NOTE: Due to issues related to Covid-19, the March 19, 2020 meeting of the ACPB was postponed to April 2, 2020. The meeting was held via Skype and the public was able to call into the meeting to listen, but was not able to make comments during the meeting. There was a designated period of time prior to the meeting for written comments to be submitted.

Present: Dominic Rigosu, ACPB Chairperson; Brian Crawford, Enzo Sofia, Gerry Engstrom, Susan Rizzo, Albany County Comptroller; Dave Reilly, Ex Officio.

Albany County Public Works Office:
Laura Travison, Senior Planner; Lynn Delaney, Secretary; Bill Anslow (Ex Officio), Civil Engineer.

Minutes: Lynn Delaney

Call to Order: Dominic Rigosu called the meeting to order at 3:41PM

A motion was made by Enzo Sofia to approve the February, 2020 ACPB meeting minutes. The motion was seconded by Brian Crawford and unanimously approved by the Board.

A motion was made by Brian Crawford to move 11 of the deferred cases to the front of the agenda. These referrals are 10-200303442; 01-200303433; 01-200303432; 01-200303431; 01-200303428; 01-200303429; 10-200303441; 04-200303434; 13-200303447; 13-200303446; 13-200303444. The motion was seconded by Gerry Engstrom and unanimously approved by the Board.

<table>
<thead>
<tr>
<th>Case #:</th>
<th>01-200303428</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name:</td>
<td>745 Broadway</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Broadway 915 LLC</td>
</tr>
<tr>
<td>Project Location:</td>
<td>745 Broadway</td>
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<tr>
<td>Municipality:</td>
<td>City of Albany</td>
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<tr>
<td>Parcel Size:</td>
<td>0.45 acres</td>
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<tr>
<td>Zoning:</td>
<td>Mixed-Use Community Urban (MU-CU)</td>
</tr>
<tr>
<td>Tax Map Number:</td>
<td>65.83-1-28</td>
</tr>
<tr>
<td>Referring Agency:</td>
<td>City of Albany Planning Board</td>
</tr>
</tbody>
</table>

Considerations: A site plan review that includes the removal of 67 existing automobile parking spaces and the construction of 100,983 SF, six-story structure with 82 dwelling units and two commercial units totaling 7,000 SF.
Action Type: Site Plan Review

Juris. Determinant: State Road

Potential Impacts: NY 32 (North Pearl St.)

Staff Notes: The property owner proposes the removal of 67 existing automobile parking spaces and the construction of 100,983 SF, six-story structure with 82 dwelling units and two commercial units totaling 7,000 SF. The six-story building will have a green roof qualifying for a storm water incentive. The gross area of the building will be 96,000 SF. Eighty-two apartments will occupy 84,000 SF. Business tenant space will be 7,000 SF. There are no designated users or uses for the tenant space but sit-down restaurants with 120 seats are assumed. The parking lot entrance from Broadway will be by a covered driveway to the surface lot at the side and the rear of the building. Emergency access and trash pickup is proposed to be from Jackson Street. There will be 77 parking spaces, which includes 4 ADA Vann Accessible parking spaces. The total acreage expected to be physically disturbed 1.38 acres. A SWPPP was provided with the application. In January the ACPB deferred a required area variance request for the rear setback to the City of Albany (referral # 01-200103420).

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note:

Case #: 01-200303429
Project Name: 883 Broadway

Applicant: Chris Maddalone
Project Location: 883 Broadway
Municipality: City of Albany
Parcel Size: 0.59 acres
Zoning: Mixed-Use Form-Based Warehouse (MU-FW)
Tax Map Number: 65.16-4-33
Referring Agency: City of Albany Planning Board
Considerations: A site plan review that includes the conversion of a 40,000 SF office building into 25 residential dwelling units and 8,000 SF of Commercial Space.

Action Type: Site Plan Review

Juris. Determinant: State Road

Potential Impacts: NY 32 (North Pearl St.)

