

**PLANNING BOARD MEETING - MARCH 18, 2023  
CALLED TO ORDER BY: CHAIRWOMAN DENISE MAYRER AT 7:02 p.m.**

**PRESENT**

Denise Mayrer, Chairwoman  
Wayne Johnson, P.E.  
John LaVoie  
Lawrence D'Angelo  
Andrew Aubin, P.E.  
James Shaughnessy, P.E.  
Attorney Craig Crist, Esq.  
Richard Laberge, P.E. Planning Board Engineer  
Melissa Knights, Acting Director of Planning & Zoning  
Erika Pratt, Administrative Assistant to Planning & Zoning

**MEMBERS ABSENT**

Stephanie Leonard

**APPROVAL OF THE MINUTES**

MARCH 4, 2024 Meeting Minutes will be approved at the meeting on April 1, 2024

**PUBLIC COMMENT**

Michael Lauer 30 Hy Drive asked to have the access Drive paved so stones will not be thrown towards Jennifer Forand house, his kids play there, and he is afraid for all the kids' safety.

**PUBLIC HEARING**

-----  
Melissa Knights read the hearing notice(s) as published in the Troy Record:

TP Masonry published February 24, 2024

Chairwoman Mayrer directed the affidavit(s) of publication be made part of the hearing record(s).

-----  
Public Hearing Opened 3/4/24 at 7:15 p.m.

Hold open until next meeting 3/18/24

Public Hearing Closed 3/18/24 at 7:30 p.m.

TP Masonry

2023-17/RA/179.-5-30

Sharon Lane

Proposed - 2 lot subdivision.

Craig Crist stated that the ZBA has granted the area variance for (2) 25 foot flag access lots, the written decision is pending the next ZBA meeting, but this board is ready to proceed provided this public hearing is closed.

Gavin Vuillaume, RLA for Environmental Design Partnership, LLP was present at this meeting.

Gavin Vuillaume stated he is finalizing his basic SWIPP document. The plans show more detailed drainage and grading mostly on lot 2 to ensure the drainage is directed towards the wetlands. The grading and drainage plan has been finalized with contours to elevate drainage issues towards the existing ditch under Sharron Lane. 1.9 acres will be disturbed overall for the grading of both lots. If approved each lot would need to come in for final building permits and septic design.

Wayne Johnson said he's not sure the grading that is shown will take care of the water coming from the side hill and lot 1 and part of lot 2 ends up in the pond.

Gavin Vuillaume said there are areas that will not go towards that pond, all the water can't be brought to that location.

Wayne Johnson asked, so where will it go?

Gavin Vuillaume said the area that will mostly to the south will be directed toward the catch basin in the driveway and it will carry water to the existing drainage swale.

Wayne Johnson said that water goes down Hill View.

Gavin Vuillaume yes and goes along side Sharron Lane and Hill View.

Wayne Johnson said so under the driveways on Hill View. The drainage from the driveway itself runs into the ditch that's on the north side towards lot 1 should be paved, if asphalt is not used up to where it splits, you are going to have a problem maintaining that grade across, its only a 2% grade. That would be impossible to maintain with just gravel or stone.

Chairwoman Mayrer ask members if they have anything else to add.

#### **MOTION TO CLOSE THE PUBLIC HEARING.**

Shaughnessy moved, D'Angelo seconded the public hearing be closed.

6 Ayes. 0 Noes. Motion carried.

Ayes:, Mayrer, D'Angelo, Johnson, LaVoie, Aubin, Shaughnessy

Oppose: None

Wayne Johnson said we are waiting on the ZBA.

Chairwoman Mayrer said it's been approved for two 25 foot flag access strips.

Wayne Johnson said it hasn't been approved and signed.

Craig Crist said the ZBA voted on it and there is no reason for further delay on this and the administrative adoption of the written decision will be handled by the ZBA. They voted to grant the variance; they just need to have a meeting to adopt the written resolution of the decision. The variance has been approved. The board is ready to vote. SEQRA is done.

Wayne Johnson asked if this means we have to wait for the ZBA before we sign the plans.

Craig Crist stated the plans will have to be revised pursuant to Wayne Johnson suggestion. Before they are executed

Richard Laberge said a few conditions will be things discussed tonight. The SWIPP and basic drainage to prove its going to work as proposed. We could basically be done tonight, with some follow up and when the plan is satisfactory for the drainage issues.

