

**City of Schenectady
Planning Commission
Meeting Minutes
September 20, 2017**

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:50 p.m.

II. ATTENDANCE

PRESENT: Mary Moore Wallinger, Chair; Bradley Lewis, Vice Chair; Ryan P. Bailey; Randall Beach; Andrew Healey; Julia Stone; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner; Rachael Ward, Deputy Corporation Counsel

III. CONFLICT OF INTEREST CHECK

Commissioners Lewis, Wallinger, and Beach reused themselves from voting on New Business Item C, the Union College proposal. Commissioner Lewis is employed by Union College, as are the spouses of Commissioners Beach and Wallinger.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Healey, seconded by Commissioner Bailey, to accept the Minutes of the August 16, 2017 meeting as submitted.

Motion carried unanimously.

V. CONSENT AGENDA - NEW BUSINESS

A. CITY MISSION OF SCHENECTADY requests site plan approval pursuant to Section 264-90 M of a proposal to operate offices for the Schenectady Works Program at 816 Union Street, tax parcel # 39.74-2-2, located in a "C-4" Downtown Commercial District with the Union Street Corridor Historic Overlay.

Timothy Castle appeared before the Commission on behalf of the City Mission.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

Motion by Commissioner Beach, 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 Union Street.

2. Metal roll gates and iron bars will not be placed on any doors or windows at any time.
3. This property is located in the Union Street Corridor Historic District, therefore any future changes to the exterior of the building and surrounding property require approval by the Schenectady Historic District Commission.
4. Any future signs require a building permit and approval by the Historic District Commission.
5. A walk-through inspection to check exit and emergency lighting is required by Code Enforcement prior to occupancy.

Motion carried unanimously.

B. RANDY DILORENZO requests site plan approval pursuant to Section 264-90 M of a proposal to operate a restaurant at 1614 State Street, tax parcel # 60.29-3-3, located in a “C-5” Business District.

Randy DiLorenzo appeared before the Commission.

Commissioner Wallinger noted that she had briefly spoken with the applicant about planting a small flowering tree at the front left side of the property and that he was amenable to doing so.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

Motion by Commissioner Beach, 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 will not be placed on any doors or windows at any time.
3. Pursuant to Section 264-49 G, all garbage must be stored within a screened enclosure behind the building and kept closed and locked at all times.
4. All building permits must be obtained prior to doing any work on the building.
5. A Certificate of Use and a Public Assembly License are required to operate the restaurant.
6. Pursuant to Section 264-61 C, the proposed sign must be set back a minimum of three feet from the property line and seven feet from the driveway.
7. A water meter is required. See the Water Department in Room 206 for specifications.

8. A small flowering tree will be planted along State Street on the left side of the property.

Motion carried unanimously.

C. DR. ARRIL DSOUZA requests a Special Use Permit pursuant to Chapter 264 Schedule A of a proposal to operate a dental office at 1304 Grand Boulevard, tax parcel # 40.61-2-1, located in an “R-2” Two Family Residential District.

This item was withdrawn from the agenda and therefore was not considered at the meeting.

VI. NEW BUSINESS - CONTINUED

A. LAMAR ADVERTISING requests a Special Use Permit pursuant to Section 264-61 of a proposal to install an electronic message board at 2466 Albany Street, tax parcel # 60.29-1-5, located in a “C-5” Business District.

David Leavitt, Real Estate Manager for Lamar Advertising, and Mike Flanagan, General Manager for Lamar Advertising, presented the proposal. Commissioner Wallinger asked if the new sign will be the same size as the existing sign. Mr. Leavitt stated that it will be. City Planner Primiano noted that the sign on Broadway and Mallard Street which had been approved by the Commission in July will not be happening; Lamar has decided to change this sign to an electronic message board instead.

Commissioner Wallinger noted that she had pulled this item from the Consent Agenda because there were public comments submitted for the record and she wanted to give the applicants a chance to address the comments.

Commissioner Stone stated that she would not be voting to approve the proposal because she does not like how electronic message boards look or the atmosphere they create.

PUBLIC COMMENTS

Sidney and Doris Brown of 17 Selden Street submitted a letter in opposition to the proposal. They stated that they believe that the sign is too close to a quiet residential neighborhood and that it will bring attention to the unattractive property on which it is sited.

Mr. Leavitt provided photos showing that the sign will not be visible from the Brown’s home and therefore should have no direct impact on their property.

Scott Cietek of Metroplex Development Authority spoke in favor of the proposal. He pointed out that two other traditional billboard signs will be removed in exchange for putting up this sign, and that where the sign is sited is a very busy commercial corridor.

SEQR RESOLUTION

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

Motion carried, with Commissioner Stone opposed.