Staff Notes: This site plan review entails the conversion of an abandoned 40,000 SF office building into 25 residential dwelling units and 8,000 SF of commercial space. There is less than one acre expected to be disturbed. There is no proposed change to the existing water and sewer service. There are currently 28 parking spots in an existing asphalt parking lot. Three of the spots are ADA accessible.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note:

Case #: 01-200303431
Project Name: 619-621 North Pearl St.

Applicant: Ajay Vohra
Project Location: 619-621 North Pearl St.
Municipality: City of Albany
Parcel Size: 0.25 acres
Zoning: Mixed-Use, Neighborhood Edge (MU-NE)
Tax Map Number: 66.29-1-5
Referring Agency: City of Albany Planning Board

Considerations: A conditional use permit for the occupation of a 1,700 SF restaurant/catering business.

Action Type: Conditional Use Permit
Juris. Determinant: State Road

Potential Impacts: NY 32 (North Pearl St.)

Staff Notes: The property owner is seeking a conditional use permit to occupy a 1,700 SF building as a restaurant/catering business. The proposed use is for an off-site catering kitchen paired with a limited service bistro/restaurant allowing potential clients to have a setting to do menu samples and public to place call ahead orders for pick up. Hours of operation will be Tuesday-Saturday 9am-7pm and Sunday 10am-2pm. Supplies and inventory will be purchased locally through Restaurant Depot which will eliminate deliveries. There is ample on street parking; customer timing at location will be brief.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note: 1. Review by the Albany County Department of Health will be needed for food service and other required permits.

Case #: 01-200303432

Project Name: 319 Ontario

Applicant: Jennifer Garo

Project Location: 319 Ontario St.

Municipality: City of Albany

Parcel Size: 0.02 acres

Zoning: Mixed-Use Neighborhood Edge (MU-NE)

Tax Map Number: 64.76-1-53

Referring Agency: City of Albany Planning Board

Considerations: A conditional use permit to enable the occupation of a 769 SF space as a restaurant.

Action Type: Conditional Use Permit

Juris. Determinant: State Road

Staff Notes: The property owner is seeking a conditional use permit required to run a restaurant in this zone. The property was previously a frozen yogurt take out restaurant. The new owner is seeking to establish a quick service restaurant. The restaurant will be open 7 days a week with 3 employees working during the weekday hours and 5 on the weekends. There will only be on street parking.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note: Review by the Albany County Department of Health will be needed for food service and other required permits.

Case #: 01-200303433

Project Name: 25 Holland Ave.

Applicant: CDP Holland LLC

Project Location: 25 Holland Ave.

Municipality: City of Albany

Parcel Size: 1.10 acres

Zoning: Mixed-Use, Community Urban

Tax Map Number: 76.47-1-25

Referring Agency: City of Albany Planning Board

Considerations: A site plan review for the construction of a 4-Story, 67,132 SF multifamily structure with 60 dwelling units.

Action Type: Site Plan Review

Juris. Determinant: State Road


Staff Notes: The Applicant proposes to construct a 4-story, 67,132 SF Mixed use building consisting of 60 apartment units and 3,800 SF ± of leasing/clubhouse/gym space. Also included in
the construction are new utility connections, landscaping, lighting and stormwater management system. Three lots will be consolidated as part of the development. Total acreage expected to be disturbed is 1.18 acres. A SWPPP was included in the referral. There are no wetlands on site. This is an allowed use in this zone and there is no access to County or State Roads being proposed. A review from SHPO determined that there will be no impact on cultural resources.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note:

Case #: 04-200303434
Project Name: Glenmont Shopping Plaza - Benderson Development Co., LLC

Applicant: Benderson Development Company, LLC
Project Location: 376-388/392 Feura Bush Rd.
Municipality: Town of Bethlehem
Parcel Size: 12.91 acres
Zoning: Commercial Hamlet (CH)
Tax Map Number: 97.15-2-3/.9001, 97.15-2-3/.9002
Referring Agency: Town of Bethlehem Zoning Board of Appeals

Considerations: An area variance to enable the off street parking requirement to be decreased by 71 parking spots. The parking is for a proposed 6,798 SF retail/restaurant building.

