

**PLANNING BOARD**  
**May 27, 2009**

Minutes of meeting held Guilderland Town Hall, Route 20, and Guilderland, NY 12084 at 7:30 P.M.

PRESENT: Stephen Feeney, Chairman  
James Cohen  
Thomas Robert  
Michael Cleary  
Theresa Coburn

Linda Clark, Counsel  
Jan Weston, Planning Administrator

ABSENT: Paul Caputo

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Chairman Feeney called the meeting to order at 7:30 p.m. He noted the exits for the sake of the audience in the event they were needed.

Chairman Feeney asked for a motion to approve the minutes of March 11, 2009 and March 25, 2009 minutes with few minor corrections, and was so moved by Terry Coburn. The motion was seconded by Thomas Robert and carried by a 5-0 vote by the Board.

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**CASE OF O'CONNOR – Gardner Road**

Chairman Feeney announced that this was a public hearing of the final plat of a resubdivision of 3 existing lots to reconfigure them into larger, conforming lots.

Linda Clark, Counsel, read the Legal Notice as follows:

The case of Darren O'Connor will be heard on Wednesday, May 27, 2009 at 7:30 p.m. at the Guilderland Town Hall, Route 20, Guilderland, New York 12084 for the purpose of obtaining final plat approval for an unnamed subdivision.

Such subdivision is proposed as reconfiguring three existing lots into three conforming, larger lots.

The general location of the site is at 5761 Gardner Road

The property is zoned: RA-3      Tax Map # 60.00-1-8, 7 and 5.1

Plans are open for inspection, by appointment, at the Planning Department during normal business hours.

Dated: May 6, 2009

Stephen Feeney, Chairman, Planning Board

Jan Weston, Town Planner, read the comments of the Planning Department as follows:

O'Connor - Gardner Road

The applicant is requesting final approval to modify the size and configuration of three adjoining lots that will bring all three lots into zoning compliance. As requested, he has shown the environmental features and the setbacks from the Black Creek as well as the proposed location of wells and septic+. No objection to final approval.

Darren O'Connor presenting: This is a resubdivision of 3 existing lots to reconfigure them into larger, conforming lots. Two lots are less than an acre and one lot is around 96 acres. We would like to redraw the lines to keep the addresses of the three lots exactly the same, and to keep the road frontage to the south lot the same as it was. We would increase the road frontage for lot 1 and 2. The smallest of the three resulting lots will be the part that is in front of my house now on the north side of Gardner Road. The lots will be 37 acres, 43 acres and 17 acres and will put the locations of the future homes for lots 2 and 3.

Chairman asked: Now what you are showing as the existing wood road, are they just roads used to log the property?

Mr. O'Connor explained: A couple of the roads were there and I added some just to get to the back of the properties.

Chairman asked: Do they cross the little stream there and do you have culvert in the ground on the southeast corner of the property?

Mr. O'Connor stated: There is a little creek that comes 80-90 ft. back from the road that feeds into the Black Creek, and I have a 18" culvert going across that.

Chairman stated: If there wasn't a culvert, the Army Corp of Engineers gets notice of any culverts of any stream. They may or may not respond to the notice. They like to maintain the pre-existing condition of the stream as much as possible. The culverts would need to be heavy enough where they can carry emergency vehicles. Then all we would need is a cross section detail of a typical driveway that would be constructed back there.

Thomas Robert mentioned having a turn-around driveway. The state code for a fire service access road, if it is over 200ft., states that you will need a turn-around to be able to turn the trucks around.

Chairman stated: You will need a note on the plans to identify the need to provide appropriate turn-around for emergency vehicles.

Chairman asked for any comments from the Board and there were none.

Chairman asked for any comments from the audience and there were none.

Chairman entertained a motion to close the hearing and it was so moved by Thomas Robert and carried by a 5-0 vote by the Board.

Chairman stated: I have correspondence from the Guilderland Conservation Advisory Council, dated March 31, 2009, and their conclusion read as follows: GCAC does not envision a major impact provided care is taken in the selection of the actual sites for development and measures are taken to protect the Black Creek. (On File)

Chairman made a motion for SEQR Determination as follows:

In Accordance with Section 8-0113, Article 8 of the New York Environmental Conservation Law, this Agency has conducted an initial review to determine whether the following project may have a significant effect on the environment and on the basis of the review hereby finds:

The proposed project will not have a significant effect on the environment and therefore does not require the preparation of an Environmental Impact Statement. This determination is based on a careful review by the Planning Board, and by the comments of the Guilderland Conservation Advisory Council, and by the environmental short form which the applicant has filled out and minor nature of the three-lot reconfiguration of 97 acres.

