

Albany County Planning Board
April 19, 2018
Approved Minutes

Present:

Dominic Riguso, Acting Chair, Bill Anslow, Tim Garufi, Roland Graves, Sean Maguire, David Reilly, Enzo Sofia

Albany County Planning:

Michaela Sweeney

Minutes:

Janis Dunham Relyea

Guests:

Robert Price
Art Brearton
John Reagan
Annie McQuillan
Pat Figler
Chris Cioffi
Amy Pokorny
Chad Pagon
Brigitte McAuliffe

A call to order:

Meeting called to order at 3:30 p.m.

Roland Graves made a motion to accept the meeting minutes from the March meeting. Sean Maguire seconded the motion and unanimously approved by the board.

Sean Maguire made a motion to move the following cases to the front of the agenda 14-180402997, 18-180403000, 11-180403002 and 10-180403012. Roland Graves seconded the motion and unanimously approved by the board.

Case #14-180402997

Ravena Industrial Park
Coeymans Recycling Center, LLC/Donald Trickey
Northeastern corner of the Village of Ravena
Coeymans Recycling Center, LLC plans to expand Coeymans Industrial Park to the vacant land north of Willis Avenue and east of I-87 with the construction of five warehouse structures.

Staff opinion is to modify local approval to include:

1. Notification of the application should be given to the Town of Coeymans, including all required notices pursuant of GML 239-nn.
2. Reviewed by the NYS Thruway Authority for assessment of impacts to Thruway Lands.

3. 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-0-14-002, January 29, 2015) for construction activities that disturb more than one acre of land.

Advisory Note:

1. A shared access agreement (including a maintenance agreement) should be referenced in all deeds for all involved properties.

Chad Pagon from Ingalls Associates addressed the board, quickly reviewed the project.

Enzo Sofia asked if the project is in an industrial area. Michaela Sweeney said yes.

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

Case #18-180403000

Costanza Solar, LLC

198 Sunset Hills Road/252 CR Route 405, Westerlo

Cypress Creek Renewables, LLC is proposing to construct a 2,000 kw solar photovoltaic array system on a portion of the parcel located at 198 Sunset Hills Road. The project will consist of ground-mounted, solar photovoltaic panels in a fixed-tilt tracking configuration, as well as 2 equipment pads, a 1,308 linear foot access driveway and security fencing.

*This case was referred to ACPB in September 2017.

Staff opinion is to modify local approval to include:

1. Any wetlands disturbance will require notification to and review by the US Army Corps of Engineers for permits under Section 404 of the Clean Water Act.
2. Review by Albany County DPW for design of highway access and drainage.

Advisory Note:

1. A shared access agreement (including a maintenance agreement) should be referenced in the deeds for both parcels.

John Reagan and Annie McQuillan from Cypress Creek Renewables addressed the board.

This is a community solar farm, power is sold locally by NYSERDA; 2 MW, will power 300-500 homes.

Roland Graves asked if the fence will be barbed wire. John Reagan replied yes, that is standard design.

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

Case #1-180403002

Town of Knox – Rezone

17 parcels located near the Route 156 and 157 intersection, Town of Knox
Proposed rezoning of 16 lots totaling 190.59 acres to a business district that are currently zoned for agricultural and residential uses.

Recommendation: Disapprove without prejudice

Advisory:

The Albany County Planning Board disapproves the proposed rezoning without prejudice for the following reasons:

1. Incompatibility with surrounding land uses and community character;
2. Potential impacts to traffic and county and state roads;
3. Inadequate infrastructure, and lack of plans for the provision of infrastructure;
4. Potential environmental impacts and water quality concerns;
5. And inconsistency with the Town's Comprehensive Plan.

The Environmental Assessment Form provided with the referral is incomplete, with all sections left blank related to Project Details (Section D) and Site and Setting of Proposed Action (Section E).

The Albany County Planning Board advises the Town of Knox to:

1. Update the Town's comprehensive plan before rezoning or amending the zoning code to ensure that proposed land use and development regulations are consistent with community goals.
2. Consider the feasibility for the provision of necessary public infrastructure and services should a business or commercial district be proposed.
3. Contact the New York State Department of Agriculture and Markets in advance of enacting the rezoning to assess any restrictions to farming or farm operations in an agricultural district. The Department of Agriculture and Markets will provide an informal, non-binding response to such inquiries. For more information, please visit:
https://www.dos.ny.gov/lg/publications/Local_Laws_and_Agricultural_Districts.pdf

Arthur Brearton submitted a letter to the board to be on record as his statement.

Robert Price addressed the board. He is on the Town of Knox Planning Board, not once but twice the Planning Board has told the Town Board this is not a good idea. SR 156 is a busy road, with lots of accidents. The Village of Altamont has a reservoir in the area, concerns of possible contamination. There are 3 businesses in that area and have existed for many years, including outdoor furniture sales near SR 157, Armstrong Furniture Sales, and Mae's Hot House (which is in the Ag District).

Pat Figler is there on behalf of her father. He owns a large parcel and the Town did not reach out to him, they are opposed to the rezone. His property is currently under contract to possibly become a solar farm.

Amy Porkony addressed the board, she was once on the Town Board and opposes the zoning change. The infrastructure, possible risk to water source, and no real need for this since the current businesses are doing well. She has concerns the Town Supervisor may have real estate interests.

DOT is preparing a list of accidents in this area.

Robert: Knox wouldn't benefit significantly from a new business district, based on sales tax distribution in the County. Existing businesses are primarily home-based/sole proprietors. The abandoned Highlands Restaurant may be converted into a sports bar.

Enzo Sofia asked why the town wants to rezone. The townspeople all responded they do not know, the Town Board has not given a reason.

The current zoning has "permitted uses" in the business district. All of the current businesses are all sole proprietors and do not want the zoning change.

Brigitte McAuliffe addressed the board. She asked to have her property removed from the proposed commercial zone map. Most of the property owners in the area want to be removed from this map. She had wells tested when she moved to Knox—very clean water and no contamination and has concerns for water contamination from commercial uses, such as a gas station. She has concerns for well contamination, and the Town Supervisor will not reveal why he wants to make the zoning change. She asked that ACPB disapprove the zoning change.

There are only a few businesses in the Hamlet area. Town Supervisor holds mortgage for three businesses in the Hamlet.

Dominic Rigosu asked about the Comprehensive Plan from 1995 making mention of this spot being a possible business district.

Art: horse stables will not be a permitted use in the proposed business district.

Brigitte: there was a public hearing. Part 1 of the Environmental Assessment Form is incomplete. The Town Board is the lead agency.

Sean Maguire: confirmed the Environmental Assessment Form is incomplete.

Michaela: Comprehensive plan from 1995 suggests this area as a potential future business district, but also identifies other areas in the town. No further discussion in the comprehensive plan.

Dominic: GML 239 considerations – not compatible with existing land uses, potential state/county road impacts, traffic, community character impacts, inadequate infrastructure. Recommend updated comprehensive plan and environmental assessment.

Sean asked about the current business district which is about a mile long near Knox Cave Road on SR 156.

The Town Supervisor feels the other area has smaller parcels that are not desirable for businesses. The proposed business district prohibits having a horse stable on your property, unless it is a commercial stable.

Roland Graves made a motion to accept staff opinion. Enzo Sofia seconded the motion and it was unanimously disapproved without prejudice by the board.

Case #13-180403012

Evolution Site Services, LLC Telecommunication Facility

4263 Western Tpk, Altamont

Special use permit for a telecommunication facility and a use variance to allow the telecommunication facility in a residential zone.

Staff opinion is to modify local approval to include:

1. Review by the NYSDOT for any property development plans that involve a new or modified access to SR 20 (Western Tpk.).

Chris Cioffi addressed the board. Verizon Wireless will be the primary provider. He owns the facility and rents to Verizon Wireless.

4G is proposed (5G isn't commercially available yet). There are 70 ft. to 90 ft. trees around the tower to provide natural screening. Over 100% setback on all sides. These types of towers rarely fall –50 yds. of concrete to reinforce the structure. If damage occurs from storm or weather event, usually just affects the top third of the tower. The tower isn't in the fall zone of any structure. Self-supported towers need to be reviewed every 5 years.

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

GML 239 CASES RECOMMENDED FOR DEFER TO LOCAL CONSIDERATION

Sean Maguire made a motion to consider **14** cases recommended for defer to local consideration. The motion was seconded by Roland Graves and was approved by the board.

Case #07-180402981

Starbucks/Mayfair Building Addition

549 Troy Schenectady Road, Town of Colonie

Site plan review for the construction of a one-story 1,7654 s.f. retail space addition to an existing building for a new tenant. The existing drive-thru that serves Starbucks will be shifted in order to accommodate the addition.

Case #02-180402986

John Donato

996 Altamont Blvd, Altamont

Special use permit for the construction of two additional apartments in the rear of a mixed use building that currently houses two businesses and two apartments.

Case #04-180402987

Jersey Mikes Restaurant

380 Feura Bush Road, Glenmont

Area variance request for additional 34 s.f. sign on the south facing building façade that faces the shops in Glenmont Plaza, where only one sign is permitted.

Case #07-180402989

Siena College MAC & ARC Additions

5151 Loudon Road, (Marcelle Athletic Complex), Loudonville

Site plan for a 2,880 s.f. addition to the existing MAC and ARC building and associated improvements.

Case #07-180402992

Ben Forucci-Single Family Home Construction

7 Saxton Road, Town of Colonie

The proposed construction of a new single family dwelling on a 5,700 s.f. lot with a 57' front lot line and a 57' width at the front building setback line is not compliant with the 12,000 s.f. minimum lot size, 75' minimum front lot line, and 75' minimum width at the front building setback line required in a SFR Zoning District.

Advisory Note: The Zoning Board of Appeals should consider the precedent setting nature of allowing significant area variances in the SFR zone.

Case #07-180402993

Vicarious Visions 2nd Floor Exterior Balcony/Deck Addition

1021 Watervliet Shaker Road LLC/Rosetti Properties, Town of Colonie

Site plan review for an exterior second floor deck (1,040 s.f.) for a new office tenant (Vicarious Visions). An existing concrete/pad transformer directly under the area of the proposed deck will be relocated. The area below the deck will be kept as green space.

Case #04-180402994

Dembling Subdivision Review

55 McCormack Road, Slingerlands

Request to subdivide an existing parcel into two single family lots. The existing house will be demolished and one single family home will be constructed on each parcel.

Case #17-180402998

Chris Colwell-Site Plan Review

2400 3rd Avenue, Watervliet

Site plan review for an eight car parking lot for three residential units and one commercial unit (barber shop)

Case #17-180402999

Chris Colwell-Use Variance

2400 3rd Avenue, Watervliet

Use variance to renovate building into one commercial space (barber shop) and three high-end apartments in the R-3 Multifamily Zoning District.

Case #10-180403003

Luciano Wine and Liquor

1871 Western Avenue, Albany
Special Use Permit for the conversion of a retail space to a liquor store.

Case #10-180403004

Crossgates Mall Sign Variance

1 Crossgates Mall Road, Guilderland

Variance request for a 225 s.f. sign for 110 Grill at Crossgates Mall, where a 50 s.f. is permitted in the General Business District.

Case 15-180403006

John Kudlack-Lot Line Adjustment

17 Littner Road, Rensselaerville

Lot line adjustment for two parcels both owned by John Kudlack. Prior to selling one parcel, an adjustment of the lot line for parcel #135.-2-20 will accommodate an existing pond that currently spans across the lot line. This matter has been referred from the Town of Rensselaerville Planning Board and the Zoning Board of Appeals, as adjustment of the lot line will not conform with the 50' yard setback requirement in the Agricultural/Rural Residential District.

Case #13-180403011

Town of New Scotland Zoning Law Revisions-Hamlet Zoning District

SR 85-85A Corridor, Town of New Scotland

A local law amending the Town of New Scotland Zoning Map and creating the New Scotland Hamlet Zoning District (previously "Commercial" district).

GML 239 CASES RECOMMENED FOR MODIFICATION

Case #07-180402983

Mark Bette-Office Building Addition

1245 Kinds Road, Town of Colonie

Proposal to construct a two-story addition with a basement (1,000 s.f. per floor) to the current 20,000 s.f. office building.

Staff opinion is to modify local approval to include:

1. Notification to Albany Pine Bush Commission. Any comments by the Albany Pine Bush Commission should be considered by the Albany Pine Bush Commission should be considered due to the property's proximity to the Preserve boundary.
2. Notification of the site plan review application should be sent to the Town of Guilderland, including all required notices pursuant to GML 239-nn.

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

Case #06180402984

Cohoes Zoning Code Update

City of Cohoes (city-wide)

Amendments to Chapter 285 of the City of Cohoes' Zoning Ordinance, reflecting the recommendations identified in the recently updated Comprehensive Plan (adopted in August 2017). The amendments include a new form-based code policy for the downtown and major corridors of the City, updated definitions, historic preservation regulations, site plan processes and other minor amendments.

Staff opinion is to modify local approval to include:

1. A notification of the changes to the zoning ordinance should be sent to all adjacent municipalities to encourage the coordination of land use development and regulation in order that each may recognize the goals and objectives of neighboring municipalities.
2. Review by the NYSDOT for comments on the proposed future form based design standards for Bredford and Ontario Streets (both State Route 470) in the new form based code districts.

Advisory Note: The City of Cohoes should include specific references to the provisions required by NYS General Municipal Law 239-m,-n, and –nn when applicable, such as, but not limited to:

1. Article II (Administration) 285-13 (page 35) and/or other relevant sections should include an acknowledgement of the requirements of NYS General Municipal Law 239-nn, *Right and duties of neighboring municipalities in planning and zoning matters*, as it relates to notification of public hearings for the issuance of a proposed special use permit, use variance, site plan review and approval, and subdivision review and approval within 500 ft of an adjacent municipal boundary.
2. General Municipal Law 239-nn should also be referenced in 285-17 (C)(f)(2) on page 39.
3. Article XIII, Subdivision of Land, should include a section on referrals to the County Planning Board, comparable to 285-130 in Section XIV, Site Plan Review and Approval, on page 121. This section should be consistent with the provisions identified in NYS General Municipal Law 239, n, *Referral of certain proposed subdivisions to the county planning agency or regional planning council; report thereon; final action*.

The City's Common Council may want to consider including procedures for zoning or planning authorizations for actions that are approved at the discretion of an individual (i.e. any administrative reviews and authorizations, such as the Director of Community and Economic Development, for example), who do not wish to accept the opinion of the County Planning Board, if referable under General Municipal Law 239-m, n. General Municipal Law 239-m(5) and 239-n(5) allows the referring body to act contrary to the County Planning Board's recommendation only with a vote by a majority plus one of all members. A provision may be included to refer certain discretionary actions to the appropriate municipal board should be the designated administrative authority disagree with the recommendations of the County Planning Board.

Review by the County Planning Board pursuant to the General Municipal Law 239 could be included in the review and approval process chart on page 197.

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

Case #01-180402985

Kipp Tech Valley Charter School
400 Northern Blvd, Albany

Expansion of an existing school involving the construction of a two-story 7,600 s.f. addition to the existing structure, a 55 space parking expansion, addition of a bus drop off lane, and a new playground area. Four existing residential structures are proposed to be demolished.

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 (SWPPP) 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.

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

Case #04-180402988

Schools Out
81 Kenwood Avenue, Delmar

Use variance to operate a day care facility, which is not permitted by right in the Residential A zone.

Staff opinion is to modify local approval to include:

1. Any necessary permits from the NYS Office of Children and Family Services regarding childcare services.

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

Case #01-180402990

Vision Planning Consultants
15 Wood Terrace, Albany

Request for area variances related to the construction of a single-family dwelling in the R-1L (single-family, low-density) zone to replace a former home that was demolished. The applicant is requesting the following variances:

1. A lot area of 5,750, where the required minimum lot area is 6,500 s.f.
2. The lot width is 50 ft., where the required minimum is 30%.
3. The proposed development has an 18' driveway in the front setback area, which is 36% of the lot width. Parking spaces for any single or two family structures shall be provided in the front setback area of any area forward of the front wall plane of the structure unless they are located on a paved area that does not exceed 35% of the lot width or the width of any paved parking area that exists on June 1, 2017.

Staff opinion is to modify local approval to include:

1. Notification of the variance application should be sent to the NYS Correctional Services Facility.

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

Case #05-180402991

Keystone Fireworks Sales

2369 Route 9W, Town of Coeymans

Site plan review and request for an operating permit to place a tent for the sale of legal fireworks. The sale will be from June 27th to July 5th 2018.

Staff opinion is to modify local approval to include:

1. Notification of the application should be sent to the Town of Ravena, including all required notices pursuant to GML 239-nn.
2. The Planning Board advise the applicant to ensure that the proposed tent does not impede the line of site along SR 9W.
3. Notification should be sent to the local fire department.

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

Case #07-180402995

Safelight Autoglass/Peter Campito

327 Old Niskayuna Road, Town of Colonie

Proposed construction of a one story 40,500 s.f. manufacturing/warehouse facility, including parking for 38 vehicles, associated banked parking, lighting and landscaping upgrades. The applicant will construct sidewalk connections, both on Old Niskayuna Road from the proposed warehouse to Nexus Drive to the south, and along Wade Road, between Hastings Drive and the westerly driveway to the NYS Tax and Finance building.

Staff opinion is to modify local approval to include:

1. Submission of an agricultural data statement to the town as required by Town Law for site plan, special use permit, use variance and subdivision approval of sites within 500 feet of a farm operation located in an agricultural district.
2. 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.
3. 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 (SWPPP) 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.
4. Notification of the site plan application to the NYS National Guard Headquarters.

Advisory Note: In the event that wetlands are disturbed, the applicant will need to obtain permits under section 404 of the Clean Water Act from the US Army Corps of Engineers.

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

Case 07-180403001

Luizzi Storage Shed

49 Railroad Avenue, Colonie

Site plan for a 822 s.f. pole barn style storage shed to cover existing fuel tanks and salt storage.

Staff opinion is to modify local approval to include:

1. Notification of the site plan application should be sent to the Town of Guilderland, including all required notices pursuant to GML 239-nn

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

Case #10-180403005

Encore Renewable Energy/ER Gelria Solar, LLC

3928 Western Tpk., Altamont

Special use permit to develop a 3.55 MW AC solar generation facility, which will include 12,410 solar PV panels, 78 inverters and a transformer interconnection into the utility grid.

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 (SWPPP) 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.
2. Submission of an agricultural data statement to the Town as required by Town Law for site plan, special use permit, use variance and subdivision approval of sites within 500 feet of a farm operation located in the agricultural district.
3. Should the site plan propose any disturbance of wetlands, notification to the corresponding regulatory agency is required.
4. Review by the NYSDOT for design of highway access and drainage.
5. Consultation with the local fire department when reviewing the site plan for the project to ensure proper siting of the utility from a fire protection stand point and to ensure property training and response procedures are in place.

Advisory:

New York State General Municipal Law 239-m(c) requires that a “full statement of such proposed action” be submitted for each referral to the County Planning Board. A “full statement” is defined as:

“...all materials required by and submitted to the referring body as an application on a proposed action, including a completed environmental assessment for and all other materials required by such a

referring body in order to make its determination of significance pursuant to the state environmental quality review act under article eight of the environmental conservation law and its implementing regulations. When the proposed action referred is the adoption or amendment of a zoning ordinance or local law, 'full statement of such proposed action' shall also include the complete text of the proposed ordinance or local law as well as all existing provision sot be affected thereby, if any, if not already in the possession of the county planning agency or regional planning council. Notwithstanding the foregoing provisions of this paragraph, any referring body may agree with the county planning agency or regional planning council as to what shall constitute a 'full statement' for any or all of those proposed actions which said referring body is authorized to act upon."

The special use permit application submitted for Encore Renewable Energy does not constitute a "full statement" under New York State General Municipal Law § 239-m(c), as the referral application to the County is missing materials specifically required in the Town of Guilderland's "Checklist for Special Use Permit." The Town of Guilderland requires that applications considered for special use permit review by the Town's Planning Board (§280-52) shall be accompanied by a site plan prepared and certified by a licensed engineer, architect, landscape architect or surveyor, in accordance with §280-53E. The sketch plan provided does not include all details that constitute a complete site plan, nor is it certified by a licensed professional.

To ensure full compliance with the provisions of New York State General Municipal Law, the Albany County Planning Board requests that future applications be consistent with the requirements for submitting "full statements."

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 04-180403007

Kenneth Gonyea-Adirondack FPI, Inc. (Absolute Fire Protection)

1074 River Road, Selkirk

Use variance to permit a contractor's yard in the Rural Riverfront Zoning District.

Staff opinion is to modify local approval to include:

1. Required highway work permit from the NYSDOT if the commercial property development plans involve new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway.

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

Case #10-180403008

David Fusco/Carmen Ridge Apartments

3760 Carmen Road, Town of Guilderland

Construction of a two-story 9,595 s.f. apartment building with 14 units.

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 (SWPPP) 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.

Advisory Note:

1. The town should determine if all of the parking spaces are needed for the proposed use, and if not, banked parking should be encouraged.
2. A shared access agreement (including a maintenance agreement) should be referenced in the deeds for both properties, due to the proposed shared use of the existing driveway with Carman Realty, LLC.
3. The proposed driveway indicates one-way access with the proposed painted arrows, which feeds into the parking lot owned by Carman Realty, LLC. The applicant may want to consider directing vehicles into the parking lot of the neighboring property is appropriate for ingress and egress.

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

Case #15-180403009

Rebecca Platel- Helderberg Brewery
26 County Route 353, Rensselaerville

Special use permit for a farm brewery branch office (“satellite taproom”) in the northern-most unit of the existing building. The taproom will occupy a delineated outdoor area immediately adjacent to the unit. The taproom will market and sell its own beer and craft beverage products for on-site consumption and will sell light food products and other agricultural products.

Staff opinion is to modify local approval to include:

1. Submission of an agricultural data statement to the Town as required by Town law for site plan, special use permit, use variance and subdivision approval of sites within 500 feet of a farm operation located in an agricultural district.
2. All necessary licenses and permits from the NYS Liquor Authority.
3. Review by the Albany County Department of Health for food service and other required permits.

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

Case #15-180403010

Anna Rogers Subdivision
709 Travis Hill Road, Preston Hollow, Town of Rensselaerville

Request to subdivide 60 acres into two lots—Lot #1 into 19.975 acres and Lot #2 into 40.004 acres.

Staff opinion is to modify local approval to include:

1. Submission of an agricultural data statement as required by Town Law for site plan, special use permit, use variance and subdivision approval of sites within 500 feet of a farm operation located in an agricultural district.

Advisory Note:

1. Subdividing the land in the proposed configuration may limit opportunities for development on Parcel #2 (40.004 acres) due to the narrow road frontage.

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

Meeting adjourned at 4:55 p.m.

The Albany County Planning Board's next meeting is on Thursday, May 17, 2018 at 3:30 p.m. in the conference room of The Albany County Department of Public Works, 449 New Salem Road, Voorheesville, NY 12186.