Wayne Johnson said the ingress and egress easement, should that be a lot more complete, it needs to show that each parcel has responsibility for the drainage and the driveway not just the driveway.

Craig Crist stated it was discussed to have the easement language approved by the attorney for the board. What the board has per the applicant is merely the first draft. The applicants lawyer should draft it and then send it to the planning office and then he will get a copy.

Wayne Johnson said make sure you delineate where the limits are.

Gavin Vuillaume said there will be a mete and bounds description attached to the easements.

Craig Crist states he always points out that we are reviewing this on behalf of the planning board, not telling anyone what to do with private property rights. He said he's the planning board attorney not the applicant's counsel.

Gavin Vuillaume said he understands.

Chairwoman Mayrer said should we move or delay the actions?

James Shaughnessy said move get it done.

Gavin Vuillaume stated paving would be stopped at the "Y" due to expenses.

Wayne Johnson said he is more concerned about the drainage. If the drainage going to the culvert that goes down Hillview comes from the "Y" then it should be paved at least to the "y"

Richard Laberge said they have to have a stabilized construction entrance, and timing of the paving up to the "Y". In the meantime, during construction maintenance of dust will have to be taken. Pave to the "Y" before first Certificate Occupancy is issued.

Craig Crist stated that the Negative Declaration was adopted on February 5<sup>th</sup>, 2024, so SEQRA has been completed.

Chairwoman Mayrer said what need to be done is approve the subdivision with the conditions that have been enumerated tonight.

Richard Laberge said for the record the resolution will be.

**MOTION FOR SUBDIVISION -APPROVAL CONDITIONS / SEE ZBA MINUTES FOR THEIR APPROVAL AND CONDITIONS WHICH ARE INCORPORATED HEREIN.**

- 1) Engineering review concentrating on drainage and SWIPP
- 2) Easement and maintenance agreement reviewed and approved by Planning Board Attorney
- 3) Pavement of the driveway to the center of the "y" to be completed before the first certificate of occupancy is issued
- 4) Incorporated the ZBA condition as well.

LaVoie moved, Shaughnessy seconded the conditional approval of the subdivision.

6 Ayes. 0 Noes. Motion carried.

Ayes:, Mayrer, D'Angelo, Johnson, LaVoie, Aubin, Shaughnessy

Oppose: None

**Site plan / Special Permit**

Polar Hauling & Recovery

2024-6/HC/178.-15-5.2

771 Columbia Tpke.

Proposed - storage of vehicle for State Police

Justin Tater owner of Polar Hauling & Recovery was present at the meeting.

Chairwoman Mayrer said she did go by the site after the last meeting and was not particularly impressed but understands it has been cleaned up. Do any of the members have any concerns or questions.

Wayne Johnson stated there was concern about liquids spilling, and there should be something in there to make sure that if anything spills gets picked up.

Justin Tater said he liked the sled idea, and he doesn't want any liquids to leak.

Criag Crist said to make clear we are not telling you of course to use a plastic sled, use necessary environmental measures so that it doesn't go into the ground.

Chairwoman Mayrer asked the member if they want to add anything else.

### **LEAD AGENCY**

D'Angelo moved; Aubin seconded that the Planning Board declare itself to be **LEAD AGENCY**.  
6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose None

### **MOTION FOR A NEGATIVE DECLARATION ON THIS UNLISTED ACTION**

LaVoie moved, Shaughnessy seconded the motion for a negative declaration on this unlisted action.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose None

### **MOTION TO APPROVE THE SPECIAL PERMIT FOR THIS OPERATION BASED UPON THE CONDITIONS THAT HAVE BEEN STATED**

D'Angelo moved, LaVoie seconded the motion for a special permit for this operation based upon the conditions that have been stated, which include:

1. All necessary measures shall be put in place so that vehicles waste do not go onto the ground.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose None

### **Site plan / Special Permit**

Joel Oneil

2024-8/HC/200.-9-17.1

1525 US Rt.9

Proposed - 56x60 equipment storage.

Joel Oneil, the applicant, was present at this meeting.

Joel Oneil stated he is looking to build a 50x60 pole barn to store his equipment.

