

**TOWN OF GUILDERLAND
PLANNING BOARD**

Wednesday, May 26, 2010

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

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

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.

Chairman Feeney asked for a motion to approve the minutes of April 28, 2010 and the motion was made by Thomas Robert and seconded by Terry Coburn and carried by a 7-0 vote by the Board.

MATTER OF YIP – Church Road

Chairman announced that this was a discussion on the revised concept plan to a proposed 12 lot conservation subdivision. Zoned RA-3. Scott Lansing presenting.

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

The applicant has revised the layout of this 12 lot, conservation subdivision. At this point they are seeking approval for this concept design before going into the full-engineered drawings needed for preliminary approval. My comments are as follows:

- the new design resolves the length of driveways and the emergency access issues.
- open space is still in total private ownership.
- the language for the conservation easement should be submitted prior to preliminary approval and should name the Town of Guilderland as one owner of the easement for conservation purposes.

- how the grading will be handled on the steep building sites needs to be addressed as well as the proposed driveway grades for lot #8.

Scott Lansing, Lansing Engineering, presenting: I do have all the details on the project if the Board has any questions. At the last meeting, there was a concern regarding the flag lots at the end of the cul-de-sac and the length of the cul-de-sac, and whether it would be possible to shift those lots into the cul-de-sac as shown and not have the flag lots.

We have the current drawings of the new layout. The south of the proposal is unchanged and there are still six lots in that area. All the changes are to the northern part of the new cul-de-sac where the six lots were fanned out with essentially three of those being at the end of the cul-de-sac and there is one flag lot. We feel that we adhered to the request of the Board as far as advancing forward.

The water supply will actually be shorter now because we won't have to extend back to the cul-de-sac and the same with the sanitary sewer. Stormwater management would actually be better for the project and that area has not changed size wise with less impervious area so it would perform better than it did.

We will address Ms. Weston comments during the preliminary review and the finalization of the project.

Chairman stated: I still don't understand why we can't design this road differently to eliminate any real aggressive grading. You can move that cul-de-sac further away from Church Road and flatten out that curve and be able to stay off of all the slopes. On lot #5 you have a driveway slope of at least 25% and lot #6 and a lot of grading on lot #1. Why wouldn't we just flatten this out and lower the cul-de-sac and completely stay off any slopes and further separate the lots and create ample back yards as oppose to having a restricted back yard. I am assuming pretty aggressive grading will have to go on for some of these lots. I am not sure why you are approaching it that way.

Mr. Lansing explained: The grading for the new lot 4 would look very similar to existing grading for lot 3. I believe that we did do the grading properly and will provide detailed grading plans during the preliminary engineering for this revised layout. It was requested by the Board to try and shift those lots in and I feel that we had achieved that. We have done the best that we could. The Board expressed at the last meeting that there would be less grading in the back portion of that area, and that will not be graded back by the previous flag lots.

Chairman stated: I believe that you can leave the cul-de-sac in a location that it doesn't really affect your stormwater plans. I did do a sketch plan for this and all I did basically is change the radius and drop the cul-de-sac. I don't think that it changes the lots all that much, other than that we don't have the cul-de-sac there.

It pulls everything away from the slopes and away from the wetland setback, and you get away from all of that environmental sensitivity. You will have the same number of lots, and no long driveways that cuts through the angle of repose area, and no steep driveways to any of the houses and minimum grading for the house lots.

Mr. Lansing said he will take a quick look at it and may ask the Board or the Highway Superintendent for some variances on the highway standards.

Chairman explained: What I have sketched is that it keeps the grading to a minimum and keeps the houses further away from the top of the slopes, and if people want to put in a pool they will have the room. As far as the wetland area on lot 11, the house is at its maximum setback.

Mr. Lansing stated: What you have suggested is exactly why we are here tonight to get the Board's comments, and it is something that we can incorporate. We can do the grading and engineering on it and then will submit it to Brad Grant, Barton & Loguidice, P.C., for his review.

Chairman asked where are we administratively?

