

# PLANNING AND ZONING COMMISSION

Town of Glenville

18 Glenridge Road

Glenville, NY 12302

February 13, 2023

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

Also

Attending: A. Briscoe, Code Enforcement Officer, A. Tozzi, Dir. of Planning,  
J. Siegel, Town Attorney, N. Chiavini, Planner I, L. Walkuski, Stenographer

Absent: J. Lippmann

Meeting called to order at 7:03PM

**Motion** to approve the agenda.

**Moved by: K. Semon**

**Seconded by: N. Brower Dobiesz**

**Ayes: 6 – Carr, Brower Dobiesz, McPherson, Ragucci, Semon, Soldani**

**Noes: 0**

**Absent: 1 – Lippmann**

**Motion Approved**

**Motion** to approve minutes from the January 23, 2023 meeting

**Moved by: J. McPherson**

**Seconded by: P. Ragucci**

**Ayes: 6 – Carr, Brower Dobiesz, McPherson, Ragucci, Semon, Soldani**

**Noes: 0**

**Absent: 1 – Lippmann**

**Motion Approved**

**Luke Marshall**  
**165 Freemans Bridge Road**

**Public Hearing**  
**Final Site Plan Review**

The applicant is looking to utilize office space at 165 Freemans Bridge Road for Marshall Motorsports. His business supplies parts and accessories for motorcycles, ATVs, snowmobiles, and jet-skis where 90% of the business is on-line and 10% is walk in. The parcel is zoned Freemans Bridge Corridor District.

Kurt Marshall and Luke Marshall were present.

M. Carr asked the applicant if anything has changed since they last met with the PZC.

K. Marshall replied nothing has changed.

M. Carr asked the commission if anyone had any questions.

V. Soldani stated at the last meeting the applicant indicated there would be a showroom. What would be in the showroom i.e., oil filters or jet skis?

K. Marshall responded it will only be parts and accessories. There will not be any units.

M. Carr asked if there will be any servicing of the units. Will there be any oils or greases stored in drums?

K. Marshall said there will not be any servicing or storage of oils/greases.

M. Carr said the commission did not have any issues with the application and asked the applicant if he had anything else to add.

K. Marshall said there isn't anything else to add.

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 Luke Marshall for utilization of office space for Marshall Motorsports located at 165 Freemans Bridge 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: P. Ragucci**

**Ayes: 6 - Carr, Brower Dobiesz, McPherson, Ragucci, Semon, Soldani**

**Noes: 0**

**Absent: 1 – Lippmann**

**Motion Approved**

This application is for the construction of an 8,000 sq. ft. showroom with office space and garage service area. Proposed site improvements are asphalt parking and travel surfaces, on-site septic system, and stormwater management. The applicant will also need a lot-line adjustment to be handled administratively through the town. Both parcels are zoned Community Business.

Nick Zeglen, Environmental Design Partnership, and Billy Bolton, the applicant, were present.

N. Zeglen stated they are seeking SEQR determination and Preliminary Site Plan review for the proposed Bobcat of Schenectady to be located at 717 & 719 Saratoga Road. There will be a lot-line adjustment for the consolidation of the two lots into one parcel. The applicant is proposing an 8,000 sq. ft. building with a showroom in the front with several office spaces in the back as you walk through the building. In the rear of the building there will be a service area with garages to service equipment. Site improvements will include asphalt parking and travel services, as well as on-site stormwater management, an on-site septic system, and plantings.

N. Zeglen said it is his understanding this project was before the PZC in September 2022. It was tabled at that meeting as additional information was needed and there were some concerns from the commission. At this time, he would like to address some of those items.

- The updated plans show that it is a one-story building.
- There were concerns where the equipment will be stored, whether it was to be on gravel or not (concerns about contamination from leaking equipment). He states that 99% of the equipment and vehicles will be stored indoors whether it be in the showroom or in the back garage area where they will be serviced. There will be floor drains in the garage area that will tie into a proposed oil/water separator. Another location for equipment storage would be a concrete pad display area located in the front of the building for brand new equipment.
- They have submitted a permit to NYS DOT for a curb cut.
- There was a Phase I archeological investigation done which was sent to SHPO. They received a letter back stating there is no impact.
- EDP did a wetland delineation for the site. They have submitted a wetland disturbance plan to the Army Corps of Engineers for their review.

