

**City of Schenectady  
Planning Commission  
Meeting Minutes  
June 17, 2015**

**I. CALL TO ORDER**

Commissioner Coppola called the meeting to order at 6:30 p.m.

**II. ATTENDANCE**

**PRESENT:** Sharran Coppola, Chair; Matt Cuevas, Vice Chair; Bradley Lewis; Chris Rush; Julia Stone; Mary Moore Wallinger;; Jason Bogdanowicz-Wilson; Sara Bonaquist; Christine Primiano, Principal Planner; Carl Falotico, Corporation Counsel

**EXCUSED:** Thomas Carey, Rachael Ward, Assistant Corporation Counsel

**III. CONFLICT OF INTEREST CHECK**

Commissioner Cuevas recused himself from voting on the Maxon Alco Holdings, LLC applications because the firm by which he is employed is doing work on the project.

**IV. APPROVAL OF MEETING MINUTES**

Motion by Commissioner Wilson, seconded by Commissioner Rush, to accept the Minutes of the May 20, 2015 as submitted. *Motion carried unanimously.*

**V. NEW BUSINESS**

**A. DHARAMDEO TOTARAN requests site plan approval pursuant to Section 264-90 M of a proposal to operate a West Indian specialty store at 852 State Street, tax parcel #49.33-5-26.1, located in a “C-2” Mixed Use Commercial District.**

Scott Cietek of Metroplex Development Authority and Dharamdeo Totaran presented the proposal. The applicant is moving his business, which is currently in operation at a location on Albany Street, to this new location. Mr. Cietek explained that Metroplex has been working with the applicant to help him relocate his business so that his previous location could be sold to a developer as part of a large development project on Albany Street. Mr. Cietek stated that Mr. Totaran would also be receiving a small façade grant from Metroplex to assist in his renovation of the new location.

Mr. Totaran explained that his store sells West Indian groceries and household items. He will also operate a small kitchen, with some hot and cold foods available for takeout only. The second floor of the building will have rental apartments. Mr. Totaran stated that he will be using the same sign as his previous location. It will installed in a new frame.

**PUBLIC COMMENTS**

None.

**SITE PLAN APPROVAL**

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

1. The addresses for the buildings will be prominently displayed so that they are easily visible from State Street.
2. The existing metal roll gate will be permanently removed. Additional metal roll gates and iron bars cannot be placed on any doors or windows at any time in the future.
3. All graffiti will be removed prior to the business opening.
4. All boarded doors will be replaced with operational doors. The City Planner must approve the doors prior to purchase and installation. The applicant must submit the door specifications for approval.
5. The new sign frame must be reviewed and approved by the City Planner prior to installation of the sign.
6. Garbage will be stored on the interior of the building and will be placed at the curb on the day of pick-up.

*Motion carried unanimously.*

**B. SANJAI SOOKDEO requests site plan approval pursuant to Section 264-90 G of a proposal to operate a learning center and temple at 1108 Union Street, tax parcel #39.83-2-4, located in an “R-3” Multiple Family Residential District.**

Sanjai Sookdeo and Dave Barbier, architect with Stracher Roth Gilmore presented the proposal. Mr. Sookdeo explained that he is a Hindu priest and would like to use the site for a temple and learning center.

City Planner Primiano explained that there are existing code violations at the property and that they must be addressed and corrected prior to any further consideration of the site. She also stated that four area variances will be needed from the Board of Zoning Appeals in order for the applicant to operate the temple, and that the applicant should appear before the BZA prior to any further review by the Planning Commission.

**PUBLIC COMMENTS**

Sally Quinn, owner of 1104 and 1106 Union Street, spoke in opposition to the proposal. She stated that there have been problem tenants occupying the property for quite some time, and that they have damaged her property and used it for parking. She also stated that she believes the proposed use to be wrong for this quiet residential location.

