



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
PLANNING BOARD
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186
PHONE (518) 655-7932 FAX (518) 447-7047

GERALD ENGSTROM JR.,
AICP
CHAIRPERSON

ACPB Meeting Minutes – September 19, 2024

NOTE: The September 19, 2024 meeting of the ACPB was held in person at the Albany County DPW office in Voorheesville. The meeting was also available remotely via Microsoft Teams for the public to participate.

Board Members Present: Gerry Engstrom, Jeff LaFontaine, Ta-Sean Murdock and Kate Powers (Kate left at 4:28 to attend another meeting)

Board Members Absent: Brian Crawford

Albany County Public Works Office: Gopika Muddappa, Senior Planner; Lynn Delaney ACPB Secretary, Zachary Smetana, Albany County Office of Management and Budget (via Teams); Christine Breton, Albany County Comptroller's Office and James Mearkle, Traffic Engineer.

Guests: Karen White, Resident of Guilderland; Robin Gray, Resident of Guilderland; Dave Hershberg of Hershberg and Hershberg; all to discuss the Foundry Square Project.

Minutes: Lynn Delaney, Secretary

Call to Order: Gerry Engstrom called the meeting to order at 3:33pm.

Vote for Meeting Minutes:

Ta-Sean Murdock made a motion to approve the July 18, 2024 Meeting Minutes. The motion was seconded by Kate Powers and was also approved by Jeff LaFontaine and Gerry Engstrom.

May 16, 2024, June 20, 2024 & August 15, 2024 Meeting Minutes - Due to the absence of Brian Crawford and Ta-Sean Murdock, the Board was only able vote on the July 2024 Meeting Minutes. The Meeting Minutes for May, June and August 2024 will be posted in DRAFT form on the ACPB Webpage.

ACPB 9/19/24 Meeting Minutes (cont.)

Jeff LaFontaine made a motion to move all referrals with a Staff Opinion of Defer to Local Consideration to the front of the agenda and to vote on them as a group. The motion was seconded by Ta-Sean Murdock and was also approved by Kate Powers and Gerry Engstrom.

Case #: **03-2409040556**
Project Name: **Bedroom Addition**

Applicant: Kristopher & Allison Geist
Project Location: 132 Pinnacle Road
Municipality: Town of Berne
Parcel Size: 3.70 acres
Zoning: RAF: Residence/Agriculture/Forestry
Tax Map Number: 92.4-1-2
Referring Agency: Town of Berne Zoning Board of Appeals

Considerations: Area variance for the proposed bedroom addition of 14.5'x18'.

Action Type: **Area Variance**

Juris. Determinant: Agricultural District
Potential Impacts: Helderberg Lake

Staff Notes: The applicant proposes the bedroom addition of 14.5'x18' which would be one story high and have a full foundation. The slope of the roof match the existing slope of the house. The addition would extend from the west side of the front of the house. Less than one acre of land disturbance is anticipated per the Short Environmental Assessment Form (SEAF).

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: **05-2409040560**
Project Name: **Young and Walen Lot Line Adjustments**

Applicant: Robert J. Young
Project Location: 519 & 527 CR 111
Municipality: Town of Coeymans
Parcel Size: 16.08 acres
Zoning: R-A: Residential/Agricultural
Tax Map Number: 177.-1-14, 177.-1-23
Referring Agency: Town of Coeymans Planning/Zoning Board of Appeals

Considerations: Lot line adjustment of the two parcels to swap acreage resulting in parcel located at 519 CR 111 to consist of 12.70 acres and parcel located at 527 CR111 to consist of 3.38 acres.

Action Type: **Lot Line Adjustment.**

Juris. Determinant: County Road
Potential Impacts: CR 111

Staff Notes: This is an application for lot line adjustment of the two parcels to swap acreage resulting in parcel located at 519 CR 111 to consist of 12.70 acres and parcel located at 527 CR111 to consist of 3.38 acres.

