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AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
April 6, 2022
7:00 P.M.
www.townofglenville.org

Supervisor:

Christopher A. Koetzle

Council Members

Gina M. Wierzbowski,

Deputy Supervisor

Michael Godlewski

James M. Martin

Sid Ramotar

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. Town Council Reports
5. Public hearing at 7:00PM or as soon thereafter as possible to hear all persons interested in proposed Local Law #2 amendments to the RPDD on Dutch Meadows Lane for addition to the code of the Town of Glenville.
6. Privilege of the Floor
7. Supervisor's Comments
8. Resolution to adopt Local Law #2 to amend the RPDD for the Dutch Meadows Lane Project.
9. Resolution scheduling a Public Hearing to hear all persons interested in the proposed moratorium of solar farms as permitted under Article XXII, "Solar Energy", of the Code of the Town of Glenville.
10. Resolution scheduling a Public Hearing to hear all persons interested in the petition to establish an extension to Sewer District No. 9 located at 213 Sunnyside Road 30.19-1-18.21 in the Town of Glenville.
11. Resolution authorizing the Supervisor to sign Undertaking for the benefit of the New York State Department of Transportation, in connection with work affecting the state highways.
12. Resolution authorizing the Town of Glenville intent to be declared the SEQRA Lead Agency for a proposed project at Maalwyck Park.
13. Resolution approving the purchase of equipment for the Parks Department.
14. Resolution appointing Bruce Wurz to fill a vacancy on the Board of Assessment Review.

15. Resolution approving the minutes of the Regular Town Board meeting held on March 16, 2022.
16. New Business

Sponsored by: James Martin Councilman
Submitted by: Melissa Cherubino, Director Community Development

RESOLUTION NO. 8

Moved by:
Seconded by:

WHEREAS, the Town of Glenville approved a zoning map amendment to “Residential Planned Development District” (“RPDD”) and creation of the “Dutch Meadows Lane Residential Planned Development District through enactment of Local Law No. 4 of 2019 that changed the zoning of approximately 24 acres of a vacant parcel of real property (Tax Map # 30.- 1-24.411), located on Dutch Meadows Lane; and

WHEREAS, Richbell Capital, LLC (“Richbell”) has proposed to amend the RPDD to remove the 30 townhome units and replace them with 100 apartments on the same site lands; and

WHEREAS, Richbell, in consideration of the amendment to the RPDD, shall donate additional land identified as tax parcel 30.13-42-.1; and

WHEREAS, Article VI – “Planned Development Districts, of Chapter 270 – “Zoning” and Local Law No. 4 of 2019 authorizes the Town Board to amend the RPD; and

WHEREAS, the Town Board previously adopted a Negative Declaration pursuant to 6 NYCRR Part 617 State Environmental Quality Review Act in connection with the RPD; and

WHEREAS, the Town Board has examined and evaluated the Environmental Impact Analysis prepared by Richbell’s consultant related to potential environmental impacts resulting from the proposed RPDD amendment; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville, require that the Town Board hold a public hearing on the proposed change to the RPDD and that a new local law be enacted for such change; and

WHEREAS, the Town Board of the Town of Glenville held a public hearing with respect to the proposed change to the RPDD and enactment of a new local law on Wednesday, April 6, 2022 at 7:00 pm, at which time and place all persons interested in such proposed change were given the opportunity to submit comments.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby determines that, for the reasons set forth in the Environmental Impact Analysis, the Town Board’s

prior Negative Declaration and the individual Town Board Members own knowledge and experience, there are no significant adverse environmental impacts resulting from the proposed change to the RPDD, including the Project; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville does hereby enact a local law to amend the RPDD for the Dutch Meadows Lane project as set forth in Local Law # 2 of 2022 attached; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file Local Law #2 of 2022 with the Secretary of State.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on April 6, 2022

A LOCAL LAW TO AMEND THE “DUTCH MEADOWS LANE RESIDENTIAL PLANNED DEVELOPMENT DISTRICT.”

Be it enacted by the Town Board of the Town of Glenville, as follows:

Section 1. This local law shall be known and may be cited as “Local Law No. _____ of 2022,” providing for the amendment of a planned unit development district known as “Dutch Meadows Lane Residential Planned Development District (“RPD”).”

Section 2. All references below are to Local Law No. 4 of 2019 and are intended to and shall amend the RPD. Except as amended herein, all provisions of Local Law No. 4 of 2019 remain in full force and effect.

Section 3. §A270-208 Development.

