

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

September 13, 2021

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

Also

Attending: A. Briscoe, Code Enforcement Officer, M. Cherubino, Dir. of Community Dev.,
C. Heinel, Town Attorney, L. Walkuski, Stenographer

Absent:

Meeting called to order at 7:02PM

Motion to approve the Agenda

Moved by: M. Carr

Seconded by: P. Ragucci

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

Motion Approved

Motion to approve minutes from the August 9, 2021 meeting

Moved by: K. Semon

Seconded by: N. Brower

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

Motion Approved

**C2 Architecture
170 Saratoga Road**

**Public Hearing
Final 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.

M. Roman, C2 Architecture, was present.

M. Roman stated he is here to answer any questions the commission may have. Once approved they are in position to resubmit drawings for the building permit. The intent is to begin construction on or about October 11, 2021.

M. Carr reiterated that the basement will not be finished and, for the record, it is strictly for equipment and storage and there will be no human occupancy.

M. Roman confirmed that is correct.

M. Cherubino asked if there would be any laundry facilities. The first iteration had listed a laundry, bathroom, etc.

M. Roman said originally there was a toilet and that has been removed.

At this time Chairman Carr opened the public hearing.

Sandy Ruggiero, 5 Lincoln Drive, said the plans she has still shows a washer/dryer hook-up, tv, cabinets, toilet, etc.; is that changing?

M. Roman replied the basement is for storage of dental equipment. Everything has been removed from the plans that were previously submitted i.e.: the breakroom, bathroom etc.

M. Carr asked if that has been removed from the plans.

M. Roman said it was removed from the plans submitted with the application, but he didn't know the date of submission.

M. Carr asked S. Ruggiero what was the date on her plans.

S. Ruggiero stated her plans are dated 4/1/2021.

M. Carr said those plans have been revised with the removal of the breakroom, toilet. No apartment will be in the basement.

S. Ruggiero asked if there is a proposed tenant for the building.

M. Roman said at this point, there is no proposed tenant for the adjacent space.

S. Ruggiero asked if there has been any consideration of stormwater.

M. Roman said there is no change to the stormwater. Whatever was approved originally with the ABD Engineering submission still stands. The footprint and site have not changed. They are only coming in with the addition of a basement. The exterior of the building has been spruced up with more detail. There have been no changes with the site itself.

J. Lippmann said there was a review of the stormwater and the entire project was run by the highway department to make sure everything was sufficient to their standards.

S. Ruggiero said reviewing both sets of plans show the impervious surface is comparable.

J. Lippmann said the area is a bit larger, but that was taken into consideration with the review.

M. Carr said his understanding is that everything will drain towards Route 50.

S. Ruggiero said the sheet flow would go towards Lincoln.

J. Lippmann stated that her recollection is that the sheet flow goes towards Lincoln, where it gets captured by the town's stormwater system and then conveyed out to Route 50. It gets captured before it gets to the road or any adjacent properties. The commission would not allow any of runoff to go onto any adjacent properties.

S. Ruggiero was concerned due to the high-water table and that corner property is notorious for flooding.

M. Carr said he understood, but there have been major improvements made, particularly with the Target project. There is no longer the flooding that used to occur after a major storm.

Joe Benincasa, 8 Lincoln Drive, had questions concerning the lighting of this business. What direction would it face, what are the hours, etc.?

M. Roman responded the lighting is confined to the property where nothing is cascading off. There probably will be some lighting left on for security purposes, but at this point he cannot state what the actual timing is. The design is to prevent light pollution from going off the property.

M. Carr asked if there are any fixtures on the building.

M. Roman said there are decorative lights at the front entry facing downward.

A. Briscoe said the code requires the lighting to be contained on the property as much as possible.

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

N. Brower Dobiesz read the following from the PZC October 2020 meeting minutes:

“The ditches were all redone last year, the DOT ditch goes south, under Route 50. When the stormwater plan was circulated to staff, they requested that the owner have their engineers look at, for a period of a year, their stormwater plan to make sure that it’s working.”

M. Carr said there is a performance period of about one year and, if there is any issue with the stormwater, the applicant is responsible to fix the issue i.e., run-off and/or ponding that would create any adverse conditions.

MOTION

In the matter of the final site plan review application by C2 Architecture for the modification of the site plan to include a basement in the 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’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.

