

SPECIAL MEETING OF THE TOWN BOARD  
TOWN OF GLENVILLE  
JUNE 14, 2017  
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, Councilman James M. Martin, Councilman John C. Pytlovany and Councilwoman Gina M. Wierzbowski

**Absent:** Councilman David Hennel

Also present – Michael Cuevas, Attorney and Jason Cuthbert, Comptroller

Supervisor Koetzle – “We will be going into an executive session to discuss a contractual matter.

Item No. 4 is a public hearing to hear all persons wishing to be heard with respect to the request of Fieldstone Partners, LLC for a waiver of the street width standards of the Town Code sections 238-7 and 238-16 E pursuant to the authority granted the Town Board in the Town Code section 238-21 with respect to its proposed 14 lot single family residential subdivision.

Supervisor Koetzle opened the public hearing at 7:04 PM.

Arkley Mastro – “This is a parcel of land that is 64 acres. The Planning Board says that the acreage would support 32 lots but we are in front of the Planning Board for approval of a fourteen lot subdivision. Thirteen of those lots would come off of a cul de sac road that would come off of Maura Lane. It’s a very short road, it’s only seventeen hundred feet. There will be just thirteen houses on it. We think a subdivision of that size justifies a reduced road section. There’s going to be very little traffic on the road. When I was first before the Town Planning Board, probably close to two (2) years ago, one of their first comments in approving and giving us concept approval was they were concerned there was a different configuration of the lots we were actually proposing twenty two at the time and the main concern of the Planning Board was that there not be direct cut through traffic between Sacandaga Road and Maura Lane. They suggested maybe a loop to discourage cars going directly from Maura Lane to Sacandaga Road. So as we revised the subdivision plan over the last year and one half we also finished our Army Corp of Engineers studies, our DEC studies that identified some wetlands and based on the location of the wetlands configuration and my desire that this not be a high density subdivision we found that the fourteen lots would work, we cut off the access from Sacandaga Road through Maura Lane so that would not be a pass through. All of the lots are large most of them are five acres more and there are a few that are two or three acres. Because of the limited amount of traffic, the limited amount of ground water that we expect to be generated our engineers have recommended and thought that a reduced road section would be appropriate.”

Supervisor Koetzle – “There is never an opportunity in the future to connect to Sacandaga Road once this is built. There is no paper street, there’s no access potential?”

Mr. Mastro – “That is correct. All the lots in between will be sold to individual owners, there is some wetland in there. The connection to Maura Lane, as you may recall the last time we were in front of this Board, there’s an existing, long standing paper street from Maura Lane to this piece of property and to refresh you recollection, if you will, I wound up acquiring this property because I lived on Sacandaga Road for thirty years and there was a proposal to build an apartment complex behind me, I thought there might be a better use for that property so I bought it nearly fifteen to twenty years ago and I think now is the time for me to sell it and that is why we are here.

You may recall when we were here for the work session meeting it was everybody's understanding that a hearing is not necessary for the Town Board to approve this. We thought that we might obtain approval a couple of weeks ago but the Board decided that they wanted to offer a public hearing. That is what we are seeking here tonight."

Councilman Martin – "I would like to hear from Mr. Newman about the specific specifications as compared to our standard."

Wayne Newman, Engineer – "So the only difference between the road section that we are proposing and the Town's standard is two feet less. So instead of a thirty foot roadway it's going to be twenty six."

The reason to do it is because it makes sense. It's a planning issue, it's not an engineering issue and not a safety issue it is a planning issue. Reducing the road section makes sense for the town because it's less town road to be maintained, it's less road for potential lot purchasers because it would lead to cheaper lots for potential lot purchasers because the infrastructure necessary to develop the project would be cheaper. It's an environmental benefit because it would reduce the amount of storm water that generates from the road and it's a benefit to people who use that road because when you narrow a road the traffic reduces its speed."

Councilman Martin – "The travel width again, the lane width requirement by our spec and the lane width, the travel lane?"

Mr. Newman – "The travel lane would be reduced from twelve feet to eleven and one half feet."

Councilman Pytlovany – "I wasn't here when Maura Lane was built but I can envision the same argument they made that it was a small street with a few houses on it. I was up there today to look at it all and I wouldn't say that there's more than fourteen or twenty houses on Maura Lane and Maura Lane is built to the thirty foot standard. I don't know why an extension to the road wouldn't be the same size as it is currently. I know that you had mentioned a narrower road has a more common affect and it seems like you are putting more...I mean if people are walking in the road or there are cars parked in the road you are now creating an object to slow them down but you could be using people to slow them down. I have lived in Scotia all of my life, we have problems with narrow roads all of the time. Once this is built the chances of ever widening the road is certainly not an option once it's built. So I have a hard time with narrowing what our specs are. I heard your argument and they make sense but..."

