

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

June 12, 2017

Present: M. Carr, Chairman, J. Gibney, T. Bodden, J. Lippmann, P. Ragucci, K. Semon,
M. Tanner

Also

Attending: A. Briscoe, Deputy Building Inspector, K. Corcoran, Town Planner,
M. Cuevas, Attorney, L. Walkuski, Stenographer

Absent: P. Ragucci

Meeting called to order at 7:07 PM

Motion to approve the Agenda

Moved by: M. Tanner

Seconded by: T. Bodden

Ayes: 6 **Noes:** 0 **Absent:** 1

Motion Approved

Motion to approve minutes from the May 8, 2017 meeting

Moved by: J. Lippmann

Seconded by: T. Bodden

Ayes: 5 **Noes:** 0 **Absent:** 1 **Abstention:** 1

Motion Approved

Ronold M. Woodbeck
15 Glenridge Road

Site Plan Review
(Preliminary)

The applicant is seeking to establish a day care center that would occupy approximately 3,264 sq. ft. of the Glenridge Plaza at 15 Glenridge Road. The day care center would accommodate up to 44 children. The property is zoned General Business and Town Center Overlay.

R. Woodbeck addressed the commission and thanked them for their time and efforts with his first project at 3 Horstman Drive. Ultimately, it was shelved based on the amount of financial investment needed for appropriate upgrades.

There are two vacant suites at the Glenridge Plaza that are wide open spaces. Most of the upgrades are cosmetic i.e.: painting, carpeting, tiling, and sheetrock. He said he will not be providing meals for the children. There will be four large classrooms, an office with a staff break area, and to the back of the site will be a 40' x 40' fenced in outdoor space with ground cover i.e.: mulch. He is looking to the Commission for suggestions and/or input to get this project done.

M. Tanner noted that Mr. Woodbeck is off to a better start now than with his first project.

R. Woodbeck said that having town water and town septic helps, which was one of the issues he faced with the first proposal.

M. Carr said the Commission took a look at the site plan and as a whole the Commission doesn't see any huge issues, but asked Mr. Woodbeck to talk about parking at the facility. Will there be enough spaces? Are there any adverse effects on the current businesses located in the plaza? What will the drop-off and pick-up times be?

R. Woodbeck said the parking lot was large enough and noted most of the other businesses are open weekends or have evening hours after his day care would close. He stated on two Fridays he sat in the parking lot between 4-6 P.M. to watch traffic and indicated there will be an overlap for about 1 hour as the dance studio starts around 5 P.M. He noted the traffic was mostly drop-off. He indicated he was willing to add an additional handicap parking spot.

J. Gibney asked how many parking spots will be needed for staff.

R. Woodbeck said he is looking to be licensed for 44 children. He chose that number because he, in addition to being director of the facility, wants to be a teacher. For that to happen he needs to max out at 44 children with the breakdown as follows; 8 infants, 10 toddlers, 14 preschoolers, and the remaining slots could be school-age. There are 3 bathrooms with two toilets each. The drawing only shows two bathrooms because they are waiting on where the hot/cold water lines will be.

M. Carr asked, for the record, if the facilities will be inspected by the state.

R. Woodbeck said yes they will be state inspected

T. Bodden asked where will the employees will be parking and how many employees will there be.

R. Woodbeck said if there are only full-time employees there would be eight. He indicated there will be designated parking spots so there won't be interference with the other businesses. Mr. Woodbeck noted there are 6-8 parking spots immediately to the right when you pull in the parking lot that are never used. That's where his staff would park.

M. Carr asked about the school buses and drop-off times.

R. Woodbeck said he spoke with the busing company and the bus company said there was plenty of room for them to pull in and turn around.

M. Carr inquired if it was a private bus company or school district.

R. Woodbeck replied it was Scotia-Glenville SD, as they offer to/from services to licensed daycare operations within the school district. It would be one bus for one time in the evening. Although the operational hours are 7A.M. – 6 P.M. Monday – Friday, he is only offering school age children an afternoon program from 3PM – 6PM.

K. Semon asked about the current dumpster.

R. Woodbeck responded the current dumpster is used by all the businesses. He would be willing to get his own dumpster, to be located in the same area, and to fence it in to block it from sight.

