

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

October 15, 2018

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. Cuevas, Town Attorney
L. Walkuski, Stenographer

Absent:

Meeting called to order at 7:05 PM

Motion to approve the Agenda

Moved by: P. Ragucci

Seconded by: K. Semon

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

Motion Approved

Motion to approve minutes from the September 10, 2018 meeting

Moved by: K. Semon

Seconded by: J. Gibney

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

Motion Approved

**McDonald's USA, LLC
237 Saratoga Road**

**Site Plan Review
(Final) – Public Hearing**

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, Bohler Engineering, was representing McDonald's for their remodel. He addressed some minor items from the September 10, 2018 PZC meeting regarding the building architecture. An updated rendering showed the majority of the brick remaining and a dark color on the accent walls. Since then, McDonald's has provided a site-specific rendering that shows all the brick block will stay the same below the existing roof. The accent walls would be a cedar wood panel (a durable cement fiber plank). He believes McDonald's has addressed the PZC's concerns with the exterior remodel.

M. Carr asked what material was going above the lettering.

O. Speulstra replied the material is effice, a product similar to stucco.

M. Carr asked if the new color renderings are accurate, and what color will the brick be.

O. Speulstra answered yes, the colors are accurate. The brick color will remain as it is now.

M. Carr also asked if the mullions will be installed on the windows.

O. Speulstra said the mullions will be installed.

M. Carr inquired if the applicant felt the changes to the exterior will be in compliance with the spirit of the Town Center Overlay District.

O. Speulstra replied he believes they will be in compliance with the district requirements.

M. Carr asked how the applicant will be addressing the traffic flow issues.

There was a discussion with commission members and the applicant as to the current traffic flow and how to address the future traffic flow, i.e. signs.

J. Lippmann suggested the removal of the proposed traffic arrow that leads to the Key Bank lot so people are not encouraged to go into the Key Bank lot.

Additional discussion took place regarding signage and what would be the best scenario in this situation.

P. Ragucci stated he believes there are too many signs currently and the signage should be simplified; possibly a "No Thru Traffic" sign would suffice.

At this time the floor was opened for 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 McDonald's USA, LLC for the proposed remodel of their existing building to include an overhaul of the building exterior, replacement of exterior sidewalks, outdoor eating area, and drive-through menu boards for their location at 237 Saratoga 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 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. A “No Thru Traffic” sign is installed.
2. The traffic arrow is removed from the asphalt.

Motion

Moved by: M. Carr

Seconded by: K. Semon

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

Motion Approved

Sunmark Federal Credit Union
251 Saratoga Road

Site Plan Review
(Preliminary and Final
Combined)
Public Hearing

Sunmark is proposing a number of primarily cosmetic changes to their building and property, including the replacement of the drive-thru canopy, removal of faux windows, adding a wall sign to the building, adding three gooseneck lighting fixtures for the proposed new wall sign, and replacing and relocating the existing monument sign. The property is zoned “General Business” and “Town Center Overlay.”

Todd Drake, Sunmark Federal Credit Union, was present.

T. Drake indicated that there are some miscellaneous exterior changes to the Sunmark location. The drive-thru canopy would be replaced with a slightly smaller one. The reason for the change is due to the upgrade to new equipment to include ITMs (intelligent teller machines) which are very similar to ATMs. The two concrete islands at the drive-thru will be reduced to one island and the teller window will be replaced by a recessed ITM. The interior of the building will have interior versions of the ITMs where the teller line is now. The new canopy will tie into the existing roof. There are plans to put vinyl shakes to match the vinyl siding in the existing gable on the side of the building. The front of the building will also see renovations that include removal of faux windows, completing the sheeting and installing vinyl shakes to match the current siding. Additionally, there will be an installation of a small wall sign with gooseneck lighting. The monument sign will be removed with the new sign being located slightly closer to the building. This monument sign will be glass panels with a light in the upper soffit and silver lettering on a smoke gray colored glass. Lettering will be on both sides, and the brick will match the brick currently on the property. There is no expected business interruption, or traffic delays. The drive-thru area will be shut down for about two weeks, but there will be bypass opportunity for customers to access the property.

K. Semon asked if the ITMs would be replacing the tellers.

T. Drake responded that customers will be able to use the ITMs or they can meet with a bank representative if they want to.

