

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

September 10, 2018

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

Also

Attending: A. Briscoe, Code Enforcement Officer, M. Cuevas, Town Attorney, L. Walkuski,
Stenographer

Absent: M. Tanner

Meeting called to order at 7:00PM

Motion to approve the Agenda

Moved by: K. Semon

Seconded by: J. Gibney

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

Motion Approved

Motion to approve minutes from the August 13, 2018 meeting

Moved by: J. Gibney

Seconded by: P. Ragucci

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

Motion Approved

**Kasselman Solar, LLC / Riverside Maple Farms
7152 Amsterdam Road**

**Site Plan Review (Preliminary
and Final Combined)
Public Hearing**

This proposal calls for the installation of two ground-mounted solar facilities on the Riverside Maple Farms property, with energy produced from the solar panels being used on site. The facility closest to Route 5 will be located 650 feet back from the front property line. The maximum height of the structure is approximately eight feet. The property is split-zoned, with “Highway Commercial” zoning in the front and “Rural Residential and Agricultural” zoning to the rear. The solar facilities would be installed in the “Rural Residential and Agricultural” section of the property.

Lindsey Halse and Scott Stevens represented Kasselman Solar, LLC.

M. Carr asked how the ground-mounted solar differs from the pole variation.

L. Halse replied the ground-mounted solar height is about 8 feet and they are mounted on piers, while the pole variation is a single free-standing pole and the height would be determined by the height of the pole.

M. Carr inquired about power generation and the amount of power use for the last year of operation.

K. Semon stated the rationale behind the question is that installation allows for 110% production of use. In order to assess the percentage, they need to know the usage.

L. Halse stated that NYSEERDA only accepts up to 110% so that’s all they can offer.

C. Welch, Riverside Maple Farms, responded NYS Ag & Market rules that you can use up to 110% of the anticipated use, not the current use. There are several business initiatives on hold, and they are anticipating their usage will be closer to 60-70%, but are only asking for 50%.

K. Semon asked if the current application for installation will also take into consideration the future initiatives instead of adding additional panels at a future date. He also asked if the applicant would provide confirmation of anticipated usage.

C. Welch, replied the current installation would take into consideration future initiatives. He also stated he would provide paperwork indicating anticipated usage.

J. Gibney reiterated that this request goes back to the Ag & Market rules and the Commission just needs some calculation for the numbers.

A discussion took place with regard to the installation of the ground-mounted solar panels.

A discussion also took place with regard to the snow load of the panels.

P. Ragucci asked if the solar panels were leased or owned.

L. Halse said the panels are owned.

N. Brower Dobiesz mentioned someone from the GECC was asking about the Town Code and the ability for installation of solar panels in the Rural Residential/Agriculture district, which according to the Town Code is not allowed, but would be allowed in the Highway Commercial district.

M. Carr said the property is zoned both Rural Residential/Agriculture and Highway Commercial.

M. Cuevas said this is an agricultural application and under state law, which takes precedence over the Town's zoning, this installation is allowable.

M. Carr asked about maintain vegetation in front of the property as a visual buffer. Although the location of the panels will be 650 feet off of the front property line, it would be beneficial to keep the vegetative buffer to prevent future concerns with residents.

C. Welch replied there are 3 trees in the front that they were planning to remove, but if it helps the trees could remain.

K. Semon asked where are the panels manufactured and what is the life span of the panels.

L. Halse responded she is not sure, but thought they were manufactured in China. She indicated they (Kasselman Solar) have a ten year warranty for the panels and believes their lifespan is about 20 years.

K. Semon asked what happens when the life expectancy of the panels has been reached and they are no longer useful. Are there requirements for the removal of the panels?

M. Cuevas stated that town zoning law, for a commercial application, has an allowance for the panels to be taken down. Since this is an agricultural application, the state says that the Town can't be overly restrictive against them.

MOTION

In the matter of the preliminary site plan review application by Riverside Maple Farms for the installation of two ground-mounted solar facilities on Riverside Maple Farms property located at 7152 Amsterdam Road, the PZC hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The applicant is to provide calculations with respect to their anticipated power generation.

