

**TOWN OF GUILDERLAND  
PLANNING BOARD**

**December 11, 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:

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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 November 13, 2013 minutes with few minor corrections, so moved by Michael Cleary, seconded by Thomas Robert, and carried by a 7-0 vote by the Board.

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**CROUNSE – ROUTE 156**

Stephen Feeney announced that this was a continued final plat hearing for a proposed subdivision that will cut a 21 acre parcel from a 120 acre site.

Terry Coburn, read the Legal Notice as follows:

The case of the Frederick Crouse will be continued on Wednesday, December 11, 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 2 lots cut from 120 + acres, separating the land on the west side of Altamont Voorheesville Road from the remaining Brandle Road acreage.

The general location of the site is at on the west side of Altamont Voorheesville Road behind 921-979 Altamont Voorheesville Road.

The property is zoned: RA-5-  
Tax Map # 48.00-2-25.1

Plans are open for inspection, by appointment, at the Planning Department during

normal business hours.

Dated: November 20, 2013

Stephen Feeney, Chairman, Planning Board

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

This is a continued final plat hearing for a proposed subdivision that will cut a 21 acre parcel from a 120 acre site.

The applicant has revised the plan to show just one building envelop and proposed house location. I have the following comments:

- The DEC was contacted regarding possible endangered species and responded that the Indiana Bat has been documented within 2.5 miles of this site. In order to avoid any negative impacts, the timing of tree removal may need to be considered.
- A stormwater management plan will need to be submitted prior to building permit, particularly to avoid any runoff to the neighboring property below.
- A driveway cross section should be provided on the final signature plat.
- The curb cut will require NYS DOT approval.
- Public water and sewer may be available from the Village of Altamont but the applicant will need to apply for Village approval to hookup.

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

Chairman noted for the record: We received correspondence from the Albany County Planning Board, dated September 20, 2012, and their recommendation read as follows: Modify local approval to include Notification should be given to the adjacent Village of Altamont. (On file)

Also, correspondence from the Village of Altamont Board of Trustee, dated November 7, 2012, and the recommendation read as follows: The Committee saw no substantial problem with the request. The applicant indicated that there would be no request for village water or sewer. It is now anticipated that the property, if developed, would install well and septic systems. However, if there ever were a request for the village water and sewer, the applicant must fill out an application, adhere to strict engineering specifications of the Public Works Department, and be willing to assume the installation cost of new infrastructure along Rt. 156. (On file)

We have correspondence from DEC, dated January 20, 2013, and from the Guilderland Conservation Advisory Council, dated October 5, 2012. (On file).

Bill Smart presenting: We submitted a site plan and the first thing we did was to look at the septic system. We designed a septic system for a four bedroom house and performed a perc test and Albany County Health Department was present. We found rock at four feet and ended up designing a raised bed system which is presented on the plans that I provided. We have looked at the wells on the adjoining lots and the wells on the lands of Kelley and established a 200 ft. well head protection zone. The driveway that we proposed is 15 ft. wide and around 400 ft. long and has a turn-around at the house location.

The drainage improvements will either maintain the existing flows or cut off flows and redirect towards to the road. There will not be a vast change.

There will be less than an acre of disturbed area which would get us out of doing a full stormwater pollution prevention plan and I did do a Erosion Sedimentation Control Plan.

Chairman asked about the driveway and you will need to comply with NYS Fire Code for emergency vehicle access.

Mr. Smart explained that it starts off as a 15 ft. wide driveway and then when you come to the house it is actually a 24 ft. wide plus a turnaround.

Chairman asked to explain the ditch along the side of the driveway.

Mr. Smart explained that it will be a very shallow ditch and the fill from the driveway will actually act as a cutoff from the flow from uphill and collected.

Mr. Smart added that the well is design to comply with the Albany County Health Department.

Chairman asked if there is any one in the audience who would like to address this application.

