

Town of Glenville
Planning and Zoning Commission
Monday, March 10, 2014
Glenville Municipal Center
18 Glenridge Road
Glenville, NY 12302

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

Excused: 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 agenda

Motion: T. Bodden Seconded: P. Ragucci
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

Approval of the minutes of the February 10th, 2014 meeting

Motion: J. Gibney Seconded: P. Ragucci
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

Chairman Carr noted for the audience that no action will be taken at this meeting for the Amedore project. This will be a preliminary review only.

As Item #4 is procedural in nature, a motion was made to move the Garner Builders revision to the Conditions of Approval to the first application heard.

MOTION

Motion: M. Carr Seconded: J. Tapia
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

2. Garner Builders, LLC – Dance Studio
124 Saratoga Road

Site Plan Review – Revisit of
conditions of approval from
the February 10th meeting

At the February 10, 2014 meeting, the Commission and applicant discussed the Town's desire to require monitoring of the retention basin for a period of one year to assure that the basin is functioning as intended. However, monitoring of the basin was never made a condition of

approval. This item is back on the agenda for consideration as a condition of site plan approval.

M. Carr stated that the performance monitoring of the storm water management system was discussed at both the preliminary review and final review, and in fact, was a condition of preliminary approval, and agreed to by the applicant. It was inadvertently left off the list of Conditions of Final Site Plan Approval and should be added as an amendment to that approval.

MOTION

In the matter of the previous final site plan approval for Garner Builders, 124 Saratoga Road, dated February 10, 2014, the conditions of approval are amended to include:

Performance monitoring of the storm water management system will be required for one year from the date of approval.

All other conditions of approval dated Feb. 10, 2014 remain in affect.

Motion: P. Ragucci Seconded: K. Semon
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

3. Raindancer Car Wash, LLC 641 Saratoga Road

**Site Plan Review and area variances
(Preliminary – continued from
February)**

This proposal calls for the conversion of a vacant car wash into a 3-unit apartment building. The project site is located on the west side of Route 50, opposite the former Poor John's Restaurant and Hetcheltown Road. The property is zoned *General Business*. The ZBA tabled the area variance applications in February since they had not received the zoning referral yet from Schenectady County, and they are seeking a recommendation from the Planning and Zoning Commission.

Christopher Longo, Ingalls & Associates, represented the applicant. He stated this application was before the Zoning Board of Appeals, but the Board could not act at that time as the zoning coordination referral has not been received from Schenectady County.

As requested at last month's meeting, he provided rear and side elevations of the building and samples of roofing and siding to demonstrate colors.

C. Longo said that regarding NYS DEC oversight of decommissioning, facilities for septic, stormwater and wastewater tanks are not specifically included. The applicant will follow best practices to close the tanks, by pumping them, breaking them and capping them off with concrete.

M. Carr expressed concern regarding possible contents of the tanks and would like soil sampling to be done as this site was a former carwash. He stated it would be both prudent and in the best interest of the town and the applicant to have soils tested. He asked for a soil sample plan to be submitted so as to characterize what is left under ground. If water is encountered in the tanks, that should also be tested. An e-mail to the Planning Department detailing the plan would suffice.

M. Carr then confirmed the out building is going to be removed and C. Longo stated the addition to the apartment building will slightly overlap the footprint of building that is to be removed.

When asked, C. Longo said roof drainage will be away from the building. The rear area is sloped pavement which would allow sheet drainage to the grass area. The front will be landscaped. He will confirm whether gutters will be installed on the front of the building.

M. Carr asked about the variance that would be required. C. Longo said the distance to the home to the north of this parcel should be 40 feet and is only about 7½ feet from the property line. Attorney Peg Huff asked about an issue that was discussed at the Zoning Board of Appeals meeting. She asked if Mr. Longo had explored the possibility of the existing lot line is at 10 feet versus 7½ feet. C. Longo said per the base map, and survey mapping that was done, 7.6 feet was confirmed. He has not received anything from the Town that disagrees with that determination.

C. Longo stated a stockade fence buffer will be added to the northern property line. The pavement at the front of the building will be striped for no parking.

Mr. Longo showed samples of the tan vinyl siding, brown architectural roof shingles, and said the trim will be white. There will be gabled roofs over the front doors and porches. The front yard will be landscaped, and the rear yard, which is 10 to 12 feet of grass, and then slopes to the stream, can be used for recreation.

