

**PLANNING BOARD MEETING - JUNE 19, 2023**  
**CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:00 p.m.**  
**Next meeting: July 10, 2023**

**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, Acting Director

**MEMBERS ABSENT**

**APPROVAL OF THE DRAFT MINUTES OF THE — JUNE 5, 2023 MEETING AS THE OFFICIAL MINUTES**

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

5 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Abstained: Shaughnessy, LaVoie

**PUBLIC COMMENT**

None

**Recommendation To ZBA**

Hudson River Solar

Z816-23/HC/189.10-12

1837 Columbia Tpke

Proposed - Ground Mount Solar

Jim Goff, Hudson River Solar was present for this meeting.

Mr. Goff stated he is presenting a ground mount solar to be installed at 1837 Columbia Tpke. the Owl View Tax building behind the parking lot, he showed the board a 3D picture of what the solar array would look like.

Mr. Johnson stated the array 17 feet from the property line on the north side and it needs to be much more than that.

Mr. Goff asked what was the required setback.

Ms. Knights stated 75 feet from the property line.

Mr. Goff asked if they could get a variance for the difference.

Mr. Johnson stated on the dimensions you show 50 feet from the property line but you are measuring from north instead from the property line which would be probably be 40 or 45 feet.

Mr. Goff stated he will have the engineer draw that out for the board.

Mr. Johnson stated this is going to have to go to the ZBA to be looked at, but he still feels that 17 feet is still excessive, and the plan doesn't show the driveway in relation to the layout of the array, and that needs to be shown on both the smaller and larger map.

Mr. D'Angelo asked if they considered putting the array on the roof of the wooden structure like the Key Bank down the road.

Mr. Goff stated they did consider the roof of the actual office building. but the roof is not viable.

Mr. D'Angelo stated you will not be able to screen the array from Columbia Turnpike because of the orientation of the sun and you don't meet the setbacks so you might want to consider the roof.

Mr. Goff asked if the array would require screening from the highway.

Mr. D'Angelo stated yes screening is required, what about putting up a pole barn and putting the solar on that roof.

Attorney Crist stated because if you have a variance, that requires you to go to another board of this town. So, you will be going back and forth between two boards with one being the one of the boards being lead agency for the state environmental quality review act as well, so it may save you some time if you do not need a variance.

Mr. Goff stated OK. He will talk to the client about the issues brought up tonight and see how they would like to proceed.

Chairperson Mayrer stated tonight's meeting was to make a recommendation to the ZBA, so if you're going to reconsider the project do you want to go to the ZBA and see what happens,

Mr. Goff stated he will talk with the client and see what it is they would like to do.

All agree to postpone this to the next meeting.

**Site Plan / Special Permit**

Schodack Golf Senior Housing  
92 Schuurman Road P  
Proposed- Senior Housing

2023-11/RA-R20/188.-5-5.11

Steve Hart, Hart Engineering was present for this meeting.

Mr. Hart stated he is here updating the board on the changes they made from the last meeting comments, he spoke about the June 6<sup>th</sup> letter from Laberge (see below).

Mr. Hart stated at the last meeting Mr. Johnson had some comments on the overflow parking, and the access to the community center. For the overflow parking they made the road wider and put the sidewalk on one side of the road and have the extra parking on the opposite side of the road they also made the unit driveways wider to accommodate for visitors, as for the community center they added a driveway to the building and added parking for the residents and or emergency vehicles if needed. There will also be walking paths for anyone who would like to walk instead of driving the distance to the community center.

One of the most recent changes is they are looking into the water district over at Prestwick Drive. Originally, they were going to loop water from Schuurman Road but the assess from Prestwick seems to make more sense to hoop into an existing water valve, he is currently working with the water department on this. He was also thinking of adding sidewalks along the path between Prestwich and the senior housing both to use as a walking connection between the two areas. It is just a thought at this time.

Mr. Johnson stated when you are talking about going into another development with sidewalks you are going to need to find out how the residents in the development feel about it. Also, on the driveway on the right side of the plan that has an easement for the housed, do we have all the information on who has the right to do what on the driveway.

Mr. Hart stated if you remember Mr. VanKampen used to live in the house in the back. It is just one easement to get back to the house.

Mr. Johnson stated he has rights and may have a right to not have other vehicles use the driveway that are not coming to his house. also, for the Community Center you state that an ambulance can get into the area but can a larger emergency vehicles such as fire trucks get in.

Mr. Hart stated the road network around the homes can support the firetrucks. The main road will be widened to 26 feet and all the roads to the units will be 26 feet as well.

Mr. Johnson stated he was looking at the radii of the intersection and they looked pretty tight.