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: **10-2409040552**
Project Name: **Curious Minds**

Applicant: Saood Rafione
Project Location: 1859 Western Avenue
Municipality: Town of Guilderland
Parcel Size: 0.17 acres
Zoning: Business Non-Retail Professional District (BNRP)
Tax Map Number: 52.09-1-37
Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Special use permit for the proposed Curious Minds daycare.

Action Type:**Special Use Permit****Juris. Determinant:**

State Road

Potential Impacts:

20 Western Avenue

Staff Notes:

The applicant proposes to provide daycare services for a proposed number of 30 kids with seven employees. A total of 5-7 parking spaces are proposed for daycare services. The current location is a mixed use building under construction where the first floor is for commercial use and second floor is for residential use. The Albany County Planning Board reviewed the application in January 2023 for special use permit for the construction of the mixed use building and an addition to the existing retail building for additional tenants in the Local Business/Business Non-Residential Professional (LB/BNRP) zoning district. Area variance for the front yard and rear yard building setback for the proposed construction was also requested. The ACPB determination was, 'Modify local approval to include

1. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway.

2. The applicant proposes that 0.7036 acres of land will be physically disturbed during construction. The Albany County Planning Board recommends the applicant meet all necessary requirements for stormwater management should land disturbances exceed one acre, including submission of a Notice of Intent filed with the New York State Department of Environmental Conservation (NYS DEC) affirming that a Stormwater Pollution Prevention Plan (SWPPP) has been prepared and is being implemented, or submission of a SWPPP that is consistent with the requirements included in the NYS DEC SPDES General Permit for Stormwater Discharges (GP-0-20-001, January 29, 2020).' and advisory notes, '1. The Town should ensure that a demolition review is provided by the applicant to ensure no hazardous materials are present on site.

2. The infiltration system should be dependent on the ground water elevation.' The reason the daycare can't benefit from the previously approved special user or the building approval is that their hours of operation are outside of the original request which is between 7am and 6pm.

Staff Opinion:

Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: 11-2409040557
Project Name: **Town of Knox Solar Law**

Applicant: Town of Knox
Project Location: Town of Knox
Municipality: Town of Knox
Parcel Size: N/A
Zoning: N/A
Tax Map Number: N/A
Referring Agency: Town of Knox Planning Board

Considerations: Adoption of local law for the regulation of solar energy systems in the Town of Knox.

Action Type: **Adoption of Local Law**

Juris. Determinant: N/A
Potential Impacts: N/A

Staff Notes: The town proposes the Local Law No.1 of 2024 to be known as the “Solar Energy System Law of the Town of Knox”. The purposes of these zoning regulations are to advance and protect the public health, safety, and welfare of the Town of Knox by:

1. Supporting energy independence and community resiliency by taking advantage of a safe, abundant, renewable, and non-polluting energy resource;
2. Accommodating solar energy systems while balancing the potential impact on the environment, neighbors, and the community;
3. Establishing provisions for the placement, design, construction, and operation of such systems to be consistent with the Town of Knox Comprehensive Plan, as may exist and as may be amended from time to time; and
4. Furthering the health, safety, and welfare of the public.

Staff Opinion: Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #:	<u>12-2409040550</u>
Project Name:	Adoption of Local Law - Village of Menands
Applicant:	Village of Menands
Project Location:	Village Center District and Light Industrial Zoning Districts
Municipality:	Village of Menands
Parcel Size:	N/A N/A
Zoning:	T-5 Village Center, LI Light Industrial
Tax Map Number:	N/A
Referring Agency:	Village of Menands Town Board
Considerations:	Amendment of zoning law to remove self-storage facilities as an allowed use from T-5 Village Center District and adding to the Light Industrial District requiring a Special Use Permit.
Action Type:	Amendment of Local Law
Juris. Determinant:	N/A
Potential Impacts:	N/A
Staff Notes:	The Village of Menands is seeking to adopt Local Law 4 of 2024 amending Chapter 169 Zoning Law by adjusting the zoning districts in which self-storage facilities are permitted as follows: 1. Self-storage in the T-5 Village Center Zoning District will be prohibited to better align the districts intent to create a vibrant mixed-use village center. 2. Self-storage in the Light Industrial District will be permitted which is more suitable for such use due to its existing industrial and commercial activities and infrastructure. 3. The Local Law maintains the prohibition of self-storage in all other districts except Heavy Industrial, encouraging uses that generate more employment and economic development.
Staff Opinion:	Defer to local consideration 1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Jeff LaFontaine made a motion to accept the Staff Opinion for Case # 03-2409040556, 05-2409040560, 10-2409040552, 11-2409040557 & 12-2409040550. The motion was seconded by Kate Powers and was also approved by Ta-Sean Murdock and Gerry Engstrom.

