

**City of Schenectady
Planning Commission
Meeting Minutes**

June 16, 2021

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:04 p.m.

Due to the closure of City Hall for public meetings 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

III. CONFLICT OF INTEREST CHECK

Commissioner Wallinger recused herself from the consideration of Item A, the Hamilton Hill II LP application.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Beach, seconded by Commissioner Lewis, to approve the Minutes of the May 19, 2021 meeting as submitted.

Motion carried unanimously.

Motion by Commissioner Lewis, seconded by Commissioner Ferro, to approve the Minutes of the May 26, 2021 meeting as submitted.

Motion carried unanimously.

V. NEW BUSINESS

A. HAMILTON HILL II LP requests a Special Use Permit pursuant to Section 264-61 H of a proposal to install a mural on the front of the building at 736 Albany Street, tax parcel # 49.24-5-23.11, located in a “C-4” Downtown Commercial District.

Janis Stewart of Community Builders, and Kristen Holler and Tony Iadicicco of the Capital Walls program presented the proposal. Because Commissioner Wallinger recused herself from the consideration of this application Commissioner Lewis led the discussion.

Ms. Stewart gave a brief overview of the Community Builders Hillside View residential project and introduced Ms. Holler and Mr. Iadicicco who are curating the mural project. They explained that their organization has overseen the installation of 19 murals in Albany, but this will be their first project in Schenectady. They stated that the mural will be painted by two local artists, one from Albany and one from Schenectady, and was designed as the result of discussions with community residents.

The Commissioners and applicants discussed what the actual final project will look like as opposed to the computer drawings provided. Ms. Holler explained that the colors will be more subtle and there will be more texture and variation in the mural when it is painted on the concrete wall.

PUBLIC COMMENTS

David Hogenkamp of Metroplex Development Authority spoke in support of the project, stating that Metroplex believes that it will have a positive impact on the community.

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

The Commissioners questioned if there have been any problems with passing drivers being distracted by the murals. Ms. Holler stated that there have not been any problems with any of their murals. She noted they have worked with the NYS Department of Transportation to install murals close to state highways and there have been no issues in those locations either.

The Commissioners indicated that they believe that the project meets the criteria for the Special Use Permit.

SEQR RESOLUTION

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

Motion carried unanimously, with Commissioner Wallinger recusing herself from the vote.

SPECIAL USE PERMIT APPROVAL

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

1. The proposed use shall not substantially impact upon the nature and character of the surrounding neighborhood. The proposed mural will be displayed on approximately 1/4th of the façade of

the five-story apartment building and it faces the commercial corridor, not the adjacent residential properties.

2. The proposed use will not 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 use faces Albany Street which consists of mostly commercial properties. Neighboring properties display signs to attract the attention of people passing by. The mural is artwork that attracts people's attention in a similar way.
3. Operations in connection with the proposed use shall not 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 mural consists of artwork that has been influenced by neighborhood residents and community stakeholders. It is meant to uplift and reflect the community.
4. The proposed 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 not result in the destruction, loss, or damage of any natural, scenic, architectural, or historic feature of significant importance.
6. The proposed use complies with all additional requirements imposed on it by the provisions of this chapter. An area variance was issued by the Board of Zoning Appeals on June 14, 2021 to allow the mural to be displayed on the front of the building.

Motion carried unanimously, with Commissioner Wallinger recusing herself from the vote.

B. SOMDAT SINGH requests site plan approval pursuant to Section 264-90 M of a proposal to open a Barber shop at 1643 Eastern Parkway, tax parcel # 50.29-1-32.1, located in a "C-2" Mixed Use Commercial District.

Somdat Singh and Aman Kaur, one of the property owners, presented the proposal.

Mr. Singh explained that he would like to relocate his barber shop, which is currently located on McClellan Street, to this location. City Planner Primiano noted that there are violations at his current site, including black tinted windows and an illegal yard flag. Mr. Singh stated that he had not been aware that these were violations, or he would have corrected them.

The Commissioners discussed the ongoing violations at the site with litter not regularly being cleaned up, the dumpster not being kept locked, and the previously approved landscaping not yet being installed. Ms. Kaur stated that the problems are concentrated in the area of the Family Dollar store. She explained that she has been working with the store management to ensure that the violations are rectified.

Ms. Kaur and the Commissioners discussed finishing the required landscaping and perhaps revising the previously approved landscape design as she stated that certain types of plants have been difficult to find. It was decided that the property owners will submit a revised landscaping plan, including a small flowering tree and other changes discussed at the meeting, to the City Planner for final approval.

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

1. The address will be prominently displayed so that it is easily visible from Eastern Parkway.
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, tinted, painted, or blocked by shelving, signs, or other materials that would prohibit visibility into the shop.
4. Pursuant to Section 264-62, yard flags are not permitted at any time.
5. The crosswalks shown on the site plan will be painted by July 15, 2021.
6. All landscaping shown on the site plan will be maintained at all times. The missing landscaping at the southeastern side of the parking lot will contain a small flowering tree and will be replanted by August 1, 2021. The applicant will submit a final landscaping plan showing the revisions discussed at the meeting to the City Planner for final approval before installing the landscaping.
7. All litter and debris will be cleaned from the property on a daily basis.
8. The dumpster enclosure will be kept closed at all times when it is not being filled or emptied.

