

PLANNING AND ZONING COMMISSION
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
GLENVILLE, N.Y. 12302
August 8, 2016

Present: Michael Carr, Chairman, James Gibney, Patrick Ragucci,
and Marshall Tanner

Also

Attending: Kevin Corcoran, Town Planner, Michael Cuevas, Attorney,
and Lynn Walkuski, Stenographer

Absent: T. Bodden, K. Semon, T. Yosenick

Meeting called to order at 7:04 PM

MOTION to approve the Agenda

Moved by: M. Carr

Seconded by: J. Gibney

Ayes: 4 **Noes:** 0 **Absent:** 3

Motion Approved

MOTION to approve minutes from the July 11, 2016 meeting

Moved by: M. Carr

Seconded by: M. Tanner

Ayes: 4 **Noes:** 0 **Absent:** 3

Motion Approved

**Mark Moreau
Ridge Road**

**Minor (3-lot) Subdivision
(Final) – Public Hearing**

The applicant is proposing to subdivide a vacant 59.51-acre parcel into three lots consisting of 2.68, 24.64, and 32.19 acres. The property is zoned Rural Residential/Agricultural, and is served by public water. The parcel is on the east side of Ridge Road, approximately 2,000 feet south of the Ridge Road/Rector Road intersection.

Joe Bianchine, ABD Engineers, represented Mr. Moreau. He stated Mr. Moreau is buying the 59.51-acre parcel with the intent to subdivide into three lots. The first lot (2.6 acres, located in the SW corner of the parcel) he intends to sell to his sister, the second lot (24.8 acres, located in the middle) Mr. Moreau plans on keeping for himself and building on it, the third lot (32.1 acres, located in the back portion) is to be kept as is with no development. Mr. Bianchine indicated the PZC previously stated Mr. Moreau could not build anything on the third lot for 18 months after approval.

M. Carr mentioned this parcel had previously been approved for a major subdivision with restrictions, but it was never finalized.

J. Bianchine stated the restrictions were due to wetlands. The site is mostly a wooded site with two new driveways. It meets all the zoning set back and area requirements. The applicant will be connecting to Town water and have raised bed septics. There is no intent to further subdivide.

M. Carr opened the floor for the Public Hearing.

Jim & Chris Slingerland, 1658 Ridge Road, asked how the 18 month requirement works after the approval process and when the 18 months starts.

M. Carr responded if an applicant has a large parcel and wants to slice a small portion off, to avoid “segmentation”, the PZC requires the applicant to wait 18 months to further subdivide the larger parcel. This allows for the proper procedures/reviews to be executed in order to maintain the character of the area. The 18 month waiting period would begin once it is approved.

M. Carr asked J. Bianchine if Mr. Moreau has any plans to develop lot #3.

J. Bianchine stated Mr. Moreau has no plans to develop lot #3.

Eric Tucker, 395 Closson Road, asked about the amount of required road frontage needed on lot #3 for development.

J. Bianchine stated 200 feet is needed and lot #3 will have the required amount of frontage.

E. Tucker also asked if subdividing this parcel changes the tax base. In other words, will the taxes be different with one developed lot and one undeveloped lot?

M. Cuevas, Town Attorney, responded that is up to assessor, but most likely there would be a change in the assessment with a developed and undeveloped lot.

Jesse Borst, 1201 Ridge Road, stated his concern with the culvert pipes already being overtaxed and currently they are unable to handle the rain/snowfall. In the future, with the leach field being so close to the road he has concerns with the drainage, and creating water issues on the other side of Ridge Road.

M. Carr said that he was aware of the water issues up in the area. If the infrastructure is already taxed, that needs to be brought to the Highway Department. Drainage issues would have to be reviewed by the Highway Superintendent. Raised bed septic systems would need to be reviewed by the County and whether they would negatively affect surface water runoff. There are mechanisms in place to address the current infrastructure so it should not be further taxed.

Further discussion ensued regarding the current water issues Mr. Borst is experiencing and his discussions with T. Coppola, Highway Superintendent. Items discussed were the runoff from a creek, the culvert increased from 12" to 30", and diversion of water from the houses.

M. Carr addressed the issue of the raised bed septic and stated there should not be any additional runoff from a raised bed system.

Jim Walker, 1558 Ridge Road, inquired about the shape of the parcels, in particular lot #3, indicating he believed there is a portion of the property that becomes pointed and ends at the road.

