

**TOWN OF GUILDERLAND
PLANNING BOARD**

September 25, 2013

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

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

Jan Weston, Town Planner

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 10, 2013 and August 14, 2013 minutes with few minor corrections, so moved by Terry Coburn, seconded by Thomas Robert and carried by a 7-0 vote by the Board.

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MELEWSKI – Route 156

Chairman Feeney announced that this was a public hearing on the final plat of a 4 lot subdivision of 52 acres. Zoned RA-3. Bernard Melewski presenting.

Terry Coburn, Board Member, read the Legal Notice as follows:

The case of the Bernard Melewski will be heard on Wednesday, September 25, 2013 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 four lots cut from 52.6 acres.

The general location of the site is at 32 Fryer Lane along the east side of Altamont-Voorheesville Road, just north of the Town of New Scotland.

The property is zoned: RA-3

Tax Map # 60.00-1-34.1

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

Dated: September 10, 2013, Stephen Feeney, Chairman, Planning Board
 Jan Weston, Town Planner read the comments of the Planning Department as follows:
 Melewski – Route 156

The applicant is seeking final approval to subdivide 52 acres into four lots in an RA-3 district. As requested, the applicant has provided a driveway cross section and a note stating that this land is with 500 ft. of an Agricultural District. My only remaining comment is that at the time of building permits, a clearing and grading plan and a stormwater management plan must be provided.

No objections to final approval.

Chairman stated: We have a recommendation from Albany County Planning Board, dated January 17, 2013, and parts of their recommendation read as follows: Modify local approval to include:

1. The location of wells and septic should be evaluated by Albany County Department of Health as part of the subdivision of the land.
2. The subdivision plat should include a note that the property being subdivided is located within 500' of a farm operation in the County Agriculture District
3. Submission of an agricultural data statement to the Town/Village as required by Town/Village Law.
4. The land owner of the subdivision should notify purchasers of the lots that they must prepare a SWPPP for erosion and sediment control if construction will disturb more than one acre of land.
5. Review by the NYS Department of Transportation of highway access, drainage and assessment of road capacity.
6. A notification of the application should be given to the adjacent Town of New Scotland. (Letter on file)

Chairman stated: We received the comments from the Guilderland Conservation Advisory Council, dated January 24, 2013, and parts read as follows:
 GCAC does not envision much negative environmental impact of this subdivision other than possibly three more residences where there now is one as well as one more farm possibly going out of business and thus adding to suburban sprawl. (Letter on file)

Bernard Melewski presenting: Our conceptual plan was approved for four lots, of 53 acre parcel currently Black Creek Farm. We anticipate that it will remain an operating farm for a short term. The purpose of this subdivision is twofold. One for estate planning, we think that the 53 acres and the large house, we think that it may be difficult for our children to deal with the estate afterwards. Secondly, more importantly, we are considering downsizing our house and building a second house on the property. The lots are designed so that they each have their own legal access to Rt. 156. Parcel A, currently has the most farming, and Parcel B is used as a wood lot, Parcel C is used as an organic waste area and the future expansion for the farm. Parcel D is part of our maple syrup farm.

Chairman stated: Even with the length of these driveways that they will be over 500 ft. , so that needs to be noted on the plat plans regarding the construction of the drive. People should be put on notice that they need to comply with the standards of the NYS Fire Code.

Chairman asked about the well water.

Mr. Melewski explained that it is quite substantial and our well is 65 ft deep and 18 gallons a minute. We will have conventional septic systems on the new lots.

Chairman asked if there were any federal wetlands on the site.

Mr. Melewski stated that there are no designated wetlands (State or Federal).

Mr. Melewski explained that is the area adjacent to the stormwater runoff. The State of New York collects the water on the west side of Rt. 156 and sends it to a culvert onto the property and for the purposes of your regulations it is referred as a stream. That is why we have access to Rt. 156 for Parcel C is on the other side away from the stream.

Chairman added that you will have to include a note on the plans regarding the requirement to file a NOI with NYSDEC and provide an erosion & sedimentation control plan with building permit application.

Chairman was willing to make a SEQR Determination in the matter of Melewski, Rt. 156, 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 review and comments of the Guilderland Conservation Advisory Council, and the minor nature of a 4-lot subdivision and by the environmental short form which the applicant has filled out.