The landscaping plan includes combination plantings in the 10 foot section in front that is now paved and curbed. This will be ripped out and replaced with landscaping.

The grassy area to the rear will hold two new septic tanks and will be mowed. The treed area will not be disturbed. There is no wetland disturbance involved; no direct impact on the state wetland. There is a slight encroachment on the fringe of the 100 foot wetland buffer and a buffer-impact permit application has been provided to DEC.

It was established that the owner would maintain the common laundry area. It was also confirmed that the southern-most driveway will be removed, but the vegetation that is there will remain as part of the landscaping plan.

MOTION

In the matter of the preliminary site plan review application by Raindancer Car Wash, LLC for the conversion of a vacant car wash to a three-unit apartment building for property located at 641 Saratoga Road, the Planning and Zoning Commission finds that this application will not result in

a significant potential adverse environmental impact. Consequently, the Planning and Zoning Commission hereby issues a negative declaration.

Reasons supporting this recommendation includes the Glenville Environmental Conservation Commission also recommended a negative declaration at their January 27, 2014 meeting.

Motion: M. Carr Seconded: J. Tapia
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

MOTION

In the matter of the preliminary site plan review application by Raindancer Car Wash, LLC for the conversion of a vacant car wash into a 3-unit apartment building located at 641 Saratoga Road, the Planning and Zoning Commission hereby conditionally approves the application.

Conditions of preliminary approval are as follows:

1. The applicant is to prepare a soil characterization plan. If water is encountered, that is also to be characterized due to the unique re-use of the property from a former car wash to residential space.
2. All area variances requested must be granted by the Zoning Board of Appeals.
3. Applicant must obtain NYS DEC wetland buffer encroachment permit
4. Applicant must provide a buffer on the northern property line.

The Commission hereby schedules a public hearing for April 14, 2014 to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for April 14th, nine (9) copies of the revised site plan must be submitted to the Town of Glenville Planning Department no later than 14 calendar days prior to the public hearing date.

Motion: M. Carr Seconded: K. Semon
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

4. Old Dominion Freight Line, Inc. **11 Seventh Street**

Use Variance
Recommendation to the ZBA
Continued from February

The applicant is seeking a use variance to install an electric security fence around the perimeter of the Old Dominion Freight Line facility. The security fence would be installed inside the existing fence line. The project site is located on the north side of Seventh Street, just east of the western entrance to the Glenville Business & Technology Park. The property is zoned *Research/Development/Technology*.

With no one present to answer questions about this project, a motion was made to table this application.

MOTION

Motion to table Old Dominion Freight Line, Inc. Use Variance application.

Motion: K. Semon Seconded: T. Bodden
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

This application is tabled.

**5. Socha Plaza South
115 Saratoga Road**

**Conditional Use Permit
Recommendation to the ZBA**

This proposal is for a 5,100 sq. ft., 200-seat restaurant in the new mixed use building at Socha Plaza. The ZBA approved a conditional use permit for a 3,600 sq. ft. restaurant at this location in October, 2012. However, the ZBA placed a condition of approval on the project stating that if the size of the proposed restaurant were to be increased, it would need to go back to the ZBA once again for conditional use permit approval.

Gavin Vuillaume, Environmental Design Partnership, and William Socha were present to address the Commission.

G. Vuillaume stated the applicant is looking for a recommendation to Zoning Board of Appeals to amend a Conditional Use Permit granted in October, 2012.

Mr. Vuillaume said when the plan was before the Town in 2012, a restaurant was anticipated, but the square footage of the restaurant has since changed. It has increased from an estimate of 3,600 sq. ft. to an actual 5,100 sq. ft. This will result in some minor changes to interior walls, but it will still be 200 seats and the same parking requirements.

Mr. Socha said the restaurant will be open every day of the week, including brunch on Sundays, but the main use of the restaurant will be dinners. The new building itself will be of mixed use, and restaurant parking should not be a problem at this time of day. He also noted for peak times such as Friday and Saturday evenings, there are plenty of spill-over lots for parking.

