

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

February 14, 2022

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

Also

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

Absent:

Meeting called to order at 7:02 PM

Motion to approve the agenda

Moved by: M. Carr

Seconded by: K. Semon

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

Motion Approved

Motion to approve minutes from the December 13, 2021 meeting

Moved by: K. Semon

Seconded by: N. Brower Dobiesz

Ayes: 4 **Noes:** 0 **Absent:** 0 **Abstentions:** 2

Motion Approved

**DSM
300 Tech Park Road**

**Public Hearing
Final Site Plan Review**

DSM is proposing a 1,600 sq. ft accessory structure (40'x40'x20') for the purpose of enclosing two roll-off dumpsters to prevent unauthorized use of dumpsters. Chemicals will not be stored in proposed accessory building. Building will feature a peaked metal roof and metal siding and will not be connected to either private or municipal water/sewer. Applicant may elect to run electrical power for lighting. Parcel is zoned Research/Development/Technology.

Before the applicant proceeded with their presentation, Chairman Carr asked who in the audience was present for the Horstman Farm Mixed Use Development project. Only two audience members indicated they were. Chairman Carr stated there will not be a public hearing on the Horstman Farm application this evening and therefore, the audience will not be able to comment on the project. He did say they may stay to hear what the commission and applicant would discuss.

M. Cherubino said anyone who may have questions regarding the project could contact her and she would be happy to relay their concerns/comments to the commission.

Dan Tompkins, EDP, and John Sesonske, DSM, were present.

D. Tompkins gave a quick overview of the project. The applicant intends to erect a 1,600 sq. ft. accessory building to enclose two roll-off dumpsters to prevent unauthorized use of the dumpsters. The building will be 40'x40'x20' and be located to the rear of the warehouse approximately 1,000 linear feet from Route 50. As the warehouse is about 35' in height, they feel this accessory structure is appropriately scaled and will not be an eyesore due to its location. There will not be any water/sewer connection to the accessory structure however, an electrical connection may be installed for lighting. No stormwater management will be affected by this construction.

M. Carr said the commission didn't have any issues with this project. He asked the applicant if they had followed up with the police department to find out who had been illegally dumping.

J. Sesonske responded the security cameras did not cover that area of the site so, they didn't have any evidence to pursue with the police.

V. Soldani asked if this will be landscaped.

D. Tompkins said no additional landscaping is planned as the original warehouse had a landscape plan and the plantings are still in place and growing.

M. Carr asked about the colors of the accessory structure.

D. Tompkins stated the building will be shades of grey.

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 DSM for the construction of a 1,600 sq. ft accessory structure for the purpose of enclosing two roll-off dumpsters to prevent unauthorized use of dumpsters located at 300 Tech Park 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: N. Brower Dobiesz****Ayes: 6 Noes: 0 Absent: 0****Motion Approved****Glenville Cricket Complex
4281 Amsterdam Road****Public Hearing
Final Site Plan Review**

This +/- 42.6-acre parcel is to be developed into 3 practice/championship cricket fields for the Empire Dukes and Electric Charges. The site has 1,000 feet of frontage on Amsterdam Road and is currently occupied with an agricultural use and dilapidated building. Scope of work involves select removal of vegetation, demo and grading for the three fields. No utility connections or changes to the principal access points are proposed to support the athletic uses. This entire parcel is located within the Riverfront Recreational/Commercial District.

Aaron Vera, Verity Engineering, and Ashok Adikoppula, the applicant, were present.

A. Vera noted the commission has seen this project before and the applicant has made some changes based on the commission's comments from the previous presentation. This is a 43-acre site currently known as Bhatia Farms. The applicant had been working on a larger master plan, but at this time they are looking to scale the project down to three turf cricket fields. The site is located in the floodplain so any future development will require going through the floodplain manager. There will be no import/export of material, all will be kept on-site. Grading will be done to provide flat playing fields; each of the fields are approximately 2-acres in size. The current curb-cut will be utilized on Route 5. After a survey it was determined that the curb-cut is not located on the parcel therefore, the applicant has worked with the adjacent land owner to purchase the property where the curb-cut is located. The existing gravel road will be also utilized and parking will be provided off of the road. The intent of the current proposal is more of a practice facility for the professional athletes. Once this phase is completed, then the applicant will look at a larger facility. No accommodations will be made for spectators at this phase. Portable restrooms will be provided to be located off the parking area. There are several ADA parking spaces with paved access to the portable restrooms. The enclosed dumpster was added to the site plan.

