

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

June 8, 2020

Present: M. Carr, Chairman, J. Gibney, J. Lippmann, K. Semon
N. Brower Dobiesz, P. Ragucci, M. Tanner (via webinar)

Also

Attending: J. Pangburn, Building Inspector, L. Walkuski, Stenographer
A. Briscoe, Code Enforcement Officer, M. Burns, Planner I,
M. Cherubino, Dir. of Community Development, C. Heinel, Town Attorney (via
webinar)

Absent:

Meeting called to order at 7:07 P.M.

Motion to approve the Agenda

Moved by: K. Semon

Seconded by: J. Gibney

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

Motion to approve minutes from the May 11, 2020 meeting

Moved by: N. Brower Dobiesz

Seconded by: P. Ragucci

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

**MAG Land Development, LLC
233 Saratoga Road**

**Public Hearing & Final
Site Plan**

The proposed Site Plan includes demolition of the existing three (3) unit apartment building and construction of a 3,500 square foot medical (urgent care) office building with off-street parking, landscaping, etc. An Area Variance to reduce the required buffer between an existing residential property and a commercial property was granted on April 27, 2020 by the Glenville Zoning Board of Appeals. The 0.68 +/- acre parcel (SBL#: 22.11-3-17.11) is located within the CB Community Business and Town Center Overlay zoning districts.

Jamie Easton, MJ Engineering, was present via webinar.

J. Easton gave an overview of the project. The property is zoned Community Business and the proposal is for a 3,500 sq. ft. Wellnow urgent care. They are in receipt of comment letters from both the Town of Glenville Economic Development Department and Building Department dated 6/5/20 and Lansing Engineering dated 6/8/20. An updated site plan was submitted to the Commission based on those comment letters. A new site plan showing the relocation of the dumpster, from the north to the south, was also submitted to the Commission based on comments from last month's meeting. Movement of the dumpster to the southern part will have an effect on the pick up times for emptying the dumpster. This is due to the need for the gate to be opened without interfering with a vehicle being parked in the spaces next to the dumpster. The northern location allows for the garbage to be picked up at anytime of the day. Additionally, revised elevation drawings have also been submitted showing the changes in the exterior red color on the metal paneled aluminum frame awning and prefinished metal coping to a colonial red.

M. Carr asked if they have received a positive DOT response.

J. Easton replied they have received a positive response and they have submitted their Stage 2 application.

M. Carr inquired if they are set with the town designated engineer's comments.

J. Easton said the comments are minor and will not change the design of the plan.

M. Carr asked if the applicant is proposing an 8-foot high fence along the rear of the property.

J. Easton responded the 8-foot fence will run from the west side of the property to the north side of the property where the dumpster will be enclosed.

M. Carr asked if the traffic light will need to be re-timed.

J. Easton said yes, the signal will be re-timed depending upon what NYS DOT wants.

M. Carr asked for a review of the water and sewer laterals.

J. Easton replied the water is under the sidewalk on their property side. A 1" copper line will be servicing the building. The sewer is also on their property and will connect into the existing trunk line. A 6" lateral line, by code, will be utilized.

A discussion took place regarding the dumpster location and keeping it in the original proposed northern area. It was asked if there would be a vegetative buffer for the dumpster. Although there are no plans currently to have a vegetative buffer, they would agree to some plantings to soften the area.

At this time Chairman Carr opened the public hearing.

Bonnie Gagnon, 27 Cherry Lane, commented that she is not ok with the northern location of the dumpster. She has concerns with the smell, noise and lack of upkeep of the area. Has had many problems in the past with the current owners and A. Briscoe is aware of these problems. Why can't the dumpster be in the same location as it is now next to a commercial property?

M. Carr asked if the dumpster could be moved closer to Route 50, and if the existing fence is an 8-foot fence or will a new fence be installed.

J. Easton said they could slide the dumpster about 5 feet closer to Route 50. The fence will be brand new. The existing dumpster is located on the left-hand side on the southern side.

M. Carr addressed the resident's concerns about the smells, saying the bulk of the garbage will be office type materials. Medical waste cannot be disposed of in a dumpster as it has to be disposed of off-site. J. Easton agreed with these comments.

A discussion took place regarding the regulating and development of this commercial area along Route 50 and the location of the resident's property.

M. Carr stated to Ms. Gagnon that a new 8-foot high fence will be installed along the rear portion of the property, including the point area next to Payprep and as well as the western border. The waste will not be organic in nature and any medical waste needs to be disposed of through a licensed medical hauler.