Mr. Hart stated they may have to widen them a bit.

Mr. Laberge stated to Mr. Johnsons point about the circle for emergency vehicle access will have to be looked at,

Mr. Hart stated for town standards the circle would have to be about 125-foot diameter.

Mr. Laberge asked if he had changed the configuration of the lot on the southern end.

Mr. Hart stated yes, they had flared it out to get up to 25 total acers of land and brought the density to about 4.5 units per acre.

Mr. Johnson stated the residents in Prestwick will not be notified on the potential of sidewalks, he feels that Mr. Hart should reach out to them with the proposal and get their reaction.

Mr. D'Angelo stated he would like to see more of a buffer between building 9 and Prestwich. Also he feels since you are looking to subdivide this off from the golf course he thinks there should be more acreage added to this in case sometime in the future it is sold off, give it more green space.

Mr. Hart stated you mean bring the line over more and pick up more acreage.

Mr. D'Angelo is there any thought to selling off some of the units.

Mr. Hart stated no it is all rentals.

There was continual talks on the density, acreage and the possibility of selling off some of the units and combined water and sewer usage.

Mrs. Leonard asked why they don't come down to the gravel road for this project.

Mr. Hart stated that is for overflow parking if ever needed for the golf course, because people are parking there now and it is a really tight 90-degree bend here.

All agree to have Mr. Hart look into more green space and see what he can come up with.

Laberge Letter dated June 6, 2023

RE: Concept Review  
Golf Haven Sr. Housing  
SPB No. 2023-11  
Schodack Planning Board

1. The proposal project lies in both the RA and R-20 zone and is allowed use by Special Permit for senior citizens housing. Site Plan approval and a Special Permit for the use are required.
2. The applicant is requesting a subdivision of approximately 24.4 acres for this purposed. The subdivision meets the requirement for a flag lot per §219-21. The application is a major subdivision due to inclusion of water mains and the recently approved subdivision. Subdivision approval is required.
3. The project is a Type I action under SEQRA. The Planning Board should declare its intent to seek Lead Agency status and direct the Planning Department to notify other involved agencies.
4. The project is proposing to be served by septic systems for each cluster of units. All septic systems are to be owned by the landlord. A NYSDEC SPDES permit will be required, along with RCDOH approval.
5. The project is proposing to extend 8" water mains from Schuurman Road. The building clusters should be individually metered (one per cluster) and the water mains will remain publicly owned and will require easements to the Town and acceptance by the Town Board. An engineering report on the water system demand and pressures is required and RCDOH approval of the water main extension will be required.
6. The water mains should have two points of connection. One at the existing golf course access drive and Schuurman Road, and one to Prestwick Drive, connecting in the vicinity of the Town owned parcel.
7. A stormwater concept plan should be included on the sketch plan. A SWPPP will be required at the time of preliminary site plan submission.
8. The proposed density should be reduced to provide more space between the clusters. Eight of the 6-plex clusters should be reduced to 4-plex clusters to increase spacing between clusters. Doing so reduces the overall number to 104 units with a density of 4.2± units/acre.

9. It is recommended that the Planning Board limit residency to at least one tenant for each unit being at least fifty-five (55) years old. The Board may also wish to consider limitations on the number of residents per unit, length of stays for visitors, the number of children under 18 per unit, etc. Additional Planning Board input is requested.
10. The roads in the proposed project are proposed to be private. The applicant should consider a parking lane on one side of the street to provide overflow parking. Alternatively, overflow parking lots should be provided at multiple locations on the site.
11. The clubhouse size and height should be indicated, and vehicular access provided for emergency access, handicap access and deliveries.
12. The roadway on the east connecting the two private drivers should be the same width (26') and paved to provide a loop for drivers.
13. Sidewalks should be provided for residents to create a walking loop within the proposed development. In addition, a connection should be made to Prestwick Drive along the Town owned land to access the existing sidewalks on Prestwick Drive.
14. The applicant has indicated they will try to save trees. All existing trees to be saved should be shown and labeled. Trees to be removed should be designated as well.
15. A Traffic Study for the project is necessary and should include sight distance at all relevant locations.
16. The sketch plan should include the following data:
  - a. A column for the proposed project's zoning data.
  - b. Maximum building heights.
  - c. Whether the land is in an Agricultural District.
  - d. Area(s) of wetlands, if any.
  - e. Phasing of construction intended.
17. A landscaping plan will be required to:
  - a. Show more robust site and foundation landscaping.
  - b. Screen lots on Prestwick Drive, along Schuurman Road, and houses to the south east.
18. A clearance letter from SHPO should be provided.
19. Easements and maintenance agreement will be needed for the main entrance road.
20. The applicant should confirm whether RCIDA financing is to be utilized.
21. The FEAF will be reviewed at a later date.

