

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke

August 5, 2020

The Planning Board met, in accordance with the Governor's Executive Order 202.1, via videoconferencing/teleconference utilizing the Zoom Application on Wednesday, August 5, 2020.

PUBLIC HEARING

7:35 P.M. Greg Fane Two Lot Subdivision (Tax Map #61-1-20.114). Mark Danskin, land surveyor, appeared to represent the applicant Greg Fane. Mr. Danskin exhibited a survey map. The proposal is for the subdivision of a 6.05± acre parcel with 50' of road frontage from an 11.86± acre parcel, owned by Deborah and Greg Fane and located in an RA district at the end of Warren Lane with 203' of road frontage along NYS Route 40. The newly created 6.05± acre flag lot is to be conveyed to Samantha, daughter of the Fanes, and Patrick Mahoney. Access to the lot is via a shared driveway from NYS Route 40 or from a proposed gravel drive, accessed from Warren Lane, which crosses the property of John and Claudia Mahoney, parents of Patrick Mahoney. The Mahoneys have agreed to provide the easement to the lot. There was no public comment. The hearing was closed at 7:39 p.m.

Scheeren Two Lot Subdivision (Tax Map #11-1-6.117). Sean Flanagan, employee of Brian Holbriiter, land surveyor, appeared to represent the applicant Walter K. Scheeren. The proposal is for a two lot subdivision of vacant land, each lot measuring 2.01± acres and 1.89± acres located in an RA district on the westerly side of Verbeck Avenue. In addition, a 51.6' X 388.30' strip of land is proposed to be waived from a 6.16± acre parcel owned by Robin and Walter K. Scheeren to the remaining lands, approximately 46.47± acres, owned by Robin Scheeren, Walter F. and Walter V. Scheeren. An application and survey map was submitted. There was no public comment. The public hearing was closed at 7:42 p.m.

REGULAR MEETING

7:42 P.M. Members present were: Chairman Frank Alessandrini, Dan Clow, Brian Davidson, Elizabeth Hale, and Scott Wiley. Wayne Akin arrived later in the meeting. Robert Weir was absent.

The minutes from the July 2, 2020 meeting were reviewed. Brian Davidson made a motion to approve the minutes as submitted. Elizabeth Hale seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Deputy Town Attorney, Kristin Pratt was present. In addition, there were interested residents and representatives who appeared online: Sean Flanagan, Napoleone, 8360921993, Deborah Fane, Mark Danskin of Danskin Land Surveying, LLC, ReJean DeVaux of Borrego Solar Systems, Inc., Daniel Farnan of Maser Consulting, Patrick Mulkern of Maser Consulting, Brendan Blank, James Kondrat of Lansing Engineering, Terressa Bakner of Whiteman, Osterman and Hanna, Jason Dell, ryan1987, Brian Norensky (AEG), Dan Glowgowski, 16034559483, 5185269771, Brian Maliszewski, and Jim Czub.

Choice Physical Therapy (Tax Map#71.9-2-1). Erin Napoleone, part owner of Choice Physical Therapy, appeared before the Board to propose the modification of the approved site plan for the business, Choice Physical Therapy located in a Hamlet District at 290 Speigletown Road. Ms. Napoleone explained that due to insufficient parking, employees are currently parking in an unlit parking lot on the Scriven premises located across the street on Eastover Road. As co-owners, Erin and Joe Napoleone would like to create three additional paved parking spaces, each measuring 9' X 10', on the northerly side of the building. The additional parking is to accommodate the staff exclusively and will be so indicated by signage.

A resident, Sharon, asked why the public had not been notified of the proposal. Atty. Pratt replied that the initial application for a Special Use Permit and Site Plan review required noticing. At that time residents were notified and legal notices published. Sharon added that she did not think that there was enough room for parking slots on the northerly side of the building.

The applicant replied that there was 26' from the building to the road, allowing sufficient space for the length of a vehicle and that the drivers/staff would be requested to back their vehicles into the individual spaces for safety reasons.

Scott Wiley made a motion to grant approval to amend the site plan for the addition of 3 parking spaces on the northerly side of Choice Physical Therapy. Brian Davidson seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Greg Fane Two Lot Subdivision (Tax Map #61-1-20.114). Mark Danskin, land surveyor, appeared to represent the applicant Greg Fane. The survey map of the proposal was shared on the screen. The proposal is for the subdivision of a 6.05± acre parcel with 50' of road frontage from an 11.86± acre parcel, owned by Deborah and Greg Fane and located in an RA district at the end of Warren Lane with 203' of road frontage along NYS Route 40. Access to the newly created 6.05± acre flag lot is via a

shared driveway from NYS Route 40 or from a proposed gravel drive, accessed from Warren Lane. Mr. Danskin stated that there is an option to install a paved driveway from NYS Route 40. Mr. Danskin noted that, to date, he has not received a permit to construct from RCHD.