Another discussion took place regarding the fence along the Payprep area.

Additional conversation took place regarding movement of the dumpster to the southern area and the distances from other resident's homes to the dumpster. J. Easton said Ms. Gagnon's pool is approximately 150 feet from the dumpster when located on the north side.

J. Easton said the Purdy's own the property, but once there is a site plan approval, MAG Land Development will then own the property.

A. Briscoe stated that he has had issues with the tenants that were renting the property. The tenants failed to maintain the property, and there were problems with the fence.

M. Carr addressed Ms. Gagnon's comment *"This location is better for who?"* The location is next to a commercial property, the applicant has agreed to move the dumpster closer to Route 50, the applicant is

also installing a new 8-foot high stockade fence, and including some vegetative buffer. If any problems occur in the future, there are mechanisms in place to address those problems.

M. Burns also mentioned that the dumpster is within an enclosure with a gate for security purposes. The new drawing with the dumpster moved to the south shows the distance from the dumpster to other neighboring houses. Moving it actually decreases the dimensions from 150 feet at the north location, to a lesser amount resulting in transferring the problem to two other property owners.

With no other comments from the floor, the public hearing was closed.

MOTION

In the matter of the final site plan review application by MAG Land Development, LLC for the demolition of the existing three-unit apartment building and construction of a 3,500 sq. ft. urgent care office building with off-street parking, located at 233 Saratoga Road, the Planning and Zoning Commission hereby conditionally approves the application. The Commission's decision is based upon the following findings:

1. The proposed use does conform to other applicable provisions of the Zoning Ordinance, including, but not limited to, landscaping requirements, building design, off-street parking requirements, building setbacks, fence requirements, sign regulations, storm water management and erosion control requirements, etc.
2. The proposed use does exhibit adequate and logical vehicular access and circulation, including intersections, road widths, curbing, and traffic controls.
3. The proposed use does exhibit satisfactory pedestrian and bicycle access and circulation, including separation of pedestrian traffic from automobile traffic, the placement and usefulness of on-site sidewalks and walkways, the accommodation for pedestrians at adjacent street intersections, and overall pedestrian and bicyclist safety and convenience.
4. The proposed use does exhibit adequate and logical location, arrangement, and setting of off-street parking and loading areas.
5. The proposed use does exhibit adequate and logical placement, arrangement, size, and design of buildings, lighting, and signs.
6. The proposed use does provide for the adequate type and arrangement of trees, shrubs, and other landscaping elements, as they relate to visual and noise buffering of adjacent sites and the reduction of visual impacts from the street.
7. The proposed use does demonstrate adequate provisions for the collection and/or disposal of storm water, sanitary waste, and garbage.
8. The proposed use will allow for adequate on-site snow plowing and snow storage.

9. The proposed use does demonstrate adequacy and durability of structures, roadways, utilities, and landscaping in areas with moderate to high susceptibility to flooding, ponding, and/or erosion.
10. The proposed use does retain existing trees and vegetation for aesthetic reasons, and minimize soil erosion and siltation.
11. The proposed use does protect adjacent properties against noise, glare, light pollution, odors, litter, unsightliness, or other objectionable features.
12. The proposed use does provide suitable open space for buffering and/or recreation purposes.

Conditions of Approval:

1. The applicant is to take into account the town's designated engineer's June 8, 2020 comment letter as well as any comments from the Town of Glenville's Economic Planning and Development and Building Departments' letter dated June 5, 2020.
2. The applicant has agreed to move the dumpster, as it's currently depicted on the site plan, 5 feet closer to Route 50.
3. The applicant has agreed to install an eight-foot high stockade fence along the entire length of the rear of the property as well as along the portion that is adjacent to 27 Cherry Lane.

Motion

Moved by: M. Carr

Seconded by: K. Semon

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

Motion Approved

**West Glenville Self-Storage
Amsterdam Road**

**Public Hearing & Final
Site Plan**

MSV Holdings, LLC, has applied for Site Plan approval to construct a Self-storage facility on a 2.4+/- acre vacant lot (SBL#: 12.2-2-18) along Amsterdam Road (NYS Route 5). The Glenville Town Board approved a Storage Overlay district for the parcel. The Site Plan includes 170 storage units in 5 structures, on-site stormwater management facilities, fencing, landscaping and new commercial drive providing access/egress from Amsterdam Road. The parcel is located within a Storage Overlay district and HC Highway Commercial zoning district.

Brian Sipperly, MSV Holdings, LLC was present via webinar.

