

**TOWN OF GUILDERLAND
PLANNING BOARD
October 28, 2009**

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

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

Linda Clark, Counsel
Jan Weston, Planning Administrator

ABSENT:

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.

CASE OF VIVENZO – Ostrander Road

Chairman Feeney announced that this was a public hearing on the final plat of a proposed 4 lot subdivision of 98 acres. Zoned RA-03. Steve Walrath presenting.

Terry Coburn, Board Member, read the Legal Notice as follows:
Vivenzo – Ostrander Road

The case of the John Vivenzo will be heard on Wednesday, October 28, 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 4 lots cut from 98 acres.

The general location of the site is at 6154 Ostrander Road.

The property is zoned: RA-3
Tax Map # 50.00-2-5

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

Dated: October 14, 2009
Stephen Feeney, Chairman, Planning Board

Jan Weston, Town Planner, read the comments of the Planning Department as follows:
Vivenzo - Ostrander Road

The applicant has requested final plat approval to cut three lots off of this 98-acre parcel. The site, split by Ostrander Road, is wooded and slopes from the road down to the adjacent Tawasentha Park and the Normanskill. I have the following comments:

- The lots all meet the required 3-acre minimum and were adjusted to meet the 200 ft. width at building line requirement.
- lots 1 and 2 will share a driveway to avoid any wetland disturbance. A shared access and maintenance agreement will need to be submitted.
- The applicant has made an application to extend the water district to bring municipal water to the site.
- The limits of grading and clearing have been shown on the final plat. A SWPPP will have to be submitted for the disturbance of over one acre of land.
- Street addresses must be obtained and shown on the final signature plat.

No objection to final approval contingent on the above being addressed.

Steven Walrath, Land Surveyor & Land Planning, presenting: A survey of the property has been done since the last concept hearing. There are wetlands on the property and they have been delineated and shown on the map. Lots 1 and 2 will share a common driveway to avoid any impacts to the wetlands.

We have shown the proposed location of the houses and the location of the septic. The two houses on lots 2 & 3, will meet the 50 ft. setback from the wetlands and a notation will be placed on the plans. Also, Mr. Vivenzo is extending the water district up to his property that is in the process now.

Chairman mentioned that the waterline and the hydrants should be shown on the final plans and also if there is going to be a waterline easement you will need to show that on the plans.

Michael Cleary wanted to know if the other neighbors along the road would have the opportunity to tie into the waterline.

Mr. Walrath explained that they would have the main line put in for the other neighbors to tie into at their expense.

Chairman added: We will need to see some driveway easement language for lot 2 to be shown on the plans and the maintenance agreement As far as with the erosion sedimentation control plan, my suggestion would be to give your clients a sizable area.

Chairman mentioned that you would need to note on the map the wetlands, the grading and clearing, and maintaining the 50 ft. buffer setback.

Chairman stated: This is a public hearing and asked if there are any neighbors who would like to comment and there were none.

Chairman asked Ms. Weston whether or not we should have conditions on the approval as opposed to just having them come back in with everything.

The Board suggested for them to come back with everything.

Linda Clark, Counsel stated: Just to be clear, we will need the easement language and to show that limits of grading and clearing, and the erosion sedimentation control plan, the location of the water line and the tie-ins., the driveway easement and the maintenance agreement.

Chairman stated: We have in the file comments from Albany County Planning Board, dated October 15, 1009, and their recommendations read as follows: Modify local approval to include 1. The landowner of the subdivision should notify purchasers of the lots that they must prepar5e a SWPPP for erosion and sediment control, if construction will disturb more than one acre of land. (Disturbance includes the driveway for a single family home and a septic field) 2. Review by Albany County Department of Health for evaluation of septic systems. (On file)

We have comments from the Guilderland Conservation Advisory Council, dated March 21, 2009, and parts of their conclusion read as follows: GCAC does not see any major adverse effect to the environment of this proposed subdivision provided proper measures are taken to follow guidelines of the Health Department related to the septic systems. (On File)

Chairman was willing to make 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 the provision of an Erosion Sedimentation Control Plan with adequate separation distances to protect Army Corps wetlands.