A. The first sentence of §A270-208(A) is hereby changed by adding the following at its end:

”, and a revised application dated March 2, 2022.”

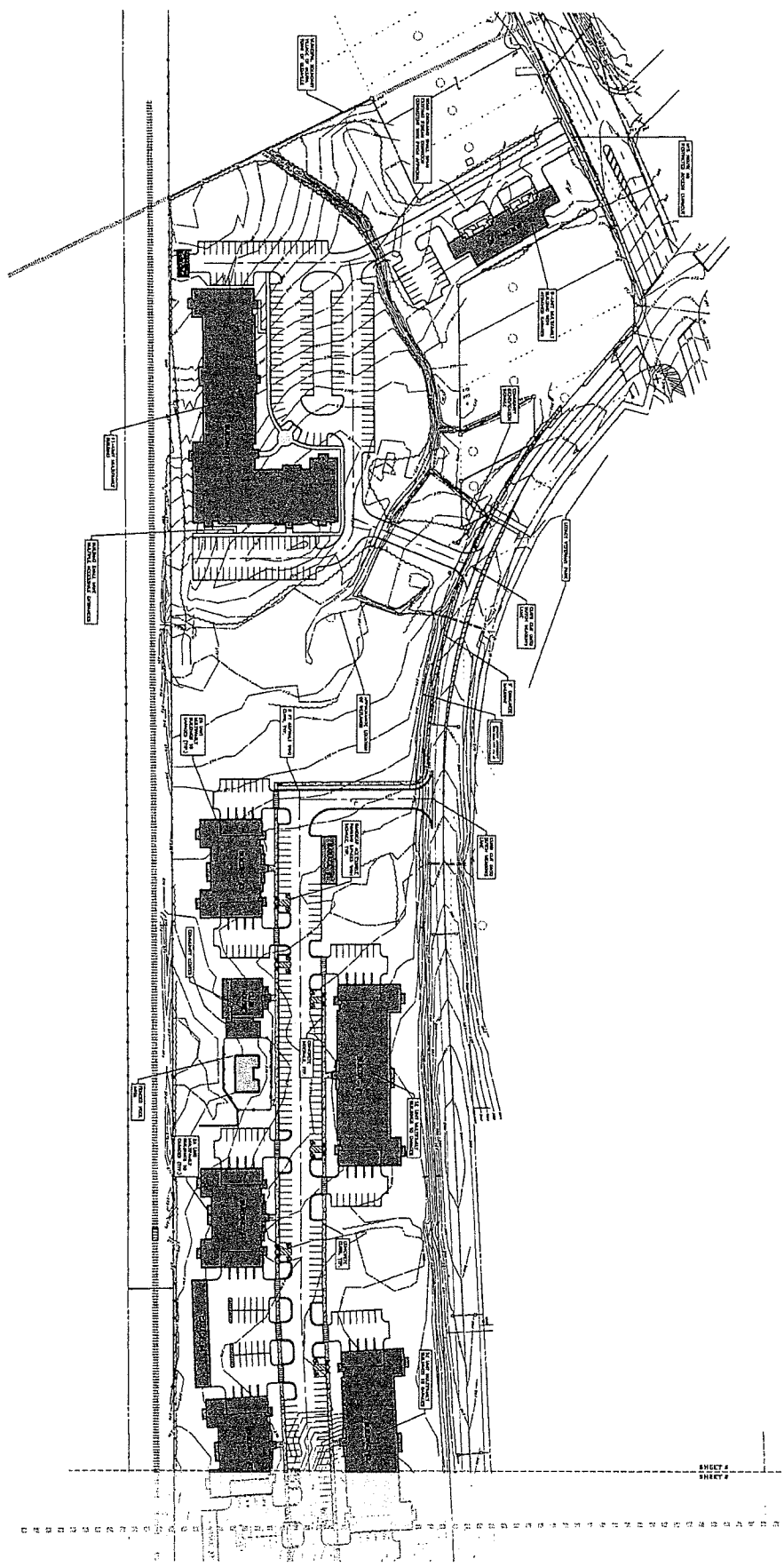
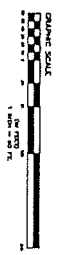
B. The following changes are made to §A270-208(B):

1. the fifth bullet point is changed to read as follows: “1 91-unit multi-family building with garages”;
2. the sixth bullet point is changed to read as follows: “1 9-unit multi-family building with garages”; and
3. Exhibit B is changed to the Exhibit B attached.