B. Sipperly gave a quick recap of the project. They are located on the north side of Amsterdam Road directly north of Bennett Trailer. The parcel is about 2.4-acres, undeveloped, with approximately 430' of frontage on Route 5. There is a general sloping topography from the SW to the NE. The parcel is absent of any water bodies, is not in the flood plain, and there are no easements or encumbrances for the

site. The proposal is for 25,000 sq. ft. of non-climate controlled self-storage made up of 5 buildings (3 buildings sized at 30' x 250' and 2 buildings sized at 20' x 110' and 20' x 140' respectively). The facility will be unmanned and perimeter gated with secured access. Lighting is minimal with 4 poles at 15 feet and with the balance of the lighting being wall-mounted LED downcast fixtures. Disturbance is greater than 1-acre so a SWPPP will be required. A new curb cut is being proposed so a NYS DOT highway work permit will be required. Hours of operation are 6:00AM – 10:00PM daily, 24-hour access on a case-by-case only. The applicant has received notification from NYS DEC, and has submitted the same to the Commission, pertaining to the location of the wetland line for the parcel to the north, which affects the location of the 100-foot wetland buffer and that buffer is the zoning line between Highway Commercial and Land Conservation.

M. Carr read the following from the NYSDEC letter dated 6/4/20:

“This verification was requested in relation to a planned storage facility project. A small portion of the project property contain regulated adjacent area associated with New York State Regulated Freshwater Wetland P-11. Based on the information reviewed above, this delineation was determined to be correct and will be considered fixed for a 5-year time period from the date of verification (August 4, 2016) in accordance with NYSDEC Policy Memorandum FW 87-1.

You also confirmed that no regulated activities would occur within regulated adjacent area onsite. As a reminder, any spoil material resulting from project implementation should be properly disposed of at least 100 ft. from any wetland, watercourse or floodplain.”

M. Carr stated the applicant will need a Stormwater Pollution Prevention Plan (SWPPP) and a NYSDOT permit for the proposed curb cut.

B. Sipperly said both will be required.

M. Carr asked the applicant to discuss stormwater management.

B. Sipperly said the plans show the easterly side of the site has two pond areas reserved for stormwater management. One is a pre-treatment pond and the other is an infiltration pond. More information will be included in the SWPPP.

M. Carr asked if there are any restrictions on what may be stored in the storage units. He also asked if the units are on a concrete slab.

B. Sipperly replied there will be restrictions, and those restrictions will be included in the rental agreement. No pesticides, fertilizers or chemicals will be allowed. The units will be on a slab.

A discussion took place regarding the landscaping on the western side of the parcel. The applicant said they will work with M. Burns to determine what will work best there and to possibly include a berm. Also discussed was the inclusion of an increased number of street trees as indicated in Item #6 of memo dated 6/8/20 from the staff of the Economic Development & Planning and Building Departments.

M. Carr asked if the applicant has modified the full environmental assessment form (FEAF) to correctly show the number of buildings and non-use of solar.

B. Sipperly stated their plan, upon receipt of the survey, will be finalized and submitted with the updated FEAF as one packet to the town. The updated plan will include the culvert and drainage information, signage, the revised landscaping, and a note on solar (for future use).

J. Lippmann asked if the SWPPP has been reviewed.

M. Burns said once the town receives the SWPPP and receives money for the escrow account it will be reviewed, but it hasn't been done yet.

At this time Chairman Carr opened the public hearing. With no comments from the floor, the public hearing was closed.

MOTION

In the matter of the final site plan review application by West Glenville Self-Storage (MSV Holdings, LLC) for the construction of a self-storage facility along Amsterdam Road, the Planning and Zoning Commission hereby conditionally approves the application. The Commission's decision is based upon the following findings:

1. The proposed use does conform to other applicable provisions of the Zoning Ordinance, including, but not limited to, landscaping requirements, building design, off-street parking requirements, building setbacks, fence requirements, sign regulations, storm water management and erosion control requirements, etc.
2. The proposed use does exhibit adequate and logical vehicular access and circulation, including intersections, road widths, curbing, and traffic controls.
3. The proposed use does exhibit satisfactory pedestrian and bicycle access and circulation, including separation of pedestrian traffic from automobile traffic, the placement and usefulness of on-site sidewalks and walkways, the accommodation for pedestrians at adjacent street intersections, and overall pedestrian and bicyclist safety and convenience.
4. The proposed use does exhibit adequate and logical location, arrangement, and setting of off-street parking and loading areas.
5. The proposed use does exhibit adequate and logical placement, arrangement, size, and design of buildings, lighting, and signs.
6. The proposed use does provide for the adequate type and arrangement of trees, shrubs, and other landscaping elements, as they relate to visual and noise buffering of adjacent sites and the reduction of visual impacts from the street.

