

AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
SEPTEMBER 19, 2012
7:30 P.M.
www.townofglenville.org

Supervisor:
Christopher A. Koetzle
Council Members:
Deputy Supervisor
Alan Boulant
John C. Pytlovany
Sid Ramotar
Gina M. Wierzbowski

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. BUDGET FORUM – SUPERVISOR KOETZLE
5. Town Council Reports
6. Public hearing to consider a zoning text amendment proposal by Saratoga Hospital that involves revisions to Chapter XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance, Chapter 270 of the Code of the Town of Glenville.
7. Public hearing to hear all persons interested in the establishment of a new Lighting District No 11 along Saratoga Road in front of 202-204 Saratoga Road (Target).
8. Privilege of the Floor
9. Supervisor's Comments to the Board
10. Resolution issuing a "Negative Declaration", pursuant to the State Environmental Quality Review Act, on the proposed zoning text amendments by Saratoga Hospital to revise various provisions of Article XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance (Chapter 270 of the Code of the Town of Glenville).

Sponsored by: Alan Boulant, Town Councilman
Submitted by: Kevin Corcoran, Town Planner

RESOLUTION NO. 10

Moved by:
Seconded by:

WHEREAS, Saratoga Hospital is requesting that the Town Board of the Town of Glenville amend certain provisions of Article XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance (Chapter 270 of the Code of the Town of Glenville) so as to permit the one-time expansion of nonconforming buildings by up to 10%; and

WHEREAS, these zoning amendments constitute 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

WHEREAS, the Glenville Environmental Conservation Commission recommended that

the Town Board find no significant adverse environmental impact associated with these proposed zoning text amendments, and further recommended that the Board issue a SEQRA "Negative Declaration;"

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby determines that the proposed amendments to the Town of Glenville Zoning Ordinance regarding nonconforming uses and structures will not result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville hereby issues a SEQRA "Negative Declaration" (attached) for this proposal, based on the following findings:

- *These revisions will not result in any development or physical alterations to the land. Rather, they establish that nonconforming structures can be expanded one time, up to 10%, in very limited circumstances. Any construction subsequent to these zoning amendments will be subject to individual SEQRA review, as well as site plan review.*
- *This action will not impact air quality, groundwater quality, surface water quality, traffic levels, noise levels, solid waste production, etc.*
- *This action will not result in the removal of vegetation or fauna, nor will it impact significant wildlife habitat areas.*
- *This action will not create a conflict with the Town's Comprehensive Plan or Zoning Ordinance, or any other land use policy document.*

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board Decision on September 19, 2012

11. Resolution adopting Local Law No. 5-2012 zoning text amendments by Saratoga Hospital to revise various provisions of Article XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance (Chapter 270 of the Code of the Town of Glenville, to allow the one-time expansion of nonconforming buildings by up to 10%.

Sponsored by: Alan Boulant, Town Councilman

Submitted by: Kevin Corcoran, Town Planner

RESOLUTION NO. 11

Moved by:

Seconded by:

WHEREAS, Saratoga Hospital is requesting that the Town Board of the Town of Glenville amend certain provisions of Article XV (Nonconforming Uses and Structures) of the Town of Glenville Zoning Ordinance (Chapter 270 of the Code of the Town of Glenville) so as to permit the one-time expansion of nonconforming buildings by up to 10%; and

WHEREAS, the Town Board of the Town of Glenville, pursuant to 6 NYCRR Part 617 (State

Environmental Quality Review Act {SEQRA}); and as SEQRA Lead Agency, has issued a "Negative Declaration," concluding that there will be no significant adverse environmental impacts associated with these zoning text amendments; and

***WHEREAS,** pursuant to New York State Town Law and the Code of the Town of Glenville, a public hearing regarding the proposed zoning amendments was held by the Town Board on September 19, 2012; and*

***WHEREAS,** the Planning and Zoning Commission has recommended that the Town Board approve these zoning amendments;*

***NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Glenville hereby adopts Local Law No. 5-2012 amending Chapter 270, Article XV "Zoning" (Nonconforming Uses and Structures) of the Town Code of the Town of Glenville; and*

***BE IT FURTHER RESOLVED,** that the Town Board of the Town of Glenville bases its approval on the following findings:*

- *These revisions are reasonably compatible with the overall goal of the Town of Glenville Comprehensive Plan, which states ... "Provide for appropriate growth and change in Glenville, in coordination with the provision of transportation and utility services, consistent with natural resource constraints and aesthetic concerns, meeting the housing, economic and social needs of the community."*

The allowance of a one-time expansion of a nonconforming structure, up to 10%, under a narrow set of circumstances, addresses the "appropriate growth and change" provision of the overall goal of the Town of Glenville Comprehensive Plan. Further, the requirement for site plan review for any expansion of a nonconforming structure will ensure that natural resource constraints and aesthetic concerns will be given due consideration when the expansion is being considered.