MOTION

In the matter of the Conditional Use Permit application by Socha Plaza South, William Socha, to establish a 5,100 sq. ft. restaurant at 115 Saratoga 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:

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: M. Carr Seconded: T. Bodden
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

5. Edward & Linda Iovinelli
210 Maple Avenue

Minor 2-lot Subdivision
Preliminary

This minor subdivision will create one new single-family building lot from the existing 1.61+/- acre parcel. Lot 1 (29,903 square feet) will contain the existing single-family residence and associated improvements. Lot 2 (40,251 square feet) will be used as a future single-family home site and will be served with public water and sanitary sewer facilities. The property is zoned *Suburban Residential*.

Joel Bianchi, MJ Engineering, represented the applicants. He explained this is a 2-lot subdivision with frontage on Hetcheltown Road and Maple Avenue. Both pieces of property will be conform lots. There are no wetlands on either of the lots. Water and sewer will be provided to the new lot via an existing private easement through the original lot.

The applicant will petition the Town for inclusion in the water district. A curb permit from Schenectady County for the driveway and utilities will also be required.

MOTION

In the matter of the preliminary application for a 2-lot subdivision by Edward and Linda Iovinelli located at 210 Maple Avenue, the Planning and Zoning Commission finds that this application will not result in a significant potential adverse environmental impact. Consequently, the Planning and Zoning Commission hereby issues a negative declaration.

Motion: M. Carr Seconded: T. Bodden
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

MOTION

In the matter of the preliminary minor subdivision application by Edward and Linda Iovinelli for a two-lot subdivision located at 210 Maple Avenue, the Planning and Zoning Commission hereby conditionally approves the preliminary application.

Conditions of preliminary subdivision approval are as follows:

1. The applicant is to connect to public sewer and water per discussion.

The commission hereby schedules a public hearing for April 14, 2014 to consider the final minor subdivision application. However, in order for the Commission to schedule a public hearing for April 14, nine (9) copies of the revised subdivision map and/or requested information must be submitted to the Town of Glenville Planning Department no later than 14 calendar days prior to the public hearing.

Motion: M. Carr Seconded: J. Gibney
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

6. Peter Miranda 22 Woodruff Drive

Minor 2-lot Subdivision Preliminary

This minor subdivision will create one new single-family building lot from the existing 2.06+/- acre parcel. Lot 1 (48,389 square feet) will contain the existing single-family residence and associated improvements. Lot 2 (41,703 square feet) will be used as a future single-family home site and will be served with public water and private on-site wastewater treatment facility. The property is zoned *Suburban Residential*.

Michael Brooks, Tommell and Associates, was present to address the Commission regarding this application. M. Brooks said the owner of the property would like to build a house for his son on the newly created lot, and is working with Bellamy Construction. He explained there is a jog in the lot line to accommodate the existing septic system. The applicant will need a variance for lot frontage. It was noted the lot frontage was inadvertently flipped on the subdivision map, and Mr. Brooks will correct that.

M. Brooks said the percolation is poor on this lot, therefore, a raised mound septic system is planned.

The proposed variance was discussed. The applicant is not requesting a significant variance. Frontage of 120 feet is required and the existing lot would have 103 feet of frontage. Smaller lots with about 75 feet road frontage are typical in that neighborhood. The owner has talked to his neighbors and has not had any negative feedback on his proposal.

MOTION

In the matter of the preliminary minor subdivision application by Peter Miranda for a two-lot subdivision located at 22 Woodruff Drive, the Planning and Zoning Commission finds that this application will not result in a significant potential adverse environmental impact. Consequently, the Planning and Zoning Commission hereby issues a negative declaration.

Motion: M. Carr Seconded: K. Semon
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

MOTION

In the matter of the preliminary minor subdivision application by Peter Miranda for a two-lot subdivision located at 22 Woodruff Drive, the Planning and Zoning Commission hereby conditionally approves the preliminary application.

Conditions of preliminary subdivision approval are as follows:

1. The lot frontage distance is to be corrected on the subdivision map.
2. The requested variance must be granted by the Zoning Board of Appeals.
3. The applicant agrees a raised-bed septic system will be installed.

The commission hereby schedules a public hearing for April 14, 2014 to consider the final minor subdivision application. However, in order for the Commission to schedule a public hearing for April 14, nine (9) copies of the revised subdivision map and/or requested information must be submitted to the Town of Glenville Planning Department no later than 14 calendar days prior to the public hearing.