K. Semon stated all the rooms show an egress, but the two rear room egresses are not identified. Are there emergency exits?

R. Woodbeck said there are emergency exits. At this point Mr. Woodbeck approached the bench and discussed the egresses with Mr. Semon.

M. Carr inquired about the vegetation surrounding the play area.

R. Woodbeck said it is overgrown grass that needs to be weed wacked. He has walked it and plans on clearing it all out. Using different ground covers would help to eliminate potential problems i.e.: ticks.

R. Woodbeck stated he met with Joe Hildebrandt, Fire Safety Inspector, and he will be doing the actual inspection.

K. Semon asked how the suites are heated.

R. Woodbeck said there are two furnaces dedicated to his space. The owner will maintain them except for the annual services and changing of filters which Mr. Woodbeck will oversee. If in the future the furnaces need to be replaced then Mr. Woodbeck would take over ownership of the furnaces.

M. Carr asked if he has spoken to the other tenants and what, if any, are their comments/feedback on his project.

R. Woodbeck said the other tenants are positive about the new traffic that will generated by his project. There are some similar age groupings which might be advantageous for new business opportunities.

T. Bodden said this is a much better site than his first proposal. He is off a main street and more secluded.

K. Semon asked if he has spoken with the Burnt Hills-Ballston Lake School District since his facility will be located in the BHBL district.

R. Woodbeck responded he was not aware he would be located in the Burnt Hills district and that he would be contacting them.

J. Lippmann said the only concern she had was the dumpster due to its location

R. Woodbeck said that he would work with the owner to have another dumpster put in and put up an enclosure.

M. Carr indicated for the next meeting Mr. Woodbeck should have some type of plan regarding the dumpster.

MOTION

In the matter of the preliminary site plan review application by Ronold M. Woodbeck for the establishment of a day care center to occupy approximately 3,400 sq. ft. at Glenridge Plaza located at 15 Glenridge Road, the Planning and Zoning Commission finds that this application will not result in a significant potential adverse environmental impact. Consequently, the Planning and Zoning Commission hereby issues a negative declaration.

Reasons for this determination:

1. This is a better location than the previously proposed project with regard to being off-street and access to public water, sewer.

Motion

Moved by: M. Carr

Seconded by: T. Bodden

Ayes: 6 **Noes:** 0 **Absent:** 1

Motion Approved

MOTION

In the matter of the preliminary site plan review application by Ronold M. Woodbeck for the establishment of a day care center to occupy approximately 3,400 sq. ft. of the Glenridge Plaza located at 15 Glenridge Road, the PZC hereby conditionally approves the application.

The Commission hereby schedules a public hearing for July 10, 2017 to consider the final site plan review application for this particular project.

Conditions of preliminary approval are as follows:

1. Develop a plan for the enclosure of dumpsters

The Commission hereby schedules a public hearing for July 10, 2017 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for July 10, 2017, nine (9) copies of the revised site plan must be submitted to the Town of Glenville Planning Department no later than 14 calendar days prior to the public hearing date.

Motion

Moved by: M. Carr

Seconded by: K. Semon

Ayes: 6 **Noes:** 0 **Absent:** 1

Motion Approved

Prime Mohawk, LLC 45 Mohawk Avenue

SEQR Recommendation to the Glenville Town Board

Prime Mohawk is seeking to rezone a 84+ acre property at 45 Mohawk Avenue in Alplaus to Waterfront Planned Development District to allow for the development of a mixed use project that includes 160 condominiums, 37 townhouses, 31 single-family lots/homes, a clubhouse and pool, public playground, tennis court and basketball court, public boat launch access road, boat storage area, and gazebo and picnic area. The PZC is reviewing this application for the purposes of making a SEQR recommendation to the Town Board, who is seeking SEQR Lead Agency for the review of this proposal. The applicant has consented to a SEQR Positive Declaration and to preparing a Draft Environmental Impact Statement (DEIS).

M. Carr, PZC Chairman, addressed the audience to inform them tonight's goal is to recommend to the Town Board what the PZC feels they should do. As SEQR lead agency, it will be the Town Board who makes the ultimate decision on the project. There will be no action on the application tonight by the PZC; only a recommendation. It is not a public hearing, but he may allow a few questions.