M. Carr asked the applicant where will the portable restrooms be located and they will still be in the floodplain?

A. Vera replied they are located off the parking area and yes, they are in the floodplain.

J. Lippmann inquired as to the actual elevation of the 100-year flood at that location and how much water would be there?

A. Vera said he believes base flood is just shy of the elevation of Route 5. So, in a 100-year flood this area is completely covered in water up to Route 5, approximately 8-feet.

M. Carr asked A. Briscoe to comment on what he heard from the County Health Dept.

A. Briscoe said County Health referred the town to the state health department. There are some regulations, but they are not specific, and they defer to the flood plain manager (A. Briscoe). When the applicant applies for their permits to occupy the space, especially the flood plain permit, they will be reviewing what type of restrooms will be installed and whether or not they are sufficient for the floodplain area. They will also be looking at their plan for removal if a flood event is expected. Any type of development in the floodplain area needs a separate flood plain permit.

M. Carr asked if drawing water from the river is now a non-issue.

A. Vera said that is off the table.

K. Semon asked about the phasing listed on the site plans. Are the fields going to be built in a series, and what is the time frame of the build?

A. Vera said the applicant wants to build each field separately and the time frame would be in months. The plan is to do field #1, stabilizing it then do field #2, stabilizing it, etc. Disturbance has to be kept to under 5-acres.

M. Carr asked when do they expect to be up and running if they get an approval this evening.

A. Vera replied September, ideally sooner, if possible.

A. Adikoppula said the intent is to get the players out there this summer.

M. Carr asked if potable water will be provided.

A. Vera said if the restrooms are the trailer kits, then possibly. The portable restrooms would come with provisions for hand-washing.

M. Carr stated this falls under the health department and is not under the town's jurisdiction.

M. Carr also asked about the hazardous waste site. Is there one nearby?

A. Vera said they did some research and the only things that came up were for neighboring sites. There was a record at one point, when the site was an airport, which showed DEC had a record of two above ground tanks. Both of the tanks were removed. Currently DEC has no active/open records on this site. The box was automatically populated through the EAF mapper on DEC's website.

J. Lippman asked if they received a letter from DEC indicating as such.

A. Vera said they don't have a letter, but they did the research with DEC.

J. Lippmann asked if they have in writing anything from DEC stating that this is not a remediation site.

A. Vera said they do.

M. Carr asked if there is a Stormwater Pollution Prevention Plan and has the town designated engineer reviewed it.

M. Cherubino replied the engineer's comments have already been addressed by the applicant.

J. Lippmann asked if the stormwater approach could be explained.

A. Vera said the approach is to consider that this project does not significantly change drainage conditions from pre to post construction. So, they don't fall under the category of post-construction SWPPP management controls.

J. Lippman asked about the parking.

A. Vera said all the impervious areas, gravel drive and access, currently exist. The parking will be on the grassy areas.

K. Semon asked about the line on the south side of the site plan.

A. Vera stated it's a tie line, it's not a property line.

J. Lippmann asked if the ADA spaces will be paved.

A. Vera replied they will be.

J. Lippmann said it looks like a lot-line adjustment is being shown which would be a separate action by this board.

A. Vera said the paperwork has not been submitted to the Planning Department yet.

M. Cherubino stated the applicant's attorney already called and there is a mechanism where the adjustment can be done internally.

At this time Chairman Carr opened the public hearing.

Mike DiLorenzo, 1772 Randolph Road, says he sees no fence between the property he owns, west of the last field, and this project. His concerns are that people will be crossing his property to enter the fields which is a liability for him.

Carmen Montanaro who owns the property on the corner of Washout Road on the north side, wanted to know if there will be any security measures i.e., lighting, gates for this project. Since the area is currently vacant, there have been issues with trespassing and dumping on the site.

With no other comments, the public hearing was closed.

M. Carr asked the applicant to address the issues that were raised during the public hearing.

A. Adikoppula said it is his understanding there is a vegetated buffer between the properties, his and Mr. DiLorenzo's.

A discussion took place as to where the buffer is located, after the corn fields, and the buffer consists of a tree line. The applicant said they were willing to post signs on both sides of the property. M. Carr asked for the signage to be added to the site plan.

M. Carr asked will there be any type of gate on the property.

A. Adikoppula said he could post signs saying the property is private.

M. Carr asked the applicant to state the hours of operation for the record.

A. Adikoppula said the hours are dawn to dusk. They do not have any lighting on-site. The teams are using other town parks in the area. If the commission would like references they could be provided.

K. Semon said both issues can be addressed. He believes once the property is showing activity that in itself should prevent unauthorized use. He also mentioned that anyone who uses the property is aware of restroom availability and uses them accordingly.

