

**City of Schenectady  
Planning Commission  
Meeting Minutes  
February 16, 2022**

**I. CALL TO ORDER**

Commissioner Wallinger called the meeting to order at 6:09 p.m.

**II. ATTENDANCE**

PRESENT: Mary Moore Wallinger, Chair; Bradley Lewis, Vice Chair; Randall Beach; Nick Petrillo; Jason Bogdanowicz-Wilson; Christopher Marney, Assistant Corporate Counsel; Christine Primiano, Principal Planner

**Absent:** N/A

**III. Conflict of Interest Check**

No conflict of interest indicated

**IV. New Business : Consent Agenda**

Commissioner Wallinger read the list of applications for the Consent Agenda.

**A. GALESI GROUP requests a Special Use Permit pursuant to Section 264-14 C of a proposal to operate a business office on the ground floor at 221 Harborside Drive, tax parcel # 39.41-1-4, located in a "C-3" Waterfront Mixed-Use District.**

Commissioner Wallinger asked if the Galesi Group was okay with meeting requirements for the Special Use Permit. David Ahl from the Galesi Group responded that they can meet all requirements.

Commissioner Wallinger asked if there were any questions from the Commissioners and there was no further discussion.

Commissioner Wallinger opened the public hearing. There were no public comments and the public hearing was closed.

Motion by Commissioner Beach, seconded by Commissioner Wilson to issue a Negative Declaration. ***Motion carried unanimously.***

Motion by Commissioner Beach, seconded by Commissioner Lewis to approve the Special Use Permit with the following conditions:

1. The applicant will submit all proposed signage to the City Planner for approval prior to purchase and fabrication of the sign(s).
2. The applicant will obtain all necessary building permits prior to doing any fit-up work on the tenant space.

3. Parking for the office tenant will not impact the required onsite parking for the residential units in the building.

***Motion carried unanimously.***

**B. PRINCESS RALLINS requests site plan approval pursuant to Section 264-90 M of a proposal to operate a bar and lounge at 353 Duane Avenue, tax parcel # 49.50-2-52, located in an "R-2" Two Family Residential District.**

Commissioner Wallinger asked Ms. Rallins if she received staff comments and Ms. Rallins replied that she had.

Commissioner Wallinger indicated that this is a legal nonconforming use of the property as it is located in a residential district. Due to the lack of land surrounding the building, there is not much opportunity for green space. Therefore, to add greenspace, some planters must be built.

Ms. Rallins agreed that she was comfortable with meeting these requirements.

Commissioner Wallinger opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Wallinger asked if there were any questions from the Commissioners and there was no further discussion.

Motion by Commissioner Petrillo, seconded by Commissioner Wilson to issue a conditional site plan approval with the following conditions:

1. The address will remain prominently displayed so that it is easily visible from Duane Avenue.
2. Metal roll gates and iron bars will not be placed on any doors or windows at any time in the future.
3. One attached sign is permitted. The "Beer, Wine, Food, and Whisky" signs are not code compliant and must be removed prior to the opening of the business.
4. The projecting sign requires a revocable permit approved by the City Council and issued by the Engineering Department. The applicant will contact the Engineering Department to apply for the permit by March 1, 2022.
5. Since there is no opportunity to add greenspace to the front of the property, large planter boxes will be added to either side of the entry or one larger planter under the 3 front windows. The planters will be maintained with plantings seasonally. The planters will be installed with plantings by June 1, 2022.
6. Due to prior concerns at this property and nearby similar establishments, the City Police Department recommends that licensed security personnel be hired for the weekend nights.
7. A Certificate of Use and Public Assembly License is required prior to opening the business.

***Motion carried unanimously.***

**C. WAQAR FARRUKH requests site plan approval pursuant to Section 264-90 M of a proposal to operate a COVID testing site at 1471 State Street, tax parcel # 49.68-5-54, located in a “C-2” Mixed Use Commercial District.**

Commissioner Wallinger asked Mr. Farrukh if he received staff comments and if he was comfortable with complying with the conditions for approval. Mr. Farrukh indicated he was.