Action Type: Area Variance

Juris. Determinant: State Road
Potential Impacts: US 9W

Staff Notes: An area variance to enable the off street parking requirement to be decreased by 71 parking spots. The parking is for a proposed 6,798 SF retail/restaurant building. This is an increase in 9 spaces from a previously approved reduction in parking space requirements from the Town for the same parcel. The previous area variance was
referred to the ACPB in February 2012 (referral # 4-120201369) and the Board differed to local consideration with and advisory note recommending that the Town Planning Board consult NYSDOT on the possible need for a left turn lane from the proposed restaurant building to Feura Bush Rd. In 2012 NYSDOT responded that overall vehicle queues and turning operation onto Feura Bush Rd. appeared to be acceptable. NYSDOT did recommend consideration of improvements to enhance internal traffic flow on the property. The applicant agreed to these improvements.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note:

Case #: 10-200303441
Project Name: Chase Bank Signs

Applicant: Lia Realty Group
Project Location: 2027 Western Ave.
Municipality: Town of Guilderland
Parcel Size: 0.93 acres
Zoning: Local Business (LB)
Tax Map Number: 51.07-1-1
Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: An area variance to enable three identification signs totaling 130 SF and three directional signs greater than 2 SF each.

Action Type: Area Variance

Juris. Determinant: County Road, State Road

Staff Notes: The property is proposing to re-tenant an existing building to a Chase Bank with drive-up ATM. The existing site is currently developed with an 8,330± sf 1-story building, asphalt pavement, parking, curbing, light poles and associated appurtenances. To
Accommodate the new tenant’s needs, approximately ±1,530 SF of the existing building will be demolished, and the remainder of the existing building will be re-tenanted with a Chase Bank use. A new drive-up ATM is proposed on the eastern side of the building where a portion of the existing building is proposed to be demolished. The site lies within the Local Business zoning district and bank service is a permitted use by Special Use Permit and subject to Planning Board and Zoning Board review and approval. The Zoning Board granted the proposed Special Use Permit amendment on December 4th, 2019. As part of the project, site and building signage is proposed to be revised to the proposed tenants needs. There is an existing ±5ft x 6ft monument sign that is proposed to remain and be refaced for the new tenant while building and site signage is to be replaced. The applicant requests to seek relief from Section 280-26(E)(1), 280-26(E)(2) and 280-26(E)(9) with the following justifications. A. 280-26(E)(1) A maximum of two signs per business shall be allowed while three are proposed. Justification for this request: The applicant is proposing to reface the existing monument sign with their name and logo. The two existing “Mattress Firm” wall signs are also proposed to be replaced with new tenant wall signs. The third existing wall sign for the Vapor shop is proposed to be removed reducing the total number of signs on site from four to three. B. 280-26(E)(2) The maximum total area for allowed signage shall be the lesser of 50% of the lot width or 50 square feet in the LB, GB, I and IP Districts, or 30 square feet in the BNRP District. 50 SF is allowed while ±104SF of wall signage and monument signage is proposed plus an additional ±12.5SF of onsite directional and ATM signage. C. 280-26(E)(9) Directional signs designating entrances and exits to and from a parking area are limited to one sign for each such exit and entrance (two allowed) and shall not exceed two square feet. Three directional signs are proposed each at ±2.33SF in size and two additional signs for the ATM and canopy height clearance located on the back side of the ATM canopy. These are noted to be 3.1 SF and 2.1 SF, respectively. Justification for this request: Although the proposed directional signs are slightly larger than the allowed square footage per the Town Code, these signs serve the same purpose as to denote the entrances, exits, parking areas, and drive thru ATM areas of the store. In addition to the directional signs, the applicant is also proposing two additional signs for the drive-thru ATM.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note: 1. The Town Zoning Board should consider the precedent setting nature of allowing significant area variances to the sign code in the commercial zone.

Case #: 10-200303442

Project Name: Store Away

Applicant: Store Away

Project Location: 2501 & 2505 Western Ave.
Considerations: An area variance and special use permit to enable the demolition of an abandoned motor inn and construction of a new storage facility.

