

**PLANNING BOARD MEETING- APRIL 7, 2014  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:06 p.m.**

**PRESENT**

**Denise Mayrer, Chairwoman  
Jim Church  
Wayne Johnson  
John LaVoie  
Lawrence D'Angelo  
Paul Puccio  
Andrew Aubin  
Nadine Fuda, Director  
Attorney Robert Linville, Esq.  
Richard Laberge, Planning Board Engineer**

**MEMBERS ABSENT**

**APPROVAL OF MINUTES - March 17, 2014**

Church moved, LaVoie seconded that the minutes be approved as amended.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Church, D'Angelo, Johnson, LaVoie, Mayrer, Puccio

**PUBLIC COMMENT**

Resident had a process question, he asked about the Variance and subdivision for #3 on the agenda, if a subdivision needs a variance how does that actually work.

Chairwoman Mayrer stated the application comes to the planning board and we make a recommendation to the(ZBA) Zoning Board of Appeals. Once they consider the variance it then returns to the planning board.

Resident asked about the wet lands on this property and wants the wetlands protected within this subdivision.

Mr. Tracy stated they had the Army Corp of Engineers and Encon give some opinions on the property and will be presented to the Zoning board.

**Recommendation to the ZBA**

Lands of Marcia Tracy  
5 Inglewood Road  
Propose - three lot sub

2014-6/R20/178.-1-12

Ray Smith, Surveysmith, Marcia Tracey were present for this meeting.  
Mr. Smith state the variance is for lot width. Other than that the lot is good.

Mr. Johnson asked about the lot with 113 foot of frontage and that the pond takes up most of the land area is there enough room for the well and septic.

Mr. Smith stated the only area to put a septic is in the front. He stated the Army Corp has been on site and it is not state regulated wetlands. He stated the blue line on the map shows the 100 foot setback from the pond.

Mr. Johnson asked of there will be any issues with a house and the side yard setbacks.

Mr. Smith stated no.

Chairwoman Mayrer asked that the lots be number on the new map.

#### **RECOMMENDATIONS TO THE ZBA**

Church moved, Puccio seconded a **"FAVORABLE"** recommendation to the Zoning Board of Appeals.

6 Ayes. 1 Noes. Motion carried.

Ayes: Aubin, Church, D'Angelo, LaVoie, Mayrer, Puccio

Oppose: Johnson

#### **SUBDIVISION - Lot Line Adj**

Peter Goold

2014-3/RA/199.-4-21.1 / 21.2 / 21

Brookview Station Rd.

Proposed- Lot Line

Peter Goold, applicant was present for this meeting

Mr. Goold stated the buyer of the lots stated he did not want to purchase land that was in the middle of the road which is where the boundary line landed. So he re-adjusted his primary lot so the front boundary lines end at pavement.

Mr. Johnson asked if this will be two lot line adjustments because these are now two deeded lots.

Attorney Linville asked if the deed states the property line goes to the center of the road.

Mr. Goold stated he does not believe it does.

Attorney Linville stated that you are in essence ascending to the town the strip of land along the road correct.

Mr. Goold stated correct.

### **LOT LINE ADJUSTMENT For Lot 2 and Lot 3**

**Puccio** 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.

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Church, D'Angelo, Johnson, LaVoie, Mayrer, Puccio

Oppose: None

### **SITE PLAN** - Review

Servidone Inc.

2013-7/HC/210.-7-41.12

1364 Rt. 9

Proposed - 7000 sq. ft. building

Steve Hart, Hart Engineering was present for this meeting.

Mr. Hart explained the dimensions of the building it is 60 foot deep and 120 foot along the side with a small 6 foot portico coming off the front entrance. It is basically the same 7200 square foot, foot print as was submitted a year ago. They are in agreement with the April 3, 2013 Laberge Group letter. They are proposing a 30 car parking lot with 18 banked parking spaces where the abandon motel currently stands. 12 years ago the septic was upgraded and will meet Rensselaer County Health Dept. is fine with them connecting the new building with the current septic because the motel will be gone and was a higher user then the new proposed building.

