

**MEETING OF THE ZONING BOARD OF APPEALS  
OF THE TOWN OF GLENVILLE  
THE GLENVILLE MUNICIPAL CENTER  
18 GLENRIDGE ROAD, GLENVILLE, NY 12302  
Monday February 25, 2019**

**PRESENT:** Chairman: David Hennel; Dick Schlansker, Juliano Febo, Bruce Wurz

**ABSENT:** Beth Kissinger; Code Enforcement: Terri Petricca; Attorney: Michael Cuevas

**ALSO ATTENDING:** Code Enforcement: Arnold Briscoe; Stenographer: Jen Vullo;  
Deputy Building Inspector: James Pangburn

Chairman Hennel called the meeting to order at 7:00 P.M.

**MOTION:** To accept the January 2019 minutes as amended.

**MOVED BY:** Chairman Hennel

**SECONDED:** J. Febo

**AYES:** 3 (Hennel, Schlansker, Febo)

**NOES:** 0

**ABSENT:** 1 (Kissinger)

**ABSTAIN:** 1 (Wurz)

**MOTION CARRIED**

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**PUBLIC HEARING**

**Application of 718 K&E, LLC**, 718 and 720 Saratoga Road, Glenville NY, 12302 for a Conditional Use Permit that will allow for the construction of a new 7,207 Sq. Ft. single story, mixed use commercial building to include 4,877 Sq. Ft. for a new *Pizza Works* restaurant and an additional 2,330 Sq. Ft. of speculative retail/office space. The property is located in the Community Business Zoning District and is identified on tax map 10.17-6-4.2.

In accordance with the Codes of the Town of Glenville 270-18, C: Restaurants are permitted by conditional use permit which also require site plan review. Therefore, the establishment of a restaurant requires a Conditional Use Permit.

B. Wurz read the application and review factors for the variance requests into the record.

Sent to 27 neighboring property owners with one response. This was referred to the County and has not been received back yet. As we have to give the County 30 days, the Board will be unable to vote on this matter tonight. The applicant acknowledges this.

Letters received:

1. Kristine Collie, Council Meadows, concerned about water runoff and drainage
2. Mal Provost (presented letter at meeting)

Chairman Hennel asked the applicant if he had any comment to share with the Board. Kurt Bedore, Engineer with KB Engineering, gave overview of the project. It is similar in design to the original Pizza Works on Route 50, with a counterclockwise flow and slightly more seating inside. He noted that landscaped trees will be provided as a buffer to neighboring properties. He acknowledged that the main concern is the drainage issue that already exists. They are proposing collecting drainage and piping it along the back of the lots to the northeast corner, where it would then flow naturally to a catch basin. This design will help alleviate the current problem instead of contributing to it. He noted that he can't completely get rid of the problem because it starts before it reaches the property in question, but they can do their best to help mitigate it.

Chairman Hennel asked for comments from the community either in favor or opposed to the variance application.

Mal Provost, 93 Kingsbury Road, not opposed to the project but would like it stated on the record that the drainage needs to be addressed. He claims he sent two letters in previously, but they were not received. He submitted one tonight. He also stated that he rejected the idea proposed to him regarding an easement on his property.

Chairman Hennel solicited questions from the Board members. He asked if the pavement would be standard or pervious pavement. K. Bedore stated they would use standard pavement.

D. Schlansker asked if the Board could have plans/renderings before the next meeting. K. Bedore replied that final plans were submitted today. He thought PZC has forwarded them to ZBA.

Chairman Hennel reiterated that building renderings would be helpful. He also inquired about septic plans. K. Bedore stated that town code states that septic absorption fields can be as close as 10 feet from the property line. They are proposing installing them 25 feet away.

B. Wurz asked if it's an engineered septic system? K. Bedore explained it is a conventional septic system. In regards to the overall drainage on the property, B. Wurz asked if there would be catch basins along the way? K. Bedore explained that for the drainage, at any point of an inflection in the pipe, there would be a catch basin, as well as two at the lower corners. B. Wurz inquired about the flow of the overall water drainage once it reaches the east side. K. Bedore explained that the ditch on the east

side needs to be defined/graded better. They will improve everything from their property line downward.

B. Wurz asked if they would be installing a pipe under the driveway. K. Bedore replied yes. B. Wurz stated that the driveway is technically located in Saratoga County. K. Bedore stated he would talk to them about that. B. Wurz also stated that a monument once existed there that is currently laying on the ground. It would be nice if that could be re-established to define the County line again.

Chairman Hennel asked if the proposed restaurant will be located on 718 or 720 Saratoga Road or both, and what about entrance and exit points? K. Bedore stated the restaurant will be located on both as they are combining both lots and using the existing driveway. Chairman Hennel asked if they are proposing one curb cut? K. Bedore replied yes.

It was noted that an official easement would be a condition of approval.

D. Schlansker also noted that the CUP would be for Pizza Works only. If another tenant occupies the other space, they would need to come back to the Board also.

Chairman Hennel asked if they were proposing any outdoor seating or patio space. Edward Rovetel, property owner, said his experience is that no one wants to sit outside on Route 50, but a small patio will exist.

Chairman Hennel proposed tabling this item until the next meeting, while awaiting a response from the County or the 30 day time period to elapse. The applicant agreed to this.

**MOTION:**

**Moved by:** Chairman Hennel

**Seconded by:** B. Wurz

**AYES:** 4 (Hennel, Schlansker, Febo, Wurz)

**NOES:** 0

**ABSENT:** 1 (Kissinger)

**MOTION TABLED**

**MOTION:** To adjourn the February 25, 2019 meeting of the Town of Glenville Zoning Board of Appeals.

**Moved by:** Chairman Hennel

**Seconded by:** B. Wurz

**AYES:** 4 (Hennel, Schlansker, Febo, Wurz)

**NOES:** 0

**ABSENT:** 1 (Kissinger)

## MOTION APPROVED

Next agenda meeting: March 18, 2019

Next meeting: March 25, 2019

Submitted by,

\_\_\_\_\_  
Stenographer

\_\_\_\_\_  
Date

\_\_\_\_\_  
ZBA Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

FINAL AS OF 3/25/19