Case #: 04-2409040554
Project Name: Gateway Commerce Center - Phase 2 Site Plan and Subdivision

Applicant: BBL Construction Services, LLC
Project Location: 1381 River Road, Selkirk
Municipality: Town of Bethlehem
Parcel Size: 26.83 acres
Zoning: Mixed Economic Development
Tax Map Number: 134.00-3-2
Referring Agency: Town of Bethlehem Planning Board

Considerations: Site plan review construction of a 60,000 square foot warehouse/light manufacturing facility, and construction of a ± 1.7 acre gravel lay-down area and subdivision of an existing property.

Action Type: Site Plan Review, Subdivision Review

Juris. Determinant: State Road
Potential Impacts: 144 River Road, I-87

Staff Notes: The applicant is proposing to construct phase 2 of Gateway Commerce Center Master Plan; the second and final phase proposes a single 60,000 S.F. building and associated site improvements. Gateway Commerce Center Master Plan was approved with three (3) industrial buildings totaling $\pm 169,050$ S.F. on a ± 27 -acre parcel. The southern portion of the site, phase 1-building A, is now improved with a 28,275 S.F. building. The development plan includes the proposed building and other supporting site appurtenances such as storm water management, on-site wastewater treatment system (WWTS), lay-down, parking and loading areas, landscaping, municipal water service connection, site lighting and a new access driveway. A full access curb cut is proposed onto River Road (NYS Route 144) and is situated consistent with the 2016 master plan approval. The project will disturb greater than one (1) acre of land and will be subject to a New York State Department of Environmental Conservation (NYSDEC) Stormwater Discharge Elimination System (SPDES) regulations for general construction under the current permit (GP-0-20-001). A SWPPP has been submitted for review in the application packet. Runoff from stormwater will be conveyed via a closed drainage system utilizing subsurface detention and surface treatment. The site is not located within a flood plain. The final phase of Gateway Commerce Center will bring the two (2) building total development to $\pm 88,275$ S.F. compared to the 169,050 S.F. originally approved. This application was reviewed by the Albany County Planning Board in November 2019 for site plan review entailing the construction

of a 28,275 SF warehouse with accompanying sidewalks, driveway, and parking areas. The ACPB determination was Modify local approval to include:

1. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway.
2. The local fire department should evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.
3. The construction of a new septic system will need to be reviewed by the Albany County Department of Health.

Staff Opinion:

Modify local approval to include

1. Review by the Albany County Department of Health for the proposed onsite Waste Water Treatment System.
2. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway should be required.
3. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #04-2409040554. The motion was seconded by Kate Powers and was also approved by Gerry Engstrom and Jeff LaFontaine.