Mr. Newman – "There are many municipalities that have standard in their code, reduce road sections for this exact application and they have reduced road sections even smaller than what we are asking. This is a road section that is identical to what is being used at the Amedore project."

Supervisor Koetzle – "I guess the question I have is why, other than it makes sense, are you here today? Other than from a planning point of view you say it makes sense, why are you seeking this? Is there a savings?"

Mr. Newman – "There is a cost savings on the road."

Supervisor Koetzle – "So other than the cost savings what's another benefit?"

Mr. Newman – "I tried to list them, there are environmental benefits. The NYS Department of Environmental Conservation, if you have ever heard of "Low Impact Design" this is something that they have been pushing to try to come up with opportunities where you can impact the environment less, realizing that commercial development and everything is a necessity of society but there is a better way to do things."

Councilman Martin – “I guess from my standpoint that’s where I am coming from. We’ve already set this precedent once that to me is...

Mr. Newman – “There is the environmental benefits. There is a benefit to the Town, it’s cheaper to maintain those roads, snowplowing, resurfacing, and everything else that goes into that. There is a benefit to the prospective future lot purchasers where there lots will be slightly cheaper because the reality is whoever develops this they have to get a return on what they invest and if the investment is larger they have to maintain that money coming back. Other benefits to future lot owners...it’s a planning thing that is what it really comes down to. Other municipalities have had great success with it. “

Supervisor Koetzle – “My last question is how you would propose to feather this in from a 30’ to a 26’. Is it going to look...

Mr. Newman – “You wouldn’t even know.”

Denise Goddin, 377 Maura Lane – “I am opposed to this. I walk my kids, I have a 6 yr. old and an 8 yr. old and a dog. Frequently when I am going down the road even at the end of the road where there aren’t as many houses it’s I think a safety hazard because cars are trying to go around you, they don’t see you, they have to go the other way and some cars have to stop. You said environmental, I think if you worry about environmental you would leave it as open land for the birds and all of the animals that are currently living there. As far as the snow plows, I think that is also a safety hazard because if they are going down a road, I know I have almost been taken out by plows on Spring Road so I can imagine a small road being worse. I also think it should remain contiguous with Maura Lane.”

Mark Percenti, 441 Maura Lane – “I have lived there for about eleven years. I’ve seen the whole neighborhood develop. Believe me I have seen the amount of traffic increase on the street too. I respect what these gentlemen have been saying about the new neighborhood but the first section is around the pond and it’s a very blind turn and the traffic pattern is going to have to take a sharp left at a very blind turn to that neighborhood.”

Supervisor Koetzle closed the public hearing at 7:19 PM.

Supervisor Koetzle moved ahead with the agenda items.

#### **RESOLUTION NO. 138-2017**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Martin

**WHEREAS**, the Town Board of the Town of Glenville authorized bids for the 2017 Bulk Waste Pick Up program in the town; and

**WHEREAS**, County Waste & Recycling Services, Inc. of Clifton Park, NY submitted the lowest responsible bid to provide the bulk waste collection and disposal services required by the bid documents; and

**WHEREAS**, the Town had the opportunity to conduct the 2017 Bulk Waste Pick Up Program in the Spring rather than in the Fall as it had been done in prior years; and

**WHEREAS**, the Commissioner of Public Works recommended that the contract for bulk waste collection and disposal serviced be awarded to County Waste & Recycling Services and the Town Supervisor concurred in such recommendation; and

**WHEREAS**, the parties believed that the contract for such services had already been awarded by the Town Board, but it had, in fact, not done so,

**NOW, THEREFORE, BE IT RESOLVED**, that Town Board of the Town of Glenville hereby awards the 2017 Bulk Waste Pick Up contract to County Waste &

Recycling Services, Inc. at the low bid price Thirty One Thousand, Seven Hundred Fifty dollars (\$31,750), with this expense charged to account number 02.00.8160.4192 as included in the 2017 Adopted Town Budget; and

**BE IT FURTHER RESOLVED**, that the actions of the Town Supervisor and/or Town Highway Superintendent in approving and entering into the contract with County Waste & Recycling, Inc. is hereby ratified as the public bidding process required by law was complied with and the Town Board was fully aware of the bid and the contract and the lack of formal Town Board approval was the result of administrative error.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Hennel

**Abstentions:** None

### **Motion Carried**

### **Discussion...**

Councilman Martin – “The crucial part here is the proposed width of the pavement is 26 feet in width and an 11½ foot travel lane so that is a reduction of 4 feet in the pavement width and 6 inches per travel lane off of our standard and we will have 18 inch gutters. So that is the real focal point of the proposed change.

I always appreciate when the public shows up and puts their comments in. Be that as it may I think the argument in favor, for me personally are overriding. I think first of all we have done this before, we set a precedent in a much larger sub-division and I agreed with it then. Now we have 14 lots on a cul-de-sac, the safety concerns are only to the effect of the buyers of the lot. From our standpoint as a township, I get the incremental fact, okay these guys are going to be getting their requests tonight and they are going to go with what they get and probably not see them again but from our standpoint as the town board we have to, in my mind, consider the cumulative effect of this amount of pavement savings project after project after project and that can be substantial. In terms of storm water, the amount of road that has to be paved and maintained and plowed that is a cumulative effect. I get that this is only a small micro problem we have a lot more to be concerned with and when we do get into the zoning ordinance and sub-division regulations I will be a very strong advocate for changing the specifications so that aspect of the argument goes away and our specifications is in keeping with a movement in regards to road width that is definitely trending to smaller and not wider.”

Councilwoman Wierzbowski – “I agree with Councilman Martin. There’s numerous reasons and when we approved the road width variation for the Amedore Project it was mentioned that we should consider doing this town wide and we decided to hold off. The Supervisor has mentioned that we should maybe perhaps considering, having sidewalks put in I happen to agree with that not necessarily for this project as a requirement but going forward we would try to compromise on the potential safety issue but this is a dead-end street that is a cul-de-sac that is going to have a minimum of homes. One thing that perhaps we should look at independent of this is doing what the one resident suggested is have the Traffic Safety Board do a traffic count and a speed count on the Maura Lane as it exists now so we have an idea and perhaps ask them to consider the necessity for a lower speed limit, maybe 25 mph on that road if it is true that people are walking and they are concerned. That may be a good compromise for us to try to come to independent of this consideration.”

Councilman Pytlovany – “Obviously with no sidewalk which there are people that walk it and the residents had said along with children. One of my concerns is if you are taking 2 feet off of each side you are putting the pedestrians 2 feet closer to the traffic. I know at other presentations we have been told that slows the traffic down and I’m sure it does but I guess I have a physiological problem using people to slow the traffic down. However seeing how we have heard discussions or been a part of discussions before and

we have approved a previous 26 foot for a development I don't see how we can't approve this one also even though I am not tremendously in favor of it."

Supervisor Koetzle – "I'm going to disagree with you and I don't like the fact that we are bringing up the previous approval. Particularly when I think some of the board at the time was very reluctant to do so. But it was done, I think, when we did it members of the board a few of us said, this does not set a precedence, this does not mean that we are going to do it in the future. There are some specific things that were related to that zone that necessitated doing it and I'm not sure it's ever going to get built anyway.. I don't think just because we did it once means we have to keep doing it over and over again. I'm not sure that I am willing to do it now because if that is the argument, that's a weak argument and I don't want to hear that again – well you did it here and you did it here. I've heard the arguments and let's go through them.

Impact the environment, quantify it, nobody has quantified it any of the data that was ever given to us never quantified it. What does that mean, impact the environment, oh well less run-off more absorption okay but what does that mean? What is the end benefit there? Nobody articulates that, I asked tonight, twice. Benefits to the snowplowing, that's false. We take 2 passes, if it's 30 if it's 36 its 2 passes, there's no benefits to the snowplowing at all. Resurfacing, okay, quantify that. We have a ballpark of about \$15,000 to \$20,000 potentially. Somewhere down the road we may save \$15,000 on a narrow street. Traffic calming – a narrow street is traffic calming. I totally reject that. I've been on narrow streets, I've been on the 30 feet, I've been on the 26 feet, and I've been on the 24<sup>th</sup> nothing calms the traffic. We like to say it, we like to feel better about it when we say it but it is just not true people speed and if you want to check it we have complaints on every one of those road width streets. Then there was one more benefit, slightly cheaper. So I don't see the benefits to a narrower road. I actually think it is more dangerous. I have been walking, I walk all of the time with my wife and dog on much wider roads than this road would be, it is dangerous, even more so if you have a car parked in the road. Why would we consider this without sidewalks, I have no idea but I just don't understand the benefit to it.

