

**PLANNING BOARD MEETING - MAY 15, 2023
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**

PRESENT

**Denise Mayrer, Chairwoman
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 & Zoning office**

MEMBERS ABSENT

Wayne Johnson

APPROVAL OF THE DRAFT MINUTES FOR — MAY 1, 2023

D'Angelo moved, Leonard seconded that the draft minutes be approved as amended, as the official minutes of this meeting.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

PUBLIC COMMENT

NONE

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

MS4 Draft Report **published** May 5, 2023

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 Closed at 7:07 p.m.

MS4 Draft Report

Mr. Laberge spoke about the MS4 program, stating his firm administers the MS4 project in town, it's a regulatory system for clean storm water promulgated by DEC, he gave a brief overview on the program. There are 6 different copoints - public education - public
PB 5-15-23 69-2023

participation - eliminate illicit discharge - one of the major components that we deal with the planning board is construction site run off control and then control after the construction is done of run off, and then pollution prevention and good housekeeping for town facilities such as the town garage with the salt barn and the transfer station, those are the 6 areas that the DEC requires the town to look at. We have a plan that generally has some activity's outline for the upcoming year and the year runs from March 10 to the following March 9th. For the year 2022 ending in March of 2023 the town has reviewed 3 storm water pollution prevention plans and they performed oversight with his firm's help on 10 different construction sites with over 130 reports during the year, they performed facilities inspections which are on post construction sites where there might be storm water facilities on 40 different sites that have been built over the years. They have inspected what they call the MS4 outfalls which is where the storm water leaves the town jurisdiction and might go to the state's jurisdiction in a creek or a highway or to the county's jurisdiction in the highway, and we continued the public education through distribution of education of material through water and sewer bills and at different locations in the town. Some of the challenges during the year are the areas where there is some illicit dumping continues, these are areas that have had historic problems. We were not able to complete some of the training in town with department head changes. And with some of the solar development we have had some issues towards the end of construction where we are trying to stabilize different areas of their construction and ground disturbance. He is going to continue to work on it, the reporting is online and there for anyone to see, we are looking for any comments or questions on this annual audit report.

Close Public Hearing

LaVoie moved; D'Angelo seconded that the Planning Board to close the Public Hearing
6 Ayes. 0 Noes. Motion carried.

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

Absent: Johnson

RECOMMENDATION TO THE ZBA

Gingell Area Variance

Z814-23/R20/190.1-9-5

2378 E. Schodack Rd. (Rt. 150)

Proposed - Area Variance & 10% - Shed.

Mr. Gingell stated they would like to put a shed on their property in the backyard on an existing concrete pad where a garage was located, to about 2 years ago. The previous owners had taken it down.

Attorney Crist read the building department denial for this application.

There were no questions for the applicant.

RECOMMENDATIONS TO THE ZBA

Aubin moved; Shaughnessy seconded a **"FAVORABLE"** recommendation to the Zoning Board of Appeals.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

Site Plan / Special Permit

Servidone

2023-4/HC/210.-7-2

1366 US Rt. 9

Proposed - new building office & storage.

Steve Hart, Hart Engineering was present for this meeting.

Mr. Hart stated they went to the Zoning Board of Appeals for a front setback, the existing building is 33.5 feet from the edge of the road and the code requires 40 feet, they originally thought it wasn't an issue because it was a pre-existing building, and they would be able to rebuild but with the fact they were doubling the size of the original building they needed to request a variance from the Zoning Board of Appeals, and the request was denied. So, they are here tonight with a new plan showing the new setback of 40 feet. He discussed the new plans, showing the board where the addition to the existing building the new building that is 80x112 sq. ft. the shaded area is a total of 4000 sq. ft. which includes 2 tractor trailer bays. The other side of the building will have 6 or 7 storage bays for the business. This building is already connected to town water and will have no employees working out of it, all employees have been moved to the new building on the same site. anything in front of the site would be landscaped along with the existing asphalt.

Mr. Aubin asked if they were proposing to drive through the building, enter in the back and drive out the front and exit onto Rt.9.

Mr. Hart stated that is correct.

Mr. Laberge asked about the existing planter, is it in the state right of way.

Mr. Hart stated yes, that's correct.

Mr. Laberge stated if you are not aware, the town is looking for an easement, a triangle section at the southwest corner for an upcoming water project. The easement should not have any effect on this proposed project here tonight. He request the easement be included on the maps for future reference.

Mr. Hart stated ok,

Mr. Laberge asked about the height of the proposed retaining wall.

Mr. Hart stated about 16 feet at the highest point.

Mr. Laberge stated the use of gravel at the back of the site should be dustless.

Mr. Hart stated that's fine.

There were no more comment from the board.

Site Plan / Special Permit

Nadide's Eatery

2022-29/HC/178.-12-11

1607 Columbia Tpke

Proposed - Restaurant Change in Tenancy

Tony Trimarchi, Engineer, and Havzi Ipek applicant were present for this meeting.

Mr. Trimarchi stated they have modified the plans to eliminate the drive-through, they will not be using the private road at all. They have the 20 required parking spots for the business and 5 more for the tenants.

