

**Albany County Planning Board
Minutes
December 20, 2018**

Present:

Dominic Rigosu, Acting Chair, William Anslow, Roland Graves, Timothy Garufi, Enzo Sofia, David Reilly, Lisa Ramundo, Shawn Thelen

Albany County Planning:

Michaela Sweeney

Minutes:

Janis Dunham Relyea

A call to order:

Dominic Rigosu called the meeting to order at 2:10 p.m.

Roland Graves made a motion to accept the minutes from the November meeting. The motion was seconded by Enzo Sofia and unanimously approved by the board.

GML CASES RECOMMENDED FOR DEFER TO LOCAL CONSIDERATION

Enzo Sofia made a motion to hear the **8** 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 #04-181203169

Alon and Maria Dominitz/Hanifin Home Builders, Inc.

16 & 16A Font Grove Road, Slingerlands

Site plan review and special use permit to allow an accessory apartment within a single family home.

The entry point will be through the side door entrance. Driveway entry will be from CR 306. *ACPB reviewed the subdivision for this parcel in August 2017.

Case #04-181203170

Iva and David Zornow

3 Dickinson Commons, Slingerlands

Amendment to PDD to permit construction of a 10" x 6" deck with a one foot setback from the property line.

Case #04-181203171

Delmar Veterinary Practice-Roof Mounted Solar Array

Site plan review and special use permit to install a 14.7 KW roof-mounted solar array.

Case 04-181203172

64 & 68 Wemple Road Minor Subdivision and Lot Line Revision

64 & 68 Wemple Road, Town of Bethlehem

Request to adjust the lot lines of two existing lots to create one new parcel. No uses are proposed for the new parcel at this time.

Case #04-181203173

VanDerlofske Ground Mounted Solar
207 Old Quarry Road, Selkirk

Special use permit and site plan review for a residential ground mounted solar system.

*ACPB reviewed the variance for this project October 2018.

Case #07-181203163

Wolf Road Parking Modification

Site plan review for parking lot modification at 155 Wolf Road, including additional parking spaces and minor modification to the ingress/egress.

Case #16-181203164

Village of Voorheesville

Moratorium to temporarily suspend certain development within the Village. The Village is in the process of finalizing a new zoning code pursuant to a recently adopted comprehensive plan. A six month moratorium was enacted in June 2017 to enable the Village to complete its comprehensive planning process. This additional moratorium is requested to continue temporarily prohibiting development while affording the Board of Trustees sufficient additional time to finalize necessary amendments to the zoning laws.

Case #13-181203177

Petrocine Wind Turbine Variance

875 Clarksville South Road, Town of New Scotland

Variance to permit an accessory wind-powered generator support structure that should not exceed 100 ft. in height, where a maximum height of 35 ft. is permitted.

Advisory Note: The board may want to consider requiring a decommissioning plan or establish conditions requiring abandoned wind turbine systems to be removed by the owner as a condition of approval for this project.

GML 239 CASES RECOMMENDED FOR MODIFICATION

Case #04-11203174

Comfort Inn Signage

37 Route 9W, Glenmont

Request to alter the existing signage on the façade and replace two existing free standing non-conforming signs. A variance is requested for height and overall size.

Staff opinion is to modify local approval to include:

1. Notification to the NYS Thruway Authority for assessment of the impact on Thruway lands.

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

Case #05-181203165

Lumens Holding 3, LLC

1305 Route 143, Town of Coeymans

Site plan review for installation of a 2-megawatt photovoltaic solar energy system. A variance is requested for 45% lot coverage, where 15% is permitted.

1. Review by the NYSDOT for design of highway access and drainage due to the change in property use.
2. Notification of the project should be sent to the Albany Water Board. A share access agreement (including a maintenance agreement) should be referenced in the deeds for both properties, due to the proposed use of the Albany Water Board's property (tax map ID 155.-3-1) to access the project site.
3. The applicant should provide the town with the required easement information that will be necessary for all off-site connections as part of the project.
4. Review by the NYSDEC Division of Environmental Permits (Region 4) to determine if permits or additional review are required due to the presence of federal wetlands and watercourse on the project parcel.
5. A decommissioning plan or established conditions requiring abandoned solar systems to be removed by the owner is also generally included as part of an approval for this size project parcel.
6. The town should consider if any additional landscaping should be included to buffer adjacent residential properties.
7. Consult with the local fire department when reviewing the site plan for the project to ensure proper siting of the utility from a fire protection standpoint and to ensure proper training and response procedures are in place. Require that 24 hour emergency contact information is clearly posted on the site for emergency responders to communicate with a licensed individual to safely turn off all power on site.
8. While a SWPPP will not be required for this redevelopment project, the applicant is encouraged to incorporate erosion and sediment control measures during construction.

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

Case #13-181203178

Tell-Drake Special Use Permit

9 Game Farm Road, Town of New Scotland

Special use permit to operate a

Special use permit to operate a permaculture "forest garden" for educational purposes, which include raising "productive pets" such as chicken, goats and angora rabbits for eggs, milk and wool.

Staff opinion is to modify local approval to include:

1. Notification of the application to the Town of Bethlehem, including all required notices pursuant to GML 239-nn.

2. Notification of the application to Five Rivers Environmental Center.

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

Case #18-181203166

Constanza Solar – Revised Site Plan

198 Sunset Hills Road, Westerlo

Amendment to the original site plan and special use permit application to install an energy storage system, reduce the array footprint and alter the ingress/egress.

*The original plans were reviewed by the ACPB in April 2018.

Staff opinion is to modify local approval to include:

1. Review and permits by the Albany County Department of Public Works for design of highway access and drainage to County Route 405.

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

Case #18-181203167

Westerlo NY1, Solar Farm LLC - Revised Site Plan

77 County Route 405, Westerlo

Amendment to site plans to include an energy storage system.

*ACPB reviewed the original site plans in February 2018.

Staff opinion is to modify local approval to include:

1. Satisfaction of all recommendations original proposed by the Albany County Planning board (ACPB) for the original site plan and special use permit (Case #18-18/02/02942) in February 2018. The February ACPB recommendation letter is enclosed.

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

Case #18-181203168

Medusa A Solar Farm – Site Plan Amendment

626 County Route 351, Medusa

Amendment to site plans to include an energy storage system.

*ACPB reviewed the original site plans in March 2018.

Staff opinion is to modify local approval to include:

1. Satisfaction of all recommendations original proposed by the Albany County Planning board (ACPB) for the original site plan and special use permit (Case #18-18/03/02956) in March 2018. The March ACPB recommendation letter is enclosed.
2. The Town of Rensselaerville should be notified of the proposed site plan changes with required notices pursuant to GML 239-nn.

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

Case #14-181203180

Ravena Industrial Zone Restaurant Use

Amendment of zoning ordinance to allow restaurants as a permitted use in the Industrial (I-1) Zone.

Staff opinion is to modify local approval to include:

1. Notification of the zoning amendment should be sent to all adjacent municipalities.

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

Case #10-181203181

Marc Johnson

5940 State Farm Road, Guilderland

Variance to expand a 24' x 24' residential garage into a 50' x 44' garage with driveway access to State Route 155. A variance is requested to allow the proposed addition within 100 of the top of the bank of a watercourse (Blockhouse Creek) and allow construction within the 100-year (Zone A) floodplain.

Staff opinion is to modify local approval to include:

1. Review by the NSYDEC due to the proximity of the proposed addition to the Blockhouse Creek and its location with the 100-year floodplain. The applicant may need to apply for an Article 24 Freshwater Wetland Permit, as the proposed addition is located within 100 ft. of a riverine wetland.

Advisory Note: The Town ZBA should encourage the applicant to consider alternative siting of the addition to avoid impacts to the Blockhouse Creek and avoid placement within the 100-year floodplain.

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

The Board acknowledged this being Michaela Sweeney's last day with Albany County Planning.

Dominic Rigosu recommended Brian Crawford to occupy the vacant position on the Albany County Planning Board. Roland Graves made a motion to recommend Brian for appointment to the board. The motion was seconded by Enzo Sofia and unanimously approved by the board.

The meeting was adjourned at 2:40 p.m.

Albany County Planning Board's next meeting is on Thursday, January 17, 2019 at 3:30 p.m. at the Albany County Department of Public Works at 449 New Salem Road, Voorheesville, NY 12186.