Dean DeVito represented Prime Companies, a real estate development firm in the Capital Region. They have done approximately 2,500 luxury apartments and residential housing units in the Capital Region of which 900 have been waterfront development properties. Prime Companies has been in the real estate development business since 1987. Mr. DeVito handed out copies of a power point presentation to the Commission.

D. DeVito gave an overview of the Kivort property. It is approximately 85 acres. The process was started over a year ago regarding their plans. Currently, it is a brownfield site with a lot of environmental contamination. Over the last year they have done preliminary brownfield testing and have applied to the NYS Brownfield Tax Credit Program in order to get the area cleaned up. The concept is to take down the industrial buildings that are currently there. Also located on the site are a marina, rowing center and maritime center. They are working with the marina owners to relocate the buildings and storage area along with building a shop for the marina. The area is zoned Research/Development/Technology, Land Conservation, Riverfront Recreation and Commercial and Suburban Residential, which allow for a wide range of commercial uses.

After meeting with the Town, Prime met with Alplaus residents. The initial proposal was 390 luxury rental and/or for sale units. The residents had concerns with design of the buildings, the density of the project, traffic, and no dedicated for sale product. In September 2016, a second proposal showed the redesign of the buildings, 47 dedicated for sale units, addition of a public park, and a traffic study. Again, there were still objections, and additional environmental testing was performed. The current proposal has 228 units; 160 rental or for sale condos, 31 for sale single family and 37 townhouses, a pool & clubhouse for residents and a public area with tennis courts/basketball courts. Mr. DeVito also talked about extending the water from Alplaus Avenue to help with water quality and pressure. Benefits of this project include increased tax revenue, improved drinking water quality and environmental cleanup along the water.

M. Carr asked if we know the site's classification by DEC, is it a listed site? Are there spill numbers on it?

Melanie Osterhout, OSPA Engineering, stated there are spill numbers for the site but it is not a listed site.

M. Carr asked what contaminants are there; metals, PCBs and petroleum? He has concern with PCBs on site that the site is not listed.

M. Osterhout confirmed those are the contaminants.

M. Carr asked about the existing road. Are there any plans to upgrade the traffic infrastructure?

D. DeVito responded that they would have to do more traffic studies to see if mitigation would be necessary. The only improvement they have discussed at this time was running the water from Alplaus Avenue as there is concern regarding ground water quality.

K. Semon mentioned the first section of Maritime Drive, in the spring, gets inundated from the surrounding wetlands. It needs to be looked at.

M. Carr asked how the Maritime Center and Rowing Center would be affected.

D. DeVito responded they have met with Karen Dake, new owner of the Maritime Center, and she didn't have any major objections to the project. They discussed some landscaping buffers between the riverfront and her project.

M. Carr asked about access for the rowing club.

D. DeVito said the rowing club has a perpetual easement to the river and the plan is to keep it in place.

T. Bodden asked about the boat launch on the eastern side of the property and whether it is public or not.

D. DeVito said it is available to the public.

T. Bodden discussed the public park that is located in the middle of the project. He was wondering if it is to be used as an adjunct to river access. Would a fee be involved? Would the park be dedicated to the town?

M. Osterhout responded that is the plan and there might be a fee involved. She also noted there are two different public river access areas.

D. DeVito said they haven't worked out dedication to the town, but it's something they could do.

J. Lippmann had a question on the docks regarding who owns and operates them. Going forward the future docks and access should be shown on the plans.

D. DeVito said the marina leases the land and access from the Kivort family. The intention is to keep the relationship in place. Upgrading some of the docks may be done. It hasn't yet been established.

T. Bodden asked why is a public park being put in the middle of units that will be expensive? Are people going to want public access? That will be adding to traffic down the road of which there has already been concern. How do you regulate the park's hours or police it?

D. DeVito said it shouldn't be a problem.

K. Semon asked if the park is seen as a destination. He also wanted to know how long the rowing club's easement is. Will the rowing club be able to use the docks they have used in the past?

D. DeVito said yes, it would be viewed as a destination, while the clubhouse and pool are for the residents. He believed the easement is 80 feet.

Harry Darling, member of Burnt Hills Rowing Association (BHRA), stated the easement is 100 ft. and indicated the rowing club docks have nothing to do with the marina and are permitted separately with the Canal Corp. The docks length is 220 ft.