Motion: M. Carr Seconded: P. Ragucci
Vote: Ayes: 6 Noes: 0 Absent: 1
MOTION CARRIED

7. Amedore Homes, LLC
Hillside Drive & Comanche Road

Major 140-lot Subdivision
Preliminary

Amedore Homes is seeking Major Subdivision approval to create 140 single-family building lots on an existing 214-acre parcel located between the existing Glen Oaks and Indian Hills developments. The proposed subdivision will include public water and sanitary sewer, along with stormwater management facilities and 54.3 acres of protected wetlands. The property is zoned *Suburban Residential & Land Conservation*.

Engineer Brett Steenburgh addressed the Commission. He stated the parcel has 47+/- acres of NYS DEC freshwater wetlands which have been delineated, and 52+/- acres Army Corp of Engineers jurisdictional wetlands. There are twelve access points to the land, and the proposal would utilize four of these stub roads. They are located at the terminus of Tomahawk Trail,

Glenview Drive, Hillside Drive and Haviland Drive. Tomahawk Trail and Hillside Drive would connect, and several cul-de-sacs would be created. He said connection to Baldwin Road was also considered, but Schenectady County denied an access point there due to poor site distance and the speed at which cars travel on Baldwin Road creating unsafe conditions.

Mr. Steenburgh said a few cul-de-sac lots will require variances for frontages to allow for more lots. Discussion is underway regarding cul-de-sacs and hammerheads, as the Town prefers hammerheads for plowing, but the school district prefers cul-de-sacs so that school busses do not have to back up. The center of the cul-de-sac allows for snow storage and for green space. Narrower streets are also being looked at which would allow for better drainage. The details are being worked out to address the radius required for plows and fire trucks.

B. Steenburgh said there would be about 15,000 linear feet of new road, which would be turned over to the town after construction. The impact is 1/10 of one acre, with no impact to the stream or to NYS DEC wetlands. Open space of 160-acres will be preserved and deed restricted. This space is scattered throughout the parcel and includes 24-acres of wooded upland.

Regarding drainage management, B. Steenburgh said four stormwater basins are proposed and plans have been submitted to the town for review. Each lot will have a 10' x 10' rain garden to enhance drainage, as well.

When asked about access roads for various utilities, Mr. Steenburgh said he is working with the Village of Scotia and looking at pump stations. The majority of collection systems will run along the roads. J. Gibney asked if these systems are designed to take additional connections. The size of the lines and water pressure were briefly discussed.

Attorney T. Backner stated that SHPO has signed off on the proposal. The Army Corps of Engineers has asked for additional notes on sewers. The applicant will also be responsible to protect two species of endangered bats by following restrictions of when trees can be cleared during construction. Ms. Backner said she cannot continue further with DEC until a SEQR determination has been made.

M. Carr noted that many areas have 24"-36" of soil over bedrock, resulting in trapped surface water. He is concerned that some lots have very shallow yards of about 20'. Mr. Steenburgh said there will be about 6'-8' between garage floors and the area elevations. M. Carr asked if the number of houses is being pushed.

Other items discussed or noted were access roads around the drainage basins, (which will be on one side of the basins), the property is in two fire districts, a letter of support was received from the Scotia-Glenville School District, and traffic impacts. Alana Moran, Creighton Manning Engineering, stated peak hour trips have been calculated and a travel time study comparison has been done and she expects the level of service to continue to operate well.

T. Bodden expressed his opinion on connecting the two existing neighborhoods and questioned the advisability of combining them.

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P. Huff asked if the stub street at Baldwin Road, aligned with Socha Lane, would be used during construction. This may occur. J. Gibney is concerned about truck weights, volume, and road damage. B. Steenburgh said some fill may be brought in to bring houses up to grade.

Ms. Backner said variances will be requested for the width of the new roads. The applicant proposes a reduction of 32' to a width of 26'. These would be less expensive to maintain. The Town Board will consider this request.

It was noted that lot dimensions need to be added to the plan. Mr. Steenburgh said there are two isolated lots which will likely be sold separately as individual lots later on.

T. Bodden stated there are many questions unanswered, and would like to continue this discussion at next month's meeting. All parties agreed. This application will be continued at the April meeting.

With no further business to conduct, the meeting was adjourned at 9:00 p.m.

The next meeting of the Town of Glenville Planning and Zoning Commission is to be held on ***Monday, April 14, 2014***. The agenda meeting will be held ***Monday, April 7, 2014***.

Submitted by Chris Flanders, Stenographer:

Filed with Linda Neals, Town Clerk:
