

Minutes
Albany County Planning Board
February 18, 2016

Present:

Dominic Rigosu, Acting Chair, Roland Graves, Sean Maguire, Ben Syden, Brian Crawford

Albany County Planning:

Leslie Lombardo

Albany County DPW:

Dave Kubeck, Stormwater Program Technician

Secretary:

Janis Dunham Relyea

Guests:

Tom Shepardson, 960 Broadway, Albany

Don Zee, John Grant and Dan Hershberg for 1385 Washington Ave, Albany

Bryan Best

Scott Siegel

A call to order:

Dominic Rigosu called the meeting to order at 3:30 p.m.

Roland Graves made a motion to accept the minutes from the January 21, 2016 meeting. The motion was seconded by Dominic Rigosu and unanimously approved by the board.

Ben Syden made a motion to hear cases 160202473, 160202477, 161202479 cases 1st to accommodate guests. The motion was seconded by Roland Graves and unanimously approved by the board.

Case #5-160202476

960 Broadway, LLC

960 Broadway, southwest corner of Broadway and Tivoli Streets, Albany

Site plan for renovation of an existing four story, 39,000 s.f. building into a restaurant (3,000 s.f.), additional tenant building space (2,000 s.f.) and twenty five residential dwelling units. Parking for the building will be provided offsite (47 spaces) as per the new parking regulations for the zone.

Staff opinion is to modify local approval to include:

1. Review by ACDOH for food service and other required permits.

Dominic Rigosu asked the guest if he wanted to comment. Mr. Shepardson said no.

Roland Graves made a motion to accept staff opinion. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 1-160202479

Grant Ventures, LLC-1385 Washington Avenue-site plan

1385 Washington Avenue, north side of Washington Avenue, between main entrance and east entrance to East University Drive at U. Albany Campus, Albany

Site plan to construct a four story, 187,500 s.f. student housing facility with 314 beds and structured parking on the ground level. An existing hotel (Red Carpet Inn) on the property will be demolished. The facility will be privately owned and maintained, but is presented as a student housing project targeted to University at Albany campus that will be built with bedrooms sharing a common living room and kitchen area.

The existing hotel property shares an access driveway to Washington Ave with the adjacent hotel and that access arrangement will be maintained. The two hotels also shared parking lot space. Parking for the proposed project site will be available underneath the building in a garage and in the front of the property for a total of 178 spaces. Surface parking spaces for the adjacent hotel will continue to be provided and are delineated on the site plan. The majority of the garage parking will be dedicated to the student housing facility. The site plan shows that property lines between the adjacent hotel property to the west and the project site will be changed.

Stormwater management practices include a combination of porous pavement and subsurface infiltration systems. The existing site drainage flows north to the drainage system for I-90. A retaining wall is shown on the site plan in order to support a parking area on steep slopes adjacent to I-90. This project requires variances on this agenda also (see case #1-16/2/2473).

Staff Opinion: Modify local approval to include:

1.Review by New York State Department of Transportation for comments on possible drainage impacts to the I-90 drainage system.

2.Review by CDTA for comments and considerations regarding impact to their bus routes and provisions for ridership.

3.Review by the Albany County Department of Health for water supply, waste water discharge and other required permits.

4.A Notice of Intent filed with the New York State Department of Environmental Conservation 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 New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-002, January 29, 2015) for construction activities that disturb more than one acre of land.

5.The city should require that the agreed upon parking arrangements between this property and the adjacent hotel are written in the deed for both properties and all easements are noted on the subdivision map.

6.The proposed building is for use by University at Albany students as stated by the applicant. Therefore the site plan approval should include safe pedestrian accommodations and access to the university. Students have been observed crossing mid-block on Washington Ave and Fuller Road. Coordination with the University at Albany Campus Planning Office for pedestrian access and safety accommodations

would be ideal. The city should also consider pedestrian safety studies done by NYS DOT at other college campus locations; for example, Route 9 corridor in front of Marist College, Poughkeepsie.

7.The use of countdown timers and added lighting at crosswalks on Washington Avenue should be evaluated as part of the discussion for safety provisions.

Dominic Rigosu asked the guest if he wanted to comment.

Dan Hershberg addressed the board and gave a brief presentation.

Ben Syden asked about pedestrian access, what was being done for that?

John Grant talked about the student housing building being built down the street by his company and the similar amenities that this project will offer. He talked about the pedestrian access for that building that was part of the approvals and that similar arrangements will be made for this project. The crosswalks will be upgraded; timers have already been put in three intersections near the University for the other Project.

The issue of parking was asked about by board members and discussed. Applicant said parking ratios were derived from similar projects at other college campuses by applicant.

Donald Zee talked about the target market will be SUNY Albany students; however students and staff from other colleges are welcome. The selling point of the project is security for residents.

Ben Syden asked how far from the CDTA bus stop is the site.

Mr. Grant said the CDTA stop is in front of the Fairfield Inn.

Ben Syden made a motion to accept staff opinion. The motion was seconded by Roland Graves and unanimously approved by the board.

Case # 1-160202473

Grant Ventures-LLC-1385 Washington Avenue-variance, SUP

1385 Washington Avenue, north side of Washington Avenue between main entrance and east entrance to East University Drive, Albany campus, Albany

Area variance from maximum height, rear yard setback, parking lot permit and special use permit to allow a Single Room Occupancy (SRO) use for a proposed privately owned student housing facility. The proposed project is in the location of an existing hotel (Red Carpet Inn) that will be demolished. The proposed housing facility is located across the street from University at Albany and is intended to house students. The city code interprets this type of facility as an SRO, requiring the special use permit. The proposed building will be four stories over a parking level and is 55' in height where code allows 35'. The required rear yard setback is 30', where 26.75' is proposed. A parking lot permit is required by code. Applicant claims an SRO designation requires 79 spaces for the project and 178 spaces are proposed. This property was reviewed previously in October 2014 for the same use and similar variances, but was withdrawn before local approval and has since changed ownership. The new proposed project is a different size then the previous submittal. The project site plan is also on this agenda, see case #1-16/2/2479.

Staff Opinion: Modify local approval to include:

1.The special use permit for the SRO is directly tied to the use of the building for University at Albany students as stated by the applicant. Therefore any special use permit approval should be conditioned on safe pedestrian accommodations and access to the University. Students have been observed crossing mid-block on both Washington Ave and Fuller Road. Coordination with SUNY Campus Planning

for pedestrian safety measures should be made. In addition the use of countdown timers and added lighting at the crosswalks should be evaluated as part of the discussion for safety provisions.

2.The City should ensure that there will be adequate parking for both the adjacent hotel and the proposed project, since the existing hotel next door currently shares parking with this property.

A motion to accept staff opinion was made by Sean Maguire. The motion was seconded by Roland Graves and unanimously approved by the board.

GML CASES RECOMMENDED FOR DEFER TO LOCAL CONSIDERATION

Ben Syden made a motion to consider the **17** cases for defer to local consideration and approve as is. The motion was seconded by Roland Graves and unanimously approved by the board.

Case # 1-160202444

Habitat for Humanity Capital District

130, 132 & 134 Lark Street, between Spruce and Sheridan Avenue & 274, 276, 278 & 301 Orange Street, between Lark and Dove Streets, Albany

Area variances from minimum lot area, land area per dwelling unit and lot depth to allow construction of single family row houses on several adjacent lots that have pre-existing lot dimensions. The properties are all located on city streets and will be infill development in an existing residential neighborhood.

Case 7-160202445

Frank Polento

86 Fiddlers Lane, Latham

Area variances from minimum front lot line minimum lot width at the building setback line to allow a single family residential lot to be created as part of a four lot residential subdivision. The lot will be a flag lot with 30' given for front lot line and width at building setback where 80 is required. The driveway access is to a town road.

Case # 1-160202446

Lev Haimoff

94 Grand Street, between Elm and Myrtle Ave, Albany

Use variance to allow a vacant building previously used as a four family dwelling to be renovated and used for four apartment units where zoning allows one and two family uses. Access is to city streets.

Case # 1-160202447

Lev Haimoff

96 Grand Street, between Elm and Myrtle Ave, Albany

Use variance to allow a vacant building previously used as a three family dwelling to be renovated and used for three apartment units where zoning allows one and two family uses. Access is to city streets.

Case # 7-160202449

Stewarts Shops - Fuller Road

19 Fuller Road/CR 156, west side of CR 156, between Pinehurst Road and Katherine Road, Colonie

Area variances from front yard setback and minimum setback to a residential zoning boundary line for a convenience store, fuel storage, fuel dispensers and dumpster. Applicant proposed to demolish existing buildings on a site and construct a 3,975 s.f. convenience store with fuel pumps, a canopy and dumpster area. Town code requires a 20' front setback for the building. 12' is proposed. Code also requires a 100' setback to the residential zone line, approximately 93' is proposed for the store setback, 82' for the fuel canopy, 45' for fuel storage tanks and 78' for the dumpster.

Advisory Note: The number of variances needed from the residential zoning boundary for this tuype of use should be kept to a minimum.

Case #2-160202453

Altamont Enterprise

120 Maple Avenue/SR 146, east side of Maple Ave, approximately 140' north of Main Street, Altamont Site plan and special use permit to allow a newspaper business to occupy an existing building in the Central Business District. The business is currently located across the street. Parking is available on the street and in the municipal parking lot. Applicant also requests a sign permit to allow a 15"x78" sign to be hung on the porch of the building.

Case # 7-160202455

Cornerstone Construction – Howard Sandwick

83 Old Karner Road, west side of Old Karner Road, between Post Road & Railroad Avenue extension, Colonie

Area variance from side yard setbacks and frontage requirements to allow a 3,000 s.f. warehouse building to be built with one 10' and one 25' sideyard where 20' and 50' are required. The existing frontage of the lot is 75', but 100' is required in the industrial zone. Access with be to a town road.

Case # 10-160202459

Across the Street Pub

1238 Western Avenue/SR 20, between Arcadia and Hillcrest Avenues, Guilderland

Special use permit to allow the addition of a porch (22.7'x14') for seasonal dining at an existing restaurant. No changes are shown to the access to SR 20.

Advisory Note: The town should ensure that there is adequate on site parking to accommodate the additional seating.

Case # 10-160202462

Mill Hollow Two LLC

5060 Western Tpk/SR 20, southeast corner of SR 20 & French's Mill Road, Guilderland

An amendment to Local Law #3 from 2006 that was the approval for a rezoning from Local Business to Multiple Residence to allow a condominium project with 86 units for seniors age 55+ and the other is 1,971 s.f of sidewalk along SR 20. The project has been partially developed, but the current owner has stated that financing is difficult to secure for an age restricted project in order to complete development. The applicant is proposing a sidewalk connection that will be built within the project to connect it to an adjacent residential neighborhood and Route 20. Applicant states that the sidewalk along Route 20 that was agreed to originally is too expensive (\$250,000) to build due to significant utility and drainage area crossings. The project has received building permits for 12 units as well as a club house & a senior center which have been built. The club house was to be dedicated to the town.

Advisory Note: Due to the significant increase in residential density that was granted on with the original rezoning the need for sidewalks and pedestrian connections is important. The town should work with the applicant to resolve the issues with building the sidewalk along SR 20; rather than allowing relief from the previous condition of approval for the project.

The town should also be aware of the precedent setting nature of allowing significant changes to the conditions of project approvals.

Case # 16-160202464

Celtic Cycles – variance

School Road/CR 208, west side of CR 208, north side of railroad tracks, Voorheesville

Area variance from 200’ road frontage requirement for an existing flag lot. An 150’ easement will be given to the property from the property in front along CR 208, both properties share the same driveway. This property is also on the agenda for special use permit (case #16-16/2/2463).

Case # 7-160202469

Local Law – Clothing, Donation and Recycling Bins

Town-wide

A local law to amend the town code to include a chapter to establish rules and regulations for clothing, donation and recycling bins. The law includes definitions, regulations describing the permit needed as well as maintenance of and placement of bins.

Case # 13-160202470

Martha Oden

New Scotland Road South/CR 308, approx. 500’ north of the railroad intersection with 308, New Scotland

Subdivision of 49 acres into two lots. One lot will be 8.54 acres and the second will be the remaining lands. No new development is shown. Both properties have frontage along CR 308. An agricultural data statement is included in the file.

Case # 13-160202472

McCaffrey and Constantine

1538 Indian Fields Road/SR 32, west side of SR 32, north of Wisenborn Road, New Scotland

Subdivision that is a land exchange between two adjacent properties. An equal exchange of 3.8 acres of land will be made allowing better access of 3.8 acres of land will be made allowing better access to SR 32 for one parcel and an opportunity to join two parcels that are under the same ownership, but were previously divided. No new development is shown. An agricultural data statement is included in the file.

Case # 14-160202474

Don Perisco

105 Cottage Street, northwest corner of Cottage and Gedney

Site plan for construction of a storage building (40’x50’) in the B-1 zone. Access is to a local street.

Case # 14-160202475

Lance Crossett

38 Main Street/SR 143, between Willis and Clement Streets, Ravenna

Site plan for change of occupancy from a commercial tenant space to a residential tenant space in an existing two story building. There are currently three residential units (all single bedroom) in the building and one commercial unit that has not been able to be rented. Four parking spaces are provided at the rear of the property. No change to the driveway to SR 143.

Case #: 5-160202476

Kearney Family LLC

2524 Route 9W, east side of Rt. 9W, south of Camille Dr., Ravena

Area variance from sideyard setback to allow an addition (30' x 70') to an existing medical office building to be located 9' from the property line, where 15' is required. No change to the access to Rt. 9W is shown.

Case # 17-160202481

Stewarts Shops – 2nd Ave Variance

200 2nd Ave, northeast corner of 2nd Ave and Congress Street Bridge, Watervliet

Area variance from maximum sign square footage and maximum front yard to allow a convenient stoep to have a front yard of 61.8' where 20' is allowed. The proposed signage for the property will be 165.7 s.f. where 100 s.f. is allowed.

Advisory Note: The Zoning Board should consider the precedent setting nature of allowing significant area variances to the sign code in the commercial zone.

GML CASES RECOMMENDED FOR MODIFICATION

Case # 7-160202448

Clark Redevelopment

654 Watervliet Shaker Road/SR 155, south side of SR 155, between Doorstone Drive South and Brookwood Drive, Colonie

Site plan for construction of a 6,000 s.f. commercial with three tenants. The building will replace a former commercial building (Handy Andy) that was destroyed by a fire. A single curb cut to SR 155 will replace a previous open pavement access to the state highway. Thirty three parking spaces will be provided. The property is less than one acre, but stormwater management practices are shown at the rear and sides of the property. This property was previously reviewed for a use variance in August 2015 (case # 7-15/8/2307).

Staff opinion is to modify local approval to include:

1. Review by NYSDOT for design of highway access, drainage and assessment of road capacity.
2. Review by ACDOH for the grease traps.
3. Review by the town stormwater management office for the proposed stormwater management shown on the site plan.

Sean Maguire made a motion to accept staff opinion. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 7-160202450

GWJC, LLC – Funeral Home addition

2020 Central Avenue/SR 5, between VanHeusen and Prescott Streets, Colonie

Site plan for renovation of an existing commercial building (The Lighting Place) to be used as a funeral home. A canopy addition (675 s.f.) will be made to the side of the building and 15 parking spaces will be added to the parking lot. Applicant states that 4,666 s.f. will be the increase to the paved areas. The access driveways are from two local side streets. The existing on-site drainage system consists of dry wells that will be maintained. Less than one acre will be disturbed; however there is an increase in impervious surface greater than 5,000 s.f.

Staff opinion is to modify local approval to include:

1. Review by the town stormwater management office due to the increase in the impervious surface greater than 5,000 s.f.

Ben syden asked about parking, will there be enough for this use? Board discussed parking on the site plan and agreed that there was adequate space.

Sean Maguire made a motion to accept staff opinion. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 7-160202451

CGM Residential Subdivision

621 & 645 Boght Road, north side of Boght Road, 500' west of the intersection of Loudon Road/SR 9, Latham

Subdivision of 17.9 acres into 23 single family residential lots. Lot sizes vary from .4 acres to 2 acres. An additional 1.4 acre lot will be set aside for a stormwater management basin. Access will be from a town road, Boght Road. Future access points to adjacent vacant lands are provided. Public sewer and water is available. There are ACOE wetlands on the property.

Staff opinion is to modify local approval to include:

1. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under section 404 of the Clean Water Act.
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-0-15-002, January 29, 2015) for construction activities that disturb more than one acre of land.

Sean Maguire made a motion to accept staff opinion. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 4-160202452

Bethlehem Lutheran Church Expansion

85 Elm Avenue/CR 52, across from Murray Avenue, Delmar

Site plan and special use permit to allow construction of an addition to an existing church building as well as an additional parking lot within the residential zone. The project includes a 6,000 s.f. new worship area, renovation of interior building space, 100 s.f. entrance area, a cover over the existing

entrance stairs to the building, 39 new parking spaces in a new lot, and paving of an existing gravel parking area.

The existing parking lot (138 spaces) will be re-stripped (9 spaces removed). With the addition of the new parking lot the total number of parking spaces provided will be 168 spaces; where code requires 104 spaces for the size of the church. In addition, the site plan shows a future parking lot expansion of 65 spaces bringing the total number of parking spaces to 233.

The church facility has three driveways to CR 52 from the existing parking lot as well as an old driveway entrance to the vacant parcel that will be used for the new parking lot. The old driveway to CR 52 on the vacant lot will be closed and the new parking lot will be connected internally to the existing lot. There are wetlands on the site. The applicant claims less than one acre of disturbance (.95 acres) on the EAF, but has not counted the future parking lot build out.

Staff Opinion: Modify local approval to include:

1. Review by the Albany County Department of Public Works for design of highway access, assessment of road capacity, and drainage. Although the property has existing curb cuts to CR 52 and the fourth driveway is being closed, the number and configuration of driveways should be re-evaluated by AC DPW Engineering division due to the increased use of the site. The site does not meet current access management standards.

2. The applicant should provide the town with an explanation for the need for the number of parking spaces proposed, since it is significantly greater than required and has a direct impact on the amount of impervious surface for this property.

3. A Notice of Intent filed with the New York State Department of Environmental Conservation 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 New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-002, January 29, 2015) for construction activities that disturb more than one acre of land.

The project constitutes what is known as a "Larger Common Plan of Development" relative to the Stormwater Construction Permit. Although the proposed disturbance for the current phase is indicated to be only 0.95 acre, the future parking expansion in the northwest corner of the property will be 0.54 ac., putting the total disturbance area for the project as a whole to at least 1.49 acres (not accounting for any additional grading that may be needed in the later phase). SPDES GP-0-15-002 (the Stormwater Construction General Permit) requires that in anticipation of the future development, permit coverage must be obtained now through filing of a Notice of Intent for all phases of the project, and post-construction stormwater management practices for the full proposed impervious area must be incorporated into the project design.

4. The SWPPP should be sent to AC DPW Engineering- stormwater management for review and approval.

5. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act..

Advisory: The town planning board should be aware of the drainage issues in this area of the town. There are interconnected wetland areas from the Bethlehem Central School District property south to the SR 32 extension area. Residential properties in the area are impacted by any increase to impervious surface that is not controlled with adequate stormwater management practices due to the high water table and existing wetland conditions.

Board discussion: Roland Graves commented on this area being very wet, wetlands, Brain Crawford said they were out there last spring with a complaint of water in the yard by a resident further south. Dominic Rigosu asked about the access, there was discussion of the number of driveways. Leslie said the driveway closest to Murray on the curve is the issue on the driveways for DPW. The large number of parking spaces being provided was discussed, the fact that there was no explanation for the large number proposed beyond code requirements for the size of the church, especially with the future parking lot that's shown. Board members asked about the stormwater recommendations, the issue of the SWPPP for the future parking lot, Dave explained because it was shown on the plan it triggers the permit under common plan of development even though it's not proposed to be built now.

Roland Graves made a motion to accept staff opinion. The motion was seconded by Sean Maguire and unanimously approved by the board.

Case # 4-160202454

Gateway Commerce Center – Rosenblum Development

River Road/SR 144, east side of 1-87, south side of exit 22 ramp-way, Selkirk

A Development Master Plan approval is requested by the applicant to plan to construct a light industrial park/warehouse facility in the Mixed Economic Development zone. The plan is to build three warehouse buildings totaling 169,000 s.f. which will be subdividable to accommodate tenants and space uses such as stocking, limited assembly and R & D uses. There will be room for limited office space. Loading areas are shown at the rear of the buildings and access will be from two curb cuts to SR 144. There is a significant amount of wetlands on the property. Public sewer is not currently available at the site. A site plan application to the town will be needed after a development master plan is approved.

Staff Opinion: Modify local approval to include:

Due to the fact that the property has a significant amount of wetland areas the location plan for buildings and access points to the state highway is limited and if septic systems are required then their location is somewhat limited also. In addition; while the applicant has shown areas for stormwater management it is not clear if the areas set aside will be adequate in size to handle the required drainage needs on a property with an obvious high water table.

The town should ask for comments from New York State Department of Transportation on the proposed access points shown to SR 144 and the applicant should show the size and location of septic areas that will be needed in case changes to building location, size and access are required. New York State Thruway Authority should also have a chance to comment on the proposed layout that shows Building A 30' from the property line with I-87. The town may want to consider preliminary stormwater management calculations to prove the adequacy of property set aside for drainage retention. Although the project will have a site plan approval process involving the above mentioned agencies; the size of the project should be re-assessed with additional information before master plan approval. The project appears to be an intensive use for an environmentally constrained site.

Board discussion: Roland Graves asked about the existing property that is shown along the road within the same site. Leslie said that was a privately owned parcel, not part of the plan. There was discussion of the location along the Thruway and SR 144, the adjacent residential areas, the conditions of the site being mostly wetland area.

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

Case # 4-1602202456

Stephen Ziamandanis

299 Schoolhouse Road/CR 204, northwest corner

Schoolhouse Road and Krumkill Road, North Bethlehem

Use variance to allow a daycare center to occupy an existing building in the residential zone. The building is currently used for an office use that will remain in 1,700 s.f. of the building and the remaining 3,800 s.f. will be for the daycare. A daycare center previously occupied the building. Applicant provided a letter regarding difficulty in renting for approved use. The plan shows a total of 15 parking spaces. The property has two driveways, one to Krumkill Road and one to Schoolhouse Rd/CR 204. No change to the access to CR 204 is shown.

Staff Opinion: Modify local approval to include:

- 1.The town should ensure that adequate number of parking spaces is provided for both uses of the building. All parking should be delineated on the plan.
- 2.Review by and any necessary permits from the NY State Office of Children and Family Services.
- 3.The town should require the property owner to maintain the driveway to Krumkill Road as an alternate exit, due to the proposed uses on the property.

Sean Maguire made a motion to accept staff opinion. The motion was seconded by Roland Graves and unanimously approved by the board.

Case # 7-160202460

Zebra Tech Warehouse/Office

2846A Curry Road, north side of Curry Road, east of Hembold Drive, Colonie

Site plan for demolition of an existing building and construction of a 8,000 s.f. warehouse with office space. A proposed well and septic system are shown. A stormwater management area is shown at the rear of the property. Access is to a private road that accesses Curry Road, a town road.

Staff opinion is to modify local approval to include:

- 1.Review by the town stormwater management office for the proposed stormwater management practice on site.
- 2.Notification of the application should be sent to the adjacent Town of Guilderland.
- 3.Review by the Albany County Department of Health for water supply, waste water discharge and other required permits.

Sean Maguire made a motion to accept staff opinion. The motion was seconded by Ben Syden and unanimously approved by the board.

Case # 4-160202461

Local Law – establishing Solar Photovoltaic (PV) System section in zoning code
Town-wide

A local law amending the town zoning ordinance to add a section to the address Solar Photovoltaic Systems (solar panel systems). The local law includes a purpose statement, applicability and definitions. Types of systems that are addressed in the law included building integrated systems, building mounted, and ground mounted solar panel systems; both small and large scale. Explanations for by-right facilities and those requiring a special use permit are given. Special use permit standards are also outlined. Abandonment and decommissioning regulations are included as well as amendments to related sections of the zoning ordinance; such as exceptions to the development master plan paragraph, and the Schedule of Uses chart to show which zoning districts the use is allowed in.

Staff opinion is to modify local approval to include:

1. Notification of the local law should be sent to all adjacent municipalities due to the fact that the use will be allowed in zoning districts that abut municipal boundaries.

Board discussion: Members discussed the growing solar panel usage, not necessarily in favor of ground mounted panels in residential areas if have to be in view of neighbors, Roland Graves asked about large solar farms and where they would be allowed.

Sean Maguire made a motion to accept staff opinion. The motion was seconded by Roland Graves and unanimously approved by the board.

Case # 16-160202463

Celtic Cycles – special use permit
School Road/CR 208, west side of CR 208, north side of the railroad tracks, Voorheesville
Special use permit to allow an automotive repair business to occupy the property. Applicant plans to build a 50'x100' building. A gravel driveway and parking area is shown as well as a septic system. The driveway is shared by an adjacent lot under the same ownership and has access to CR 208. An area variance is needed for road frontage and is on this agenda (case #16-16/2/2164). There is a truck display area shown on the adjacent lot along CR 208.

Staff opinion is to modify local approval to include:

Modify local approval to include:

1. Notification of the application should be sent to the adjacent Town of New Scotland.

2. No re-grading should take place to the driveway path or the display area shown that would result in an increase in runoff flow to the county drainage system for CR 208.

3. The location of wells and septic should be evaluated by Albany County Department of Health as part of the subdivision of the land.

4. Review by the Albany County Department of Public Works for design of highway access, assessment of road capacity, and drainage. Although there is an existing curb cut, the driveway needs to be brought up to commercial driveway standards.

5. The display area shown on the map along CR 208 should not block sight distance of vehicles exiting the driveway.

6. The Village should ensure the protection of groundwater from spills from vehicle fuel oil and gasoline on this property by requiring the storage of vehicles on an impervious surface designed to catch spills.

Ben Syden made a motion to accept staff opinion. The motion was seconded by Roland Graves and unanimously approved by the board.

Meeting adjourned at 4:30 p.m.

The next Albany County Planning Board meeting will be held on Thursday, March 17, 2016 at 3:30 p.m. in the conference room at the Albany County Department of Public Works 449 New Salem Road, Voorheesville, NY 12186.