Motion

Moved by: M. Carr

Seconded by: K. Semon

Ayes: 7 Noes: 0 Absent: 0

Motion Approved

**Glenville Gun Center
98 Freemans Bridge Road**

**SEQRA determination
Preliminary Site Plan Review**

This application is for the establishment of a retail firearms store to be located in the former Goldstock's Sporting Goods building. Current zoning for this site is Freemans Bridge Road Corridor.

Jason Singer, Nolan Engineering, and Shawn Lamouree, the applicant, were present.

J. Singer gave a quick overview of the project. The applicant purchased the former Goldstock's Sporting Goods store located at 98 Freemans Bridge Road which has been vacant for a couple of years. The intent is to have this location become a retail firearm store along with providing some sporting goods.

M. Carr asked for the record if this is strictly a firearms store or will there be other sporting goods.

S. Lamouree responded there will be other sporting goods available such as footwear and camping gear.

M. Carr inquired about the handgun license for the facility.

S. Lamouree said he picked up the federal firearms license today (9/13/21). They are in the process of obtaining the local gun dealer license for handguns which goes through the county.

M. Carr asked the applicant if he would reiterate the type of security/safety features that will be installed.

S. Lamouree said there are two large plate-glass windows in the front. The windows will be replaced with new windows and bars will be installed inside the windows. This will also take place for the front door, as it will be replaced and bars will be installed on the inside. The security system has already been

installed with full motion-control and video surveillance cameras, a minimum of 16 cameras, are slated to be installed.

M. Carr inquired if there are any state, local, or federal requirements for the specific type of security to be installed.

S. Lamouree replied they only have to demonstrate that what they are doing is adequate to the ATF (Bureau of Alcohol, Tobacco, Firearms).

M. Carr stated he was asking this only to make sure the applicant has enough security to prevent a situation that arose with another firearms store in Glenville. How many other facilities do you have?

S. Lamouree said they have six other retail firearms stores, two indoor ranges and an Army/Navy location.

J. Gibney asked if a gun range will be located here.

S. Lamouree responded there is no gun range.

K. Semon asked if this is a two-story or one-story building.

S. Lamouree said there is a basement and partial second floor that is used as an office.

K. Semon asked if there will be some type of signage directing people to the handicapped parking that is located to the rear of the building.

J. Singer said they will be adding signage, but there is existing signage that designates handicapped parking and a door at the top of a ramp is also designated as handicapped.

K. Semon asked if there will be two main entrances to the store.

J. Singer replied yes.

K. Semon mentioned that Goldstock's was the center of sporting community and re-opening the facility and selling sporting equipment could recapture a clientele anxious to check out this facility. Will there be a separation between the sporting goods and gun dealership?

S. Lamouree said there will not be a separation. The primary use of the space is for retail firearms.

J. Lippmann asked if the name of the store will make it obvious.

S. Lamouree answered the store will be known as Glenville Gun Center.

C. Heinel asked if the applicant could provide a copy of the firearms license for the town's records.

S. Lamouree said he'd make a copy and drop it off tomorrow.

J. Lippmann asked if there would be any issues with fire code and interior bars.

A. Briscoe said not really since they are fixed windows. As long as they have the proper amount of exit doors, for the square footage, there should be no issues.

M. Carr asked if there are any concerns with increase traffic up Freemans Bridge Road from the city.

J. Singer said there's no concern with traffic. There is a traffic light that is right in front of the beverage center and their business.

MOTION

In the matter of the preliminary site plan review by the Glenville Gun Center at 98 Freemans Bridge Road located in the former Goldstock's Sporting Goods building, 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: 7 Noes: 0 Absent: 0

Motion Approved

MOTION

In the matter of the preliminary site plan review application by Glenville Gun Center for the establishment of a retail firearms store in the former Goldstock's Sporting Goods building located at 98 Freemans Bridge Road, the Planning and Zoning Commission hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The applicant is to submit copies of permits to the Town of Glenville.

The Commission hereby schedules a public hearing for 10/18/21 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 10/18/21, 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: K. Semon

Ayes: 7 Noes: 0 Absent: 0

Motion Approved

This proposal is for the creation of a Glenville cricket complex to be located at 4281 Amsterdam Road currently zoned Riverfront Recreation/Commercial. This 42.67+/- acre parcel's project will be in three phases. Phase 1A will have 3 cricket fields constructed, walking paths with gazebos, parking and no utility connections. Phase 1B will have construction of a 10,000 sq. ft. clubhouse (to be used for indoor training, locker rooms, restrooms, small assembly space for club meetings), utility connections, stormwater management, paved parking lots, landscaping, lighting. Phase 2 will include 2-story, 30,000 sq. ft. (15,000 sq. ft footprint) restaurant and lodging facility with two additional cricket fields along with water and sewer upgrades to support the development plan.