7. The proposed use does demonstrate adequate provisions for the collection and/or disposal of storm water, sanitary waste, and garbage.
8. The proposed use will allow for adequate on-site snow plowing and snow storage.
9. The proposed use does demonstrate adequacy and durability of structures, roadways, utilities, and landscaping in areas with moderate to high susceptibility to flooding, ponding, and/or erosion.
10. The proposed use does retain existing trees and vegetation for aesthetic reasons, and minimize soil erosion and siltation.
11. The proposed use does protect adjacent properties against noise, glare, light pollution, odors, litter, unsightliness, or other objectionable features.
12. The proposed use does provide suitable open space for buffering and/or recreation purposes.

Conditions of Approval:

1. Adherence to comments from New York State Department of Environmental Conservation contained within letter regarding Wetland Verification, June 4, 2020.
2. Complete and secure New York State Department of Transportation - Highway Work Permit.
3. Complete review and approval of a Stormwater Pollution Prevention Plan (SWPPP) by Town's Designated Engineer (TDE).
4. No land disturbance shall commence or Building Permit be issued until a Notice of Intent has been approved by Glenville's Stormwater Management Office and letter received from NYS DEC acknowledging coverage under the National Permit.
5. All site lighting (building mounted and pole mounted) shall include night-sky optics and shields as necessary.
6. Landscaping Plan shall be revised to included street trees at an interval of one (1) per thirty (30) feet of road frontage. Fourteen (14) trees should be shown on the final site plan. Furthermore, it is recommended that a small berm (2-4 feet) be placed along the west property line between the single-family dwelling and storage units, topped with 4- 5-foot-tall, evergreen tree species to provide better screening.
7. Signage shall be added to the Final Site Plan.
8. Obtain comments from the Beukendaal Fire Department and incorporate into the Final Site Plan.

Motion

Moved by: M. Carr

Seconded by: K. Semon

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

**Full Throttle Repair Shop
6401 Amsterdam Road**

**Public Hearing & Final
Site Plan**

An application for Site Plan approval has been received from Brooke & Christopher LaPorte to construct a 1,200 square foot small engine repair shop on the 1.33-acre vacant property (SBL #: 12.02-1-6), once occupied by a single-family dwelling. The Site Plan depicts the location of an existing drilled well, landscaping, driveway, four (4) space parking area, proposed building footprint and on-site wastewater disposal system. The parcel is located within the HC Highway Commercial zoning district.

Chris Longo, Empire Engineering, was present via webinar.

C. Longo mentioned that this application was before the Commission at the May meeting. The majority of the comments at that meeting regarded the septic system, solvents, fluids for repair, and outside storage. A perc test was conducted on site and witnessed by A. Briscoe and although the soil is suitable, an alternative plan was devised for the septic. The new proposal is to take the existing soils and fill in where the previous owner was to have a walk-out basement and bring in suitable sand which will be easier to construct the septic. They are waiting for a response from NYS DOT on the highway work permit, but said DOT won't go any further until they see a final site plan approval. With regard to the buffer, there is an existing hedgerow along the east side of the property that will remain. Suggestions that were made regarding the storage of fluids will be incorporated. He's not sure if there will be enough solid wastes for a dumpster but there will be containers. No vehicles, machines, or parts will be stored outside. A sign permit will be obtained for signage and lighting will consist of wall packs along the west and northern side of the building. They did receive the suggested conditions memo dated 6/8/20 from the Economic Development & Planning and Building Departments and saw no issues.

M. Carr read the following conditions from the 6/8/20 memo:

- *"Approval is specifically granted for small engine repair. Automotive repair(s) are prohibited.*
- *Complete and secure New York State Department of Transportation - Highway Work Permit.*
- *Stormwater Best Management Practices shall be employed for storage of materials (solvent, cleansers, lubricant, fuels, etc.) to prohibit contact with precipitation.*
- *Materials shall be stored within the enclosed building. Any outdoor storage shall be added to the Final Site Plan and approved by the Planning and Zoning Commission.*
- *No building floor drains shall be permitted.*
- *The location of trash dumpster shall be shown on the Final Site Plan along with specifications for the required enclosure.*
- *All site lighting (building mounted and pole mounted) shall include night-sky optics and shields as necessary. Lighting shall not cast glare on adjacent properties or NYS Route 5 (Amsterdam Road).*
- *All existing landscaping shall be maintained in good health between NYS Route 5 and the neighboring residential properties. Dead and dying species shall be promptly replaced.*
- *Obtain permit from Glenville Building Department for on-site wastewater disposal system.*
- *Signage shall be added to the Final Site Plan. The location and associated specifications for all signage must be included. A sign permit will be required.*
- *Comments from the Beukendaal Fire Department shall be incorporated into the Final Site Plan."*

M. Carr also stated the applicant should be providing the Beukendaal Fire Department with a list of materials that will be stored there.

