

# PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

June 13, 2022

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

Also

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

Absent: N. Brower Dobiesz

Meeting called to order at 7:04PM

**Motion** to approve the agenda

**Moved by:** K. Semon

**Seconded by:** P. Ragucci

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

**Motion Approved**

**Motion** to approve minutes from the April 11, 2022 meeting

**Moved by:** K. Semon

**Seconded by:** J. Lippmann

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

**Motion Approved**

**Mohawk View Self Storage  
4232 Amsterdam Road**

**SEQR Determination  
Preliminary Site Plan Review**

The applicant received approval for a Storage Overlay District from the Town Board on March 2, 2022, for this 4.72+/- acre parcel. This proposal is for 7 one-story self-storage buildings with a total gross floor area of 47,500 sq. ft. No outdoor storage is proposed. Stormwater will be on-site in multiple locations. A new full access curb cut will be located near the current existing one. Lighting will be building mounted with additional lampposts near the entrance and perimeter. Landscaping will be near the entrance. A small office will be in Building #7 and will be serviced by an existing well and new septic system. Hours of operation are 6:00AM – 10:00PM daily, with 24-hour access on a case-by-case basis. Parcel is zoned Highway Commercial with Storage Overlay District.

Dave Kimmer, ABD Engineering, and Mark Nardini, the applicant, were present.

D. Kimmer gave a quick overview of the project. The parcel is currently vacant, mostly wooded and does have an abandoned house and garage on the property. The property is located between two vacant parcels and has railroad tracks behind it. The project received a zoning change to be in the Storage Overlay District. The plan still contains 7 buildings, 6 for storage and a small building containing the office. The hillside will be graded out so access will be from Route 5 to the main self-storage area. There will be a slope back up to the railroad tracks. The facility will be open 24 hours a day, but the rental office will be staffed during normal business hours. Plans are to fence in the site. There will also be lighting and security cameras. A gate will not be at the entry due to the steep slope. Landscaping will be in the front along with a monument sign.

M. Carr asked how much does the elevation change from Route 5 to where you go into the site?

D. Kimmer replied that the elevation at Route 5 is about 244 ft., and you go up about 12 ft to the middle of the site. It slopes up about another 20 ft to the rear of the property.

M. Carr said there will be 24/7 access but asked if there was any concern for vandalism since there would be no gate at the entry.

M. Nardini said he does not have any concerns.

K. Semon asked for clarification on the 24-hour access. Is it by appointment?

M. Carr asked if someone would need to call for access at 3AM or can they just go there.

M. Nardini said everyone will have their own locks.

P. Ragucci asked if the locks are keyed or digital.

M. Nardini answered they are digital.

J. Lippmann asked if this was atypical not to have a gate. Most storage facilities are fenced and gated.

M. Nardini said they are concerned about having a keypad on the hill due to the slope. They could adjust the gate if the commission wanted a gate installed.

J. Lippmann said it is based on what history would bear, but if their market does not require a gate, she would not require one either. It just seems typical that these types of facilities usually have fencing and a gate.

D. Kimmer said they feel since this location is remote that it will not be an issue.

K. Semon pointed out that the location is not that remote. It would be easy to go in with bolt-cutters and a U-haul and open any unit. He sees it as a potential threat to their clients. Will their customers feel secure?

C. Heinel asked how bright will the lighting be in the self-storage area? She has seen some that are brighter than others and this is located along a state highway.

D. Kimmer said there will be less than 1 footcandle spillage over the property line.

V. Soldani asked what will be the recording capability of the security system? Will it be a couple of days?

M. Nardini replied yes. There will also be trees landscaped around the area to provide protection for the neighbors.

M. Carr asked if the rental office will be staffed on the weekends.

D. Kimmer replied yes. M. Nardini said it will be an on-call basis for the weekends.

V. Soldani asked if vandalism does become an issue is there a way to make a change so it would not be such a graded hill?

D. Kimmer said they could put gates in, but they would be in a different configuration. They would be located inside the site itself. It is not optimal, but it could be done if security became an issue.

A discussion took place about a sliding gate and where that could be located or gates allowing access to each individual area.

P. Ragucci agrees with the no gate due to the slope and would feel more comfortable with the client pulling into the site as opposed to sitting on the slope punching in a code.

K. Semon asked what type of fence will be installed?

D. Kimmer answered it will be a chain-link fence 6-feet in height.

M. Carr asked if there will be any outside storage. K. Semon asked if it will be climate controlled.

M. Nardini said there will only be inside storage, and it is not climate controlled.

M. Carr asked for a description of the vegetation (visual buffer) between Route 5 and the buildings.

D. Kimmer explained there is a significant amount of vegetation between the property line and Route 5 which they cannot remove. It will be clear-cut near the entrance for signage visibility. They do not intend to clear-cut the entire property.

