

**Minutes
Albany County Planning Board
July 17, 2014**

Present:

Dominic Rigosu, Acting Chair, Paul Cooney, Ben Syden, Tim Garufi, David Reilly

Albany County Planning:

Leslie Lombardo

Secretary:

Janis Dunham Relyea

Guests:

Joseph Martin

Approval of Minutes:

A motion to accept the minutes from the June 19, 2014 meeting was made by Paul Cooney. The motion was seconded by Ben Syden and unanimously approved by the board.

A motion to move case # 1-140702001 to the front of the agenda to accommodate the guest was made by Paul Cooney. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 1-140702001

Joseph Martin/Charles Springer Welding Works

5 AKA 27 Broadway, Albany

Special use permit to allow for establishment of a marina to include construction of a 6,000 s.f. building and 16 space accessory parking area. The property is currently vacant and a portion of the site is paved. The project will require a site plan review.

Staff opinion is to defer to local consideration.

Dominic Rigosu asked if the guest wanted to comment.

Joseph Martin, owner of Charles Springer Welding addressed the board offered to answer questions quickly summarized his plans for the site.

A motion to accept staff opinion to defer to local consideration was made by Ben Syden. The motion was seconded by Paul Cooney and unanimously approved by the board.

GML CASES RECOMMENDED TO DEFER TO LOCAL CONSIDERATION

A motion was made by Paul Cooney to consider the cases for Defer to Local Consideration and approve as is. There were **18** cases for defer. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 7-140701992

Robert Savoca

7 Lombard Street, Schenectady

Use variance to allow an existing warehouse building (6,000 s.f.) to be used for sales, storage and fabrication of ceramic tile and granite countertops. The building was previously used by a commercial air conditioning and power systems business for storage and office space as well as a property management business. Access is to a local street.

Case #7-140401993

Flights of Fantasy Books & Games (shed)

385 Sand Creek Road, Colonie

Site plan for an addition of a shed (8'x10') located behind an existing building. No changes to the access to the property are proposed.

Case # 7-140701994

Nia C. Cholakis/Latham Plaza – special use permit

1210 Troy Schenectady Road/SR 7, Latham

Special use permit to allow an existing building (former bowling center) to be used for a restaurant and bar with a dumpster within the required setback area (200') from a single family residential zone. The building is currently 43' from the zoning district boundary line. Applicant plans to demolish 11,998 s.f. from the building which is 40,422 s.f., renovate the building for commercial retail uses, and construct two new buildings on pad sites on the property. A site plan referral is also included on this agenda, see case # 1996. Previous use of the building included a restaurant and bar.

Case # 7-140701997

Colonie Center – addition

15 Wolf Road, Colonie Center Mall, Colonie

Site plan for a two story addition of 870 s.f. to the front service court of the Colonie Center Mall in between Sears and the Cheesecake Factory Restaurant on the Wolf Road side. The proposed use of the addition is to provide customer access to the second floor and retail space. The parking lot and access drives will remain the same. The applicant states that the existing parking lot has sufficient parking to accommodate proposed addition.

Case # 1-140701998

Harriet Tubman Democratic High School

69 Alexander Street, Albany

Special use permit to allow an existing building to be used for a private school. The space in the building would be an expansion of the school which is located in an adjacent building across the street.

Case # 1-140701999

St. Andrew's Church

10 North Main Avenue, Albany

Area variance from front yard setback and lot coverage to allow an addition to an existing church building. The required front setback is 20', the new building addition will match the existing building with 8'x16' setback. The lot coverage allowed is 35%, the addition will increase lot coverage to 42%.

Case # 1-40702000

Pineview Community Church – sign

251 Washington Avenue Ext., Albany

Variance from the city sign regulations to allow the installation of an electronic message board sign for an existing church. There is an existing sign that is 51 s.f. The electronic message area will be 16 s.f. within a 34.67 s.f. monument sign. There is no change in the location of the sign.

Case # 1-14040702002

Gregory Mikhelson/MIG Auto Sales
667 Central Avenue, Albany

Parking lot permit to allow an existing auto sales and service shop to operate with 19 parking spaces for a proposed new building for the use. Access to the site is from a city street.

Case 7-140702004

Dr. Bocardo (addition)
515A Albany Shaker Road/CR 151, Colonie

Site plan for a 388 s.f. addition to a residence that is also used as a dental office. A portion of the addition will be used by the dental practice. No changes are shown for the parking arrangement or access to CR 151. The property was previously reviewed for a variance for the addition.

Case # 1-140702005

Shine Renewables
722 South Pearl Street/SR 32, Albany

Special use permit to allow a recycling facility for asphalt shingles to occupy an existing industrial building in the industrial zone. Applicant states that they have a pending application to NYSDEC for a beneficial use permit. The proposed alterations include new signage and a truck weigh scale.

Advisory Note: The City may want to consider conditions for an approval to include control measures for dust and keeping shingles from being wind blown.

Case # 10-140702008

River of Life Church
2333 Western Avenue/SR 20, Guilderland

Area variance from a required setback of 20' to allow a sign for a church to be located 1.5' from the right of way SR 20. The proposed sign will be located 74' from the centerline for SR 20. Signs for adjacent properties have similar setback locations from the centerline.

Case # 15-140702009

Donald Britton/Crystal Keyes
26 CR 353, Rensselaerville

Special use permit to allow vacant space within an existing commercial building to be used by a massage therapist working 2 or 3 days a week. The building is currently rented to the post office and a restaurant diner. There are two driveway access points to CR 353. There is a large unpaved area around the building used as the parking lot.

Advisory: Albany County DPW has concerns about the driveway closest to the curve in CR 353. Any future changes to the tenants in the building that will increase traffic may warrant a closure of the driveway to the property closest to the curve in CR 353 for safety reasons.

Case # 13-140702010

Town of New Scotland-New Salem Water District
New Scotland Road/SR 85, New Salem

Subdivision of 26 acres into two lots. The land is owned by the Town of Bethlehem and is used by the water district as a pump house property. A 12,662 s.f. lot will be divided off of the main parcel in order to convey the property to the Town of New Scotland as part of the contract for the creation of the new water district for the hamlet of New Salem in the Town of New Scotland. There is an existing pump house on the land to be conveyed to New Scotland there is also a pump house on the remaining lands of Bethlehem. Access to the new lot is from an existing driveway to SR 85. There will be cross easement access for the Town of Bethlehem to continue to use the same driveway.

Case # 13-140702011

Jones/Paquin
Cass Hill Road, New Scotland

Subdivision application that is a re-alignment of the property line in between two lots to alleviate an encroachment of an existing garage. The property that is #241 Cass Hill Road will transfer .09 acres to #231 Cass Hill Road.

Case # 13-140702012

Tracy Gibeau
399 Stove Pipe Road, New Scotland

Subdivision that is a realignment of the property line between two parcels. The property is #393 Stove Pipe Road will add 7.82 acres over to the adjacent lot at #399 Stovepipe Road. There are existing residences on both properties. Access is to a town road. There will be a temporary shared access agreement until such time when a new driveway for #399 Stovepipe Road will be built.

Case # 10-140702013

Quiltbug
3637 Carmen Road/SR 146, Schenectady

Special use permit to allow a quilting store as a tenant in 950 s.f. of an existing commercial building. No change to the access to SR 146 is proposed.

Case 13-140702014

Beverly Macmillen
644 New Salem Road/SR 85A, New Scotland

Subdivision that is a lot line adjustment between two properties under the same ownership. There is an existing residence at #644 SR 85A that will add 2,000 s.f. from the adjacent driveway turnaround area.

Case # 7-140702016

Pan Yu
9 Highland Ave, Colonie

Special use permit to allow a building to be converted from an office use to a residential use in the neighborhood commercial office residential zone. Access is to a town road.

GML CASES RECOMMENDED FOR MODIFICATION

Case # 7-140701995

Upstate Veterinary Specialties
152 Sparrowbush Road, Latham

Site plan for construction of a 20,308 s.f. veterinary medical facility. The first floor will be 18,986 s.f., second floor is 3,000 s.f. and a future expansion of 8,322 s.f. is planned for the first floor. The facility will only provide medical services. There are 93 parking spaces provided with 16 spaces banked. Access is to a town road. Stormwater management basins are shown on the site plan along with an underground detention area under a section of the parking lot.

Staff opinion is to modify local approval to include:

1. Review by the Albany County Department of Health for any necessary permits for the back flow preventer required on the water line.
2. A Notice of Intent filed with the NYSDEC affirming that a Stormwater Pollution Prevention Plan has been prepared, is being implemented or submission of a Stormwater Pollution Prevention Plan that is consistent with the requirements included in the NYSDEC SPDES General Permit for Stormwater Discharges (GP-0-10-001, January 29, 2010) for construction activities that disturb more than one acre of land.
3. Review by the FAA (Form 7460-1 available thru www.faa.gov) and notification to the Albany County Airport Authority for FAA FAR Part 77 Aeronautical Impact Notification for temporary construction related and structural incursions within the prescribed Runway Approach Surfaces.

A motion to accept staff opinion was made by Ben Syden. The motion was seconded by Paul Cooney and unanimously approved by the board.

Case # 7-140701996

Latham Plaza
1210 Troy Schenectady Road/SR 7, Colonie

Site plan for partial demolition and renovation of an existing commercial building and construction of three additional buildings with related parking and circulation driveways on a 5.9 acres parcel. The existing building is a former bowling alley (40,422 s.f.) that will have a portion of the building demolished (11,00 s.f.) and the remaining square footage used for retail use (28,424 s.f.). A second two story building (10,120 s.f.) will be used for retail and office space, a third building will be a 3,000 s.f. restaurant with a drive thru lane, the fourth building is 3,500 s.f. to be used for storage and located at the rear of the site. There are 264 parking spaces proposed for the entire site development. A stormwater management basin is located at the rear of the property. There are currently two access points to SR 7 and one driveway to Vly Road. Applicant proposes to keep the access to Vly Road and change the access to SR 7 to one curb cut with full service access, including left and right turn lanes out of the parking lot. Both the town and NYS DOT have recommended a right in and right out only access to SR 7. The property will have an internal connection to the adjacent shopping plaza that is serviced by a traffic signal to SR 7 and Vly Road intersection has a traffic signal. There is a related application for a special use permit on this agenda, see case #1994.

Staff opinion is to modify local approval to include:

1. Review by Albany County Department of Health for food service and other required permits for buildings that have restaurant tenants.
2. A Notice of Intent filed with the NYSDEC affirming that a Stormwater Pollution Prevention Plan has been prepared, is being implemented or submission of a Stormwater Pollution Prevention Plan that is consistent with the requirements included in the NYSDEC SPDES General Permit for Stormwater Discharges (GP-0-10-001, January 29, 2010) for construction activities that disturb more than one acre of land.
3. If a crane is used then review by the FAA (Form 7460-1 available from www.faa.gov) and notification to Albany Airport Authority for FAA FAR Part 77 Aeronautical Impact Notification for temporary construction related and structural incursions within the prescribed Runway Approach Surfaces.
4. Review by the NYS DOT for design of highway access, drainage and assessment of road capacity.
5. Notification of the application should be sent to the adjacent Town of Niskayuna.
6. Highway work permits from NYS DOT will be required for work within the right of way of SR 7.

There was discussion by the board on access.

A motion to accept staff opinion was made by Paul Cooney. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 7-140702003

Line – X (addition)

2090 Central Avenue/SR 5, Colonie

Site plan to construct an addition to an existing commercial building (8,393 s.f.) used to service trucks with a protective coating application. The addition is a 4,800 s.f. one story building. A loading dock (389 s.f.) will be demolished. There will be a gravel surface area around the addition to allow access to the rear. A detention basin is proposed for the rear of the site. There are no changes shown to the access to SR 5.

Staff opinion is to modify local approval to include:

1. A Notice of Intent filed with the NYSDEC affirming that a Stormwater Pollution Prevention Plan has been prepared, is being implemented or submission of a Stormwater Pollution Prevention Plan that is consistent with the requirements included in the NYSDEC SPDES General Permit for Stormwater Discharges (GP-0-10-001, January 29, 2010) for construction activities that disturb more than one acre of land.

A motion to accept staff opinion was made by Ben Syden. The motion was seconded by Paul Cooney and unanimously approved by the board.

Case # 1-140702006

Fleurs d'Allumage, Ltd/The Grille at 138

138 Washington Avenue, Albany

Special use permit to allow a restaurant to occupy a space (2,500 s.f.) in an existing building on the first floor in the commercial office zone. The space was previously used as a restaurant.

Staff opinion is to modify local approval to include:

1. Review by the Albany County Department of Health for food service and other required permits.

A motion to accept staff opinion was made by Paul Cooney. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 10-140702007

Keven Clancy

1 Fletcher Road, Albany

Special use permit to allow an existing building to be used for a real estate office and apartment. The building was previously used as a doctor's office with an apartment. There are 10 parking spaces, with access to a town road.

Staff opinion is to modify local approval to include:

1. The town should ensure that there is adequate parking available for the new use and that the spaces closest to the SR 20 intersection do not pose a hazard to vehicles entering and existing Fletcher Road for SR 20.

A motion to accept staff opinion was made by Ben Syden. The motion was seconded by Paul Cooney and unanimously approved by the board.

Case # 7-140702015

Guns Realty

1213 Loudon Road/SR 9, Colonie

Site plan for construction of a maintenance and storage building (3,600 s.f.) located at the rear of an existing commercial building. The overall site is made up of two tax parcels. The existing commercial building is on one tax parcel with two driveway access points to SR 9. The proposed maintenance building is located on a portion of the first tax parcel as well as on the second tax parcel that has a third existing curb cut to SR 9. The area of the new building is currently a vacant gravel and asphalt area. Ten additional parking spaces are shown on the site plan. Less than one acre will be disturbed.

Staff opinion is to modify local approval to include:

1. Review by the NYSDOT for possible removal of the southern most curb cut to SR 9 on tax parcel 5.3-1-19.2.1.

Advisory: The town may want to take the opportunity to request that the existing vacant broken asphalt area along SR 9 in front of proposed building be replaced with grass or other vegetation.

There was discussion by the board on access.

A motion to accept staff opinion was made by Paul Cooney. The motion was seconded by Ben Syden and unanimously approved by the board.

Leslie Lombardo addressed the board regarding a referral from the Town of Colonie for the August meeting. It is a plan resubmitted for Afrim's soccer complex at Watervliet Shaker Road and Sand Creek Rd. that was previously reviewed in August of last year. There are only minor changes on the site plan for the proposed project compared to last year's plan; but they are applying for a special use permit this time, last year it was reviewed for a use variance. The Colonie Zoning Board clerk asked if ACPB comments from last year's referral would be sufficient or will it be reviewed as a new case; the board agreed that the case should be referred to the ACPB as a new case for the next meeting.

Meeting adjourned at 4:03

The Albany County Planning Board will meet again on Thursday, August 21, 2014 at 3:30 p.m. at the Albany County Department of Public Works, 449 New Salem Road, Voorheesville, New York 12186.