

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

August 9, 2021

Present: M. Carr, Chairman, J. Gibney, N. Brower Dobiesz, J. Lippmann,
P. Ragucci, K. Semon

Also

Attending: A. Briscoe, Code Enforcement Officer, C. Heinel, Town Attorney,
L. Walkuski, Stenographer

Absent: M. Tanner

Meeting called to order at 7:02PM

Motion to approve the Agenda

Moved by: J. Gibney

Seconded by: N. Brower Dobiesz

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

Motion Approved

Motion to approve minutes from the July 12, 2021 meeting

Moved by: N. Brower Dobiesz

Seconded by: P. Ragucci

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

Motion Approved

**Miracle View Professional Offices
65 & 69 Saratoga Road**

**Public Hearing
Final Site Plan Review**

This application features two (2) 6,000 sq. ft. professional office buildings, associated parking, stormwater management practices, utility connections and landscaping located at 65 & 69 Saratoga Road. Also included is a 22,077 +/- sq. ft. lot for future single-family home construction. The applicant has received an area variance to expand parking into the Suburban Residential portion of this parcel to accommodate the two professional office buildings. The project site is zoned SR Suburban Residential and PR Professional Residential.

Ron Bova, Bova Engineering, was present.

R. Bova stated that he has made several concessions during the approval process for this application. The most recent was the removal of the commercial access off Miracle Lane. Also, to be noted is that the first floor of both of the commercial buildings is situated into the slope, more than 50% of the first floor is below grade. The single-family lot proposed to the west of the commercial development is zoned Suburban Residential and will also act as a buffer between the commercial project and the Return subdivision. The front portion of the property from the north border to the right-of-way of Miracle Lane is zoned Professional Residential. He recently received approval from the Zoning Board of Appeals to place parking in part of the suburban residential zone.

M. Carr reiterated there will be no commercial access on Miracle Lane. He also asked the applicant to revisit the Return signage and easement.

R. Bova replied the landscaping and signage is staying as it is now. An easement will be provided to the town for maintenance.

M. Carr said the building square footage issue has been resolved.

J. Lippmann inquired as to whether more trees could be added for the landscaping buffer along Miracle Lane. Would it be possible to provide a more deer resistant vegetation other than arborvitae?

R. Bova responded all the utilities are located in a 40" trench and that is shown on the site plan. It is not a favorable alignment and cannot be changed. As a result, the trees have been placed to meet the town requirement of 30-foot on center. He has done what he can without affecting the utilities. He will look into planting cedars instead of arborvitae.

At this time, Chairman Carr opened the public hearing.

Nick Piccorillo, 8 Miracle Lane, inquired whether a commercial access off Miracle Lane could be granted in the future if there was a different owner of the parcel.

M. Carr replied that a different owner would have to go through a process with the town in order for that to be achieved. For the record, this application has been reviewed for many months, and this applicant has bent over backwards to modify and work with the owner of the strip of land along Miracle, to allow access for the proposed single-family residence. The applicant had originally proposed a curb-cut that

would have had a no right-hand turn thus causing traffic go to straight across Miracle Lane. It had also been brought to his attention that people had concerns about traffic going into the Return and having to go around the loop. It would not have been allowed. This application will improve the parcels that have been an eyesore for a long time.

J. Gibney said that someone could try to obtain access on Miracle, but they would have to go through a process. Typically, there would be a review of previous minutes to see what decision was made and why.

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

Mike Carr read the following letters into the record that support this project.

*“Michael Carr
Chairman, Planning and Zoning Commission
Glenville Municipal Center
Glenville, New York 12302*

Dear Mr. Chairman,

My wife and I have lived in The Return neighborhood at the above referenced address since 1994. We raised our family here and my wife has been a lifelong Schenectady County resident. I recently retired from the practice of cardiology in the community.

It is my understanding that the public hearing for the Miracle View Professional project is scheduled for 8/9/21. I had intended to make a personal appearance in support of that project, but travel plans will preclude same.

I am therefore writing this letter of support in lieu of being present for the meeting.

This project will serve as a significant improvement over the current status of that parcel of land. That property, until it's recent purchase, has been in disrepair with an unkempt dwelling and overgrown vegetation. The said property is visible from Route 50 as well as from Miracle Lane which serves as the main thoroughfare in The Return neighborhood.

The proposed Miracle View project will add a new single-family home with egress to Miracle Lane and tastefully done professional buildings that will be visible along Miracle Lane. It is my understanding, that the professional buildings will use the existing topography of the lot so as to optimize the aesthetics. Given the gentle grade of the property, from Route 50, the 2 story professional buildings will be seen enface. From The Return neighborhood, the side view of the buildings will reveal only the upper floor of the professional building.

I thank you for allowing me to express my support for the Miracle View project.