Commissioner Wallinger opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Wallinger asked if there were any questions from the Commissioners and there was no further discussion.

Motion by Commissioner Beach, seconded by Commissioner Wilson to issue a conditional site plan approval with the following conditions:

1. The address will be prominently displayed so that it is easily visible from State Street.
2. Metal roll gates and iron bars cannot be placed on any doors or windows in the future.
3. The signs are approved as proposed.
4. The parking spaces in the rear will be delineated on the pavement by July 1, 2022.
5. The asphalt in front of the building will be removed and grass will be installed by July 1, 2022.
6. A large- growing shade tree will be planted in the front yard by July 1, 2022.
7. Details for handicap accessibility will be submitted to Planning staff for final approval prior to applying for building permits.

***Motion carried unanimously.***

**D. HOME LEASING, LLC requests a one-year extension of their site plan approval pursuant to Section 264-93 of a proposal to convert the Elmer Avenue School into 51 senior living apartments at 90 Elmer Avenue, tax parcel # 39.83-3-12, located in an “R-2” Two Family Residential District.**

Home Leasing, LLC had no changes to site plan and wanted an extension of the site plan approval until April 2023.

Commissioner Wallinger opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Wallinger asked if there were any questions from the Commissioners and there was no further discussion.

Motion by Commissioner Beach, seconded by Commissioner Wilson to approve the site plan extension until April 2023.

***Motion carried unanimously.***

**V. NEW BUSINESS - Continued**

**A. MITCHELL RAMSEY requests site plan approval pursuant to Section 264-90 M of a proposal to operate a bar and music hall at 116 Jay Street, tax parcel # 39.72-2-13, located in a "C-4" Downtown Commercial District.**

Mr. Ramsey stated the bar and music hall will host live jazz music and patrons will be able to hold conversation while listening to a full-size band. There will be space for a recording studio and to help artists start a music career. The space will be used for weddings and will be great for the downtown.

Mr. Ramsey said he has a background in audio engineering and the space will have acoustics.

Commissioner Wallinger opened the public hearing.

Ray Gillen of Schenectady County Economic Development and Planning and the Metroplex Development Authority stated Mr. Ramsey did a great job on the Downtown Revitalization Initiative (DRI) panel and is confident he will produce an amazing space.

Commissioner Wallinger closed the public hearing.

Commissioner Wallinger asked if there were any questions or comments from the Commissioners.

Commissioner Petrillo wanted to know if there is a layout of the building and Mr. Ramsey replied that they were still working on the exterior details but would like to move forward with interior renovations as soon as possible.

Mr. Ramsey added that Metroplex is coordinating and consolidating the garbage storage for a few of the properties along Jay Street. The signage design has been evolving and will be submitted to staff once the logo is completed.

Commissioner Wallinger inquired about the time frame and Mr. Ramsey replied summer of this year and there will be a grand opening. The rooftop will not be ready this year.

Commissioner Wallinger reminded Mr. Ramsey to return to the Planning Commission for approval for exterior work this summer (stairs and roof garden) and information regarding an easement for the rear stairs and garbage

storage. She also indicated everyone is excited to see the building developed.

Mr. Ramsey stated there will be a 15 ft rear yard into the parking lot and Metroplex will grant an easement that can accommodate an overflow of people in case of an emergency.

Planning staff asked the Commission if the applicant could obtain a conditional approval to get started on the interior building renovations with the requirement that the applicant return with all the details for the exterior changes and the plans for the rooftop deck.

Commissioner Wallinger recommended to the applicant that he check with City staff on the proposed exterior materials to be sure they comply with the Downtown Design Guidelines.

Commissioner Wallinger asked if there were any questions from the Commissioners.

Commissioner Petrillo asked Mr. Ramsey to come back with property line information. Commissioner Wallinger indicated that it could be a conditional approval to start interior and return to the Commission with final details of the building renovation, the rear easement and garbage plan.

