

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke
March 1, 2023

PUBLIC HEARINGS

There were no public hearings scheduled or held.

REGULAR MEETING

7:00 PM Members present were: Frank Alessandrini, Dan Clow, Brian Davidson, Elizabeth Hale, and Scott Wiley. New member, Chris Reynolds welcomed to the Board. Bob Weir was absent. Kristin Pratt, Deputy Town Attorney was present.

The minutes of February 1, 2023 were reviewed. Scott Wiley made a motion to approve the minutes as submitted. Dan Clow seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Abstention: Reynolds

Brown Accessory Apartment Special Use Permit (Tax Map #31.-1-14). The applicant, Tarnell Brown, was present. The proposal for an accessory apartment, to be located in the basement of his residence in an RA district at 1374 NYS Route 40, was entertained and discussed by the Board at the February meeting. The apartment will be inhabited by Mr. Brown's sister and brother-in-law.

The 239-m review form was submitted to Rensselaer County Economic Development and Planning; however, a response was not received from the county by the February meeting, preventing the Board from making a decision. Since then a response was received, leaving the decision to local consideration.

The application, application fee and short form EAF were received.

Brian Davidson made a motion to grant final approval for the Special Use Permit to allow an accessory apartment at 1374 NYS Route 40. Scott Wiley seconded.

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

Nays: None

Fane Lot Line Adjustment (61-1-20 & 61-1-20.112). Mark Danskin, land surveyor, appeared to represent the applicant, Donald E. Fane, who is proposing a lot line adjustment to waive 0.39± acres, where a tennis court is located and owned by Lisa Fane to an adjacent 13± acre parcel owned by Tyler Fane and located on the easterly side of NYS Route 40 across from the

Warren W. Fane Inc. The application, short form EAF, and survey were submitted. The \$25. application fee is to be submitted to the Town Clerk's office.

Chairman Alessandrini advised Mr. Danskin to file the survey map for the lot line adjustment with the Rensselaer County Clerk's Office.

Dan Clow made a motion to grant final approval for the subdivision waiver.

Elizabeth Hale seconded.

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

Nays: None

Northline Solar Farm (Tax Map #41-1-27.21). Diego Barroa, regional construction manager with AES, appeared and exhibited a map to display the proposed amendments/changes to the previously approved Northline Solar Farm project located on NYS Route 40 to the east of Bracken Road. Chairman Alessandrini received correspondence indicating that the Northline Solar Farm project was purchased by AES, the new solar farm developer. Josh Verlicky, landscaper, and Jamie Wood, Assoc. Project Manager for Dynamic Energy, were also present. Prior to the meeting Frank Alessandrini and Scott Frisino, Building Inspector, spoke with Jennifer Jones, of AES. With AES, with regard to the requested amendment to allow the project to move forward. The requested amendments include increasing the number and re-locating the interconnection poles, modifying the access to the project, and making a substitution for both the Black Hills Spruce and the Eastern Red Cedar, (indicated in the final approved plans for the project) for screening. At the February meeting Mr. Verlicky appeared to discuss the difficulty to acquire Black Hill Spruce. In addition, he stated that there are disease issues related to the Eastern Red Cedar. Both species were included in the final plan for the project. In addition, Mr. Barroa pointed out the request for relocation of the interconnection poles. Mr. Barroa added that National Grid made an error in their interconnection study and therefore have changed the location of the Northline Solar poles, now increased to six (approved plan included four poles), from the original northwest location to the southwest side of NYS Route 40. As a result of this pole relocation, National Grid would prefer a different access design, over-riding the functionality of the hammerhead/turnaround. Mr. Barroa is proposing the removal of the approved turnaround and a widening of the opening of the access road. Revised plans of the new plan were submitted for the Board's review. Chairman Alessandrini emphasized the importance of appropriate screening, underlining the significance of keeping the access road as narrow as possible for less visual impact. The Board agreed that the location of the poles is of lesser impact than the screening. Ms. Wood stated that the number of trees on the final plan totaled 374 trees, not 600 trees and that there was an error in the table of the final plan that was approved. After discussion, the Board concurred that screening solely with Norway Spruce, a fast growing evergreen, planted in a staggered pattern, 10' apart, 4 rows deep and keeping the access opening as narrow as possible, would be sufficient to

