

MEETING OF THE TOWN BOARD  
TOWN OF GLENVILLE  
SEPTEMBER 4, 2019  
AT THE GLENVILLE MUNICIPAL CENTER  
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK

Supervisor Koetzle called the meeting to order at 7:00 PM;

Supervisor Koetzle asked the Town Clerk, Linda C. Neals, to call the roll.

**Present:** Supervisor Christopher A. Koetzle, Councilmen Michael Aragosa, Michael R. Godlewski and Councilwoman Gina M. Wierzbowski

**Absent:** Councilman John C. Pytlovany

Also present were Michael Cuevas, Attorney for the Town, Jason Cuthbert, and Comptroller

Supervisor Koetzle – “We have two (2) add on resolutions, one is to establish a negative declaration on the Dutch Meadows Residential Planned Development District and the second add on resolution is to adopt the local law establishing the PDD for the Dutch Meadows development.”

Town Council Reports

Councilman Godlewski – “Just a reminder to everyone that on September 19<sup>th</sup> 5:30 PM to 8:00 PM at Riverstone Manor there will be a “Gin and Jazz” fund raiser to help restore the Yates Mansion on Maple Avenue. The cost is \$50 per person.”

Supervisor Koetzle – “It pains me to inform you that the event has just been cancelled.”

Councilwoman Wierzbowski – “I would like to publicly recognize Beukendaal Fire Department who will be celebrating their 75<sup>th</sup> Anniversary serving our community this weekend. Congratulations!

Also to remind everybody that school started yesterday so please remember to stop for school buses when their lights are flashing.”

Councilman Aragosa – “I have taken on the job as parking czar for Oktoberfest this year. Anyone who is interested in helping with parking please feel free to contact me”

Supervisor Koetzle – “I just want to point out two (2) things that are happening in September since we have a busy room. September 18<sup>th</sup>, in this room at 7:00 PM, during the Town Board meeting will be our first budget hearing. If you are interested at all in the budget and frankly you should be I would encourage you to be here. The second one is on September 24<sup>th</sup> at the Senior Center at 7:00 PM.

The September 11<sup>th</sup> ceremony is being held again at the Water’s Edge Lighthouse on September 11<sup>th</sup> at 5:00 PM.

Our first public hearing is to hear all of those interested in a proposed zoning map amendment of a portion of Dutch Meadows Lane and the proposed local law creating a Residential Planned Development District.

Supervisor Koetzle opened the public hearing at 7:06 PM

Bill Hoblock, Richbell Capital – “We were last here in May where we introduced our revised application to modify our originally proposed mixed use PDD to a residential PDD. We eliminated the commercial components of the PDD and retained the multi-family and townhouse components of the PDD. In May we discussed the numerous submissions, the various board meetings and public hearings that we had been through. At that time we had been in the process for about a year and a half and at that point the Town Board referred us to the Planning and Zoning Commission as well as the GECC for their review and recommendations. We have also submitted a rather voluminous expanded environmental impact assessment which consist of about two thousand (2,000) plus pages,

which have been at the Town for a few months now. It identifies and analysis every potential environmental impact reasonably expected to occur as a result of the proposed PDD and also value as to whether other impacts are significant pursuant to SEQR. That volume contains a detailed analysis of all potential environmental impacts, preliminary set of site plans, a full environmental assessment form Part I. We also did an environmental assessment form that tracks Part II a storm water pollution plan as well as a storm water management narrative, a wetland plan, a flood plan, full property survey, correspondence from various state and federal agencies, a full phase archeology survey, a traffic study as well as water and sewer service reports. So we have certainly submitted all possible documentation that we could under SEQR to make sure that this Board is fully informed when they make a decision on a negative declaration for SEQR and eventually and hopefully adopt the PDD.

Over the summer the GECC did recommend that this proposed PDD receive a negative declaration under SEQR since it will not have a significant environmental impact the Planning and Zoning Commission over the summer did make a recommendation to this Board as well their recommendation separately that this Board should adopt the proposed revised Residential PDD.

Now that brings us to the public benefit. Let's discuss that because the public benefit has really evolved since we have been here, over about a nineteen month period. The original public benefit was focused on mastering connectivity and it was providing a pedestrian path/walkway along the south side of Dutch Meadows Lane to connect to Route 50 and Freemans Bridge Road. As the Planned Development District review process evolved over eighteen months that public benefit evolved more into a public donation of six acres on the corner of Dutch Meadows Lane and Route 50 for the Town to do what it deems fit here. So while that happened we also understand the importance to continuing to promote mastering connectivity within the Town that has been the platform of this Board. There is a way that we are able to accomplish both is to donate the land to the Town as well as to promote mastering connectivity along Dutch Meadows Lane. Obviously the donation the land has been offered and it will be made. So how do we do connectivity on Town land? Very simple we can complete the existing walk that is on Route 50. Right now connectivity between Route 50 and Freemans Bridge Road on Dutch Meadows Lane, it's halfway there, there is a sidewalk that goes all the way from Freemans Bridge Road west to about the middle of Route 50. The sidewalk on the south side, heading east from the intersection of Route 50/Dutch Meadows is a little way in so there is a way to connect that and that is exactly what we are proposed here which is to run the sidewalk from the south side of Dutch Meadows Lane on 50 east through our proposed multi-family community and crosswalk up to the existing sidewalk on the north side of Dutch Meadows Lane. That way connectivity is made and that gets people who live on Freemans Bridge Road to patronize the businesses on Dutch Meadows Lane to Freemans Bridge Road also gets the people who are on Route 50 now can come along Dutch Meadows Lane using the path the whole way to get to Freemans Bridge Road. It accomplishes that specific path, it accomplishes two things, connects Route 50 to Freemans Bridge Road with pedestrian travel and also does not have any wetland impact because as we discussed there are wetlands on both the north and the south side but the path that I outlined on the map that has been submitted to the town avoids those wetlands. Also by having the walkway actually go through the multi-family community it gets the path where the people are. That's where the highest concentration of people on Dutch Meadows Lane will be in the multi-family community and the path is right there. You walk out of your home and you walk right to Freemans Bridge Road and start to support those businesses. So really in some after a nice evolving and trying to get to what is the public benefit for the town and the town people the most it is two-fold which started as one to foster pedestrian connectivity but now it is not just that it's also the donation of the land to the town.

