirabito

2022-21/LB/210-7-41.15 & 41.16

16 Business Blvd.

Proposed - Office & Bulk Propane Plant

Did not attend this meeting,

**ADJOURN**

Leonard moved, LaVoie seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Melissa Knights

Director of Planning & Zoning