- *Any proposed expansion of a nonconforming use will require site plan review by the Town of Glenville Planning and Zoning Commission. As such, the issue of neighborhood compatibility will be evaluated with any and all expansion proposals.*

- *These zoning text amendments apply to a very narrow set of circumstances, and as such, these amendments should not have a detrimental effect on property values. And again, with site plan review being a requirement for any expansion of a nonconforming use, impacts on neighboring properties will be considered in each and every case.*

- *The proposed zoning amendments under consideration are reasonably compatible with the purposes of the Town of Glenville Zoning Ordinance, as articulated in Section 270-1 of the Code of the Town of Glenville.*

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board Decision on September 19, 2012

12. Resolution authorizing the Supervisor of the Town of Glenville to execute all necessary documentation for the 2012 application for court funding under the NYS Justice Court Assistance

Program.

Sponsored by: John Pytlovany, Town Councilman

Submitted by:

RESOLUTION NO. 12

Moved by:

Seconded by:

WHEREAS funding has been made available under a competitive grant process through the NYS Justice Departments Justice Court Assistance Program for funding of municipal court security projects,

WHEREAS it is in the best interest of the Town of Glenville to apply for available funding to assist with the financing of such projects for the Town Court,

WHEREAS the Town Board of the Town of Glenville approves the application for funding under the 2012 Justice Court Assistance Program with a request amount not to exceed \$30,000,

NOW THEREFORE BE IT RESOLVED that Christopher A. Koetzle, Supervisor of the Town of Glenville, is authorized to execute all necessary documentation for the 2012 application for court funding under the NYS Department of Justice.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on: September 19, 2012

13. Resolution reappointing Dorothy Hickok Skomp, 1537 Washout Road, Glenville to the Town of Glenville Board of Assessment Review beginning October 1, 2012 through September 30, 2017.

Sponsored by: Sid Ramotar, Town Councilman

Submitted by: James MacFarland, Director of Operations

RESOLUTION NO. 13

Moved by:

Seconded by:

WHEREAS, a vacancy exists on the Town's Board of Assessment Review due to the expiration of a term of appointment,

NOW, THEREFORE, BE IT RESOLVED that Dorothy Hickok Skomp, 1537 Washout Rd., Glenville, NY is hereby re-appointed to the Town of Glenville's Board of Assessment Review for a term of five years according to Chapter 193 of the Real Property Tax Law of 1986, commencing October 1, 2012 and expiring September 30, 2017; and

BE IT FURTHER RESOLVED that the Board of Assessment Review member be compensated as follows: \$100.00 per person per day for Grievance Day and \$25.00 per person

per hour for sessions following Grievance Day, with the Chairman of the Board receiving an additional \$50.00 for his/her services.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on September 19, 2012

14. Resolution authorizing the Commissioner of Public Works to purchase one 2012 ODB Vacuum Leaf loader model LCT 600 from Old Dominion Brush Co., 1634 Sunderland Hill Road, Arlington, VT in a sum not to exceed \$18,200.

Sponsored by: Gina Wierzbowski, Town Councilwoman

Submitted by: Thomas Coppola, Superintendent of Highways

RESOLUTION NO. 14

Moved by:

Seconded by:

WHEREAS, Thomas R. Coppola, Commissioner of Public Works has informed the Town Board that they will be unable to properly conduct the annual loose leaf program in a timely and efficient manner without purchasing a new leaf collector; and

WHEREAS, a new federal law allows piggy-backing of state contracts;

WHEREAS, State of Connecticut contract number #[10PSX0307](#) has a leaf vacuum to fit the needs of the town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Commissioner of Public Works to purchase one 2012 ODB Vacuum Leaf loader model LCT600 from Old Dominion Brush Co. (N.E. Office) 1634 Sunderland Hill Road, Arlington, VT 05250 in a sum not to exceed \$18,200; and

BE IT FURTHER RESOLVED, that the funding for such purchase shall be out of the 2012 Equipment budget line 04.00.5130.2000.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on September 19, 2012

15. Resolution approving the Monthly Departmental Reports for August 2012.

Sponsored by: Sid Ramotar, Town Councilman

Submitted by: Linda C. Neals, Town Clerk

RESOLUTION NO. 15

Moved by:

Seconded by:

BE IT RESOLVED that the **Monthly Departmental Reports** for August, 2012 as received from the following:

Assessor's Department
Dog Control
Economic Development & Planning Department
Highway Department
Justice Department
Section 8
Town Clerk's Office

be, and they hereby are accepted, approved for payment and ordered placed on file.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on September 19, 2012

16. New Business