C. Land Dedication: the first sentence of §A270-208(E)(1) is changed to add the following tax parcel at the end: 30.13-42-.1.

EXHIBIT B

Dutch Meadows Lane
Residential Planned Development
Overall Site Plan



SHEET 4
SHEET 6

2 of 14

OVERALL SITE PLAN 1

NOT FOR CONSTRUCTION

SCALE 1" = 60'

DATE 3/22/2022

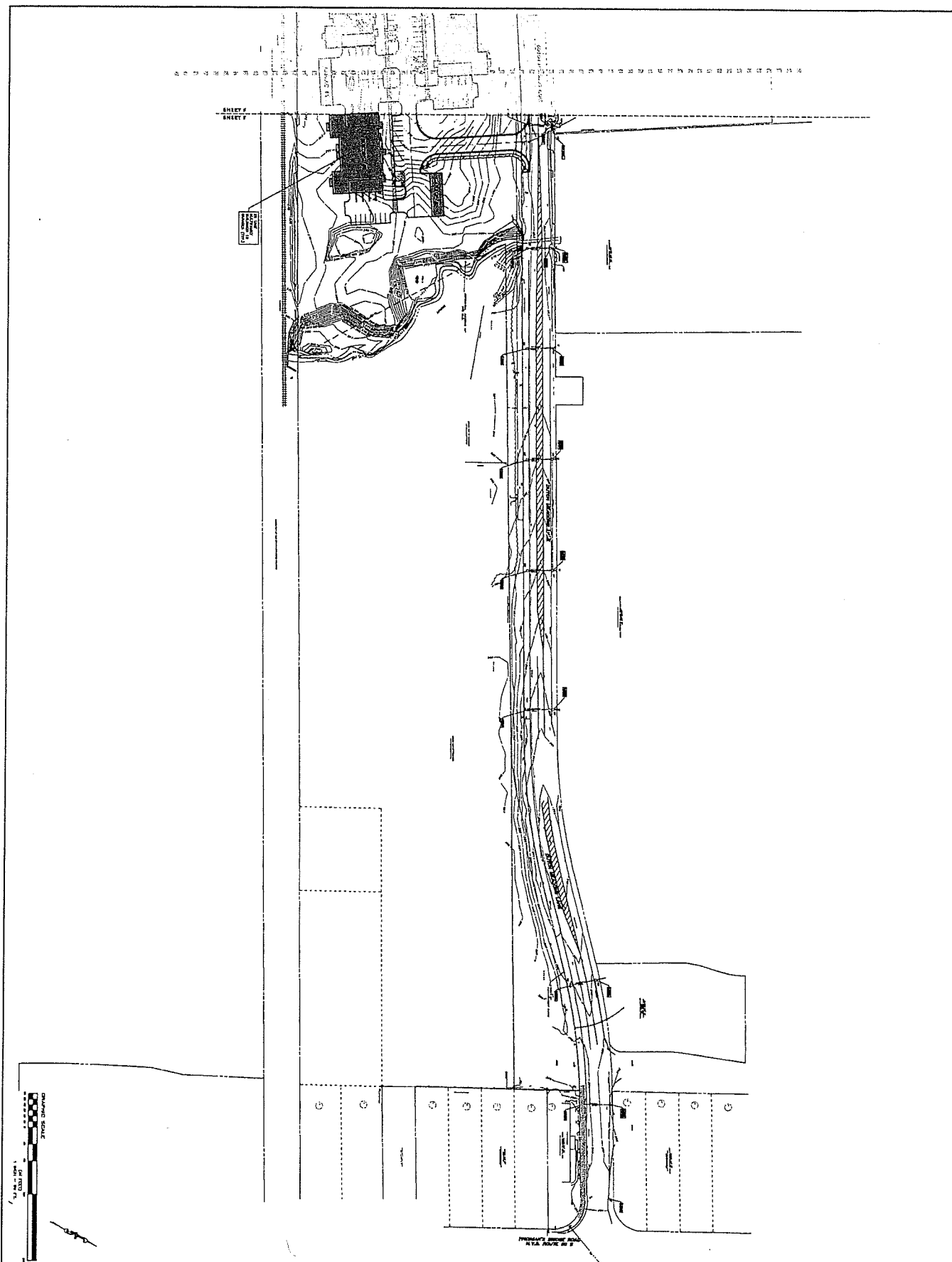
PROPOSED SITE IMPROVEMENTS FOR
DUTCH MEADOWS LANE
 RBC GLENVILLE DEVELOPMENT, LLC

DUTCH MEADOWS LANE
 TOWN OF SCHENECTADY
 SCHENECTADY COUNTY, NEW YORK

ENVIRONMENTAL DESIGN PARTNERSHIP, LLP.