Motion by Commissioner Beach, seconded by Commissioner Wilson to approve the conditional site plan approval with the following conditions:

1. The address will be prominently displayed so that it is easily visible from Jay Street.
2. Metal roll gates and iron bars will not be installed on any doors or windows at any time in the future.
3. The applicant will return to the Planning Commission for approval of all exterior finishes, details for the rooftop deck design, and the proposed sign design.
4. The applicant will provide a site plan showing that the stairs to the deck will exit on to the rear of 116 Jay Street or an easement from the neighboring parking lot.
5. Garbage storage has not been shown on the plans. There is an existing issue with garbage behind the neighboring properties and Metroplex parking lot. The applicant must provide a plan for garbage storage prior to the issuance of a Certificate of Use.
6. The applicant must obtain a Certificate of Use from the Code Enforcement Office prior to operating the business.

***Motion carried unanimously.***

- B. ELLIS MEDICINE requests site plan approval pursuant to Section 264-90 B and G and a Special Use Permit pursuant to Schedule B, of a proposal to construct a new 1,200 space parking garage to replace the existing Ulster Street**

**Garage at 1101 Nott Street, tax parcel # 39.60-1-20.1, located in an “I” Institutional District.**

Marc Mesick from Ellis Hospital, David Vander Wal from Walker Consultants, Roger Keating from LaBella Associates, and Gabi Sarhos from Envision Architects, presented the proposal.

The current parking structure was built in 1978 and a replacement parking garage is needed. The cost will be \$30M.

Ellis Medicine wants to provide adequate parking for its employees and patients. The new parking facility will improve access for patients and be less stressful for both patients and staff. In addition, the new structure will eliminate neighborhood parking that staff utilizes, which will minimize disruption for students and neighbors.

Ellis Hospital sent letters to neighbors that live in a quarter mile radius of the facility and a question-and-answer session with neighbors was held because they think it is important to keep community informed.

Mr. Vander Wal explained the plan is to take the garage down, which will involve approximately 2 acres of the campus surrounding the facility. The project is for a 1200 parking space garage that will fit the existing footprint, but will be narrower and taller.

Water run-off will be toward Ulster Street and an enhanced streetscape is planned along the Ulster Street side of the garage. The greenspace on Ulster Street will be 20 feet wide and similar to the design of the Rosa Road garage.

The garage will be constructed one level higher than existing, so there will not be a basement level. This will provide a better walking connection point from the hospital to the garage. Cars can enter the garage from Ulster Street and go up one level from Nott street. The circulation pattern will be 2 -way. This will minimize congestion entering and exiting the garage at peak times.

Commissioner Wallinger asked Mr. Vander Wal to provide more detail and explain how they can be sure that staff will use the garage instead of parking in the neighborhoods.

Mr. Vander Wal stated that the existing garage is for patients and visitors, but requires employees to ride a shuttle. The new garage will allow all staff to be on site – the goal is to make access easier and quicker for staff. There will be signage with time limits on level one of the parking garage so that it is reserved for visitors.

Ms. Sarhos explained the look of the garage will be a big improvement over what is in existence now. The building will be 7 stories instead of 4 stories high. There will be a large greenspace buffer, a broken façade rhythm, with

vertical aluminum panels that mimic window openings at the North end of Ulster Street, very similar in appearance and material use as the Rosa Road garage.

Commissioner Wallinger opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Wallinger asked if there were any questions or comments from the Commissioners. There was no further discussion.

Motion by Commissioner Petrillo, seconded by Commissioner Wilson to approve the Special Use Permit with the following findings:

1. The proposed parking garage structure will be built in the same location, with a similar footprint but will be slightly taller, and located adjacent to the hospital facing Nott Street.
2. The proposed use as a parking structure is consistent with what is currently on site.
3. There will be an increase in traffic access to the garage, but it won't be significant enough to disrupt traffic in the vicinity. Also, a second entrance point has been added on Ulster Street to accommodate the slightly higher demand.
4. There is no noise or flashing lights anticipated.