**MOTION TO TABLE**

Motion by Commissioner Wilson, seconded by Commissioner Stone, to table the proposal pending the following information and actions:

1. The applicant provides detailed plans for all work being done on the property, not just the work being done on the garage.
2. The applicant must obtain the necessary zoning area variances required to complete the project.
3. All current code violations on the property will be addressed and corrected immediately.

*Motion carried unanimously.*

**C. JEFF ARJUNE requests site plan approval to Section 264-90 M of a proposal to operate a real estate office at 1726 Broadway, tax parcel #48.60-1-29, located in a “C-2” Mixed Use Commercial District.**

Jeff Arjune presented the proposal. The applicant proposes to operate his real estate business at the site. The Commissioners discussed the landscaping at the front of the site. The applicant agreed to remove the asphalt in front of the building and install landscaping in its place.

**PUBLIC COMMENTS**

None.

**SITE PLAN APPROVAL**

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

1. The address will be prominently displayed so that it is easily visible from Broadway.
2. Metal roll gates and iron bars cannot be placed on any doors or windows at any time in the future.
3. If the sign displayed in the window is going to be hung off of the existing projecting pole, it requires 8 feet of clearance from the bottom of the sign to the sidewalk and a revocable permit issued by the Engineering Department.
4. Cleaning or painting of the soffit and fascia that has rust stains must be removed by October 1, 2015.
5. The asphalt will be removed between the sidewalk and the front of the building and grass and shrubbery will be planted in its place. The green space will be installed by October 1, 2015. Prior to installation, the applicant will submit a landscaping plan detailing species and locations of plantings to the City Planner for approval.

*Motion carried unanimously.*

**D. NURI OZBAY requests site plan approval pursuant to Section 264-90 M of a proposal to operate a liquor store at 1321 Erie Boulevard, tax parcel #39.56-2-28, located in a “C-4” Downtown Commercial District.**

Nuri Ozbay and the building owner, AJ Vora, presented the proposal. The applicant proposes to operate a liquor store at the site. City Planner Primiano stated that she had met with the applicants at the site, and discussed some of the outstanding concerns. The applicants submitted a landscaping and signage plan, and explained the proposed garbage storage for the site. Ms. Primiano also noted that the sidewalk on Jefferson Street, while paved in asphalt, is currently in good condition. She recommended that the Commissioners allow the applicant to hold off on replacing the sidewalk immediately, because the Engineering Department should be consulted to see if and when they will be paving the street and/or replacing the curbs and sidewalks. The Commissioners agreed that waiting would be acceptable, so as to ensure that the applicant does not incur the expense of replacing the sidewalk only to then have it be replaced by the city.

The Commissioners briefly discussed the signage and landscaping plan. Commissioner Wallinger stated that she approved of the plan, but suggested that the caliper of the trees should be noted and approved by the City Planner, in order to ensure that they are an adequate size.

**PUBLIC COMMENTS**

Mary Ann Ruscitto, resident of East Front Street, commented about the site. She stated that cars leaving the parking lot often turn the wrong way on to Jefferson Street, which is a one-way street. *The Commissioners and staff discussed this problem with the landlord and it was agreed that a bollard with a chain will be installed across the portion of the lot next to the building where the cars are cutting through and exiting on to Jefferson Street.*

**SITE PLAN APPROVAL**

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

1. The address will be displayed so that it is easily visible from the Erie Boulevard.
2. Metal roll gates and iron bars cannot be placed on any doors or windows at any time in the future.
3. City staff will work with the applicant to determine the best course of action regarding replacing the sidewalks on the Jefferson Street side of the property.
4. The landscaping will be installed prior to the opening of the liquor store.

5. A bollard with a chain attaching to another bollard or the building will be installed on the Jefferson Street side of the building.