Motion carried unanimously.

- C. CHARLES G. CRAFT requests site plan approval pursuant to Section 264-90 I of a proposal to construct a 4,225 square foot addition at 771 Albany Street, tax parcel # 49.25-1-23.1, located in a “C-4” Downtown Commercial District.**

Charles Craft, Luigi Stocchetti of Re4orm Architecture, and Dave Kimmer of ABD Engineers presented the proposal.

Mr. Craft gave an overview of the project, which will be used to house a showroom for his expanding kitchen and bath renovation business. Mr. Stocchetti reviewed the elevation drawings and design details of the proposed addition. The Commissioners and applicant discussed the location of the addition on the site and the available space for landscaping. They also discussed the traffic pattern and the proposed parking layout.

PUBLIC COMMENTS

David Hogenkamp of Metroplex Development Authority spoke in favor of the application. He stated that he believes that the expanded business will have a positive impact on the area.

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

After further discussion regarding the layout and landscaping on the site, and the items missing from the submitted site plan, it was determined that the application should be tabled pending the submittal of further information, as well as the revisions necessary to make the site plan and architectural renderings depict the same information.

SEQR RESOLUTION

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

Motion carried unanimously.

MOTION TO TABLE

Motion by Commissioner Beach, seconded by Commissioner Lewis, to table the application as incomplete pending the submittal of further information and revisions.

Motion carried unanimously.

D. CHARLES G. CRAFT requests a Special Use Permit pursuant to Section 264-611 of a proposal to install an Electronic Message Board sign at 771 Albany Street, tax parcel # 49.25-23.11, located in a “C-4” Downtown Commercial District.

Charles Craft and Tom Wheeler and Carly Clark of AJ Sign Company presented the proposal.

The Commissioners and applicant discussed the details of the sign. While the Commissioners indicated that they had no objection to the concept of the sign, they indicated that they would like to see the materials of its construction more closely tied to those on the building.

PUBLIC COMMENTS

None.

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

It was decided that the application should be tabled to allow the Board of Zoning Appeals to conduct the required area variance review.

SEQR RESOLUTION

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

Motion carried unanimously.

MOTION TO TABLE

Motion by Commissioner Lewis, seconded by Commissioner Beach, to table the application pending the necessary action by the Board of Zoning Appeals.

Motion carried unanimously.

E. SAMEER GADWAH requests site plan approval pursuant to Section 264-90 G of a proposal to construct a 1,300 square foot garage at 1318 State Street, tax parcel # 49.67-4-1.1, located in a “C-2” Mixed Use Commercial District.

Sameer Gadwah and Frank Gilmore of SRG Architects presented the proposal.

Mr. Gilmore briefly reviewed the site plan and proposed elevation drawings. During the presentation it was explained that Mr. Gadwah wishes to operate an autobody shop in the new garage. Mr. Gadwah

confirmed that this is his intention. City Planner Primiano stated that Autobody businesses are not permitted in the “C-2” Zoning District. She explained that Mr. Gadwah would have to be granted a Use Variance from the Board of Zoning Appeals before he could further pursue his application. She added that she will research past uses of the property to see if it was ever used for autobody repairs in the past.

It was determined that the application must be tabled pending revisions or BZA action.

MOTION TO TABLE

Motion by Commissioner Ferro, seconded by Commissioner Healey, to table the application as incomplete pending the submittal of further information and the necessary action by the Board of Zoning Appeals.

Motion carried unanimously.

VI. MISCELLANEOUS

The Commissioners and staff discussed the current outstanding violations at the auto repair business at 3 Steuben Street. City Planner Primiano explained that if the Commission had granted a Special Use Permit for the business, they could require that the business owners return to the Commission to address the violations.

MOTION

Motion by Commissioner Beach, seconded by Commissioner Ferro, to grant permission to the City Planner to send a letter to request that the proprietors of 3 Steuben Street appear before the Commission to address the current violations on the site.

Motion carried unanimously.

Corporation Counsel Andrew Koldin explained that if it turns out that the property had not been granted a Special Use Permit, they cannot be required to return to the Commission, but rather the violations would be handled through the usual means in the court system. Staff will follow up.

The Commissioners and staff discussed some of the upcoming proposed changes to the City Code and how they might impact the decisions issued by the Commission. Specifically, staff would like the Commission to be permitted to grant conditional site plan approval which could be revoked after a specified period of time if the conditions of approval are not met. Counselor Koldin explained that the Commission currently has the authority to grant site plan approval with conditions, but if the conditions are not met violations must be issued and handled by City staff and the City Court.

The Commissioners and staff also discussed the practice of not issuing building permits until the conditions of site plan approval are met. The Commissioners expressed concern that during the colder months it is impractical to require that the applicants immediately install landscaping or complete paving, exterior painting, or sidewalk installation prior to being able to obtain a building permit.

Commissioner Wallinger noted that several incomplete applications have been submitted in the past few months and questioned whether or not these applications should be placed on the agenda if they do not contain the required information. The other Commissioners agreed.

VII. MOTION TO ADJOURN

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

Motion carried unanimously.

The meeting was adjourned at 8:37 p.m.