

OFFICE OF THE PLANNING BOARD

Town of Schaghticoke

July 3, 2019

PUBLIC HEARINGS

7:35 P.M. **Anatriello Subdivision (Tax Map #22.-3-4.111)** Brian Holbritter, L.S., presented an overview of the application to subdivide a lot measuring approximately 185.75 acres into two separate parcels, measuring approximately 17 acres and 167.7 acres. The property is located on the westerly side of Bunker Hill Road, south of Master Street in the RA zoning district. There was no public comment. The hearing was closed at 7:38 p.m.

7:40 P.M. **White Subdivision (Tax Map #61.-1-5.1)** Brian Holbritter, L.S., presented an overview of the application to subdivide property measuring approximately 21.87 acres into two separate lots, measuring approximately: 1.6 acres and 20.27 acres. The property is located on the northerly side of Calhoun Drive in the RA zoning district. There was no public comment. The hearing was closed at 7:42 p.m.

REGULAR MEETING

Members present were: Chairman Frank Alessandrini, Wayne Akin, Dan Clow, Brian Davidson and Scott Wiley. Elizabeth Hale and Robert Weir were absent. Kristin Pratt, Deputy Town Attorney, was present.

The minutes from the June 5, 2019 meeting were reviewed. Wayne Akin made a motion to approve the minutes as submitted. Scott Wiley seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Philpott Two Lot Subdivision (Tax Map #14.-1-4.13) Brian Holbritter, L.S., appeared to provide an update on the application of Randy Philpott, after the Planning Board issued preliminary subdivision approval on June 5, 2019. A permit to construct was issued by the Rensselaer County Health Department (RCHD). Dan Clow made a motion to issue final subdivision approval of the Philpott subdivision. Scott Wiley seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

PUBLIC HEARING

7:43P.M. Martin Flood Fringe Overlay District Special Use Permit (Tax Map # 50.-1-7.32).

Brian Holbritten, L.S. presented an overview of the application of Thomas Martin and Patti Sawyer for a special use permit for a parcel located within the Flood Fringe Overlay District located at 2401 River Road, Melrose, in the RA zoning district. A new home is proposed for the 4.5 acre lot. Mr. Holbritten noted that house is designed for the 100 year flood zone with the proposed main finished floor, complete with all appliances and wiring, 3 feet above the flood plain, and level with the deck. There was no public comment. The hearing closed at 7:45p.m.

7:45P.M. Clement Small Engine Repair Special Use Permit (Tax Map # 71.9-3-19). Art Clement and Amanda Phelps appeared to present an application for a special use permit to operate a small engine repair business at 30 Milkyway Road in a Hamlet zoning district. Planning Board Member Dan Clow recused himself due to a personal conflict of interest. Mr. Clement noted that he began operating the business out of his home in January of 2019 after he and Amanda moved into the residence in order to help care for Amanda's mother. Mr. Clement noted that the home business also allows the family to care for their young children. Mr. Clement noted that he conducts repairs in the existing one car garage at the property. Mr. Clement noted that all items slated to be repaired and work equipment is stored in the garage and in the backyard. The backyard is shielded by a 6' tall wooden fence. Mr. Clement picks up most items from his customers and brings them to his property on a trailer to be repaired. There were several public comments on the application.

The first speaker, Charlene Oliviere of 2 Westview Road, stated that locating a business in a residential community would set a precedent for future development and may be detrimental to the neighborhood. She further noted that Milkyway is a narrow road and an inappropriate location for street parking. Ms. Oliviere does not want to see the neighborhood turn into a business district.

The second speaker, Virginia Yaiser of 24 Milkyway Road, located two doors down from the proposed project site, noted that she does not have any concerns related to the application. Ms. Yaiser further noted that another resident in the neighborhood parks vehicles on the road. Ms. Yaiser further noted that Mr. Clement has been very helpful to her family.

The third speaker, Heather McNally of 28 Milkyway Road, lives adjacent to the proposed project site. Ms. McNally noted that she does not have any concerns related to the application. Ms. McNally also noted that Mr. Clement has been a helpful neighbor.

The fourth speaker, John O'Brien of 120 Valley View Drive noted that he has concerns related to possible road testing of vehicles in the road. Mr. O'Brien further noted that he has concerns associated with noise impacts as well as potential safety hazards to the children that reside in the residential neighborhood.

The fifth speaker, Richard Shellard of 25 Milkyway Road noted that he has lived across the street for 34 years. Mr. Shellard noted that the neighborhood is always changing. He noted that he has general concerns related to traffic and speeding unrelated to the application. Mr. Shellard

noted that Mr. Clement is a helpful neighbor and does not have concerns related to the application.