Councilman Martin – "I think a lot of what you are saying amounts to your personal perceptions and your individual opinion because the data is empirical, it does calm traffic and I can provide you studies to that effect. It is quantifiable."

Supervisor Koetzle – "Anything I researched doesn't show empirical data for it. Those studies have produced some sort of environmental impact that we are all supposed to be embracing but doesn't really talk about how that environmental impact is actually occurring."

Councilman Martin – "The studies that I have read do in fact provide quantifiable data as a result of safety, studies, accidents, data, fatalities, injury to the effect that quantifiably traffic is calm and it is a safer condition without question and I will produce that data if you would like to see it."

Arkley Mastro – "Whatever the difference is keep in mind that the Superintendent of Public Works has recommended this. He is the one who plows it, he is the one who is going to maintain it, he has proposed this and I think the Board ought to take that into consideration when you vote."

Supervisor Koetzle – "So my question remains unanswered, what is substantial overlap of snowplowing?"

Arkley Mastro – "I can't answer that question."

Councilman Martin – "You're an engineer, tell me under your best estimate, you have probably done stormwater reporting on this, what is your best estimate of cubic feet of water that will not hit the pavement. A quantifiable estimate of the impact."

Supervisor Koetzle – "But what is the benefit to the town?"

Councilman Martin – “Because if we start looking at those kind of benefits for every linear feet of road that we have saved not just in this one relatively small length of road, if we look at that benefit over the course of twenty years, that will be a lot of water.”

Supervisor Koetzle – “I am more concerned about the safety of the road then how much water is hitting the road.”

**RESOLUTION NO. 139-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, section 238-7 of the Code of the Town of Glenville provides that newly constructed streets in the Town shall be sixty (60) feet in width with a paved width of thirty (30) feet and section 238-16 E of the Code reiterates that the pavement width, with gutters, shall be thirty (30) feet; and

**WHEREAS**, section 238-21 of the Code of the Town of Glenville permits the Town Board to waive the Street Standards outlined in the Town Code for good cause considering any unusual circumstances of topography or other physical condition of the proposed location of the proposed streets; and

**WHEREAS**, Fieldstone Partners, LLC has proposed to build a 14 lot single family home residential subdivision on a tract of land off Maura Lane in the Town, with a majority of the lots being 5 acres or more; and

**WHEREAS**, Fieldstone Partners, LLC has requested that the Town Board waive the street width standards of Town Code sections 239-7 and 238-16E so as to permit them to construct streets within the proposed development that are twenty-six (26) feet in width, with 11 ½ foot travel lanes and 18” gutters, but which would otherwise conform to the Town Code’s Street Standards; and

**WHEREAS**, the Town Board conducted a public hearing on June 14, 2017, upon proper notice duly advertised and filed, to solicit public input as to whether the Town Board should grant the waiver request of Amedore Construction Co. Inc. and there being no persons speaking against the proposal at said public hearing; and

**WHEREAS**, the Highway Superintendent supports the waiver as the narrower road width will allow for more efficient snowplowing and reduced costs for repairs and/or repaving; and

**WHEREAS**, the Fieldstone project is a relatively small residential development with one street and one cul de sac and no connecting roads; it will generate very little traffic; and

**WHEREAS**, recent studies cite the benefits of narrower road widths as reducing storm water and salt runoff – thereby reducing environmental impacts - and lower speeds, resulting in less traffic noise and fewer traffic accidents;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby grants the request of Fieldstone Partners, LLC for a waiver of the street width standards of Town Code sections 238-7 and 238-16 E pursuant to the authority granted the Town Board in Town Code section 238-21 with respect to Fieldstone Partner’s proposed 14 lot single family residential development.

**Ayes:** Councilmen Martin, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** Councilman Pytlovany

**Absent:** Councilman Hennel

**Abstentions:** None

**Motion Carried**

Supervisor Koetzle – “I would like to explain my vote. This puts me in a weird situation. I have a problem with narrow roads, I think that is evident. I don’t buy into, just because there are people with viewpoints that write their studies the way they want to write them and what not. We have seen competing studies on a lot of issues. I am not in favor of narrowing this road. But I will say out of fairness to the applicant I believe, I fairly certain it is the will of this board, notwithstanding Councilman Pytlovany and myself, to approve this and I think if you had our third board member here tonight it would be approved. I am not in the business of being an obstructionist so I think if you just come back next month it would probably get approved. I will reluctantly vote yes.”