TAX MAP No. 33-1-24-411

MARCH 22, 2022



<p>3 of 14</p>	<p>OVERALL SITE PLAN 2</p>	<p>NOT FOR CONSTRUCTION</p>	<p>SHEET TITLE:</p>	<p>SCALE: 1" = 80'</p>	<p>DATE:</p>
	<p>PROJECT:</p>	<p>PROPOSED SITE IMPROVEMENTS FOR DUTCH MEADOWS LANE RBC GLENVILLE DEVELOPMENT, LLC</p>	<p>DUTCH MEADOWS LANE TOWN OF SCHENECTADY SCHENECTADY COUNTY, NEW YORK</p>	<p>TAX MAP No. 30-1-24-111 MARCH 29, 2022</p>	<p> ENVIRONMENTAL DESIGN PARTNERSHIP, CLP </p>

PROPOSED SITE IMPROVEMENTS FOR
DUTCH MEADOWS LANE
 RBC GLENVILLE DEVELOPMENT, LLC

DUTCH MEADOWS LANE
 TOWN OF SCHENECTADY
 SCHENECTADY COUNTY, NEW YORK

TAX MAP No. 30-1-24-111
 MARCH 29, 2022

ENVIRONMENTAL DESIGN
 PARTNERSHIP, CLP

UNIVERSITY MICROFILMS INTERNATIONAL, Ann Arbor, Michigan 48106-1500; 800-521-0600; www.umi.com; 300 North Zeeb Road, Ann Arbor, MI 48106-1500

Sponsored by: Jim Martin, Town Councilman
Submitted by: Earl Redding, Attorney for the Town

RESOLUTION NO. 9

Moved by:
Seconded by:

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to enact a moratorium for the study of Article XXII, "Solar Energy", and

WHEREAS, this proposed moratorium is the product of much study and discussion by the Town of Glenville Code Revision Commission; and

WHEREAS, a duly scheduled public hearing must be held in order to enact the moratorium;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, April 20, 2022 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed moratorium of solar farms as permitted under Article XXII, "Solar Energy", of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publish same at least ten days prior to the date of the public hearing and to provide same to the Village of Scotia and the City of Schenectady; and

BE IT STILL FURTHER RESOLVED that the Town Clerk is directed to place the public hearing on the April 20, 2022 Town Board meeting agenda

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on April 6, 2022

Sponsored by: Christopher A. Koetzle, Supervisor
Submitted by: Thomas Coppola, Commissioner of Public Works

RESOLUTION NO. 10

Moved by:
Seconded by:

WHEREAS, a written petition has been presented to and filed with the Town Clerk of the Town of Glenville requesting an extension to Sewer District No.9 of the Town of Glenville be established to include real property described by section, block and lot number in the petition and consisting of one parcel located at 213 Sunnyside Road in the Town of Glenville; and

WHEREAS, a map, plan and report were filed in the office of the Town Clerk of the Town of Glenville with respect to the Extension to Sewer District No. 9 down Sunnyside Road which proposes a gravity sewer main extension beginning at an existing manhole behind Sky Port Diner and extending 400 linear feet with 8" SDR-35 sewer pipe, one precast manhole, cleanouts and a stub out for future connection; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby adopts the following order:

ORDER

1. A petition to add an Extension to Sewer District No. 9 from a manhole behind Sky Port Diner has been filed with the Town Clerk on or about November 6, 2020 as revised on October 29, 2021.
2. The real property to be included in the extension is described by section, block and lot number as identified on the Schenectady County Real Property Tax Service Agency Tax Map as: 30.19-1-18.21.
3. The improvements proposed are the installation of gravity sewer main extension beginning at an existing manhole behind Sky Port Diner and extending 400 linear feet with 8" SDR-35 sewer pipe, one precast manhole, cleanouts and a stub out for future connection.
4. The amount proposed to be expended for the extension is approximately \$12,000.00 to be borne entirely by the property owner/developer.
5. No portion of the cost of this extension will be attributable to Sewer District No.9.
6. The estimated annual cost to the typical property is:
 - a. District debt service: \$ 43.10
 - b. O & M: \$ 234.82
7. The map, plan and report describing the extension of Sewer District No. 9 on Sunnyside Road is on file in the Town Clerk's Office and may be

inspected by members of the public.