So in conclusion as we have demonstrated in the volumes and volumes of environmental reports and studies that we have submitted the proposed revised PDD either voids or mitigates all potential environmental impacts. Also as shown in those documents the PDD will comply with all regulations so there are no significant adverse environmental impacts associated with the PDD, as also agreed with by the GECC and the PZC during their review and their recommendation to you. Again discussed at length as how the revised PDD continues to promote the goals and objectives, not just in the Town Code but in the recently updated comprehensive plan. The PDD also continues to facilitate an appropriate plan as we talked about on an awkward piece of property that's long and narrow along a rail line. Also as we discussed the multi-family PDD promotes a good land use as you go from business district on Freemans Bridge Road, you go through multi-family up into single family west of Route 50 so it is a national progression of land use and certainly, as discussed this

revised PDD preserves the important component of the original PDD which is getting people to live near Freemans Bridge Road so they can support the businesses as the town center is built out and the town now moves down Freemans Bridge Road. This residential PDD will assist in that.

Supervisor Koetzle – “Bill, just for the publics education please talk about your phasing of the apartments and the townhouses.”

Mr. Hoblock – “So the multi-family is the vision in two equal phases for a total of 104 residences, the clubhouse, the pool, all the amenities come with phase I. The townhomes which is a for sale product right next to it that will be market driven. We anticipate the first phase of the town homes to be started in connection with the first phase.”

Stephanie Bitter, Bartlett Pontiff Stewart & Rhodes, Glens Falls – “I have submitted a couple of letters relative to the review of this project. My client is Jack Robinson. He owns the storage facility. Initially when this project was reviewed I believe back in 2018 I submitted a letter inquiring about access on Dutch Meadow over the strip. Understanding that this project has evolved I have spoken to Mr. Hoblock about trying to resolve that amongst ourselves. My question for this board is with not seeing what the local law actually says with it now being a residential PDD, if my client was to acquire that property would there be the ability for him to develop it in a commercial manner since it's now a residential PDD and could he be allowed to have the curb cut that he has been seeking relative to this submission that I have been providing throughout this process?”

Supervisor Koetzle – “The local law doesn't address Mr. Robinson's interest unfortunately. I can't speak for the board obviously, in the future if Mr. Robinson makes an application but I think common sense would dictate that we would want to see the best outcome for the landowners and for the town there. The best income is probably not to keep a residential strip in front of commercial property. I can't speak as to the curb cut at this point because our highway superintendent isn't here to answer that question but I think I can signal to you that we are interested in helping landowners and folks have the best outcome possible. The strip doesn't make sense, it's residential in front of commercial.”

Ms. Bitter – “That strip is being rezoned as well, correct?”

Supervisor Koetzle – “Yes, that strip is part of the property.”

Ms. Bitter – “So if he wants to proceed he also has to seek a rezoning of that.”

Supervisor Koetzle – “Yes”

Larry Zeglen, 7 Fredericks Rd – “I am wearing two hats tonight. One from the VFW Post, honored to do that and also honored to be a member of the Legacy Committee. I would like to introduce the committee to you, Laurie Murphy, Mary Grant, Virginia Barr, Joyce Maddelone, Gary Packer, and Kurt Semon.

This whole effort began back in 2016. Ginny and her husband called me about building this amazing Veterans Café that they had visited in North Carolina. From that point on we started looking for a place to build this facility. Unsuccessfully for a year or so. An amazing thing happened in 2017, Joyce Maddelone called me and said I want to talk to you and Gary about building a veterans memorial in Glenville. I said of course we can do that and that started another whole process, we talked about that and jumping ahead two and one half years later here we are. We realize that the memorial is a wonderful thing but marrying the Veteran's Café is a very, very smart idea and it works out incredibly well. If it comes to fruition we would be the only area of this type in the country. There are memorials everywhere but none of them have a Veteran's Café that will honor all veterans of all strips, whether you served overseas or not. Glenville was chosen for a lot of reasons, we have an amazing Town Supervisor who has kind of shepherd us through this last two or three years helping us in many ways you can't imagine, we also have an area of 80,000 veterans and their families in an eleven county area, which translates into 350,000 family members as well. So the population is incredible in this area, we are the epicenter of that veteran population. We are going to build this amazing facility, it will have a 10,000 square foot Veterans Café, it will have a museum resource room, a veteran's service office, a gift shop and a welcome center. There will be an amphitheater that will be part of it. All of these facilities will be available to all of the veterans, their families and the public as well. The other side of that will be the memorials themselves to honor all of the seven or eight conflicts that we have had, minus the eleven names of those that gave their lives for our for our