**Discussion...**

Councilman Martin – “I would like to thank everybody involved in this. This is a great project that has been a long time in the making.”

Supervisor Koetzle – “This is a great step toward efficiency but it is also I think a great example of how this Board has planned for these types of investments. This project will, as Councilwoman Wierzbowski talked about, some of it will be bonded. It’s a half and half mix so that we put half of the money in a capital reserve water fund we only have to bond half of it and that allows us to continue to meet the goal, even in the face of a large investment in technology, meet the goal of reducing our debt even further for 2017 going into 2018. I think it is a huge feat the board was able to make an investment of 1.2 million dollars and still make its goal in reducing debt and creating capital reserves for these types of expenditures.”

**RESOLUTION NO. 140-2017**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Town Board of the Town of Glenville acting on behalf of the Town of Glenville Water District authorized bids for Residential Water Meter Replacement Project Contract No.1 – Residential Water Meter Procurement; and

**WHEREAS**, in said authorization, the Town Board designated John M. McDonald Engineering (“JME”) to review the bids received and to make a recommendation to the Town Board; and

**WHEREAS**, on May 19, 2017 the Town received two bids which were publicly opened and reviewed by JME; and

**WHEREAS**, upon review and investigation, JME determined that the low bid was submitted by Ti-Sales, Inc. of Sudbury, MA in the amount of \$1,257,177.34 , that Ti-Sales, Inc. was qualified to provide the materials sought and recommended the bid be awarded to Ti-Sales, Inc.; and

**WHEREAS**, the Commissioner of Public Works concurs in the recommendation of JME;

**NOW, THEREFORE, BE IT RESOLVED**, that Town Board of the Town of Glenville hereby awards the Residential Water Meter Replacement Project Contract No. 1 – Residential Water Meter Procurement to Ti-Sales, Inc. at the low bid price One Million, Two Hundred Fifty-Seven Thousand, One Hundred Seventy Seven dollars and 34 cents (\$1,257,177.34), with this expense initially paid through Water Fund appropriated fund balance until the issuance of a Bond Anticipation Note; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to enter into the contract for said purchase on behalf of the Town Water District.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None  
**Absent:** Councilman Hennel  
**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 141-2017**

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

**WHEREAS**, the Town Board of the Town of Glenville acting on behalf of the Town of Glenville Water District authorized bids for Residential Water Meter Replacement Project Contract No.2 – Residential Water Meter Installation; and

**WHEREAS**, in said authorization, the Town Board designated John M. McDonald Engineering (“JME”) to review the bids received and to make a recommendation to the Town Board; and

**WHEREAS**, on May 19, 2017 the Town received three bids which were publicly opened and reviewed by JME; and

**WHEREAS**, upon review and investigation, JME determined that the low bid was submitted by East National Water, LLC. of Palmer, MA in the amount of \$525,600.00 , that East National Water, LLC was qualified to provide the materials sought and recommended the bid be awarded to East National Water, LLC; and

**WHEREAS**, the Commissioner of Public Works concurs in the recommendation of JME;

**NOW, THEREFORE, BE IT RESOLVED**, that Town Board of the Town of Glenville hereby awards the Residential Water Meter Replacement Project Contract No. 2 – Residential Water Meter Installation to East National Water LLC at the low bid price Five Hundred Twenty-Five Thousand, Six Hundred dollars and 00 cents (\$525,600.00), with this expense initially paid through Water Fund appropriated fund balance until the issuance of a Bond Anticipation Note; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to enter into the contract for said purchase on behalf of the Town Water District.

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

**Motion Carried**

**RESOLUTION NO. 142-2017**

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

**WHEREAS**, by Resolution No.1-2017, adopted January 4, 2017, the Town Board of the Town of Glenville set the dates and times of Town Board meetings for calendar year 2014; and

**WHEREAS**, due to scheduling issues, the Town Board finds it necessary to revise Resolution No. 1-2017 as previously revised, to change the Town Board Meeting schedule for the month of July 2017 as follows: the July 12, 2017 Work Session is changed to a Special Town Board Meeting and Work Session to commence at 7:00



PM and to be held at the Glenville Municipal Center;

**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 July 12, 2017 at 7:00 P.M. for the purpose of conducting a "Special Session" of the Board and Work Session.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Hennel

