

**PLANNING BOARD MEETING - MARCH 20, 2023
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:06 p.m.**

PRESENT

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

MEMBERS ABSENT

James Shaughnessy, P.E

Defer the approval of the minutes dated March 6, 2023 until the April 17, 2023 meeting —

Aubin moved, Johnson seconded that the review of said draft minutes be deferred for adoption until the April 17, 2023 meeting.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Mirabito decision change on the March 6, 2023 minutes

Leonard moved Johnson seconded that the special use permit will have an inspection every **2 years** for compliance with the site plan and the special permit standards.

6 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Note: the above change was added to the March 6, 2023 approval.

PUBLIC COMMENT

Recommend to the ZBA

**Cecile Gregory Solar
3669 US Rt. 20
Proposed - Solar Farm**

Z813-23/RA/211.-2-1.21

Ms. Knights stated that the applicant is looking for an area variance to our utility solar code of a 100-foot setback verses the required 200-foot setback per the town code along US. Rt. 20.

Mr. Johnson asked for a visual simulation to be submitted to the board and he has not seen it, so he is making an unfavorable recommendation.

RECOMMENDATIONS TO THE ZBA

Johnson moved; Aubin seconded a **"UNFAVORABLE"** recommendation to the Zoning Board of Appeals.

6 Ayes 0 Noes. Motion carried.

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

Oppose: None

Site Plan / Special Permit

Valerie Feldman

2022-8/R20/190.1-9-1

2368 E. Schodack Road

Proposed - the Halcyon Center

Valerie Feldman, Applicant and Steve Feldman were present for this meeting.

Attorney Crist asked Ms. Feldman to detail what she is looking for and what permission she is looking from this board.

Ms. Feldman stated she is looking to open a house of worship at 2368 East Schodack Road.

Chairperson Mayrer stated a church.

Ms. Feldman stated multi denominational.

Chairperson Mayrer stated so this is a change in tenancy.

Attorney Crist asked the applicant to detail for the board what you seek to do with the property.

Ms. Feldman stated the Stable Gate Dharma Collective has been operating for 5 years now on the farm, they host a collection of yoga, meditation, sound healing, and dance classes.

Attorney Crist asked what was operating for the 5 years at Stable Gate. He wasn't able to hear her statement.

Ms. Feldman stated Stable Gate Dharma Collective Ltd. Nonprofit that is going to be operating the church.

Mr. D'Angelo asked how much parking can you have for that many people.

Ms. Feldman stated she has outlined 9 parking spaces in the drawings she supplied. Which in theory if she had a parking attendant, she should fit upwards to 15 cars however due to the close proximity of the farm to the church they are just going to encourage carpooling from the farm which she has a contract or a written agreement to use Stable Gate farm's parking lot, and with 9 cars in theory should be enough parking, most of her programs will be 20 or 30 people.

Mr. D'Angelo stated you mostly are expecting 20 to 30 people.

Ms. Feldman stated it's really going to vary on the type of event, she has asked the Building Department a few times for a capacity per sq. footage, but she has not gotten that yet.

Ms. Knights handed the letter from the Building Department to Ms. Feldman, it was just completed that afternoon.

Board members stated they didn't have the parking plan, Ms. Knights stated they were a prior meeting packet and only gave all the new information for this meeting, although Ms. Feldman had a copy and shared it with the board.

Chairperson Mayrer read what the applicant submitted as to what she plans to do, like including educational program, weekly workshops, holistic trainings, corporate wellness retreats, eco-tourism, public and private events, yoga shala, and non-denominational ceremonies. Currently they hold 4-5 events per month at the farm and winery.

Attorney Crist asked how many events do you expect at the current site.

Ms. Feldman stated 4 or 5 upwards to 6 or 7 per month nothing crazy, they propose 2 or 3 weekly events, 2 or 3 monthly events, and 2 or 3 sales yearly events and keeping within that goal.

Mr. Johnson stated in your original short form EAF you stated that you were going to put up gutters and direct the water to the stream, and he had asked her to look into something to protect the stream and maybe reduce the amount of water going directly to the stream, did you come up with anything for that.

Ms. Feldman stated yea, they directed the gutters in a way where it flows with the natural curve of the driveway so that it is not anywhere near the stream, the gutters flow down and away from the building kinda where the town plow comes towards the transformer area.

Mr. Johnson asked if she expected to have these rooms in the building completely full.

Ms. Feldman stated no, she was surprised about the amount of capacity she is allowed to have but she does not anticipate this many people. Maybe the lower number listed in the three rooms would be it, but not the amount listed on the letter from the building department.

Mr. Aubin asked if for any given event would all 3 rooms be utilized at the same time.

Ms. Feldman stated depending on the nature of the event, sometimes the front room and the middle room (that is where the bathroom is located) and sometimes the larger room and the middle room, sometimes all three rooms.

Mr. Johnson stated are we looking for a variance for her to meet her parking requirements. Because he doesn't see anyway 9 parking spots are going to be able to be adequate for rooms she has and the events she is planning.

