

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

November 14, 2022

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

Also

Attending: A. Tozzi, Dir. of Planning, A. Briscoe, Code Enforcement Officer, C. Heinel,
Town Attorney, N. Chiavini, Planner, L. Walkuski, Stenographer, D. Theobald,
Barton & Lojuidice

Absent:

Meeting called to order at 7:02 PM

Motion to approve the agenda

Moved by: K. Semon

Seconded by: N. Brower Dobiesz

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

Motion Approved

Motion to approve minutes from the September 12, 2022 meeting

Moved by: K. Semon

Seconded by: P. Ragucci

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

Motion Approved

Motion to approve minutes from the October 14, 2022 meeting

Moved by: N. Brower Dobiesz

Seconded by: P. Ragucci

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

Motion Approved

**Adirondack Beverages
701 Corporations Park**

**Public Hearing
Final Site Plan Review**

The applicant would like to install an aboveground storage tank and associated equipment for a proposed automotive fuel facility. This facility will be located on a vacant parcel next to the Adirondack Beverage plant on Patent Parkway. This parcel is zoned Research/Development/Technology.

Tim Snyder, Adirondack Beverages, was present.

M. Carr said the commission has reviewed everything. The tank specifications and manufacturer were provided. There were some questions on the oil stop valve. Previously the applicant mentioned a catch basin or basins inside the containment area. Can the applicant provide more information since they are located within the municipal watershed?

T. Snyder replied since the last meeting in October they have worked with their contractor and engineer to determine another way to give the site secondary containment. New drawings have been provided to the commission. They would eliminate the catch basins and oil stop valve and include a series of positive limiting barrier groves in the concrete in coordination with the site being pitched toward the center. This will contain any spill and keep it out of the ground.

M. Carr asked about rainwater. If there is rainwater pooled in the middle area, how will it be handled? It can be discharged so long as it is not full of oil.

T. Snyder said rainwater is a concern. He had conversation with RM Dalrymple, and they have ways to create a slight pitch towards the edges to shed the water and obviously, any other rainwater would continue to runoff the site. They were not that concerned considering the site's current condition. He said the idea would be to discharge off the site. He knows there is no gravity drainage. If there was a need, they would pump it out.

M. Carr asked if the tank ruptures will there be enough containment.

T. Snyder stated with the 20% overflow and other measures in place, both in the tank and on site, they are confident they will have enough containment.

K. Semon summarized his thoughts. If there is pumping of any rainwater it will be pumping from the surface which can happen quite frequently. The containment is to contain 100% plus another 20%. If the tanks fails and 100% is released, it will all be within the containment area plus an extra 20% available.

M. Carr said the 20% is on-board overfill capacity. So, if the tank is being filled and too much fuel is put in, it will spill out inside the tank into a reservoir within the tank. The reservoir is not used as a

primary tank for storage of fuel. So, the secondary containment has to have the capacity of 110%. If the primary tank fails, it should all be contained with 10% to spare.

K. Semon said that means you have to keep up with the water.

M. Carr replied if the tank fails there is an emergency response. The regulations state that monthly inspections, which includes the containment area and inspection of the tank itself, needs to be done and logged, etc.

K. Semon replied he understands, but we will be getting snow and snow equals water. These are situations which require personnel actions. How do you remove snow from the containment area?

T. Snyder said they would still be using trucks with plows on the longer areas, but the center areas which are deeper in pitch would need manual shoveling etc.

M. Carr asked if they are familiar with the Intermunicipal Watershed Rules, and will they meet them? He also asked if a SPDES permit will be required.

T. Snyder answered they will meet the watershed rules and they do not require a SPDES permit.

M. Carr said he is assuming they already have an existing petroleum bulk storage registration for the current tank and will they be submitting the PBS application for the new tank.

T. Snyder said they have had conversation with DEC, so they are aware of the new tank and closure of the old tank. They will be modifying the existing records to include the new tank on a new SPCC plan.

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 Adirondack Beverage for the installation of a 12,000-gallon above ground storage tank located at 701 Corporations Park, 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: P. Ragucci

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

**Ellis Hospital
460 Saratoga Road**

**SEQR Determination
Preliminary Subdivision Review**

This application is for the subdivision of a 3.51-acre parcel into two lots of 1.09-acres and 2.42-acres, respectively. Ellis Medicine was formerly located at this site. The medical office building has been removed and the remains of the blacktop driveway still exists. It is the intention of the applicant to subdivide these parcels for future independent development. The parcel is zoned Professional/Residential.

Frank Palumbo, CT Male, was present.

F. Palumbo gave a quick overview of the application. The applicant is looking to subdivide this parcel (3.51-acres) into two lots 2.42-acres and 1.09-acres, respectively. There are some wetlands on site and the proposed division line is representing the most usable property at the site. He believes they meet the required lot sizes for the current zoning. They did include a separate plan with the subdivision package, but they are here only for the subdivision application not a site plan. The additional plan would be for the most impactful use of those parcels which included septic, water, etc. It was only included to show that this subdivision would create viable lots.

M. Carr said the commission understands it is only for a subdivision.

M. Carr asked A. Briscoe about the clearing on the land.

A. Briscoe said DOT is cleaning out dead wood. There has been a recurrence of falling trees into the roadway.

K. Semon said the Short Environmental Assessment Form question #2 “*Does the proposed action require a permit, approval or funding from any other government agency?*” The response was a Highway Entrance Permit from NYSDOT.” That is not applicable for this application, correct?

F. Palumbo replied that is correct.

K. Semon noted question #17 “*Will the proposed action create stormwater?*” It is marked “yes,” but the subdivision will not create stormwater.

F. Palumbo said that is also correct.

K. Semon asked if an updated SEAF could be provided as some of the answers are for a more developed plan than just a subdivision.

F. Palumbo said they could provide an updated SEAF.

M. Carr asked if Ellis Hospital is planning to sell the property/properties.

F. Palumbo replied that is their intent.

K. Semon asked if there are any reservations on the use possibilities.

F. Palumbo said there are not any concerns. If someone wanted a single-family residence, then there would be separate driveway.

K. Semon asked if this is to appear again before the PZC, and the commission determines that the proposed use is not suitable, would the properties be recombined?

F. Palumbo stated if the two lots are approved then someone could buy a lot and if they meet the zoning requirements and approved uses (single-family residence) then they may not have to appear before the PZC.

M. Carr said he sees the biggest problem being a curb-cut from NYS DOT or the potential of putting in a septic in the rear of the lot where it drops off.

K. Semon asked what is the zoning for this parcel?

A. Briscoe replied Professional/Residential.

MOTION

In the matter of the subdivision application of a 3.51-acre lot into 1.09-acres and 2.42-acres respectively by Ellis Hospital, for a two-lot subdivision located at 460 Saratoga Road, the Planning and Zoning Commission finds that this application will not result in a significant potential adverse environmental impact. Consequently, the Planning and Zoning Commission hereby issues a negative declaration.

Motion

Moved by: M. Carr

Seconded by: P. Ragucci

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

MOTION

In the matter of the preliminary minor subdivision application by Ellis Hospital for a two-lot subdivision located at 460 Saratoga Road, the Planning and Zoning Commission hereby approves the preliminary application.

The Commission hereby schedules a public hearing for 12/12/22 to consider the final minor subdivision application. However, in order for the Commission to schedule a public hearing for 12/12/22, 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: K. Semon

Ayes: 6 Noes: 0 Absent: 0

Motion Approved

Without any further business the meeting adjourned at 7:18PM.

Lynn Walkuski, Stenographer

Julie Davenport, Town Clerk