

**City of Schenectady
Planning Commission
Meeting Minutes
February 17, 2021**

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:05 p.m.

Due to the closure of City Hall because of the Covid-19 Virus, the meeting was conducted online via WebEx.

II. ATTENDANCE

PRESENT: Mary Moore Wallinger, Chair; Bradley Lewis, Vice Chair; Randall Beach; Richard Ferro; Andrew Healey; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner; Andrew Koldin, Corporation Counsel; Jennifer Mills, Secretary

EXCUSED: Ryan Bailey

III. CONFLICT OF INTEREST CHECK

None.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Beach, seconded by Commissioner Ferro, to approve the Minutes of the January 20, 2021 meeting as submitted.

Motion carried unanimously.

V. OLD BUSINESS

A. YATES VILLAGE II LLC requests site plan approval pursuant to Section 264-90 F of a proposal to renovate portions of the existing buildings and construct 15 new buildings at Yates Village, 2450 Van Vranken Avenue, tax parcel # 30.84-2-1.1, located in an “R-3” Multi-Family Residential District.

Alison Yovine of MJ engineering and Bruce Chamberlin of WRT presented the proposal.

Staff explained that the applicants are continuing to work with the City Engineer regarding finalizing a storm water management plan and the final plan will be approved by the City Engineer before construction moves forward.

Ms. Yovine briefly reviewed the site plan. Mr. Chamberlin spoke about the revised building plans, explaining that over the course of construction it has become clear that renovating the existing buildings will not be cost

effective, and therefore they will be built new from the foundation up. He added that the proposed building designs will not significantly change.

The landscaping on the site was discussed and it was determined that some additional trees could be added to the bump out areas between the sidewalks and the drive aisles. The Commissioners agreed that the trees would be a beneficial addition to the landscaping on the site.

The Commissioners indicated that they had no objection to issuing conditional site plan approval pending the City Engineer signing off on the site plan issues that are outstanding.

PUBLIC COMMENTS

None.

Seeing no members of the public that wished to speak, Commissioner Wallinger closed the public hearing.

Motion carried unanimously.

SITE PLAN APPROVAL

Motion by Commissioner Beach, seconded by Commissioner Lewis, to accept the proposal with the following conditions:

1. The applicant will coordinate with the City Engineer to finalize a plan for storm water management, which will be approved by the City Engineer and the City Planner.
2. As discussed at the meeting, additional trees will be added to the bump out areas along the sidewalks where possible. A final revised landscaping plan will be submitted to the City Planner for final approval.

Motion carried unanimously.

B. RANDY DINARAM requests site plan approval pursuant to Section 264-90 A and J of a proposal to operate an automobile repair business at 112 Henry Street, tax parcel # 49.75-2-19.1, located in an "R-1" Single Family Residential District.

Randy Dinaram presented the proposal.

Commissioner Wallinger stated that she has outstanding concerns regarding conditions on the site, as it appears that no steps had been taken to correct violations there until a few days before the meeting. Mr. Dinaram stated that he has moved the unlicensed vehicles to other properties he owns. Staff noted that only one unlicensed vehicle is

allowed on a property at one time, so hopefully Mr. Dinaram did not create additional problems at other sites when he moved the vehicles.

PUBLIC COMMENTS

A letter from Mark Reilly, resident of Henry Street, was entered into the record. Mr. Reilly urged that the proposal be denied at this time and expressed concerns regarding excessive noise, unregistered vehicles, light pollution, and traffic and parking around the site. He stated that he had no objection to prior businesses that were operated at this location because there were no problems like these, and the owners were responsible and thoughtful neighbors.

Seeing no further members of the public who wished to speak, Commissioner Wallinger closed the public hearing.

The Commissioners further discussed the application, citing concerns similar to those expressed by Mr. Reilly, and also regarding Mr. Dinaram's lack of activity to improve conditions on the site until immediately prior to his appearance at the meeting. Staff noted that site plan approval cannot be issued when there are outstanding violations at a site and stated that a City staff person has not yet been able to visit the property to ascertain that all violations have been corrected. It was determined that the application should be tabled until it can be confirmed that there are no further outstanding violations.

MOTION TO TABLE

Motion by Commissioner Ferro, seconded by Commissioner Healey, to table the proposal until City Staff visits the site and confirms that there are no outstanding violations on the property.

Motion carried unanimously.

VI. NEW BUSINESS

A. GABRIELE and ASHLEY VICSCARIELLO request site plan approval pursuant to Section 264-90 M of a proposal to operate an outdoor ice cream shop 2013 State Street, tax parcel # 60.56-1-13, located in a "C-5" Business District.

Gabriele and Ashley Vicscariello presented the proposal.

The applicants explained that they plan to offer ice cream and fast food at the business using a similar model to what was done on the site in the past. They added that they will also offer some bakery items and may expand the business in the future after eventually filling in the pool.