Commissioner Wallinger addressed the site plan proposal and asked if the sidewalk on Ulster Street could be moved inward toward the site to allow for a tree bed of low flowering trees between the curb and sidewalk. The purpose would be to buffer the garage at the street level and to provide a means of traffic calming. Mr. Keating stated he would look at it and confirm that there would be no utility conflicts by doing so.

Commissioner Wallinger noted that the garage will not require any zoning variances as proposed and that all the lots will be consolidated prior to permits.

Motion by Commissioner Beach, seconded by Commissioner Lewis to issue a conditional site plan approval with the following conditions:

1. All final sign design details must be submitted to City planning staff for final approval prior to purchase and fabrication of the signs.
2. Any significant changes to the proposal will require a revised site plan review and an amended Special Use Permit.
3. All Ellis owned parcels adjacent to the garage site that are currently used as surface parking will be consolidated into the main campus. A lot consolidation map will be submitted to the City Engineer for final approval and filed with the County Clerk's office prior to the issuance of building permits for the new garage.

4. The Stormwater Management plan will be submitted to the City Engineer for approval prior to the issuance of building permits.
5. The sidewalk on Oneida Street will be relocated further towards the property to allow the planting of street trees between the sidewalk and the curb.

***Motion carried unanimously.***

**C. CARA HERNAS requests site plan approval pursuant to Section 264-90 M of a proposal to operate a dental office at 408 Rosa Road, tax parcel # 40.37-4-3, located in a "C-2" Mixed Use Commercial District.**

Michael Roman from C2 Design presented the proposal. The existing building at 408 Rosa Road is a 2-story building. The ground floor of building will be renovated for a dentist office. The sidewalk from Rosa Road will be kept in place, as will the landscaping and handicap parking. The dental office will require 8 to 10 parking spots. The spaces will be re-striped in the lot.

National Grid replaced 2 of the lights in the parking lot. Changes to the building include removal of a door and replacement of the 2<sup>nd</sup> floor window that is currently boarded. The entrance to building will be changed as shown on the rendering. The landscaping will be new. Approximately 90%-95% of work is planned for the inside to accommodate the dental office.

Commissioner Wallinger asked if there were any questions from the Commissioners.

Commissioner Beach asked Mr. Roman if the parking lot will be graded because it currently has a slope.

Mr. Roman stated that no parking lot work is planned other than restriping the parking spaces.

The City Planner asked if the third curb cut was necessary, since the curb cut in the middle is wide enough to accommodate two-way traffic. Mr. Roman indicated that he did not think the third curb cut is needed.

The City Planner asked where the garbage will be stored. Mr. Roman said it will be kept inside except for pickup.

Commissioner Wallinger explained the landscaping requirement for a buffer of at least 4 feet between the sidewalk and the first parking space. Additionally, street trees should be planted in the buffer areas.

Mr. Roman wanted to be sure that there was enough space for the handicap spot to have the legal loading area at the entrance in addition to the landscaping.

Commissioner Wallinger said it looked like there is plenty of space for parking and street trees in the buffer.



Commissioner Wilson stated that the buffer will really help improve the site. He also asked if the siding on the outside of the building is aluminum siding.

Mr. Roman stated that the siding is staying aluminum but is being repainted.

Commissioner Wilson said that he thought some of the siding was along the bottom was in poor condition and may need to be replaced and that he is very glad to see someone is going into the building.

Commissioner Wallinger opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Wallinger asked if there were any questions or comments from the Commissioners. There was no further discussion.

Motion by Commissioner Petrillo, seconded by Commissioner Wilson to issue a conditional site plan approval with the following conditions:

1. The address will be prominently displayed so that it is easily visible from Rosa Road.
2. Metal roll gates and iron bars will not be installed on any doors or windows at any time in the future.
3. Final details for all proposed signage will be submitted to the City Planner for final approval prior to purchase and fabrication of the sign(s).
4. A detailed landscaping plan will be submitted to the City Planner for final approval. The landscaping plan will include buffers between the sidewalk and parking spaces and will include street trees. All landscaping will be installed prior to issuance of a Certificate of Occupancy.

***Motion carried unanimously.***

**D. THE DEPT. OF DEVELOPMENT requests a recommendation to the City Council to change the zoning of 36 parcels from "R-2" Two Family Residential District to "C-4" Downtown Commercial District. The properties are: 5, 7, 9 -15, 17- 22, 24- 26 Park Place, 103, 105, and 107 Seward Place, 709 Union Street, 608, 610, 614, 616, 700, 702, 704, 706, 708 South Avenue, and 1038, 1044, 1048, 1052, 1062 Barrett Street; tax parcel numbers #'s 39.65-2-7-16, 30-32, 33.1, 34, 35.1, 36-38, and 39.65-3-13-15, 20.1, 25-27, 29.1, and 30-38.**

The City Planner stated the Department of Development has been working on changes to the Zoning Code for a while, in anticipation of the updates to the Comprehensive Plan. This neighborhood in particular is an area that was considered for zoning district changes because there has been significant interest for expansion or redevelopment projects in the neighborhood. More density and commercial uses are not permitted in the "R-2" Two-Family Residential District, so economic growth is very limited. There are several vacant parcels not being utilized. Changing the zoning would be a positive

step towards enabling some economic development and investment in the area that will support the success of the businesses on Union and Jay Streets, the Jay Street Connection to Mohawk Harbor and the completion of the Live In Schenectady residential development.

Commissioner Wallinger, read a letter from Philip Aydinian from 19 Park Place, one from Catherine Wadja at 709 Union Street, and a letter from David Hogenkamp, Executive Director of the Capital Region Landbank.

A member of the public, Mr. William Davidson, came forward to speak. He has a one family house located at 105 Seward Place and he's been there 35 years. He wanted to know if he was going to be forced to convert his house to a commercial use and if his taxes would increase to a commercial rate.

The City Planner responded that a zoning designation tells you what is permitted in the zoning district. The assessment will not change unless the property is converted to a different use. The taxes would reflect whatever the new use would be.

Phillip Aydinian, from 19 Park Place, said he has been at his residence for 12 years. He stated he appreciated the city giving pre-notification about the proposed zoning change. There are a bunch of properties on Barrett Street and he wants to know if they will be impacted by eminent domain? He says he is curious about the plans and want to have a clear understanding how the block will be zoned. He looks forward to being a part of the future plans.

Maria Dagostino had questions about what the "C-4" District meant. She wanted C-4 explained and what will be happening in the area? She asked, "Why not a different type of property – a mixed used property? What about noise, privacy issues, and the park?"

Commissioner Wallinger responded, park land is designated as park land – and it will not be changed with the zoning change.

The City Planner read the purpose of the "C-4" Downtown Mixed Use Commercial District from the Zoning Code and explained that residential uses will require onsite parking. Other characteristics of the zoning designation allow increases in density and scale, but those characteristics are dependent on the size of the parcel. C-4 zoning allows up to 75 foot tall structures, which is 5-6 stories depending on the type of construction.

Commissioner Wallinger explained that since the parcel sizes vary, the possibilities for redevelopment vary.

The resident from 608 South Avenue asked if the city is looking for more foot traffic? To build condos? Or to revitalize? There are two gigantic warehouses on both sides of where he lives.

Commissioner Wallinger stated the zoning change is to make things more viable and it will be up to the applicant for how the parcel would be used, based on the allowable uses.

642 South Avenue resident asked, "What are we to do as residents? Do we have to leave our homes or can we stay?"

Commissioner Petrillo stated that North Jay Street is a "C-4" Zoning District also, but not located on State Street or immediately adjacent to State Street. There are apartments above retail space. Barrett Street is mostly houses and a lot of area around them is the "C-4" Downtown District. He further explained that changing it to the "C-4" Zoning District does not require the residents to do anything with their properties now. The intent is to allow for different uses in the future if that's what they wanted.