MOTION

In the matter of the site plan review application by Sunmark Federal Credit Union for primarily cosmetic changes to the exterior of the building and front sign located at 251 Saratoga Road, the PZC finds that this application will not result in a significant potential adverse environmental impact. Consequently, the PZC 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 Sunmark Federal Credit Union for primarily cosmetic changes to the exterior of the building and front sign located at 251 Saratoga Road, the PZC hereby approves the application.

The Commission hereby schedules a public hearing for October 15, 2018 to consider the final site plan review application for this particular project. Nine (9) copies of the final site plan must be submitted to the Town of Glenville Planning Department.

Motion

Moved by: M. Carr

Seconded by: J. Lippmann

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

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 Sunmark Federal Credit Union for primarily cosmetic changes to the exterior of the building and front sign located at 251 Saratoga Road, the PZC 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: P. Ragucci

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

Motion Approved

Markie Blackburn c/o Paul Schiocchetti
4057 Amsterdam Road

Zoning Map Amendment
Recommendation to the
Town Board

This proposal calls for the rezoning of the majority of the 11.3-acre property at 4057 Amsterdam Road (former site of Paws Along the Mohawk) to allow the applicant to establish a dog rehabilitation center and kennel on the property. The property is presently split-zoned, with 1.6 acres in the front being zoned “Highway Commercial (HC)” and the rear 9.7 acres being zoned “Riverfront Recreation/Commercial (RRC).” The proposed use is allowed in the HC district, but it is not permitted in the RRC district, so the applicant is seeking to rezone the RRC portion of the property to HC to make the entire 11.3 acres HC. The rezoning is necessary for this proposal to proceed because a portion of proposed rehabilitation center/kennel would be located in the present RRC zone.

K. Semon asked the applicant if this is to re-establish a canine rehabilitation since the paperwork indicates it is to establish a canine rehabilitation center. Also, when was the last time the property was used as a canine rehabilitation center?

Paul Schiocchetti, Schiocchetti and Abbott, and John Romeo, Insite Northeast, were present.

P. Schiocchetti and J. Romeo both indicated to the best of their knowledge the last time the property was used was in 2014. J. Romeo stated they did find a signed site plan from 2014.

P. Schoicchetti stated the property is located on the south side of Route 5S heading into Amsterdam, and just east of Washout Road and west of Gower Road. It is believed the current owners, Robert and Sherri Kalinowski, were the operators of the prior facility. Currently there are 3 separate one-story wood and masonry buildings on the property in various states of disrepair. There are existing gravel driveways, parking areas, fencing, and open field areas. Previous uses of the property include a hotel/restaurant, softball fields, and dog kennel/training. His client is trained in canine behavior modification and obedience and proposes to own and operate a facility that provides dog daycare, boarding, dog training, grooming, and behavioral rehabilitation.

P. Schoicchetti indicated his client is requesting a re-zone of a portion of the property so the entire parcel would be zoned “Highway Commercial” and, with obtaining a conditional use permit, would allow her to establish her business. The pavillion on the property is partially located in the Riverfront Recreation/Commercial zone. It is proposed that the open area would be used for the dogs and be fenced in. The applicant is also intending to retro fit the existing buildings for her use.

P. Schoicchetti said the surrounding neighborhood is mostly commercial/industrial. He did note that the property does not go all the way to the Mohawk River. Currently there is a septic system and two wells on the property. His client intends to use the existing curb cuts and keep the full ingress/egress.

K. Semon asked how many feet are from the property’s southern boundary to the river.

J. Romeo replied the distance is about 100 – 150 feet to the river.

P. Schoicchetti asked Chairman Carr if he needed to go over the site plan.

M. Carr stated it wasn’t necessary to go over the site plan as the Commission is only making a recommendation to the Town Board. He said the Commission’s opinion is that the applicant would be

able to do what they want to do on the portion of the parcel that is currently zoned Highway Commercial. It doesn't make sense to rezone the majority of the parcel that will remain vacant.

A discussion took place regarding whether or not dog recreation is allowable in the RR/C district. Discussion also took place with the Commission wanting to keep the RR/C zoning in order to maintain a buffer to the river. It was asked whether or not the Town Board instead of changing the zoning could in fact, allow for an adjustment in the zoning line which then would allow all the present buildings on the property to be in the Highway Commercial District.

