

PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

December 12, 2022

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

Also

Attending: A. Tozzi, Dir. of Planning, N. Chiavini, Planner I, C. Heinel, Town Attorney,
L. Walkuski, Stenographer

Absent: A. Briscoe, J. Lippmann

Meeting called to order at 7:07PM

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 November 14, 2022 meeting

Moved by: K. Semon

Seconded by: N. Brower Dobiesz

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

Motion Approved

**Ellis Hospital
460 Saratoga Road**

**Public Hearing
Final 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.

Owen Speulstra, CT Male, was present.

O. Speulstra gave a quick overview of the subdivision project. Ellis is looking to subdivide and sell the newly created lots in the future. The new lots being created will be 1.09-acres and 2.42-acres, respectively.

M. Carr asked the commission if there were any issues as this seems to be a very straight forward application. He asked if the newly created lots will conform to town code.

O. Speulstra replied they do conform.

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 minor subdivision application by Ellis Hospital for a two-lot subdivision located at 460 Saratoga Road, the Planning and Zoning Commission hereby approves the application. The Commission's decision is based upon the following findings:

The proposed use takes into consideration the relationship of this project to the neighborhood and the community, and the best use of the land being subdivided. Factors considered include:

- Compliance with the requirements of the Zoning Ordinance and the policies of the Comprehensive Plan.
- Logical arrangement, location, and width of streets.
- The lot(s)' and street(s)' relationship to the topography of the site.
- Adequacy and arrangement of water supply, sewage disposal and drainage.
- Accommodation for future development of adjoining lands as yet unsubdivided.
- Adequacy of lot sizes to achieve the above.

MOTION

Moved by: M. Carr

Seconded by: N. Brower Dobiesz

Ayes: 5 Noes: 0 Absent: 1

Motion Approved

**Don Higgins
3872 Ridge Road**

**SEQR Determination
Preliminary Subdivision Review**

The applicant is resubmitting his subdivision application with a modification to the original submission. The applicant wishes to subdivide a 5.41 +/- acre lot and add 9-acres to Lot 2a as noted on plat. The applicant will retain the remaining 142 +/- acres. This parcel is in the Rural Residential/Agricultural District and in the Land Conservation District.

Don Higgins, the applicant, was present.

M. Carr said he understands the applicant has redone the subdivision to comply and he thanked the applicant. At this point he does not believe there are any issues with the subdivision itself. However, he mentioned the subdivision plat needs to be stamped and signed by the surveyor, the surveyor needs to show the dimensions of the buildings and setbacks for all the lots, the address does not match the tax map ID number. Those items need to be addressed.

MOTION

In the matter of the minor subdivision by Don Higgins for a two-lot subdivision located at 3872 Ridge 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 minor subdivision application by Don Higgins for a two-lot subdivision located at 3872 Ridge Road, the Planning and Zoning Commission hereby conditionally approves the preliminary application.

Conditions of preliminary subdivision approval are as follows:

1. The subdivision plat needs to be stamped and signed by the surveyor.

2. The surveyor needs to show the dimensions of the buildings and setbacks for all the lots.
3. The address does not match the tax map ID #, the correct address needs to be listed.

The commission hereby schedules a public hearing for 1/23/23 to consider the final minor subdivision application. However, in order for the Commission to schedule a public hearing for 1/23/23, 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: V. Soldani

Ayes: 5 Noes: 0 Absent: 1

Motion Approved

**446 Saratoga Road, LLC
446 Saratoga Road**

**SEQR Determination
Preliminary Site Plan Review**

The applicant is proposing the following uses for the former East Glenville Firehouse. The majority of the building will be used for housing a new video game development studio, employing about 40-50 people, and offering a small training/broadcast facility with teachers conducting virtual and small in-person classes on game development. The remainder of the building is to be marketed as a small café/coffee shop with outdoor seating and a landscaped streetscape. The parcel is in the General Business District.

Tim Wade, Verdant Architecture, Eric Sandblom, SRA Engineers, and Brian Corrigan, the owner, were present.

T. Wade reviewed the project. The existing building was a former firehouse, auto repair shop and dance studio. They are proposing to convert the space to house a video game development business, a studio classroom and broadcast space for video game development and remote/live learning for coding and making video games. Additionally, a small café/coffee shop is to be located on the southern end of the building. The parcel is in the General Business District.