nation's cause. A family waiting to come and touch the name of their loved one and hopefully rekindle that spirit in those folks. I went to Washington myself, the Vietnam Memorial and had that experience and it is an incredible thing. We want to create that experience for the folks in this area as well. Going at this for three years it's hard to believe that we are at the point, the fact that we are even here tonight, this is incredible! It's a milestone in our effort. We have done all that we can we think at this point, we need to go further, we need to go for grants and assistance. We need to do that only if we have a place to put a shovel and we need a place to do that. The last two or three years we have been kind of bouncing around a bit, things have happened, circumstances have developed where we are at this point now. Here is an opportunity for us to have that. Once we have that we will be able to go out and secure the funding that we believe we can secure. So this is an opportunity that you folks have, you can be part of this journey. It is going to be an amazing place, we promise."

Kurt Semon, 181 Droms Rd, - "Larry spoke very elegantly about the Legacy Project. I am in favor of this zoning change because I have taken a look at the project. The project is well engineered, well planned, a project that takes the environment into consideration. It is a project that is going to bring together Freemans Bridge Road and Route 50. It's a project that is going to add to the housing diversity area of all ages and all incomes. It supports the future hopes of Freemans Bridge Road development and it will make Glenville a destination and it will ducktail to this legacy project. If this moves forward and the town accepts the gift of six (6) acres of land and the town embraces our project it will enhance the future development and interest in Freemans Bridge Road and the Route 50 area. Yes I am in favor of this subject."

Mary, Burnt Hills – I am also a veteran of 27½ years. The first 21 was paramedical evacuation which means we would bring the wounded warriors home. While I was running simultaneously two jobs for 27½ years my civilian job asked me to participate in putting in a homeless female veteran shelter up in Ballston Spa and I was thrilled to do that if that was something that we...there was about a dozen of us and we raised funds, we purchased a home, we were able to bring ten (10) homeless female veterans off the streets and in to a warm environment. I was ready to retire in 2016 from my second job, I retired from the military in 2014 and low and behold I ran into Larry, he invited me into the VFW meeting in Glenville. At that meeting he said "boy do I have something for you" and he proceeds to hand me a business plan about the Legacy Project also known as the Capital Regions Veterans Memorial and say would you take this and just kind of read it and see if it is something you might be interested in. Well I think it took me about two days to decide that now I really figured out what I was going to do which at that point I was driving my husband nuts so I said sure it is something that was near and dear to my heart. Like I said with all of the deployments everybody returns home in different stages and the ability to deal with things, some better and some maybe not so much but our goal here is to help everyone to be able to come into the Veterans Café, and share a cup of coffee. We are on the bus line, so people that may not have cars they are going to be take the bus and walk across the street and visit our café.

We would like to have field trips where people can come in, these monuments that we talk about representing the major conflicts between WWI, WWII, Korean, Vietnam, and Afghanistan. We are going to have an educational piece and hoping we can get field trips in there. I'm really glad that you were willing to listen to us and to be here walking us through this and we really look forward to making this a reality."

Joyce Maddelone, Edmel Rd – "When I first saw this project it was very tiny out in Utah. If they were able to put something together we have got to get back and educate our students. They really need to know about all of this. The best thing that we can do is have a museum and have field trips. We have been very blessed to have a great committee. They just love helping. Thank you all for supporting our project."

Ms. Barr, 1 Tryon Ave. – "When my husband and I went down to So. Carolina, we walked in and we were greeted like we were longtime friends. We sat down, listened to what they had to say and we went to the memorial service. My husband said to me, and he was in Vietnam for six years, "baby this is what I want for Glenville". When we got back he spoke with Larry and Supervisor Koetzle. My husband passed away unexpectedly so I am doing this in his honor. My husband was an advocate for veterans and when a veteran came in and spoke to him he would listen and they would listen to him. We want to give the veterans of our eleven counties a safe haven where when they come into this place they know they can sit down and talk to a friend on a level that they understand. I urge you to support this project."

Lisa Gregory, Saratoga Drive – “I am a Blue Star mother. Blue Star moms are have children that are currently serving. What a wonderful thing to have locally for them. We have to fundraise so much to bring them to Washington DC and some of them are too old so to have something local would just be incredible. I have to say the way we found out about this was so simple. Joyce had put something in the church bulletin, I contacted Mary, Mary spoke to us and from here we are 100% behind this. We will do everything we can to help fund it as well. I can’t speak enough that there are so many children here, my children, everyone’s children who are serving and all of our veterans here. This would be such a prideful thing and to me put Glenville even more so on the map. I am very proud to be living here, we moved back here for a reason but as a Blue Star Mom I think our organization just screams for a taste of this. Thank you so much.”

Lori Murphy, Lawyersville, NY – “I am very jealous that we are talking about putting this in your community and not mine. When I was in the military I was a flight nurse in the New York Air National Guard and in every flight we talked about souls on board which is how many people on board. When I became a part of this project I thought a lot about this souls on board but in this respect the souls that are in heaven that are hopefully on board that this project is really all about. All of my colleagues have talked about what this is going to do for the future. It is also so important that we pay tribute all those men and women who did give their lives. We have the opportunity to show them that their lives mattered and that their deaths have meaning. I hope and pray that we can show them through this project that we are going to do this for them. I will be forever indebted to you, Chris, for all that you have done for us. Thank you so much for the opportunity.”

