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**TOWN OF GUILDERLAND
PLANNING BOARD**

May 25, 2011

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

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

Linda Clark, Counsel
Jan Weston, Planning Administrator

ABSENT: Thomas Robert

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 23 and April 13, 2011 minutes with few minor corrections and so moved by Terry Coburn, seconded by James Cohen and carried by a 4-1 vote by the Board. (Michael Cleary abstained)

LONG – 4379 Frederick Road

Chairman Feeney announced that this was a proposed 2 lot subdivision of 28 acres. Zoned Rural Agriculture – 3. Steve Walrath presenting.

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

This is a concept presentation of a 2 lot subdivision of 29 acres. The applicant's existing home is located on lot 1. The newly configured lots all exceed the minimum 3 acre zoning and are bordered by a tributary to the Black Creek and some associated wetlands. The only areas of caution are the minimum 250 ft. setback of septic systems from the stream and the difficulty in finding potable water in this area. Also, the site is adjacent to a County Agricultural District to the west and a note stating such must be included on the final plat.

No objection to concept approval.

Steve Walrath presenting: This parcel is 29 acres total in size and the applicant would like to create two lots. Lot 1 has approximately 10.2 acres with the existing home on it and lot 2 has approximately 18.9 acres in size and is a buildable lot. There are approximately 7 acres of wetlands on the property, which is predominately on lot 2. As far as jurisdiction, I would assume that DEC has jurisdiction of the wetlands. We will get together with DEC and the Army Corp. of Engineers to see who has jurisdiction of the wetlands. The wetland areas does go quite a ways to the north off of the property and the westerly side of the property is a small tributary that goes down to the Black Creek, wildlife marsh management area. It is all connected.

Chairman stated: What we will be asking for you to do is to look at the wetland boundary closest to where you establish the building envelope where the house will go, as far as mapping it. If you can show us a building envelope that is going to be up front then you can limit your wetland mapping. If on the other hand, you want to build further in the back, then that is a different issue.

Terry Coburn asked about the well and septic location on lot 1.

Chairman explained that the well will be clearly outside of 100 ft. from the adjoining well.

Terry Coburn asked about the curbcut.

Chairman said that the site distance was no problem at all. It will be just a standard highway access permit.

Chairman added: You will need to show the approximate location of the septic and wells and we will need to see limits of grading and clearing on the plans.

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

Chairman asked if there is any one in the audience who would like to address this application and there were none.

Chairman asked for a motion to approve the concept for the two lot subdivision, located on 4379 Frederick Road, so moved by Michael Cleary, seconded by Paul Caputo and carried by a 5-0 vote by the Board.

KLIEN – 3448 Gari Lane

Jan Weston, Town Planner announced that this was a site plan review for an in-law apartment to be used by a family member that has been used since 1954.

The house was assessed as a single family home. The family is trying to remortgage and now needs the proper paperwork that it is a legal in-law apartment.

No planning objections contingent on the applicant meeting the requirements of the accessory apartment law.

Chairman asked for a motion to move staff's comments in the matter of Klien, 3448 Gari Lane, so moved by Terry Coburn, seconded by Michael Cleary and carried by a 5-0 vote by the Board.

TWENTY-MALL – 2080 Western Avenue

Chairman Feeney announced that this was a continued site plan review for proposed redevelopment including changes to the parking and circulation layout, the expansion of Gold's Gym within the plaza, relocating and expanding the existing stand alone bank, and the addition of a drive thru fast food restaurant. Zoned General Business.

Dan Hershberg presenting.

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

20 Mall - Route 20

The applicant is seeking to amend their special use permit to allow a redevelopment of the existing plaza. Such redevelopment is proposed as a restructuring of the existing parking, vehicular and pedestrian circulation, regarding, the conversion of over 17,000 sq ft. of retail area to an expanded Gold's Gym, relocating and expanding the M&T bank, and the addition of a fast food, drive thru restaurant.