SPECIAL USE PERMIT

Motion by Commissioner Lewis, seconded by Commissioner Bailey, to approve the Special Use Permit with the following findings (staff comments in italics):

1. Proposed use **shall not** substantially impact upon the nature and character of the neighborhood. *The proposed sign is located along a heavily traveled commercial corridor.*
2. Proposed use **will not** have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, and utility facilities. *Adjacent properties are commercial and many have large signs advertising their businesses.*
3. Nuisance **will not** be more objectionable than use not requiring special use permit. *The message board must be approved by NYSDOT and will follow the DOT standards.*
4. Use **shall** be served adequately by infrastructure. *This will not have an impact on the infrastructure.*
5. Proposed use **will not** result in loss or destruction of significant features. *No loss or destruction of significant features have been identified.*
6. The proposed building or use **does comply** with all additional requirements imposed on it by the provisions of this zoning chapter. *No variances are necessary as a result of this proposal.*

and conditions:

1. All necessary approvals required by the New York State Department of Transportation will be obtained prior to the installation of the message board.
2. If any electrical work is required, an electrical permit will be obtained prior to doing any work.

Motion carried with Commissioner Stone opposed.

- B. ANGELO MENAGIAS requests a Special Use Permit pursuant to Section 264-61 of a proposal to install an electronic message board at 1815 State Street, tax parcel # 60.39-1-16, located in a “C-5” Business District.**

City Planner Primiano noted that the Diner sign will remain on the site but the sign for the former hair salon will be removed and the new bakery sign will be installed near where the salon sign was.

PUBLIC COMMENTS

None.

SEQR RESOLUTION

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

Motion carried unanimously.

SPECIAL USE PERMIT

Motion by Commissioner Wilson, seconded by Commissioner Lewis, to approve the Special Use Permit with the following findings (staff comments in italics):

1. Proposed use **shall not** substantially impact upon the nature and character of the neighborhood. *The proposed sign is located along a heavily traveled commercial corridor.*
2. Proposed use **will not** have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, and utility facilities. *Adjacent properties are commercial and many have similar signs advertising their businesses.*
3. Nuisance **will not** be more objectionable than use not requiring special use permit. *The message board must be approved by NYSDOT and will follow the DOT standards.*
4. Use **shall** be served adequately by infrastructure. *This will not have an impact on the infrastructure.*
5. Proposed use **will not** result in loss or destruction of significant features. *No loss or destruction of significant features have been identified.*
6. The proposed building or use **does comply** with all additional requirements imposed on it by the provisions of this zoning chapter. *No variances are necessary as a result of this proposal.*

and conditions:

1. All necessary approvals required by the New York State Department of Transportation will be obtained prior to the installation of the message board.
2. Pursuant to Section 264-61C, the sign must be located a minimum of 3 feet from the sidewalk, 7 feet from any driveway, and 20 feet from the intersecting corner curb lines.
3. A building permit and electrical permit are required prior to installation of the sign.

4. The existing former salon sign will be removed in its entirety at the same time or prior to the installation of this new sign.

Motion carried unanimously.

VII. PRELIMINARY REVIEWS

A. PRIMERIA IGLESIA DE DIOS DE SCHENECTADY requests conceptual review of a proposal to build a new church facility and community center at 920 State Street, tax parcel # 49.33-5-31.1, located in a “C-2” Mixed Use Commercial District.

Brad Will of Ashokan Architecture and Planning and Juan Rivera, Pastor of the church, presented the proposal.

Pastor Rivera explained that the church has been at its present location for twelve years and has outgrown its facilities. He stated that they would like to expand their space and add classrooms and a gym. He noted that the classrooms will be used for youth outreach programs, which the church has been conducting one day a week but would like to expand.

Mr. Will reviewed the plans for the project. He explained that the project will occur in three phases, with a portion of the new section built first, then the existing structure will be taken down and the second and third phases of construction will take place. He noted that the new building will be all on one floor and completely handicap accessible. Mr. Will stated that they are working on a shared parking agreement with S-CAP next door.

Commissioner Wallinger commented that she liked the design very much, and that the Commission encourages shared parking. She suggested the placement of a bike rack in front of the building, and noted that a set of double doors leading to the courtyard would come in handy for adding or removing landscaping to the area. Commissioner Wilson stated that he believes that the new design will be a very positive addition to the area, and asked that when the applicants return they bring samples of the building materials for the Commission to review. Commissioner Stone noted that the walkway to the parking area should be adequately lit at night.

PUBLIC COMMENTS

None.