The Commissioners discussed pedestrian traffic flow to and from the site, and it was determined that a walkway from the State Street sidewalk onto the property will be installed adjacent to the sign base. The Commissioners and the applicants also discussed wrapping the sidewalk around the corner from State Street to Shirley Drive, as is usually the practice even though there are no sidewalks on Shirley Drive. The applicants questioned why the former business operator was allowed to pave that area. City Planner Primiano noted that the area was paved illegally and without the required City approval or permits. The applicants agreed to work with City staff and the City Engineer to finalize a plan for the sidewalk around the corner.

The applicants stated that they will be seeking a variance to keep the existing sign.

PUBLIC COMMENTS

None.

Seeing no members of the public who wished to speak, Commissioner Wallinger closed the public hearing.

SITE PLAN APPROVAL

Motion by Commissioner Lewis, seconded by Commissioner Wilson, to accept the proposal with the following conditions:

1. The address will remain prominently displayed so that it is easily visible from State Street.
2. Metal roll gates and iron bars are not permitted on any doors or windows at any time in the future.
3. All garbage, refuse, and cardboard will be stored within a proper enclosure at all times, pursuant to Section 264-49. When weather permits, a proper dumpster enclosure must be installed. The applicant will submit plans for the enclosure to the City Planner for approval prior to installation. The enclosure must be completed by June 1, 2021.
4. The applicant will provide pedestrian access from the State Street sidewalk to the front of the building. A concrete sidewalk will be installed that leads from the sidewalk to the patio. The sidewalk will also be extended from State Street around the corner of Shirley Drive. The applicant will submit the plans for the sidewalks to the City Planner for approval prior to installation and will coordinate with the City Engineer regarding the placement of the sidewalk on the corner. The sidewalks will be installed by July 15, 2021.
5. Prior to painting the exterior of the building, the applicants will submit the paint colors and samples to the City Planner for approval.

Motion carried unanimously.

B. MARIA CHICAIZA requests a site plan approval pursuant to Section 264-90 M of a proposal to operate a unisex hair salon at 1833 Broadway, tax parcel # 48.52-2-26.1, located in a “C-2” Mixed Use Commercial District.

Maria Chicaiza presented the proposal, with translating assistance from her daughter Angela.

The applicant explained that she plans to open a unisex hair salon on the site. The Commissioners discussed the application and expressed concern that there are many existing issues on the property that need to be addressed, and the landlord was not present at the meeting. After further discussion it was decided that conditional site plan approval could be granted, thus allowing Ms. Chicaiza to open her business, but the property owner would be required to appear in front of the Commission at the March meeting to address the site plan concerns noted, including the sidewalk installation, landscaping, dumpster location and enclosure, lack of impervious surface on the site, peeling paint, and missing shingles.

Staff noted that the licenses of all cosmetologists working in the business must be displayed on site.

PUBLIC COMMENTS

None.

Seeing no members of the public who wished to speak, Commissioner Wallinger closed the public hearing.

SITE PLAN APPROVAL

Motion by Commissioner Beach, seconded by Commissioner Lewis, to accept the proposal with the following conditions:

1. The address will remain prominently displayed so that it is easily visible from Broadway.
2. Metal roll gates and iron bars are not permitted on any doors or windows at any time in the future.
3. All garbage, refuse, and cardboard will be stored within a proper enclosure at all times, pursuant to Section 264-49. The existing dumpster must be moved to the yard, in the parking lot within 30 days. When weather permits, a proper dumpster enclosure must be installed. The applicant and/or owner will submit plans for the enclosure to the City Planner for approval prior to installation. The enclosure must be completed by June 1, 2021.

4. The sidewalk along 4th Street will be replaced to City standards by October 1, 2021.
5. The asphalt will be removed from the side of the building where the dumpster is currently stored, and grass will be planted there and between the building and where the new sidewalk will be installed. Asphalt will be removed in front of the building between the sidewalk and the curbed step into each storefront. Two flowering trees will be planted in front of the building. Also, in the parking lot adjacent to the residential neighbor, the pavement will be removed and the greenspace between the sidewalk and the first parking space will be enlarged. A third street tree will be planted in this location. All green space and tree plantings will be completed by October 1, 2021.
6. The awning/canopy on the front of the building will be replaced by October 1, 2021. The applicant and/or owner will submit a plan for replacement to the City Planner for approval prior to applying for building permits.
7. Window signs cannot cover more than 20% of each windowpane. The existing signs that are covering the windows will be removed by March 1, 2021.
8. The existing projecting signs do not have the required revocable permits. The owner must obtain these permits from the Engineering Department by April 1, 2021.
9. All peeling and chipping paint will be repainted by October 1, 2021.
10. The property owner will attend the March 2021 Planning Commission meeting to address the outstanding concerns, including but not limited to the sidewalk, dumpster location and enclosure, landscaping, painting, and replacement of missing shingles, and to propose a plan and timeline to meet the required conditions of site plan approval set forth above.

Motion carried unanimously.

VII. MISCELLANEOUS

None.

VIII. MOTION TO ADJOURN

Motion by Commissioner Ferro, seconded by Commissioner Healey, to adjourn the meeting.

Motion carried unanimously.

The meeting was adjourned at 7:22 p.m.