**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 143-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, a local law to extend a moratorium for a period of six months from the effective date of this local law, during which no application for building permits, special use permits, conditional use permits, business permits, site plan approval or subdivision approval shall be accepted or considered for projects in the RDT zoning districts that require conditional use permits and site plan review under Section 270-20 C. of the Town of Glenville Zoning Code or for pawn shops, thrift stores, second-hand dealers, vapor shops and massage parlors in the General Business zones under Section 270-19 of the Glenville Zoning code and during which the review of any pending applications for the forgoing shall be suspended for the duration of this moratorium, is being proposed as Local Law No.\_\_\_\_ – 2017, entitled "**A LOCAL LAW EXTENDING A TEMPORARY MORATORIUM ON PERMITS FOR PROJECTS IN RESEARCH, DEVELOPMENT & TECHNOLOGY (RDT) ZONE DISTRICTS REQUIRING CONDITIONAL USE PERMITS AND SITE PLAN REVIEW AND ON PERMITS FOR PAWN SHOPS, THRIFT STORES, SECOND-HAND DEALERS, VAPOR SHOPS, ADULT BUSINESSES AND MASSAGE PARLORS IN THE RDT AND GENERAL BUSINESS ZONES**" a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Glenville; and

**WHEREAS**, the Town Board wishes to hold a public hearing with respect to the adoption of said Local Law;

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the adoption of the aforesaid Local Law at 7:00 PM on July 12, 2017 at the Glenville Municipal Center, 18 Glenridge Road, Glenville New York, and it is further

**RESOLVED** that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law; and it is further

**RESOLVED** that the Town Clerk shall immediately send a referral notice to the County of Schenectady Department of Economic Development and Planning, pursuant to General Municipal Law section 239-m with a copy of the proposed Local Law and a request for comment; and it is further

**RESOLVED** that the Town Clerk immediately mail notice of the public hearing, together with a copy of the proposed Local Law to the City Clerk of the City of Schenectady, the Village Clerk of the Village of Scotia and the Town Clerk of the town of Clifton Park; and it is further

**RESOLVED** that the Town Clerk, on behalf of the Town Board, shall refer

this matter, by transmitting a copy of this resolution, along with a copy of the proposed Local Law, to the Town of Glenville Planning and Zoning Commission for review, recommendation and report.

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

**Motion Carried**

**RESOLUTION NO. 144-2017**

**Moved by:** Councilman Martin  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, a local law to extend a moratorium for a period of six months from the effective date of this local law, during which no application for building permits, special use permits, conditional use permits, business permits, site plan approval or subdivision approval shall be accepted or considered for projects in the RA zoning districts that require conditional use permits and site plan review under Section 270-14 E. of the Town of Glenville Zoning Code and during which the review of any pending applications for the forgoing shall be suspended for the duration of this moratorium, is being proposed as Local Law No.\_\_\_\_ – 2017, entitled “**A LOCAL LAW EXTENDING A TEMPORARY MORATORIUM ON PERMITS FOR PROJECTS IN RURAL RESIDENTIAL AND AGRICULTURAL (RA) ZONE DISTRICTS REQUIRING CONDITIONAL USE PERMITS AND SITE PLAN REVIEW**” a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Glenville; and

**WHEREAS**, the Town Board wishes to hold a public hearing with respect to the adoption of said Local Law;

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the adoption of the aforesaid Local Law at 7:00 PM on July 12, 2017 at the Glenville Municipal Center, 18 Glenridge Road, Glenville New York, and it is further

**RESOLVED** that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law; and it is further

**RESOLVED** that the Town Clerk shall immediately send a referral notice to the County of Schenectady Department of Economic Development and Planning, pursuant to General Municipal Law section 239-m with a copy of the proposed Local Law and a request for comment; and it is further

**RESOLVED** that the Town Clerk immediately mail notice of the public hearing, together with a copy of the proposed Local Law to the Village Clerk of the Village of Scotia; and it is further

**RESOLVED** that the Town Clerk, on behalf of the Town Board, shall refer this matter, by transmitting a copy of this resolution, along with a copy of the proposed Local Law, to the Town of Glenville Planning and Zoning Commission for review, recommendation and report.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** Councilman Hennel

**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 145-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, a local law to extend a moratorium for a period of six months from the effective date of this local law, during which no application for building permits, special use permits, conditional use permits, business permits, site plan approval or subdivision approval shall be accepted or considered for projects in the Suburban Residential zoning districts that require conditional use permits, site plan review or building permits under Section 270-15. of the Town of Glenville Zoning Code for townhouses, duplexes, twin homes or two-family dwellings and during which the review of any pending applications for the forgoing shall be suspended for the duration of this moratorium, being proposed as Local Law No.\_\_\_\_ – 2017, entitled “**A LOCAL LAW EXTENDING A TEMPORARY MORATORIUM ON PERMITS FOR PROJECTS IN SUBURBAN RESIDENTIAL (SR) ZONE DISTRICTS REQUIRING CONDITIONAL USE PERMITS, SITE PLAN REVIEW OR BUILDING PERMITS FOR USE AS TOWNHOUSES, DUPLEXES, TWIN HOMES OR TWO-FAMILY DWELLINGS**” a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Glenville; and