As a result, he feels they have addressed many of the outstanding issues raised by the commission.

M. Carr asked if the on-site wetlands are state or federal and is that the area in the front, southeastern corner, of the lot.

N. Zeglen replied they are federal and mostly located in the front. There may be a small portion in the back.

M. Carr asked how much of the wetland area will be disturbed.

N. Zeglen said it is under 1/10 of disturbance. Disturbance is .095-acres.

M. Carr asked will they be able to disturb without having restoration. He also asked if there are any state wetlands on-site.

N. Zeglen said that is correct, no restoration will be needed. There are no state wetlands at all.

M. Carr inquired what will the applicant be doing regarding clearing of vegetation, trees, shrubs, etc. There is a large old growth maple towards the center of the property. What is their intent with the natural vegetative buffer on the southern side between the private residence and the project area?

N. Zeglen said the area is mostly cleared. They will save as many trees as possible, unfortunately, the large maple will need to be removed. As for the natural buffer they will do their best to keep the buffer and they will also have additional plantings for the area.

M. Carr said he wants to see as much of the natural vegetative buffer preserved as possible and if need be to be supplemented with some type of fencing. The applicant needs to be aware of the residence next door and the business can't be impacting the residence, not just for the development of the property but also for lighting, etc.

M. Carr asked what type of lighting will be utilized i.e., building mounted, light poles, etc.

N. Zeglen replied the plan is to have building mounted, downward facing, LED dark sky lights, primarily to be located over the entrances and the garage doors entrances.

M. Carr asked about lighting in the middle of the night. Will there be pole mounted lighting? Will there be any spillage of light off the property? There are residents behind the property as well as to the south.

B. Bolton said the operation hours of the business is 8:00AM – 4:30PM Monday through Friday.

M. Carr said that is fine, but at 3:00AM you don't want lights shining on the neighbors.

B. Bolton mentioned that they are leaving as many of the southern trees as possible.

M. Carr asked the applicant why floor drains. There are ways around the need for floor drains as they are a convenient way to place chemicals in the ground. Can the applicant propose something other than floor drains as in no floor drains. Floor drains can be problematic, and the site is not far from the Alplaus Kill. They do not want to see any problems. Since the applicant will be servicing machinery, there is the potential of oils/greases and spraying stuff into the floor drains is likely. Oil/water separators do only a little bit of mitigation. If it gets overfilled and it is not properly maintained, it will overflow and get out into the environment. He would appreciate if the applicant will look at other alternatives to floor drains. The town typically does not allow floor drains in new construction in town.

B. Bolton said he spoke to Safety-Kleen to see how they would handle this. They told him that floor drains can be an issue, but they are common in construction.

M. Carr said they are common but not an ideal situation. There are different types, baffle, coalescence medium etc. and if they are not properly maintained, people forget about them. They need to be

maintained every 6 months. They need to be opened up, pressured washed, clean out all the grit/debris. If that doesn't happen, then they become useless. There can be thousands of dollars of clean-up costs and issues with NYS DEC if they are not properly maintained.

B. Bolton said the commission had brought up the topic earlier, but they were not sure what direction they were going.

M. Carr asked what type of surface is underneath the rear outdoor covered storage area?

B. Bolton said the surface is asphalt. The area will be used primarily for storage of repair machines.

M. Carr asked the applicant to provide a specific list of the types and quantities of all the oils, chemicals, greases, or any regulated materials that will be stored there. Fluids such as gasoline, automatic transmission oil, fuel oil, diesel, brake cleaners, solvents etc. and their quantities on-site.

B. Bolton asked will they need retail sized quantities or bulk.

M. Carr replied if they are having cases of oil for re-sale that is fine, but it should be listed. Any other type of hazardous material can also be included in the list.

B. Bolton said he can get MSDS lists on all the products.

M. Carr stated a permit will be needed for the curb-cut from NYS DOT.

N. Zeglen said they have started that process.

M. Carr inquired if there will be any permitting needed from NYS DEC for bulk storage of petroleum, etc.

B. Bolton replied no they will not need any permits.

M. Carr asked where will the dumpster be located on-site and what types of materials will be placed there. There should also be a fence around the dumpster as a visual buffer.