K. Semon said the submitted Environmental Assessment Form stated this would be done in phases.

D. DeVito responded they have not proposed any phases at this time, but they will have to at a future date.

T. Bodden asked how sure are you that the state will qualify this site for brownfield remediation?

D. DeVito responded there are levels that exceed the requirements and they are trying to get the site cleaned up for unrestricted residential use. It's the highest standard of clean up. It takes about 18 months from submission of application before clean up begins.

M. Tanner asked about parking. How are they going control access from public onto private area? How would you prohibit the public from using the resident pool?

D. DeVito said the other sites have signage put up. With regard to the pool, there is a lifeguard at the pool and users need to sign in.

T. Bodden inquired about the amount of impact on the rowing center and maritime center.

A discussion ensued regarding the rowing center and maritime center's described easements and leases and the ability to have access to the water. The number of proposed units with a road across the easement which will be more of a driveway than a road which will produce more traffic.

K. Semon suggested some type of handout should be made available to the public which would provide a timeline for the process on this project.

Bob Winchester, Alplaus resident, made two comments. He was wondering if the Commission would be making a recommendation to the Town Board without knowing what contamination is at the site.

M. Carr responded no, they are not making a recommendation without knowing what type of contamination is there and that he would be doing some of his own research. They are only making a recommendation to the Town Board, who is the legal entity, which will ultimately decide whether or not this project goes forward. The PZC will not be making that decision. There are enough concerns where the PZC feels the applicant needs to do a significant amount of work to show that their project will not be potentially adverse to human health or the environment.

K. Semon explained the process the Town Board will be taking to look at all of the environmental concerns before it even gets to a site plan.

Bob Winchester also brought up that Supervisor Koetzle had talked about a bike path and nothing was mentioned about the path at tonight's meeting.

M. Carr responded they are in the pre-initial stages. When the large projects come along, the landowners have rights to develop their property as long as they follow the correct procedures. If they get funding from the brownfield program, there will be plenty of opportunities for the public to make comments/inputs.

Bob C., Butterfield Avenue, Alplaus asked how many acres, of the 84, are intended for cleanup; the entire site or just the development portion?

D. DeVito stated any contamination on the site will have to be cleaned up.

M. Osterhout responded that if they get into the brownfield program, they will need to define the degree and extent of contamination on the site and must follow a process to clean it up. A lot of the site is wetlands and not impacted and that needs to be determined.

M. Carr also stated in conjunction with M. Osterhout's comments, there will need to be a determination with regard to the type of contaminants, how those contaminants move, and what sub-surfaces they will be dealing with. There are different types of technologies used to clean up the various contaminants.

M. Kroger spoke with regard to his property and the possibility of the re-zoning for the project site.

M. Carr said he understood his concern, but again this is only a recommendation.

MOTION

In the matter of the rezoning of the 84+ acre property at 45 Mohawk Avenue in Alplaus to Waterfront Planned Development District to allow for the development of a mixed use project that includes 160 condominiums, 37 townhouses, 31 single-family lots/homes, a clubhouse and pool, public playground, tennis court and basketball court, public boat launch access road, boat storage area, and gazebo and picnic area by Prime Mohawk, LLC, the PZC finds that this application will result in a significant potential adverse environmental impact. Consequently, the PZC recommends that the Town Board, as SEQRA lead agency, issue a positive declaration.

Reasons supporting recommendation:

1. Concerns with the types of contamination from the previous industrial use of the site
2. Development will be in a flood zone
3. Sewer extension – how will the waste be handled

4. Question as to the intensity of development along the river – storm water runoff, potential water quality of the Mohawk River.
5. Significant visual impacts along the river
6. Traffic – not only for rowing club/maritime center, significant traffic increases than what is presently there
7. Would like to see a phasing plan
8. Would like to see, at the expense of the applicant, informational material for the general public on the scoping session and the process so the residents of Glenville and Alplaus are aware of the process.

Motion

Moved by: M. Carr

Seconded by: T. Bodden

Ayes: 6 **Noes:** 0 **Absent:** 1

Motion Approved

With no further business the meeting was adjourned at 8:14 PM

Submitted by:

Lynn Walkuski, Stenographer

Linda C. Neals, Town Clerk