The Commission hereby schedules a public hearing for 9/10/2018 to consider the final site plan review application for this particular project.

Motion

Moved by: M. Carr

Seconded by: P. Ragucci

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

Motion approved

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

MOTION

In the matter of the final site plan review application by Riverside Maple Farms for the installation of two ground-mounted solar facilities on Riverside Maple Farms property located at 7152 Amsterdam Road, the PZC 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 structure, 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 provide calculations with respect to their anticipated power generation.

Motion

Moved by: M. Carr

Seconded by: P. Ragucci

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

Motion Approved

McDonald's USA, LLC
237 Saratoga Road

Site Plan Review
(Preliminary)

McDonald's is proposing to remodel their existing restaurant on Route 50. The major remodeling elements include an overhaul of the building exterior, replacement of sidewalks around the exterior of the building, re-doing the outdoor concrete eating area to bring it into compliance with ADA standards, and replacing the drive-through menu boards. The property is zoned "General Business" and "Town Center Overlay."

Owen Speulstra, represented Bohler Engineering. Mr. Speulstra stated the purpose for the remodeling of the restaurant was to bring it into compliance with ADA standards. The main thrust of the interior renovations would include new bathrooms, counters, seating and vestibules to meet ADA standards, and changes for the exterior would include a more sophisticated look for McDonalds.

J. Gibney asked if the footprint of the building was staying the same.

O. Speulstra replied that the footprint was remaining the same. Mr. Speulstra indicated the McDonald's located at Exit 8 in Halfmoon had a similar remodel.

M. Carr said the renderings the Commission received do not indicate any stone or texture to the exterior of the building. In his opinion, this rendering makes the building look to sterile for Glenville's Town Center. The Town Center Master Plan has specific standards that should be considered when taking on a project within the Town Center. Mr. Carr mentioned several businesses within the Town Center i.e. CVS, Aldi's, Key Bank, Panera and Target worked to attain a look that would be compatible with the Town Center Master Plan.

A discussion took place regarding the exterior appearances of different McDonalds and how McDonald's has adapted their exteriors to conform or blend in with their locations.

J. Lippmann said the bones of the building are good, although it is a dated structure, but adding some masonry would help bring the building more in line with the surrounding businesses. Possibly stone work on the main columns would help bringing texture to the building.

M. Carr asked when was the last revision of the McDonald's building.

O. Speulstra said the remodel was about 15 years ago however, the drive-thru was updated 3-5 years ago.

K. Semon asked if this design is imposed by corporate franchise and is there any latitude with the proposal.

O. Speulstra said it is a corporate design, however, it is something he can go back and discuss with McDonald's to be more compliant with the Town Center Master Plan for architectural and color ideas.

There was also a discussion regarding the windows and how they are different on the renderings.

O. Speulstra said there is no fencing around the site now and the lighting will stay the same. He did indicate that the current brickwork on the building would be painted so there will be some texture there.

K. Semon asked about the exit cut to Key Bank on the site plan.

A discussion took place with regard to the egress to Key Bank. Issues with motorists trying to cut through Key Bank's parking lot to get to other areas has been an on-going problem.

P. Ragucci asked if McDonald's will also be adding curb-side service.

O. Speulstra said they are adding two spaces to handle curb-side service.

MOTION

In the matter of the site plan review application by McDonald's USA LLC for the remodel of their existing building, exterior and interior, to be compliant with ADA standards located at 237 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: J. Gibney

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

Motion Approved

MOTION

In the matter of the preliminary site plan review application by McDonald's USA LLC for a remodel of their existing building, exterior and interior, to be compliant with ADA standards located at 237 Saratoga Road, the PCZ hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The applicant needs to address and resolve the traffic issue regarding access in and out of the Key Bank lot.
2. The applicant needs to address the exterior accents or texture and any other items that may be required by the Town Center Master Plan for compliance.

The Commission hereby schedules a public hearing for 10/15/2018 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 10/15/2018, 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

A discussion took place about notification of individuals or businesses located within 500 feet of the project.

With no further business the meeting was adjourned at 7:50 P.M.

Lynn Walkuski
Stenographer

Linda Neals
Town Clerk