MOTION

In the matter of the zoning map amendment application by Markie Blackburn c/o Paul Schiocchetti for the establishment of a dog rehabilitation center and kennel to be located at 4057 Amsterdam Road, the PZC recommends that the Town Board deny the application of rezoning the entire property to Highway Commercial. The PZC would like to see the Town consider floods zones and potential impacts to animals, etc. during flooding, consider future development to prevent a similar situation that is taking place in Niskayuna, consider the Comprehensive Plan and the effects of the change. However, the proposed use is supported by the PZC within the Highway Commercial District and would like the Town to consider moving the zoning line allowing the applicant to conduct their business with in the Highway Commercial District while still allowing the use of the Riverfront Recreational/Commercial zoned portion of the property for the purpose of walking and exercising of dogs.

Motion

Moved by: M. Carr

Seconded by: K. Semon

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

Motion Approved

Galesi Group 2160 Amsterdam Road

Minor (2-lot) Subdivision (Preliminary)

The Galesi Group is seeking to subdivide the existing 13.5-acre property at 2160 Amsterdam Road (NYS Route 5) into two lots. One parcel, consisting of 11.84 acres, would contain the existing CTDI facility, while the other 1.68-acre property would be vacant, and available as a building lot. The smaller parcel received an area variance from the Glenville Zoning Board of Appeals for insufficient lot depth on September 24. The property in question is located at the westernmost reaches of the Glenville Business & Technology Park, and is zoned "Research/Development/Technology."

David Ahl, Galesi Group, and Dan Hershberg, Hershberg and Hershberg, were present.

D. Hershberg gave a quick overview of the applicant's intent for the subdivision.

M. Carr inquired about some of the answers that were provided on the Short Environmental Assessment Form. The following questions were marked "yes" on the form.

- Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?

D. Hershberg stated the site is not in or adjoining a state listed Critical Environmental Area.

- Does the proposed action meet or exceed the state energy code requirements?

D. Hershberg replied that since there is no proposed building for the site then the code doesn't require the applicant to do anything different, so then the answer is no.

- Is the proposed action located in an archeological sensitive area?

D. Hershberg said it is in an archeological sensitive area based on the NYS DEC environmental map.

J. Lippmann asked if SHPO gave the applicant any type of letter stating such as a letter would be needed for the SEQRA process.

D. Hershberg said they did not get a letter since they are not disturbing the site.

- Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?

D. Hershberg replied the answer to that question should be "no".

M. Carr next asked about the required variance for the site, and has the variance been obtained.

D. Hershberg said the depth of the site, which is triangular in shape, averages 141 feet and the zoning requires 200 feet. He also stated the variance has been acquired.

M. Carr asked if there is an easement associated with the property, and will they be able to provide documentation for the easement.

D. Hershberg responded this parcel will have an easement to use the existing driveway for ingress/egress. They will be able to provide documentation.

K. Semon asked if sewer was available for the lot.

D. Hershberg stated there is sewer available that runs along the road.

M. Carr asked if there are any potential buyers for this parcel.

D. Ahl replied a company approached them to develop an electric transmission line, the Champlain Hudson, that runs from Canada to Manhattan. It is an underground line.

MOTION

In the matter of the preliminary minor two-lot subdivision by the Galesi Group seeking to subdivide the existing 13.5-acre property into two lots consisting of 11.84-acres and 1.68-acres located at 2160 Amsterdam Road, the PZC finds that this application will not result in a significant potential adverse environmental impact. Consequently, the PZC 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 minor two-lot subdivision application by the Galesi Group seeking to subdivide the existing 13.5-acre property into two lots consisting of 11.84-acres and 1.68-acres located at 2160 Amsterdam Road, the PZC hereby conditionally approves the preliminary application.

Conditions of preliminary subdivision approval are as follows:

1. Submission of a corrected Short Environmental Assessment Form.

The Commission hereby schedules a public hearing for 11/19/18 to consider the final minor subdivision application. However, in order for the Commission to schedule a public hearing for 11/19/19, 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: P. Ragucci

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

Motion Approved

GE Solar 156 Barhydt Road

Site Plan Review (Preliminary)

The Schenectady County Solar Consortium, with General Electric (GE) serving as the contractor to build, is proposing a ground-mounted solar array on the northern portion of the Town of Glenville-owned former municipal landfill property off of Barhydt Road. This project would result in an array covering roughly 38 acres of the 73- acre landfill property. The property is zoned “Rural Residential/Agricultural.”