Action Type: Area Variance, Special Use Permit

Juris. Determinant: State Road

Potential Impacts: US 20 / NY146 (Western Ave.)

Staff Notes: The property owner is seeking an area variance and special use permit to enable the eventual construction of a proposed self-storage facility. The current site abuts a residential district in the eastern, rear, and north westerly corner. The applicant is requesting a variance of 15’ for the side and rear setbacks in these areas. The zoning regulation require 40’ between a residential district and a Local Business District. Parts of the proposed buildings will have 37’ rear setback. The eastern and rear portion of the site abuts Gade Farm. The rear portion features a significant ravine. Between the greenspace on the farm and the ravine the property owner argues there will be sufficient greenspace between the buildings in question and any actual structures on the farm. Currently the parcel contains an abandoned inn that is owned by the Albany County Landbank. The applicant went under contract with the Land Bank in September 2019 and is purchasing the project subject to municipal approval of a single-story self-storage facility. Store Away is envisioned to be a self-storage facility consisting of 4 buildings, where 1 building will have office space and a store front. The site will contain parking for 4 vehicles. The site consist of two parcels, one which currently has a vacant single family residence and detached shed. The shed, residence, and vacant hotel will be demolished. The northern curb cut will be eliminated and all ingress/ and egress will be limited to the southern curb cut. This is currently not yet a site plan review.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

Advisory Note: 1. The Town should make sure the applicant is aware that commercial property development plans that 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, will need a highway work permit from the New York State Department of Transportation (NYSDOT).

2. The town should ensure that the property owner is aware of the regulations for construction activities that disturb land greater than one acre.

<table>
<thead>
<tr>
<th>Case #:</th>
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<tbody>
<tr>
<td>Project Name:</td>
<td>Lands of Lewis and Austin</td>
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<tr>
<td>Applicant:</td>
<td>Scott Stevens, Kosselman Solar</td>
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<td>Project Location:</td>
<td>1734 Indian Fields Rd.</td>
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<td>Municipality:</td>
<td>Town of New Scotland</td>
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<td>Parcel Size:</td>
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<td>Zoning:</td>
<td>Residential Agriculture (RA)</td>
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<td>Tax Map Number:</td>
<td>119.-2-1.20</td>
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<td>Referring Agency:</td>
<td>Town of New Scotland Planning Board</td>
</tr>
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</table>

**Considerations:** Site plan review application for a residential ground mounted solar project pursuant to Local Law 5 of 2017 section 2-6B

**Action Type:** Site Plan Review

**Juris. Determinant:** State Road

**Potential Impacts:** NY 32 (Indian Fields Road)

**Staff Notes:** The property owner seek to install a ground mounted solar array consisting of 25 panels their parcel to provide on-site energy consumption for residence at 1734 Indian Field Rd. Roughly .01 acres will be disturbed. The panels are 534 SF and will cover a total of 267 SF of ground with a tilt. Total height is 11’33” in the rear of the panel.

**Staff Opinion:** Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.
Case #: 13-200303446
Project Name: Lands of Gibeau

Applicant: Cynthia Elliot
Project Location: 391-399 Stove Pipe Rd.
Municipality: Town of New Scotland
Parcel Size: 15.00 acres
Zoning: Residential Forestry (RF)
Tax Map Number: 93.-2-32.1, 93.-2-33.2
Referring Agency: Town of New Scotland Planning Board

Considerations: A subdivision review to enable a lot line adjustment of two adjoining parcels.

Action Type: Subdivision Review

Juris. Determinant: NYS Designated Agricultural District
Potential Impacts: NYS Designated Agricultural District

Staff Notes: The property owner proposes a lot line adjustment to the existing property lines between two house lots, where the smaller lot in .38 acres to make it a total of 1.60 acres. This will increase the rear yard of that parcel. No setback violations will be created and no new lots will be created. No new construction or egress is proposed at this time.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.
Case #: 13-200303447
Project Name: Lands of Danz Development

Applicant: Todd Danz, Advanced Engineering
Project Location: 1903 New Scotland Rd.
Municipality: Town of New Scotland
Parcel Size: 8.90 acres
Zoning: HDE
Tax Map Number: 73.-4-13
Referring Agency: Town of New Scotland Planning Board

Considerations: Site plan review for an existing structure to be converted to a 6 unit apartment building.