K. Semon stated the applicant mentioned there is a business in the garage to the east. What is type of business is it?

C. LaPorte, the applicant, said the business is a “healing studio” per his neighbor i.e. yoga, etc. The hedgerow along that side will not be touched, as it was agreed to between the neighbors, along with any of the plantings the neighbor had installed.

M. Carr asked if C. LaPorte had any issues with the 6/8/20 memo.

C. LaPorte said he doesn’t have any issues however he did mention that they plan to winterize and store boats on the property. He said that the number of boats stored would be approximately 10 and their size would be 20-25 feet. The additional gravel that would be added is on the other side of the repair shop on the property backing up to the motorcycle club.

A discussion took place about boat storage, and if the current zoning allows for boat storage. It was determined that the applicant would need to apply for a special use permit before the town board. M. Burns stated that the outdoor storage that was reviewed was for the storage of materials for the small engine repair shop not the storage of boats.

M. Carr read the following:

“Storage Overlay District -Section 270-24.1C

- *The intent of this subsection is to accommodate storage of automobiles associated with automobile dealerships, automobile towing operations and automobile rental operations and provide for self-storage. However, in accommodating such activities, it is the intent that there be no appreciable degradation of the character of the surrounding neighborhoods in which these activities occur.*
- *The implementation of this district shall be established as an overlay district which imposes additional criteria on the underlying zoning districts. The overlay district shall be a floating zone in the HC District as additional permitted uses provided the following conditions are met herein.*
- *Specific regulations. Storage of automobiles for automobile dealerships, automobile towing operations, automobile rental operations, and self-storage are permitted by site plan review in the HC District as detailed in Article XVI of this chapter, provided the use meets all of the following conditions:*
- *Lot requirements. The site shall be a minimum of one acre, shall not be located in a floodplain or flood-prone area as defined by Chapter 151, Flood Damage Prevention, and shall not take primary access, nor provide for deliveries, from a predominantly residential street.*
- *With the exception of automobile dealerships where vehicles are parked on the sales lot, parking lots will not be used to display vehicles for sale.*
- *For self-storage uses, all storage shall be inside a building.”*

M. Burns pointed out, as well as A. Briscoe, that the Storage Overlay District is handled by the town board. The use that they are looking at tonight falls into the category of “general services” which is allowed in the underlying zoning of Highway Commercial (HC). The HC district doesn’t indicate that

storage of RVs, boats, etc. is allowed. This is something new and should not be approved as part of this application. It is a separate event.

M. Carr said the storage of boats is addressed in the Empire Engineering memo dated 5/30/20, but if that is the case, then the applicant will need to re-apply for that use.

C. Heinel said the final approval should be explicit in that the board is not granting approval for the storage of boats and that would need to be approved at a later time in a separate action.

J. Lippmann said she still has concerns with the 12' wide driveway. She feels that this business can become more intensive and will warrant a wider driveway. Issues can arise with a customer leaving and a customer trying to come in off Route 5 possibly holding up traffic. She would recommend the widening of the driveway. NYS DOT may also recommend the expansion of the driveway. The issue is this is a site plan review of a commercial business and she is not aware of any other commercial business that has been approved with a one-way in/out where ingress/egress is sharing the same 12' driveway. The existing driveway was practical for a residential use, but this is a commercial business.

C. LaPorte agreed that if he needs to widen the driveway that he would.

A discussion took place if it would be acceptable for the Commission to approve this application with deferring to NYS DOT for acceptance of the driveway width. It was determined that it would be acceptable.

At this time Chairman Carr opened the public hearing. With no comments from the floor, the public hearing was closed.