*Motion carried unanimously.*

**E. MAXON ALCO HOLDINGS, LLC requests site plan approval pursuant to Section 264-90 B of a proposal to construct a 60,000 square foot retail and office building at 301 Nott Street, Mohawk Harbor, tax parcel #39.49-2-1.311, located in a “C-3” Waterfront Mixed Use District.**

Paul Fallati of the Galesi Group, Dan Hershberg of Hershberg & Hershberg, and JT Pollard of Re4orm Architects presented the proposal to build a three-story, 60,00 square foot retail and office building with underground parking. Mr. Fallati began the presentation with an overview of the new building in relation to the rest of the Mohawk Harbor site. Mr. Hershberg then explained the site plan, detailing the parking and landscaping plans, as well as the lighting and pedestrian walkways. He explained that because there is underground parking beneath the parking lot, landscaping options are more limited in this space. He stated that large planters are proposed for the islands in the parking lot, and that they will be cast in concrete on site and will be quite substantial in size. He added that they are proposing to add trees to the site wherever possible, but there are some spots where easements are located which will be planted with more seasonal, less permanent options. Mr. Hershberg also noted that signage, lighting, and striping plans for the parking lot, which will be of a uniform design throughout Mohawk Harbor, will be presented in the future as part of a complete package for the entire site.

Mr. Pollard presented the details of the design and materials of the retail/office building and presented material samples to the Commissioners. The façade of the building will be visually broken up using a variety of materials and finishes so as to appear to be a series of smaller spaces as opposed to one large expanse.

The Commissioners discussed the proposal at this time. Commissioner Wallinger stated that she was pleased with the overall plans, and urged the applicants to keep in mind the goal of making the site as pedestrian and bike friendly as possible. She suggested bike racks, benches, and other seating areas, which she explained would also add street activity and a sense of liveliness to the site. Mr. Hershberg replied that these elements are all part of the plan. Commissioner Wallinger also questioned whether or not Mr. Hershberg felt that the grass utility strip between the sidewalk and the parallel parking on the curb would be difficult to maintain. Mr. Hershberg responded that the developers understand that it will require maintenance, but that they feel that at this part of the Harbor site it is a good choice, as opposed to the stamped pavement used in other parts of the site. He also noted that they are

looking into some new materials which will allow grass to grow up through a protective barrier.

Commissioner Stone stated that she is not pleased with the lack of pedestrian access to the site from Erie Boulevard. Commissioner Wallinger noted that Erie Boulevard has not traditionally been a pedestrian-friendly roadway in this area, but that she felt that the support of pedestrian traffic within the site has been very well considered. Commissioner Wilson stated that he is very happy with how the design of the buildings has evolved throughout the design process. Commissioners Coppola and Lewis commented that they too are pleased with the final design of the building, and the way in which the architects have blended contemporary design with references to historical elements.

### **PUBLIC COMMENTS**

Glenn Talbot, President of STS Steel, discussed the ongoing discussions that he is having with the Galesi Group regarding the accommodation of his business on the site. He also stated that one of the roadways shown on the site plan cuts through a portion of STS Steel's leased property, and a small portion of the building site shown on the plan is also leased by STS Steel. He noted that his company continues to negotiate regarding these pieces of property. *David Buicko of the Galesi Group responded that negotiations are ongoing, and that the roadway referred to by Mr. Talbot is not essential to accessing this building, and thus site plan approval should not be hindered by its possible relocation.*

Jason Planck, disability advocate and Schenectady resident, spoke about the need for accessible handicap parking on the site, as well as urging the use of the new handicap signage. *Mr. Hershberg stated that the handicap parking on the site well exceeds federal or New York state regulations, and that the new signage would be used.*

Tran Lee, Schenectady resident, asked for clarification as to what the building would look like when viewed from Erie Boulevard. He also expressed his support for pedestrian and bike friendly elements on the site, such as the bike racks, benches, etc. He stated that he had hoped to see more environmentally-friendly building practices addressed, such as the use of green roofs on some of the buildings. *Mr. Hershberg responded that green roofs had been considered for the site but it had been decided that they would not be a good fit for this development. However, he noted that the development was exceeding DEC standards throughout the site, citing the example that they are required to treat 25% of the storm water on the site, but they will be treating 100%.*

Melinda Perrin, Schenectady County resident also commented on the environmental impact of the development and urged the applicants to maximize their consideration of these concerns.