Bob Kelley, Rt. 156, adjacent to and below the property, was concerned about the downhill water flow after heavy rains flooding our basement. Another concern is that our house and the property is downhill from the proposed septic system, and concerned about sewage flowing into our backyard. Finally, our well recovery rate is a concern of it going dry.

Joe Disanto, 925 Altamont Voorheesville Road, had similar concerns with the water runoff and the availability of water..

There was further discussion about the water runoff and the septic concerns.

Chairman stated: On their grading plans, it shows that they are not doing any grading or changing of topography anywhere below the septic system. They are not altering the

topography and it should not result in a different flow. They did show the limits of grading and clearing.

Mr. Smart explained that I believe that my client has every interest of maintaining as much buffer as possible between him and the neighbors. The water should result in a negative reduction of water on the property. The septic system will have to be installed according to regulations. Albany County Health Department has agreed on the type of system that would be built, and after we get their approval, we will submit the plans to the Albany County Health Department for approval of the septic system. Also, we will have the well drilled and tested and the results of those tests will have to be submitted to the Health Department for their approval, both quality and quantity.

Chairman entertained a motion to close the hearing, so moved by Michael Cleary, seconded by Terry Coburn, and carried by a 7-0 vote by the Board.

Chairman was willing to make a 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 correspondence from NYS DEC Natural Heritage Program, minor nature of a two-lot subdivision of 123 acres and limited amount of grading and clearing, and the provision of an Erosion and Sedimentation Control Plan and 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 2-lot subdivision, Crounse, Rt. 156, with the following conditions:

- NYS DOT approval for any new curb cut.
- Albany County Health Department approval
- \$1,500.00 per dwelling unit – Park & Recreation Fund (with building permit application)
- A note on the plat that driveway construction must comply with NYS Fire Code for emergency vehicle access.
- Driveway cross section detail is provided on final plat.

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

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## **COLLINS – Gardner Road and Route 146**

Chairman Feeney announced that this was a concept presentation of a proposed 2 lot subdivision of 53 acres. Zoned RA-3. Maura Mottlese presenting.

Jan Weston, Town Planner, read the comments of the Planning Department As follows:  
Collins - Gardner Road

This is a concept presentation for a two lot subdivision of an estate. The existing house and 17.5 acres will continue as one lot while the remaining 35.8 acre parcel is being given to the Town and will remain forever wild. No other change is anticipated with this subdivision. No planning objection.

Chairman stated: This is pretty straight forward.

Maura Mottlese presenting: The 53 acres will be subdivided into two lots. It is an estate sale where 17 acres will remain with the house and the remaining 35 acres is being given to the Town as forever conserved lands. The Town of Guilderland has accepted the donation and will keep the property forever wild.

Chairman asked about the deed restriction language and if there are any encroachments on the property.

Maura Mottlese explained that the language states that it shall remain forever wild except for markings and improvements as appropriate for wildlife research and nature study. Also, there are two encroachments, property near Rt. 146 intersection is owned by VanBuren. They have a covered storage shed and a gravel drive that encroaches on this lot. The lands of Fraterrigo have taken some liberties with the amount of land they have mowed.

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

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

Chairman was willing to entertain a motion for concept approval for the 2-lot subdivision, Collins, Gardner Road, so moved by Michael Cleary, seconded by Herb Hennings and carried by a 7-0 vote by the Board.

## **HAIGHT- Gray Road**

Chairman Feeney announced that this was a concept presentation of a proposed 3 lot subdivision of 53 acres. Zoned RA-5. Linda Haight presenting.

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

The applicants have applied for concept approval to cut two, five acre parcels from the front of their existing 55 acre home site. The two new lots are mostly wooded and drain towards Gray Road. The lots are large enough that siting wells and septic should not be

a problem. The final plat should show a building envelope, the limits of grading and clearing, and assuming that the driveways might be longer than 500 ft, a proposed driveway cross section.

No objection to concept approval.