MOTION

In the matter of the final site plan review application by Full Throttle Repair Shop for the construction of a 1,200 sq. ft. small engine repair shop on a 1.33-acre vacant property, once occupied by a single-family dwelling, located at 6401 Amsterdam Road, the Planning and Zoning Commission hereby conditionally approves the application. The Commission's decision is based upon the following findings:

1. The proposed use does conform to other applicable provisions of the Zoning Ordinance, including, but not limited to, landscaping requirements, building design, off-street parking requirements, building setbacks, fence requirements, sign regulations, storm water management and erosion control requirements, etc.
2. The proposed use does exhibit adequate and logical vehicular access and circulation, including intersections, road widths, curbing, and traffic controls.
3. The proposed use does exhibit satisfactory pedestrian and bicycle access and circulation, including separation of pedestrian traffic from automobile traffic, the placement and usefulness of on-site sidewalks and walkways, the accommodation for pedestrians at adjacent street intersections, and overall pedestrian and bicyclist safety and convenience.

4. The proposed use does exhibit adequate and logical location, arrangement, and setting of off-street parking and loading areas.
5. The proposed use does exhibit adequate and logical placement, arrangement, size, and design of buildings, lighting, and signs.
6. The proposed use does provide for the adequate type and arrangement of trees, shrubs, and other landscaping elements, as they relate to visual and noise buffering of adjacent sites and the reduction of visual impacts from the street.
7. The proposed use does demonstrate adequate provisions for the collection and/or disposal of storm water, sanitary waste, and garbage.
8. The proposed use will allow for adequate on-site snow plowing and snow storage.
9. The proposed use does demonstrate adequacy and durability of structures, roadways, utilities, and landscaping in areas with moderate to high susceptibility to flooding, ponding, and/or erosion.
10. The proposed use does retain existing trees and vegetation for aesthetic reasons, and minimize soil erosion and siltation.
11. The proposed use does protect adjacent properties against noise, glare, light pollution, odors, litter, unsightliness, or other objectionable features.
12. The proposed use does provide suitable open space for buffering and/or recreation purposes.

Conditions of Approval:

1. Approval is specifically granted for small engine repair. Automotive repair(s) are prohibited.
2. Complete and secure New York State Department of Transportation - Highway Work Permit.
3. Stormwater Best Management Practices shall be employed for storage of materials (solvent, cleansers, lubricant, fuels, etc.) to prohibit contact with precipitation. Materials are to be stored on an impervious surface and are to be inspected on a regular basis.
4. Materials shall be stored within the enclosed building. Any outdoor storage shall be added to the Final Site Plan and approved by the Planning and Zoning Commission.
5. No building floor drains shall be permitted.
6. The location of trash dumpster shall be shown on the Final Site Plan along with specifications for the required enclosure.
7. All site lighting (building mounted and pole mounted) shall include night-sky optics and shields as necessary. Lighting shall not cast glare on adjacent properties or NYS Route 5 (Amsterdam Road).
8. All existing landscaping shall be maintained in good health between NYS Route 5 and the neighboring residential properties. Dead and dying species shall be promptly replaced.
9. Obtain permit from Glenville Building Department for on-site wastewater disposal system.

10. Signage shall be added to the Final Site Plan. The location and associated specifications for all signage must be included. A sign permit will be required.
11. Comments from the Beukendaal Fire Department shall be incorporated into the Final Site Plan. Include a list of any chemicals or potentially hazardous substances to the Beukendaal Fire Department in case the fire department needs to respond to that location.
12. Boat storage is not allowed with this approval. If the applicant chooses to store boats on the parcel, they will need to obtain a separate approval.
13. The applicant has agreed to construct the 24' driveway (entrance way) to minimize any issue with vehicles entering or leaving the property at the same time.

Motion

Moved by: M. Carr

Seconded by: J. Lippmann

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

Kevin Kuebler
81 Maple Ave

Preliminary Subdivision Review

This application is proposing to subdivide approximately 1.06 +/- acres in the southeastern portion from a 5.31 +/- acre parcel owned by L. Oshelski-Bacchia on Maple Avenue SBL# 22.-1-17. The applicant's intention is to clear approximately ½ acre of land to build a small modular home (approx. 2,000 sq. ft.) with full foundation and driveway. Applicant stated he will be looking to obtain Glenville permits for water, sanitary sewer, and building, Schenectady County Department of Engineering and Public Works for driveway and culvert."

K. Kuebler, the applicant, was present via webinar.

K. Kuebler said that he wants to build a modular home. He understands that he needs to obtain some historical information to see if a Phase I is necessary. The site has a NYS Education historical marker.

M. Carr said Maple Ave. is a county highway and the applicant will need a highway permit for the curb-cut. He also inquired about the steep grade of the parcel and the swale on the west side of the parcel. He also asked if the house will have a full basement.

K. Kuebler responded that he is aware of obtaining the permit, that there will be a commercial grade culvert; drainage and erosion is definitely a foreseeable issue. The house will have a full basement.