Case #:	<u>05-2409040555</u>
Project Name:	DiPerro Subdivision
Applicant:	Christina DiPerro
Project Location:	65 Fox Street
Municipality:	Town of Coeymans
Parcel Size:	33.57 acres
Zoning:	R-1: Single-Family Residence
Tax Map Number:	145.-2-36.1
Referring Agency:	Town of Coeymans Planning/Zoning Board of Appeals
Considerations:	Subdivision review of the parcel into four lots. Lot 1 to be 10.49 acres, Lot 2 to be 4.96 acres, Lot 3 to be 3.52 acres and Lot 4 to be 14.87 acres.
Action Type:	Subdivision Review
Juris. Determinant:	Municipal Boundary
Potential Impacts:	Intermunicipal Boundaries Town of Coeymans and County of Rensselaerville, FEMA Floodzone
Staff Notes:	The applicant proposes to subdivide the parcel into four lots and lot line adjustment of 0.3 acres from 53 Fox Street. Lot 1 to be 10.49 acres, Lot 2 to be 4.96 acres, Lot 3 to be 3.52 acres and Lot 4 to be 14.87 acres. New drilled wells and private sewage disposal systems are proposed. No land disturbance is anticipated as per the Short Environmental Assessment Form (SEAF). The proposed site is located in or adjacent to area designated as sensitive for archeological sites on the NYS Historic Preservation Office (SHPO) site inventory as per the SEAF. The parcel has approximately 750 feet of shoreline on the Hudson River. New driveway will cross a small intermittent portion of the wetland (approximately 0.1 acres).
Staff Opinion:	Modify local approval to include 1. Review by the Albany County Department of Health for the proposed new drilled wells and private sewage disposal systems on site. 2. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act. 3. Review by the New York State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required since the location is in or adjacent to area designated as sensitive for archeological sites on

the NYS Historic Preservation Office (SHPO) site inventory as per the SEAF.

4. The property is located in a flood zone. Approval of the site plan should be subject to requirements for building in the floodplain and ensure that the floodplain management zone requirements are met on site.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case # 05-240904055. The motion was seconded by Jeff Fontaine and was also approved by Kate Powers and Gerry Engstrom.

Case #:	<u>07-2409040551</u>
Project Name:	Community Bank, NA
Applicant:	Albert Giannino
Project Location:	114 Wolf Road
Municipality:	Town of Colonie
Parcel Size:	0.69 acres
Zoning:	Commercial Office Residential (COR)
Tax Map Number:	42.1-1-8
Referring Agency:	Town of Colonie Planning Board

Considerations:	Site plan review to redevelop the parcel by renovating the existing building and constructing a new drive-thru canopy and drive-thru window. The applicant is proposing to utilize the building for banking operations including clients accessing the convenience of drive-thru windows.
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Action Type:	Site Plan Review
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Juris. Determinant:	State Road
Potential Impacts:	Wolf Road

Staff Notes:	The applicant proposes to redevelop the parcel by renovating the existing building and constructing a new Drive-Thru Canopy and Drive-Thru window. The building footprint will be getting a little bigger with the addition of the canopy and the drive-thru window. The applicant is proposing to utilize the building for banking operations including clients accessing the convenience of drive-thru windows. Refer to the Site Plan for the location of the new Drive-Thru. There are no additional curb cuts
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that are being proposed. The proposed site improvements include the removal of the rear parking spaces (12 spaces) and the conversion of this space to green which adds approximately 10% more green space to the site. Other improvements include the addition of landscaping, benches and a bike rack. The proposed redevelopment is in accordance with the zoning regulations of the Town of Colonie and meets those Design Standards. The proposal request the following waivers: (a) Maximum front yard setback from Central Avenue and (b) Parking in the front yard setback. The existing parcel is developed with a one story building, access drives from Computer Drive W and Wolf Road and an asphalt parking area with approximately 42 parking spaces including 2 accessible parking spaces. Less than one acre of land disturbance is anticipated as per the Short Environmental Assessment Form (SEAF).

Staff Opinion:

Modify local approval to include

1. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway should be required.

Jeff LaFontaine made a motion to accept the Staff Opinion for Case #07-2409040551. The motion was seconded by Kate Powers and was also approved by Ta-Sean Murdock and Gerry Engstrom.