The motion was seconded by Michael Cleary and carried by a 6-0 vote by the Board.

Chairman looked for a motion to continue the hearing and it was so moved by Michael Cleary, seconded by Paul Caputo, and carried by a 6-0 vote by the Board.

SITE REVIEW – Christ Church – Charles Park

Chairman announced that this was a site plan review for the expansion of an existing church. Zoned Industrial. Brian Rutherford presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:
Christ's Church - 4 Charles Blvd.

The applicant is seeking to amend their special use permit for the expansion of their church within the confines of an existing industrial building in Charles Park. Besides from building code concerns that need to be addressed, the only planning issue would be parking. And although the file does not contain a parking plan, the demand for parking on Sundays would be at a minimum for the other industrial uses at the park. No planning objections.

Brian Rutherford presenting: Christ's Church has rented space from Latham Four Partnership to serve as a worship center. In 1996 or 1997, we applied for a Special Use Permit to use the industrial space as a church. In the summer of 2005, the church agreed to lease more space to expand our facilities. The use of more space does not in any way change the exterior of the building or the use of the building for our purposes.

Chairman stated: The only real issue would be the parking on Sundays.

Mr. Rutherford said that we have events throughout the week and the impact is very minimal except for Sundays.

Chairman stated: There are really no objections to this and you have plenty of parking available.

Chairman stated: This is not a public hearing. Is there anyone here to address this application and there was no one.

Chairman looked for a motion to move staff's opinion and grant the approval for the site plan review for the expansion of an existing church, and it was so moved by Michael Cleary, seconded by Thomas Robert, and carried by a 6-0 vote by the Board.

SITE REVIEW – Ramsey –2703 Curry Road

Chairman Feeney announced that this was a site plan review to allow the construction of two self-storage units. Zoned Industrial. Tom Andres presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:
Ramsey - 2703 Curry Road

The applicant is requesting a special use permit to construct two, climate controlled, self-storage buildings on the site. The site is wedged between Curry Road and the NYS thruway and I 890 ramps. The access to the buildings will be controlled through the existing Liedke Moving and storage Company entrance on Curry Road. An emergency entrance is also provided through Old Curry Road. A SWPPP should be submitted. No planning objections.

Tom Andress, ABD Engineers, presenting: This project was before this Board for recommendation when we rezoned a few months ago. This property borders Old Curry Road and the Thruway on 3 sides. It has an existing residential house that will be demolished. We are proposing two self storage units on the site for the zoning variance. There will be two storage buildings and would both have climate control and non-climate control.

The proposal will remove an existing septic system and will remove an access point off Old Curry Road and will be used by emergency vehicles only. There will be an access control gate at the access point and will be used only for emergency access only. There will be no offices and no employees. The existing office that they have is located in Rotterdam and that is where the staff will be.

Chairman asked about where do you park if you are using the units.

Mr. Andress said you will be able to park immediately adjacent to your unit but you cannot back into the units.

Terry Coburn wanted to know how do you access the second floor.

Mr. Ramsey, applicant, explained that there will be an interior corridor and then there will be a special design lift that is outside.

Mr. Ramsey further explained the safety of this design lift.

Chairman asked about the stormwater management.

Mr. Ramsey explained that we do have drywells and then the pavement all sheets to the perimeters or to the green areas. I believe that there is one set of catch basin in the middle. The drywells are in compliance.

Chairman asked about the access gate.

Chairman asked if anyone here would like to address this application and there were none.

Chairman stated that this is pretty straightforward.

Chairman entertained a motion for site plan approval in the matter of Ramsey, 2703 Curry Road, for storage units, and it was so moved by Paul Caputo and seconded by Thomas Robert and carried by a 6-0 vote by the Board.

MEETING ADJOURNED: 8:15 P.M.

**PLANNING BOARD
MEETING NOTICE**

October 28, 2009

VIVENZO – Ostrander Road

CHRIST CHURCH – Charles Park

RAMSEY – 2703 Curry Road