The applicant should revise the Sketch Plan and prepare a response letter with detailed responses to these comments for further review.

RFL: kmo

C: Craig Crist, Esq., Planning Board Attorney (via email only)  
Thomas Choquette, Applicant (via email only)

**Site Plan / Special Permit**

Johns Gonzalez

2023-13/HC/210.-1-1-14

1511 Rt. 9

Proposed - Restaurant/Fire Restoration business.

Was not at this meeting.

**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, Kevin Cioffi, and Michael Keri Jr. were present at this meeting.

Mr. Laberge gave the board a little background on this project, we have been working through different concepts on this project and 20 thousand sq. ft. of flex storage - warehouse space being proposed. We have completed SEQRA as part of a previous concept plan which in our analysis this plan does not exceed the threshold of impacts that were analysis with SEQRA at this point, there is a lot of detail that need to be done but he didn't see this plan changing as in stormwater, utilities, or things of that nature. They were recommending if so choose to grant conditional approvals, one is lot consolidation, Special Use Permit for the water quality control act, special permit for the use and the site plan itself. This was in his letter of June 14, 2023 (see Below)

Mr. Freitag stated Mr. Laberge summarized the last couple of months pretty well, they were here last month in the middle of detail engineering review that got the boards initial review and thoughts on some of the preliminary comments, they has since re-submitted resulting in the June 14, 2023 Laberge response letter. The remaining items they would like the applicant to address. The applicant has no issues with addressing those comments. He then showed the board a colored version of the site plan that represents the latest changes that were made to the drawing. And asked if the board had any questions and they are here seeking potential determination on those multiple approval steps that need to be made.

Mr. Johnson stated Mr. Laberge mention something about the view ship from Rt. 150 and if they were going to have air conditioning units on the roofs.

Mr. Freitag stated there are no roof AC units, the AC is on the ground next to the side of the building.

Mr. Johnson stated do you propose to do anything with the end walls to make them look more inviting or more palpable.

Mr. Freitag stated the orientation of the building, the end walls on the east and the west side, the west side you won't see it as there will be a grade buffer about 8 to 10 feet, there is a recommendation to have additional screening on the east side. As discussed at the last meeting whether or not that makes sense because they are trying to market the front piece for future development, so they didn't propose any trees out in that area.

Mr. Johnson asked about the color of the new structure, and if they could come up with something that would break up the plan walls like a stripe to offset the look of the building.

Mr. Freitag stated they can look into the 2-tone option for the building. its not an issue to order the building in 2 colors.

Mrs. Leonard stated she doesn't remember a color scheme being talked about.

Mr. Freitag stated they haven't discussed it yet but will have it locked down before the final review right now they are going with earth tones.

Mrs. Leonard stated you can soften the look of the building with shrubs and plantings.

Mr. Freitag stated there is a 5-foot landscape strip that can be used for plantings that will not get in the way of the water line to the trailer park.

Mr. Laberge So blending of the two ideas from the members, coloration of the building will help, you should be able to come up with something to propose to the board and the foundation plantings and the other plantings by the stormwater wont require height is fine, his comment on the screening on the east side was to get some height eventually, if something does come in for the front part of the property you may have to revamp the design.

Mr. Freitag stated all possibilities to the above color of the building, plantings and so on.

Mrs. Leonard stated she would be more than happy to help them with the landscaping around the building if they would like.



Mr. Freitag stated they will submit multiple color schemes, land scape plans, elevations plans. They are losing another construction season to complete the demolition and earth work. If the board could consider conditional approval of the application based on what the applicant is willing to do, they would appreciate it so they could get some of the work done this season.

Mr. Laberge stated the discussion at tonight's meeting if the board is comfortable with seeing the elevation, maybe some revisions to the landscaping that are normally on the current plans when these plans are signed. If the board agrees to have a couple members review the plans on behalf of the whole board members, then he thinks you could make it a add on conditions to the site plan approval and move forward. Other wise the applicant needs to bring new plans with all the specific revision discussed tonight.

Mr. Johnson stated we can vote but he wants control of the changes and make sure things are completed correctly.

Mr. Laberge stated in his letter dated June 14, 2023 is all conditions of approval.

#### **REAFIRM NEGATIVE DECLARATION FOR THE LOT CONSOLIDATION**

Shaughnessy moved, LaVoie seconded a **NEGATIVE DECLARATION**.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

#### **REAFIRM TYPE II ACTION FOR THE LOT CONSOLIDATION**

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

Aubin moved; D'Angelo seconded.