<u>Case #:</u>	<u>10-2409040553</u>
Project Name:	Foundry Village Planned Unit Development
Applicant:	Guilderland Village, LLC
Project Location:	2304-2314 Western Avenue
Municipality:	Town of Guilderland
Parcel Size:	12.35 acres
Zoning:	Local Business District (LB), Residential Overlay District (RO40)
Tax Map Number:	40.17-2-11.1, 40.17-2-12, 40.17-2-13, 40.17-2-14, 51.00-1-1
Referring Agency:	Town of Guilderland Planning Board

Considerations: Change in Zone from the Local Business (LB) District and Residential Overlay (RO40) District to a Planned Unit Development (PUD) District consisting of 285 multi-family units of which 10% (29 units) is proposed to be workforce housing and 5,000 square feet of commercial space in two 4-story buildings on 12.35 acres of land. The development site

consists of 5 parcels, one of which is a NYS Department of Environmental Conservation Brownfield site.

Action Type:

Rezoning

Juris. Determinant:

State Road

Potential Impacts:

20 Western Avenue, FEMA Floodzone (NWI – Riverine)

Staff Notes:

Applicant proposes to demolish existing buildings, conduct brownfield cleanup, and construct two new buildings, surface parking, recreational facilities, amenity space and 10,000 +/- SF of retail/commercial space. An off-site soil vapor intrusion evaluation was performed at down gradient properties and no action is necessary at this time. However, the Applicant proposes to undertake a Brownfield cleanup to meet the Residential Restricted Level. The site occupies 800+/- lineal feet of frontage from Foundry Road running eastward. The building closest to Foundry Road will be 4 stories with a building footprint of 49,200+/- SF. On the first floor of this building will be a 10,000+/- SF of retail/commercial space and 5,000+/- SF of management space and amenities identified below. The balance of the building will have 181,800 +/- SF which will accommodate 145+/- new residential units. The second building east of the first building will be 4 stories with a building footprint of 44,000+/- SF. This will be entirely residential in use and will have 176,000 +/- SF which will accommodate 140+/- new residential units. Surface parking for 347+/- cars is provided which includes 4 electric vehicles charging stations and 12 ADA handicapped. Outdoor site amenities will include pickle ball courts, patio and siting area. Also included will be stormwater storage systems. Upon completion the site will be 55.7%+/- pervious. Each building will have a fire sprinkler system installed as fire protection. The driveways can accommodate fire apparatus and other emergency vehicles. New hydrants will be added. A total of 7.25 acres of land disturbance is anticipated as per the Full Environmental Assessment Form (FEAF). The site is occupied by a number of buildings and asphalt areas. Many of the buildings are in disrepair. The site is located in a LB (Local Business) zone along Western Avenue and the balance of the site is in the R-40 zone. The site is on the NYSDEC Environmental Site Remediation Data Base. The remediation site is identified as 2312 Western Avenue (40.17-2-12). The Master Cleaners operated here between 1956 and 1990. There are currently no control measures installed. As per the letter from Office of Parks, Recreation and Historic Preservation (OPRHP), a Phase IB Archaeological Survey, to be conducted by a 36 CFR 61 qualified archaeologist, is warranted for the portions of the project's Area of Potential Effects (APE) identified as archaeologically sensitive in the report. A Phase IB

Archaeological Survey is conducted to determine the presence or absence of cultural resources within the APE and requires archaeological field testing. OPRHP concurs with the report's recommendation that the testing strategy include shovel testing and mechanical soil excavation.

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-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land should be required prior to final approval.
2. Review by the Albany County Department of Health for water supply, waste water discharge, and other required permits.
3. Notification to the New York State Division of Environmental Remediation should be sent to obtain necessary permits and reviews for the brownfield cleanup prior to the final approval of the proposed residential development.
4. The local fire department should be notified to evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.
5. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway should be required.
6. The Town should ensure that the density changes from the proposed rezoning are in compliance with the code for Planned Unit Development and that sufficient parking is provided to accommodate anticipated traffic.

Advisory Note:

1. 1. The town should ensure that the proposed development does not impact the community character significantly pursuant to GML 239-I (d).

