

**City of Schenectady
Planning Commission
Meeting Minutes
May 20, 2020**

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 5:10 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; Kimberly Case; Richard Ferro; Andrew Healey; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner; Andrew Koldin, Corporation Counsel

III. CONFLICT OF INTEREST CHECK

None.

IV. APPROVAL OF MEETING MINUTES

Because the Minutes of the May 13, 2020 meeting had not yet been distributed to the Commissioners, the vote on the approval of the Minutes was postponed until the June 2020 meeting.

V. OLD BUSINESS

A. MARLON GALLOWAY requests site plan approval pursuant to Section 264-90 B and F of a proposal to construct an eight (8) unit apartment building at 2102 Broadway, tax parcel # 48.59-4-6.11, located in a “C-2” Mixed Use Commercial District.

Marlon Galloway presented the proposal.

Mr. Galloway briefly reviewed the revised site plan and pointed out the design changes that he and his architect had made since he first presented the project at the April Planning Commission meeting. He explained that the stairwell design has been revised to add glass panels to let in more natural light, and its height was brought into scale with the rest of the building. He noted the design changes to the front façade to add more interest and texture to the building and reviewed the parking plan on the site, adding that he will be replacing the existing fencing around the perimeter of the lot once construction is finished.

City Planner Primiano stated that Mr. Galloway was very successful in considering the Commissioners’ concerns and incorporating positive

changes into the design. Mr. Galloway stated that he was happy to have the feedback and is very pleased with the final design that was developed with the Commission's feedback in mind. Commissioner Wallinger stated that she appreciates the thoughtfulness Mr. Galloway and his architect have given to the building and site design, as well as Mr. Galloway's willingness to work with the Commission and revise his original plans.

PUBLIC COMMENTS

None.

SEQR RESOLUTION

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

Motion carried unanimously.

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 Broadway.
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 submit the final revised site plan and landscaping plan to the City Planner. If during construction any changes become necessary the applicant will submit the changes to the City Planner for review, and if the changes are deemed significant, to the Planning Commission for further approvals.

Motion carried unanimously.

VI. NEW BUSINESS

- A. MCDONALD'S CORPORATION requests site plan approval pursuant to Section 264-90 G and a Special Use Permit pursuant to Chapter 264 Schedule B of a proposal to reconstruct the building and add a second drive-thru lane at 1673 Union Street, tax parcel #'s 50.31-2-17.1, 16, and 19, located in a "C-2" Mixed Use Commercial District and an R-1 Single Family Residential District.**

Steve Wilson of Bohler Engineering and Sandra Martel and Eric Wagner from McDonald's Corporation presented the proposal.

Mr. Wilson briefly reviewed the current site plan proposal, explaining that it had been revised as a result of input from meetings with

neighborhood residents and discussions with City staff. He stated that MacDonald's had considered the character of the neighborhood and tried to balance those subsequent concerns with corporate standards and the economic feasibility of the project. He noted that the revised plans require only two area variances from the board of Zoning Appeals, while the previous proposal would have required seven. Mr. Wilson also stated that while he has heard comments that the proposal fails to address the Upper Union Street Design Guidelines, he is unclear where the plan specifically falls short.

PUBLIC COMMENTS

Art Clayman, resident of the Upper Union Street neighborhood, expressed his opposition to the project in a letter entered into the record. Mr. Clayman cited concerns about the demolition of the existing building to expand the MacDonald's site, the design of the proposed new building, and the proposed double drive through lanes.

Jesse McCaughey, resident of the Upper Union Street neighborhood, expressed his opposition to the project in a letter entered into the record, and also commented briefly on his letter. He expressed his concerns regarding pedestrian safety, the litter generated by the site, and the demolition of the neighboring building.

Michael Kuban, resident of 1029 Keyes Avenue, expressed his opposition to the project in a letter entered into the record. Mr. Kuban stated that he has lived in his house since 1991 and since the MacDonald's extended their drive-thru hours to 24 hours a day the negative impact on the neighborhood has increased dramatically. He noted that the site generates a great deal of litter around the area, as well as light and noise pollution.