Mr. Puccio asked if the house and the motel were going to be demolished is that still part of the plan.

Mr. Hart stated yes

Mr. Puccio asked if the parking could be wrapped around the buildings.

Mr. Hart stated once you start pushing the parking to the back you are creating less green space. And the back of the site has an elevation of 99 and the front of the site is at 96 with this 3 foot difference a lot of site work would have to be done. And it would be about 30% more asphalt.

Mr. Johnson asked for the connection of parking area to be shown on the map

Mr. Hart stated he would include the connected parking area to the new building.

Mr. Johnson stated he thinks the 50 foot utility easement was designed as a frontage road. He also asked access to the north for possible future build out. Will you have to come back to do the expansion.

Mr. Hart stated if they did come back it would be a modification to the site plan.

Mr. Laberge explained about the banked parking, it does not necessary have to be created it just have to graded off and to be installed anytime the planning board directs. . He asked Mr. Hart to show along with the banked parking a provision for a future walkway connecting the buildings.

Mr. Hart stated he would do that for the next submission.

Chairwoman Mayrer asked Mr. Hart when he would like the public hearing.

Mr. Hart stated the next meeting will be fine April 21, 2014

Public Hearing was set for April 21, 2014

#### **SITE PLAN/ SPECIAL PERMIT**

J.C Structures

2011-6/ HC/210.-7-39.13

1293 Rte. 9

Proposed- addition of thrift store

Nick Casta, representing the applicant was present for this meeting.

Mr. Casta stated the applicant is looking to add a thrift store to the back of the building on Rt. 9

Mr. Puccio asked about the mix of commercial trucks and pedestrian traffic on site. How are they going to handle the mix use and where will the parking be for the store.

Mr. Costa stated a majority of the truck traffic happens in the early morning hours. And the store hour will be after the trucks leave for the day. There will be some intermediate truck traffic but those will be smaller trucks not the semi's.

Mr. Johnson asked if we need a floor plan for the store.  
Mr. Laberge asked if the floor of the building above grade.

Mr. Costa stated the store is at ground level we will not need handicap ramps for access.

Mr. Laberge asked if there will be exterior changes

Mr. Costa stated the outside of the building will change for the store and new doors will be put in, the foot print will remain the same.

Mr. Puccio asked about signage.

Mr. Costa stated there maybe window signs for the store area and something out by the road.

Mr. Puccio asked to have the sign added to the site plan.

Mr. Laberge asked to have an parking analysis showing the existing parking along with the area for the store. Just to make sure there is no conflict between the truck and auto entering and exiting the building.

Chairwoman Mayrer asked about the store hours

Mr. Costa stated he believes the hours are going to be 9am to 4 or 5 pm.

Mr. Johnson asked about the sales area.

Mr. Costa stated it is about 1200 sq. ft.

Mr. Johnson stated to let Mr. Laberge know the offices and sales area so he can calculate the parking

Mr. Costa stated he would speak to Mr. Laberge about it.

Chairwoman Mayrer asked Mr. Laberge what he needed to review

Mr. Laberge stated he would be reviewing the parking and any other items that may arise.

Mr. Johnson asked if there were going to be changes made to the building.

Mr. Costa stated not outside but internally walls be constructed for the sales area and the 2 new offices.

Mrs. Fuda stated this is how the applicant came to the planning board through a building permit to do interior changes for the sales area.

**SITE PLAN/ SPECIAL PERMIT**

Jeffrey Roche

2014-5-/PD-1/189.-10-43

Rte. 150 and 9 & 20

Proposed - Hot dog cart.

Jeffrey Roche, applicant was present for this meeting.

Mr. Roche stated he is proposing to put up a hotdog trailer on his property by the corner of Rt. 150 and Rt. 9 & 20. This is located on the opposite side of the old Town Hall.

Mr. Laberge asked if there is an existing driveway into the property.

Mr. Roche stated there is not curbing on the property so the entire 180 feet is right at road grade. So there is no driveway or pavement.

Mr. Laberge asked what the lot looked like and where would people park

Mr. Roche stated it is gravel and grass. He intends to have the people park along the front area. He is going to delineate the parking by having crusher run put down.

