

**TOWN OF GLENVILLE  
ZONING BOARD OF APPEALS**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, NY 12302-4518 on **Monday, August 28, 2017** at 7 p.m. to hear all persons interested in the following applications as provided for by the Zoning Ordinance of the Town of Glenville.

**APPLICATION OF ALDI INC**, 295 Rye Street, South Windsor, CT 06074 for 11 Area Variances associated with the development of property located at 303 Saratoga Road, Glenville, NY 12302. The project includes the construction of a new 17,825 s/f retail store with associated site improvements including parking, lighting, trash facilities, etc. The project calls for the combination of two parcels into one. The site is identified on tax map 22.7-2-11.11 (owned by TJ Development of Glenville) and 22.7-2-14 (owned by Tammy Kilmartin) . Both parcels are located in the General Business Zoning District and are also in the Town Center Overlay District.

In accordance with the Codes of the Town of Glenville the following 11 variances are being sought:

- 1) **270-7, I: Screening of Utilities**: utilities shall be screened from public ROW and from residentially zoned or developed properties via vegetation and/or solid fencing.

There is no screening shown for the transformer located 0' from the residentially zoned and developed and occupied property of Kilmartin on Sheffield Place.

**Variance request**: Relief from this section would be required for the portion not screened from the transformer.

- 2) **270-7, M: Transitional Yard Requirements**: Where the side or rear lot line of a property in which a commercial use is proposed abuts a property that is either already used for residential or park use, or is zoned for residential or park use, a minimum thirty-foot-wide buffer is to be maintained between the developed portion of the commercial site and the abutting side or rear property line. This buffer is to remain free of buildings, structures, parking, roadways, dumpsters, etc. Further, the Planning and Zoning Commission and/or the Zoning Board of Appeals may require landscaping, fencing, berming, and other forms of screening within this buffer area.

The side and rear lot line adjoin residentially zoned and/or developed properties. It should be noted the property identified as 22.7-2-14 (Kilmartin) on Sheffield developed and used as a single family dwelling however it is zoned GB. The remaining adjoining properties are zoned SR.

**Variances requested:**

- The building is located 26' from the rear line Variance of 4' required
- A sidewalk is located 20.5' from the rear line. Variance of 9.5' required
- The building is located 26.5' from the side line. Variance of 3.5' required
- The retaining wall is located 23.1' from the side line. Variance of 6.9' required
- A transformer is located 0' from the side line. Variance of 30' is required

- 3) **270-Attachment 1: Dimensional Regulations:** The minimum rear yard setback is 40'.

The plan shows the rear setback of the building as 26' at its closets point.

**Variance request:** 14' variance is required.

- 4) **270-73, C, (4): Location of parking area & spaces:** A parking lot may not be located any closer than 40 feet to the property line of a single or two family dwelling.

The parking area and spaces are located approximately 7' at its closest point to the lot line of the Kilmartin property zoned SR and used as a single family dwelling. The measurement is estimated to the curbing.

**Variance request:** Estimated 33' at the closest point to the curb.

- 5) **270-73, C, (4): Location of parking area & spaces:** Only green space and vegetation will be permitted within the 25' strip/setback between the parking lot and street ROW.

The parking lot aisle is located at 8.5' from the front property line.

**Variance request:** Relief of 16.5' for required green space

- 6) **270-73, A, (2): Minimum/Maximum parking spaces: Per Schedule A (1 per 200s/f)**

82 parking spaces shown. Min for 17,825 s/f grocery store is 90 spaces.

**Variance request:** Reduction of 8 spaces.

- 7) **270-74, B, 2: Off street loading location:** Loading spaces may not face or be visible from street.

Loading dock/space(s) will be visible from the street.

**Variance request:** Total relief is requested

- 8) **270-74, D, (1): Off street loading - access:** Each loading space shall be designed by means of a driveway(s) to a public street in a manner which is consistent with pedestrian safety and will least interfere with adjacent traffic movements and interior circulation.

Loading space/area shown in a way that it is very likely the delivery trucks will travel through the parking lot and back out of the loading area into the parking area. This path takes the truck through the parking lot along the front of the store where pedestrians will be entering and exiting the store.

**Variance request:** Total relief is requested.

- 9) **270-141, C, (1): Landscape areas in parking lots: Periphery** All parking lots shall be landscaped around the periphery of the lot to buffer the visual impact of the parking lot on adjacent properties and streets.

Landscaping appears to be missing along the adjacent the residentially developed and occupied property of Kilmartin on Sheffield.

**Variance request:** Along the western and norther lot lines of Kilmartin.

- 10) **270-141, C, (2): Landscape areas in parking lots: Landscape Islands:** Not less than 1 island for every 10 parking spaces is required. Landscape islands must be in compliance with 270-141, E.

The plans shows 2 landscape islands.

**Variance request:** 7 islands.

A minimum of 9 required based on 82 parking spaces. 2 are provided.

- 11) **270-141, B, (1): Minimum landscape area:** Area of property to be retained as greenspace is 35%

The applicant states 32.4 % will be retained.

**Variance request:** 2.5%

**APPLICATION OF 53 FREEMANS BR. RD. LLC, PET LODGE, MATT SAMES**, 19 Blue Jay Way, Rexford, NY 12148 for 2 Area Variances that will allow for a new outdoor doggie daycare yard situated between the building and Sarnowski Drive. The outdoor kennel will be 98'8" x 12' 6" and run along the length of the building and extend to the front lot line of Sarnowski Drive. The property is located in a General Business Zoning District and is identified on tax map. 30.19-1-5.1.

In accordance with the Codes of the Town of Glenville the following variances are being sought.

- 1) **270-56, C, (2):** All veterinary clinics, animal training facilities, animal hospitals, and kennels with enclosed exercise pens or kennels shall be located no closer than 50 feet to any adjoining property line.

The applicant proposes a 0' setback from Sarnowski Drive,

**Variance request:** Total relief from this section of the code is requested.

- 2) **270-56, A:** General, (1) Adequate landscaping and/or fencing shall be provided to create a visual, sound and odor buffer between such facility and adjacent properties.

An adequate buffer is not provided

**Variance request:** Total relief from this section of the ordinance is requested.

**APPLICATION OF MONOLITH SOLAR**, 444 Washington St., Rensselaer, NY for a Use Variance which will allow for the property to be used for the commercial installation/construction of roof mounted PV solar system for the sale of energy to off-site locations. The site location is 736 Saratoga Road, Glenville, NY 12302. The property is located in the Community Business Zoning District and identified on tax map 10.17-6-2.121 (owned by L & R Development Corp.)

This is a use not currently accommodated by the Town of Glenville Zoning Ordinance.

**By Order of the Chairman**

**Zoning Board of Appeals  
Town of Glenville**