Brian Sipperly, Verity Engineering, and Sridhar Sagi, an applicant, were present.

B. Sipperly gave an overview of the project. This project will be at 4281 Amsterdam Road, approximately 42-acres in size, and located on the south side of Amsterdam Road. Currently, this property is zoned Riverfront Recreational/Commercial and the proposed use for this project is allowed in this zone. The frontage along Amsterdam Road is about 1,055 feet. Topography of the site today is agricultural. Generally, sheet flow is from the edge of the roadway towards the Mohawk River. The entire parcel is located within the 100-year floodplain. The proposed activity/development does not fall within the floodway. There are no mapped wetlands on site according to national and NYS databases however, there was a small (under .1-acre) wet area that will be shown on future plans. Presently, there are two curb cuts referred to as an east and west curb cut. Utilities on-site are an unknown for condition and capacity, but there is an on-site water well located between the two entrances favoring the east and an on-site waste water treatment facility somewhere on the site which serviced the existing structure.

M. Carr inquired about the type of waste water facility is there and how far is it from the potable well.

B. Sipperly replied that they are going to redevelop the well, the current septic will be removed and a new septic system will be placed accordingly. The survey was just received today and, although not yet reviewed, he doesn't believe there are any encumbrances/easements that are on the site.

B. Sipperly noted there is a single-family residence to the east of the project. The parcel is within the Aquifer Protection Zone 3.

B. Sipperly indicated the plan before the commission is a full buildout of the project. Included would be:

- 3 regulation sized cricket fields
- An area that would have other athletic fields – a combination of baseball and soccer
- An approximate 10,000 sq. ft. clubhouse – used for indoor training, a meeting room, locker room, rest rooms
- Further buildout of the site would include a restaurant and hotel (at minimum 30 rooms) on a two-story 15,000 sq. ft. floor plan

- Appropriate landscaping, parking and stormwater (shown within the concentric circle on the plans)
- Full buildout parking would be 175 spaces based on code of 15 spaces per field, and required parking for clubhouse, restaurant and hotel
- An absorption field would be located between the parking and ROW edge of Amsterdam Road from a grading perspective and dealing with floodplain management, most of the fill is going to occur on this area of the site
- Utilities: this development will require new connections whether on-site or brought in. The proposal as it stands is a series of wells, one or more for potable, the secondary source of water would be for irrigation, either a permit for Mohawk River use or a series of non-potable wells to be used needs to be explored. Available water is located off Rector Road approximately 4,000 linear feet away and the water line is on the south side of Amsterdam Road. Sewer is down past 890 and over 4,000 feet away. At this time, we believe tying into the sewer would be more important than trying to get water to the site.

B. Sipperly described the program changes are after receiving feedback at the agenda meeting:

- Phase IA involves the construction of 3 cricket fields, a portion of the ring road is to be constructed with the parking, the existing gravel drive and building would remain and not be demolished under this phase. The applicants are viewing this phase as more of a park setting where they can go and play cricket. They are hoping that this phase will have less infrastructure, i.e., no potable water and approach sanitary with temporary porta johns. Usage of these fields would run approximately from late April/early May to October.
- Phase 1B would be the buildout towards the east which includes the gravel road, parking becomes paved/striped, the clubhouse portion with septic and connection with water on-site, treatment for effluent required for this use will probably fit on this site. The solutions for this phase may not be enough for the entire buildout.

M. Carr asked where are the sanitary facilities for Phase II.

B. Sipperly indicated the sanitary is between the parking and Amsterdam Road and 100 feet away from the potable water.

J. Lippmann asked if there is infrastructure in the existing building that the public will be using and if so, what improvements will be made.

B. Sipperly said the applicants are determining whether or not to have an architect involved or just have the building demolished. The applicants would like to know if the commission would allow this development to go in without a water supply or permanent sanitary supply.

M. Carr replied that this raises some questions the commission has and it doesn't seem like there is a fixed plan. Although this type of development is encouraged however, there are a lot of unanswered questions. When this application comes back before the commission, there should be a plan and those questions should be answered. In addition, the phases and the associated schedule on how long it will take i.e., one-year, two-year, six-years until completion. How will the buffering of the single-family home be addressed? There are other issues that haven't been addressed yet such as lighting, hours of

operation, what happens if play is after dark what will be done for lighting and the resulting impact, structures that will be in the flood zone and how will they be secured, etc.