According to the applicant the following changes have been made since the last meeting:

- 1) Reworked "the intersection" to reduce potential conflicts.
- 2) Adjusted sidewalk construction at both end to create a cross walk adjacent to Route 20.
- 3) Modified the walk accessibility from the parking lot east of the main entrance
- 4) Eliminated stairs to Star Plaza at Mr. Ermides request.
- 5) Noted easement language on the plan (I also attach copies of the 3 easements – Note language that property owner can relocate the easement as long as the "basic intent of the easement is not interfered with").
- 6) Adjusted both pad sites to share a common entrance. We believe that proper signage can resolve any potential crossing concerns.
- 7) Adjusted usage table and green space areas (green space lost 0.1% due to changes)
- 8) The attached detail shows how the top of the wall would be protected with a decorative

In addition to my previous concerns, I have the following comments on the revisions:

- The addition of a bus drop off area is a plus, but the proposed design relocates the mall entrance approximately 25 ft. closer to Route 20, which will decrease the amount of stacking room at the traffic signal. This also creates an offset intersection with the entrance to the SEFCU.
- The scale on the bus drop off detail is listed as 1"=10' but is actually 1' =20'

- Some aisles did not have end islands creating areas where car doors open into driving lanes.
- Many of the drive aisles dead ends along the Route 20 boundary that should not be allowed. Further, there is not enough room to back out of some of these parking spaces.
- The crosswalk in front of Gold's Gym should be moved to the east to meet with the sidewalk on the opposite side of the drive aisle.

The plan continues to improve on some issues in terms of traffic circulation. However, I still have serious concerns about the lack of parking, the reduced drive aisle widths, and whether the addition of a fast food restaurant does not create an over use of the site.

Chairman Feeney stated: We did received a letter from SEFCU, from Michael Castellana, dated May 24, 2011, addressed to Jan Weston, AICP, in regards to being in support of the renovations of the 20 Mall. (On file)

Another letter from Daniel O'Brien, Hershberg & Hershberg, developer of Glassworks, dated March 12, 2011, in of support of the renovations and another letter from Tri-City Complex in support of this also. (On File)

Another letter from Star Plaza, Inc., addressed to Peter Barber, Chairman of Zoning Board of Appeals, and to Stephen Feeney, Chairman of the Planning Department, from Savas H. Ermides, President Star Plaza, dated May 5, 2011, in regards to his concerns. (On File)

Dan Hershberg, Hershberg & Hershberg, Consulting Engineers presenting: We have talked about redoing the parking lot by Dunkin Donuts, the sidewalks extended to the top of the slope and extend it as far to east as we can. In addition, the parking spaces on Star Plaza may be retained by relocating this driveway further to the northeast. We also have redone the pedestrian access, and in addition, there were concerns about the dead end parking opposed to limited dead end parking and reestablish the line of parking parallel to Western Avenue. We also have proposed to, instead of a stripped island add landscaped islands. Another change that was made in response to CDTA request was for the bus stop drop be along Rt. 20. There are still several issues with the location that needs to be resolved.

Mr. Hershberg also talked about the curb cuts and the landscaped islands that will increase the green areas slightly. The rest of the issues had to do with whether or not to retain the right-hand turning-lane. We currently show it now but could eliminate it and increase the green space but that would shorten the pedestrian crosswalk by 12 ft.

Mr. Hershberg discussed the plans for the crosswalks and what was being planned and explained their plans for the new design for the retaining walls and how the top of the wall would be protected to prevent any skateboarders, etc. on the wall.

Chairman asked: What you have presented us was a modified plan that we have not seen yet, but you are going through those changes. Is that correct?

Mr. Hershberg said that is correct. Those are changes that we have made, and those responses to their comments and recommendations were heard between the Boards. We will be using the Town's Code and their guidance with the number of parking spaces layout for the stores.

Chairman stated that we would like to see something that works and is functional and safe and then see how many spaces you will have.

Chairman added: The redesign that was submitted to us, I have some concerns with the parking spaces next to Dunkin Donuts.

Mr. Hershberg explained that at the intersection we slid it over so that more parking spots could be reestablish.

He further explained the changes that were made and the parking analysis table.

Chairman stated: I would say that this works much better than what you originally proposed to us. Before people were accessing the site almost using Dunkin Donuts and it seems an awkward way to enter the parking lot. If you reposition the sidewalks they would be able to serve your parking lot now as oppose to not really serving your parking lot.

I still have concerns with some of the parking spaces backing out into the intersection and there is the need to channelize that traffic. That area gets a lot of thru traffic because people want to get to the traffic light. You are not taking lefts turn at any of the peak periods, at the main entrance. At Star Plaza, people making left-hand turns is a very difficult one. People really need to access the traffic light. There was an improvement when SEFCU went in but there still is a concern.

Chairman said that he appreciated you accommodating the bus drop off. We will have our TDE look at the traffic study and have an analysis of the situation. You will also need to show the SEFCU driveway on the plans and what sort of additional data are you thinking about.

Mr. Hershberg said whatever either of the Boards and the TDE thinks is necessary, we will do.

Chairman Feeney wanted to know what percent of the Mall is being leased.

Mr. Hershberg said that the goal is to have 90-95% of the Mall leased.

Chairman stated: I am assuming that you will need some analysis of that intersection and how it functions. My biggest concern is moving that intersection and what it is going to do and how that driveway currently functions and will it create any problems.

There was further discussion about the traffic analysis at the different intersections between Star Plaza and Twenty Mall during the peak hours and what needs to be done.

There was further discussion about the parking islands as stormwater collectors and the lighting plans and fixtures. We will need the designs of the lighting on the site.

William Lia, owner of 20-Mall, defended the parking plan with spaces that open into the open drive. Those are the most valuable spots and safest spots for our consumers.

Chairman had a letter, dated May 5, 2011, to Peter Barber and Stephen Feeney, in regards to the proposed parking and Building Renovations at 20 Mall. (On File)

Savas Ermides, owner of Star Plaza, explained that our main concern is public safety. What is being planned just does not work out for us. We understand that they want to have the front visible for the gym, but I am very concerned that having the main entrance to the gym relocated would create a parking nightmare in this area, and that would directly impact Star Plaza by having 200 or more parking spaces that would be needed for the proposed improvements. I am concerned that having the Gold's Gym door from the side of 20 Mall to the front of the plaza, close to Star Plaza, would result in 20 Mall customers using Star Plaza's parking lot. All I see here is that the Board is trying to accommodate 20 Mall.

Mr. Ermides mentioned about the original easements between the two properties cannot be used for exits and entrances. The original intent for the easements was for the convenience for Star Plaza and 20 Mall customers to go between the shopping centers without exiting and re-entering. Star Plaza can help 20 Mall right now to accomplish their goals. We have about 200 by 400 empty vacant spaces on Rt. 155 next to Trustco Bank that would be ideal to be used for the gym for parking spaces. That would eliminate all the problems that we have right now, but I can not go to sit here and take it and watch my plaza go down the drain and lose tenants because I have constant traffic moving in front of them speeding to get out.

Chairman Feeney stated: That is why I asked Mr. Hershberg to do a parking analysis and provide us with the information. We need to know what the Gold's Gym is doing now during peak hours and how many spaces are they taking up? What is the occupancy of the Plaza and how big is the gym. We need to know these things and find out what is it that they want to do. I have nothing to compare it to. We are not ignoring anything. We have just hired an engineer to review this and he just started to look at the plans.

Michael Cleary said that we are trying to get information so that we can go forward with the information that we received. We need to get the opinion of the traffic study so that we can see that, and then make a judgment that is best for the Town of Guilderland.

Chairman stated: We will have discussions with our engineer as to what he feels is the appropriate information to analyze some of these issues. One of the issues is with the thru traffic.

Mr. Hershberg stated: We will submit these plans the way they are now to preview, and we will also undertake an existing parking count, and will look at the intersection of the mall road, Western Avenue, as well as the driveway into 20 Mall. I would like to discuss with Mr. Johnson, the level of study that he thinks will do the most good. We will look at the other main entrance, intersection by Star Plaza and will do the car count at all the intersections.

Chairman stated: I feel that you should get before the Zoning Board as soon as possible. We just need to know what makes the most sense and what you really need to collect. We need to know the numbers and what is really going on.

Chairman entertained a motion to continue the Twenty Mall application, so moved by Michael Cleary, seconded by Paul Caputo and carried by 5-0 votes by the Board.

MEETING ADJOURNED

**TOWN OF GUILDERLAND
PLANNING BOARD**

Wednesday, May 25, 2011

LONG – 4379 Frederick Road

TWENTY MALL – 2080 Western Avenue