Al Magid, Schenectady County resident, spoke regarding his disapproval of the overall function of the development, as opposed to the form of the design and site plan details.

**SITE PLAN APPROVAL**

Motion by Commissioner Wallinger, seconded by Commissioner Stone, to accept the proposal with the following conditions:

1. The address will be displayed so that it is easily visible from the roadway.
2. Metal roll gates and iron bars cannot be placed on any doors or windows at any time in the future.
3. Any changes to the proposal must be submitted to the City Planner for final approval prior to construction of the change. If the change is judged to be significant, it will require further review by the Planning Commission.
4. Revised drawings showing changes required by the Water and Engineering Departments must be approved prior to the issuance of building permits.

*Motion carried, with Commissioner Cuevas abstaining.*

**F. MAXON ALCO HOLDINGS, LLC requests site plan approval pursuant to Section 264-90 B of a proposal to construct a 24-unit residential building at 301 Nott Street, Mohawk Harbor, tax parcel #39.49-2-1.311, located in a “C-3” Waterfront Mixed Use District.**

Paul Fallati of the Galesi Group, Dan Hershberg of Hershberg & Hershberg, and JT Pollard of Re4orm Architects presented the proposal to build 24 townhomes at the northern corner of the site. Mr. Hershberg gave a brief overview of the site plan details of the site, explaining the proposed parking and the landscaping design in this portion of the development. He explained that the river bank will be cleared of brush and other invasive species of plant and will be rip-rapped and replanted.

Mr. Pollard then addressed the building design. He stated that the building materials would include reclaimed brick and steel, and that the building design was a reference to the history of the site and Schenectady. He explained that the townhomes will have private entrances, with their own stoop areas and patios, and that the interiors will have a factory-style loft-like design. The residents will have the option of having an elevator in their unit, or alternatively the elevator area would be used for additional closet space. Commissioner Coppola then opened the discussion to the Commissioners regarding the building design. Commissioner Rush stated that he personally does not like the design of the exterior of the building, which he feels presents as an homage to a brown field. He stated that he did not understand how the

design of the building fit into the context of the rest of the Mohawk Harbor development. Mr. Pollard responded that the developers were attempting to utilize different designs and offer different residential options throughout the site, and that this portion of the site offered the opportunity for a smaller scale, townhome building. Commissioner Wilson stated that he likes the overall design of the building, and the fact that it is different style of architecture, but noted that he was having trouble visualizing the scale of the building in relation to the other surrounding ones. Mr. Pollard responded by showing different animated views of the design. Commissioner Lewis stated that he understood the smaller scale of the building since it is at the edge of the site, but that he was not pleased with the chosen materials for the exterior. He stated that he felt that they are too dark as compared to the other buildings on the site, and for the scale of the building. He also stated that he did not like how the overall design of the building fit in with the rest of the development.

Commissioner Bonaquist stated that she likes the design of the building and the materials proposed, but that she believes that the patios should have some sort of screening for privacy. Mr. Pollard commented that this had been a consideration and would be incorporated into the final plans. Commissioner Wallinger stated that she too likes the design of the building, and added that some larger trees should be added to help address the issue of scale of the building, and also to help provide the residents with added privacy from the bike path. She also suggested that some more contemporary landscape design elements, such as bright, unusual perennials, unique tree and shrub species, and ornamental grasses would complement the more contemporary design of the building. Mr. Hershberg agreed that these are suggestions that they will consider. Commissioner Wilson questioned whether or not it would be possible to shift the building more towards the green space to the edge of the development and away from the parking lot, but Mr. Hershberg explained that the building is situated within various easements, and thus has no room for movement. Commissioner Coppola agreed with Commissioner Wallinger that an innovative landscaping design would work well with the building and complement its more contemporary design. Commissioner Coppola then opened the public hearing portion of the meeting to allow the public to comment prior to the conclusion of the Commissioner's discussion.

