

**TOWN OF GUILDERLAND
PLANNING BOARD**

December 9, 2015

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
Theresa Coburn
Bruce Sherwin
James Cohen
Michael Cleary

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 October 14, 2015, so moved by Michael Cleary, seconded by Thomas Robert and carried by a 6-1 abstained (Terry Coburn) vote by the Board & November 10, 2015 minutes, so moved by Terry Coburn, seconded by James Cohen and carried by a 7-0 vote by the Board and with few minor corrections..

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PACKARD – 633 Via Ponderosa

Chairman Feeney announced that this is a site plan review for an in-law apartment. Zoned R-15. Allen Packard presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:
Packard – 633 Via Ponderosa

The applicant is requesting a special use permit for an in-law apartment. The Living space will be totally included within the existing structure and there is ample parking in the driveway. No planning objections.

Chairman stated that this was pretty straight forward.

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

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

Chairman was willing to move staff's opinion in the matter of site plan review for Packard – 633 Via Ponderosa and recommended approval, seconded by Thomas Robert, and carried by a 7-0 vote by the Board.

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TYMCHYN – Ostrander Road

Chairman Feeney announced that this is a concept presentation of a proposed 2 lot subdivision of 51 acres. Zoned RA-3.

Jan Weston, Town Planner, read the comments of the Planning Department as follows: The applicant is requesting concept approval to cut the existing home along with 2 acres from the remaining parcel. The area is zoned RA-3 and the applicant is also requesting a onetime exemption to create this 2 acre lot. All other zoning requirements are met. The remaining 50 acres is gentle rolling farm land with two ponds, a barn and ample suitable area for another building site. No objection to concept approval.

Chairman stated that this looks pretty straight forward.

Rich Reilly of the firm Gleason, Dunn, Walsh & O'Shea, Attorneys presenting: The applicant owns 52 acres and looking to subdivide that into two lots. One lot is slightly more than 2 acres, and the second lot would be less than 50 acres. The two acre parcel includes the house and garage and in-ground pool.

Chairman asked Ms. Weston if this will be a one time waiver on the lot. Ms. Weston said yes. Also, it looks like there is a watercourse that runs through it and connects to the two ponds.

Chairman asked to check into whether or not it is in the floodplain.

Chairman asked if there are any neighbors here who would like to address the application.

Shawn Simmons, 50897 Ostrander Road, explained that the watercourse is just a runoff of the farm fields from upstream north. It's not like the black creek which is behind us. My question would be how many houses would be built here on the Lot 2?

Chairman explained that its yet to be determined in the future.

Chairman entertained a motion for approval of the concept for Tymchyn – Ostrander Road, for a 2 lot subdivision, so moved by Terry Coburn, seconded by Thomas Robert and carried by a 7-0 vote by the Board.

Shawn Simmons, Ostrander Road, also was concerned about how many more lots will be created in the future and will there be more buildings along north Ostrander Road to the south end, and would it change the structure of the width of the road and the speeding condition.

Chairman explained that the condition of the road will be looked at in the future.

FRENCH'S MILL Rezone

Chairman Feeney announced that this was an advisory opinion on rezoning 10-28 French's Mill Road from LB to R-20 and 4 French's Mill Road to BNRP.

Jan Weston, Town Planner, gave an overview. It went to the Town Board as a public hearing, and Mr. Spoor expressed his concerns. The Board wanted to re-advertise the hearing as rezoning the 6 lots to the south as R-20, and then leaving the one newly subdivided lot and reducing that from Local Business to BNRP. The Town Board didn't specifically refer it back to this Board to see if this Board wanted to alter their opinion or not. We have that option.

Chairman stated: It was generated by us based on the subdivision and construction of houses.

Thomas Spoor explained that he went to the Town Board and discussed the recommendation to rezone all of the lots, including my lot to R20. Which I have taken issue to when I met with this Board earlier. I would be willing, on the subdivided lot, to reduce or change the zoning to BNRP. I understand the neighbors concern about the possibility of having a professional building on the lot. Should there be one, all the traffic would come off Rt. 20 and turn in the parking lot into this office and exit. I don't know if any of you really know what the situation is with this lot.

This lot is unique to the other six lots. This lot that I subdivided, is surrounded on two sides by the Mill Hollow project. The entrance to the project runs the entire length of the north side of my property. The Mill Hill project is 88 units and there is only one entrance plus there is a senior center there. There will be an increase in traffic that will pass this lot. That type of traffic would have a detrimental effect on the sale ability of this property. There will be people who will not consider that lot because of the location next to the Mill Hollow. I thought that this business non-retail was a valuable alternative to the Local Business. It's kind of a transitional zoning designation from residential to what Mill Hollow is zoned as MR.

I am asking that you permit all the other properties to be zoned R20 the way the neighbors asked, but I would like to reserve this lot as BNRP.

Terry Coburn wanted to know if just the newly subdivided lot would be zoned BNRP?

Chairman said yes.

Thomas Robert explained that from a planning perspective, it make more sense to have it all be residential.

There was discussion about the different setbacks between R20 and BNRP.

Chairman mentioned that we will need to take a look at the setback issues and what are the implications from a building standpoint.

Thomas Robert was willing to make the same recommendations that we made the last time and keep the lots zoned R20, seconded by James Cohen and carried by a 7-0 vote by the Board.

PINE BUSH SENIOR LIVING CENTER –New Karner Road

Chairman Feeney announced that this was a site plan review for Planning Unit Development.

Jan Weston, Town Planner read the comments of the Planning Department as follows:
Pine Bush Senior Living - New Karner Road

The proposed senior living community consists of a 72 bed assisted living facility, a 48 bed memory care facility, a 96 unit independent living facility and a resource/educational center. I have the following comments:

- This project is a Type I SEQR action and the applicant has submitted a full assessment form. The Board will have to determine whether a full Environmental Impact Statement will be required. The greatest impact is that the property is located in a full protection area of the Pine Bush study area, however all development will be located on the front 11+ acres and the remaining 40 acres is proposed to be donated to the Pine Bush Preserve. We have not yet received the comments of the Pine Bush Commission.
- There is a significant ravine associated with the Kaikout Kill that runs through this property and the site has been redesigned to avoid any building encroachment into the angle of repose.
- The traffic study indicates a minimal impact to New Karner Road traffic which I agree with but more information is needed on the potential impact of the education center.
- The proposal calls for 168 parking spaces. A review should be done to determine whether all these spaces are needed and/or whether some could be shared or banked.
- A before and after grading plan should be provided.
- A lighting and landscaping plan should be submitted.
- A TDE should be retained to review the technical aspects including the stormwater, structure, slope stability and traffic.
- Sidewalks should be installed to provide pedestrian access south to Western Avenue.

- The developer might consider switching the location of the Independent Living building/learning center with the front parking. This I believe this would give residents closer access to the sidewalks and adjoining commercial services, allow for greater possibility of shared parking between the uses, and decrease the visual impact of a large parking lot along New Karner Road
- Any roadside parking should be heavily landscaped.

Overall I believe this is good use of the property which a low impact trip generator. The design is well thought out and meets Town's standards. Besides for fine tuning some elements, the next level of review should be the environmental and technical details.

Tim Cassidy, Pine Bush Senior Living, LLC spoke with the neighbors and the people at the strip mall and about having a what we have now is a shared exit and a shared driveway.

The new plans show the sidewalks and along the side of the independent living.

We met with the Pine Bush Commission and discussed the building the project with them about this project. We are going to have a room in the independent living which will have six displays area. It will include a large multi-purpose room, two classrooms and will be open to all seniors in the community, and provide courses and curriculum to seniors from Guilderland as well as surrounding towns. To the west, the Preserved Lands will buffer the project from the Pine Bush Preserve. All the adjoining uses to the north and south are commercial in nature, so that no land use conflicts are anticipated.

In preserving the Pine Bush, the facility will also benefit the environment of the greater Albany area by developing the buildings to standards that are comparable to LEED Silver. They also agreed to a quarter mile path over their preserves separated from the existing trail.

There was further discussion about the location of the building being built further back from the road or located closer to the street.

Tim Cassidy stated: Because of the location and the concentration of the common areas of the buildings built further back there, we don't think that we can duplicate that situation with the buildings up front and the parking to the rear. If we move the building and split the parking then it will not be a very attractive common area, walking by or through a parking lot to their patio.

Chairman mentioned that his one concern is that it seems that parking lot serves the entrance to the Life Long Learning Center and the independent living.

There was further discussion about the entrance and location of the buildings and the parking. You need to look at whether or not we can cut down on the amount of the parking, and maybe have some overflow parking and landscaped around that area too.

Ms. Weston, Town Planner, explained that your parcel doesn't have an address and you will need to talk to the Assessors' office and they will assign you one.

Terry Coburn wanted to know if this would be considered a private road.

Mr. Cassidy said yes.

Mr. Cassidy stated that they just got the topography survey done last week and will finish out where the sidewalks will go.

Chairman asked if you have done a Hydrological analysis, and to have a TDE to review the technical aspects including the stormwater, infrastructure, slope stability and traffic. The traffic study needs more information on the potential impact of the education center.

Some of the minor comments had to do with the handicapped parking spaces and will need the location to the closet entrance.

I am assuming that you are proposing internal sidewalks, but the plans I have do not show that and that will need to be shown, plus are there connections between the buildings or not. We will need direct directions from the street, and the sidewalk connections from Rt. 155 to the buildings. .

Chairman stated that we would like to see plans for the patio, detail landscaping plans, street frontage and encourage street trees along the internal streets.

Mr. Cassidy explained that we will submit more detailed plans.

Ms. Weston added that our next step should be to have a more detailed site plan and to appoint a TDE and they can start with the technical analysis.

Chairman stated that the main concern is the added also the stormwater and drainage.

Chairman added that we would encourage that any of the end islands and the parking lots serve some kind of stormwater function and that would help you with your calculations. Also, would encourage you to talk with the County Highway Department and anticipate some comments from the Pine Bush Commissioner.

Mr. Hershberg was willing to do that.

Ms. Weston added that is if you would look at the site and really think about the location of that building and the parking, and come back and address that conceptually with the

Chairman and the Board continued the case and recommended that you concur with Town Planning Staff's opinion to condition the PUD rezoning on adequate review of environmental issues, site plan approval and off site sidewalk improvements to ensure adequate pedestrian/transit access to facility.

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VISCUSI – Lydius Street

Ms. Weston explained that this is the last thing that was added to the agenda.. This is a request to allow the signing and filing of an approved 2 lot subdivision beyond the required 60 day requirement. This is a 2 lot subdivision on Lydius Street that was approved two years ago, and has never brought in signature plans, and didn't do any changes that had occurred since then. According to the law you had 60 days to do it.

Chairman asked for a motion to approve the signature plans, so moved by Michael Cleary, seconded by James Cohen and carried by a 7-0 vote by the Board.

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 MEETING ADJOURNED: 9:00

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PINE BUSH SENIOR LIVING CENTER – New Karner Road

FRENCH’S MILL Rezone

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