B. JAMES T. POLLARD requests conceptual master plan review of a proposal for the redevelopment of 102, 104, 110, 122, 134, and 136 State Street, 105 and 111 South Church Street, and 2 Mill Lane, tax parcel #'s

39.71-1-3, 4, 5, 6, 7, 11.1, 36, 39, 41, 42, and 65, located in a “C-4” Downtown Commercial District.

JT Pollard presented the conceptual master plan for the development, where they plan to rehab some of the buildings and demolish and replace others. He explained that the Block House will house a brewery and tap room, and the other buildings will be a mixture of commercial and residential use. He noted that he had toured the buildings set to be razed with a representative from SHPO and it had been determined that the buildings had no historical significance.

Mr. Pollard stated that he would be returning next month for site plan review of the first phase of the development, and at that time would be submitting landscaping and lighting plans, along with building material samples and detailed elevation drawings. Commission Wallinger asked if he plans to brand the development as one entity. Mr. Pollard stated that they would like it to be seen as a comprehensive artisan district.

PUBLIC COMMENTS

Scott Cietek, of Metroplex Development Authority, spoke in favor of the project, stating that it will truly transform this section of the downtown district and have a positive effect on the entire City.

VIII. OLD BUSINESS

A. MAXON ALCO HOLDINGS LLC requests a Special Use Permit and sign approval pursuant to Section 264-61 I and 264-89 D of a proposal to install a pylon style sign with an electronic message board at the entrance to Mohawk Harbor, tax parcel # 39.49-2-1.2, located in a “C-3” Waterfront Mixed Use District.

Paul Fallati of the Galesi Group and Pat Boni of Saxton Signs presented the revised designs. Mr. Fallati noted that the revised designs had taken into account the suggestions given at the last meeting.

Commissioner Wallinger asked if there will be irrigation for the landscaping around the signs. Mr. Fallati stated that there will be. Commissioner Wallinger noted that she was happy with the revisions to the pylon sign and felt that the changes would help mitigate the negative effects of adding all the different tenant signs. She asked what material the base would be. Mr. Fallati stated that it would be limestone and would match the stone used on the building. Commissioner Wallinger stated that she does not think that the landscaping at the base of the pylon sign is effective, as many of the plants chosen are not appropriate to the design or conditions. Mr. Fallati agreed, adding that he is not happy with the landscaping plan and would submit a final

proposal for approval. Commissioner Wallinger suggested some native grasses and wildflowers which would complement what has been used throughout the harbor.

Commissioner Wilson commented that he felt that the new pylon design was a big improvement. Commissioner Wallinger asked if it would be possible to add some of the black material used on the pylon sign on the monument sign, so as to tie both signs together better. Commissioner Wilson agreed, and suggested that the monument sign be made asymmetrical so that it would subtly mimic the pylon sign. Commissioners Wilson and Wallinger worked with the applicants to sketch a new monument design that was acceptable to the Commissioners.

Commissioner Wallinger noted that she was happy with the vertical landscaping around the monument sign but suggested that the trees being relocated be moved further away from the pylon sign, so that they do not end up blocking portions of the sign from view.

PUBLIC COMMENTS

Mary Ann Ruscitto of the East Front Street Neighborhood Association spoke in favor of the signs.

Matt Cuevas, resident of 1351 Grand Boulevard, suggested that the applicants consider keeping the backgrounds on the tenants' signs a darker color and as uniform as possible, to avoid a very busy, confusing look.

Scott Cietek, of Metroplex Development Authority, spoke in favor of the signs, stating that the designs complement the Mohawk Harbor Development and reflect the overall aesthetic of the development.

Commissioner Wallinger stated that she agreed that it would be better to have dark backgrounds on the tenants' signs as opposed to the stark white. Mr. Fallati agreed that they would not encourage white, but that in many cases it depends on the business's logo and branding. Commissioner Wilson agreed, stating that he felt it was a landlord/tenant issue. Commissioner Beach stated that obviously it would be in the developer's interest to have the sign be as attractive as possible, so he believed that the tenant sign details should be left to their discretion.

SEQR RESOLUTION

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

Motion carried unanimously.

SPECIAL USE PERMIT AND SIGN APPROVAL

Motion by Commissioner Beach, seconded by Commissioner Lewis, to approve the Special Use Permit and approve the signs with the following findings (staff comments in italics):

1. Proposed use **shall not** substantially impact upon the nature and character of the neighborhood. *The proposed sign is located along a heavily traveled commercial corridor.*
2. Proposed use **will not** have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, and utility facilities. *Adjacent properties are commercial and many have similar signs advertising their businesses.*
3. Nuisance **will not** be more objectionable than use not requiring special use permit. *The message board must be approved by NYSDOT and will follow the DOT standards.*
4. Use **shall** be served adequately by infrastructure. *This will not have an impact on the infrastructure.*
5. Proposed use **will not** result in loss or destruction of significant features. *No loss or destruction of significant features have been identified.*
6. The proposed building or use **does not comply** with all additional requirements imposed on it by the provisions of this zoning chapter.

and additional finding:

1. The Planning Commission supports the size of the pylon sign and feels that it is both appropriate for and consistent with the location and scale of this development. They believe that this design will adequately serve the needs of the developer while complementing the Mohawk Harbor development.