Mr. Laberge states the front parking spaces 1 & 2 the applicant had previously offered to eliminate them and put in landscaping.

Mr. Trimarchi stated that was going to be done if the drive through was going to use the driveway, now the existing business will be keeping their parking spaces.

LEAD AGENCY

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

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

TYPE II ACTION

D'Angelo moved; Aubin, seconded, that the Planning Board be **TYPE II ACTION**.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

CHANGE IN TENANCY

Leonard moved, Shaughnessy seconded APPROVAL of a change in tenancy as presented at tonight's meeting. at "1607 Columbia Tpke"

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

Site Plan / Special Permit

KME Property Development

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

1764 Columbia Turnpike

Proposed -Retail/storage/Restaurant.

Tim Freitag, Bohler Engineering, and Kevin Cioffi was present at this meeting.

Mr. Laberge stated there is a letter dated May 10, 2023 (See Below) in the boards packet (see below) it is a review of the preliminary plans it has a lot of different details, he did point out that he didn't have time to fully review the SWPPP that was submitted but they are working on it. So right now, there is nothing at the moment for him to point out. he asked the applicant to explain the changes.

Mr. Freitag stated this board has seen and approved the overall plans for this parcel and they are presenting 20k sq. ft. building with office space towards the center of the site as phase 1, the full design was presented back in March and is looking to see if the board has any comments on the proposed site and this new proposed building. Also, they are looking to merge all 3 lots and have only one SWPPP review with no easements for the proposed water and sewer.

Mr. Dangelo asked if they had a tenant for the new building.

Mr. Freitag stated there is no tenant yet.

Mrs. Leonard asked if this was going to be storage units first.

Mr. Cioffi stated it was, but they switched it around and maybe in the future they will revisit the storage unit building.

Mr. Laberge stated in his May 10th letter item (8) states.

8. The special permit requirements in §219-71 (F) require the Planning Board consider "the character and appearance of the proposed use, buildings, structures and/or outdoor signs shall be in general harmony with the character and appearance of the surrounding neighborhood...". The Planning Board should comment on the sufficiency of the proposed plan in this regard.

He spoke about additional landscaping to screen what might come to be on the east side of the site one day, also plantings on the south side should be looked into. As for, view of building is lower than Rt. 150 and it appears to have a shed roof from front to rear but he didn't know if there would be anything on top of the roof that might want to be screened from view of Rt. 150.

Mr. Freitag stated they can look into it to confirm if there will be any rooftop HVAC that needs to be screened.

Mrs. Leonard asked if they were going to plant grass as shown on the plans. All the way to Rt's 9&20.

Mr. Cioffi stated no, there is already black top in the front area where the buildings are being torn down.

Mr. Freitag stated there is some demolition going on in that area and any disturbed areas are going to have to be stabilized for SWPPP control, they plan on keeping the existing driveways and parking area in the front and reestablish grass in the other areas.

There were no more questions and comments.

Laberge letter dated May 10, 2023

Re: Phase I - Preliminary Plan Review
Schodack Commons
SPB # 2022-03
Town of Schodack Planning Board

We are in receipt of a revised plan set for the above referenced project last revised May 3, 2023, a building floor plan and elevations dated April 26, 2023 and a comment letter from Bohler Engineering dated May 3, 2023. We offer the following comments:

1. The project requires the following Planning Board approvals:
 - a) Subdivision Approval (consolidation of 3 lots);
 - b) Special Use Permit under the water Quality Control Act (WQCA);
 - c) Special Use Permit for the warehousing use; and
 - d) Site Plan approval.
2. A SEQRA action will be needed for the subdivision (consolidation) since it had not been contemplated previously.
3. A NYSDOT work permit will be required for the purposed grading work and the proposed driveway.
4. Rensselaer County DOH approval of water and sewer mains will be required.
5. Water and sewer district extensions are needed from the Town Board. To our knowledge, Map, Plan & Reports have not been submitted for either water or sewer. These are required to facilitate the process and the necessary Town Board actions to consider extending the districts. Modification of the NYSDEC water withdrawal permit by this office on behalf of the Town will also be necessary if the Water District Extension is approved.
6. A separate "subdivision" plat is needed showing the removal of former lot lines and the consolidation into one parcel. The final plat will require a surveyor's stamp and must be suitable for filing.
7. A full SWPPP has been submitted. A review was not able to be completed in time for this letter and will follow under separate cover.
8. The special permit requirements in §219-71 (F) require the Planning Board consider "the character and appearance of the proposed use, buildings, structures and/or outdoor signs shall be in general harmony with the character and appearance of the surrounding neighborhood...". The Planning Board should comment on the sufficiency of the proposed plan in this regard.
9. The Demolition Plan (C-201) should be updated to reflect current status of the structures.

The "gravel" yard should be called out as clean washed stone material to create a dustless surface. The depth of the stone should be called out as a minimum of 3". The applicant should consider the use of separation fabric between the stone and the subbase material.
10. The Limit of Disturbance line should be made bolder, prominently noted, and shown on all plan sheets.
11. The Applicant should indicate if there will be any rooftop HVAC units or other structures, and if so, how they will be screened from the higher elevations of NY Rt 150.