J. Bianchine said that it was surveyed according to the deed and the surrounding properties, and the surveyors did not find what Mr. Walker was asking about.

Robin Wolfe, 1632 Ridge Road, also believed there was a 60 foot piece of this parcel located between the Walker and Slingerland properties.

Discussion took place regarding the survey of the land.

With no further comments from the floor the Public Hearing was closed.

M. Carr said the PZC has not received the County Zoning Referral, therefore the PZC will be acting on this application next month.

J. Borst asked about the drainage on Ridge Road and who should he contact.

M. Carr said Ridge Road is a County road so he should be contacting the County Highway Department.

**Greg Bellamy/ Bellamy Constrction
6684 Amsterdam Road**

**Site Plan Review (Public
Hearing) – Combined
Preliminary and Final**

Bellamy Construction is seeking approval for installation of a 60' x 14' carport/shed roof off the eastern side of their office building. The property, which is located on the north side of Route 5, approximately ½ mile west of Waters Road, is primarily zoned Highway Commercial, with the rearmost portion being zoned Land Conservation. The office building and proposed addition are located in the Highway Commercial zoned portion of the property.

M. Carr opened the Public Hearing.

There were no comments from the floor.

With no representation present, M. Carr recessed this review until the September PZC meeting.

**Brandywine Partners, LLC
122 Freemans Bridge Road**

**Site Plan Review
(Preliminary)**

This proposal calls for the construction of a 2,575 sq. ft. Verizon retail store on a 19+ acre parcel. A conceptual layout is presented for possible additional development of the remaining suitable land on the property. The concept includes two additional retail buildings totaling just under 8,900 sq. ft. The site, formerly occupied by Schenectady Seed, is located on the east side of Freemans Bridge Road, across from the eastern terminus of Dutch Meadows Lane. The portion of the property under consideration for development is zoned General Business.

Tony Stellato, CHA Consulting and Tom Burke, Brandywine Partners, LLC were present.

T. Stellato gave an overview of the parcel itself, about 20 acres in total. The portion that is being presented tonight is a 14 acre parcel and they are looking to develop the front portion by the road. The proposal is for a 2,575 sq. ft. Verizon retail store in line with the new Verizon retail store concept, along with 36 parking spaces. Currently there is no plan for the future development of the remaining part of the parcel however, in order to have a complete SEQRA review and evaluation of storm water management, the potential future development is shown on the site plans. Tonight, the application is only for the Verizon store.

Other items addressed are the signal light at Dutch Meadows, right-in and right-out entrances and exits from the property.

M. Carr inquired about the multiple entrances/exits if they are only proposing the Verizon store tonight.

T. Stellato indicated that will allow for increased access to the site.

M. Carr asked if Mr. Stellato thought DOT would approve the proposed entrances.

T. Stellato said he believes DOT will be in agreement with their proposal.

T. Stellato also addressed the number of parking spaces (36) for the plan, which exceeds the maximum permitted by the Town's Code. He indicated the number was relative to the expected turn over time for customers would be inside the Verizon store. It is expected that most customers would be spending about an hour or more at the location. The larger number of parking spaces were to also address peak times for the store (holidays, weekends, and new merchandise releases).

Discussion took place on storm water management with the use of pervious pavement.

M. Carr stated his concerns were the maintenance, salting and sanding of the pavement. He also asked if Mr. Stellato felt the run off would be adequately handled with the pervious pavement.

T. Stellato indicated that it would.

T. Stellato talked briefly with regard to the remaining portion of the parcel and that it would remain undeveloped, for the time being, although the plan presented showed a much larger developed area than just the Verizon store.

M. Carr asked T. Burke what are his intentions with the remaining portion of the parcel. T. Burke answered if someone is willing to pay for it then he will develop it.

T. Stellato mentioned Verizon is particular about how their store fronts should be showcased and the Town's requirements for street trees to be planted in front of the store will be a hard sell to Verizon. He also stated that they feel this is the best plan for the site and they would like to move forward.

M. Carr mentioned the variances that will be needed; the number of parking spaces, the width of the parking spaces, parking setback to the street right-of-way, and the spacing of street trees along the sidewalk exceeds 30 feet. It is up to the ZBA to consider the variances.

T. Burke asked Chairman Carr if the PZC would give preliminary site plan approval this evening so they could go to the ZBA with conceptual endorsement of the PZC.