Action Type: Site Plan Review

Juris. Determinant: State Road
Potential Impacts: NY 85 (New Scotland Road)

Staff Notes: The property owner proposes to redevelop the existing three level masonry building with 6 residential apartments. The property will connect to Town water services. Thirteen parking spaces will be constructed. Three will be no changes in egress and ingress. Stormwater management will be designed and constructed using a detention basin which will maintain or reduce stormwater runoff from impacting downstream properties and drainage facilities. A private contractor will be used to dispose of solid waste and recycling. The ACPB previously reviewed an earlier site plan in November 2019 (referral # 13-191103399). The ACPB recommended to defer to local consideration. There was an advisory note: Accessible parking in a gravel lot will need intensive maintenance to keep it accessible, especially during winter and spring thaw. The Town should make sure this meets ADA requirements. The accessible parking spaces are now shown as paved on the new site plan.

Staff Opinion: Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.
Without any questions or comments from the Board, a motion was made by Enzo Sofia to accept the staff opinion for the following referrals: 10-200303442; 01-200303433; 01-200303432; 01-200303431; 01-200303428; 01-200303429; 10-200303441; 04-200303434; 13-200303447; 13-200303446; 13-200303444. The motion was seconded by Brian Crawford and unanimously approved by the Board.

Dominic Rigosu commented that even though referral #01-200303430 also has a staff opinion to Defer to Local Consideration, he feels that there is likely to be some discussion about this so he thought it should be discussed separately from the other Referrals with the same recommendation.

Case #: 01-200303430
Project Name: 900 Central Ave.

Applicant: Somerset Associates LP., 900 Central Ave, LLC, Dedham Post Funding, LLC, and Central Colvin Reality, LLC

Project Location: 900 Central Ave.
Municipality: City of Albany
Parcel Size: 6.12 acres
Zoning: Mixed-Use, Community Highway
Tax Map Number: 53.83-1-5
Referring Agency: City of Albany Planning Board

Considerations: A site plan review to enable the change of use of 1,100 SF of retail space to light manufacturing (blood plasma center).

Action Type: Site Plan Review and Conditional Use Permit

Juris. Determinant: State Road
Potential Impacts: NY 5 (Central Ave.)

Staff Notes: The property owner is seeking to establish a blood plasma collection office in an existing space of approximately 11,000 SF. The proposed location is in the Hannaford Plaza and involves interior alterations and exterior signage. It is currently a use allowed in this specific zone that said the proposal has been stalled since 2017. Last month the city’s Board of Zoning Appeals unanimously approved a zone code change that would classify blood plasma donation centers as light manufacturing in areas zoned for that use.
Additionally, the city planning department released guidelines that included a 250-foot barrier between any proposed collection center and any home, church or school. A new Common Council ordinance would push that barrier back to 1,000 feet, among other changes. The council voted 14-0 on February 20th, 2020 to require a 1,000 buffer between any plasma collection center and a home, school or church, among other changes to the zoning code. That change would make a plasma center a nonconforming use for this site, even though it has been defined as light manufacturing. Previously, the word "plasma donation" didn't exist in the zoning code and there is a dispute if this use means the spirit of the definition of "light manufacturing". Albany Mayor Kathy Sheehan vetoed the ordinance. The veto states, "While I understand the approval of this ordinance by the Common Council was driven with the best of intentions, I have been advised by Corporation Council it is an unconstitutional zoning action with no rational basis in law. In addition, this ordinance passed by the Common Council even though several procedural defects exist making the ordinance invalid on its face as per the City of Albany Uniform Sustainable Development Ordinance ("USDO") and state law, including: lack of referral to the Albany County Planning Board..., Lack of Public Hearing..., and Lack of SEQRA review prior to adoption." For review right now is the site plan proposal and not the new ordinance.