12. This new consolidated project parcel will have three (3) front yards. While the setbacks for front and side yards are the same, sheet C-301 should be modified to indicate that NY 150 and Lauster Terrace are also front yard setbacks.
13. A detail of the wood and guiderail is needed. The detail should specify dimensions of the heavy timber posts and rails, as well as fasteners.
14. The split rail fence for surrounding the central stormwater facilities requires further detail. Specifically, the size of the wood posts and rails and the opening size, gauge, and material of the welded wire fabric (e.g.: 2" x 2") along with confirming the orientation of the wire fabric as shown, and how it is to be attached.
15. The infiltration trenches (3) in the stormwater areas on C-401 should be shown as being filled with washed crushed stone with separation fabric.
16. The 8" watermain should be moved to the east side of the easement, 10' off the eastern edge.
17. Valves should be added to the 8" water main at the point of connection to the 12" main and at the end of the main (with a cap).
18. A profile of the sewers should be shown. Slopes should be increased above 0.5% if possible.
19. SMH-3 is very deep and an inside drop may be needed. If the depth of the manhole cannot be reduced, a detail should be prepared.
20. The invert in data should be added to the connection manhole at Rt 150 and Rts 9/20.
21. Additional landscaping is needed at the following locations:
 - a) In front of the building;
 - b) Along the Rt 150 property line and parking area;
 - c) South and east of central stormwater facility; and
 - d) North side of entrance (add 2nd row of evergreens)

The Planning Board may wish to give the applicant additional comments on this matter.

22. Detailed information on the lighting fixtures is needed for the review.
23. Shielding should be installed on pole mounted lighting on at least north and east sides.
24. Shields will be needed on wall mounted lighting to minimize glare.
25. LED lighting shall be 3000° K or less.
26. Clarify where detail for Heavy Duty Pavement is to be utilized on site.
27. The reference to bricks on the Precast Manhole detail should be revised to be precast rings.

We recommend the applicant incorporate the above revisions into their next submission. Please contact us with any questions on the above.

C: Chuck Peter, Supervisor (via email and mail)
Craig Crist, Esq. (via email only)
Kevin Cioffi, Applicant (via email only)

Tim Freitag, Bohler Engineering (via email only)

Site plan / Special Permit

White River Solar

2019-24/RA/188-7-1

2270 River Road

Proposed - screening on state Rt. 9J.

Bill Patterson, from AMP Solar, and Steve Karl from Green Cells were present at this meeting.

Mr. Patterson stated they would like to talk about the visual impacts of the retaining wall along Rt. 9J for White River Solar. They submitted a rendering for the wall showing it painted green and to put Evergreen Ivy on it. He was looking for any feedback from the board on what they are proposing.

Chairperson Mayrer asked about the type of vegetation.

Mr. Patterson stated they are proposing English Ivy.

Mr. D'Angelo asked about the painting procedure are they going to use to make it stick to the raw steel.

Mr. Karl stated they would prepare the wall with a power blast and then a primer and finish with a topcoat.

Mr. Laberge asked if they were doing a pressure wash.

Mr. Karl stated that's what they would prefer.

Mr. D'Angelo asked that the town has an extra escrow that keeps the wall and the Ivy maintained.

Mr. Laberge stated he has a structural question; he has received the wall information from Steve Karl the design seems fine but the question from building inspector is how much of the design is in the ground and wanted to know if your engineer had witnessed the steel being pounded into the ground.

Mr. Karl stated he had witnessed the beginning of the process, but the site manager was on site for the rest of the installation of the steel.

Mr. Laberge stated I would like to see the above information put into a letter.

Mr. Karl stated he did supply the certification letter and all of the information is that letter, all piling beams were 40 feet long.

Mr. Laberge asked if they were all witnesses by you.

Mr. Karl stated yes, they were witnesses by him.

Mr. Laberge stated the building inspector requested a receipt for the steel showing the length and the density of the steel.

Mr. Karl stated he did ask the contractor for the certificate but it wasn't available so he actually was the one who measured the steel and compared it to the new parameters and there are no other steel sections that would potentially be close to that. The only issue was what the grade of steel they were and so he used 50-ksi in it and that is the lowest they make.

Mr. Laberge stated that is fine, everyone was just worried about the 40 feet in the ground.

Mr. Karl stated at the very end the wall kind of has 6 inches above and another sheet has 9 inches above ground, and that's where the ends were left after cutting off the excess.

LaVoie moved; Leonard seconded to amend to the previous approves including the site plan to include the specifications that have been delivered tonight.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

MEMBER DISCUSSION

None

ADJOURN

Leonard moved; Shaughnessy seconded that the Planning Board meeting be adjourned.
There being no objections, Chairwoman Mayrer adjourned the meeting at 8:17 p.m.

Respectfully submitted,
Melissa Knights
Director of Planning & Zoning