MOTION

In the matter of the final site plan review application by Glenville Cricket Complex for establishment of three cricket playing fields located at 4281 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. Any permits or approval required from the county and/or state health departments with regard to septic, hand-washing, sanitary facilities or potable water, if required, have to be obtained by the applicant.
2. A written statement from NYS DEC stating there is nothing going to impact this parcel or users of the parcel. (Inactive hazardous site, former bulk storage facility, open spills, etc.)
3. Any lot-line adjustment or administrative corrections are taken care of before this project is finally approved.
4. Note on site plan for the paving of the ADA parking spots and access.
5. Note on site plan and erected signs for demarcation on both sides of the property lines so patrons using the facility understand there is private property on either side and the neighbors are not encroached upon.

Motion

Moved by: M. Carr

Seconded by: J. Lippmann

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

Mark Nardini
4232 Amsterdam Road

Recommend to Town Board
Zone Change to Storage Overlay
District

The applicant is requesting a zoning change to the Storage Overlay District. The parcel is currently vacant with an abandoned home and garage on site and is located north of Amsterdam Road and west of Washout Road. The property is abutted by a quarry to the west, railroad tracks to the north, and vacant property to the east. An old existing curb-cut and gravel driveway provide access to the site. Plans for this parcel include the construction of seven self-storage buildings ranging in size from approximately 2,000 sq. ft. to 10,800 sq. ft. Current zoning for this parcel is Highway Commercial.

Joe Bianchine, ABD Engineers, and Mark Nardini, the applicant, were present.

J. Bianchine said this parcel is about 4.7 +/- acres with a gravel pit on the west side, railroad tracks on the north side. The applicant would like to develop the site for self-storage and is seeking a recommendation to the Town Board to obtain a zoning change to Storage Overlay District for this parcel. Seven buildings would be built ranging in size from 2,000 sq. ft to 10,800 sq. ft. The property would be fenced in with one access.

M. Carr stated currently the property is heavily vegetated. He asked what vegetation will be removed and what will remain for a buffer.

J. Bianchine said it is vegetated and the applicant has taken gravel out in the past. There is an abandoned house and garage there. There will be some trees left along Route 5 for a visual buffer.

M. Carr asked what is the height of the buildings.

J. Bianchine replied they are 10' in height.

V. Soldani asked what would be the view from Mr. Montanaro's property as he only has a pole barn on his parcel?

C. Montanaro said his concern is where the properties abut. There are a lot of dead trees between the properties and therefore it is wide open. In the future, he may want to build a house or put in a business, and he would like some type of visual buffer between the properties.

A discussion took place about development and/or clean up along Amsterdam Road.

M. Carr asked about the hours of operation and is it controlled access?

J. Bianchine said it's going to be enclosed with security cameras. Basic hours of operation are daytime hours.

MOTION

The recommendation to the Town Board for the zoning change to the Storage Overlay District for the application by Mark Nardini located at 4232 Amsterdam Road, the Planning and Zoning Commission recommends the Town Board approve the application.

Additional Comments:

The Town Board should be aware this is only for a zone change on one parcel. There have been previously approved self-storage facilities in the vicinity of this area.

Motion

Moved by: M. Carr

Seconded by: J. Lippmann

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

**Empire State Youth Orchestra
45 MacArthur Drive**

**SEQR Determination, Preliminary
Site Plan, Public Hearing, Final
Site Plan Review**

ESYO plans to re-use the former St. Joseph's Church Parish as its new home for education and practice. The site is approx. 8.6-acres with 5.7-acres within the Town of Glenville while the remaining acreage (approx. 2.9-acres) is located within the Village of Scotia. The site has an existing 18,000 sq. ft. building comprised of classrooms and an auditorium. The site has 79 parking spaces, municipal water, on-site septic. Zoning is Suburban Residential (Town of Glenville) and Single-Family Residential (Village of Scotia).

John Montagne, GPI, and Rebecca Calos, ESYO Executive Director, were present.

J. Montagne said the ESYO would like to re-use the existing St. Joseph's parish and school and bring their facility to here. Currently, their operations are held at various locations throughout the Capital Region, and this will allow them to consolidate and be in one location. There are not a lot of changes planned for on-site. The parcel is approx. 8.6-acres with the majority (5.7-acres) located within the Town of Glenville, while the balance (2.9-acres) is located within the Village of Scotia. There are 79 existing parking spots, 6 are ADA spaces, all utilities are available and there is an on-site septic.