Commissioner Lewis stated that he thinks this is not a bad proposal and it makes sense and should be an easy thing to approve to help support and encourage future development.

Ms. Dagostino said, "I am not opposed to rezoning the area. I just had questions. For example, if my house were to burn down in a commercial zone, could it be rebuilt as residential?"

Commissioner Wallinger stated that higher standards apply in a "C-4" zone and it gives more flexibility for uses.

Lee Davidson daughter of resident William Davidson at 105 Seward Place, wanted to know if there will be limits? No one wants the next MVP building going up by their home or bars with people who are intoxicated.

Commissioner Petrillo stated Jay Street is a "C-4" zone and there are bars and restaurants.

Ms. Davidson asked, "Are you saying the zones are the same?"

Commissioner Petrillo said that State Street is the main street in Downtown Schenectady. The "C-4" zoning extends beyond State Street. Most properties are apartments on top of retail space, which is the intent of the Mixed Use District. Anyone who comes into the area can build row houses and will build what the neighborhood looks like.

Ms. Davidson asked, "What prevents something like a large company from happening?"

Commissioner Wallinger stated that the size of the parcel would determine a lot and that there are lot development standards for each district and use. The Planning Commission would also consider adverse traffic patterns and

the character of what is in the surrounding neighborhood when conducting site plan review.

Ms. Davidson commented that real people live in this neighborhood. There are 36 parcels of land. She asked how many does Union College own? What is the grand plan? Is Union College planning a project and that is why you are proposing to change the zoning?

The City Planner said that the city has not received any proposals from Union College and is not aware of Union College planning any projects. There is one parcel owned by Union College.

Commissioner Wallinger, stated, there are several vacant parcels owned by the city and the landbank.

Ray Gillen, Schenectady County Planning and Metroplex Development Authority, commented that from Seward Place to Jay Street, no one is touching 2-family homes. The plan is to make other residential opportunities and some mixed-use commercial options. For example, the corner of Barrett and Union Street is a mixed-use development. The goal is to be able to work, live and walk downtown to help neighborhoods and not hurt them.

Commissioner Wallinger closed the public hearing and asked if there was any discussion from the Commissioners.

Commissioner Beach said that there are many empty lots, a couple of warehouses, but nothing new proposed for a two-family house.

Commissioner Wallinger asked the members if they would like more information before making the recommendation or if they are ready to provide a recommendation.

Commissioner Wallinger asked the City Planner if a convenience store could locate in the "C-4" Downtown District.

The City Planner stated that a convenience store is a retail use and is permitted in the "C-4" District.

Commissioner Wallinger stated that she does not want to see several convenience stores pop up because that would have a negative impact. She further stated that as the Planning Commission has mentioned several times in the past, she would like the City Council to consider restrictions on convenience stores or at least provide a tool, like a Special Use Permit requirement, so that the Planning Commission can implement restrictions to prevent potential impacts to neighbors.

Commissioners Lewis and Wilson were also in favor of asking the City Council to require a Special Use Permit for convenience stores.

Motion by Commissioner Beach, seconded by Commissioner Petrillo to recommend the zoning change of all parcels listed in the legal description from "R-2" to "C-4" with the additional request that the City Council consider an amendment to the Zoning Code that would require all Convenience Stores, especially those in the C-4 Downtown Commercial District, be required to obtain a Special Use Permit. The intent of the Special Use Permit requirement is to allow the Planning Commission the ability to place conditions on approvals to help remediate any potential impacts the business could have on the surrounding neighborhood.