M. Carr asked will the existing well be used for potable purposes?

D. Kimmer said the well will be used only for the rental office. It will be tested if it has not already been done.

K. Semon said it is not uncommon for storage facilities to have solar installations. He asked the applicant if they have explored that option.

M. Nardini said they have been looking into it.

K. Semon reminded the applicant if solar panels are installed, they will need to re-appear before the PZC.

V. Soldani asked if the fence is 15 feet from the road.

D. Kimmer said the fence goes right up to the buildings and the buildings are about 100 feet from the road. The monument sign is 15 feet from the road.

K. Semon mentioned the commission approved a similar project a couple of years ago and the only difference is the security.

J. Lippmann asked if the SWPPP was going to be reviewed.

D. Kimmer said they have received comments from the TDE regarding the SWPPP review.

## **MOTION**

In the matter of the Mohawk View Self-Storage site plan application to install 7 one-story self-storage buildings located at 4232 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: P. Ragucci**

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

**Motion Approved**

## MOTION

In the matter of the preliminary site plan review application by Mohawk View Self-Storage for the construction of 7 one-story self-storage buildings located at 4232 Amsterdam Road, the Planning and Zoning Commission hereby conditionally approves the application.

### Conditions of preliminary approval are as follows:

1. Confirmation the town has received the SWPPP review by the TDE.
2. A statement in writing from the applicant that security cameras will be installed. Also address the comment about the lighting.

The Commission hereby schedules a public hearing for 7/11/22 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 7/11/22, 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: P. Ragucci**

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

**Motion Approved**

At this time Chairman Carr addressed the audience. He asked how many were in attendance for the Joe Tesiero – Wolf Hollow/Hoffman Hill Rd. Extension concept review. He stated that tonight is a concept review, not a public hearing, so comments will not be taken from the audience. In the meantime, he recommends that if there are any questions to put them together. The commission values their input and wants to hear from them. They can submit their comments to the Town of Glenville Planning Department. Tonight, is just to hear from the applicant. The commission will not be taking any action or voting tonight. If the applicant wants to move forward with the application, they will need to submit a formal application to the town.

K. Semon also added that this is the first time the commission is also seeing this proposed project.

### **Lolik Estate Subdivision Spring/Lolik/Snake Hill**

### **SEQR Determination Preliminary Subdivision Review**

The applicant is proposing a 5-lot subdivision of the Lolik Estate (approximately 66.74 +/- acres). All newly created lots have existing road frontage along either Spring Rd, Lolik Lane or Snake Hill Rd. Public water is available while public sewer is not. It is the intention of the applicant to sell these lots for the building of single-family homes. A majority of this parcel is located within the Rural Residential/Agricultural District while a portion (along Spring Road) is in the Suburban Residential District.

Josh Hawley, the applicant, was present.

J. Hawley said the property has been part of the Lolik estate for a while and they are ready to sell it. J. Hawley is purchasing 46-acres with plans to build a single-family home on about 35-acres. The remaining acreage (2 lots) will be sold. Once the situation of the 16-foot swath that bisects the property is resolved a third lot (not currently on the subdivision plat) will be sold. The lots to be sold all have existing road frontage and there is no need for extension of utilities, etc. The property owner is retaining two lots; one is 20-acres and is currently under contract and one lot is approximately 1.3-acres.

M. Carr asked if the 20-acre lot will be subdivided in the future.

J. Hawley said he was not privy to the arrangement but has had conversations with the purchaser and they are interested in building a single-family home.

J. Hawley has spoken with the property owner of the 16-foot swath and her lawyer is working on the contract. When he receives the contract, he will submit it to the commission for review with the application to show it is resolved and will commit to the lot-line adjustment.

M. Carr asked if that is the land-locked flag lot. It is one of the items the commission would like to see resolved. Lot #1 has frontage on both Lolik and Spring Road. Will there be a commitment to no further subdivision of Lot #1?

J. Hawley replied yes, that is correct. At some point in the future, he would like to put a second lot on the Snake Hill side, but he understands he needs to take care of the piece of land that is splitting the property in two. Once he obtains that piece of land, he will no longer need to hold on to the frontage on Snake Hill Road.

M. Carr said the commission gets concerned with segmentation. It is good to have an idea of what to anticipate in the future which helps with the commission's decisions.

J. Hawley said his intent is to keep the parcel and maintain the trails, hunting opportunities, etc. as they currently exist.

P. Ragucci asked for clarification on Lot#2. J. Hawley approached the bench and showed what his plans are.

M. Carr inquired about Lot #3 being in two separate zoning areas.

J. Hawley replied he used the more restrictive zoning requirements (Rural Residential/Agricultural) for that lot.

M. Carr said due to the shallowness of the bedrock there most likely would be a need for an engineered septic system.

J. Hawley said some of the lots will be more challenging and will need an engineered system. When he sells the lots, he is considering doing the design himself, as he is a P.E., and including that in the sale package of the lots.

A discussion took place regarding the outstanding issue of the property to be purchased.

C. Heinel asked if there was an offer made on the property and was it accepted.

J. Hawley made an offer, and it was accepted. He is waiting for the contract.

C. Heinel asked when will he have the contract?

J. Hawley said he is to have it next week.

J. Lippmann said this plat should be updated to indicate the lot line adjustment.

J. Hawley said he could do that.

J. Lippmann said her concern is that the applicant is in contract to purchase the property, but it is not being presented to the commission.

C. Heinel said there is no need to hold final site plan review next month. Final review could be pushed off another month to await the closing and finality of the sale and then the lot-line adjustment could be done with the final review. She asked if the applicant could get his lot-line application in by Monday, 6/20/22.

J. Hawley said he could do that.

A discussion took place regarding several surrounding parcels and the potential of land-locked parcel(s).

#### MOTION

In the matter of the preliminary subdivision by the Lolik Estate for a 5-lot subdivision of the property located at the vicinity of Lolik, Spring and Snake Hill Roads, 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: 5 Noes: 0 Absent: 1**

**Motion Approved**

#### MOTION

In the matter of the preliminary major subdivision application by the Lolik Estate for a 5-lot subdivision located in the vicinity of Lolik, Spring and Snake Hill Roads, the Planning and Zoning Commission hereby conditionally approves the preliminary application.

Conditions of preliminary subdivision approval are as follows:

1. The approval will be contingent upon the sale of the property.
2. The approval will be contingent upon the lot-line adjustment and the applicant will need to submit a lot-line adjustment application by Monday, June 20<sup>th</sup>.

The commission hereby schedules a public hearing for 7/11/22 to consider the final subdivision application. However, in order for the Commission to schedule a public hearing for 7/11/22, 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.

**Motion**

**Moved by: M. Carr**

**Seconded by: P. Ragucci**

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

**Motion Approved**

**Don Higgins  
3872 Ridge Road**

**SEQR Determination  
Preliminary Subdivision Review  
Use Variance Recommendation**

The applicant wishes to subdivide 155-acres into 3 lots. (11.78+/-, 18.56 +/- and 123.79 +/-) and add acreage to Lot 2a as noted on plat. This subdivision will separate the home from the garage and the applicant will also need a Use Variance as this proposed subdivision leaves the garage as a stand-alone primary structure on designated Lot 2D. This parcel is in the Rural Residential/Agricultural District and a portion is also located in the Land Conservation District.

The applicant was not present.

**Joe Tesiero  
Wolf Hollow Rd & Hoffmans Hill Rd Ext.**

**Concept Review**

Applicant is proposing a 23-lot subdivision for this approximate 166-acre parcel to be located on the eastern side of Wolf Hollow Road. All lots will be a minimum of 3-acres with on-site well and septic systems. This project will also include an extension of Hoffman's Hill Road Extension. Parcel is in the Rural Residential/ Agricultural District along with some portions located in the Land Conservation District.

F. Palumbo, CT Male Associates, was present.

F. Palumbo stated that their concept of a 23-lot subdivision is to be considered as a practical maximum. They used the zoning code to develop the minimum 3-acre lots. The plans show DEC and Army Corps wetlands from their data base, and they have not yet been field identified. They have also considered slope analysis for the best locations of septic fields, etc. The shale pit is a good indicator of underground conditions. He talked with some locals and obtained information on well yield. Every lot would need to be identified with a viable water source on-site and the septic fields would also need to be identified in their locations. The next steps would be to field delineate the wetlands. The delineation may influence



the lots near the wetlands. The objective was to form a t-intersection at Wolf Hollow Road and Hoffman Hills Rd. Ext and continue the road up the hill with a large circular cul-de-sac. A concern of town staff was the large circular center and whether it would be treed. The slope of the road is 8% and it would remain the same. The shale pit shows up as part of the federal wetlands, but he does not believe it is. That could have an effect on Lot #23 located near the shale pit.

M. Carr said there are a lot of wetlands in the area and the delineation is going to be a large part of this. There is concern over the number of lots and it is out of character for that part of town. There are not any subdivided residential neighborhoods in that area. If this is allowed by zoning, and the applicant complies with the town zoning regulations and requirements, then he can proceed.

