

**Albany County Planning Board
Minutes
January 18, 2018**

Present:

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

Albany County Planning:

Michaela Sweeney

Minutes:

Janis Dunham Relyea

Guests:

Nancy Harrigan
Vince
Jeanne Allesandro
Julie Turner
Stephen Burke
Don Reeb
Ellen Manning
Keith Reynolds
Michael Gafely
Steven Sokal
Mery Seeman Sokal
Sam Fein

A call to order:

Dominic Riguso called the meeting to order at 3:52 p.m.

Roland Graves made a motion to accept the meeting minutes from the December 21, 2017 meeting. The motion was seconded by Enzo Sofia and unanimously approved by the board.

Roland Graves made a motion to move cases 18102924 and 18102932 to the front of the agenda. The motion was seconded by Enzo Sofia and unanimously approved by the board.

Case #01-18010932

222 S. Pearl Street, (Ashan Farooq)

222 S. Pearl Street, Albany

Construction of a 401 s.f. addition to the existing structure for installation of 3 gas/diesel pumps resulting in 6 new fueling spots. Façade and sidewalk improvements include moving the curb cut on S. Ferry Street toward S. Pearl Street to facilitate access to pumps.

Staff opinion is to modify local approval to include:

1. Review by the NYSDE to determine potential jurisdiction under bulk petroleum storage regulations.
2. Review by the Albany County Department of Health for food service and other required permits.

Sam Fein, Albany County Legislator, District 6 addressed the board. He is in favor of the project and feels it is a welcome improvement for the neighborhood, an area that doesn't get invested in. It will be nice having more amenities in the neighborhood, the next closest gas station is by U-Haul and another about a ½ mile away. In addition to being in favor of the project, the City Council 2nd Ward is also in favor. The project also has the support of community groups.

Roland Graves asked how close it was to Giffen Elementary School, Mr. Fein response was "close" Roland also asked if they will sell alcohol there, and Mr. Fein responded with "yes".

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

Case #1-180102932

Case of GSX Ventures

1211 Western Avenue, Albany

Construction of a six (6) story 206,756 s.f. 327 bed dormitory. An existing 12,036 s.f. commercial structure will be demolished in order to accommodate the proposed construction.

*ACPB reviewed this project in December 2017.

Staff opinion is to Disapprove without prejudice.

The only significant change made since the review of the December 2017 application was a change in the project description (from "group living facility" to "dormitory"). The new referral application includes follow up comments on ACPB's traffic concerns.

Stephen Burke addressed the board. He presented the board with a packet (included in the minutes)

Nancy Harrigan addressed the board. She stated that from January 17-December 10, 2017 there were 235 emergency calls to 1475 Washington Avenue and in the first two weeks of January there have been 7.

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

GML 239 CASES RECOMMENED FOR DEFER TO LOCAL CONSIDERATION

Roland Graves made a motion to consider the 5 cases recommended for defer to local consideration. The motion was seconded by Enzo Sofia and unanimously approved by the board.

Case #1-180102929

Capital Communications Federal Credit Union (CapCom Signage)

899 Western Avenue, Albany

Area variance to install a free-standing monument sign. Current USDO requirement is no larger than 20 s.f. The proposed sign is 35 s.f.

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

Case #7-180102923

Steven & Elizabeth Quick

1 Rodger Drive, Latham

8'x20' accessory storage shed in front yard with 24' front yard setback on Old Niskayuna Road (CR 152).

16' front yard setback on Rodger Drive is not compliant with the 30' minimum front yard setback and prohibition of accessory structures.

Case #10-180102928

Hotel Devco

1645 Western Avenue, Town of Guilderland

Variances requested for 8 signs where 2 are permitted, for 585 s.f. where 50 s.f. is permitted and to allow signage to be over 20' high.

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

Case #13-180102930

Lands of Blackman (Robert and Martha Blackman)

58 Pangburn Road, Town of New Scotland

Subdivision to review to divide vacant parcel of 25+ acres into two lots separated by town road.

Case 13-180102931

Town of New Scotland Hamlet Zoning District Local Law

Town of New Scotland Commercial Hamlet Zoning District (previously "commercial" district)

Corridor

A local law amending the Town of New Scotland Zoning Map and creating the New Scotland Hamlet Zoning District.

Advisory Note: Notification of the application should be sent to the adjacent Town of Bethlehem.

GML 239 CASES RECOMMENDED FOR MODIFICATION

Case #4-180102922

Victory Kustov

619 Wemple Road, Bethlehem

Increase the allowable building footprint to 6,000 s.f. and reduce the landscape buffer requirement to 20 ft. to accommodate the construction of a metal fabrication and machine shop. Total acreage of physically disturbed land is 0.95 acres.

Staff opinion is to modify local approval to include:

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

Advisory Note: The applicant has the opportunity to conform to the districts landscape buffer and required setbacks given the site parameters. The Town Zoning Board should consider the precedent setting nature of allowing significant area variances.

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

Case #7-180102920

One the Farm Conservation Subdivision (Halfmoon Materials Group LLC)
261 & 261A Troy Schenectady Road, Latham

Subdivision review for 63 lot residential cluster subdivision with 1 commercial lot along Troy Schenectady Road and 1 (one) stormwater/open space lot (18.4+/-). New roads will be constructed to provide access to the new lots.

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 and is being implemented, or submission of a Stormwater Pollution Prevention Plan that is consistent with the requirements included in the NYSDE 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. 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.
3. Review by the Albany County Department of Health for water supply, waste water discharge and other required permits.
4. Review by Fire Department to evaluate for public safety, emergency services access, water availability and a sprinkler system that may be required by building code.
5. Review by the NYSDOT for design of highway access, drainage and assessment of road capacity.

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

Case #7-180102925

Century Hill Plaza Offices
15 & 16 Plaza Drive, Latham

Site plan review for 5 office buildings totaling 390,540 s.f. and associated parking on 18.67 acres of land.
*ACPB reviewed this project in August 2010.

Staff opinion is to modify local approval to include:

1. Review by the Albany County Department of Health for water supply, waste water discharge and other required permits.
2. 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 that is consistent with the requirements included in the NYSDE SPDES General

Permit for Stormwater Discharges (GP-0-15-002, January 29, 2015) for construction activities that disturb more than one acre of land.

3. Notification of the Fire Department to evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.
4. Review by the FAA form 7460-1 available from www.faa.gov) and notification to the Albany Airport Authority for FAA FAR Part 77 Aeronautical Impact Notification for temporary construction related and structural incursions within the prescribed Runway Approach Surfaces.
5. Review by the NYSDOT for design of highway access, drainage and assessment of road capacity, due to the traffic volume of SR 9.
6. The Town should have written confirmation for reasons of public safety and welfare that National Grid is aware of the details of the site plan and approves of the parking lot proposal and stormwater management basin on lands owned by them.

Advisory Note: An updated traffic study should be completed to assess impacts to Loudon Road (SR 9).

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

Case #7-180102927

CGM Residential Subdivision Phase I
621 & 645 Boght Road, Latham

Review for a 6 lot residential subdivision, part of a 20 single family residential development. Phase 1 will include construction of a 30 foot wide residential road off Boght Road for 6 SFR lots and 1 non-building lot.

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. 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 that is consistent with the requirements included in the NYSDE SPDES General Permit for Stormwater Discharges (GP-0-15-002, January 29, 2015) for construction activities that disturb more than one acre of land.
3. Review by the Albany County Department of Health for water supply, waste water discharge and other required permits.
4. Review by the Fire Department to evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.
5. Review by the NYSDOT for design of highway access, drainage and assessment of road capacity, on SR 9 (Boght Road).

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

Case #10-180102926

Winding Brook Drive Multi Family PUD
Winding Brook Drive, across YMCA
Guilderland

Request to rezone 26.7 acre site to PUD construct a 52 unit multi-family development in 13 town home style buildings.

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 and is being implemented, or submission of a Stormwater Pollution Prevention Plan that is consistent with the requirements included in the NYSDE 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. 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.
3. Review by the Fire Department to evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.
4. Review by the NYSDOT for design of highway access, drainage and assessment of road capacity.

Advisory Note: Clarify if the proposed development is “multi-family” or “town home style”. (according to zoning code, a multiple family dwelling is a residence occupied by 3 or more families; a townhouse dwelling is a single family unit with a non-communicating, common wall to another series of single family units).

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

The Albany County Planning Board will meet again on Thursday, February 15, 2018 at 3:30 p.m. in the conference room of Albany County Department of Public Works, 449 New Salem Road, Voorheesville, NY 12186.

Meeting adjourned at 4:37 p.m.