Linda Haight presenting: We have approximately 55 acres of land and would like to subdivide two separate 5 acre parcels. I was conservative with the road frontage estimated about 480 ft. and the county map shows 520 ft., but didn't want to assume that was right until the surveyor was out there to take the accurate dimensions.

Chairman stated: When you come in for the final approval you will need to show a building envelope, the limits of grading and clearing and a proposed driveway cross section. Also, if there are any adjoining wells , or septic will need to be noted.

Linda Haight explained that at this particular point we are not proposing wells and septic on these two lots because we don't have buyers for these lots.

Chairman explained that we will need a proposed location just to make sure they would comply with all the requirements before we create the lots. There should be no problems.

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

Chairman asked if there are any neighbors who would like to address the proposal and there were none.

Chairman asked for a motion for concept approval in the matter of Haight, 152 Gray Road, 3-lot subdivision, so moved by Terry Coburn, seconded by Michael Cleary and carried by a 7-0 vote by the Board.

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**TRI-WAY - 2420 & 2444 Western Avenue**

Chairman Feeney announced that this was a concept presentation to reconfigure two existing lots on the southeast corner of Routes 20 and 146. Zoned Local Business – Anthony Stellato presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:  
 Tri-Way - 2430 & 2444 Western Avenue

The applicant has applied for a lot line adjustment to alter the existing property line between 2430 and 244 Western Avenue at the southeast corner of Routes 20 and 146. No new lots are being created and this would normally be handled administratively. However, because of the important and sensitive location of this property, I felt it would be appropriate for the applicant to preview their potential plans for this intersection, before the Planning Board approve the concept for this new lot configuration.

Anthony Stellato presenting: What we would like to do tonight is to get the property boundary line adjusted. We are proposing a lot line adjustment between two existing parcels located on the southwest corner of Routes 20 and 146. Parcel 1 would be 1.35 acres and parcel 2 would be 1.00 acres. The location of the interior lot line as shown on the tax map, does not follow the deed. It is assumed that the tax parcel boundaries were re-drawn at some point without filing a revised map or deed. The current tax parcel boundaries appear to follow the limits of the two former uses: a bar (which has been demolished) and a bank that is vacant. We would like to create and correct this 1.35 acre parcel on the corner and the remaining 1 acre parcel that has the existing bank on it, that would be demolished for future development.

Then we will be providing two ingress, egress utility easements. One from western turnpike which will provide for a common driveway to serve both left and right parcel. At the rear on Rt. 146, we will be providing a 65 ft. wide ingress, egress easement to lot 2 to provide access and provide utilities and stormwater conveyance. There is an existing water easement along the frontage of Western Tpke., and a sanitary sewer easement that will remain in place. There will be a site plan submitted shortly.

Ms. Weston explained that my concern and the Board's concern is that when I did see the site plans that may be coming in for variances for parking, is that we don't want to be creating lots that require variances before final approval. We need to see what is going to be happening on that corner.

Chairman stated: An issue is that there is an egress easement across to Rt. 146 and from a safety standard that is our main concern.

Chairman asked if there were any more concerns from the Board and there were none.

Chairman asked for any comments from the audience on this proposal.

David Hosler, Gardner Road, explained that conceptually, I do not have a problem with that. My concerns are the traffic, turning, lighting and the noise. Their easement is right across from my property and concerned about where it's headed.

Chairman entertained a motion for concept approval of the lot line adjustment in the matter of Tri-Way, 2430-2444 Western Avenue, so moved Paul Caputo, seconded by Michael Cleary and carried by a 7-0 vote by the Board.

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**ALBANY COUNTRY CLUB – Wormer Rd.**

Chairman Feeney announced that this was a concept presentation to cut three building lots from the remaining 383 acre parcel. Zoned RA-3. Anthony Stellatio presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:  
 Albany Country Club - Wormer Road

The applicant has applied for concept approval to cut three, 3 acre parcels out of the Country Club parcel. The site is on the south side of Wormer Road, across from the

Country Club entrance and just east of the Club's maintenance buildings and superintendent's residence.

