

**Albany County Planning Board
Minutes
November 15, 2018**

Present:

Dominic Rigosu, Acting Chair, Bill Anslow, Tim Garufi, Roland Graves, David Reilly, Enzo Sofia

Albany County Planning:

Michaela Sweeney

Minutes:

Janis Dunham Relyea

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 October 18, 2018 meeting. Enzo Sofia seconded the motion and unanimously approved by the board.

GML CASES RECOMMENDED FOR DEFER TO LOCAL CONSIDERATION

Enzo Sofia made a motion to hear 11 cases recommended for defer to local consideration and hear as is. The motion was seconded by Roland Graves and unanimously approved by the board.

Case #04-181103144

Two Lot Subdivision for Multi-Family Residential Development
Wemple Road at 9W, Town of Bethlehem

Subdivision review for a 96 unit multi-family residential development consisting of multiple 4 and 6 unit buildings. The applicant plans to subdivide a piece of parcel along Route 9W to be used for future development.

*ACPB reviewed site plans for the apartments in April 2017.

Advisory Note: Any future plans to construct a driveway with access to Route 9W will require review and permits by NYSDOT.

Case #13-181103138

Miller Road 2 Lot Minor Subdivision
68 Miller Road, Slingerlands

Two lot minor subdivision of a 7.24 acre lot into two parcels. Lot #1 will be a 4.134 acres with all improvements. Lot #2 will consist of 3.107 acres of vacant land.

Case #07-181103145

Mark G. Pratt/Loudonville Christian School Pavilion
374 Loudon Road, Loudonville

Site plan review for a one-story, 800 s.f. (20'x40'; 15' high) accessory pavilion at Loudonville Christian School.

Case #02-181103148

107-109 Heldeberg Avenue, Rezone

Stewart's Shop Corp

107-109 Heldeberg Avenue, Altamont

Request to rezone the parcel adjoining the existing Stewart's Shop at 1001 Altamont Blvd. from Single Family Residential (R-10) to Central Business District (DBD).

Case #10-181103150

2123 & 2115 Western Avenue, Rezone

Town of Guilderland

Request to rezone two parcels located at 2115 and 2132 Western Avenue from a Business Non-Retail Professional (BNRP) Zone District to a General Business (GB) Zone District. The applicant intends to develop the site with a car wash and other commercial use, such as a bank Rezoning.

Case #07-181103152

Ali Subdivision Variances

4 Kirkner Lane, Town of Colonie

The applicant is requesting variances to subdivide a 12,138 s.f. (0.27 acre) lot into two parcels a 6,486 s.f. lot with a 72.58 ft. front lot line with an existing detached accessory dwelling, and a 5,649 s.f. lot with a 61.42 front lot line with an existing single family dwelling. The proposed subdivision is not compliant with the 20,000 s.f. minimum lot size, 100 ft. minimum front lot line and 100 ft. minimum width at the front building setback line in an Industrial Zoning District.

Case #07-181103154

Wolf's III Trash Compactor Variance

111 Wolf Road, Colonie

Use variance for a proposed trash compactor in the Commercial Office Residential Zoning District with a 55.4 ft. setback which does not comply with the minimum 100 ft. setback to a Single Family Residential Zoning District. Additionally, the 2 ft. right side yard setback does not comply with the minimum 10'/25' side yard setbacks.

Case #13-181103156

435 Unionville Feura Bush Road, Minor Subdivision

Town of New Scotland

Applicant proposes to subdivide the acreage on the north side of Unionville Feura Bush Road, (95.-3-16.20). The remaining acreage will be consolidated with 95.-2-52, which has the same owner.

Case #01-181103157

James D. Linnan

122 Jefferson Street, Albany

Administrative appeal of the September 4, 2018 determination by the City of Albany Zoning Board of Appeals that a parking lot at 122 Jefferson Street is not a legally conforming use.

Case #01-181103158

466 Elk Street Demolition Review

Albany County Land Bank Corp.

City of Albany

Demolition of a vacant 1,600 s.f. building due to structural deficiencies.

Advisory Note: Given well-publicized recent events involving demolition causing damage to adjacent properties in the City of Albany, the ACPB advises the City of Albany Planning Board to ensure the applicant has precautions in place during demolition to protect the people and property adjacent to the site from damage caused by the work. Plans for the protection or repair of adjacent building, if deemed necessary, should be provided upon request by the City Planning Board.

Case #01-181103156

281 Sheridan Avenue

Albany County Land Bank Corp.

City of Albany

Demolition of a vacant 2,178 s.f. building due to structural deficiencies.

Advisory Note: Given well-publicized recent events involving demolition causing damage to adjacent properties in the City of Albany, the ACPB advises the City of Albany Planning Board to ensure the applicant has precautions in place during demolition to protect the people and property adjacent to the site from damage caused by the work. Plans for the protection or repair of adjacent building, if deemed necessary, should be provided upon request by the City Planning Board.

GML CASES RECOMMENDED FOR MODIFICATION

Case #06-181103146

Kellman's Warehouse Addition

41 Euclid Street, Cohoes

Site plan review for a 12,000 s.f. warehouse structure to enclose pre-existing operations at an existing mental recycling facility.

Staff opinion is to modify local approval to include:

1. Review by the NYSDEC (Region 4) to determine if permits or additional review are required due to the proximity of the site to the Mohawk River, discharge of Stormwater into the Mohawk River, location within the 100-year floodplain, and the presence of bald eagles as indicated in the project's Short Environmental Assessment Form.

Enzo Sofia abstained from voting, there was no quorum, therefore the board could not vote on this case.

Case #06-181103147

218 Columbia Street, Neighborhood Gasoline Station Site Plan & Special Use Permit

218 Columbia Street, Cohoes

The applicant proposed to demolish an existing gas station/auto repair shop and construct a gasoline station with three pumps and a small convenience store.

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.
2. Review by the New York State Department of Environmental Conservation to determine potential jurisdiction under bulk petroleum storage regulations.
3. Review by the New York State Department of Transportation for design of highway access, drainage, and any other permits required for proposed work within the State Route 470 right-of-way.

Enzo Sofia abstained from voting, there was no quorum, therefore the board could not vote on this case.

Case#04-181103149

Reserve at Feura Bush

Feura Bush Road, Bethlehem

Subdivision review for 19 new single family building lots along a 900 ft. cul-de-sac off of Feura Bush Road. The proposed road will be dedicated to the Town of Bethlehem with all proposed utility infrastructure.

Staff opinion is to modify local approval to include:

1. Review by Albany County Department of Health for realty subdivision required permits.
2. Review by the New York State Department of Transportation for design of highway access to the cul-de-sac.

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

Case #07-181103153

Sparrowbush Road Storage Facility

37-39 Sparrowbush Road, Latham

Special use permit to develop a site with a one-story, 10,783 s.f. self storage building with associated circulation drives and parking.

Staff opinion is to modify local approval to include:

1. Review by the NYSDEC (Region4) to determine if permits or additional review are required due to the presence of wetlands indicated on the site plans and the site's location in the floodplain.
2. Inform the applicant that a Notice of Intent filed with the NYSDEC affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the NYSDEC SPDES General Permit for Stormwater Discharges (GP-0-15-002, January 2015) for construction activities that disturb more than one acre of land. This should be provided prior to site plan approval by the Colonie Planning Board.

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

Case #10-181103155

Berry Cooke, Infamous Graphics
1561 Western Avenue, Guilderland

Variance request to permit a freestanding sign within 6 ft. of a public right of way where a minimum setback of 20 ft. is required.

Staff opinion is to modify local approval to include:

1. Notification of the application to the NYS Thruway Authority due to the proximity of the site to the I-87 ROW.

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

Case #01-181103160

Lionheart Pub Conditional Use Permit
448 Madison Avenue
City of Albany

Request for a conditional use permit for use of a 1,250 s.f. floor area within the structure for the purpose of Artisan Manufacturing and to expand an existing conditional use (Bar/Tavern) occupying approximately 2,250 s.f. of floor area by an additional 1,150 s.f..

Staff opinion is to modify local approval to include:

1. All necessary licenses and permits from the NYS Liquor Authority.
2. Review and permits by the Albany County Department of Health for the construction, alteration or remodeling of a food service establishment

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

Case #13-181103162

Duffy Lot Line Adjustment
Dunbar Hollow Road
Town of New Scotland

Request to join a 1.02 acre parcel with an adjacent 3.01 acre parcel, resulting in a 10.03 acre parcel.

Staff opinion is to modify local approval to include:

1. Notification of the subdivision application should be sent to the Town of Westerlo, including all required notices pursuant to GML 239.

Enzo Sofia made a motion to accept staff opinion the motion was seconded by Roland Graves and unanimously approved by the board.

Case #06-181103151

218 Columbia Street, Neighborhood Gasoline Station Area Variance
City of Cohoes

The applicant proposes to demolish an existing gas station/auto repair shop and construct a gasoline station with three pumps and a small convenience store. The proposed sign for this site will require variances to allow reduction of the height and required setback of the sign from the front property line.

Staff opinion is to defer to local consideration.

Enzo Sofia recused himself from voting, there was no quorum, therefore the board was not able to vote.

The City of Cohoes has requested the Board issue a letter clarifying that case #06-180903132 (“Erie Point Site Plan Updates”) will have 40 units rather than 39 as our meeting meetings state. The Board unanimously agreed to issue a letter.

Meeting adjourned at 3:50 p.m.

The Albany County Planning Board will meet on Thursday, December 20, 2018 at 1:30 pm at the Albany County Department of Public Works at 449 New Salem Road, Voorheesville, NY 12186.