M. Carr said the Commission will be looking for a statement from the property owner that this will be the only subdivision for the next 2 years. He asked if the applicant had a copy of the 6/8/20 memo from M. Burns and if he was ok with the items listed.

K. Kuebler said he does have the memo and he is ok with the items.

M. Burns said that the forms were submitted electronically to NYS SHPO, the forms were accepted, and we are waiting for their reply.

A conversation took place regarding the “covered area” on the site plan. The surveyor will be contacted to confirm what it actually is.

A discussion took place as to the soil type on the parcel. Some type of sediment erosion plan will be needed so the drainage swale or other structures are not filled with dirt.

MOTION

In the matter of the preliminary minor subdivision review by Kevin Kuebler for the subdivision of approximately 1-acre of the southeastern portion from a 5.3-acre parcel owned by L. Bacchia located at 81 Maple Avenue, 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.

Motion

Moved by: M. Carr

Seconded by: K. Semon

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

MOTION

In the matter of the preliminary minor subdivision application by Kevin Kuebler for a one lot subdivision located at 81 Maple Avenue, the Planning and Zoning Commission hereby conditionally approves the preliminary application.

Conditions of preliminary subdivision approval are as follows:

1. The applicant is to obtain a response from NYS Office of Parks, Recreation and Historic Preservation regarding the parcel.
2. The applicant will need to secure a highway work permit from the Schenectady County Department of Engineering and Public Works.
3. Land disturbance is only 0.5-acres therefore a SWPPP is not required. However, given the sand on-site soils and slope of project site, a basic Sedimentation and Erosion Control plan is required. Stormwater Best Management Practices shall be employed to prohibit runoff and sediment from entering the stream, stream culvert, drainage ditch, and roadway surface from driveway.
4. A fifty (50) foot stream buffer must be maintained between the disturbed areas of the site and the top of stream bank per Glenville stormwater management regulations.
5. Apply for a building permit from the Glenville Building Department for construction of the single-family dwelling.
6. Apply for a residential sewer permit from the Glenville Department of Public Works. All improvements must comply with Town of Glenville specifications. Grinder pump shall be owned and maintained by the property owner.
7. Apply for a residential water permit from the Glenville Department of Public Works. All improvements must comply with Town of Glenville specifications.
8. Obtain “street address.”

9. Confirmation from the existing land owner that this is the only subdivision from this parcel.
10. Identification of the “covered area” listed on the site plans.

The commission hereby schedules a public hearing for 7/13/20 to consider the final minor subdivision application. However, in order for the Commission to schedule a public hearing for 7/13/20, nine (9) copies of the revised subdivision map and/or requested information must be submitted to the Town of Glenville Planning Department no later than 14 calendar days prior to the public hearing.

Motion

Moved by: M. Carr

Seconded by: K. Semon

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

Dr. Karamdeep Singh
170 Saratoga Road

Preliminary Site Plan Review

This application is for the construction of two buildings; a one-story 6,000+/- sq. ft. office building for a dental office and professional tenants and a 1,210 +/- sq. ft. two-story, mixed-use building for office space and one apartment unit on the second floor. Additionally, a proposed new 27 space parking lot will be built to serve both the office & mixed-use buildings. This parcel is approximately 0.78+/- acres and located on the southeast corner of Saratoga Road and Lincoln Drive and is zoned Professional Residential.

Dave Kimmer, ABD Engineering, was present via webinar.

D. Kimmer said that Dr. Singh operated a dentist office with a second story apartment above it. Two parking areas were located off Lincoln Drive; the main entrance and also a small curb-cut with a driveway that serviced the apartment. A fire damaged the building at the end of 2019. The applicant is looking to redo the entire site by demolishing the existing building and constructing a 6,000 sq. ft. one-story building housing the dental practice (approx. 2,500 sq. ft.) and balance will be for rental to another professional business. A secondary mixed-use building will be built on the east side of the site, with offices on the first floor and an apartment on the second floor. The parking lot will be redeveloped with the main entrance still being on Lincoln Dr., but planning on using the existing curb-cut on Route 50 as a one-way entrance. An area variance is being requested due to the front yard setback for parking.

M. Carr stated he has an aggressive plan significantly increasing the size of professional office space along with a two-story mixed-use building. The parking lot is greatly increasing the impervious area in a residential area. Serious consideration should be given to this size of development's impact. His understanding is the DOT wants the curb-cut on Route 50 closed.