**Staff Opinion:**
Defer to local consideration.

1. This Board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration.

**Advisory Note:**

1. Review by the Albany County Department of Health will be required If this parcel is approved for use as a medical office. A backflow preventer may be required on the water line.

2. The City Planning Board may want to recommend a moratorium on blood plasma donation centers to the City Common Council to equip the Common Council with the appropriate amount of time to address the procedural defects in the Mayor's veto of ordinance 44.112.19 as amended.

Dominic Rigosu asked Laura to give a brief overview of this case. Enzo Sofia asked for clarification as to what, specifically, they will be doing at this location. After some discussion, Laura clarifies that the ACPB is voting whether there is any countywide impact with the change of use of this 1,100 SF of retail space to light manufacturing (blood plasma center). The Board then discussed the impact of traffic on surrounding roads and the use of Public Transit at this location. Gerry Engstrom commented that looking at the entrances and exits from this plaza, and from the site plans, this can work at this location. Laura stated that when making the staff opinion of Defer, isn’t the same thing as an “approve”. A defer allows the City of Albany to make the decision in this matter.

Without further questions or comments from the Board, a motion was made by Enzo Sofia to accept the staff opinion for Referral #01-200303430. The motion was seconded by Brian Crawford and unanimously approved by the Board.

**Case #:** 13-200303445
<table>
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<tr>
<th><strong>Project Name:</strong></th>
<th>Lands of Cook</th>
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<tbody>
<tr>
<td><strong>Applicant:</strong></td>
<td>John DeMis</td>
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<tr>
<td><strong>Project Location:</strong></td>
<td>252 Front Grove</td>
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<td><strong>Municipality:</strong></td>
<td>Town of New Scotland</td>
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<td><strong>Parcel Size:</strong></td>
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<td><strong>Zoning:</strong></td>
<td>MDR</td>
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<td><strong>Referring Agency:</strong></td>
<td>Town of New Scotland Planning Board</td>
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**Considerations:**
A subdivision review of a 3 lot subdivision to settle the estate of Lands of Cook.

**Action Type:** Subdivision Review

**Juris. Determinant:** County Road

**Potential Impacts:** CR 206 (Front Grove Road)

**Staff Notes:**
This review consist of 25 acres of land being subdivided into 3 parcels of 7.63 acres, 10.73 acres and 6.12 acres. The 7.63 acres is developed with a single family residence. The other 2 parcels are vacant land with no proposed structures at this time.

**Staff Opinion:**
Modify local approval to include:

1. The Town should make sure the property owners of each new subdivision know that a highway work permit from the Albany County Department of Public Works is required for any driveway construction, drainage and public utility connections within the county right of way.

The staff opinion for Referral #13-200303445 was originally to Defer to local consideration but was changed to Modify (noted above).

There weren't any comments or concerns from the Board. A motion was made by Brian Crawford to accept the staff opinion for Referral #13-200303445. The motion was seconded by Enzo Sofia and unanimously approved by the Board.
### Considerations:
Site plan review to enable the construction of a 5 MW AC solar farm on a portion of the site and a 107,561’ access road.

