

**City of Schenectady
Planning Commission
Meeting Minutes
April 21, 2021**

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:10 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; Ryan Bailey; Randall Beach; Richard Ferro; Andrew Healey; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner; Jennifer Mills, Secretary
EXCUSED: Andrew Koldin, Corporation Counsel

III. CONFLICT OF INTEREST CHECK

Commissioner Beach recused himself from the consideration of New Business item A, the Highbridge/Prime Development Application.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Lewis, seconded by Commissioner Bailey, to approve the Minutes of the March 17, 2021 meeting as submitted.

Motion carried unanimously.

V. NEW BUSINESS

A. HIGHBRIDGE/PRIME DEVELOPMENT requests a Special Use Permit pursuant to Section 264-61 I of a proposal to install an electronic message board at 240 State Street, tax parcel # 39.71-3-9.111, located in a “C-4” Downtown Commercial District.

James Easton of the Prime Companies presented the proposal.

Mr. Easton briefly reviewed the application and explained that the applicants are seeking to install an electronic message board sign on the building. He stated that the sign would allow them to display the names of the retail tenants of the building. He noted that they have had problems renting the retail spaces given the current business climate and that potential tenants have expressed concerns about the visibility of their businesses.

The Commissioners discussed the application and concurred that the proposed sign would be out of character for the downtown district, where

businesses have individual signs over or adjacent to their entrances, and would also be a potential nuisance to passing motorists and residents of the building.

PUBLIC COMMENTS

None.

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

SEQR RESOLUTION

Motion by Commissioner Ferro, seconded by Commissioner Bailey, to accept the Negative Declaration.

Motion carried unanimously, with Commissioner Beach recusing himself from the vote.

SPECIAL USE PERMIT DENIAL

Motion by Commissioner Healey, seconded by Commissioner Lewis, to deny the Special Use Permit based on the following findings of fact:

1. The proposed building or use shall substantially impact upon the nature and character of the surrounding neighborhood. The proposed sign is unlike any other in the downtown district, and its size and design are not in keeping with the downtown design guidelines. It would not only be unique to the area but could also potentially detract from the surrounding businesses and atmosphere.
2. The proposed building or use will have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare. The proposed sign would be mounted on a residential apartment building where its placement could be a potential nuisance to residents. In addition, the nature of its changing message could distract drivers and result in possible vehicle and pedestrian accidents and injuries.
3. Operations in connection with the proposed use shall be more objectionable to nearby properties by reason of noise, fumes, vibration, or flashing lights than would be the operations of any permitted use not requiring a special use permit. The proposed sign would have changing text and graphics which have the potential to distract drivers at a very busy intersection.
4. The proposed building or use will continue to be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools.

5. The proposed building or use will result in the destruction, loss, or damage of any natural, scenic, architectural, or historic feature of significant importance. The proposed sign is significantly out of character with the rest of the downtown streetscape, where storefronts have individual signage directly above or adjacent to their entrance.
6. The proposed building or use does not comply with all additional requirements imposed on it by the provisions of this chapter. The proposed sign would require a variance if additional individual business signage is desired as well, as has been proposed by the applicant.

Motion carried unanimously, with Commissioner Beach recusing himself from the vote.

B. 500 STATE STREET ASSOC, LLC requests site plan approval pursuant to Section 264-90 B of a proposal to renovate the building at 500 State Street to provide medical office space, tax parcel # 39.80-2-18.11, located in a “C-4” Downtown Commercial District.

Jeff Buell and Joe Perniciaro presented the proposal.

Mr. Buell briefly reviewed the application and explained that his company has purchased the building and plans to renovate it for use as medical office space. He noted that Bank of America has a long-term lease and will remain in the front space of the building for the foreseeable future.

The Commissioners discussed the application and it was determined that a conditional site plan approval could be issued with the applicants returning to the May 19th meeting with a revised site plan showing the additional details needed regarding landscaping, lighting, parking, the dumpster enclosure, and the proposed canopy design.

PUBLIC COMMENTS

None.

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

SEQR RESOLUTION

Motion by Commissioner Beach, seconded by Commissioner Lewis, to accept the Negative Declaration.

Motion carried unanimously.

SITE PLAN APPROVAL

Motion by Commissioner Lewis, seconded by Commissioner Wilson, to accept the proposal 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 are not permitted on any doors or windows at any time in the future.
3. The applicant will return to the May 19th Planning Commission meeting to present final plans for landscaping, lighting, the dumpster enclosure, the canopy design, required parking uses, and handicap compliance.
4. The applicant must submit a shared parking agreement if they are not planning to provide the required parking on site.

Motion carried unanimously.

C. YACOUB ALI requests site plan approval pursuant to Section 264-90 M of a proposal to operate a convenience store at 29 State Street, tax parcel # 39.63-3-28, located in a “C-4” Downtown Commercial District.

Yacoub Ali, assisted by his interpreter Nabeel Shohattie, presented the proposal.

The proposal was reviewed and discussed. Because the entrance to the store will be the door closest to the corner of South Church Street and the sign for the business is over the center door the Commissioners expressed some concern that it would be unclear to customers which door they should use. It was determined that a canopy could be installed over the entrance door and a small directional sign could be posted on the delivery door.

The Commissioners and the applicant discussed the color scheme for the business. It was decided that the metal storefront portions of the façade, currently painted a light gray, would be repainted a bronze color to match the second story metal windows.

PUBLIC COMMENTS

None.

Seeing no members of the public that 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 be 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. Windows will not be covered, painted, or blocked by shelving, signs, or other materials that would prohibit visibility into the store.
4. All garbage must be stored inside the building except for trash pickup days. All empty garbage receptacles will be promptly returned to the building after trash pickup.
5. The sidewalks on State Street and South Church Street will be swept clean of trash and debris as needed and at least once daily.
6. A trash receptacle for customer use will be provided just outside the store and will be brought in when the store is closed.
7. The aluminum store panels and trim on the first-floor façade will be painted to match the bronze windows on the second floor. The applicant will submit a color sample to the City Planner for approval prior to painting. The painting will be completed by July 31, 2021.
8. All deliveries to the store will be before 8 a.m. and after 6 p.m.
9. The applicants will coordinate with the City Planner for the final approval of a canopy over the entrance door. The canopy may have the name of the business on the fabric awning.
10. A Certificate of Use is required to operate the business.
11. The approved hours of operation are 7 a.m. to midnight, seven days a week.

Motion carried unanimously.

VI. MISCELLANEOUS

City Planner Primiano noted that the City has received complaints from several neighbors about the auto repair business at 1137 Cutler Street which was granted site plan approval and a Special Use Permit by the Commission in November 2020. She noted that there are also outstanding zoning violations on the site. After some discussion it was determined that the Commission would request that the business owners appear at the next meeting to address the complaints and violations.

MOTION

Motion by Commissioner Lewis, seconded by Commissioner Ferro, to authorize the City Planner to request that the owners of the business at 1137 Cutler Street appear before the Commission at the May 2021 meeting.

Motion carried unanimously.

Commissioner Wilson noted that there are several businesses on Van Vranken Avenue, including the Dollar General store where there appears to be trash and recycling material stored outside, that are failing to keep their properties maintained properly and free from litter. Staff will follow up.

VII. MOTION TO ADJOURN

Motion by Commissioner Beach, seconded by Commissioner Lewis, to adjourn the meeting.

Motion carried unanimously.

The meeting was adjourned at 7:48 p.m.