

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke
October 2, 2024

PUBLIC HEARING

Malm 2 Lot Subdivision (Tax Map #41.-1-20). Elizabeth Hale, Clerk, read the Notice of Hearing. Chairman Alessandrini described the application submitted by John Malm, executor of his mother's estate and applicant, to propose the subdivision of a 2.99± acre parcel into 2 lots, each lot measuring 1.81± acres (to the south) and 1.13± acres (to the north). Each proposed lot retains its own 50 yr. old existing residence at 1171 and 1177 NYS Route 40. Laurie and John Malm appeared. Mr. Malm has submitted an application to the ZBA for area variances required to meet the density requirement to meet the Zoning Code. The ZBA will entertain the application at their meeting scheduled for Thursday, October 3, 2024.

There was no public comment.

REGULAR MEETING

7: 00 P.M. Members present were: Frank Alessandrini, Dan Clow, Elizabeth Hale, Kasey Casas, Chris Reynolds, and Bob Weir. Vince Ragone was absent. Austin Scarborough, Attorney, was present.

The Board reviewed the minutes from the September 4, 2024 meeting. Chris Reynolds made a motion to approve the minutes. Bob Weir seconded.

Ayes: Alessandrini, Clow, Hale, Reynolds, Weir

Nays: None

Abstention: Casas

Genesis Vault Special Use Permit and Site Plan Review (Tax Map 41.-1-61). David Baker, applicant, appeared. Mr. Baker is currently operating a burial vault business with nine employees at 943 NYS Route 40. He has submitted an application for a Special Use Permit and Site Plan Review for the operation of his current business. The Board reviewed the application for the Special Use Permit. In addition, the Board considered the site plan and concurred that the hand-drawn plan was lacking detail, scale and specificity. Consequently, the Board agreed that the submitted plan was not adequate. Chairman Alessandrini suggested that the applicant obtain and use the survey as the core for the creation of a site plan to show, in scale, parking, location for the storage of vaults, landscaping, etc. Possible landscaping options were discussed with Mr. Baker. Mr. Baker expressed concern about the poor site distance for his trucks to access NYS Route 40 and noted that landscaping, in his opinion, would function as an obstruction and negatively affect the site distance. Chairman Alessandrini advised Mr. Baker to

contact DOT with regard to site distance issues. Mr. Baker plans to return with a comprehensive site plan.

Malm 2 Lot Subdivision (Tax Map #41.-1-20). Applicant John and Laurie Malm appeared to propose the subdivision of a 2.94± acre parcel into 2 lots, each lot measuring 1.81± acres (to the south) and 1.13± acres (to the north). Each proposed lot retains its own 50 yr. old existing residence at 1171 and 1177 NYS Route 40. Mr. Malm submitted an application to the ZBA for area variances required to meet the area setbacks. The application was entertained and approved at the ZBA September meeting. Mr. Malm stated that a “snag” occurred. The ZBA did not consider the density requirement which the proposal does not meet. Consequently, the ZBA will entertain the application for density at their meeting scheduled for Thursday, October 3, 2024. Chairman Alessandrini consulted with David Brennan, Town Attorney, concerning the matter of the review and approval of the subdivision prior to the approval for the area variance to meet the density regulations. Atty. Brennan advised that subdivision review and approval is permitted, though the procedural sequence is not customary. RCHD approval was granted and SEQR was addressed and issued by the ZBA.

Chris Reynolds made a motion to grant preliminary approval. Elizabeth Hale seconded. Ayes: Alessandrini, Casas, Clow, Hale, Reynolds, Weir

Nays: None

Dan Clow made a motion to grant subdivision approval contingent upon ZBA approval for the area variance to meet the density requirements. Kasey Casas seconded.

Ayes: Alessandrini, Casas, Clow, Hale, Reynolds, Weir

Nays: None

Mr. Malm asked about the procedure to procure tax map numbers for the newly created lots. It was explained that 3 signed paper maps and one mylar copy of the map are required to be submitted to the Rensselaer County Clerk and that, generally, tax map numbers may be available from the county one week prior to the local Town Assessor's notification.

ASD Solar III (Highway Garage -Tax Map #21.-2-4.2). Paul Kruger, Director of Development for Active Solar Development, appeared to discuss the screening for the proposed solar facility to be located along the corridor of NYS Route 67 at the highway garage site. Mr. Kruger submitted images and drone photos of the 20' deep treed border running parallel to the proposed solar facility and NYS Route 67. Trees, to be removed, have been banded. Frank Alessandrini, Dan Clow and Elizabeth Hale visited the site. Mr. Kruger stated that some of the marked trees may not require removal. Mr. Kruger expects that shading on the panels will minimize the production of energy; further consideration with regard to the removal of trees will take place. In addition, Mr. Kruger stated that after a strip of trees, located closer to the project, are removed (perhaps the beginning of 2025), a more specific screening plan will be submitted to the Board for review. Mr. Alessandrini remarked that should there be a shift in the canopy, the opportunity for the undesirable growth of invasive species will increase. In

addition, Mr. Alessandrini noted that a study to raise the proposed solar site, which is located lower than road and screening level, may eliminate or minimize some of the issues with regard to the existing trees shading the panels.

Czub Subdivision -Tax Map #41.-1-53.11). Brian Holbritter, land surveyor, appeared to propose a 2.15± acre one lot subdivision from a 117±-118± acre parcel, owned by James Czub and located in an R district at 183 Northline Drive. The proposed 2.15± acre lot includes a residence, well and septic system. Mr. Czub plans to use the residual property for agricultural purposes. The Board reviewed the short form EAF. Kasey Casas, for disclosure purposes, noted that she resides on Northline Drive. Chris Reynolds made a motion to issue negative declaration under SEQRA. Kasey Casas seconded.

Ayes: Alessandrini, Casas, Clow, Hale, Reynolds, Weir

Nays: None

Frank Alessandrini reminded the Board to consider the available training for planning and zoning.

Dan Clow made a motion to adjourn the meeting at 7:48 p.m. Chris Reynolds seconded.

Ayes: Alessandrini, Casas, Clow, Hale, Reynolds, Weir

Nays: None

Abbreviations:

EAF – Environmental Assessment Form

NYS - New York State

PB – Planning Board

R - Residential

RA - Residential Agricultural District

RCHD – Rensselaer County Health Department

SEQRA –State Environmental Quality Review Act

ZBA – Zoning Board of Appeals

Respectfully Submitted,

date:

Elizabeth Hale, Clerk

Planning Board, Town of Schaghticoke