### **PUBLIC COMMENTS**

A Schenectady resident who did not state his name stated that he did not like the design of the building, and that he felt it has too strong a reference to a locomotive shed and very little contemporary feel.

Jason Plank, a disability advocate and Schenectady resident, spoke about the lack of handicapped accessibility to the townhomes via the front stairways. He also expressed his unhappiness with the lack of any affordable housing being offered in the new development.

Commissioner Coppola the closed the public hearing and prior to entertaining a motion she polled the Commissioners as to what their potential votes might be. Commissioners Coppola, Wallinger, Wilson, and Bonaquist stated they had sufficient information to approve the site plan and would vote in the affirmative if the question were to be called. Commissioners Lewis, Rush, and Stone stated that they did not feel as though they could vote for site plan approval solely on the information that had been presented. Commissioner Cuevas abstained due to a conflict of interest.

Following the poll, Commissioner Coppola stated that the Commissioners who voted in the negative should express their concerns to the applicants so that they might have an opportunity to address them. Commissioner Stone stated that she was unclear as to the details of the design and would like to see more information about the materials, amount of windows, and facades of the building. Commissioners Lewis and Rush stated that they felt the exterior finishes chosen were too dark for the building design. There was some discussion amongst the Commissioners regarding whether or not disliking a building's colors was reason enough to deny site plan approval.

Commissioner Lewis stated that he believed that it was; Commissioner Coppola stated that she did not. Mr. Pollard then addressed the issues that the Commissioners had expressed. He showed them a materials board with actual photos of the reclaimed brick proposed to be used, and the Commissioners felt that the photo showed a material much lighter in color than that shown on the architect's rendering. Mr. Pollard explained that there are limits to the materials available for use when coloring the rendering, and that the rendering was most certainly showing darker colors than what will be used on the actual building. He also showed detailed renderings of the window placement. David Buicko of the Galesi Group also commented that they had done focus group studies to gather information regarding what types of housing appealed to potential buyers in the area, and that they had concluded that there is a need for a townhome development of this type, with loft-style interiors and a more industrial feel.

Commissioner Coppola asked the Commissioners if they felt that they needed more information regarding their concerns, or any further discussion of the materials and design. The Commissioners agreed that they did not.

#### **SITE PLAN APPROVAL**

Motion by Commissioner Wallinger, seconded by Commissioner Bonaquist, to accept the proposal with the following conditions:

1. The address will be displayed so that it is easily visible from the roadway.
2. Metal roll gates and iron bars cannot be placed on any doors or windows at any time in the future.

3. Any changes to the proposal must be submitted to the City Planner for final approval prior to construction of the change. If the change is judged to be significant, it will require further review by the Planning Commission.
4. Revised drawings showing changes required by the Water and Engineering Departments must be approved prior to the issuance of building permits.

*Motion carried, with Commissioner Cuevas abstaining.*

**G. CAPITAL REGION GAMING, LLC requests preliminary site plan review of a proposal to construct a 147,800 square foot casino and a 17,894 square foot hotel at 301 Nott Street, Mohawk Harbor, tax parcel #39.49-2-1.311, located in a “C-3” Waterfront Mixed Use District.**