Brian Davidson made a motion issue negative declaration of environmental significance under SEQRA. Dan Clow seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Scott Wiley made a motion to grant preliminary subdivision approval. Brian Davidson seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Dan Clow made a motion to grant final approval for the two lot subdivision contingent upon receipt of RCHD approval. Scott Wiley seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Hemstreet Park Fitness Center Pre-filing Conference (Tax Map #20.13-1-3.12). Daniel Glogowski appeared to propose the operation of a fitness center located in an existing pole barn with 50' of road frontage at 7 Holland Avenue, east of the bridge, in Hemstreet Park. Mr. Glogowski stated that there are plans to accommodate 2 handicapped parking places and 8 additional parking slots along the front of the building. There were no further updates provided. Mr. Glogowski was advised to assemble all pertinent information with regard to the proposal by the 15th of the month for the Board's review at the September meeting.

Scheeren Two Lot Subdivision (Tax Map #11-1-6.117). Sean Flanagan, employee of Holbritter Land Surveying, appeared to represent the applicant Walter K. Scheeren. The proposal is for a two lot subdivision of vacant land, each lot measuring 2.01± acres and 1.89± acres located in an RA district on the westerly side of Verbeck Avenue. RCHD approval has been received for the newly created lots. In addition, a 51.6' X 388.30' strip of land is proposed to be waived from a 6.16± acre parcel owned by Robin and Walter K. Scheeren to the remaining lands, approximately 43.47± acres, owned by Robin Scheeren, Walter F. and Walter V. Scheeren. Discussion took place with regard to the strip of land (to be waived) and its use as access to the residual acreage for the purpose of open space or for further development. The Board agreed that an appropriate note would need to be added to the map to address the open space, as required by the Zoning Code, as well as possible future development.

Dan Clow made a motion issue negative declaration of environmental significance under SEQRA. Brian Davidson seconded.

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

Nays: None

Scott Wiley made a motion to grant preliminary subdivision approval contingent upon the inclusion of a note, to be approved by the chairman, with regard to the required

open space and possible future development of the residual acreage. Brian Davidson seconded.

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

Nays: None

With receipt of RCHD approval, Brian Davidson made a motion to grant final approval for the two lot subdivision contingent upon a note to be included on the map, as described above. Dan Clow seconded.

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

Nays: None

Westwind Farms Mining Expansion (Tax Map #22-1-1.121). Brian Norensky, Principal Geologist, Advanced Environmental Geology, LLC, appeared to represent the applicant, James Czub, who was present. Mr. Czub is currently operating an 8.62± acre sand and gravel mine, located on Verbeck Avenue. The site is in the Residential-Agricultural Zoning District. Mr. Norensky stated that the current mine, considered Phase 1, operated for 14 years and is currently depleted of material. Mr. Czub is proposing to open 8 more mines in 8 phases on an approximately 62 acre parcel. Mr. Norensky estimates that twenty years will pass prior to opening proposed Phase 6 of the expansion and stated that traffic studies show minimally increased traffic, 6% occurring in the morning and 10% in the evening, with 8-20 additional truck trips per day, 5 per hour. Minimal to no additional wear to the road is expected, including the pavement at the intersection of Verbeck Avenue and NYS Route 40. Mr. Norensky stated that the proposed mines are located adjacent to one another and the plan is to open an adjacent mine while closing and reclaiming the former mine. Therefore, only one mine will be operating at a time at a singular location and the operation will remain the same with the same traffic patterns and longevity for each of the phases.

Board member Scott Wiley expressed concern with regard to Phases 6, 7, and 8, given the proximity to the road and consequential impacts of noise and dust. Mr. Norensky replied that the mines would be 20' below the surface. In addition, he added that there would be 6' berms and 26' evergreens as buffers, locating the mines 45' below with adequate mitigating screens.

The applicant, James Czub added that he believed that he is cognizant of the neighbors, has been a good neighbor and is focusing on the dairy farmers by supplying that industry with bedding.

A public hearing to consider this matter will be scheduled for the next meeting in September.

Northline Drive Solar Farm (Tax Map #41.-1-27.21). ReJean DeVaux, Borrego Solar Systems, appeared to propose a 4 megawatt solar project to be located on 18.4± acres of a 37.18± acre parcel, owned by Julie Todd, in an RA district off Northline Drive. The property wraps around from Northline Drive to intersect at NYS Route 40 where a 20' access road is planned. A survey map was presented. Jason Kondrat, provided the Board with an update of the proposal and a conceptual review. Mr. Kondrat stated that Part II of the full EAF was complete and that it is anticipated that visual assessment

will be needed as well as SWPPP, since it appears that there will be more than one acre of disturbance.