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

Chairman made a motion for final approval in the matter of a 4-lot subdivision, Melewski, Rt. 156 with the following conditions:

- NYS Dept. of Transportation approval for any new curbcut
- Albany County Health Department approval (with building permit application)
- \$1,500.00 per dwelling unit – Park & Recreation Fund (with building permit application)

- A note on the language regarding the design requirements for driveways over 500 ft. as per the NYS Fire Code.
- A note of the plans requiring the requirement to file a NOI with NYSDEC and provide an erosion and sedimentation control plan with building permit application.

and seconded by Thomas Robert and carried by a 7-0 vote by the Board.

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STEWART'S - 2446

Chairman Feeney announced that this was a site plan review of a proposal to demolish the existing convenience store and replace it with a new 3400 sq. ft. shop. Zoned General Business. Chuck Marshall presenting.

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

The applicant has applied for a special use permit to demolish the existing Stewarts convenience shop and construct a new, 3400 sq. ft. shop on the site. The new design pushes the building back on the parcel, adds two additional gas pumps, and locates them further from the Route 20/146 intersection which is a positive safety feature. The plan adds one parking space and eliminates the existing non-conforming setbacks of the fuel pumps. The amount of green space is reduced from 45% to 29%, but still meets the minimum requirements for this General Business district. Overall I think the new design lends to a more efficient and safe traffic flow, especially for the Vavoline service center. I have the following concerns:

- All of the required green space seems to be in the un-built area in the rear of the parcel. No foundations plantings or any landscaping around the periphery of the site is shown. A landscaping plan should be considered to soften the site from being total pavement from both street views.
- I question the turning radii for large tanker trucks and emergency vehicles. The applicant did submit a truck route plan which does appear tight. Further, they show trucks that swivel, a capability I don't think our fire trucks have. The Fire Department should have the opportunity to review the layout.

No planning objections contingent on the above concerns being addressed.

Chuck Marshall, Real Estate Representative, presenting: Stewart's is proposing a new Stewart's is proposing a new 3,384 square foot new shop with a 45' x 73' canopy with six fuel dispensers. There will be a total of 52 parking spaces, an increase of one space and twenty nine percent of the parcel will be green space. The new shop will allow us to serve our customers better and provide better traffic flow within the lot. There will be two customers' access bathrooms, increase isle widths. The landscaping would be along

the rear of the store and will make an effort to maintain the landscaping in the front along Rt. 146, and put a low profile landscaping.

Michael Cleary asked if there will be any parking spaces banked. Do you need 52 parking spaces?

There was further discussion about the parking and the landscaping.

There was discussion about the stormwater runoff on the site.

Chairman asked if you have a plan sheet on where the people would park during construction.

Chairman stated that a concern of ours is how the construction site will be secured and where the people will park. Another concern is where you have the handicap access space. You also have front on side parking there. Also, I think that it is very awkward and not a good design.

Another concern is the parking behind the Valvoline and the /pedestrian connection. We would need to see a more detailed plan of the site with good parking/circulation plan. Perhaps you can move that curb out a little bit then you can really provide a bunch of good spaces instead of parallel parking spaces.

Michael Cleary's biggest concern is that you show 8 parking spots at Rt.146 . You will be wiping out all of the green space. That is a big concern with me taking the green space out. Those 8 spaces should not be spaces there. There will be just pavement at Rt. 146, and no green space. Perhaps you can park at the back side.

Mr. Marshall stated: Even though we are adding more gas pumps, we are improving the lot substantially. The whole site needs an upgrade. The decision to keep the store open is so that the employees will continue to be able to work.

Chairman stated: We will be looking for some sort of parking plan, or management, (MPT), how you are going to manage and protect traffic and people during construction. Technically we need some sort of stormwater analysis, and the interior lot landscaping is basically gone. The site itself now is nicely landscaped. Then there is circulation concerns and how it is laid out and the parking spaces, handicap parking location, for Vavoline and the left-hand turn out of the site. You will also need to coordinate with the Fire Department. Also, the sidewalk extension to Half-moon Drive. We feel that this is important.

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

The site plan application was continued and the Board would like to see more detailed plans before they can make a recommendation.

MEETING ADJOURNED: 8:45 P.M.

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MELEWSKI - Route 156

STEWART'S – 2446 Western Avenue