T. Wade said the site currently has a lot of asphalt and their main goal is to minimize paving and maximize green space as much as possible. They are proposing to remove as much of the front paving as possible up to Saratoga Road and replace it with greenspace. Also proposed is a one-way parking thoroughfare through the site so they can minimize the drive lanes by narrowing them and squeeze some of the parking spaces. At the last meeting, there were comments about turning radius, deliveries, and fire apparatus. Slight changes were made to the plans to address the turning radius for the fire apparatus and deliveries. They are proposing a dedicated loading area that will leave enough clearance space for traffic.

T. Wade said there has been some back and forth regarding required parking with Brian's proposed 40-50 employees and the allowed 39 occupants. The parking matrix was updated. The maximum amount of parking required for the site is 30 stalls and they are providing 32 regular stalls and 2 ADA stalls for a total of 34 stalls. There will be an additional two stalls dedicated for the maintenance of the cell tower located on the property.

M. Carr stated the two stalls for the cell tower will not be calculated into the parking spaces for the business.

T. Wade said that is correct.

T. Wade commented there were some concerns for parking safety. As a result, they have added bollards around the café outdoor patio. Some of the bollards are lighted and some are standard. Additionally, there was concern for a sidewalk along the north side of the building. They have narrowed the exit out to accommodate a sidewalk from the front to the back of the building. They are also proposing to narrow the alleyway to 14-feet as it approaches the vestibule to slow down the exiting traffic and provide pedestrian protection.

T. Wade stated the new site plans include the location of all ground pad mounted mechanical units, four in total, to be screened by corrugated metal matching the building, and a row of shrubbery in front of the screening.

T. Wade said originally, they had 37 parking spaces which has been reduced to 34 spaces for a dumpster enclosure allowing for a dedicated trash space.

K. Semon asked if the trash will be a dumpster or individual cans and will the garbage truck be available to maneuver in there.

T. Wade said they have not decided yet, but it is big enough for an 8'x10' dumpster. There is enough room for the truck to get in, get over to the receptacle, and get it out.

M. Carr asked if there is enough room for snow removal.

E. Sandblom said they are increasing green space and all around the entire site there will be additional space.

T. Wade showed where the septic will be located. In the wintertime, he believes the snow will be placed in that green area.

K. Semon asked if the septic was an engineered system. M. Carr asked if it will be a raised bed system.

E. Sandblom said it is engineered and will be below grade. It will be a Presby Gravel-less Geotech style filter system to allow for a smaller footprint.

M. Carr said there will be no building allowed over the septic system.

T. Wade stated they will be using the existing curb-cuts and they plan to make them slightly smaller, but will meet the 33-foot radius.

M. Carr asked will there be any DOT involvement if there are modifications being made.

E. Sandblom replied the physical work will be taking place within the ROW such as construction of the sidewalk, reconstruction of the islands, and modifying those access points. They have designed them to meet all DOT standards. He has spoken to the resident engineer at Schenectady County and is trying to get a hold of Albany. The plan is to get a preliminary review from them and then submit the PERM 33.

T. Wade said there will also be an on-site natural gas generator. They have not determined the location yet but assuming it will be somewhere near the transformer pad. The only use that will really need the natural gas is the café. The rest of the building is all electric.

M. Carr asked if the heat was also electric.

T. Wade said it was.

K. Semon asked if this was 3-phased power, 440 voltage and will it carry the full load in loss of power

T. Wade said it will be 600 amp, 3-phased and he believes it is 440 voltage and will carry the full load. There is a substantial amount of draw for the servers, heating/cooling of building.

M. Carr asked where will the generator be located? His concern is the possible noise generation when it comes on, but ideally it should only be on if it is needed or when it cycles once a week.

T. Wade stated it would be located somewhere in the southern portion of the parcel where the gas line and underground electrical comes in.

P. Ragucci said the other option mentioned was battery back-up. Was that mentioned because of cost?

T. Wade stated it would have to be massive to manage the building.

K. Semon asked if having the generator in the proposed location would require a variance.

M. Carr asked how far does the generator need to be from the property line?

T. Wade said if they need to lose a parking spot they can do so and work with it.

T. Wade said they are relying on the existing lighting along Saratoga Road for the front of the building. They are proposing four pole mounted lights along the backside to light the parking lot. They will be shielded and downward directed. The lights are asymmetrical, so they have either more forward or sideward throw rather than backward. There will also be some lighting from the bollards around the café portion and building mounted lighting on the northside, 4 in total to light the sidewalk, and a few at the service doors. All the doors are covered with canopies and those will have recessed downward lighting. It is limited for light throw on the site.

C. Heinel asked if there was going to be any signage.

T. Wade replied yes. There is an existing sign stand. They are working with Adirondack Sign Company to come up with something that will fit within the town's guidelines.

M. Carr stated they will still need to go through the sign permitting process even though they are repurposing an existing sign stand.

M. Carr inquired about the mechanical locations and if they are all ground mounted. Is there anything on the roof and will it be shielded from public view?

T. Wade said there is one rooftop unit, and it will be shielded. There are three levels to the roof: high bay, medium bay, and low bay. It will be tucked behind the medium bay roof. It is a recovery unit (exchanger).

E. Sandblom said they have submitted to DEC for the SPDES wastewater permit. They have completed the stormwater design. A completed SWPPP has been submitted to the town. Once the project is approved, and they get closer to construction, they will submit the NOI to DEC. Originally, they thought the project would be kept under an acre, but upon closer look it was not practical. They are over an acre and applying for coverage on the NYS DEC general permit. Their design exceeds the DEC performance standards for redevelopment projects. This was achieved by reducing the impervious cover by 19%. DEC has a 25% requirement for reduction, treating water quality volume or combination. The applicant is doing a combination. That would leave 6% of water quality volume that would need to be treated. They are treating 26% of the water quality volume and achieving full run-off reduction as they are using an infiltration technique to accomplish that. They are taking advantage of the roof drainage that is piped into one of the catch basins which will be placed into an infiltration basin. There will be no major grading changes to the site.

K. Semon asked if the treatment area is located north of the septic system and if they know about the flow rate of the water coming from across the street?

E. Sandblom replied it is tucked down below the septic system by a couple of feet. He said they have not done a study yet to determine the amount of flow. Some of the flow will be reduced by taking the roof drainage out of there. The water from across the street flows through the site and currently the roof

drainage discharges into the catch basin. The system is closed through the site but opens further down the bank.

M. Carr mentioned there is a significant swale between there and Pashley, so he does not think it is a big issue.

C. Heinel said she noticed there are quite a few plantings on the site plan, but there are no notations/designations regarding height, caliper, species, etc. Although not necessarily needed for the preliminary review it will need to be presented for final.

T. Wade said they are working with a local landscaper to get more specifics.

K. Semon asked if they are closing the old septic system.

E. Sandblom replied they are, as it is located under the pavement, and is only a 500-gallon tank. It will be removed and be replaced with a properly sized tank. A grease trap will be installed for the café.

M. Carr asked if there will be an overdesign in the event of future expansion.

E. Sandblom said there is an expansion area provided.

M. Carr inquired about other concerns mentioned earlier such as traffic flow and is the retaining wall in satisfactory condition.

E. Sandblom said the traffic flow is one-way and will accommodate a fire truck and delivery truck. Regarding the retaining wall there is no sign of any movement/settlement, and they are removing the load on it by taking the parking away and moving the driveway further from the wall.

K. Semon asked who owns the retaining wall.

E. Sandblom believes the wall is on-site.

M. Carr inquired as to what uses were used to calculate parking.

T. Wade said for the development area (tan area) they used retail/general office which is 1 parking space for 350 sq. ft. For the vocational area they used two calculations; one is retail/general office (1 parking space for 350 sq. ft.) and the other, vocational, requires 1 parking space per 2 students, which would require 7 stalls. The restaurant falls under assembly which requires 1 parking space for 4 seats which requires 19 stalls. (See Attachment A)

K. Semon asked about the garage and what will be stored there. It should indicate on the site plans what the garage is being used for.

B. Corrigan stated it will be for a lawn mower and/or dry storage.

M. Carr asked if there were any comments/concerns from the Planning Department.

A. Tozzi stated he was going to suggest a 1-year bond for the landscaping to be posted 30 days after the landscaping is planted.

A discussion took place as to what the bond would mean.

T. Wade said they would lean towards native plants that do not require a lot of water.

M. Carr said the applicant should also consider evergreens when used as a shield or buffer. If you are planting near the street, you would want a salt resistant species.

C. Heinel said the town prefers species that are not susceptible to such infections as ash borer.

A. Tozzi inquired if there will be any wall signs on the building.

T. Wade replied no, only the monument sign.

MOTION

In the matter of the site plan application for the repurposing of the former East Glenville firehouse by 446 Saratoga Road, LLC located at 446 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: K. Semon

Ayes: 5 Noes: 0 Absent: 1

Motion Approved

MOTION

In the matter of the preliminary site plan review application by 446 Saratoga Road, LLC for the redevelopment of the former East Glenville firehouse with a video game development studio, small training broadcast facility, and a café, located at 446 Saratoga Road, the Planning and Zoning Commission hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The applicant is required to obtain the appropriate permits for DOT curb-cuts, signage.
2. The applicant is required to shield any mechanicals from view that will be located on the roof.