Ms. Weston, Town Planner, stated: If Mr. Lansing feels comfortable with this, then they can start with preliminary plans unless you want to come back with another draft.

Mr. Lansing said that I think that we are comfortable and now it is down to the technical engineering. I would like the Board to consider preliminary approval tonight, condition on addressing the grading and the engineering of the roadway, along with the stormwater, and sewer, and the number of lots and the density bonus.

Chairman stated: My suggestions were to move the cul-de-sac to the south, shift the road to the north and the issue seems to be an engineering issue. You might be able to meet that standards and still accommoplish all the goals.

Michael Cleary asked if that does away with the long driveway for that is part of what we are trying to accommoplish.

Chairman said yes. This should improve the grading and improves the backyards and pushes the houses away from the steep slopes and wetlands.

Chairman stated: The general consensus of the Board is to approve the concept based upon my sketch that I did and Ms. Weston's comments.

Chairman asked for a motion to approve the revised concept and the motion was moved by Terry Coburn, seconded by Michael Cleary, and carried by a 7-0 vote by the Board.

BRUNO – 1724 Western Avenue

Chairman Feeney announced that this was a site plan review to allow a wine and liquor store in the former Concord Pools building. Zoned Local Business. Robert Bruno presenting.

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

Bruno - 1724 Western Avenue

The applicant has requested a special use permit to use the building as a wine and liquor business. The building, on the southwest corner of Johnston and Western Avenue, most recently used by Concord Pools, is zoned Local Business.

My concern is parking and the ingress and egress. The site plan shows that there are 13 spaces, and three are partially located on the adjoining property, and the balance are in the rear of the property next door. The two times I visited the site, a majority of the spaces in the rear and the three straddling the adjoining property were all used, even though Concord Pools is closed. Further, the site plan does not accurately reflect the existing parking layout in which the 6 spaces along western Avenue are angled and force vehicles to exit out to Johnston Road.

The only entrance to this site is through a shared driveway to the west of the adjoining building. To exit, one must make a right turn only onto Johnston or go back through to #1726 Western where both right and left hand turns are permitted. When cars are stopped at the light at Western Avenue, ingress and egress is almost impossible.

Previous occupants (except the Hess station which had almost full length curb cuts) were all low traffic generators - pool supplies, a cell phone store, etc. I do have reservations about how well a higher traffic impact retail store will function at this location.

Robert Bruno presenting: The Spirit Shop is a Wine & Liquor Retail Outlet that has existed for over 20 years. We are looking to move to the intersection of Rt. 20 & Johnson Road. We currently serve a good clientele in the Guilderland and Albany area. I would be more than surprised if we have more traffic than Concord Pool.

The parking spaces are angled and on the drawings it shows that they wanted to close the curb area access to Johnson Road and that is not the case. We would like to keep that.

Chairman stated: Your plan does not show in reality what is out there. There are more curbs than what should be. Will you be able to make a left-hand turn out of there?

Michael Cleary said no you cannot make a left-hand turn. The only thing that is not showing on the plan is behind the building which I think is storage. The only way to get in there is to go between the two buildings. There must be an easement.

Chairman asked about the parking. Who has the right to park where.

Mr. Bruno said there are six parking spaces in the front. The delivery truck goes on the side of the building.

Terry Coburn mentioned that we need an updated site plan map and an easement agreement.

Mr. Bruno said that he will try to get one.

Michael Cleary explained that you will want to see that you have the right-of-way through those two buildings

Chairman stated: We can recommend approval that the applicant identify onsite parking and the loading zone, and any access easement that exists, and identify if any reciprocal parking exist for the two parcels.

Chairman was willing to make a motion to recommend approval with the following conditions:

- Provide a revised site plan that accurately depicts on-site parking and circulation
- Identify the loading zone
- identify the access easement between parcels and any reciprocal parking arrangement that may exists between lots.

The motion was seconded by Paul Caputo and carried by a 7-0 vote by the Board.

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BRUNO – 1724 Western Avenue