Robert Floyd, Glenville resident, member of VFW 2660 – “I am a Vietnam Veteran. I think the appropriate word for this project is legacy and Scotia has a history of legacy of those that served in the military. It’s a well-known fact that Vietnam veterans upon their return were disrespected. Anything that can assist a veteran to come to grips with your service would be a great honor. Anything that can provide some sort of safe haven, somebody to talk to like a fellow veteran is a very worthwhile endeavor. I thank the town for even considering this and I thank everybody here for showing up.”

Gary Packer, 5 Jennifer Rd – “Thank you for letting us speak about this project and thank you Joyce and the whole committee. Joyce called me about 2½ years ago I was part of the Veteran Miracle Center out of Albany. We helped over 10,000 veterans since 2014. She said Gary, you associated with all of these veteran associations it would be a good project for you so I looked into it. It sounded like a great project, there is nothing like it in the Capital District or throughout the country. I thought it would be a great project. We have been working on it for 2½ years and we weren’t sure it would come together. It has been a long haul. We had several different locations but thank you Supervisor Koetzle for helping us in pushing this through. Everyone here is working so hard to do fundraising and we didn’t even know where it was going to be. Thank you for your support.”

Supervisor Koetzle – “Before I close the public hearing I want the record to show that I on behalf of the board thank all of the veterans in this room for their service to our nation. You are an impressive group of people, you really, really are and you inspire me and the board members. Thank you for your service!”

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:44 PM.

Supervisor Koetzle – “Item number 6 is a public hearing on a petition requesting an amendment to the map and roll of Water District 11, Extension 1 of the Town of Glenville be established to include real property described by section, block and lot number 14.-4-23 consisting on one parcel on Lolik Lane.”

Supervisor Koetzle opened the public hearing at 7:45 PM

No one wished to speak; Supervisor Koetzle closed the public hearing at 7:45 PM

Supervisor Koetzle – “Item number 7 is a public hearing to hear all persons interested in the proposed local law to add a new Chapter, “Graffiti” to the Code of the Town of Glenville.”

Supervisor Koetzle opened the public hearing at 7:46 PM

Ed Culhane, Sutherland Dr. – “I see graffiti all over, on trains. I don’t know what you’re going to put in the local law, Mr. Supervisor, but maybe it should require the folks that built these bridges to paint the with graffiti proof paint so you could spray it right off with a pressure washer. Maybe include in there a system where people are rewarded when they see a tagger hanging on the bridge to pick up the phone and call 911. If an apprehension is made they get \$100 or whatever. I don’t know how these guys can do this and nobody sees them. They have to be hanging on like a monkey with one arm with a can a spray paint in the other or hanging upside down. So if we could encourage the public to be alert and call 911 and let the police come and pick them up.”

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:48 PM

Supervisor Koetzle – “Item number 8 is a public hearing to hear all persons interested in the proposed local law to add the new Section 270-24.1, “Storage Overlay Districts” to Chapter 270, Zoning, of the Code of the Town of Glenville.”

Supervisor Koetzle opened the public hearing at 7:49 PM

Supervisor Koetzle – “This would allow property owners within the general business and the highway commercial zoning districts. We will have two additional uses automobile storage and self-storage units. The proposed storage overlay district creates a floating district. So it’s a new district over top of the existing district that would require town board approval of zoning and map amendments as well as the Planning and Zoning Commission for site plan approval. The two step process insures public participation as well as a thorough review of any of the potential impacts of any potential projects. The proposed zoning amendment requires the town board to deliberate the project through a four prong test and the local law goes into that, it will not negatively affect the neighborhood. The proposal is to be compatible with properties immediately adjacent to it. The third is the performance intent is within the town’s comprehensive plan and the zoning code and that it will not impact the community’s aesthetics. So this again will allow for an overlay district in those districts, it will allow for storage of automobiles associated with automobile dealerships, automobile rental operations, automobile tow operations and will provide for self-storage uses within the general business and highway commercial districts as the overlay.”

Ali, 437 Saratoga Rd – “I am wondering if this will affect my business.”

Supervisor Koetzle – “There is no application before the town. You’re not in general business.”

Fred Marcelli, 7 Charlton Rd – “I have lived there for 42 years. In the past people have been very good about things that change in the neighborhood except when it comes to zoning and I have a problem with that because about 15 or 20 years ago they wanted to change the zoning of my property and my neighbors. They never sent us a letter or anything. Hewitt’s just had a new warehouse built, we got letters and I didn’t have a problem with that but if you are proposing things like this myself and my neighbors never received a notice. That’s not right, everybody should know what is going on. This is like the second or third time when it comes to zoning changes and you don’t send out letters.”

Supervisor Koetzle – “The letter wasn’t sent to you because that is not a general business district. It only affects general business district and highway commercial. You are in residential district on Charlton Road.”

Mr. Marcelli – “Years ago when they wanted to changed it to general business they didn’t notify us.”

Supervisor Koetzle – “I don’t know about years ago but I know today this does not affect your zoning so that’s why you did not get a letter.”

Mr. Marcelli – “We don’t need any more car dealerships around so if this goes through they could store automobiles there?”

Supervisor Koetzle – “Potentially”

Mr. Marcelli – “How does that affect the environment with gasoline, oil and everything?

Supervisor Koetzle – “We are not in a question answer period here, you are supposed to give us your comments regarding the proposal. That would be part of the site plan review. There is a SEQR application.”