Dan Hershberg of Hershberg and Hershberg and Robin Gray representing the Guilderland Coalition for Responsible Growth attended via Microsoft Teams and Karen White (also with the Guilderland Coalition for Responsible Growth) attended in person.

The Board reviewed the plans that were submitted.

Dan Hershberg stated that the applicant has agreed to increase the workforce housing from 10% to 20% (this occurred after the packed had been submitted to ACPB). He said all the other recommendations that were in the Staff Opinion had already been items that they planned on doing anyway. The Brownfield work and some of the geotechnical work has been started. Dan also stated that the proposal is to remove the contaminated soil to the level that is required by DEC.

Robin Gray stated that DEC was not aware of any plan for mitigation. She is concerned that the map submitted was from 5 years ago so she believes it is likely that the plume has extended. In addition to the residents on Foundry Road that have well water, she believes that the Hungerkill runs into the Watervliet Reservoir so she is worried about the drinking water. Her opinion is that this is not an appropriate site for a PUD as the building will be too tall, the landscaping is insufficient, and overall it is not big enough for what is being proposed. In addition this is across from a historic building and these buildings will be very modern so it's not fitting for the neighborhood character.

Robin spoke about an email that she sent to Gopika Muddappa, Senior Planner. Gopika acknowledged receipt and responded to Robin (Attachment A).

Gerry Engstrom clarified that today the only decision before the ACPB is the application for Rezoning. This will return to our Board for a Site Plan Review and possibly for Area Variance(s). Therefore we cannot get into the Site Plan, Planting plans etc.

Dan Hershberg said he is waiting for the Planning Board to make a recommendation to the Town Board regarding sizing and density. Once that has been decided, there will be a submission of the DEC mitigation plan.

Karen White, resident of Guilderland commented about the Comprehensive Plan update and that part of that is that the Town already has an appropriate number of Apartments and numerous that are in the pipeline to be added. She also said to build this across from a historic site also goes against the Comprehensive Plan. She also spoke about concerns that the tax assessments may be cut as has happened with other projects and the impact on their school district funding.

Dan Hershberg stated that this project as presented is not cast in stone. They are at the beginning of the process and assume there will be changes between now and the final approved project plan.

The Board reviewed the documents submitted from the Town Planner.

Kate Powers requested that an Advisory Note be added speaking to the importance of Community Character.

With the addition of the Advisory Note, Jeff LaFontaine made a motion to accept the Staff Opinion for Case # 10-2409040553. The motion was seconded by Kate Powers and was also approved by Ta-Sean Murdock and Gerry Engstrom.

Case #:	<u>10-2409040558</u>
Project Name:	Inn at 1180 Berne Altamont Road
Applicant:	Kent Hansen
Project Location:	1180 Berne Altamont Road
Municipality:	Town of Guilderland
Parcel Size:	14.40 acres
Zoning:	Rural Agricultural-5 District (RA5)
Tax Map Number:	36.00-1-28.1
Referring Agency:	Town of Guilderland Zoning Board of Appeals
Considerations:	Special use permit for the proposed redevelopment of former Peter Young Center into a 30 room boutique hotel.
Action Type:	Special Use Permit
Juris. Determinant:	Agricultural District, State Road, Municipal Boundary
Potential Impacts:	SR 156 Berne Altamont Road, Intermunicipal Boundaries of Town of Guilderland and Village of Altamont
Staff Notes:	The applicant is proposing to redevelop the former Peter Young Center and occupy it with a 30 room boutique hotel, 45 seat signature bar and restaurant, and event venue for approximately 250 guests. The site work will also include an indoor/outdoor pool, patio, walking trails, storm ponds, parking lots, landscaped areas, and other amenities. The proposed uses are allowed in the RA-5 district. A total of 9.5 acres of land disturbance is anticipated as per the Short Environmental Assessment Form (SEAF). A total of 166 parking spaces are provided for the development.
Staff Opinion:	Modify local approval to include 1. Review by the Albany County Department of Health for food service and other necessary permits should be required. 1.