Gillian Scott, resident of 1231 Keyes Avenue, expressed her opposition to the project in a letter entered into the record. She cited her concerns regarding the Upper Union Street Design Guidelines being ignored, pedestrian safety, and the proposed site being out of scale with the rest of the business district.

Gloria Kishton, Chair of the Schenectady Heritage Foundation, expressed the Foundation's opposition to the project in a letter entered into the record. Ms. Kishton addressed the criteria for the consideration of the Special Use Permit and concluded that the Permit should not be granted as the project would have a definite negative impact on the surrounding neighborhood. She cited concerns about pedestrian safety and the design of the site as well.

Joe Slomka, resident of 1105 Adams Road, expressed his opposition to the project in a letter entered into the record.

Russell Swanker, resident of Dean Street, spoke in opposition to the project. He stated that while he is not opposed to MacDonald's being in the neighborhood he has concerns that the proposal has not been considerate of the Upper Union Street Design Guidelines and does not

believe that the proposed site design is in keeping with the character of the neighborhood. He explained that he is also concerned that this site could set a precedent which would lead other applicants to believe that they should be allowed to disregard the Design Guidelines as well.

Judy Stein, resident of Upper Union Street, spoke in opposition to the proposal. She echoed the concerns of the previous residents and noted that she is very disturbed by the lack of pedestrian safety on and around the proposed site, as well as the lack of significant green space and landscaping.

Matt Cuevas, resident of Grand Boulevard, spoke in opposition to the proposal. He stated that he does not believe that the proposed design fits in the Upper Union Street neighborhood but rather is more suited to a suburban development. He noted that a lot of time and effort was put into the City's Comprehensive Plan and the Upper Union Street Design Guidelines, both of which he believes this project is completely out of line with.

David Orr, resident of 1043 Regent Street, expressed his opposition to the project in a letter entered into the record. Mr. Orr stated that this site is at the center of the Upper Union Street business district and should serve as an example of the Upper Union Street Design Guidelines and a pedestrian friendly business, neither of which he believes this proposal shows. He also expressed concerns regarding the demolition of the neighboring building and the damage to the streetscape that it would cause.

Richard Unger, resident of 216 ½ Union Street, expressed his opposition to the project in a letter entered into the record and spoke briefly. Mr. Unger echoed the previously stated concerns regarding the appropriateness of the proposed design in this location and the lack of attention given to the Design Guidelines by the developers.

Kristine Kelly, resident of 1386 Keyes Avenue, expressed her opposition to the project in a letter entered into the record. She stated that the proposed design is not in keeping with the character of the neighborhood and would definitely have a negative impact on the surrounding area.

Tom Carey, resident of Pinewood Avenue and Vice President of the Upper Union Street Neighborhood Association, expressed his and the Association's opposition to the proposal. He stated that the Association supports local businesses and that they have tried to work with MacDonald's, having met with them several times to discuss their concerns. He explained that the Association does not believe that those concerns have been addressed in this proposal and believes that the project would have a substantial negative impact on the neighborhood.

Donna and Gary Lessard, residents of the Upper Union Street neighborhood, expressed their opposition to the project in a letter entered into the record.

Janet Hutchison, resident of 801 Woodland Avenue, expressed her opposition to the project in a letter entered into the record.

Janet Hollocher, resident of 1460 Keyes Avenue, expressed her opposition to the project in a letter entered into the record.

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

Commissioner Wallinger and the Commissioners briefly reviewed the criteria for the Special Use Permit and began a discussion of how the proposal met or failed to meet the criteria. Ms. Martel stated that having heard the neighbors' and the Commissioners' concerns MacDonald's had decided to ask that the proposal be tabled so that their team could discuss those issues and investigate whether they could address them in a revised proposal. The Commissioners indicated that they would not be opposed to tabling the application.

MOTION TO TABLE

Motion by Commissioner Ferro, seconded by Commissioner Wilson, to table the proposal pending the submittal of additional information.

Motion carried unanimously.

VII. MISCELLANEOUS

None.

VIII. MOTION TO ADJOURN

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

Motion carried unanimously.

The meeting was adjourned at 7:20 p.m.