Mike Levin of Development Management Associates, Mark Tabor of the LA Group, Landscape Architects for the project, Brian Fink, Architect with Klai Juba Wald Architects, Rob Osterhout, Engineer with Bohler Engineering, and Andy Brick, attorney for the applicant, presented the proposal. Mr. Levin began the presentation with an overview of the design process for the casino. He stated that the original design had been proposed prior to anyone on the design team having spent a lot of time in Schenectady or knowing much about the history of the city. He explained that once the Gaming Commission had approved the site for a casino, and the team had spent more time in the city, they felt compelled to change the design to reflect more of Schenectady’s history. He also noted that what had been speculated regarding the reduced cost of the new design was false and that if the developers had wanted to save money they would not have continually engaged in an ongoing design process but rather would have stuck with their original design. He admitted that the redesigned project perhaps went too far towards the historical context side of the design and eliminated too much of the contemporary feel of the building; he added that they were open to changing the design to find some middle ground in between the two previous proposals. Mr. Levin reviewed the site and the signage for the casino, stating his belief that the pylon sign is absolutely imperative to visitors finding the casino, as the building will not be visible from the roadway. He also explained the formula for calculating parking for the site, and stated that the parking spaces proposed were not excessive for the intended use.

Brian Fink then presented a brief overview of the new design, explaining how the architects attempted to introduce elements that would reduce the overall mass of the building and maintain visual interest. Next, landscape architect Mark Tabor discussed the landscaping plan, explaining how the landscape and hardscapes would be used to both complement the building and minimize any views of the large parking lot. Rob Osterhout then gave a brief overview of the site plan details regarding the infrastructure and mechanical systems.

Commissioner Coppola then opened the floor for the public to ask questions and offer comments on the new design.

### **PUBLIC COMMENTS**

Pat Rush of Oxford Place commented on the environmental impact of the site and asked if the applicants planned to pursue LEED certification for the casino, as they had obtained Gold LEED certification for their casino in Des Plaines. *Mr. Levin replied that the casino is required to be LEED certified by New York State, and that while he was uncertain whether they would be able to achieve gold status due to some unique issues with the site, he could assure the public that his firm intended to do everything possible to meet the highest standards wherever possible, as is their practice.*

Melinda Perrin, county resident, offered a statement for the record and commented that she hoped that the applicants would take into account using all available technologies to make the entire development as environmentally-friendly as possible. She also suggested the use of native plants in the landscape.

Al Magid, county resident, expressed his opposition to the casino project as a whole.

Mary Ann Ruscitto of East Front Street spoke in favor of the project, stating her belief that the building and even the parking lot will be much more attractive than what had historically been there. She expressed concerns regarding the pylon sign and whether or not it would be visible from the entire East Front Street neighborhood. *Mr. Levin pointed out the location of the sign and stated that it would not.*

Jason Planck, city resident and advocate for people with disabilities, stated that he was not happy with the generic design of the building and felt that it should have a stronger design theme. He also expressed his concerns that handicap parking standards will be met and exceeded.

Glenn Talbot of STS Steel commented on the design of the access road to the site and explained that his company was in ongoing negotiations with the developer regarding maintaining access to the business using the large trucks that are required to haul materials and equipment to and from the site.

Katherine Kagey, county resident, noted that she felt the new design was uninspired. She suggested that if the applicants wanted to incorporate the history of Schenectady into the design they could do so by using design elements that reference the city's history but do so in a more contemporary way.

A letter from Richard Unger, resident of the Stockade, was entered into the record. Mr. Unger stated his disappointment with the new design and his belief that a pylon sign of 80 feet is not necessary for visibility from the roadway.

A letter from Jessie Malecki of 21 North Street was entered into the record. The letter stated the writer's opposition to the design and timeframe for the project.

Commissioner Coppola noted that the applicants will be returning to the Planning Commission meeting in July to present a revised design.

**VI. OLD BUSINESS**

Commissioner Coppola noted that the Sunoco Station on Union Street has been making improvements and is looking better. She also stated that no meeting had been set up yet with the representatives of the Family Dollar project on Eastern Avenue.

City Planner Primiano noted that the Getty Station on Union Street would be issued violations by the City Zoning Officer for their failure to comply with the conditions of site plan approval and for the code violations at the site.

**VII. MISCELLANEOUS**

None.

**VIII. MOTION TO ADJOURN**

Motion by Commissioner Wallinger, seconded by Commissioner Stone, to adjourn the meeting.

*Meeting was adjourned at 10:28 p.m.*