K. Semon agreed and stated that he is sensing a tepidness to the phases. It may be as a result of financing or interest, but once things are more resolved and committed to, what exactly is Phase I, Phase II, etc. It gives more confidence to the commission that the applicant will follow through.

J. Lippmann added for SEQRA purposes they do need to see what the full intent is of the project however; each phase would have to come back before the commission for review.

A discussion took place about how this is a unique project that can generate a lot of excitement for the community and overall, the commission would like to see this project come to fruition.

A discussion took place regarding the appropriate amount of parking and does the applicant believe there will be enough. The commission would like to see their ideas for overflow parking in Phase I to accommodate players, spectators, coaches/refs.

B. Sipperly said a lot of this has to do with the operation of the program and how is the program run. Currently, there is no schedule and this is not set up to have spectators.

C. Heinel stated that if you are not going to have potable water for Phase I, and we would need to check on code if that could be possible, then how would water be provided as this is a sporting event. How would trash be handled, and how would sanitary facilities be addressed. Just having a plan so all those needs can be assessed. Understood that Phase IA is not the full buildout, but the board will need to see how those items will be addressed.

B. Sipperly stated that water and sewer is not part of Phase IA however, if that is a code issue then it will have to be included.

M. Carr reiterated that there needs to be some specifics on how you get from Phase I to Phase III and how it's going to happen.

B. Sipperly said many of the board's questions should be addressed in the project narrative. He stated Phase IA is not going to be financed, it is will be privately funded. He then proceeded to give an update as to what will be done in Phase IA:

- Continue with what is on the plans for Phase IA, but without the walking trails and gazebos due to the installation of stormwater management and incidentals needed for the fields.
- The applicant would like to have a phase between IA and IB that would include two-three soccer fields
- Phase IB would include the clubhouse
- Phase II would include the hotel and restaurant

B. Sipperly envisions the preliminary approval would be Phase IA; three cricket fields, stormwater management plan, a gravel road and access to the site. The applicants realize that any other future development will need to be resubmitted to the commission for approval.

K. Semon stated although the applicant is presenting what their future desire is for full development, is it the applicant's intent to only have the initial phase, Phase I, approved?

B. Sipperly said that is correct.

A discussion took place about the different phases and the presentation to the commission in order to obtain a SEQRA determination.

B. Sipperly indicated that as this project moves forward, the upcoming phases will need to be updated dependent upon how the business is actually developing.

M. Carr stated that is where some of the confusion comes from. In the past, the commission has approved phased projects. This is a bit different. M. Carr asked C. Heinel if procedurally this is the proper thing to do.

C. Heinel replied this is more desirable, to approve the phases individually.

A discussion took place regarding comparing this project to previous projects where all phases were approved at the same time. It was determined our town code does not prevent approving projects one phase at a time.

The applicant explained the larger leagues from outside of the Capital Region are running out of space and are looking for places to play. As they are traveling to the area, a hotel to provide accommodations would be a good fit for this project.

J. Lippmann said her biggest concern with Phase I is the bathrooms. Although she believes code does not require bathrooms for a park, the use being proposed is going to draw a lot of people and then where are they going to go.

B. Sipperly said the applicant would like to use porta johns to address that issue.

M. Carr said this review and approval will be done one phase at a time.

N. Brower Dobiesz asked for the phases to be labeled Phase 1- Phase 4.

M. Carr reiterated the commission believes this is a good project for the town, but wants to make sure the commission is doing what they need to do procedurally.

A. Briscoe mentioned that approving each phase is better as each site plan approval, based on town code, is only good for construction to commence within two years after approval or it's revoked.

C. Heinel also stated the commission wants to see this project move forward, but is only communicating to the applicant what they need to see for the preliminary site plan.

B. Sipperly asked if preliminary review would include the first review of the engineering documents, SWPPPs, etc.

After that information is reviewed then the applicant would come back for a preliminary review.

M. Cherubino replied yes, review of engineering documents first, then come back for preliminary review.

A discussion took place about what will be needed for preliminary review. Also discussed was the process between the preliminary and final review. It was mentioned the applicant is also welcome to attend the agenda meetings in case the applicant has any questions. This commission does allow the applicant to change their material between the agenda and regular meeting if needed and the commission will work with the applicant.

With no further business the meeting was adjourned at 8:16PM.

Lynn Walkuski, Stenographer

Julie Davenport, Interim Town Clerk