

Town of Glenville
Planning and Zoning Commission
Monday, January 13, 2014
Glenville Municipal Center
18 Glenridge Road
Glenville, NY 12302

Present: Mike Carr, Chairman, Jim Gibney, Kurt Semon, Pat Ragucci, Javier Tapia, Tom Bodden and Tim Yosenick

Also Attending: Paul Borisenko, Building Inspector, Dana Gilgore, Engineering, Peg Huff, Town Attorney, Kevin Corcoran, Economic Development and Planning Department, and Chris Flanders, Recording Secretary

1. Approval of the minutes of the December 9th, 2013 meeting

Motion: K. Semon Seconded: T. Yosenick

Vote: Ayes: 7 Noes: 0 Absent: 0

MOTION CARRIED

Approval of the agenda

Motion: T. Yosenick Seconded: P. Ragucci

Vote: Ayes: 7 Noes: 0 Absent: 0

MOTION CARRIED

**2. Mark Klos for Vintage Automotive Services
4 Sarnowski Drive**

**Site Plan Review - Final
(Public Hearing –
continued from December,
2013)**

The applicant is requesting to establish an automotive repair business in the existing 4,224 sq. ft. building located across from TrustCo Bank and immediately west of (behind) Pet Lodge/Checkerhill Farms. The property is zoned *Research/Development/Technology*.

Chairman Carr opened the hearing to the public. With no one wishing to comment, and with the applicant not present, the public hearing will remain open.

The application will continue later in the evening should the applicant arrive.

**3. Garner Builders, LLC – Dance Studio
124 Saratoga Road**

**Site Plan Review - Final
(Public Hearing)**

The applicant is seeking Site Plan approval to occupy the rear portion of the existing building with a dance studio. The project is located on the east side of Saratoga Road opposite Socha Plaza and is zoned *Community Business*.

Neither the applicant, M. Chrys, nor his engineer, D. Arico, were present to address the Commission or answer questions that may be posed during the public hearing.

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P. Borisenko noted that the applicant is also asking for an area variance, and may be assuming attendance at the Zoning Board of Appeals meeting at the end of the month is required before the PZC public hearing.

The application will continue later in the evening should the applicant arrive.

**4. Auto Solutions
78 Freemans Bridge Road**

**Site Plan Review and
Conditional Use Permit
Amendment**

This proposal calls for an 870 sq. ft. expansion to the previously proposed and approved 10,200 sq. ft. automotive repair building. Two proposed parking spaces would be eliminated to accommodate the expansion. The project site is located in the east side of Freemans Bridge Road, opposite Lowe's. The property is zoned *General Business*.

Dan Morelli, Morelli Design, represented the applicants. He said upon the expansion of the warehouse, it became apparent that two extra bays are needed for automotive inspections. These were not on the originally approved plan. The extension of 24' on the front of the building will accommodate two extra bays, but will look the same from the street. Two parking spaces would also be eliminated, bringing the total from 43 to 41 spaces, which is still more than the required 22 spaces.

When asked about any stormwater issues, D. Gilgore stated that there is no net increase with roof vs. pavement drainage. He also examined the silt fence today which connects to the berm as required, and found it satisfactory.

P. Huff stated an issue came up at the agenda meeting regarding the expansion of the approved Conditional Use. This application will have to appear before the ZBA again. Mr. Morelli stated he and his applicants understand that will be required and have submitted the necessary paperwork to the Building Department.

Chairman Carr then asked the status of meeting the previous conditions of site plan approval. D. Morelli said the applicant is working on these conditions and they will be met prior to asking for a Certificate of Occupancy. M. Carr stated that no 'CO' will be given until all conditions of the previous approval are met. Mr. Morelli stated that he and his client are aware of this.

Discussion followed regarding process. A public hearing is not specified for an amendment to a site plan.

K. Semon asked when the fence will be installed between the property and the neighbor located at 72 Freemans Bridge Road. Mr. Morelli said it would be in the spring, as soon as possible. It will be there for the final CO inspection.

MOTION

In the matter of the application by Auto Solutions to expand a previously approved Conditional Use Permit for an automotive repair building located at 78 Freemans Bridge Road, the Planning and Zoning Commission recommends that the Zoning Board of Appeals approve the application.

The Commission's findings in support of our recommendation are as follows:

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1. The establishment/operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare of the community.
2. The conditional use will not compromise the use and enjoyment of other property in the immediate vicinity, nor will it substantially diminish or impair property values within the neighborhood.
3. The conditional use will not hinder the normal and orderly development and improvement of surrounding properties.
4. The proposal does provide adequate utilities, access roads, drainage, and other necessary facilities to serve the conditional use.
5. The proposal does provide adequate measures for ingress and egress to the site, in such a manner as to minimize traffic congestion in the public streets.
6. The conditional use does, in all other respects, conform to the applicable rules, regulations, and ordinances of the Town, as well as the Town of Glenville Comprehensive Plan.