Kelly Casler, 6946 Amsterdam Rd – “I received a letter stating that there is something that is in the vicinity of my home but I can’t find anything. So is it close to my home, is it the vacant property that’s...

Supervisor Koetzle – “Unfortunately the language that was used in the letter for the public hearing was standard language that’s used when an application is coming in. There is no application. The Code Review Committee is looking at allowing these uses by adding an overlay district. So there is no application.”

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:53 PM.

Supervisor Koetzle – “Item number 9 is a public hearing to hear all persons interested in the proposed local law to establish a Freemans Bridge Road Overlay District.”

Supervisor Koetzle opened the public hearing at 7:54 PM.

Supervisor Koetzle – “This is an overlay district and it is designed to improve access and aesthetics of Glenville’s southern commercial corridor. We have talked about this tonight with the Dutch Meadow project about revitalization on Freemans Bridge Road. So this would allow us to create an overlay district on Freemans Bridge Road. It doesn’t change the current zoning that is on Freemans Bridge Road now. Again it allows for the overlay. It would still be in general business or RDT whatever it is now.”

No one wished to speak; Supervisor Koetzle closed the public hearing at 7:56 PM.

The following people exercised the privilege of the floor:

George Wuttke, 116 Governor Dr. – Mr. Wuttke asked the board if they realized the safety issues that they were creating with the way our roads are being paved. We are all going to have puddles at the end of our driveways. He stated that all of this water is going to tear up our driveways. He would like to know what the town plans to do to correct this issue.

Supervisor Koetzle moved ahead with the agenda items.

### **RESOLUTION NO. 148-2019**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Godlewski

A RESOLUTION AUTHORIZING THE TRANSFER OF THE TOWN’S RIGHT, TITLE AND INTEREST IN THE TOWN ROAD KNOWN AS E STREET (BETWEEN POTENTIAL PARKWAY AND THE RAILROAD TRACKS), SUBJECT TO PERMISSIVE REFERENDUM

**WHEREAS**, SQP, Inc. (“SQP”) has requested that the Town Board (“Town Board”) of the Town of Glenville (“Town”), abandon and convey all the Town’s right, title and interest in that certain parcel and piece of land known as E Street between Potential Parkway and the railroad tracks, more particularly described as follows:

All that certain tract, parcel or piece of land situate, lying and being in the Town of Glenville, Schenectady County being designated as E Street as shown in its entirety on a map entitled “Highway Dedication Map Portion of Lands of Scotia Industrial Park, Inc.” dated December 16, 1985, made by C.T. Male Associates, P.C. and filed in the Schenectady County Clerk’s Office and being more particularly bounded and described on Exhibit A.

**WHEREAS**, that same piece or parcel of land had been acquired by the Town by quit claim deed from the IDA, dated June 20, 1986 for the sum of \$1.00; and

**WHEREAS**, the said parcel of land has been a road within the Scotia-Glenville Industrial Park, is less than 1000' in length; is not a connector road between two public highways and SQP is the landowner on both sides of said roadway which has requested that the Town of Glenville Superintendent abandon same by petition duly filed; and

**WHEREAS**, the Town of Glenville Highway Superintendent has determined that said road/highway is unnecessary for highway purposes and has directed by an order filed with the Town Clerk's office that said highway be discontinued and abandoned for public purposes; and

**WHEREAS**, the transfer to SQP is designed to promote economic development in Schenectady County and the said piece or parcel of land known as E Street will be used for such purpose to the benefit of the County and the Town; and

**WHEREAS**, by conveying such piece or parcel of land to the SQP the Town will avoid the future cost and liability for maintenance, repair and the removal of snow and ice; and

**WHEREAS**, the Town Board caused a Notice of Public Hearing to be published which set August 21, 2019 as the date and 7:00 PM as the time and the Glenville Municipal Center as the place at which all members of the public wishing to be heard on the issue of the abandonment and/or conveyance of E Street to SQP; and

**WHEREAS**, the aforementioned public hearing was held at the date, time and place advertised and all persons wishing to be heard were given the opportunity to do, and the Town Board having considered all such public comment and all of the above and having given same due consideration and deliberation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville, in regular session duly convened, does hereby find that the piece or parcel of land known as E Street (between Potential Parkway and the railroad tracks) was previously conveyed to the Town by the IDA for the nominal consideration of \$1.00; that the said portion of E Street is an interior roadway within the Scotia-Glenville Industrial Park and is not necessary for public purposes as found by the Highway Superintendent; that the abandonment and conveyance of said E Street will save the Town considerable expense for maintenance, repair and the removal of snow and ice such that its abandonment is appropriate and its conveyance to the SQP for consideration consisting of the replacement of certain water and sewer lines in E Street is just and proper; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Glenville hereby discontinues and abandons from public use the town highway known as E Street and authorizes and directs the Supervisor to execute and deliver to the SQP. a quit claim deed for that piece or parcel of land, described herein, known as E Street (between Potential Parkway and the railroad tracks), together with such other documents necessary to effectuate such transfer, with the costs of preparation and filing to be borne by SQP.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 149-2019**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Aragosa



**WHEREAS, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, pursuant to section 191 of the Town Law, for the extension of Water District No.11, Extension 1 (herein called "District") which petition was signed by the owners such taxable real property situate in the proposed extension to the District and including the signatures of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed extension to the District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, plan and report for extension 1 of Water District No.11 of the Town of Glenville having been previously filed in the office of the Town Clerk of the Town for public inspection; and**