Review by the Albany County Department of Health for food service and other necessary permits should be required.

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-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land should be required prior to final approval.
3. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway should be required due to the proposed access via NYS Route 156.
4. The local fire department should be notified to evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #10-2409040558. The motion was seconded by Kate Powers and was also approved by Jeff LaFontaine and Gerry Engstrom.

Case #: **18-2409040559**

Project Name: **Plattner Subdivision**

Applicant: Frank Plattner

Project Location: CR 411 Newry Road

Municipality: Town of Westerlo

Parcel Size: 137.87 acres

Zoning: RD/A - Rural Development/Agricultural

Tax Map Number: 176.-2-5.1

Referring Agency: Town of Westerlo Planning/Zoning Board of Appeals

Considerations: Three-lot minor subdivision of the parcel into 80.331 acres, 44.233 acres and 13.305 acres.

Action Type:	Subdivision Review
Juris. Determinant:	County Road, Municipal Boundary
Potential Impacts:	CR 411, Intermunicipal Boundaries of Town of Westerlo and Green County
Staff Notes:	The applicant proposes to subdivide the parcel into Lot 1 with 13.305 acres, Lot 2 with 80.331 acres and Lot 3 with 44.233 acres. No other lot modifications are proposed at this time.
Staff Opinion:	Modify local approval to include 1. Notification of the proposed subdivision should be sent to Green County, including all required notices pursuant to GML §239-nn.
Advisory Note:	1. Any future development requiring access via County Road 411 should require a highway work permit from the Albany County Department of Public Works for driveway construction, drainage and public utility connections within the county right of way.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case # 18-2409040559. The motion was seconded by Jeff LaFontaine and was also approved by Kate Powers and Gerry Engstrom.

Kate Powers had to leave after this vote (4:28pm) to attend another meeting.

Unfinished Business:

- a. The Memorandum of Understanding regarding our updated non-referral list was sent to Albany, Bethlehem, Guilderland, Colonie, New Scotland and Voorheesville. We have received signed copies back from all of the towns except for the Town of New Scotland, so therefore the Non-Referral list is now in effect for 5 of the 6 municipalities. We are still awaiting the final contract for the additional items specific to the Town of Colonie.
- b. The October Planning training hosted by CDRPC will be held on Friday, October 18, 2024 at HVCC. The complete schedule has not been listed yet, but there will be many topics covered. Reminder that you need 4 hours of training yearly to meet Planning Board requirements, but there are numerous options available on-line if you prefer. In addition please let her know if you have taken training related to your profession that you believe qualifies to meet the requirement.

- c. Gopika has been actively working with the County Attorney on the proposed updates to the Bylaws.
- d. Lynn asked the Board Members to proofread the contact information sheet before she sends it out. Gerry moved recently so once that has been updated, Lynn will send the updated contact list to all Board Members (voting and non-voting members as well as Staff who are involved in the Planning Process).

New Business:

- a. The next meeting of the ACPB will be on Thursday, October 17, 2024 and the deadline for municipalities to submit referral items for review will be on Monday, October 7, 2024.

Adjourn: Ta-Sean Murdock made a motion to adjourn at 4:35pm.

ATTACHMENT A

Muddappa, Gopika

From: Robyn Gray
Sent: Thursday, September 19, 2024 9:56 AM
To: Muddappa, Gopika; Karen White
Subject: Re: EXTERNAL C401072A-Master Cleaners - Guilderland, NY

Caution: This email originated from outside of Albany County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If this email appears suspicious, please submit it using the Phish Alert Button in Outlook.

Thank you Gopika,

Karen White and I will be attending the meeting this afternoon.

Robyn

Sent from my iPad

On Sep 19, 2024, at 9:47 AM, Muddappa, Gopika <Gopika.Muddappa@albanycountyny.gov> wrote:

Hi Robyn,

Thank you for your comments. Many of the concerns you mentioned below have been highlighted in our determinations as well. Please feel free to attend our meeting this afternoon.