K. Semon said it is common for the applicants to work with the town and take into consideration the recommendations provided.

M. Carr also said that taking comments from the general public is also important.

M. Carr also said with the size of this proposed subdivision, and the potential traffic as a result, Hoffman Hills Road will see an increase in usage. The applicant should contact Tom Coppola, Highway Superintendent, for the rating of the road and will the road be able to physically handle the increased usage. Consideration should also be given as to how will the fill for the raised bed septic systems be brought in. The dump trucks carrying the fill could potentially damage the road.

M. Carr asked if any of the lots are less than 3-acres in size.

F. Palumbo said they are all 3-acres or more.

A discussion took place regarding the coding of the houses and septic systems on the plans.

M. Carr inquired as to the percentage of wetlands found on the proposed northern lots.

F. Palumbo said there may be impact on those lots depending upon what the findings are with the wetlands.

C. Heinel asked will there be deed restrictions as notice to potential buyers that those are state/federal wetlands.

F. Palumbo said they will have to go on the final subdivision maps once delineation is determined.

C. Heinel said it is better to put it in a deed restriction as potential owners do not always look at the maps.

K. Semon asked if there is any potential of the wetlands to expand with the coverage of land use.

F. Palumbo said his general response would be not likely. The amount of flow that goes to the basin area, will increase with the impervious surfaces but when you are talking about the large basin area that forms the wetlands, he does not think it will be affected. If the Army Corps delineation was done now

and a satisfactory agreement was reached the delineation is only good for 5 years. The process is if you act within a jurisdictional determination and a subdivision is done during the time that it is valid then it goes on the plan.

P. Ragucci asked if the development would be phased.

F. Palumbo replied they are not committal to phasing yet. Phasing will also play a part in terms of the market at that point in time. If the code states that the road needs to be built, then that would be the first phase.

K. Semon asked if the applicant would consider meeting with the surrounding neighbors and hosting a meeting with them.

F. Palumbo said he had spoken to several neighbors before the meeting, and he suggests that comments/concerns should be addressed to the town and/or commission. They want to hear from them.

C. Heinel asked if there is any anticipation of a home-owners association.

F. Palumbo responded not at this time.

J. Lippmann stated that would be her biggest concern with the cul-de-sac and who would maintain it.

A discussion took place regarding the intersection of the roads and the extension. The applicant has already had some discussions with the town regarding the road, cul-de-sac, and culvert.

K. Semon asked what fire district is this in?

F. Palumbo said it is in West Glensville. The length of the cul-de-sac was discussed along with water capacity. It was their understanding initially that it was not a restriction on this, but they will reach out to the fire department as well.

K. Semon stated there will need to be discussion with the fire department to make sure there is substantial water access at this location in the event of a crisis.

M. Carr replied as with any other application the town would reach out to the appropriate fire department for review of the application and get a letter from them regarding their ability to respond to emergencies.

J. Lippmann asked if town code has any restrictions on the number of homes that can be located on a cul-de-sac, and can it be any length?

A. Briscoe said it does not restrict the number, but mostly addresses access/egress for the apparatus itself and it can be any length.

M. Carr said the highway department would have to look at the cul-de-sac for plowing purposes, truck turning radius, buses, etc.

F. Palumbo said they have found it is easier not to have an open cul-de-sac.

A brief discussion took place regarding the closure of lower Wolf Hollow Road and a possible bike path. The applicant was asked if they would consider giving some land for a terminus at the bike path for a parking lot. If it could somehow be utilized for the general public that would be a good thing.

V. Soldani asked if the applicant has talked to the town about potentially re-opening the road.

F. Palumbo said he does not know enough about the closure.

M. Carr said some of the issues are the availability of water, delineating the wetlands, traffic on the road, construction traffic on the road, input from the fire district, and a statement from the applicant about the bike/hike trail.

C. Heinel said is there something of a public benefit considered as part of this project or would the applicant be looking at paying the standard recreational fees for the subdivision.

A discussion took place regarding Wolf Hollow Road and the possibility of a town public benefit.

M. Carr addressed the audience and encouraged them to provide comments to the town planning department. If you have a problem with the website call town hall and speak to the planning department.

A. Briscoe said go to the town website, click on the planning department and there is an email address there.

A. Briscoe asked if the applicant intends to build all 23 homes or sell the lots individually and deal with 23 separate contractors.

F. Palumbo responded the owner is not a builder. When they get to an agreed subdivision, he does not know how the owner will manage it. He may sell all the lots to one builder for development. However, whatever is required of the infrastructure the owner would be responsible for.