Since one of the Board's concerns revolves around visibility of the panels, Chairman Alessandrini emphasized that the visual impact statement is essential.

ReJean DeVaux stated that disturbance to the property is limited to the area adjacent to the fence and corner posts and will be kept to a minimum. In addition, Mr. DeVaux stated that the roadside vegetation will be left intact to act as a buffer and added that berms are planned as further mitigation. Mr. Kondrat stated that the plans include all information required for review by the fire department; turn-arounds and access roads for fire equipment and vehicles are planned. Mr. DeVaux asked for the overseeing fire department for the proposed location. Chairman Alessandrini stated that the property is protected by the Melrose Fire Department and that he would forward information regarding the proposal to the Building Inspector and the Fire Marshall.

James Kondrat noted that he intended to reach out to the Town Supervisor and/or the Tax Assessor with regard to tax implications and the PILOT program.

It was noted that Rensselaer County Office of Economic Development and Planning submitted a decision related to the application, recommending that the lanes between the panels of the solar project be plowed or ripped to reduce compaction, allowing better growth of vegetation. In addition, the county recommended that areas under the drip edges of the panel rows should be mulched /protected until the vegetation is sufficient to reduce erosion. The decision was left to local consideration.

ReJean DeVaux noted that notices with regard to the proposal were sent to those residences within 500' of the project.

Discussion took place with regard to scheduling the public hearing. The Board discussed the benefit of public comment early in the application process. The Board agreed to hold the public hearing at the September meeting with the understanding that the hearing will likely need to be held open.

Karen Rumpler Subdivision Waiver (Tax Map #71-1-10.111). Karen Rumpler, applicant, appeared to propose a lot line adjustment of 0.46± acres and 0.71± acres, owned by Karen Rumpler's mother, June Stevens, to a 2.15± acre lot owned by Ms. Rumpler, with an existing dwelling located at 27 Hansen Road, Speigletown, south of Fogarty Road. The residual acreage, approximately 66 acres, surrounds the proposed 3.32± acre parcel and is owned by June Stevens.

Since the owner of the property to be waived was not present, a form will be provided to the applicant for the owner's notarized signature in order to provide proof of property ownership to the Board.

Wayne Akin made a motion to grant final approval for the lot line adjustment contingent upon receipt of the form with the notarized owner's signature. Brian Davidson seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Hale, Weir, Wiley

Nays: None

Westwind Farms Community Solar Farm Expansion Pre-filing Conference (Tax Map #22-1-1.121). Patrick Mulkern, Sr. Project Engineer with Maser Consulting, Daniel Farnan, Associate Project Manager with Maser Consulting and Brian Maliszewski, Forefront Power, appeared. The proposal is for an expansion of the current 11.7± acre solar energy farm, established in 2018, located in an RA district at 141 Verbeck Avenue, and owned by James Czub. The 3 megawatt proposal, northwest of the existing solar farm, will require the subdivision of a 181± acre parcel into two lots. Landscaping on the southerly end is planned with fencing and access roads similar to those existing within the current solar farm. Mr. Mulkern noted that consultation with National Grid is ongoing and once approval from National Grid is granted, a formal application for the proposal will be submitted to the Board.

St. Croix Farm Timber Harvest. John Moore, owner of St. Croix Farm located off Master St. in an RA district, proposes to clear a portion of his property from overgrowth while leaving shade trees to create shady pasture land for his herd of cattle. Mr. Moore questioned whether he was required to apply for a timber harvest permit due to the fact that it is an agricultural practice occurring within a NYS certified agricultural district under Article 25-AA of the Agriculture and Markets Law. Mr. Moore consulted with Chairman Alessandrini who walked the property with Mr. Moore. Chairman Alessandrini concluded that a permit was not necessary, as the clearing is not for the purpose of harvesting timber, but for the availability of shade and increase of grazing to benefit the herd of cattle.

Brian Davidson made a motion to adjourn the meeting at 9:46 p.m. Wayne Akin seconded.

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

Nays: None

Abbreviations:

EAF – Environmental Assessment Form

NYS- New York State

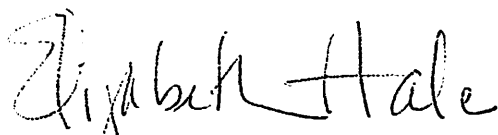
RA- Residential Agricultural District

SEQRA – State Environmental Quality Review Act

SWPPP – Stormwater Pollution Prevention Plan

Respectfully submitted,

date: September 12, 2020



Elizabeth Hale, Clerk,
Planning Board, Town of Schaghticoke