R. Calos said the administrative offices are located at Proctors while rehearsals have existed at different school sites within the region. This will provide a central location for the orchestra and offices. Rehearsals during the week take place after school hours, but none which would last past 9:30PM or 10:00PM. They are not planning on using this for performance space.

K. Semon stated since this was a school and if the ESYO was planning on using the facility for a performance, although not unreasonable, the Planning and Zoning Commission would need to know that ahead of time before the PZC makes a SEQRA determination. He believes the facility is well established at the location, so if you were to bring in large amounts of people for a performance that is typical of a school day, if it is not, then it would become a condition that performances would not be held there.

A discussion took place about the SEQRA determination and what type it is.

R. Calos clarified that they are not transforming the space into a performance venue. They are not investing in creating a music hall type space that would be hosting regular events for the public. They could see doing a school-based performance i.e., recital. It's not becoming a destination for public performances in the area.

M. Carr asked who owns the property and asked if the applicant will be purchasing the property.

R. Calos replied the diocese owns the property, but ESYO will be purchasing it.

M. Carr inquired as to what's the maximum capacity expected at any one given time since it's located in a residential neighborhood.

R. Calos responded during the day there are 10 full-time staff. In the after-school setting and rehearsals there will be a maximum of 100-120 individuals for a full orchestral rehearsal.

M. Carr asked how many vehicle trips will that be.

J. Montagne said it could be close to 100 trips per hour if everybody is dropped off.

M. Carr asked when was it last used as a school.

K. Gatta said it was last used in the 1980's. A few years ago, it was used for faith formation classes.

R. Calos said heavier traffic will be more like twice a week. Most of the rehearsals are smaller and the after-school program will be around 50 students.

K. Semon asked if this was seasonal.

R. Calos said they currently offer this during the school year however, they envision using this space in the summer as well.

M. Carr asked if it would be a less intense use in the summer.

R. Calos said it would be less intense for the total number at any one time, but it would be happening more during the day.

M. Carr inquired about business hours.

R. Calos responded the office operating hours are 9AM-5PM, while the program is between 3:30PM – 10:00PM, if it is a rehearsal night.

M. Carr asked if there are any anticipated traffic issues within the residential neighborhood.

J. Montagne said they do not anticipate any. Trip generation is off-peak hours and under 100 trips.

K. Semon said even with the traffic he thinks it's a reasonable repurpose of the facility.

J. Lippmann agreed with K. Semon's comment. She has experienced traffic at the location as her children went to pre-school and faith formation classes there and the traffic was never a concern.

K. Semon asked about the maintenance of the property including dumpsters, snow removal, etc.

R. Calos said they are considering all the costs of property/building maintenance including snowplowing and trash removal.

A. Briscoe said once the applicant gets the necessary approval and takes possession of the building, since the building has been vacant for a time, the applicant will need to obtain a permit for Certificate of Occupancy. Once the applicant obtains the permit and they are ready to open the next day, the town will come in and do an inspection of the premises and the surrounding property and will issue the Certificate of Occupancy if everything is fine.

K. Semon asked if the facilities are adult-sized or child-sized.

R. Calos said the majority is child-sized and they may need to be upgraded.

MOTION

In the matter of the site plan application by Empire State Youth Orchestra for the repurposing of the St. Joseph's church parish located at 45 MacArthur Drive, 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: N. Brower Dobiesz

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

MOTION

In the matter of the preliminary site plan review application by Empire State Youth Orchestra for the repurposing of the St. Joseph's church parish located at 45 MacArthur Drive, the Planning and Zoning Commission hereby conditionally approves the application.

The Commission hereby schedules a public hearing for 2/14/22 to consider the final site plan review application for this particular project.

Conditions of the Approval:

1. The applicant is to provide the final site plans for the town's signature.

K. Semon asked about the kitchen/cafeteria space. Will it be used?

R. Calos said most likely the cafeteria space will become rehearsal space. The kitchen is being kept and will be used primarily for snacks for the students.

Motion

Moved by: M. Carr

Seconded by: V. Soldani

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

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 Empire State Youth Orchestra for the repurposing of the St. Joseph's church parish located at 45 MacArthur Drive, 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 will be required to obtain a Certificate of Occupancy from the Town of Glenville as well as an appropriate inspection to utilize the space.