**WHEREAS, pursuant to the Order duly adopted on August 21, 2019, the Town Board has determined to proceed with the extension of extension 1 to the District and adopted an Order reciting a description of the boundaries of the extension of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Water Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report describing extension 1 is on file in the Town Clerk's office for public inspection and specifying September 4, 2019, at 7:00 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the addition to extension 1 of the District and to hear all person interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law ; and**

**WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of the Town Law; and**

**WHEREAS, the Town Board has given due consideration to the impact that the proposed extension to the District may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the extension of the District; and**

**WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and**

**WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said September 4, 2019, commencing at or about 7:00 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District.**

**NOW, THEREFORE, upon the evidence adduced at such public hearing**  
**be it**

**RESOLVED AND ORDERED by the Town Board of the Town of Glenville, in the County of Schenectady, New York as follows:**

**Section 1. It is hereby determined that:**

- (a) The Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;**
- (b) All the property and property owners benefited included within the**

- proposed extension to the District hereinabove referred to in the recitals hereof are benefited thereby;
- (c) All the property and property owners benefited are included within the limits of the proposed extension to the District; and
- (d) It is in the public interest to establish the extension to the District.

**Section 2.** The establishment of the proposed addition to extension 1 of the District is hereby approved, as hereinafter described, and said District shall be continue to be designated and known as Extension No. 1 to Water District 11 in the Town and shall include the property commonly known as Lolik Lane (vacant land) (S/B/L # 14.-4-23).

**Section 3.** Any Water Improvement is later authorized to be constructed in the District and the amount proposed to be expended therefor, including the expenses incurred in connection with the expansion of the extension to the District, is to be fully borne by the developer; the plan of financing is to be fully and completely borne by the developer, at no cost to the Town or other users in the District.

**Section 4.** The permission of the State Comptroller is not required with respect to the extension of the District because the cost of the extension to the typical property is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts as computed by the State Comptroller.

**Section 5.** The Town Clerk of the Town is hereby authorized and directed within ten days after the adoption of this Resolution and Order, to file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York, record same in the office of the Clerk of the County of Schenectady.

**Section 6.** This Resolution and Order shall take effect immediately.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski, Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

**Abstention:** None

**Motion Carried**

#### **RESOLUTION NO. 150-2019**

**Moved by:** Councilman Godlewski

**Seconded by:** Councilman Aragosa

**WHEREAS,** a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Section 270-3 to add new definitions, add a new Section 270-133.1, "Freemans Bridge Corridor Overlay District" to the Zoning Code of the Town of Glenville (a copy of which is attached hereto) and a new section 270-134.1 Design Guidelines and Standards for such district; and

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

**WHEREAS,** the proposed new Code section is being referred simultaneously herewith to the Planning & Zoning Commission for review and a recommendation, both as to the text and as to whether the Local Law could result in any significant environmental impacts under the State Environmental Quality Review Act (SEQRA); and

**WHEREAS,** a duly scheduled public hearing must be held in order to amend the existing code by Local Law and/or to effect a change to the zoning map;

**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, September 18, 2019 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed local law to add the new definitions to Section 270-3, add a new Section 270-133.1, "Freemans Bridge Corridor Overlay District" and a new Section 270-134.1, Design Guidelines and Standards to Chapter of 270, Zoning, 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, the City of Schenectady and all property owners with 500 feet of the proposed Residential Planned Development; and

**BE IT STILL FURTHER RESOLVED** that the Town Clerk be, and she hereby is directed to provide the County of Schenectady Department of Economic Development and Planning with a referral pursuant to General Municipal Law §239-m..

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** Councilman Pytlovany  
**Abstentions:** None

**Motion Carried**

#### **RESOLUTION NO. 151-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Godlewski

**WHEREAS**, William Purtell has served as Assessor for the Town of Glenville since his initial appointment on May 30, 2014; and

**WHEREAS**, Mr. Purtell has performed the duties of Assessor in a very efficient and capable manner on behalf of the residents of Glenville; and

**WHEREAS**, the ability and expertise of Mr. Purtell have been recognized by his peers as evidenced by his current role as President of the Albany-Schenectady County Assessors Association, and his scheduled upcoming role as a member of the New York State Assessor's Association Executive Board commencing in autumn 2019;

**WHEREAS**, the State of New York Office of Real Property Tax Services has confirmed that Mr. Purtell meets the minimum qualification standards for an appointed sole assessor as prescribed in the Real Property Tax Law and 20 NYCRR 8188;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby re-appoints William Purtell of 2 Kendall Place, Glenville to the position of Assessor, effective October 1, 2019, for a six-year term expiring September 30, 2025.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** Councilman Pytlovany  
**Abstention:** None

**Motion Carried**

#### **RESOLUTION NO. 152-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Aragosa

**WHEREAS**, the Water User Fee Roll of the Town of Glenville, Water District #11 was approved for collection as of June 1, 2019, in the amount of \$1,485,701.95; and

**WHEREAS**, since June 1, 2019, due to reporting and clerical errors, adjustments are required to correct the accepted warrant;