### Action Type:
Site Plan Review

### Juris. Determinant:
State Road, NYS Designated Agricultural District

### Potential Impacts:
NY 87, agricultural district, Vlomankill Creek, wetlands

### Staff Notes:
This is a site plan review that was previously referred for a use variance on a split zoned parcel. The parcel is +/- 182 acres and split zoned. The southern portion, adjacent to Beaver Dam Road, is zoned as a residential A (RA) district. The RA zone is 78.2 acres. This portion is not slated for any development other than a 20’ wide access driveway. One hundred and four acres of the northern rear of the property is landlocked and zoned as a rural (R) district. In the rural zone, a solar farm is a permitted use following the obtainment of a special use permit. However, no part the rural zone on this parcel is adjacent to a road or has any current egress or ingress. In October 2019 the Town granted the property owner a use variance to allow an access route to be constructed through the parcel adjacent to the road. If the solar farm is proposed to be constructed roughly 2,125’ from the road, 1,103’ from the closest residence, and behind a substantial tree line. Total acreage to be disturbed is 33.8 acres, about 19% of the parcel. The site plan includes removing 32 acres of forest. The entire parcel is in a NYS designated agricultural district. West of the parcel is zoned RA (residential A) and the rest of the perimeter is adjacent to a rural zone with the exception of .27 miles on the easternmost property line that abuts a residential B (RB) zone. There are train tracks between the parcel and the RB zone. The Vlomankill Creek, and a correlated flood zone, run along the northern rear property line. The parcel is the Mohawk Valley Heritage Corridor, a NYS Heritage Area. The parcel is adjacent to a property, the Schoonmaker House, listed on the on the National Register of Historic Places (NR 01NR01877) for being a representative example of mid-nineteenth century Italianate residential architecture in the Town of.
ACPB April 2, 2020 Meeting Minutes

Bethlehem. The ACPB deferred the use variance to local consideration in August 2019 (referral # 04-190803343) with an advisory of likely modifications for a site plan review. Borrego solar has had the site assessed by NYDEC and the USACOE. The Town is conducting a SEQR review.

Staff Opinion: Modify local approval to include:

1. Site plan approval should be conditioned on the completion of the SEQRE process being conducted currently by the Town Department of Economic Development and Planning.
2. A Notice of Intent filed with the New York State Department of Environmental Conservation 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 New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-003, May 1, 2015) for construction activities that disturb more than one acre of land.
3. A decommissioning plan or established conditions requiring abandoned solar systems to be removed by the owner as part of an approval for this size project.
4. Permits from USACE and NYSDEC to authorize improvements or construction within the wetlands on site.
5. 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. A Notice of Intent filed with the New York State Department of Environmental Cons

There weren’t any questions or concerns from the Board. A motion was made by Brian Crawford to accept the staff opinion for Referral #04-200303435. The motion was seconded by Gerry Engstrom and unanimously approved by the Board.

Case #: 08-200303440
Project Name: Goldstein Storage Facility
Applicant: Goldstein Realty Holdings LLC
Project Location: 1653 Central Ave.
Municipality: Village of Colonie
Parcel Size: 5.70 acres
Zoning: Comm A
Tax Map Number: 29.20-1-55
ACPB April 2, 2020 Meeting Minutes

Referring Agency: Village of Colonie Planning Board

Considerations: A subdivision review and site plan review that entails separating a 2.63 acre parcel from an existing car dealership and constructing a 3-story 107,352 SF storage facility with 107 parking spaces.

Action Type: Site Plan Review and Subdivision Review

Juris. Determinant: State Road

Potential Impacts: NY 5 (Central Ave.)

Staff Notes: The property owner is seeking to subdivide 2.63 acres from the original parcel. This new parcel will have frontage along Central Ave. The site plan review entails the demolition of the existing Community Center and removal of the asphalt pavement on site, and the construction of a 3-story, 107,352 SF climate controlled storage facility. The development will include porous pavement, landscaping, lighting, utility connections, and overflow parking for the existing care dealership of the original parcel. Alterations to the existing curb cuts will be made. There are no wetlands on the existing parcel. The total acreage expected to be disturbed is 3.3 acres.

Staff Opinion: Modify local approval to include:

1. A Notice of Intent filed with the New York State Department of Environmental Conservation 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 New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-003, May 1, 2015) for construction activities that disturb more than one acre of land.

2. Review by the New York State Department of Transportation for design of highway access, drainage and assessment of road capacity.

The Board had a discussion to clarify if this was Goldstein Subaru or Goldstein Buick. Once the specific location was determined, the Board didn’t have any further comments or questions.

Gerry Engstrom made a motion to accept the staff opinion for Referral # 08-200303440. The motion was seconded by Brian Crawford and unanimously approved by the Board.
Case #: 07-200303437
Project Name: Trane-Addition

Applicant: Peter Campito

Project Location: 301 Old Niskayuna Road

Municipality: Town of Colonie

Parcel Size: 30.75 acres

Zoning: Airport Business Area (ABA)

Tax Map Number: 30.2-1-2.11

Referring Agency: Town of Colonie Planning Board

Considerations: A site plan review that includes the construction of a one-story 1,623 SF building addition, the addition of a new concrete pad to contain dumpsters, and expand the existing parking lot to create a total of 55 parking spaces.