**WHEREAS**, the Town Board wishes to hold a public hearing with respect to the adoption of said Local Law;

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the adoption of the aforesaid Local Law at 7:00 PM on July 12, 2017 at the Glenville Municipal Center, 18 Glenridge Road, Glenville New York, and it is further

**RESOLVED** that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law; and it is further

**RESOLVED** that the Town Clerk shall immediately send a referral notice to the County of Schenectady Department of Economic Development and Planning, pursuant to General Municipal Law section 239-m with a copy of the proposed Local Law and a request for comment; and it is further

**RESOLVED** that the Town Clerk immediately mail notice of the public hearing, together with a copy of the proposed Local Law to the City Clerk of the City of Schenectady, the Village Clerk of the Village of Scotia and the Town Clerk of the Town of Clifton Park; and it is further

**RESOLVED**, that the Town Clerk, on behalf of the Town Board, shall refer this matter, by transmitting a copy of this resolution, along with a copy of the proposed Local Law, to the Town of Glenville Planning and Zoning Commission for review, recommendation and report.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Hennel

**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 146-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, a local law to adopt a moratorium for a period of six months from the effective date of this local law, during which no application for building permits, special use permits, conditional use permits, business permits, site plan approval or subdivision approval shall be accepted or considered for projects in the General Business zoning districts that require conditional use permits and site plan review under Section 270-19. of the Town of Glenville Zoning Code for automobile repairs shops or car washes and during which the review of any pending applications for the forgoing shall be suspended for the duration of this moratorium, being proposed as Local Law No.\_\_\_\_ – 2017, entitled “**A LOCAL LAW EXTENDING A TEMPORARY MORATORIUM ON PERMITS FOR PROJECTS IN GENERAL BUSINESS (GB) ZONE DISTRICTS REQUIRING CONDITIONAL USE PERMITS AND SITE PLAN REVIEW FOR AUTOMOBILE REPAIR SHOPS AND CAR WASHES**” a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Glenville; and

**WHEREAS**, the Town Board wishes to hold a public hearing with respect to the adoption of said Local Law;

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the adoption of the aforesaid Local Law at 7:00 PM on July 12, 2017 at the Glenville Municipal Center, 18 Glenridge Road, Glenville New York, and it is further

**RESOLVED** that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law; and it is further

**RESOLVED** that the Town Clerk shall immediately send a referral notice to the County of Schenectady Department of Economic Development and Planning, pursuant to General Municipal Law section 239-m with a copy of the proposed Local Law and a request for comment; and it is further

**RESOLVED** that the Town Clerk immediately mail notice of the public hearing, together with a copy of the proposed Local Law to the City Clerk of the City of Schenectady, the Village Clerk of the Village of Scotia and the Town Clerk of the Town of Clifton Park; and it is further

**RESOLVED**, that the Town Clerk, on behalf of the Town Board, shall refer this matter, by transmitting a copy of this resolution, along with a copy of the proposed Local Law, to the Town of Glenville Planning and Zoning Commission for review, recommendation and report.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Hennel

**Abstentions:** None

**Motion Carried**

**Discussion...**

Councilman Martin – “This is a resolution that puts in place a special zoning district essentially, a Planned Unit Development District designation for a 7.23 acre parcel, plus or minus, at 207 – 213 Sacandaga Road. It is going to be referred to as “Sacandaga Road Mixed Use Planned Unit Development District”. The attorney has done an excellent job in setting forth the perimeters of that district in terms of parking setbacks, the dimension requirements use schedule and so on. I also want to say thanks to the

members of this Town Board. I think we had a good healthy review of this at a work session, there was a lot of dialogue between us and the applicant. In my way of thinking it's just a type of thing that should occur as we consider these planned unit developments."