The lots have all been designed to meet zoning requirements, avoid existing wetland areas, and provide for the separation of private wells and septic fields. I have the following comments:

- A clearing and grading plan will be required.
- The driveway curbcut for lot #3 should be examined for optimum sight distance.
- It should be noted that well water may be difficult to obtain in this area.

No objection to concept approval.

Chairman asked about the wetlands.

Anthony Stellato presenting: The map that you are looking at is a slight modification from the one that was submitted. Since we made the concept submission we actually have done the field delineation and surveyed the boundaries. We did need a change at lot 2 because we are reserving the 60 ft. wide corridor in the event we ever want to provide access through the site. The lots are the same, 3.0 acres, cut out of the 383 acre parcel. Individual well and septic systems proposed. There will be no wetland impact with the building sites and driveways and septic systems.

Chairman wanted Ms. Weston comments to be addressed on the water issue.

Mr. Stellato explained that there is very little of well data in the area. The nearest well is over a mile away. We believe the wells will be down into the rocks and don't have a lot of information but the well logs that we found at the health department did indicate reasonable yields.

The Country Club does plan to advance one well on one of the three lots before final approval.

Herb Hennings wanted to know what effect are the wells on lot 1 and lot 2 going to have if any on the wetlands.

Mr. Stellato mentioned we would not expect any kind of impact on a well that is deeper than 75 ft. in a rock on surface wetland.

Bill Young, Member of Albany Country Club, mentioned that relative to the water that serves the Superintendent's house, that is municipal water, the Country Club has water which we obtain from the Town and the golf course is served by well sites down on the Normanskill.



Chairman stated: You will need to show limits of grading and clearing on the plat, and will need to do a full SWPPP and Sedimentation Erosion Control Plan and provide a wetland report and they need to be flagged.

Chairman entertained a motion for concept approval for this 3-lot subdivision, Albany Country Club, Wormer Road, so moved by Michael Cleary and seconded by Thomas Robert and carried by a 7-0 vote by the Board

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### **ALTAMONT RESCUE SQUAD - 767 Route 146**

Chairman Feeney announced that was a site plan review to allow the expansion of the existing facility. Zoned Local Business. Dean Whalen presenting.

Thomas Robert recused himself from this application.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:  
Altamont Rescue Squad - 767 Route 146

The Altamont Rescue Squad is seeking to expand their present building. The addition will comprise of an additional ambulance bay and administrative areas. The proposal will require variances for the location of parking and buffering but it appears that these are all pre-existing conditions although a new variance to further decrease the required green space will be required.

As part of a former application, a sidewalk was installed and buffering provided for the northern property.

I have no planning objections to the application but with the increase in impervious surface and the decrease in green area, a stormwater management plan should be reviewed and approved. (on file)

Dean Whalen presenting; We are in the process to request a zoning variance. The reason to expand this building is to accommodate the addition of another, third ambulance bay. This is primarily to house the Town of Guilderland's EMT when stationed at ARS's facility each week. Also, we need extra space for training and an extra bed and expanding the night living facility.

The parcel itself is 75' x 200' (15,000 SF). And the proposal extends to the east and south to expand the garage bay portion of the facility. With this new required width, the addition continues along that line to take advantage of this width to also address expansion of some back-of-house administrative areas that have long been too small. A small addition to the rear is also proposed as of the administrative area expansion. We did not have any drainage issues, and we just got the soil infiltration testing report.

Chairman asked if you are going to tie into a state drainage structure.

Mr. Whalen said no. All the drainage with the exception of what is going to the street now will be collected by the infiltration drench or the swale in the back.

Chairman asked about the grading.

There was further discussion about the drainage.

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

Chairman asked if there are any neighbors who would wish to comment this proposal and there were none.