***The motion carried unanimously.***

**I. OLD BUSINESS**

**A. STEWART'S SHOPS CORP. requests site plan approval and a Special Use Permit pursuant to Section 264-90 G, J, and Schedule B of a proposal to construct a 3,975 SF convenience store with self-service gas facilities at 1020 McClellan Street 1501 Union Street, and 1503 Union Street, tax parcel # 50.21-2-74.1,75, and 74.2, located in a "C-2" Mixed Use Commercial District.**

Marcus Andrew of Stewart's Shops presented revised site plans for the proposed McClellan Street and Union Street Stewart's Shop. The parking will be removed from Union Street and place to the side of the building. A canopy with outdoor seating will be at the McClellan Street entrance. LED lighting will be installed throughout the site. A free-standing sign is planned for the corner. Some additional street trees have been added and evergreens in back to serve as a buffer and for the residential neighborhood.

Commissioner Petrillo stated he is still torn, feeling for and against the proposal in this location, but admits that this proposal will replace an eyesore gas station.

Commissioner Wallinger acknowledged that a meeting was held with Stewart's and City staff to figure out if there were any other options to consider. The revision to the plan reflects the change to the orientation of the building that would allow maximum street frontage on McClellan Street, and remove a row of parking adjacent to Union Street.

Commissioner Lewis stated that he really liked the 3 foot stone wall and that he thought it was the best thing that could be done to gain some street presence.

The City Planner stated that the zoning code allows for the 3 foot fence but that if it is solid, it will have to be set back 4 feet from the sidewalk because the fence is supposed to be 70% opaque in the front yard and side yards of corner lots. The planner also noted that the freestanding sign must be

setback a minimum of 20 feet from the intersecting curb lines at the corner of McClellan and Union Street.

Commissioner Wallinger opened the public hearing.

Tom Carey, President of Schenectady United Neighborhoods (SUN) spoke and started by saying the acoustics in the room are horrible and that microphones are needed. He said he represents the 12309-zip code and does not support the Stewart's Shops project and recommends the city deny the site plan application because the project is not compatible with the neighborhood. The project is in a historic stretch of the neighborhood with busy pedestrian traffic. There will be a tremendous gap in street wall and that is not an appropriate use of land, especially since it requires a Special Use Permit. The application before the Commission does not support a clean energy community. Gas powered cars will soon be banned in 10 years and this project contradicts future planning for electric cars. Also, carbon emissions have a negative impact on the environment.

Ray Gillen, Schenectady County Metroplex asked everyone to look at Broadway and the new shop on Van Vranken Avenue. Stewart's Shops has done a great job in other neighborhoods. He thinks everyone has made hard compromises and urged the Commission to move forward, so there will not be two closed businesses, an abandoned funeral home and gas station, at the location.

Commissioner Wallinger closed the public hearing and opened discussion amongst the Commission members.

Commissioner Beach stated he would rather it be a store like Stewart's that will be there down the line, and that the reality is that there is already an abandoned gas station on site, which limits future possibilities, so he is in favor of this project.

Commissioner Wilson stated that he's not excited about the proposal and would have liked to see the building pushed to Union Street. He does like the frontage on McClellan with outdoor seating and greenspace.

Commissioner Lewis indicated he liked the wall around the sidewalk and thought the vegetation was a lot better.

Commissioner Wallinger stated that she too is not excited about the building being set back on the site because it is so pedestrian unfriendly. The best location is on the corner. She stated that she would like it a condition of the Special Use Permit that the tanks and the gas canopy be removed if Stewart's ever stops selling gas in the future. It's a tough decision but is in support of a business that people can walk to.

Marcus Andrews said that he cannot agree to what will happen 25 to 30 years from now. But having the tanks removed is not a problem.

Commissioner Wilson questioned where the canopies are in relationship to the existing funeral home and that he likes the looks of the new canopy.

Motion by Commissioner Beach, seconded by Commissioner Petrillo, to issue a conditional Special Use Permit with the following conditions:

1. If at any time Stewart's Shops stops selling gas, the gas tanks will be entirely removed from the site.
2. The applicant must return for an amended Special Use Permit if the gas canopy area is no longer used for the dispensing of gas and proposed to be utilized differently.