M. Carr thanked the audience for attending the meeting.

**Bullets & Bourbon, LLC**  
**104 Freemans Bridge Road**

**SEQR Determination**  
**Preliminary Site Plan**

The applicant is the new owner of the former Glenville Sportsplex center. The intention is to re-open the center under the same use. Parcel is in the Freemans Bridge Road Corridor District.

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

J. Singer mentioned Shawn is owner in the two front properties, the liquor store and gun store, and decided to purchase the sportsplex. It has been vacant for approximately 3 years and wants to bring it

back to working order without changing the use. The first step would be to re-open the mini golf and ice cream store. They need to look at the septic system to make sure it is in working order and get approval. There really is not a whole lot of work here except clean-up and hoping to open it this summer.

M. Carr said he thinks this is a great idea to re-open. He agrees that the evaluation of the septic system needs to occur to confirm size and functionality with documentation. Would the applicant consider or be willing to connect to the sanitary sewer? What will the single-family dwelling be used for?

S. Lamouree said they were looking to rent out the dwelling.

M. Carr said current zoning does not allow for new long-term rentals so a use variance will need to be obtained from the Zoning Board of Appeals. Kitchen and food prep areas need to be brought up to code.

A. Briscoe replied he has not been in there, but it would fall under the county health department. Obviously, permits will be required to serve food, etc.

M. Carr also stated the applicant will need to obtain the proper town permits for certificate of occupancy, signage, and any renovations. The commission feels it is a good application and wants to see it happen.

J. Lippmann asked if there will be any issue with parking.

J. Singer said if you look at the overhead shot, the gravel area for parking has been taken over by weeds, etc. There also is a paved delineated parking area.

C. Heinel asked if the applicant has plans to pave the gravel parking area.

J. Singer said they will keep it as gravel, but it will be used for additional parking.

M. Carr asked if all the original equipment is still there (batting cages, etc.).

S. Lamouree replied yes and no. The previous owner sold the guts of the machines that turned on the batting cages and they are planning to replace them.

P. Ragucci asked if they already took down the basketball area.

S. Lamouree said they have and will replace it with a children's playground. They have also been in conversation to purchase electric go-karts.

K. Semon asked if this site will be run independent of Bullets & Bourbon. Will there be any cross-traffic?

S. Lamouree replied there will be no cross-traffic. There is a fence that separates the properties.

P. Ragucci asked about outside seating.

S. Lamouree said there will be picnic tables and another area is covered by a roof.

A discussion took place as to the property to the north. Nothing was developed there.

A discussion took place about the variance that they may need to obtain.

C. Heinel said a preliminary approval can be conditioned in that no approval would be granted for the use of the single-family home as a rental property until a use variance is obtained from the Zoning Board of Appeals.

Another discussion took place regarding the septic system. An evaluation will need to be done and if it fails then the applicant will be required to hook up to the sewer system. You cannot replace septic if public sewer is available.

A. Briscoe stated the county will want an evaluation of the septic anyway.

#### **MOTION**

In the matter of the re-opening of the former Glenville Sportsplex by Bullets & Bourbon LLC, to be located at 104 Freemans Bridge Road, the PZC 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: K. Semon**

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

**Motion Approved**

#### **MOTION**

In the matter of the preliminary site plan review application by Bullets & Bourbon, LLC for the re-opening and cleaning up of the former Glenville Sportsplex, located at 104 Freemans Bridge Road, the Planning and Zoning Commission hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The applicant is to have the septic system inspected/tested to the satisfaction of the Schenectady County Health Dept.
2. The applicant is to obtain the proper permits from Schenectady County DOH for the kitchen and food prep areas and make sure they are up to current standards.
3. If the single-family home on the property is to be used as a rental property, the applicant will be required to obtain a use variance from the ZBA as the current zoning does not allow for long-term rentals.
4. The applicant will need to obtain proper permits from the town (CO, sign and any renovation building permits).

The Commission hereby schedules a public hearing for 7/11/22 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 7/11/22, 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: P. Ragucci**

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

**Motion Approved**

A discussion took place about whether this application would have been able to be approved in one meeting.

**MOTION**

In the matter of the subdivision application by Don Higgins, 3872 Ridge Road, the applicant was not present at tonight's meeting. Therefore, the PZC will table his application.

**Motion**

**Moved by: M. Carr**

**Seconded by: P. Ragucci**

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

**Motion Approved**

With no further business the meeting adjourned at 8:25 PM.

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Lynn Walkuski, Stenographer

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Julie Davenport, Town Clerk