Chairwoman Mayrer asked if members have questions.

Wayne Johnson asked if it's just a pole barn or an enclosed garage.

Joel Oneil said yes it will be enclosed.

Wayne Johnson asked for some elevations and plans for the building and maybe a layout for parking.

Joel Oneil asked what the parking was for?

Wayne Johnson said customers, employees?

Joel Oneil said no customers no employees, it's just to store skid steer, trucks etc.

Wayne asked if there is going to be outside parking.

Joel Oneil said the point of the garage was to keep everything out of the weather.

Wayne Johnson said he wants to see elevation materials, colors of buildings, driveway plan. Seems like we need more detail in order to approve it on Route 9, so assure we have decent looking buildings.

Joel Oneil stated he turned in a drawing of the building to the building department.

Wayne Johnson said he just wants to see more details and a plan.

Andy Aubin said the drawing does not show property lines. You are applying for a site plan review and this is not a site plan its just a picture.

Chairwoman Mayrer said you have to have the site plan with all the property lines and the board has to be able to see where the building fits into the site plan. As soon as we get they site plan with the delineations and where the building fits into it.

Richard Laberge asked if there were any other concerns that should go on the site plan, so that when the plans are done everything will be on it.

**MOTION THAT THE APPLICATION IS INCOMPLETE AND FURTHER DOCUMENTATION IS REQUESTED**

LaVoie moved, D'Angelo seconded the motion that the application is deemed incomplete and further documentation is requested.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy

Oppose None

**Site plan / Special Permit**

Herc Rentals

2024-10/HC/210.-7-31.14

1200 US Rt. 9

Proposed - Equipment Rentals

Paul Bassett with Ironhorn Enterprises was present at the meeting.

Paul Bassett stated Herc contacted them concerning a change in tenancy. They were under the impression this would be less invasive, less traffic, less client interaction.

Chairwoman Mayrer said this is a completely different type of business then what was there before. The activity is different.

Richard Laberge asked if the wash bay was existing?

Paul Bassett said no, it will be inside the building.

Wayne Johnson said he has a concern about the limited plan they show goes behind the residential properties, and according to code you are to stay 50 foot from residential properties. Parking is supposed to be a 25 foot buffer then 25 feet of parking according to the code. They are proposing fencing going up behind residential houses. We need to know where the commercial property limit is and stay within that and make sure we are not abutting the residential property in the back. Residential on Lape Road but they have deep lots, so they come right up to this parcel. The way it is worded in the code its ambiguous, the building inspector need to look to see where the commercial line is vs the residential line and how far you can go with your fencing and parking inside the fencing, if you just want to fence it and leave the trees that's one thing. If you fence it and cut trees and park stuff against the fence, then it's not in the code.

Paul Bassett stated the plan was not to develop further back, the back lot is not developed as a lot, so nothing would be parked there.

Andy Aubin asked if they would be opposed to moving the fence up to where the parking would be.

Paul Bassett said this was an early estimation and we want to be able to secure the equipment.

Andy Aubin said that makes sense, preliminarily they drew the fence where the property line is, instead of where it was really needed.

Andy Aubin said similar to what we told the applicant before you, this needs a better site plan.

Chairwoman Mayrer said an official site plan.

Paul Bassett stated his expectation based on preliminary conversations, that this would fall under the change of tenancy as nothing was changing with the property.

Chairwoman Mayrer noted that it's not a simple change of tenancy.

Craig Crist stated a change in tenancy is still site plan review.

Chairwoman Mayrer said, full site plan where everything is going, what is going to be done etc.

Paul Bassett said understood.

Richard Laberge said he will send the applicant the code. Need to know if there will be display areas identify those, where equipment will be kept etc.

**MOTION THAT THE APPLICATION IS INCOMPLETE AND FURTHER DOCUMENTATION IS REQUESTED**

Shaughnessy moved, D'Angelo seconded the motion that the application is deemed incomplete and further documentation is requested.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Mayrer, Shaughnessy  
Oppose None



**ADJOURN**

LaVoie moved, Aubin seconded that the Planning Board meeting be adjourned. There being no objections, Chairwoman Mayrer adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Melissa Knights, Director Planning and Zoning

Erika Pratt Assistant to Planning - Zoning & Building