Motion

Moved by: M. Carr

Seconded by: K. Semon

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

M. Carr asked if there will be any outdoor performances or practices and is there septic or sewer at the location.

R. Calos said there are no outdoor performances/practices.

J. Montagne said they are on a septic system.

**Hoffman Hill Holdings, LLC
7152 Amsterdam Road**

**SEQR Determination
Preliminary Site Plan Review**

This proposal is to convert the existing maple farm into a distillery and cooperage. The site (+/- 30-acres) currently has a 6,500 sq. ft. building, two driveway entrances and +/- 45 parking spaces. Two new commercial buildings (8,500 & 10,500 sq. ft. respectively) are proposed for the rear of the parcel. Existing lawn area along western edge will be reserved for overflow parking and special events. New distillery will connect to existing drilled water well and existing sewage disposal system. Hours of operation M-F 8am-5pm, Sat. 12pm – 8pm, and Sun. 12pm-6pm. Parcel is zoned Highway Commercial/Rural Residential Agricultural.

Gavin Vuillaume, EDP, Tony Hynes, the applicant, and Randall Beach, Murray's Fools Distillery, were present.

G. Vuillaume stated they are using the former Riverside Maple Farms for a distillery and cooperage. The current zoning allows this type of use. The existing building is in great shape and they are only touching the interior. A small vestibule will be built at the building's entrance, a deck and patio will be built on the side for tastings and a small cooler will be added to the building. The current driveway and parking will stay the same. There are approx. 45 parking spaces located in the front of the site, and they would like to have an open area on the lawn for special events. The rear of the site will accommodate the newer activities, construction of the cooperage and rickhouse. A rickhouse is where barrels are kept to age. Drawings for the new buildings are still being worked on. Stormwater management will be to the rear of the property. Currently, there is a solar array in the rear that will be removed. An existing well is expected to provide enough water for the planned use of the property. The septic system needs to be enlarged, probably doubled in size. There is also an existing house that will remain. BBL is doing the design of the building.

M. Carr asked what do you do with old solar panels.

A discussion took place as to how to dispose of them.

T. Hynes said there is no decision yet on what will be done with the existing house. The current building will be converted from maple syrup production to whiskey and spirits production. Murray's Fools Distillery has been granted their federal permit to move their distillery from Plattsburgh, NY to this location. There will be tasting in front of the building along with the patio for additional tastings and activities for food/drink mostly in the summertime.

M. Carr asked about the hours of operation.

T. Hynes said they will be limited, mostly Thursday – Sunday.

R. Beach replied their plan is to mirror Wolf Hollow Brewing. Thursday & Friday 4PM-8PM, Saturday 12PM-8PM and Sunday 12PM-6PM.

M. Carr inquired about the type of outdoor activities. Will there be any live music?

T. Hynes said mostly it will be just food/drink. He could see live music being there at some point. Mr. Hynes said the model is very similar to the models for Wolf Hollow and the maple farm. Small events

such as weddings, concerts, festivals were part of the maple farm's model. The site is suitable for those type of events.

M. Carr stated that his idea of a small festival may be different than Mr. Hynes. There have instances in the past where there have been issues and just be considerate of the surrounding neighbors as sound travels.

K. Semon stated that this will be a more intensive use than the maple farm. Seating for 250 people and the interior will be modified for two levels and patio with seating below. For events, who will be providing food and will it be cooked on-site?

T. Hynes responded they will have their own commercial kitchen. He owns a local manufacturing company and he has a cafeteria with chefs. So, he will be using his own people.

A discussion took place with regard to the speed limit in the area (55 mph). There is concern over a patron leaving the site and the possibility of an accident. The same discussion also took place with the Wolf Hollow application.

M. Carr asked about any stormwater modifications.

G. Vuillaume said overall about 2-acres will be disturbed and they will be handling it.

M. Carr asked if the applicant knows what their maximum capacity would be for an event/festival and is there enough parking.

T. Hynes said the site doesn't lend to a large event, so he believes 200-300 maximum. Parking will be sufficient.

K. Semon asked if the applicant would be putting up a tent for events.

T. Hynes said he could see a tent being used for weddings and if it worked out well, a permanent structure in the future.

M. Carr asked where would the tent be placed.

G. Vuillaume said the lawn area to the left of the building.

A discussion took place regarding the topography of the site.

M. Carr asked if the existing curb-cuts were going to be used.

G. Vuillaume said they will, and the site-views are sufficient.

M. Carr asked if the applicant would explain the barrel making process.

T. Hynes said the barrel production will be moved from its current location in Remsen (currently 3,500 sq. ft) to a new building here (8,500 sq. ft.). Cutting and shaving of the wood will be done here.

K. Semon said he has seen pallet production and asked about the debris from the barrel production.

T. Hynes said there is sawdust, but it will be placed out behind the building. The sawdust is re-purposed at local farms for livestock bedding.