Kimberly Cupicha, GE Solar, was present.

K. Cupicha gave a quick over view of the project. GE Solar was selected by Schenectady County to install 18 solar projects within Schenectady County. They are currently down to 14 projects of which 2 will be located in the Town of Glenville.

K. Cupicha indicated that the plans have changed somewhat from information received from National Grid. The intent now is to stay completely on the landfill cap, there will not be any clear cutting that was originally proposed. There will be a couple of trees removed from the front area due to limit shading purposes. The second part of the array has been eliminated. Updated drawings will be presented to the Commission. Everything is to be above ground to avoid disturbance of the landfill cap.

Several questions were asked by Commission members regarding the installation of the panels, how the panels stay in place, and their resistance to wind. Some more information regarding the above would be helpful.

K. Cupicha stated that this is a preliminary review and they are looking for input from the Town.

Another discussion took place with regard to the landfill cap, leachate collection system, gases, etc. It was mentioned the intended system for installation is meant for landfill areas.

M. Carr asked what will be the visual impacts. The Commission would like to see visual renderings.

K. Cupicha stated a visual rendering can be done to show what it will look like for the individual property. If the Town is requiring a visual buffer; screening, fencing or trees, that can also be done.

The Commission did indicate that they would like to see visual renderings showing the view from surrounding areas such as; Mabee Farm, Route 5, Barhydt Road, and the Mohawk River.

A discussion took place regarding the visual appeal of the project, and that there are still many questions that need to be answered. Many of the questions/concerns for this project hold true for the following project off Van Buren Lane.

**GE Solar
Pump House Road off of Van Buren Lane**

**Site Plan Review
(Preliminary)**

This is the second of two Schenectady County Solar Consortium solar array proposals in Glenville. As with the proposal above, GE would serve as the building contractor for this project, which involves construction of a ground-mounted solar array consisting of approximately 6 acres of the Town of Glenville-owned property on the north side of Pump House Road. The property is zoned “Riverfront Recreation/Commercial.”

M. Carr asked if there will be clear cutting on this property.

K. Cupicha replied there is some vegetation that will need to be removed. It is more like brush in the front and there will need to be some removal of vegetation on the steep slope in the rear. A tree height analysis could be provided if need be. They are trying to keep a 40-foot buffer from the front yard. There are some wetlands and a ponding area. They are not state regulated wetlands.

M. Carr asked if there will be a 100-foot buffer from the wetlands.

K. Cupicha said GE does follow the 100-foot buffer, and cannot enter the 100-foot buffer area.

A discussion took place regarding the storm water management plan. A SWPPP should be ready within a week. The property is located within the flood plain.

M. Carr stated that these applications will be tabled for now until additional information is presented to the Commission.

Several Commission members were asking if there was literature that could be provided to see other projects GE Solar has completed and if any of those areas were landfills.

MOTION

In the matter of the preliminary site plan review application by GE Solar with the Schenectady County Solar Consortium, for a ground-mounted solar array on the northern portion of the Town of Glenville-owned former municipal landfill property located at 156 Barhydt Road, the PZC motions to table this application until further information is received.

Motion

Moved by: M. Carr

Seconded by: K. Semon

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

Motion Approved

MOTION

In the matter of the preliminary site plan review application by GE Solar with the Schenectady County Solar Consortium, for a ground-mounted solar array on approximately 6-acres of the Town of Glenville-owned property on the north side of Pump House Road, the PZC motions to table this application until further information is received.

Motion

Moved by: M. Carr

Seconded by: K. Semon

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

Motion Approved

For the record, Chairman Carr noted the Commission members received a letter from the Alplaus Residence Association stating the Association's opposition to the proposed subdivision by Lorraine Hudson at 8 & 10 First Street. The Commission did not support the proposal as the request would have resulted in making a conforming lot into a non-conforming lot.

With no further business the meeting was adjourned at 8:40 P.M.

Lynn Walkuski
Stenographer

Linda Neals
Town Clerk