7 Ayes. 0 Noes. Motion carried.

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

Oppose:

#### **LEAD AGENCY**

moved; 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

#### **APPROVAL OF THE LOT CONSOLIDATION**

D'Angelo moved; LaVoie seconded approval of the lot consolidation.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **WATER QUALITY CONTROL- SPECIAL PERMIT**

LaVoie moved; Shaughnessy seconded that the **SPECIAL PERMIT** under the Water Quality Control Act - Chapter 223 be granted; for an initial period of eighteen (18) months.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **SPECIAL USE PERMIT**

D'Angelo moved; Leonard seconded that the **SPECIAL PERMIT** be: **GRANTED** for roof top equipment to be installed. Idem (D) of the Laberge letter dated June 14, 2023 (see below)

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

### **Conditional Approval of the SITE PLAN.**

**Based on items 1 - 14, Escrow established, all proposed easements to be filed and recorded with copies to be submitted to the planning department and the town clerk's office, subdivision plat to be filed with the county clerk and all other items that specified this evening including specifically - land scaping - building rendering (color)**

Leonard moved; Johnson seconded.

7 Ayes. 0 Noes. Motion carried.

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

Oppose: None

Rich Letter June 14, 2023

Re: Phase I - Final 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 June 13, 2023, Lumark LED lighting information and a comment letter from Bohler Engineering dated June 13, 2023. We are also in receipt of a revised SWPPP revised June 9, 2023, a SHPO No Impact letter dated June 7, 2023, and a Bohler Engineering letter dated June 9, 2023 with a response to our May 17, 2023 SWPPP comment letter. We offer the following comments:

1. Water and sewer district extensions are needed from the Town Board. 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.
2. A NYSDOT work permit is required for the purposed grading work and the proposed driveway.
3. Rensselaer County DOH approval of water and sewer main extensions is required.
4. The consolidation plat requires:
  - a. Box for Planning Board approval.
  - b. A table showing the average of all 3 parcels and the math to show the new total area.
  - c. The new "Total consolidated ..." information to be larger and bolder.
  - d. A surveyor's stamp and signature.
5. All site plans must be sealed by NYS licensed engineer.
6. A revised SWPPP dated June 9, 2023 has been submitted. A review was not able to be completed in time for this letter however the draft is approvable with modifications. An approvable SWPPP is required.
7. The "gravel" yard should be called out on C-301 as clean washed stone and the detail referenced.
8. The split rail fence and gate details require a dimension on the depth of bury for the posts. The gate posts should be shown to be set in concrete anchors to avoid movement.
9. On C-401 the word "gravel" should be removed from the three (3) stone trench call outs.
10. The 8" watermain should extend to Lauster Terrace with a terminal 8" gate valve and hydrant to facilitate flushing.
11. The profile of the sewer should show all crossing information including the water main.
12. Additional landscaping is needed on the east side of the central stormwater facility to screen the building from Routes 9 and 20.
13. The Town requires shielding on pole mounted lighting and wall mounted lighting to minimize glare from adjacent areas. Glare shields should be installed on all relevant sides.
14. On C-301 show graphically where Heavy Duty Pavement is to be utilized on site.

If the Board concurs, we believe that this project details are sufficiently developed for the Board to consider granting conditional approvals for this project. If so, we recommend the following course of action:

- A. Reaffirm the action has previously undergone a SEQRA review and that a Negative Declaration was issued. Also reaffirm that the lot consolidation is a Type II action not subject to further review under SEQRA.
- B. Approve the lot consolidation subject to the relevant revisions listed above.

- C. Approve a Special Use Permit under the WQCA subject to:
  - i. An initial permit term of 18 months from the issuance of a Certificate of Occupancy/Compliance.
- D. Approve a Special Use Permit for the use conditioned upon the following:
  - i. Any rooftop equipment to be installed shall be subject to further review by the Planning Board. Such equipment will require visual screening and may require noise abatement.
- E. Approve the site plan conditioned upon:
  - i. Numbers 1 through 14 above.
  - ii. An engineering escrow account being set up for general site review and construction observation and coordination of the water and sewer mains to be owned by the Town.
  - iii. All proposed easements being filed and recorded copies submitted to the Planning Department, Town Clerk and this office.
  - iv. The subdivision plat being duly recorded at the County Clerk per above.
  - v. All other administrative items.

by: \_\_\_\_\_  
Richard F. Laberge, P.E.  
President

RFL: kmo

C: Chuck Peter, Supervisor  
Craig Crist, Esq. (via email only)  
Kevin Cioffi, Applicant (via email only)  
Tim Freitag, Bohler Engineering (via email only)

### **ADJOURN**

Leonard moved, LaVoie 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  
Director of Planning & Zoning