Ms. Feldman stated in addition to the agreement with Stable Gate Farm for additional parking she was hoping to offer the space to the town as a gathering space in exchange perhaps being able to use the land the town has for the septic field for the people on Rt. 10. Perhaps draft an agreement to see if she could build out a few more spaces in that area. But that again it is not going to be a game changer.

Chairperson Mayrer asked to see the parking map.

Ms. Feldman stated the parking plan is modest, they did draw it up to 15 spaces.

Attorney Crist stated that is for this site and you have another site for additional parking correct?.

Ms. Feldman stated correct, there are 100 spaces at the farm for her to use.

Chairperson Mayrer asked if the people parked at the farm how would you get them to your site.

Ms. Feldman stated carpooling, in theory if one person to be to one vehicle then they would put 5 persons in one vehicle which would allow 45 people which would be closer to average.

Chairperson Mayrer stated you are really just looking for the 9 spaces and you will handle the rest.

Ms. Feldman stated however you recommend.

Mr. Johnson asked the Chairperson to repeat what was just said.

Chairperson Mayrer stated she has 9 parking spaces, and then she has 100 parking spaces at the farm, so what is going to happen the overflow will be parked at the farm and get carpool down to this building.

Mr. Feldman stated for the most part for a gathering she can double the number of parking to 18 by having people park behind each other because one car can pull in and another one can park behind it, they will be there for a 9:00 ceremony and leave at 11:00 when the ceremony is over.

Chairperson Mayrer stated she didn't think that such an arrangement was allowed because of emergency evacuation; they would have to be able to get out.

Mr. Aubin stated this is a change in tenancy and some of the things this board has to look at other than parking is water and sewer and looking at # 10 of the EAF (will the proposed action connect to an existing public/private water supply? If not, describe method for providing potable water.) and the answer is (cistern well), is that a very shallow well.?

Ms. Feldman stated it is not very shallow, it is probably 20 to 30 feet deep, and it wouldn't be used for drinking, she will have water jugs and a dispenser.

Mr. Aubin normally stated any kind of meeting space like this where a lot of people are getting together multiple times a year the Health Department would require you to hook up to a public water supply.

Ms. Feldman stated they have a reverse osmosis system on the farm, and she has a bunch of 5-gallon jugs and they have a filter for hot and cold water what every you may want, so she would bring in the 5 gallon jugs per event.

Mr. D'Angelo stated we could make this like a conditional approval so it they have a parking problem or are not following the plan we could restrict it or rescind the approval. Attorney Crist stated like a renewal after a period of time.

Mr. D'Angelo stated if they can't meet using the 9 spaces, and parking is on Rt. 150 or all over the place we should have the conditional approval set quicker than a year and not that with the drinking water issue.

Ms. Feldman stated there will be no cooking on site, people will bring the food for a potluck or it will be brought in like catering.

Mr. D'Angelo for public worship do you need a handicap parking space and ramp into the building.

Ms. Feldman stated she has a ramp, and she flipped all the doors to exit properly and any of those spaces could be listed as handicap, and she would designate those areas.

Mr. D'Angelo stated the slope on the ramp would have to meet ADA state requirements.

Ms. Feldman asked what is the process to redesign the 9 spaces to include a handicap parking she does have available land along the side of the building where she could have 4 more parking spaces.

Mr. Johnson asked if this should go to zoning for the parking,

After a discussion it was decided there was nothing the zoning board would do without a referral from the Building Department.

Mr. Feldman asked hasn't this been a church for the past 80 years.

Chairperson Mayrer stated no it hasn't been a synagogue for many many years. it was a thrift store for about the last 20 years,

Ms. Knights stated it was turned into a thrift store that was owned by the church.

Mr. Feldman stated she does have additional parking on the side of the building but didn't anticipate utilizing it.

Ms. Knights stated she could use that space for staff and the 9 spaces for the event.

Attorney Crist stated to have the revised parking submitted to the building inspector to see if there is anything else needed, like approvals or variances.

Ms. Feldman stated she has been in close contact with the building inspector and doesn't believe there is anything else needed from them, is it possible to revisit the conditional approved 9 spaces and then she will come back to the board in a few months because the 9 spaces will suffice for what she has planned to do at this site especially with the overflow parking at the farm. Maybe a review in the next 6 months.

Chairperson Mayrer asked "are you looking for a temporary approval for the next 6 months."

Ms. Feldman stated correct.

Attorney Crist stated make sure for instance that there is no back-up traffic on Rt. 150.

Ms. Feldman stated absolutely.

CHANGE IN TENANCY

Leonard moved; D'Angelo seconded that the matter be classified as a Type II APPROVAL of the modified site plan change in tenancy at "2368 E. Schodack Road" with the following listed conditions spoken about at this meeting.

- Handicap access ramp be brought up to code.
- Handicap parking space be designated.
- On-site parking not to exceed 9 vehicles for any event.
- Side parking for vendors and staff.
- Overflow parking held at the Stable gate farm.
- Approval is good for Six months, to be reviewed in (September 2023)

5 Ayes. 1 Noes. Motion carried.

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

Oppose: Johnson

ADJOURN

Leonard moved; Aubin seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:30 p.m.

Respectfully submitted,
Melissa Knights
Director of Planning & Zoning