Motion carried unanimously.

B. ELVIN SINGH requests site plan approval pursuant to Section 264-90 M of a proposal to operate a mini shopping center at 113 South Brandywine Avenue, tax parcel # 49.50-5-31.1, located in a “C-2” Mixed Use Commercial District.

Elvin Singh appeared before the Commission to present his landscaping plan.

Commissioner Wallinger stated that the trees shown on the plan need more room to grow. She suggested two separate planting beds for the trees in the front, both measuring a minimum of 5' by 5'. She noted that the trees should be tall shade trees and suggested red maple, homey locust, or black tupelo trees. City Planner Primiano noted that the trees must be a minimum 2” caliper.

LANDSCAPE PLAN APPROVAL

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

1. The two proposed trees in the front of the building will be planted in separate planting beds. Each bed will be a minimum of 5' by 5'.
2. The three trees added to the property will be tall shade trees, such a red maple, honey locust, or black tupelo. The trees will be a minimum 2" caliper when planted.

Motion carried unanimously.

IX. NEW BUSINESS - CONTINUED

- A. UNION COLLEGE requests site plan approval pursuant to Section 264-90 I of a proposal to construct a 3,670-square foot addition to Grant Hall at 807 Union Street, tax parcel # 39.66-1-1, located in a "I" Institutional District.**

Due to three Commissioners having to recuse themselves because of conflicts of interest, there was not a quorum of the necessary five Commissioners present to review this proposal.

- B. ST. ANTHONY'S CHURCH requests site plan approval pursuant to Chapter 230 of the City Code to apportion the lands at 1834 Van Vranken Avenue, tax parcel # 39.35-4-31, located in a "C-2" Mixed Use Commercial District and an "R-1" Single Family Residential District.**

Luigi Palleschi of ABD Engineers and Surveyors and Richard Farro of Berkshire Hathaway Commercial Properties presented the proposal.

Mr. Palleschi explained that the current site is comprised of both the convent and school buildings. He explained that the nursery school, which is leasing the building, would like to purchase it, and thus the decision was made to subdivide. City Planner Primiano noted that depending on the future use of the buildings a parking variance may be needed at that time.

PUBLIC COMMENTS

None.

SEQR RESOLUTION

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

Motion carried unanimously.

SUBDIVISION APPROVAL

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

1. A lot line adjustment application must be completed in the Engineering Department prior to filing the subdivision map and deeds with the County Clerk.
2. All proposed easements must be filed with the new deeds and the lot line adjustment map with the County Clerk within 90 days of this approval.
3. Future use of the property will determine if area variances are required for onsite parking.

Motion carried unanimously.

C. RAMERO S. DHANESSUR requests site plan approval pursuant to Section 264-90 J of a proposal to construct a 456-square foot addition to the rear of the building at 1887 State Street, tax parcel # 60.47-2-16.1, located in a “C-5” Business District.

Ramero Dhanessur and his contractor, Frank Nardini, presented the proposal.

Mr. Dhanessur explained that he has been doing business at this location for many years. He stated that the site was previously approved for an addition in 2010, but he had been unable to carry through with the plans at that time. He explained that he would like to use the addition to store the cars that are currently stored outside.

Mr. Nardini stated that the addition will be a three-sided 12’x38’ steel building with a white exterior finish. Commissioner Wallinger noted that the site is very well-kept except for the outside storage of cars.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

Motion by Commissioner Lewis, seconded by Commissioner Healey, 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 will not be placed on any doors or windows at any time.
3. The landscaping at the rear of the property will be cleaned up and maintained regularly.
4. Pursuant to Section 264-49G, all garbage and waste barrels must be stored within a proper enclosure and kept closed and locked at all times.

5. The applicant will submit a final revised site plan, showing the design discussed at the meeting, to the City Planner for final approval. The site plan will include building dimensions and materials, door and window configurations, and colors.
6. The applicant will obtain all necessary permits from the City prior to beginning construction.

Motion carried unanimously.

X. MISCELLANEOUS

None.

XI. MOTION TO ADJOURN

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

Motion carried unanimously.

Meeting was adjourned at 9:32 p.m.