**NOW, THEREFORE, BE IT RESOLVED** that the billing for the following customer accounts be adjusted:

#	ACCOUNT NUMBER	OWNER	ADJUSTMENT
1	03-0103104850-000	Eaves, Nathan	\$ (90.00)
2	06-0106109800-001	Sabbah, Said	\$ (70.50)
3	07-0107105600-001	Majewski, Bill & Hillary	\$ 148.26
4	14-0114101600-001	Owen, Benjamin & Melissa	\$ (235.00)
5	17-0117107400-001	Smolyn, Brian	\$ 32.38
6	18-0118103332-001	Rea, Joseph	\$ (90.00)
7	22-0122103100-001	Coffey, Michael	\$ (90.00)
8	22-0122103502-000	Principe, Jan	\$ 130.00
9	22-0122103504-000	Beazley, Lynda & Robert	\$ 130.00
10	22-0122103601-000	Strack, Barton & Rhonda	\$ 90.00
11	22-0122103602-000	Mandl, Philip & Malisa	\$ 90.00
12	22-0122103603-000	Gish, Michael	\$ 130.00
13	22-0122103604-000	Giufre, Patricia	\$ 130.00
14	23-0123105500-001	Story, Ellen	\$ (354.99)
15	24-0124102800-001	Drazba, John	\$ (69.76)
16	25-0125109800-001	Chen, Gen	\$ (160.49)
17	27-0127104500-001	Laffer, Steven & Michaela	\$ (70.50)
18	33-0133107300-001	Sargent, Theodore III	\$ 161.94
19	33-0133110600-001	Volk, Mark	\$ 202.62
20	34-0134102300-001	Kirry, Stuart	\$ (70.50)
21	35-0135100136-001	Welles, Kenneth II	\$ 104.13
22	35-0135106700-001	Brenner, George III	\$ (77.50)
23	35-0135106900-001	Brenner, George III	\$ 77.50
24	35-0135109909-001	Parker, David	\$ 267.56
25	36-0136104408-001	Cassidy, Patricia	\$ 71.28
26	37-0137100500-001	Altimari, Gerard	\$ (81.73)
27	37-0137105900-001	Lamb, William & Linda	\$ (70.49)
28	38-0138103300-001	Petricca, MaryAnn	\$ (56.64)
29	38-0138107600-001	Countermin, Kenneth	\$ (70.50)
30	43-0143102200-001	Elliott, Debra	\$ (70.50)
31	43-0143108899-001	Andersen, Nathan & Stephanie	\$ (70.50)
32	45-0145200970-001	Broadhead, Tim & Nicole	\$ 127.02
33	46-0146111532-001	Viall, David & Nancy	\$ (375.50)
34	47-0447101810-001	Wildwood Programs, Inc	\$ (529.12)
35	47-0447102101-001	Lattanzio, Louis	\$ (601.89)
36	47-0447103550-001	Glenwyck Development	\$ (5,350.00)
37	48-0548109911-001	Town of Clifton Park	\$ 9,085.03

38	50-0150200303-001	Aho, Carl	\$ 182.10
39	50-0150400833-001	Berlin, Tina	\$ (422.34)
40	50-0150700991-001	Porter, Jack	\$ 18.80
	<b>ALL ADJUSTMENTS</b>	<b>TOTALS</b>	<b>\$ 2,100.17</b>

**BE IT STILL FURTHER RESOLVED** that the corrected warrant for Water District #11 is \$1,487,802.12.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** Councilman Pytlovany  
**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 153-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Aragosa

**WHEREAS**, RBC Glenville Development, LLC (“RBC”) has submitted a zoning change application to rezone approximately 24 acres of property on the southerly side of Dutch Meadows Lane from “General Business” (GB) and “Professional Residential” (PR) to “Residential Planned Development” (RPD) which application is named “Revised Application to Establish the Dutch Meadows Lane Residential Planned Development District (RPD Narrative); and

**WHEREAS**, the purpose of the Residential Planned Development district (RPD) is to allow the developer to pursue construction of a 208-unit apartment complex, consisting of two 52-unit and three 26-unit buildings, together with accessory facilities, and a 30-unit residential townhouse complex (collectively, the Project) as generally shown in the preliminary site plan set (sheets 1-14) submitted as part of an Expanded Environmental Impact Assessment for the Project; and

**WHEREAS**, the Project constitutes a “Type I Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

**WHEREAS**, the Glenville Town Board has been established as SEQRA Lead Agency in this instance; and

**WHEREAS**, RBC previously submitted an application for a larger project in 2018, which the Town of Glenville Planning and Zoning Commission recommended that the Town Board find no significant adverse environmental impacts associated with that project, based upon its own review and the prior review and same recommendation by the Glenville Environmental Conservation Committee, and further recommended then that the Town Board issue a “SEQRA Negative Declaration;” and

**WHEREAS**, in connection with the Project, RBC submitted an Expanded Environmental Impact Assessment together with its RPD application (Expanded Report) pursuant to SEQRA, and the Town of Glenville Planning and Zoning Commission, the Glenville Environmental Conservation Committee, and the Town Board have thoroughly evaluated it; and

**WHEREAS**, the Expanded Report further identifies and assesses a broad range of potential environmental impacts, including land, geology, surface water, ground water, stormwater, flooding, air quality, plants and animals, agricultural resources, aesthetic resources, historic and archeological resources, open space and recreation, critical

environmental areas, transportation, energy, noise, odor and light, human health and community plans and community character; and

**WHEREAS**, the Expanded Report is supported, where appropriate, by detailed analyses prepared by professional consultants, including the following: Environmental Design Partnership – Preliminary Site Plans (sheets 1-14), Stormwater Pollution Prevention Plan, Stormwater Management Design Narrative, Potential Waters of the U.S. Avoidance Plan, Water Service Narrative and Sanitary Service Narrative; Curtin Archeological Consulting, Inc. – Phase I Archeological Survey; and Creighton-Manning Engineering, LLP – Traffic Impact Analysis; and