J. Gibney asked K. Corcoran about the Freemans Bridge Road Master Plan and if development along Freemans Bridge has been following the plan or are variances being given.

K. Corcoran stated that it has been a mix.

T. Burke stated this plan was developed with Verizon, who has specific needs and imposes those needs on the developer, ie: # of parking spaces.

Discussion ensued regarding the variances and what a corporate entity requires of its business locations. It was also mentioned that the Town put the master plan into effect for a reason and not to have it ignored.

T. Stellato mentioned that the lighting plan was not included in the package and would be sent along with the floor plans and building elevations.

J. Gibney brought up the curb cut. He is uncomfortable with the right in/ right out exit and will be interested in seeing what DOT says about it.

Discussion continued about right-in/right-out entrances and exists.

MOTION

In the matter of the preliminary site plan review by Brandywine Partners, LLC for the construction of a 2,575 sq. ft. Verizon retail store located at 122 Freemans Bridge 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 SEQRA negative declaration.

MOTION

Moved by: M. Carr

Seconded by: J. Gibney

Ayes: 4 **Noes:** 0 **Absent:** 3

Motion Approved

MOTION

In the matter of the preliminary site plan review application by Brandywine Partners, LLC for the construction of a 2,575 sq. ft. Verizon retail store, located at 122 Freemans Bridge Road, the PZC hereby conditionally approves the application.

The Commission hereby schedules a public hearing for September 12th, to consider the final site plan review application for this particular project.

Conditions of preliminary approval are as follows:

1. Obtain NYS DOT approval of the curb cuts.
2. Obtain proper area variances (4) from the ZBA.

The Commission hereby schedules a public hearing for September 12th, to consider the final site plan review application for this particular project. However, in order for the Commission to schedule a public hearing for September 12, 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

Moved by: M. Carr

Seconded by: P. Ragucci

Ayes: 4 **Noes:** 0 **Absent:** 3

Harriett Wicks
990 Gower Road

Minor (2-lot) Subdivision
(Preliminary)

The applicant owns approximately 68+/- acres on Gower Road with the majority of the lands being located on the east side of Gower Road. Applicant would like to subdivide the 6.24 acre lot on the west side of Gower Road, from the approximately 68 acre parent parcel located on the east side of the road and sell it as a single family building lot served by a private well and septic system. The property is zoned Rural Residential/Agricultural.

James White, Azimuth Surveying represented Harriett Wicks.

Keith Matuzcyk was also present in the audience. He is the potential buyer of the approximate 6 acre parcel.

M. Carr asked what will happen with the remaining 62 acres on the east side of Gower Road.

J. White indicated that it is currently for sale as a one parcel to be sold as is.

M. Carr asked what the intentions were of the Matuzcyks.

K. Matuzcyk said they are building a small house on the parcel.

M. Carr asked if there was any specific reason for the proposed well location. He has concerns about salt run off, given its proposed location near the road.

J. White said the location is to be uphill from the septic. Consideration will be given to its proposed proximity to Gower Road.

Discussion ensued about water quality and accessibility.

K. Matuzcyk stated that he sent requests to have this combined as a preliminary and final at this meeting and wondered if it could be done.

M. Carr responded that in order to have a (final) public hearing you have to notify land owners within a 500 ft. radius so they could have the opportunity to speak if they wished. Additionally, the Town has to notify the County in order to receive the County's Zoning Referral. These steps have yet to take place so the PZC cannot combine preliminary and final review this evening.

MOTION

In the matter of the minor (2-lot) subdivision application by Harriett Wicks for a minor (2-lot) subdivision located at 990 Gower 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 SEQRA negative declaration.

MOTION

Moved by: M. Carr

Seconded by: P. Ragucci

Ayes: 4 **Noes:** 0 **Absent:** 3

Motion Approved

MOTION

In the matter of the preliminary minor subdivision application by Harriett Wicks for a two lot subdivision located at 990 Gower Road, the PZC hereby approves the preliminary application.

The Commission hereby schedules a public hearing for September 12 to consider the final minor subdivision application.

MOTION

Moved by: M. Carr

Seconded by: P. Ragucci

Ayes: 4 **Noes:** 0 **Absent:** 3

Motion Approved

With no further business, the meeting was adjourned at 8:05 PM

Submitted by:

Lynn Walkuski, Stenographer

Linda C. Neals, Town Clerk