M. Carr asked what type of wood is being used and will anything be sourced locally?

T. Hynes said he uses American White Oak from the Ozarks. There is very little white oak to be sourced from New York State.

M. Carr inquired about any other materials that will need to be brought in i.e., metal for the hoops.

T. Hynes said hoop steel comes in on rolls. There is a machine that measures and cuts it, puts in a spline, and punches it.

M. Carr asked about the charring of the barrel's inside. How much fuel will be used and how will it be stored.

T. Hynes said they will be using natural gas, located on-site, for the charring process.

M. Carr asked how long does a barrel last in the rickhouse.

T. Hynes said typically 2-3 years, up to possibly 5 years. The issue that local distilleries are facing is that they have ample space to distill, but not enough space to store the barrels. He plans on contracting with other local distilleries for storage at his rickhouse along with storing barrels from Murray's Fools.

K. Semon inquired if the storage is a controlled environment.

T. Hynes said it is not. You want barrels to age in the environment, although secure and out of the rain, but the change in the temperature and humidity levels is what is needed because that is what moves the whiskey in and out of the wood and where you get your flavor.

M. Carr inquired about any licensing and/or permitting that will be required.

R. Beach said for the distillery they need a basic permit for distilled spirits from the federal TTB which they already have. NYS allows one branch of a farm distillery and this location is their branch and that has been submitted. For the rickhouse, Hoffman's will apply to be a warehouse under federal law and state law. Those applications will be submitted shortly.

M. Carr asked if there are any codes that need to be followed for storing a flammable liquid i.e., any fire suppression.

R. Beach replied the distillery will have typical fire suppression equipment. Some of the alcohol comes to the distillery at a higher proof than they can use. They cut everything down to a minimum proof for their use.

M. Carr asked if any wastes are being generated from the distilling process, how is it handled, and where does it go.

R. Beach said the benefit of this location is the ability to work with surrounding distilleries. They are working with Schenectady (36 Locks) as they have a massive mash tun. They just ran their first single malt whisky mash using 36 Locks facility, and they will continue to do so. The waste will be there not here on-site. All craft distilleries do two distillation processes, mash – cooking the grains, throw into fermenter with yeast, and distill once. That process will all be done at 36 Locks. The byproduct will be run one final time. That will be done on-site, so they will have less waste at their site. He also explained the process for apple brandy.

A discussion took place about the waste products and their effect, if any, on good bacteria, and running the waste through a septic system.

K. Semon recapped that what comes onto the site is for finishing and the waste is minimal and safe for local discharge.

J. Lippmann asked A. Briscoe if he concurs that the septic system would be appropriate for this use. She said that it would be beneficial to have something in writing regarding this.

A. Briscoe said the county DOH will be involved due to the expansion of the septic system. At the minimum, it will be permitted from the town, at the maximum the county will be involved.

R. Beach said some farmers use the waste as fertilizer if it is trucked off-site.

M. Carr asked if it is a permitted waste if trucked off-site.

K. Semon asked about the cutting of the alcohol that arrives at the site.

R. Beach said the cutting is done immediately. Waste taken off-site does not need to be permitted.

N. Brower Dobiesz asked how is the transportation being handled between this location and 36 Locks.

R. Beach replied there is paperwork called a Transferring Bond. They will trailer it down in totes.

K. Semon asked if the burning of the barrels is done in a separate location from the alcohol.

T. Hynes said that it is done in a separate building.

K. Semon asked if they are bottling on-site and will the product be available to the community.

R. Beach said they will be selling both retail and on-site, under the name of Murray's Fools Distillery.

M. Carr asked where did the name come from.

R. Beach said his great, great grandfather, a Boston preacher named W.H.H. Murray, wrote a book in 1869 called the Adventures of the Wilderness or Camp Life in the Adirondacks. As a result, thousands of people came from the cities to the Adirondacks. They got stuck in Whitehall, NY as the transportation and lodging was limited. People went back to the cities, and the papers called them “Murray’s Fools”.

N. Brower Dobiesz asked if the applicant had given any thought to keeping the solar panels.

T. Hynes said the location of the panels is the most logical area for stormwater management due to the elevations so, the panels won’t be kept.

MOTION

In the matter of the site plan application by Hoffman Hill Holdings, LLC for the conversion of the existing maple farm into a distillery and cooperage located at 7152 Amsterdam 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. Lippmann

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

MOTION

In the matter of the preliminary site plan review application by Hoffman Hill Holdings, LLC for the conversion of the existing maple farm into a distillery and cooperage located at 7152 Amsterdam Road, the Planning and Zoning Commission hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The commission would like to see comments/feedback from the county health department on septic waste and there will not be any potential adverse impact on the septic system.

The Commission hereby schedules a public hearing for 3/14/22 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 3/14/22, 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. Lippmann****Ayes: 6 Noes: 0 Absent: 0****Motion Approved****Horstman Farm Mixed Use Planned Development
Swaggertown Road & NYS Route 50****Recommend to Town Board
Zone Change to Mixed Use
Planned Development District**

This project includes four parcels totaling 11.4-acres. Largest parcel is 8.7-acres (vacant) between Swaggertown Road & Route 50. Remaining three parcels are south of Swaggertown and on both sides of Birch Knoll Drive and are vacant farmland. Project proposes thirteen 4-unit, 2-story buildings, two two-unit, 2-story condominiums and two 8,052 sq. ft. mixed use buildings to be located on the largest parcel with 3 proposed curb-cuts. Parcel located west of Birch Knoll Drive is scheduled for two 4-unit, 2-story condominiums while the two parcels east of Birch Knoll Drive will share three 4-unit, 2-story condominiums. Access will be via a single curb cut along Swaggertown. All driveways are proposed to be privately owned, operated and maintained. Parcels are zoned Suburban Residential and/or Professional Residential.

Scott Lansing, Lansing Engineering, and Geoff Booth and Jeff Knox, NY Development Group, were present.

S. Lansing stated the commission is familiar with this project and tonight they are looking for a referral from the planning board to the town board for a zone change. The following changes have been made based on comments from the commission:

- Changes have been made based on project density and open space. There has been a reduction in the number of units from 88 to 76. Open space has been increased in the Swaggertown Road area along with an increase in the buffers to the Horstman Creek.
- The applicants are in the process of conducting a traffic study for the parcel and don't anticipate any impact to the area.
- There are open space areas for stormwater management, under surface storage, and retention systems in the back section along the Horstman Creek. Those practices would be outlined during the site plan phase.
- The Horstman Creek has been confirmed as a Class C stream so, there are no buffers associated with the creek. The commission did ask for some buffering and the applicant has provided a minimum 40-foot buffer.
- There is a floodplain associated with the Horstman and that floodplain is currently being evaluated. The structures will be provided at an elevation above the floodplain elevation.
- The main access point has been changed to line up with Judson Meadows.
- Sidewalks have also been provided connecting all the residents to the main roadways, the open space area and to the front area as well.

- The western side of the project has also received a decrease in the number of buildings and reconfiguration of the roadway going in. The two rear buildings have been moved closer to the Judson Meadows area and further away from the suburban residential area.
- There is a parcel zoned Professional/Residential and that area will have 12,000 sq. ft. of professional space with associated parking.
- Lighting plan will be provided at the preliminary engineering.

V. Soldani asked if the buildings will look exactly as the renderings.

S. Lansing replied yes, they will.

M. Carr asked which buildings will be commercial.

S. Lansing said the two buildings located in the front will be commercial, approx. 4,000 sq. ft. on the bottom floor, with apartments located on the second floor, 4 units in each building, providing 8 units of residential on the upper floors of those buildings.

M. Carr inquired as to the total number of buildings for the total development.

S. Lansing replied 22 buildings and 20 of those will be residential.

M. Carr asked how will the 40-foot buffer affect the Class C stream.

S. Lansing said Class C streams do not require a setback, theoretically they could build up to the stream, but they are providing a 40-foot buffer and avoiding any wetlands associated with the stream.

M. Carr asked about the property between Judson Meadows and the western portion of the development, and what is that being used for.

G. Booth said that is Mr. Horstman's house and associated farm structures and barn.

M. Carr asked if the buildings will have basements or be slab on-grade.

S. Lansing said the buildings closer to the Horstman Creek will be slab and the rest may have basements with full basements as the goal.

M. Carr asked the applicant to discuss stormwater management and open space on the property. Will any of the open space be utilized for stormwater management?

S. Lansing answered that there are some opportunities down by the Horstman Creek such as bio swale, and driveways with porous asphalt. In the open area possibly some under ground stormwater system chamber.

M. Carr asked if there are any potential tenants for the two commercial buildings.

S. Lansing said the applicants are working on a PDD ordinance draft and the uses are to be in accordance with the General Business zone. To be excluded are auto service/auto sales, massage parlors, and tobacco sales. There are no tenants lined up at this time.

M. Carr inquired if this will be done all at once or will it be phased.

S. Lansing replied it will be phased based on market demand.

M. Carr asked in what order will it be built.

G. Booth replied the residential would be the first part. Sometimes they phase it into two parcels based on the Attorney General's office requesting HOA fees up front for the entire project. The commercial will be based upon tenants. As soon as they can start marketing it, they will. Originally, they had one large commercial building, but have broken it up into two and providing a drive-thru, with a separate area between the buildings which could allow for an outdoor dining area. Access to this area would be separate for the residents, access from the rear, while commercial access would be in the front.

J. Lippmann said her concern would be any queue from the drive-thru window which could be a problem for someone trying to get out of their parking space. Also, some type of pedestrian connectivity should be considered between the residential and commercial. It was in the previous plan and is not included in this revision.

G. Booth said it would be an easy fix to put a sidewalk between the two.

J. Lippmann said she is concerned with the fire apparatus turnarounds on the western side of the project. It looks like you may run out of room.

K. Semon asked if this project will be contributing to the park fund or will the project be exempt from that.

G. Booth replied he would expect to pay park & rec fees.

N. Brower Dobiesz asked if the residential is being geared towards families and how big are the individual units.

J. Knox said the bottom units are typically 1,300 sq. ft. and the upper units are 1,600 sq. ft. Condos are geared more towards older demographics and young professionals, 2 bedrooms for the lower units and 2-3 bedrooms for the upper units or possibly a study.

G. Booth said these buildings also have two-car garages along with two car parking in front of the garage in the driveway.

J. Lippman asked if these are all owner-occupied except for the proposed apartments over the commercial space.

G. Booth replied that is correct.

N. Brower Dobiesz asked if Glen Worden school would be servicing this development.

J. Lippmann replied yes.

G. Booth stated he expected very few children. It is rare for their condo developments to have kids.

J. Knox said they just completed two condo projects in Ballston Spa and there are no children there. This project meets the market.

G. Booth said this project will have private roads and there will be an HOA which will manage the snow removal, lawn care, etc.

J. Lippmann asked if there will be one HOA for both sides of the project.

G. Booth said there is only one HOA.

J. Lippmann suggested for pedestrian connectivity between the western and eastern sides of the project. The western residents will be paying for shared community space, and they need a safe way to get there.

A discussion took place that this is a similar project to Adams Point in Ballston currently under construction.

V. Soldani said the plans indicate a two-story building, but the rendition appears to be three-story.

J. Knox said the dormers are just for aesthetics.

J. Lippman said she had concerns with the multi-family on the western side, but she's not as concerned now having a better understanding of the parcels to the north. It could be a good transition between residential and the senior facility.

G. Booth said there is a natural buffer between the proposed units and the single-family residences.

J. Lippmann said with the demographic being targeted, are they looking for backyards. There really isn't any being provided.

J. Knox said that's correct, the owners want maintenance free. They want open space to walk, but they are not looking for garden space, etc.

K. Semon asked if the HOA will be taking care of the lawns.

G. Booth said the lawns, roads, shrubs, fertilization, etc.

N. Brower Dobiesz thanked the applicants for the changes provided with this submission.

M. Carr said the applicants are aware of the commission's concern with density, although they are moving in the right direction, however, he will make a motion to table this application for a continued discussion with the town board and the applicants.

MOTION

Regarding the application by NY Development, LLC for a recommendation to the Town Board for a zoning change, the Planning & Zoning Commission recommends tabling this application until further discussion can take place with the Town Board and the applicants.

Motion

Moved by: M. Carr

Seconded by: N. Brower Dobiesz

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

M. Carr said the commission doesn't want to hold up the project, but it's a lot for the area and they want to make sure they are doing the right thing.

Although tonight's review was not a public hearing, a courtesy was provided to Paul Kenny, 48 Swaggertown Road, to ask a couple of questions. He said Judson Meadows has a pipe that goes under the road which is part of the stormwater management for Judson Meadows. Won't that have to be addressed?

M. Carr said this will be addressed. Tonight's activity was to make a recommendation to the Town Board for a zoning change so the applicant will come back before the PZC for site plan review.

P. Kenny questioned the density of the project. When you do your assessment of this project will you state what will the density be, how many units per acre and what will be good for Glenville.

M. Carr said this is an intense use of the project which is why this has been tabled for further review.

J. Lippmann said typically the draft PPD will provide the density and maximum the number of units allowed. That is the Town Board's purview. It should be stipulated.

With no further business the meeting was adjourned at 9:11 PM.

Lynn Walkuski, Stenographer

Julie Davenport, Town Clerk