**RESOLUTION NO. 147-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Town of Glenville is considering a Local Law entitled "207-213 Sacandaga Road Mixed Use Planned Development" and to change the zoning of three parcels of real property commonly known as 207, 211 and 213 Sacandaga Road (Tax Map # 29.15-4-1, 29.15-4-11 and 29.15-4-3) from "General Business" to "Mixed Use Planned Development", a total area of approximately 7.23 acres; and

**WHEREAS**, Blackbird 1, LLC submitted an application, dated February 27, 2017, for such change of zoning through its engineers, ABD Engineers & Surveyors of Schenectady, New York;" and

**WHEREAS**, at its March 13, 2017 meeting, the Town of Glenville Planning and Zoning Commission recommended that the Town Board approve this zoning map amendment; and

**WHEREAS**, the purpose of this local law and zoning map amendment is to allow the landowner/developer to pursue construction of nine (9) eight unit apartment buildings, a retail/ commercial building with four apartment units, and another commercial use;" and

**WHEREAS**, this local law and zoning map amendment constitutes an "Unlisted Action" in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act (SEQRA)); and

**WHEREAS**, the Glenville Town Board has assumed SEQRA Lead Agency in this instance and has issued a "Negative Declaration" per the State Environmental Quality Review Act (SEQRA) ; and

**WHEREAS**, the Town of Glenville Planning and Zoning Commission, at their March 13, 2017 meeting, recommended that the Town Board find no significant adverse environmental impacts associated with this proposed local law and zoning map amendment, and further recommended that the Board issue a SEQRA "Negative Declaration;" and

**WHEREAS**, pursuant to New York State Town Law and the Code of the Town of Glenville, at the May 17, 2017, regular Town Board meeting, the Town Board held a public hearing, after due and proper public notice, on this proposed zoning map amendment, at which time all persons wishing to be heard were accorded the opportunity to address the Town Board;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby adopts Local Law No. 4 of 2017 "207 – 213 Sacandaga Road Mixed Use Planned Development" and approves proposed zoning map amendment for the parcels known as 207 – 213 Sacandaga Road (listed above) from "General Business" to "Mixed Use Planned Development"; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Glenville in approving such local law and zoning map amendment, makes the following findings:

- This proposed zoning map amendment is reasonably compatible with the Land Use Plan of the Town of Glenville Comprehensive Plan and the Town Center Master Plan, both of which envision commercial development along

this portion of Sacandaga Road. The parcels being rezoned are already zoned “General Business” and could be approved the commercial and retail development. The larger parcel will actually be used for a less intense zoning use – multi-family residential housing.

- The proposed rezoning does not dramatically conflict with the Town’s pending Comprehensive Plan. And while the mixed use planned development rezoning of a property that is currently zoned General Business does represent a departure from the proposed and existing Comprehensive Plan relative to residential uses in a commercial area, it adjoins another multi-family residential property and school property, making the residential use compatible in the area.
- The zoning map amendment will be compatible with neighboring land uses. Immediately across Sacandaga Road are commercial properties, but to the north is a multi-family residential complex and to the south is the Scotia-Glenville High School campus.
- The proposed zoning map amendment should preserve land values or enhance them. Heavily trafficked Sacandaga Road is primarily occupied by commercial uses and has been developed for decades. Trees and landscaping along property lines will serve to assist in the buffering of adjacent residential development.
- Neighborhood character will not be significantly compromised as a result of this action. The residential development will tend to support the existing and proposed commercial development and the MUPD legislation restricts the types of retail uses so as not to be incompatible with the nearby school property.
- Adoption of the zoning map amendment will not conflict with the “Purpose” provisions of Article 1, Section 270-1 of the Zoning Chapter of the Code of the Town of Glenville as this action is in accord with the Town’s Plan for the Town Center and the decision to do so is in accord with the Comprehensive Plan. This zoning map amendment is also consistent with the principle objective of municipal zoning which is “to protect the health, safety and general welfare” of the Town and its residents.
- This approval of this legislation authorizes the developer to develop a site plan which must be reviewed and approved in accordance with the provisions of Article VI of the Zoning Chapter of the Code of the Town of Glenville subject to and conditioned by the specific provisions in the local law adopted by this resolution.

**Ayes:** Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absents:** Councilman Hennel

**Abstentions:** None

#### **Motion Carried**

#### **RESOLUTION NO. 148-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilman Pytlovany

**BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby adjourns into Executive Session to discuss a contractual matter.

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

**Motion Carried**

Supervisor Koetzle adjourned this portion of the meeting at 7:56 PM and entered into Executive Session.

Time being 8:34 PM; Supervisor Koetzle reconvened the meeting and announced that no action was taken during the Executive Session.

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Pytlovany; Seconded by Councilman Martin, everyone being in favor the meeting was adjourned at 8:35 PM.

ATTEST:

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Linda C. Neals  
Town Clerk