*Sincerely,
Dr. Peter D. Cospito”*

*“Joseph H Giaquinto
18 Glorious Lane
Glenville, NY 12302
August 5, 2021*

*Michael Carr, Chairman
Planning and Zoning Commission
Glenville Municipal Center
18 Glenridge Road
Glenville, NY 12302*

Dear Mr. Carr:

We are writing this letter to voice our approval and support for the proposed Miracle View Professional Office Park as we will be unable to attend the Public Hearing for this project scheduled for Monday evening, August 9, 2021. We regret we will not be present to express our support in person. Therefore, we are taking this opportunity now to document our support of this project moving forward.

My wife and I have lived in The Return since 1995. The currently undeveloped property and abandoned house have been an eyesore for years. It detracts from the adjacent neighborhood of well-kept homes within The Return subdivision.

We are happy that Ron, the owner of BOVA Engineering PLLC, took an interest in improving the property because he will have our best interests in mind as a resident of The Return.

We see the project as a good fit for the location and as a benefit to the community overall. Therefore, it should be supported by the Board with a favorable vote.

*Sincerely,
Joseph & Judith Giaquinto”*

J. Lippmann said she wanted to thank the applicant for his work on this project. Obtaining the property for the residential driveway was great for the entire project.

MOTION

In the matter of the final site plan review application by Miracle View Professional Offices located at 65 & 69 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 plant deer-resistant species, such as cedar, for the landscaping buffer.
2. The applicant is to provide copies of any easement(s) for Town Council to review.

Motion

Moved by: M. Carr

Seconded by: J. Gibney

Ayes: 6 Noes: 0 Absent: 1

Motion Approved

**C2 Architecture
170 Saratoga Road**

**SEQRA Determination
Preliminary Site Plan Review**

Preliminary site plan approval is requested for the site of the former Glenville Smiles dental practice. Original site plans approved on 12/7/20 have been modified to include a basement in the newly constructed 5,400 +/- sq. ft building with 19 parking spaces. There has been no change to the parking location or location of the building on the site. This site is zoned Professional Residential and Suburban Residential.

Michael Roman, C2 Architecture, was present.

M. Roman stated they are back before the commission due to the inclusion of an 8-foot basement to the previously approved plans. The building, parking lot and infrastructure has not changed. Modifications include exterior elements such as timber frames at the main entrance, and dormers up at top. The entry still has stone along the base of the building. There is an open atrium to allow natural light coming into the waiting area.

M. Carr asked A. Briscoe if he had any concerns.

A. Briscoe replied he has none.

K. Semon asked if the basement would mirror the same division of space above it. Will both areas have access to the basement?

M. Roman said both areas have access as there is one set of stairs going down to the center of it. The plan was modified to remove some of the items that were there including the egress from the basement directly out. That is now all in-bound.

MOTION

In the matter of the revised previously approved site plan application by Glenville Smiles/C2 Architecture, for a modification to include a basement in the proposed newly constructed 5,400 +/- sq. ft. building with 19 parking spaces, 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.

Motion

Moved by: M. Carr

Seconded by: P. Ragucci

Ayes: 6 Noes: 0 Absent: 1

Motion Approved

MOTION

In the matter of the preliminary site plan review application by Glenville Smiles/C2 Architecture for a modification of a previously approved site plan that will include a basement in the proposed newly constructed 5,400 sq. ft. building with 19 parking spaces, located at 170 Saratoga Road, the Planning and Zoning Commission hereby approves the application.

The Commission hereby schedules a public hearing for 9/13/21 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 9/13/21, 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: J. Gibney

Ayes: 6 Noes: 0 Absent: 1

Motion Approved

**John Miley
Johnson Road**

**Abandonment of Subdivision
Combination of Parcels**

This application pertains to the previously approved subdivision known as Lock 9 Landing located on Johnson Road. The applicant would like to re-combine the approved 25 lots into one large 158-acre parcel. The lands are located in the Rural Residential/Agricultural District.

John Miley, the applicant, was present.

M. Carr stated he believes there aren't any issues with this request. Was the applicant involved with the original subdivision?

J. Miley responded he was not involved with the original project. He and his wife have been looking for a large parcel of land for several years and they purchased this property. They have no desire to have this property subdivided or to develop it. They just want to build a home on it and keep it as a large farm.

A discussion took place as to how long this original subdivision has been around.

A discussion took place regarding the approval of the abandonment of the subdivision in order for the applicant to merge the lots at the county.

MOTION

In the matter of the application to reverse the previously approved subdivision known as Lock 9 Landing by John Miley of Johnson Road, the Planning and Zoning Commission hereby approves of the abandonment of the previously approved Lock 9 Landing subdivision and to combine it back into a single 158-acre parcel.

Motion

Moved by: M. Carr

Seconded by: J. Gibney

Ayes: 6 Noes: 0 Absent: 1

Motion Approved

With no further business the meeting was adjourned at 7:31 PM.

Lynn Walkuski, Stenographer

Julie Davenport, Interim Town Clerk