Motion: T. Yosenick Seconded: K. Semon
Vote: Ayes: 7 Noes: 0 Absent: 0
MOTION CARRIED

MOTION

In the matter of the final site plan modification application by Auto Solutions for the expansion of a previously approved automotive repair building located at 78 Freemans Bridge Road, the Planning and Zoning Commission hereby conditionally approves the application. The Commission's decision is based upon the following findings:

1. The proposed use does conform to other applicable provisions of the Zoning Ordinance, including, but not limited to, landscaping requirements, building design, off-street parking requirements, building setbacks, fence requirements, sign regulations, storm water management and erosion control requirements, etc.
2. The proposed use does exhibit adequate and logical vehicular access and circulation, including intersections, road widths, curbing, and traffic controls.

3. The proposed use does exhibit satisfactory pedestrian and bicycle access and circulation, including separation of pedestrian traffic from automobile traffic, the placement and usefulness of on-site sidewalks and walkways, the accommodation for pedestrians at adjacent street intersections, and overall pedestrian and bicyclist safety and convenience.
4. The proposed use does exhibit adequate and logical location, arrangement, and setting of off-street parking and loading areas.
5. The proposed use does exhibit adequate and logical placement, arrangement, size, and design of buildings, lighting, and signs.
6. The proposed use does provide for the adequate type and arrangement of trees, shrubs, and other landscaping elements, as they relate to visual and noise buffering of adjacent sites and the reduction of visual impacts from the street.
7. The proposed use does demonstrate adequate provisions for the collection and/or disposal of storm water, sanitary waste, and garbage.

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8. The proposed use will allow for adequate on-site snow plowing and snow storage.
9. The proposed use does demonstrate adequacy and durability of structures, roadways, utilities, and landscaping in areas with moderate to high susceptibility to flooding, ponding, and/or erosion.
10. The proposed use does retain existing trees and vegetation for aesthetic reasons, and minimize soil erosion and siltation.
11. The proposed use does protect adjacent properties against noise, glare, light pollution, odors, litter, unsightliness, or other objectionable features.
12. The proposed use does provide suitable open space for buffering and/or recreation purposes.

Conditions of Approval:

1. Applicant must obtain approval of Conditional Use Expansion by Zoning Board of Appeals.
2. Conditions of Approval are to be satisfactorily addressed, discussed with, and are subject to approval of the Town Designated Engineer, Joel Bianchi, MJ Engineering. The issues are noted in the July 1, 2013 letter from Joel Bianchi to Kevin Corcoran, Glenville Town Planner and include the following:
 - Clarifying of acreage (3.31 acres or 3.6 acres?).
 - Ephemeral stream in the rear of the property issue (seasonal or permanent stream? Site plan must document that accordingly.).
 - Indicate the location(s) of any proposed exterior lights.
 - Identify the proposed sewer connection on the site plan.

- Identify proposed silt fences on the site plan as well as any other proposed sediment and erosion control measures.
- Granted variances are to be noted on the site plan which would include expansion of conditional use if granted.
- Notation regarding future consideration of sidewalks.
- Landscaping details, specifically the caliper of proposed trees (must be at least 2 ½ inches in diameter at breast height).
- Existing conditions plan should be submitted, indicating pre- and post construction conditions.
- The existing fence on the south side of the applicant's property is to extend past the garage to the front of the adjacent neighbor's house at 72 Freemans Bridge Road.
- Comment letter, dated 7/1/2013, from Joel Bianchi to Kevin Corcoran is made part of these conditions.

3. Number of vehicles allowed on site are per the notes on the plan and must be adhered to.

4. No Certificate of Occupancy will be issued until Building Inspector approves and determines all issues have been met.

Motion: T. Yosenick Seconded: T. Bodden

Vote: Ayes: 7 Noes: 0 Absent: 0

MOTION CARRIED

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Chairman Carr addressed the Klos application, Vintage Automotive, and directed the PZC stenographer to send a letter of notification to Mr. Klos.

M. Carr moved to keep the public hearing open, seconded by P. Ragucci, motion carried unanimously.

Chairman Carr then addressed the Garner Builders application, 124 Saratoga Road. He opened the hearing to the public. There was no one wishing to speak at this time.

M. Carr moved to keep the public hearing open, seconded by P. Ragucci, motion carried unanimously.

Chairman Carr then welcomed new Planning and Zoning Commission member Javier Tapia.

Several audience members were Burnt Hills – Ballston Lake High School students attending to observe. The Commission greeted them and answered questions about what the Boards do and what transpired this evening.

With no further business to conduct, the meeting was adjourned at 7:40 p.m.

The next meeting of the Town of Glenville Planning and Zoning Commission is to be held on ***Monday, February 10, 2014***. The agenda meeting will be held ***Monday, February 3, 2014***.

Submitted by Chris Flanders, Stenographer:

Filed with Linda Neals, Town Clerk:
