

**TOWN OF GUILDERLAND
PLANNING BOARD**

March 14, 2012

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
Herb Hennings
Michael Cleary
Theresa Coburn

ABSENT: Paul Caputo & Jan Weston

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.

HYSENLLARI – 110 Reinmann Street

Chairman Feeney announced that this is a proposed 2-lot subdivision of .29 acres. Zoned R-15. Chris Meyer presenting.

Terry Coburn read the Planning Board comments as follows:

Hysenllari - 110 Reinmann Street

The applicant has submitted a concept plan to demolish an existing dwelling and subdivide the parcel into two new building lots. The parcel is flat, with no apparent environmental concerns and public water and sewer is available.

The parcel is zoned R-15 and the current lot is 15,000 sq. ft., just meeting the minimum requirements. This proposal would require a large variance, creating two lots only 50 ft. in width and half the minimum area. In cases where the surrounding neighborhood also contains a majority of sub-standard lots, a variance is sometimes justified. However, the majority of lots in the area meet the 15,000 sq ft. requirement and this request does not seem in keeping with the surrounding neighborhood.

Chris Meyer presenting: The property is located at 110 Reinmann Street, and it is one block in from Schoolhouse Road and lies between Fleigel and Henry Avenue. Currently, the property is 100 by 150 feet in depth and it has a single-family residence with a detached garage on it. It is a flat lot with no environmental concerns and public water and sewer is available. We would like to demolish the existing dwelling and subdivide the

parcel into two new building lots. On the tax map, it shows a good portion of lots in this neighborhood that have 50 ft. in width and half the minimum area. We had a similar situation on Fliegle Avenue, came here, and sought the same variance for the same situation.

Chairman stated: I think that Ms. Weston comments mentioning that most of the lots are larger than what you are proposing. The majority of the lots in the area meet the 15,000 sq. ft. requirement.

There was further discussion about the differences in the sizes of lots in the surrounding areas.

Chairman noted for the record that we have an e-mail from Brenda Heritage, dated March 14, 2012, expressing concerns regarding the proposal. (On file)

Chairman asked if there are any comments from the Planning Board and there were none.

Chairman asked if there are any comments from the public at this meeting.

Mrs. Savage, 8 Henry Street, did not think that this proposal would be appropriate in the neighborhood, especially with the two houses that it will abut. There will not be enough setback for the two houses.

Timothy Snyder, 15 Fliegel Ave., mentioned that if they build two houses, they would be only 10 ft. from my house to the property line. The second house that will be built will be right next to my property.

Chairman explained that they would need to go before the Zoning Board, and will need a substantial area variance for the size of the lot, and they would need area variances for the side setbacks.

Chairman was willing to move staff's opinion and recommended that the concept be deny, so moved by Thomas Robert, seconded by James Cohen and carried by a 6-0 vote by the Board.

PANGBURN – 6099 Veeder Road

Chairman Feeney announced that this was a concept presentation of a proposed 2 lot subdivision of 3.8 acres. Zoned R-15. David Osher presenting.

Terry Coburn read the comments of the Planning Department as follows:

Pangburn - 6099 Veeder Road

The applicant is requesting concept approval to cut a 1 acre + building lot from the existing 3.8 acre parcel. The parcel meets all the requirements for this R15 zone and has municipal water and sewer available. I have the following comments:

- There is a stream that runs through the rear of the property, which may also have associated wetlands. Care should be taken to protect this area, perhaps with deed restrictions.
- Because this site sits in a bowl, drainage will be an issue and should be addressed.
- The frontage of the new lot is 4 to 5 feet below the grade of Veeder Road and is protected by a guardrail. Because of this, the applicant would like to share a driveway access with the adjoining neighbor. Either the lot should be revised to include the land the driveway will cross, or proposed language for the easement should be submitted.
- According to Bill West, there is not sewer availability from Klink Road or Veeder Road. Existing pressure line on Klink is private and cannot be accessed until dedicated to the Guilderland Sewer District.

The above issues should be adequately addressed before concept approval is granted.

David Osher presenting: As far as the wetland issue, we did address that with the location of the house. We also have shown the 100 ft. buffer area from the center of the stream. My house is north to the Pangburn's property and a 100 ft. buffer follows all the ways across. We have kept the house away from the wetlands. There is a drainage ditch that runs between the two properties that my house drains to it, and from Pangburn's property it drains back into that same drainage ditch and then down. Most of the water for that runoff is from the washout when they do the fire hydrants.

Chairman stated: That you are showing on the map a hookup to the sanitary sewer that we cannot approve at this point.

David Osher explained that he owns the sanitary sewer line and it will be dedicated over to the Town prior to this property being finished.

Chairman stated: At this point, I am being told by our Superintendent, William West, Water and Wastewater, that that is not a reality. That cannot happen because it is not a public line. Either it becomes a public line or you will need to go for a septic system.

Chairman added: Since there is no sewer available, and the existing pressure line on Klink Road is private and cannot be accessed until dedicated to the Guilderland Sewer District. This would have to be addressed before concept approval is granted.

Terry Coburn would like to see some topography lines and to show the wetlands.

Chairman asked if there are any federal wetlands or anything associated with the creek.

David Osher explained that the creek is federal wetlands and there is a 100 ft. buffer and that shows on the drawings.

Michael Cleary asked if a septic system would fit there.

Chairman stated: We would like to see the topography shown.

Chairman stated: We will table the concept until the sanitary sewer line has been dedicated to the Town of Guilderland, or the location of a private septic system needs to be reviewed by Albany County and shown on the plat.

Michael Cleary made a motion to table the concept, seconded by Terry Coburn and carried by a 6-0 vote by the Board.

FAVREAU – 855 Altamont-Voorheesville Road

Chairman Feeney announced that this was a site plan review for an in-law apartment. Zoned RA-5. John Favreau presenting.

Terry Coburn read the comments of the Planning Department as follows:

Favreau - 855 Altamont-Voorheesville Road

The applicant has requested a special use permit in order to build an addition to be used as an in-law apartment. The proposed new dwelling unit will have its own garage and parking area. No planning objection contingent on the application meeting all other requirements for an in-law unit.

John Favreau presenting: The proposed project consists of the construction of an approximately 800-square ft., single-story in-law apartment with attached one-car garage. My mother will occupy the in-law apartment. The addition will be at the rear side of the existing residence.

Chairman asked if the septic system is adequately sized.

Mr. Favreau explained that Bill Ryan was out there inspecting the site, and the Department of Health reviewed all the pertinent information pertaining to our septic system as well as the design of the facility and meets their approval.

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

Chairman was willing to make a motion to move staff's opinion in the matter of 855 Altamont-Voorheesville Road, so moved by Terry Coburn, seconded by Michael Cleary and carried by a 6-0 vote by the Board.

VESELY – 1728 Western Avenue

Chairman Feeney announced that this was a site plan review to allow an addition to the existing vacant building to be used as a salon. Rick Vesely presenting.

Terry Coburn, read the comments of the Planning Department as follows:

Vesely - 1728 Western Avenue

The applicant has applied for a special use permit to use the building at 1728 Western Avenue as part of the Pure Elements salon presently at 1726 and 1724 Western Avenue. This building has previously been used as a hair salon. There are plans to relocate the existing ramp and build a small addition in this location. There are no proposed changes to the parking or circulation. No planning objections.

Rick Vesely presenting: This is located just west of the intersection of Johnston Road and Western Avenue. Right now we have our wellness shop, which is a continuation of the salon. In the other building, is a joint shared parking lot with all the buildings and this one. We added additional space where the current ramp is located and won't go into any of the other parking at all. It is basically taking space that is already being used to support the ramp and making it a usable space for inside.

Terry Coburn asked about the locations of the entrances and the access.

Chairman mentioned that the westernmost driveway should be signed a one-way entrance only.

Terry Coburn wanted to know if you feel that the parking is adequate now.

Mr. Vesely explained that the parking will be adequate with the extra five parking spaces added and we do have an reciprocal parking agreement the neighboring two properties.

Chairman noted that if this parcel gets sold, we want to make sure that we won't have a parcel that may end up with not enough parking. We would like to see a reciprocal parking agreement with the adjoining two properties.

Mr. Vesely added that we would have a total of 26 parking spaces for the three buildings.

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

Chairman stated that my only concern is that the westernmost driveway be signed as a one-way entrance only.

Chairman made a motion to recommend site plan review for Vesely, 1728 Western Avenue, with the following conditions:

- Westernmost driveway be signed as one-way entrance only.

- Reciprocal parking agreement between 1724 and 1726 and 1728, established with neighboring two properties to the east.

The motion was seconded by Terry Coburn and carried by 6-0 vote by the Board.

MEETING ADJOURNED: 8:30 P.M.

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