The motion was seconded by Michael Cleary and carried by a 5-0 vote by the Board.

Chairman made a motion for final approval for the three-lot subdivision of Darren O'Connor with the following conditions:

- Town Highway Superintendent approval
- Albany County Health Department approval
- A cross section drawing of proposal driveways to ensure emergency vehicle access. A note should be included identifying the need to provide appropriate turn-around for vehicles.
- A note on the plat identifying the need to provide appropriate turn-around for emergency vehicles.

The motion was seconded by Michael Cleary and carried by a 5-0 vote by the Board.

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#### **SITE REVIEW – DWM Kitchens**

Chairman Feeney announced that this was a site plan review to allow kitchen cabinet sales and design studio. Zoned BNRP. David Morin presenting:

Jan Weston, Town Planner, read the comments of the Planning Department as follows:

DWM Kitchens - 1677 Western Avenue

The applicant has requested a special use permit to use the existing commercial building for kitchen cabinet design studio. The prior use was a tattoo parlor and a beauty salon before that. No site plan changes are proposed. No planning objections.

David Morin presenting: The proposed project consists of a change of use from a retail tattoo parlor to a custom kitchen cabinet and counter top sales and design studio.

Michael Cleary asked if anything is going to change on the outside of the building.

Mr. Morin said no. Nothing is changing on the outside of the building.

Chairman stated: This is pretty straightforward.

Chairman asked for any comments from the Board and there were none.

Thomas Robert wanted to know if you are planning to use the upstairs.

Mr. Morin said that there is just a single floor in that building.

Chairman asked for any comments from the audience and there were none.

Chairman was willing to make a motion to recommend approval for the site plan approval in the matter of DWM Kitchens, 1677 Western Avenue.

The motion was seconded by Thomas Robert and carried by a 5-0 vote by the Board.

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#### **SITE REVIEW – Stuyvesant Plaza – 8 Executive Park**

Chairman Feeney announced that this was a site plan review to allow two additions totaling approximately 2500 sq. ft. to be added to 8 Executive Park Drive. Brian Ravena presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:

Stuyvesant Plaza

The applicant is requesting a special use permit to allow two additions to be constructed at building #8, which is tucked back in the northwest corner of the property. The

additions will be used for office space, and maintenance and storage space. Additional parking spaces are being shown in areas that are already paved, but not striped. Spaces numbered 10, 11 and 12 seem to be awkwardly placed, and if not needed, should not be striped. No planning objections as long as the additional buildings do not negatively alter drainage.

Brian Ravena presenting: Stuyvesant Plaza is proposing to construct two additions to the existing building at 8 Executive Park Drive. The addition on the west side will be a one-story structure, used to house operations for the Stuyvesant Plaza/ Executive Park Maintenance Department.

The second addition, on the west side, will be one story and will be used for general tenant office space. This addition may or may not be built now.

For the maintenance addition, there will be no effect on parking needs. If the office addition is constructed, eight additional parking spaces will be created.

Chairman asked if you are going with angled parking?

Mr. Ravena said that the parking wouldn't change at all. The parking on the east side is about 30 ft. from the side of the building.

Michael Cleary stated: The drawing that we have shows that it goes on an angle now.

Mr. Ravena stated: That was one of the proposal that shows that it can go on an angle but it does not have to.

James Cohen asked about the second addition on the west side.

Mr. Ravena stated: The proposed second addition would be additional tenant space.

Chairman stated: There are no major issues here.

Chairman asked for any comments from the Board.

Michael Cleary asked about landscaping.

Chairman asked if the extra parking spaces, 10,11 and 12 are really needed?

Chairman was willing to recommend Stuyvesant Plaza site plan approval for the additions at 8 Executive Park.

The approval was seconded by Thomas Robert and carried by a 5-0 vote by the Board.

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ADJOURNED: 8:05 P.M.

**TOWN OF GUILDERLAND  
PLANNING BOARD**

**May 27, 2009**

**O'CONNOR - Gardner Road**

**DWM Kitchens – 1677 Western Avenue**

**STUYVESANT PLAZA – 8 Executive Park**