N. Zeglen said they will place a dumpster in the back and have it enclosed by a fence.

M. Carr asked how will the waste from the repair operations be handled.

B. Bolton said they will be contracting with Safety-Kleen and they will handle on-site.

M. Carr asked if you are servicing a snowmobile and you drain the oil where will the oil be stored.

B. Bolton said it will be held in the service shop and Safety-Kleen will pick it up.

M. Carr said he wants to know how it will be stored, i.e. type of storage (tank) and the capacity. That would also go for any other type of vehicle fluids or lubricants.

M. Carr inquired about the type of signage for the site.

N. Zeglen said they have a 12'6" x 7'8" sign saying "Bobcat of Schenectady".

M. Carr asked if it could read "Bobcat of Glenville".

B. Bolton replied contractually it is based on the county.

K. Semon asked if the applicant has reached out their neighbors yet.

B. Bolton said they have not. Tyler Putman bought the property about 1 ½ years ago. They haven't really spent any time at the property.

K. Semon stated at a minimum he would suggest they reach out to the residential neighbors to let them know what is proposed for the property.

M. Carr suggested the applicant also reach out to the neighbors on the Scotch Bush Road. If you do something now it may ease any concerns residents would have. Although the public hearing gives the surrounding property owners the chance to voice their concerns, it is not a bad idea to let them know ahead of time.

P. Ragucci said there were questions last week regarding the wetlands, but he believes the applicant has answered those concerns.

M. Carr asked if a Stormwater Pollution Preventative Plan (SWPPP) is required.

N. Zeglen replied they have already submitted a full SWPPP with a stormwater management narrative.

N. Brower Dobiesz asked about the distance of the septic from the wetlands.

N. Zeglen said it is closer than he would like but wanted to keep it 100 feet from the stormwater management device.

K. Semon asked if the septic is an engineered above grade system.

N. Zeglen replied it is a shallow system.

N. Brower Dobiesz stated it looks like it is only about 10 feet from the wetlands.

N. Zeglen said keeping it from the stormwater device unfortunately brought him closer to the wetlands.

P. Ragucci asked if the exterior color of the building will comply with town requirements.

M. Carr asked if there are any color renderings. Earth tones are preferred.

B. Bolton stated they do not have any at this time, but they are working with Nolan Engineering on it. Bobcat uses very muted colors other than their signature orange.

M. Carr asked A. Briscoe about the type of lighting. Is it internally lit?

A. Briscoe said it can be internally lit. Usually there are no more than 3 colors on the sign. Size and location are also considered.

B. Bolton said the signage on the building and in the front will most likely be orange, white and gray. Nolan Engineering is working on it.

K. Semon asked what is the setback requirement from the property line to the septic?

A. Briscoe replied ten feet.

A. Briscoe had some questions regarding the septic. Will it be a mound or raised bed? Are they bringing in material? If so, it needs to be seasoned. They will need to have perc tests done and at that time they can address the setbacks from the wetlands. They may need to apply for waivers. The town does not control wetlands. The waiver decision would come from the county health department.

N. Zeglen said it will be raised up a bit but not a mound. Most likely they will be bringing in material.

M. Carr asked about the types of deliveries and vehicles transporting the equipment.

B. Bolton said full sized tractor trailers for the most part. They will be unloading on-site.

M. Carr asked if they will be using Glenridge Road from the Northway.

B. Bolton said he has talked about that route and avoiding the Glenridge Bridge.

N. Brower Dobiesz asked about truck traffic. How will they get into the property?

M. Carr asked what is the traffic circulation? They do not want tractor trailers backing out on Route 50.

B. Bolton said he believes there will be room for them to go around the building and come back out. There would be minimal deliveries perhaps 1 or 2 a week. Most of the deliveries come in FedEx or UPS vehicles.

M. Carr reiterated the applicant stated 99% of the vehicles are stored inside.

B. Bolton replied that is correct. There is adequate storage for vehicles whether it is the showroom, covered area, the service area, or the rear covered storage area.

M. Carr asked how many total vehicles will be on the property, inside and out, at one time.

B. Bolton asked if you are talking about pieces of Bobcat machinery.



M. Carr said you will have brooms, forks, and attachments. Will it be inside or outside?

B. Bolton responded those items will be located near the side/rear of the building in the designated rental area or a repair/new shop. In terms of machinery, he believes there would not be more than 7-10 new pieces of machinery at once.