Mr. Laberge stated NYDOT (Department of Transportation) will not look favorably to people parking on their right-away so people will have to get up and into your site.

Mr. Johnson stated DOT will have to give you a driveway permit.

Mr. Roche stated so I need to contact DOT and ask them to approve a driveway.

Mr. Johnson stated DOT will help him get the permit needed for the driveway.

Mrs. Fuda stated DOT will issue a Curb cut permit.

Chairwoman Mayrer stated he will have to come back with the decision from DOT and a site design showing the spot for the trailer and the outside seating if available and the driveway or parking.

Mrs. Fuda asked about the size of the trailer.

Mr. Roche stated the trailer is 6 x 12.

Chairwoman Mayrer asked about the start date and the hours of operation.

Mr. Roche stated he would like to open in the middle of May and depending on demand 7am to 3 pm and the trailer will be taken home each evening.

Chairwoman Mayrer stated we will put the applicant back on the agenda once he has received and submitted the DOT decision and a site plan showing the placement of the trailer, parking and seating.

**SITE PLAN/ SPECIAL PERMIT**

James Pearson

2014-7/RA/221.-2-2.112

320 Waterbury Road

Proposed - Kennel for Dog Training

James Pearson, applicant was present for this meeting.

Mr. Pearson stated he is a dog trainer, he knows that he will be classified as a dog kennel but he is not looking to run a commercial kennel building. What he does is take client dogs to live with him and he fully trains them and then work with the clients to transition that training back. Because of the number requirements of 3 dogs per household for the town is the reason he is applying for the special permit.

Chairwoman Mayrer asked about the number of dog he will be training.

Mr. Pearson stated he owns 8 dogs and he normally takes in 8 dogs for training with 2 or 4 that are spill over so he is looking for a permit up to 20 dogs. Although there will not always have 20 dogs but it could happen.

Chairwoman Mayrer asked where the dogs will stay.

Mr. Pearson stated they will be in the house.

Chairwoman Mayrer asked what kind of training is done and is it for all dogs not just a special Breed.

Mr. Pearson state it is basic obedience training, it is not protection training. And it is for all dogs.

Mr. Aubin asked about fencing.

Mr. Pearson state if this is approved he will be fencing in a majority of the area around the house, to insure the dog's safety. The facility will not be open to the public it is by appointment only and they only take in certain number of dogs. The dogs are usually with him from 1 to a few weeks depending on the type of training needed.

Chairwoman Mayrer asked about the distance to the neighbors.

Mr. Pearson stated there is no one around him he thinks he is surrounded by empty lots.

Chairwoman Mayrer asked about the size of the house.

Mr. Pearson stated the house with basement included it about 5000 sq. ft.

Mr. Johnson asked the applicant fill out the second part of the EAF.

Chairwoman Mayrer, asked if he was breeding dogs.

Mr. Pearson state absolutely not.

Applicant agrees to come back for a public hearing at the next meeting.

## **MEMBER DISCUSSION**

Love Lutheran Church.

On March 17, 2014 a public hearing for the above project was adjourned but not closed We were privileged with many comments from the public regarding this project. What the board is looking at tonight is the fact that we have considered and read everything that has been submitted and there are a couple of items that need to be addressed.

- 1) the covenant issue - and it has been determined that this board has NO jurisdiction over the covenant that are applicable to the love Lutheran Church
- 2) It was brought out and dully noted that the scoping of that project is not clearly defined which is an issue for the board.

This board is resolving or proposing a resolution to document the fact that we are aware that we have no jurisdiction over the covenants that may or may not exist on the property for the Love Lutheran Church. Covenants follow the land and are between land owners. Additionally, the applicant will need to define the scope and submit it and at that time it will be dully considered. Also to acknowledge the input from neighboring communities and thank them for that and are perfectly willing and able to incorporate with our neighboring townships for a review process to a degree that they will be impacted by this project.

Mayrer Motion, Puccio seconded the above resolution

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Church, D'Angelo, Johnson, LaVoie, Mayrer, Puccio

Oppose: None

**ADJOURN**

LaVoie moved, Puccio seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning