

**Albany County Planning Board  
July 19, 2018  
Approved Minutes**

**Present:**

Dominic Rigosu, Acting Chair, Yomika Bennett, Sean Maguire, Bill Anslow, Roland Graves, David Reilly

**Albany County Planning:**

Michaela Sweeney

**Minutes:**

Janis Dunham Relyea

**Guests:**

Jake Cepezlatro, Attorney  
H. Rose Schneider, Altamont Enterprise  
Robyn Reynolds, City of Cohoes

**A call to order:**

Meeting called to order at 3:32 p.m.

Roland Graves made a motion to approve the minutes from the June 21, 2018 meeting. The motion was seconded by Yomika Bennett and unanimously approved by the board.

Sean Maguire made a motion to move cases 06-180703079, 06-180703078, 06-180703081 and 06-180703080 to the front of the agenda.

**Case #06-180703079**

JUNCTA Subdivision – Area Variance  
229-401 Saratoga Street, Cohoes

The Cohoes Industrial Development Agency proposes to subdivide a vacant parcel on the south side of the city into four (4) new lots. A variance is requested for Lot 3, which does not have any frontage.

Staff opinion is to defer to local consideration.

Robyn Reynolds from the City of Cohoes addressed the board.

Robyn stated that this site is included in the city's comprehensive plan as a site for redevelopment. Multifamily dwellings are permitted in the MU-1 zone. This proposal is consistent with nearby land uses and is located in the nearby railroad quiet zone. The Cohoes IDA is in contract with adjacent property owners and with the Community Builders. This is part of a city-wide affordable housing project. A potential drive-through style restaurant or café is also proposed for one of the lots on this subdivision. There have been slight changes to the site plans for Lot 2. They will not impact the ROW and are small. The Board determined these changes are not significant enough for the City to resubmit the site plan. The Community Builders have received an award from the DEC for brownfield cleanup. They will also be submitting a CFA application to incorporate a public park into the site where the old canal remains are

located. The speed limit along I-787 in this area is approximately 40-45 MPH. DOT is planning to redesign this portion of I-787 into a boulevard and will allow new curb cuts.

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

**Case #06-180703078**

JUNCTA Subdivision

Cohoes Industrial Development Agency

229-401 Saratoga Street, Cohoes

The Cohoes Industrial Development Agency proposes to subdivide a vacant parcel on the south side of the city into four (4) lots.

Staff opinion is to defer to local consideration.

Advisory: Any future plans for new access from SR 32 or I-787 will require review and permits from NYS DOT for design of highway access.

Jake Capezelatro addressed the board. Jake is an attorney for an adjacent property owner to the site of the proposed JUNCTA subdivision and Erie Point Multi Family Residence project. Argues that the 2017 Cohoes Comprehensive Plan does not prioritize multifamily housing. Housing is less stable in Cohoes and there are many vacant units. The charge of the IDA is to issue industrial revenue bonds. He questions why they are proposing this project now and why there is a need for more residential units. Regarding the subdivision of Lot 3, there is an issue with road access and there is no frontage. He argues that the difficulty is self-created and does not meet the area variance test.

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

**Case #06-180703081**

Erie Point Multi-Family Residence Area Variance

401 Saratoga Street, Cohoes

Area variance from the front yard setback of a proposed 39 unit-multi family residence. The proposed setback is 29 feet from the front of the property, where setback requirements are 0 ft.-5 ft. in the MU-1 District.

Staff opinion is to defer to local consideration.

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

**Case #06-180703080**

Erie Point Multi-Family Residence

401 Saratoga Street, Cohoes

Site plan review for a 39 unit multi-family residence on a vacant property.

Staff opinion is to modify local approval to include:

1. Review by NYSDOT for design of highway access, drainage, and assessment of road capacity due to change in property use.

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

### **GML 239 CASES RECOMMENDED FOR DEFER TO LOCAL CONSIDERATION**

Sean Maguire made a motion to move the 10 cases recommended for defer to local consideration to the front of the agenda and hear as is. The motion was seconded by Roland Graves and unanimously approved by the board.

#### **Case #03-180703064**

Houlihan/Dollar General Parking Variance

9 Main Street, East Berne

Parking variance for a proposed Dollar General store, where 92 spaces are required by code and 32 will be provided. A relief of 60 spaces is requested by the applicant.

#### **Case #04-18070368**

Subway Restaurant Sign Variance

380 Route 9W, Glenmont

Variance to install a second wall mounted sign on the exterior of the existing Subway restaurant.

#### **Case #06-180703069**

3 Willowbrook Lane-Shed Variance

3 Willowbrook Lane, Cohoes

Area variance to install an 8 ft. x 12 ft. shed located 1 ft. from the side and rear property lines, where a 10 ft. setback is required for accessory uses. The shed will be screened by a fence along the rear and side of the property.

#### **Case #04-180703070**

Hanifin Home Builders

741 Delaware Ave, Town of Bethlehem

Land division to divide 0.50 acres from a total area of 2.23 acres for the development of one or two homes.

#### **Case #04-180703071**

Kings Chapel Building Expansion

440 Route 9W, Glenmont

Site plan review for the expansion of an existing church building, including a 2,000 s.f. addition to the sanctuary, a 2,250 s.f. addition for new classrooms and offices, and a new parking lot and driveway.

**Case #05-180703073**

Proper 2 Lot Subdivision

Jacob Lane/Pine Ridge Road, Town of Coeymans

Lot line adjustment between two parcels owned by the applicant. Lot #1 will be 4.8 acres and Lot #2 will be 145.4 acres.

**Case #07-180703075**

Employee Parking Local Law Update

Town of Colonie

A local law amending Chapter 190 of the Town of Colonie Code to update employee parking lot provisions in the Office Residential District.

**Case #13-180703076**

Brass Lot Line Adjustment

1734 Delaware Tpk., Delmar

Lot line adjustment to move 0.90 acres of woods to an adjoining property.

**Case #10-180703082**

Glenwood & 20 Microcell

CELLCO Partnership d/b/a Verizon Wireless

1434 Western Avenue, Guilderland

Installation of a small cell antenna on the roof and base station equipment next to 1434 Western Avenue.

**Case #01-180703083**

1475 Washington Avenue Associates, LLC

1475 Washington Avenue, Albany

Area variance to allow a projecting sign greater than 32 s.f.

**GML 239 CASES RECOMMENDED FOR MODIFICATION**

**Case #07-180703067**

Ahmad Ziauddin- Retail Building

2220 Central Ave, Colonie

Site plan review for a 1-story, 7,550 s.f. building to include office/retail and a restaurant. Ingress and egress will be from Kendale Avenue and Canton Street. The parking lot will include 36 parking spaces.

\*ACPB reviewed an area variance for this project in February 2018.

Staff opinion is to modify local approval to include:

1. Review by Albany County Department of Health for food service and other required permits if the final plans will include a food service establishment.

2. The town stormwater management office should review the project drainage plans to ensure that proper drainage practices are used to control additional runoff from impervious surfaces.

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

**Case #05-180703072**

Palange 3 Lot Subdivision

508 Biers Road, Town of Coeymans

Subdivide a 156.82 acre property into 3 lots. Lot #1 will be 1.89 acres; Lot #2 will be 1 acre and reconfigured to meet zoning setbacks; and Lot #3 will include the remaining 153.93 acres.

Staff opinion is to modify local approval to include:

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

**Advisory Note:** Any future plans for new access from Cedar Grove Road (CR 301) will require review and permits by Albany County Department of Public Works for design of highway access.

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

**Case #07-180703075**

Boght Community Fire District Pavilion (Canterbury Crossings PDD Amendment)

8 Preston Drive, Town of Colonie

A local law amending Local Law 2 of 2009 which rezoned 196.74 acres of land at 1035 Loudon Road and 418 Boght Road to a Planned Development District (PDD) known as Canterbury Crossing PDD. The plan revisions include an open pavilion at the Boght Community Fire Department at 8 Preston Drive.

Staff opinion is to modify local approval to include:

1. If not already approved, any additional disturbance of wetlands will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.

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

**Case #13-180703077**

USS New Scotland 1 LLC Community Solar

331 New Scotland South Road, Slingerlands

Special use permit to construct a community solar facility.

Staff opinion is to modify local approval to include:

1. Review by Albany County DPW for design of highway access, assessment of road capacity, and drainage.
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 an agricultural district.
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-0-15-002, 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 Sean Maguire and unanimously approved by the board.

**New Business:**

David Reilly requested to include an equity statement into the last paragraph of the Planning Board's by-laws. Dominic stated and the board agreed that more information is needed.

Meeting adjourned at 4:26 p.m.

Albany County Planning Board meets again on Thursday, August 16, 2018 at the Albany County Department of Public Works, 449 New Salem Road, Voorheesville, NY 12186.