Motion by Commissioner Beach, seconded by Commissioner Petrillo to issue a conditional Site Plan approval with the following conditions:

1. The address will be prominently displayed so that it is easily visible from McClellan Street.
2. Metal gates and bars will not be placed on any doors or windows at any time.
3. The wall will be setback 4 feet from the inside of the sidewalk pursuant to Section 264-32, Schedule D.
4. Taller shade trees will be added to the perimeter of the site and a variety of evergreens will be added at the rear buffer.
5. All sidewalks will be replaced and constructed to City standards.
6. The City Engineering details for sidewalks and curb cuts are required on the final site plan that will be submitted for final approval by the City Engineer and City Planner prior to the application for a building permit.
7. In addition to the City standard for sidewalks and curb cuts, all handicap ramp, handicap detectors, sidewalk detail, concrete specifications, and curb details need to be provided on the final plans.
8. The applicant will provide details for drywell capacity and overflow for final approval by the City Engineer.
9. A lot line consolidation map must be submitted to the City Engineer for final approval and filed with the County Clerk's office prior to the issuance of building permits.

***Motion carried unanimously.***

- B. LALLI VERMANI requests site plan approval pursuant to Section 264-90 G of a proposal to renovate the building for 3 commercial units at 1900 State Street, tax parcel # 60.55-3-1.11, located in a "C-5" Business District.**

Jason Singer, from Nolan Engineering, and Lalli Vermani, owner of the property, introduced themselves. Mr. Singer stated that the sign violations have been resolved and that the extra signs have been removed. Mr. Vermani said he wanted to discuss the dumpster situation because he thinks

that the fence into the yard should be good enough. The City Planner explained that it is in the City Zoning Code to properly enclose all refuse containers behind a screened enclosure.

Mr. Singer stated that landscaping of 4ft wide on either side of the sidewalk has been added back to the plans. Mr. Vermani said that he does not want to plant landscaping because it is in the way of snow plowing.

Commissioner Petrillo asked why the applicant was seeking approval now if there is already a business operating.

The City Planner stated that the business is operating without a site plan approval because it is not in compliance with the prior site plan approval.

The City Planner showed the Commission recent pictures of the property to review. The Planner stated that there are several plastic bags with empty bottles, many piles of empty cardboard boxes and car parts on the ground and in the back of a truck parked on site. The Planner asked the applicant if someone was doing auto repair in the garage on the property. The applicant stated that he was letting the neighbor fix vehicles in the garage. The City Planner stated that it was not legal and that can't occur on the property. She also told the owner that a New York State License is required to repair other people's vehicles.

Commissioner Wallinger expressed her impatience with the trash on site, continued lack of compliance, and lack of a site plan proposal that complies with City regulations and standards in the zoning code. Commissioner Wallinger stated that the conversation has been had several times and nothing has improved to the point where an approval can be granted.

The applicant asked what was wrong with the site plan.

Commissioner Wallinger said that the landscaping must be to code, as previously discussed, and that the landscaping bed at the corner must be enlarged so that people do not illegally park so close to the intersection.

The owner stated that he has no place to put the snow except the corner.

The City Planner stated that he cannot pile snow at the corner of the property because it creates an unsafe condition by blocking the line of sight.

The owner asked why he can't store the bottles and cardboard outside. Someone comes to take the empty bottles every 2 weeks.

The City Planner stated that his original proposal was to store the bottles in the garage, not outside. The bottles and other debris have to be stored inside, not outside.



Commissioner Wilson stated they cannot approve the site plan with all the existing issues and no compliant site plan.

Commissioner Petrillo agreed.

Motion by Commissioner Wilson, seconded by Commissioner Petrillo, to table the proposal until there is no longer illegal car repair on the property, the bottles and cardboard or properly stored, and the applicant can provide a compliant site plan.

***Motion carried unanimously.***

Motion by Commissioner Beach, seconded by Commissioner Wilson, to adjourn the meeting. ***Motion carried unanimously.***

***Meeting adjourned at 9:45 p.m.***