Chairman was willing to entertain a motion for site plan approval for Altamont Rescue Squad, 767 Route 146, with the following condition:

- Review of a full Stormwater Pollution Prevention Plan.

So moved by Michael Cleary, seconded by Herb Hennings, and carried by a 6-0 vote by the Board.

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**GUILDERLAND FIRE DEPARTMENT – 2303 Western Avenue**

Chairman Feeney announced that this was a site plan review to allow the expansion of the existing facility. Zone Local Business. Katrina Pacheco presenting:

Jan Weston, Town Planner, read the comments of the Planning Department as follows:  
 Guilderland Fire District – 2303 Western Avenue

The applicant has applied for a special use permit for an 11,000 sq. ft. expansion to the existing fire station. The expansion will include new apparatus bays, sleeping quarters, multi-purpose room and office and storage space. We met with the applicant previously and it appears that they have addressed all our concerns including showing a sidewalk along both Route 20 and Willow Street, improving the grading at this intersection, adding additional buffering for the neighbors to the north, screening the parking from Willow Street and providing a turnaround for the dead-end parking area. My only other comment is that the stormwater management plan should be reviewed. No objection to site plan approval.

Katrina Pacheco presenting: When the facility was originally built there were major restrictions on the parcel. There is an historical building on our east, and setbacks to south of the facility and the rear we have the sewer easement. Then we didn't own the property to the west. Over the last fifteen years we were fortunate to acquire the parcels to the west and have improved those properties. Now it is time to expand the building to suit our needs. We have been designing the facility to suit our needs and you should have letters from the adjacent properties owners in favor of this expansion.

Katriana Pacheco, and Pacheco Ross Architects, will explain the expansion of the 11,000 square foot single story addition to the existing fire station. It will consist of new apparatus bays, sleeping quarters, multi-purpose room, offices and support spaces which will be used for community purposes. The landscaping will be improved and we have

provided a turn-around in the parking area and there may be a sidewalk added at some point.

Herb Hennings asked about the sidewalk at some point. Why not put the sidewalks in now.

Katrian Pacheco explained that my understanding is that is not a requirement.

Chairman stated that a sidewalk would be part of our approval. That would be our recommendation.

There was further discussion about the sidewalks and the cost of it and when to put them in.

Michael Cleary explained that we are going to make the recommendation that the sidewalk be included.

Herb Hennings also explained that the sidewalks are a safety issue.

Chairman stated: The sidewalk shows on the plans that you submitted and we assume that it will be built.

There was discussion about the parking and about the concern about the cut thru traffic on the site.

Chairman added that the landscaping plan looks great and the lighting plan has been designed to keep the light away from the neighboring properties. You have provided a full SWPPP and that is being reviewed by DOT.

Chairman asked if there are any neighbors in the audience who has any questions. There were none.

Chairman made a motion to recommend the expansion of the existing Guilderland Fire Department, seconded by Michael Cleary and carry by a 7-0 vote by the Board.

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**CROSSGATES MALL**

Chairman Feeney announced that this was a site plan review to allow the expansion of the mall by 2,100 sq. ft. footprint. Robert Sweeney presenting.

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

The applicant has applied to amend their special use permit to construct a 2 story addition that will add approximately 40,000 sq ft to the mall, but only 2100 sq ft. of gross leasable space. This difference is due to the conversion of previously leasable space to public areas, especially when Dick's replaced the prior Lord and Taylor building and now where Lord and Taylor is replacing the former Macy's building. The new building will form a

bump out that will alter the existing drive aisle and eliminate some existing parking. I have the following comments:

- The site will still meet the required parking and no variances are necessary.
- There will be no increase in impervious surface and therefore no impact to the stormwater plan.
- The angled parking outside the food court (area 4) will be rotated to be perpendicular to the mall which is a benefit to pedestrians. However, it seems that by entering the first entrance, a vehicle is forced to drive a circuitous route access parking. It would seem to make more sense to angle the first row of parking in the other direction. This is also true of the parking area 3 as well.
- Raised end aisles are being added to these same parking areas which are good for controlling flow but an explanation for where snow will be stockpiled should be provided.
- It appears that the area for busses may be shortened. The CDTA should be consulted to insure adequate standing room is being provided.
- Crosswalks should be shown to provide safe pedestrian access from the parking areas to the mall.

No objections to site plan approval contingent on the above comments being adequately addressed.

Bob Sweeney presenting: We have an application filed at the Zoning Board of Appeals to amend our special use permit. The amendment is accommodating a 2 story addition in the southern portion of the shopping center. The intended use is to accommodate restaurant/entertainment/retail uses and to provide exterior entrances for these new attractions.

The location and specifics of the project are set forth on the attached site plan. The proposed project will enhance Crossgates Mall's ability to offer high-quality, national retailers typically located in enclosed shopping centers while also featuring non-traditional shopping center uses such as family-oriented recreational, athletic and entertainment type facilities.

The proposed project will enhance Crossgates Mall's ability to offer high-quality, national retailers and featuring non-traditional shopping center uses such as family-oriented recreational,. Athletic and entertainment type facilities.

Mr. Sweeney gave an overall view of the site plans of the shopping center. There is no increase in impervious surface on the site, and no change in any access points or any of the perimeters of the shopping center. It is all internal to the existing paved area.

The traffic pattern, parking, pedestrian circulation and the loading dock and the landscaping and the green islands was discussed.

There were questions about providing appropriate curbing within parking fields and to provide a detailed landscaping plan, curbed end islands to be provided and to eliminate proposed new parking lot access point and you will need CDTA support for their service.

Terry Coburn had a question on the handicap parking spaces.

Mr. Sweeney explained that it has to be ADA compliant.

There was discussion about where all the snow will be stored and a discussion about the CDTA service and have they been consulted.

Chairman asked for any questions from the audience.

Don Reeb, 5 Norwood Street, mention that a concern that I have is with the CDTA. CDTA is planning on having Rapid Transit Project on Washington- Western Avenue which will bring even more service and riders to the Mall. I would hope that somehow the town is able to insist upon Crossgates adding 40,000 sq. ft. would in fact be required to pay Mortgage Recording Tax which is approximately 1.5% of whatever the cost of the mortgage is.

Chuck Klaer, Meadowdale Road, had questions on the parking and parking spaces. Also, was the number of parking spots now, if you convert it and added 39,000 sq. ft., back in, would you have enough parking as proposed now?

Mr. Sweeney explained that there is an increase in parking on the overall shopping center which more than meets the increase square footage requirements.

Also if we add the 39,000 sq. ft., then we would have to find more parking,

Chairman made a motion to recommend approval for the expansion of Crossgates Mall with the following conditions:

- Provide a more detailed site plan and parking schedule identifying proposed changes/modifications.
- Provide appropriate curbing within parking fields to better direct and calm traffic. Crosswalks should be shown and associated signage to provide safe pedestrian access from parking areas to the Mall
- Provide a detailed landscaping plan including size and type of material to be planted. Curbed end islands should be provided as indicated on sketch plan. End islands should be designed to perform storm water management function.
- Eliminate proposed new parking lot access point nearest Ring Road.
- The CDTA should be consulted to ensure adequate access is maintained.

The motion was seconded by Paul Caputo, and carried by a 7-0 vote by the Board.  
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MEETING ADJOURNED: 10:50 P.M.

**TOWN OF GUILDERLAND  
PLANNING BOARD**

**December 11, 2013**

**CROUNSE – Rt. 156**

**COLLINS – Gardner Road and Rt. 146**

**HAIGHT – 152 Gray Road**

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**ALBANY COUNTRY CLUB - Wormer Road**

**ALTAMONT RESCUE SQUAD - 767 Route 146**