The sixth speaker, John Lawrenson of 36 Milkyway Road has lived in the neighborhood for 17 or 18 years and has never had a specific issue with the operation of the small engine repair in the neighborhood. However, Mr. Lawrenson noted that permitting a business of this kind in the neighborhood was a “slippery slope” as it would permit a business in a residential area. Mr. Lawrenson noted that if the business continues to operate as it has for the past several months, then he finds it to be appropriate; however, he noted that if there is an approval, that conditions regulating the business may be prudent.

One commentor noted that ATVs are common in the neighborhood and it presents a danger to the residents. Mr. Clement noted his agreement and stated that his business was unrelated to the ATV operators that speed in the neighborhood.

The seventh speaker, Vincent Catricala of 33 Milkyway Road, noted his support for the application. Mr. Catricala noted that he just moved to the neighborhood in November of 2018 and he has no issues with the business in the neighborhood. Mr. Catricala noted that there is no clutter or debris outside and that the use is not disturbing to neighbors.

Chairman Alessandrini noted that has received several written comments on the application and therefore he would hold the written comment period open through the August 7, 2019 Planning Board meeting to provide those interested with the opportunity to submit comments.

The public hearing was closed at 8:12p.m.

REGULAR MEETING

7:40 P.M. Warren Fane Mine Expansion (Tax Map #40.-1-6.21).

Don Fane appeared to represent the applicant, Warren W. Fane, Inc. The Planning Board held a public hearing on the application to expand an existing mine, located in the RA and HC zoning districts. The expansion area is located on the north side of Pinewoods Road, east of River Road. The expansion is needed to explore further reserves. The application has been approved by the NYS DEC who also served as lead agency under SEQR. A full EIS was completed and the NYS DEC issued a findings statement. County Planning further reviewed the application and noted that the application does not have a major impact on County plans. Planning Board member Brian Davidson inquired as to how close the mining activity would be to Pinewoods Road as there are two homes located in close proximity to the mine. Mr. Fane noted that the trucks will continue accessing the mine from the existing road. Concerns related to dust from the mine accumulating on Allen Road were raised during the public hearing. Mr. Fane noted that a sweeper is run on Allen Road every day. Wayne Akin made a motion to grant a special use permit and site plan approval. Dan Clow seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Clement Small Engine Repair Special Use Permit (Tax Map # 71.9-3-19).

Art Clement and Amanda Phelps addressed some of the comments raised during the public hearing. Mr. Clement noted that the machines he repairs very rarely need to be road tested. On occasion, a riding lawn mower may need to be road tested; however, a mower moves at a maximum speed of 6 miles per hour. Mr. Clement further noted that he does not use liquid coolant in any machine. Sometimes machines are washed on site. Oil from machines is taken to a retailer and is not stored on site.

Martin Flood Fringe Overlay District Special Use Permit (Tax Map # 50.-1-7.32).

Brian Holbriiter, L.S., appeared to address the Board. Chairman Alessandrini noted that the application was referred to County Planning which noted that the application did not have a major impact on County plans and recommended that the septic system be located outside or above the flood plain and that the applicant should be aware of the cost of flood insurance. Mr. Holbriiter noted that Steve Dean, P.E. has designed the septic system in order to account for proximity to the flood plain. Brian Davidson made a motion to grant a special use permit and site plan approval. Scott Wiley seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Anatriello Subdivision (Tax Map #22.-3-4.111).

Brian Holbriiter, L.S., advised the Board that this is the second parcel to be subdivided out of a larger parcel and therefore the subdivision map contains the note about piecemeal subdivisions. Mr. Holbriiter advised that eventually RCHD approval would be required to build on the parcel. However, RCHD approval is not required for the Planning Board to act on the application based upon the parcel size. Wayne Akin made a motion to issue a negative declaration under SEQRA. Dan Clow seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Dan Clow made a motion to grant final subdivision approval. Wayne Akin seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

White Subdivision (Tax Map #61.-1-5.1).

Brian Holbriiter, L.S., addressed the Board with additional information related to the application. The new 1.65 acre parcel will have public water and the septic design is underway. There will be separate driveways for the two parcels. Brian Davidson made a motion to issue a negative declaration under SEQRA. Dan Clow seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Scott Wiley made a motion to grant preliminary subdivision approval. Dan Clow seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

OTHER

The Board discussed that the proposed amendments to the Zoning Code drafted by the Planning Board and ZBA are ready for submission to the Town Board for review.

Chairman Alessandrini reminded the Board members that sexual harassment training is required for all Town employees.

Wayne Akin made a motion to adjourn the meeting at 8:53 p.m. Dan Clow seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley.

Nays: None

Abbreviations

EAF – Environmental Assessment Form

HD – Hamlet District

NYS – New York State

RA- Residential/Agricultural District

RCHD – Rensselaer County Health Department

Respectfully submitted,


Kristin L. Pratt, Deputy Town Attorney
Planning Board, Town of Schaghticoke

date:
8/7/19