**WHEREAS**, the Expanded Report also includes communications from United States Fish & Wildlife Service, New York State Historic Preservation Office and the New York State Department of Environmental Conservation; and

**WHEREAS**, the scope and detail of the Expanded Report are at least as comprehensive as Parts 2 and 3 of the NYSDEC standard full environmental assessment form; and

**WHEREAS**, the Town of Glenville Planning and Zoning Commission, at its July 8, 2019 meeting, recommended that the Town Board find no significant adverse environmental impacts associated with the Project based upon its own and the prior review and same recommendation by the Glenville Environmental Conservation Committee, and further recommended that the Board issue a SEQRA “Negative Declaration;” and

**WHEREAS**, the Town Board has carefully and thoroughly considered the information presented in the Expanded Report, input from others and the members’ own knowledge, expertise and awareness of the Project site and surrounding areas; and

**WHEREAS**, the Town Board has carefully and thoroughly considered and applied the requirements of NYCRR 617.7(c) to the Project; and

**WHEREAS**, as discussed more fully in the attached Exhibit A, the Town Board has concluded, pursuant to SEQRA, that there are no significant adverse environmental impacts resulting from the Project;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby determines, pursuant to SEQRA, that the Project will not result in any significant adverse environmental impacts; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby issues a SEQRA “Negative Declaration” for the Project; the facts, conclusions and findings supporting same are attached as Exhibit A hereto.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

**Abstentions:** None

### **Motion Carried**

### **RESOLUTION NO. 154-2019**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Godlewski

**WHEREAS**, the Town of Glenville is proposing a zoning map amendment through a Local Law (a copy of which is attached) that would change the zoning of approximately 24 acres of a vacant parcel of real property (Tax Map # 30.-1-24.411), located on Dutch Meadows Road, presently owned by Raymond Piotrowski and under contract for sale to Richbell Capital, from “General Business” and “Professional Residential” to “Highway Commercial” to “Residential Planned Development (RPD)” by creating the “Dutch Meadows Lane Residential Planned Development District; and

**WHEREAS**, the zoning for the land on the southerly side of Dutch Meadows Lane is to be rezoned Residential Planned Development District in order to

allow creative development of the entire property as the Dutch Meadows Lane Residential Planned Development District (as proposed in the amended application of Richbell Capital, dated June 6, 2019) and to make the zoning compatible with the adjoining parcels to the north, recognizing that that nearby property has a similar type use to that being now proposed for the southerly side of the road; and

**WHEREAS**, the portion of the property to be rezoned that fronts on Dutch Meadows Lane would appear to best conform to the Town's Comprehensive Plan if utilized for town home and multi-family residential use;" and

**WHEREAS**, the portion of the property to be rezoned would appear to be best developed as multi-family housing given its proximity to the Freeman's Bridge commercial corridor and to adjacent multi-family housing; and

**WHEREAS**, the Town of Glenville Planning and Zoning Commission (PZC) has reviewed the preliminary development plan and recommended consideration of the zoning map amendment and approval of the Residential Planned Development to the Town Board; and

**WHEREAS**, the change of zoning and creation of the Residential Planned Development are essentially one action as the creation of the RPD dictates the zoning map amendment and the Town Board could not do one without the other; and

**WHEREAS**, Article VI – "Planned Development Districts", of Chapter 270 – "Zoning" authorizes the Town Board to create a Residential Planned Development District by Local Law and the Local Law would amend said chapter to provide for the Dutch Meadows Lane Residential Planned Development District; and

**WHEREAS**, the Glenville Town Board has determined by a separate resolution that this zoning map amendment and Residential Planned Development District, considered together, constitutes a "Type 1 Action" in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act and after thorough review, issued a "Negative Declaration"; and

**WHEREAS**, New York State Town Law and the Code of the Town of Glenville, require that the Town Board held a public hearing, before a zoning map amendment or a local law creating a planned development district may be adopted; and

**WHEREAS**, the Town Board of the Town of Glenville held a public hearing with respect to the zoning map amendment and adoption of said Local Law on Wednesday, September 4, 2019 at 7:00 PM, at which time and place all persons interested in a proposed zoning map amendment involving the property at the southerly side of Dutch Meadows Lane, changing the zoning of same from General Business and Professional Residential to Residential Planned Development by a Local Law creating the Dutch Meadows Lane Residential Planned Development District on such parcel of real property in the Town of Glenville in accord with the revised application of Richbell Capital dated June 6, 2019,

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby establish a local law to amend the Code of the Town of Glenville to adopt Local Law #4 of 2019, amending Chapter 270 – "Zoning", establishing the "Dutch Meadows Lane Residential Planned Development District", and therewith the Town Board of the Town of Glenville hereby approves proposed zoning map amendment for a 24+/- acre portion of tax map parcel # 30.-1-24.411 from "General Business" and "Professional Residential" to "Residential Planned Development", as depicted on the attached map (Local Law, Exhibit "A") of said parcel; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed

to file the Local Law with the Secretary of State.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski  
and Supervisor Koetzle

**Noes:** None

**Absents:** Councilman Pytlovany

**Abstentions:** None

**Motion Carried**

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn;  
Moved by Councilwoman Godlewski, Seconded by Councilman Aragosa, everyone  
being in favor the meeting was adjourned at 8:18 PM.

ATTEST:

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Linda C. Neals  
Town Clerk