Best,

Gopika Muddappa

Senior Planner
Albany County Department of Public Works
449 New Salem Road
Voorheesville, NY 12186
(518)655-7932 (Direct line)
(518)655-2055 (Main Office)

From: Robyn Gray
Sent: Wednesday, September 18, 2024 2:22 PM
To: Muddappa, Gopika <Gopika.Muddappa@albanycountyny.gov>
Subject: EXTERNAL C401072A-Master Cleaners - Guilderland, NY

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Hello Gopika,

I noticed that there is an item on the agenda for tomorrow's County Planning Board Meeting that warrants some more consideration, namely the Foundry Village PUD.

1- This has not been through any approval process by the town. A Sketch Plan review was completed at the town Planning Board meeting on September 11, 2024 with a recommendation to the town board with numerous concerns. These concerns have to do with not enough parking, turning for fire trucks, slope adjustment (angle of repose?) etc. This Board would not recommend the density requested by Mr. Hershberg because of the numerous issues with the site. Mr. Hershberg again repeated numerous times essentially that if they could not get the density of the project, the developer would walk away. The property owner has also echoed similar responses that if they can't get what they are proposing, they too would walk away and leave clean up of the site to others.

2- The Town Board asked for the input of the Planning Board regarding the project and based on the meeting, they have done so, without recommending density. We do not have confirmation of this as we have not yet seen the memo. We anticipate that this will go back before the Town Board for their decision about density, and THEN a public hearing will be scheduled.

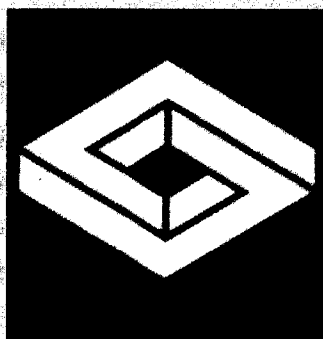
3- This is a contaminated site. There is already a plume of contamination that has affected tributaries of the Hungerkill. This ultimately affects those that get their drinking water from the Watervliet Reservoir.

4- Since DEC is involved, how can any decision be made about any proposed project when there hasn't even been a plan to clean up the site? There needs to be approvals from them about the clean-up, the endangered species on the property, the tributaries that are there and possible disruption to this important water source and possibly input from Hudson River Riverkeepers because of the ecological importance of the tributary.

5- DEC will also hold a Public Hearing about the clean up once a plan has been developed. How can there be any kind of approvals for anything when none of the above issues have been formally discussed, remediation plans in place and approvals from the various agencies involved?

Below is a video of the Planning Board meeting. This project was the last on the agenda. Supporting documentation is also there. Also included is a letter from DEC regarding this site. As you can see, there is nothing in place to address the contamination.

Click Here to
View
play.champds.com



Thank you for your time.

Robyn Gray
Chair, Guilderland Coalition for Responsible Growth

On Sep 17, 2024, at 3:30 PM, Dunham, Matthew D (DEC)
<matthew.dunham@dec.ny.gov> wrote:

Dear Robyn Gray:

Thank you for your inquiry concerning the Master Cleaners site ("site"), #C401072 located at 2312 - 2316 Western Ave. in the Town of Guilderland. My name is Matt Dunham, and I am the NYS Dept. of Environmental Conservation's Project Manager for the site.

At this time, no remedy has been selected for this site.

The site is currently in the investigation phase to determine the nature and extent of contamination. Once the investigation is complete, a remedy to address contamination related to the site will be proposed. The public will have the opportunity to comment on the proposed remedy during a 45-day comment period.

Please feel free to reach out to me at 518-357-2396 or matthew.dunham@dec.ny.gov with any additional questions.

Thank you,
Matt

Matthew Dunham, PE
New York State Department of Environmental Conservation
Division of Environmental Remediation, Region 4
1130 North Westcott Road, Schenectady, NY 12306-2014
P: (518) 357-2396 | matthew.dunham@dec.ny.gov
<image001.png>

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