decrease visual impact. Removal of brush and undergrowth will be required along NYS Route 40 to allow the planting of the Norway Spruce for further screening from that major route. Trees that are no longer thriving must be removed and replaced. In conclusion, Chairman Alessandrini stated that the intention of screening is to achieve the greatest coverage for minimum visual impact.

Chairman Alessandrini requested the submission of an application seeking the amendment, for filing purposes.

Scott Wiley made a motion to grant approval for the amendment to the Northline Solar Farm plan. Dan Clow seconded.

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

Nays: None

OTHER

Proposed Zoning Change (Tax Map #71.09-1-11). Chairman Alessandrini circulated a letter from the Town Board requesting input on a proposed re-zoning, from Residential to Hamlet District, of Hilltop Bowl currently located in a Residential District on a 4.67± acre parcel at Hillview Road. The property owners are seeking re-zoning to HD in order to make the 4.67± acre parcel more marketable. It was noted that the Residential District is the most restrictive zoning district for commercial growth. The Town Board is seeking an opinion with regard to this matter from the Planning Board. The Board discussed the request and reviewed the tax map. The district is not contiguous to a HD. Therefore, to avoid “spot zoning” Chairman Alessandrini proposed that an expansion to re-zone nearby properties, extending to the southerly Town line, take place. The Board agreed. Deputy Attorney Kristin Pratt will draft the opinion reflecting the Board’s recommendation to the Town Board.

Jackie Stellone, a resident, remarked that a review of the Town’s comprehensive plan would be appropriate at this time.

Al’s Towing (Tax Map #51.3-1-6). A copy of the ZBA’s decision related to an interpretation of the Town Zoning Law with regard to Al’s Towing located at 751 NYS Route 40 was distributed to the Board members. The Zoning Board of Appeals at the February 2, 2023 meeting determined that Al’s Towing is not operating a motor vehicle service or repair station consistent with the definitions within the Zoning Law.

Hometown Heroes Banners/Signs. Chairman Alessandrini stated that he has been unsuccessful with attempts to reach Laurie Crandall Spears. There remain questions with regard to placing Hometown Hero signs on the property of others, responsibility for maintenance, and the permitting process. Mr. Alessandrini reached out to Dominic Pasinella, Fire Chief, Melrose Fire Department and asked if the fire department would be willing to assume responsibility and management of the banners. Kristin Pratt will draft

a letter to the fire department to obtain consent from the fire department for the responsibility of the banners.

Jackie Stellone, a Schaghticoke resident, expressed concern with regard to solar farms, changes in the management of them, recycling the solar farm materials and resulting scrap. Ms. Stellone added that the solar farms can cause problems or issues. In addition, she stated that solar farm technological changes will occur in the future, creating more scrap and recycables.

Atty. Pratt stated that a substantial bond is posted with the Town to ensure protection for the Town and, furthermore, that earnings from scrap cannot be realized by the solar companies. Ms. Stellone also expressed concern with regard to the possible establishment of marijuana smoking shops within the town.

Brian Davidson made a motion to adjourn the meeting at 8 p.m. Scott Wiley seconded.

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

Nays: None

Abbreviations:

EAF - Environmental Assessment Form

HC -Highway Commercial District

Review Act

HD - Hamlet District

R - Residential District

RA -Residential Agricultural District

SEQRA -State Environmental Quality

PB - Planning Board

Respectfully Submitted,

date: April 6, 2023

Elizabeth Hale, Clerk
Planning Board, Town of Schaghticoke