8. The proposed financing method to be employed in the construction of this connection in this sewer district extension is private financing by the developer.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the petition to establish this extension to Sewer District No. 9 on April 20, 2022 at 7:00 PM or as soon thereafter as the matter can be reached, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in the establishment of this extension to the sewer district; and

BE IT FURTHER RESOLVED that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the April 20, 2022 public hearing date.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on April 6, 2022

Sponsored by: Christopher A. Koetzle, Supervisor
Submitted by: Thomas Coppola, Commissioner of Public Works

RESOLUTION NO. 11

Moved by:
Seconded by:

**UNDERTAKING FOR THE BENEFIT OF THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION - IN CONNECTION WITH WORK AFFECTING STATE
HIGHWAYS**

WHEREAS, the Town of Glenville from time to time receives permits from the New York State Department of Transportation (NYSDOT) and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities, and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and /or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days' notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration.

2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.

5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations. This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of the Undertaking. Unless terminated for the purposes of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply,

BE IT RESOLVED, that the Supervisor of the Town of Glenville is hereby authorized to sign said Undertaking.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on April 6, 2022.

Sponsored by: James Martin, Councilman
Submitted by: Melissa Cherubino, Community Development Director

RESOLUTION NO. 12

Moved by:
Seconded by:

WHEREAS, the Town of Glenville was awarded Canalway funds to construct a car top boat launch at the southwest corner of Maalwyck Park which would include a paved driveway and parking lot; and

WHEREAS, the project requires SEQRA review; and

WHEREAS, the Community Development Director submitted the Full Environmental Assessment Form (FEAF) Part I and II to determine whether the activities could result in any significant environmental impacts under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board finds the project meets Unlisted standards not rising to Type I standards described in 6 CRR-NY §617.4(b)(10) and (b)(6)(i) which necessitates closer scrutiny; and

WHEREAS, the Town Board wishes to declare itself lead agency for SEQR purposes and requests notice be sent to all involved agencies; and

WHEREAS, the Town of Glenville is duly qualified to act as Lead Agency for compliance with SEQRA which requires environmental review of certain actions undertaken by local governments and in accordance with the coordinated review procedures of SEQRA, the Town of Glenville wishes to be designated as the SEQRA Lead Agency for the proposed Project;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville met at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, April 6, 2022 at 7:00 P.M., and declares its intent to act as lead agency with regard to SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville authorizes and directs the Town of Glenville's Community Development Director to send a copy of the Full Environmental Assessment Form Part I and II presented at this meeting, along with a certified copy of this resolution stating the Town of Glenville's intention to be declared as Lead Agency, to any and all communities or agencies that it is necessary to give written notice to in accordance with New York State Town Law, including the New York State Department of Environmental Conservation;

New York State Parks, Recreation and Historic Preservation; Army Corps of Engineers;
Canal Corporation and Schenectady County.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board Decision on April 6, 2022

Sponsored by: Sid Ramotar, Town Councilman
Submitted by: Thomas Coppola, Commissioner of Public Works

RESOLUTION NO. 13

Moved by:
Seconded by:

WHEREAS, the Commissioner of Public Works has informed the Town Board that the Parks Department is in need of one commercial zero-turn mower; and

WHEREAS, the Commissioner of Public Works recommends purchase of one Kawasaki 35HP HDX Pro XL mower to best meet the needs of the Town; and

WHEREAS, in order to achieve cost savings the Commissioner of Public Works recommends the utilization of pricing available to the Town under New York State Contract #PC68896; and

WHEREAS, the 2022 Adopted Budget includes funding for the purchase of this piece of equipment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Commissioner of Public Works to purchase one Kawasaki 35HP HDX Pro XL at New York State Contract pricing from Grassland Equipment, 892-898 Troy Schenectady Road, Latham, New York in a total sum not to exceed \$11,538.38 with said expense charged to account AA-000-7110-2000 as included in the 2022 Adopted Budget.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on April 6, 2022.

Sponsored by: Christopher A. Koetzle, Supervisor
Submitted by: William Purtell, Assessor

RESOLUTION NO. 14

Moved by:
Seconded by:

WHEREAS, a vacancy currently exists on the Board of Assessment Review.

NOW, THEREFORE, BE IT RESOLVED that Bruce Wurz, 92 Kingsbury Road, Burnt Hills, NY 12027 be appointed to fill a vacancy, terminating on September 30, 2024

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on April 6, 2022

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO.15

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on March 16, 2022 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on April 6, 2022