3. The applicant needs to place the generator location on the site plan and a determination as to whether the location would need a variance, however it should be placed where a variance is not needed.
4. Any signage needs to conform to town code.
5. The applicant needs to add landscaping details (species, caliper, height, etc.) to the site plans.
6. The applicant would be required to provide a 1-year landscaping bond.

The Commission hereby schedules a public hearing for 1/23/23 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 1/23/23, 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

Leno Codino
498 Barhydt Road

SEQR Determination
Subdivision – Preliminary Review
Recommendation of Area Variance

The applicant is proposing the subdivision of a 16.13 +/- acre parcel into two (2) lots. One lot (approx. 11.14-acres) will have frontage on Barhydt Road with an existing residence, outbuildings, well and septic. The second lot (approx. 5-acres) is currently vacant and will have frontage on Wagner Road to be serviced by well and septic. An area variance will be required for the newly created parcel on Wagner Road as it is creating a non-conforming lot due to lack of frontage. The parcel is zoned Rural Residential/Agricultural.

Bob Wilklow, Van Guilder Surveying, was present.

B. Wilklow gave an overview of the application. The parcel lies within the Rural Residential/Agricultural District. They are proposing to subdivide the 16.14-acres into two lots, 11.14-acres containing all the existing structures and 5-acres for a new single-family house with public water and private septic. At the agenda meeting there was concern about site distance.

M. Carr said the applicant will need a variance due to lack of road frontage and the question was posed to the town traffic safety engineer who does not have any issues with it.

B. Wilklow said he went to the site. You can see right up to the dead end and down to the 90-degree bend. A variance will be required for the lot width at the ROW as it is only about 111 feet. This subdivision is for the purpose of setting up Mr. Codino's estate by selling off the 5-acre parcel. In 1993, this was two different lots and was merged for tax purposes only.

MOTION

In the matter of the subdivision application by Leno Codino, for the subdivision of a 16.13-acre lot into two lots located at 498 Barhydt 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 as SEQR Lead Agency hereby issues a negative declaration.

Motion

Moved by: M. Carr

Seconded by: N. Brower Dobiesz

Ayes: 5 Noes: 0 Absent: 1

Motion Approved

MOTION

In the matter of the preliminary minor subdivision application by Leno Codino for a two-lot subdivision located at 498 Barhydt Road, the Planning and Zoning Commission hereby conditionally approves the preliminary application.

Conditions of preliminary subdivision approval are as follows:

1. The applicant will be required to obtain an area variance from the Zoning Board of Appeals.

The commission hereby schedules a public hearing for 1/23/23 to consider the final minor subdivision application. However, in order for the Commission to schedule a public hearing for 1/23/23, nine (9) copies of the revised subdivision map and/or requested information must be submitted to the Town of Glenville Planning Department no later than 14 calendar days prior to the public hearing.

Motion

Moved by: M. Carr

Seconded by: P. Ragucci

Ayes: 5 Noes: 0 Absent: 1

Motion Approved

MOTION

In the matter of the area variance required for the non-conforming lot, due the lack of frontage, the Planning and Zoning Commission recommends the Zoning Board of Appeals approve the application. The Planning and Zoning Commission had some initial concerns about site distance. The Town of Glenville Traffic Engineer reviewed the site and had no issues. As a result, a recommendation for granting the variance is given.

Motion

Moved by: M. Carr

Seconded by: K. Semon

Ayes: 5 Noes: 0 Absent: 1

Motion Approved

At this time Chairman Carr asked the visiting Burnt Hills students if they had any questions.

A student asked the question, how does the commission know what questions to ask of the applicants?

M. Carr said the town has zoning rules, regulations, and laws that applicants need to follow to develop a piece of property. The commission members know the rules/regulations/laws since some members have been doing this a long time. The commission also receives guidance from the town Planning and Building staff along with the Town Attorney. The commission wants to make sure the town is developed properly so as time goes on development takes place in an orderly fashion without overstressing the environment and creating pollution, etc. The Zoning Board of Appeals is available to applicants who may not meet certain zoning requirements or criteria. The applicant would appear before the Zoning Board of Appeals to discuss their application. If the Zoning Board of Appeals feels that the applicant's request is reasonable and agrees with the applicant, then a variance would be given for the project.

Without any further business the meeting adjourned at 8:07PM.

Lynn Walkuski, Stenographer

Julie Davenport, Town Clerk