Action Type: Site Plan Review

Juris. Determinant: County Road, Agricultural District

Potential Impacts: CR 106 Old Niskayuna, NYS Designated Agricultural District

Staff Notes: The proposed development includes the construction of a one story warehouse addition of 1,500 SF net leasable area and the building occupies 1,623 SF. The maximum number of employees per shift is estimates to be 45 on site. There will be a maximum of one shift working from 7am-5pm Mon-Sat., and closed on Sundays. Building area will be 12.4 % of the site, parking and access will occupy 20%, and green area will occupy the remaining 67.6 % of the site. The company supplies residential and commercial HVAC equipment. Parking will be reduced by four spaces to make room for the addition, which will leave 39 spaces remaining. A new parking area for 17 cars will be provided and one additional ADA accessible space will be created. The applicant is seeking a waiver to permit 55 total parking spaces instead of the required 69 spaces. The site is already connected to Town water and sewer services and no new connections are proposed. The discharge from the addition and additional parking will be to the existing basin on 150 Wade Rd. A portion of the stormwater collection pipe will be relocated to accommodate the addition. Roughly 5 acres are expected to be disturbed. A change in access to the driveway is proposed, but not to access to the County Road.
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Staff Opinion: Modify local approval to include:

1. A Notice of Intent filed with the New York State Department of Environmental Conservation 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 New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-003, May 1, 2015) for construction activities that disturb more than one acre of land.
2. If cranes will be needed during construction, an FAA Obstruction Evaluation / Airport Airspace Analysis (OE/AAA) form submittal will be required.

There weren’t any questions or comments from the Board.

Gerry Engstrom made a motion to accept the staff opinion for Referral # 07-200303437. The motion was seconded by Brian Crawford and unanimously approved by the Board.

Old Business:

Dominic verified with Laura Travison that she had sent out the letters to the municipalities advising them of our new requirements (the result of a change in the Bylaws at a previous meeting) for Referral Submission Deadlines. Laura confirmed that the reminder letters had gone out. She also mentioned that in light of the Covid-19 crisis, many municipalities are not having their own meetings on their regular schedules.

Laura mentioned that we will still be meeting on the original April meeting date of 4/16 and that Costco will be on the agenda at that meeting. Dominic asked if Jim Mearkle, Traffic Engineer, and Rob Gunther, Stormwater Program Technician, had been able to review the DEIS information that we received. Bill Anslow confirmed that they are both currently working and have been reviewing the information provided. Laura also mentioned that there had been some site clearing on the parcel and the Town of Guilderland had issued a Cease and Desist so the clearing was stopped. Laura reached out to DEC to see if the site clearing will impact the review process but they have not gotten back to her. Laura is wondering if Rob needs an answer from DEC before he can analyze the DEIS. Dominic then asked who has responded to the draft DEIS so far. Laura stated the DOT & Save the Pine Bush have responded but she is unsure if the DOT response is complete. She said she is unsure if the City of Albany has responded to the Town of Guilderland or not but she will follow up with them. She said that based on some of those answers, the Board may be able to then determine if they want to have an extension for their response. She also stated that to date, Pyramid has not responded to the questions that Jim Mearkle, Traffic Engineer, submitted to them. Laura will reach out to Pyramid to see how much longer they will need to respond to Jim’s questions regarding traffic. Laura will email all the information she receives to the Board and they can then determine if they need more time to look at everything. Gerry Engstrom asked if they can look at the questions that Jim submitted to Pyramid. Laura said she will add them to the dropbox files for everyone to review.
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The next meeting of the Albany County Planning Board will be held on April 16, 2020 and will also be a Skype meeting.

A motion to adjourn the meeting was made by Gerry Engstrom at 4:33PM.

A transcription and/or video recording of this meeting will be made available upon receipt of a FOIL request.