M. Carr then asked about how many in total will be serviced at once.

B. Bolton replied probably 2-4 in the building and on a good day maybe another 2-3 under the covered area.

M. Carr asked if those are on asphalt and at the rear of the building, so they won't be seen from the road.

B. Bolton said that is correct and that would also include the attachments. They don't want people to see the items either for a variety of reasons. Tyler owns and operates another dealership in Gloversville for the past 9 years and he understands the ups/downs of running these businesses.

K. Semon said location is well patrolled and that lends to town services keeping an eye on the project site.

V. Soldani asked if the inventory is shipped in crates or are they driven off. Is there a forklift involved?

B. Bolton said most are driven off. They do not have a forklift, but they do have forks on some of their skid steers depending on the machinery.

N. Brower Dobiesz stated per the submitted drawings she thinks the front of the building looks nice.

K. Semon asked if most of the business is sales or rentals.

B. Bolton replied it is mostly sales. Rentals build a customer base but selling and maintaining machines is where you make your money. It is also a seasonal business. The location of Glenville is different from Fulton where you have more land and less houses. The demand for the types of equipment will be different (smaller machines) here in Glenville.

M. Carr stated they will have sales, service and rentals. Will the rentals also include delivery?

B. Bolton said they will. Rarely do they let anyone other than a professional contractor take out machinery. Residential renting is less than 10% of their business.

M. Carr asked other than the skid steers and Bobcats what other types of equipment will be there.

B. Bolton replied they will also be a Husqvarna dealer. Chainsaws, trimmers, pole saws, snowblowers, lawnmowers and they will be located inside. Depending upon traffic he assumes they would have an occasional lawnmower parked out front for sale.

M. Carr asked if there will be any backhoes or mini excavators. What will be the largest machine located on-site?

B. Bolton said the Bobcat brand includes mini excavators and compact tractors.

T. Putman said the E85 would be the largest.

B. Bolton said the E85 is a 19,500-pound excavator, a larger mini-excavator with rubber tracks. If they got any from Bobcat, they would only have one at the site. They are focusing on a smaller fleet at this location.

M. Carr said this location has been green space for a number of years. His thought is that when things like that change neighbors may question the project and it would be beneficial to reach out the neighbors particularly on Scotch Bush Road.

#### **MOTION**

In the matter of the site plan by TJ Putman Enterprises, LLC for the construction of an 8,000 sq. ft. showroom with office space and garage service area etc. located at 717 & 719 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.

Reasons supporting this recommendation will be included in the preliminary site plan review as conditions and potential activities within the building that will need to be mitigated in order to protect the environment.

#### **Motion**

**Moved by: M. Carr**

**Seconded by: P. Ragucci**

**Ayes: 6 - Carr, Brower Dobiesz, McPherson, Ragucci, Semon, Soldani**

**Noes: 0**

**Absent: 1 – Lippmann**

**Motion Approved**

#### **MOTION**

In the matter of the preliminary site plan review application by TJ Putman Enterprises, LLC for the construction of an 8,000 sq. ft. showroom with office space and garage service area, located at 717 & 719 Saratoga Road, the Planning and Zoning Commission hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The applicant needs to provide more detailed information on the buffering of wetlands if they are required.

2. The applicant is to provide more specific details on the buffering for the residential neighbor to the south.
3. The applicant is to provide information on how much of the property will be cleared, how much will be saved, and any attempts to save old growth trees, etc.
4. The applicant is to provide more details on lighting with respect to neighbors.
5. It is being requested of the applicant to remove the floor drains and come up with an alternative.
6. The applicant is to provide a detail listing of types and quantities of the chemicals, oils, greases or other potentially hazardous materials at the facility and how will they be stored.
7. The dumpster location and buffering needs to be added to the site plan.
8. The applicant is to provide color renderings of the building and signage.

The Commission hereby schedules a public hearing for 3/13/23 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for 3/13/23, 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: K. Semon**

**Ayes: 6 - Carr, Brower Dobiesz, McPherson, Ragucci, Semon, Soldani**

**Noes: 0**

**Absent: 1 – Lippmann**

**Motion Approved**

Without any further business the meeting adjourned at 7:42 PM.

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Lynn Walkuski, Stenographer

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Julie Davenport, Town Clerk