D. Kimmer replied his has not received anything in writing from DOT stating the closure however, the driveway meets the standards for a one-way commercial driveway entrance. He stated he received a Town of Glenville traffic study.

M. Burns said there is internal communication between the town's staff and DOT. This is done on a regular basis. Added to that communication are coordinated reviews for unlisted actions where we feel

permits may be required from other involved or interested agencies. DOT responded in an email that they prefer that the PZC consider closing that curb-cut.

M. Carr read the following DOT email from Kristina Crowley, P.E., Regional Permit Engineer, NYSDOT, Region 1, 50 Wolf Road into the record:

“Given that this property has alternate access to a public street, Lincoln Drive, we are not required to provide access. We would appreciate that a condition of the Town’s site plan review and approval, that any existing access to Route 50 be closed – to do this, a highway work permit would be needed (perm33) detailing the closure (e.g. removal of culvert pipe and pavement). This permit application may be submitted to the Schenectady Co Residency for review and approval. If you have any questions, please let me know.”

M. Carr asked if there is any idea of what will be going into the professional spaces.

D. Kimmer replied there is no prospective tenant, but any use that is allowed.

M. Burns stated that the “Professional/Residential” zoning does allow for a maximum 6,000 sq. ft. in one building. The problem is when you put that much footage on the property the code also requires a certain number of parking spaces to be allocated, which results in it extending into the front yard.

J. Lippmann mentioned the 10-foot separation distance will require a more robust building construction due to a normal fire separation distance of 30 feet.

M. Carr asked for the applicant to address stormwater management due to the increased impervious surface.

D. Kimmer replied they are relying on sheet flow and utilizing the existing drainage swales.

A discussion should take place regarding the additional runoff. With the increased impervious area, there will be additional run-off and that won’t be able to be sheet flow over onto Lincoln Dr. or Route 50. The applicant should look at some type of infiltration system.

M. Carr asked what will these buildings look like. The Commission would like to see them.

D. Kimmer said they will be submitting drawings.

J. Lippmann said that pedestrian walkways are missing from the site plans.

D. Kimmer said they are proposing a bike rack.

A discussion took place about the future installation of sidewalks.

J. Lippmann stated the town code does give the PZC the ability to require an applicant to install sidewalks from property line to property line. Due to the location near Town Center it is something she would like to see.

M. Burns said they were looking for an indication from the applicant that he would be willing to consider future sidewalks within the Route 50 right-of-way. Indications should be made on the site plans and the discussion of an escrow account for future installation was discussed.

M. Carr asked if the applicant would be willing to consider an 8-foot fence instead of a 6-foot fence between the project and the Campisi property.

D. Kimmer said they would consider it with additional landscaping.

K. Semon said he has misgivings about the location of the fence. The fence should not be along the resident's driveway. His recommendation is the fence should be moved further onto the applicant's property.

D. Kimmer said they would like to see the curb-cut remain on Route 50.

Another discussion took place regarding the DOT comments.

M. Carr said for the record they do want to see the property redeveloped.

MOTION

The Glenville Planning and Zoning Commission declares itself the SEQRA lead agency in this application. In the matter of the preliminary site plan application by Dr. Karamdeep Singh for the construction of two buildings; a one-story 6,000+/- sq. ft. office building for a dental office and professional tenants and a 1,210 +/- sq. ft. two-story, mixed-use building for office space and one apartment unit on the second floor located at 170 Saratoga 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 and this is an unlisted action.

Motion

Moved by: M. Carr

Seconded by: J. Lippmann

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

A motion was started for the preliminary site plan review however, it was determined that this application needs to first appear before the Zoning Board of Appeals for approval of an area variance to allow the parking lot to expand into the 25-foot setback.

A discussion took place as why the applicant needs to apply for an area variance. It was stated that the applicant is exceeding the one-time 10% increase allowed with their current proposal.

MOTION

The Planning and Zoning Commission recommends that the Zoning Board of Appeals approve the area variance submitted by Dr. Karamdeep Singh for the project located at 170 Saratoga Road, to allow on-site vehicular parking to be located within 25-feet to an existing street right-of-way. Reasons for this request are that the existing parking lot is non-conforming and the small size of the lot to effectively place a multi-use building and appropriate parking.

Motion

Moved by: M. Carr

Seconded by: P. Ragucci

Ayes: 7 **Noes:** 0 **Absent:** 0

Motion Approved

A discussion took place regarding the amount and size of this development for this sized lot. Something to consider would be the amount of green space.

With no further business the meeting was adjourned at 10:05 P.M.

Lynn Walkuski
Stenographer

Linda Neals
Town Clerk