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STATE OF NEW YORK  
CITY OF SCHENECTADY  
CITY PLANNING COMMISSION

Wednesday, February 15, 2023  
6:11 p.m. until 7:42 p.m.  
Schenectady City Hall  
105 Jay Street, Room 110  
Schenectady, New York

COMMISSIONERS:

- MARY MOORE WALLINGER, Chair
- BRADLEY LEWIS, Vice Chair
- RANDALL BEACH
- JASON BOGDANOWICZ-WILSON
- DHARAM HITLALL
- SUSAN NADLER
- HAYDEN ENGERT

ALSO PRESENT:

- CHRISTOPHER MARNEY, Corporation Counsel
- CHRISTINE S. PRIMIANO, Principal Planner
- SILVIA JIMISON, Development Staff

1 (The meeting commenced at 6:11  
2 p.m.)

3 CHAIR WALLINGER: Good evening, I'm  
4 Commissioner Wallinger, I'm Chair of the Planning  
5 Commission. I'll start with a roll call,  
6 Commissioner Lewis?

7 COMMISSIONER LEWIS: Here.

8 CHAIR WALLINGER: Commissioner  
9 Beach, may be joining us. Commissioner Wilson?

10 COMMISSIONER BOGDANOWICZ-WILSON:  
11 Here.

12 CHAIR WALLINGER: Commissioner  
13 Hitlall.

14 COMMISSIONER HITLALL: Here.

15 CHAIR WALLINGER: Commissioner  
16 Evers is excused --

17 MS. JIMISON: Yes.

18 CHAIR WALLINGER: Commissioner  
19 Nadler?

20 COMMISSIONER NADLER: Here.

21 CHAIR WALLINGER: Commissioner  
22 Tearno is excused --

23 MS. JIMISON: Excused.

24 CHAIR WALLINGER: -- excused. And  
25 Commissioner Engert?

1 COMMISSIONER ENGERT: Here.

2 CHAIR WALLINGER: Okay. And  
3 Christopher Marney?

4 MR. MARNEY: Here.

5 CHAIR WALLINGER: Christine  
6 Primiano?

7 MS. PRIMIANO: Here.

8 CHAIR WALLINGER: Sylvia Jimison.

9 MS. JIMISON: Here.

10 CHAIR WALLINGER: All right. Thank  
11 you. We -- just so everyone is aware on the  
12 agenda this evening, we have three projects. The  
13 first will be Jeffrey Leland is here for a project  
14 at 1818 State Street, Fourteen Star Enterprises is  
15 here for site plan approval for a project at 1471  
16 State Street.

17 And Sandy Lutchmonsing is back for  
18 a project, a site plan for a project at 1 to 3  
19 Steuben Street. So those are the three projects  
20 we will be discussing this evening. I will  
21 introduce the project and ask the applicant or  
22 their representative to come forward, introduce  
23 themselves, tell us a little bit about the  
24 project.

25 I'll open it up to the

1 Commissioners for discussion and then I'll open up  
2 to the public for any public comment. If you're  
3 here to comment on a project if you could please  
4 address your comments to the Commission and not  
5 the applicant.

6 And then if a response is  
7 appropriate, we'll -- we'll ask the applicant to  
8 address that. And if I mispronounce anybody's  
9 name at any point, please feel free to correct me.  
10 So first on the agenda we have Jeffrey Leland  
11 request site plan approval pursuant to Section  
12 264-90J.

13 A proposal to operate an automotive  
14 retail and service establishment at 1818 State  
15 Street, tax parcel number sixty point forty-seven  
16 dash one dash two located in a C Five business  
17 district. Is there --?

18 MR. LELAND: Good evening.

19 CHAIR WALLINGER: Hi.

20 MR. LELAND: So I'm Jeff Leland, I  
21 don't if I'm supposed to give my address, 25  
22 Scrimshaw Lane, Lake George, New York.

23 COMMISSIONER NADLER: And then sign  
24 here, too.

25 MR. LELAND: And we'll sign that

1 one in, thank you.

2 COMMISSIONER NADLER: Uh-huh.

3 MR. LELAND: So we're looking to  
4 open our second R&R Tire Express franchise, it's  
5 limited on the automotive service that we conduct,  
6 pretty focused on wheels, tires, brakes, and  
7 alignments. And we don't do any oil changes or  
8 engine work or anything like that, which was one  
9 of the questions that the Zoning Board had.

10 As far as the building and the  
11 facility is concerned, we're pretty much just  
12 looking to use it, we got to make some internal  
13 changes, add some walls, things like that. But  
14 from the ex -- the exterior, just some different  
15 coloring, different signage, obviously and add a  
16 large overhead door facing State Street where the  
17 cars would enter for their tire changes or wheel  
18 changes.

19 And then an exit door which there  
20 used to be four or five overhead doors on the  
21 Chester Street side of the property. So we would  
22 reopen one of those pre-existing openings I think  
23 will be enough room and there's one door that's  
24 still open that we'll use for receiving on the  
25 back edge of the Chester Street side of the

1 property.

2                   So it'll basically be like a drive-  
3 thru with five bays inside and the alignment rack,  
4 three lifts, the tire machines, and compressor for  
5 -- we actually use nitrogen instead of air for our  
6 tires, just a little more stable.

7                   A lot of showroom space in there,  
8 the -- the -- we'll probably use initially about  
9 ten thousand square feet of the facility just  
10 start -- based on the setup and going with the  
11 drive-thru way instead of trying to put five  
12 overhead doors or whatever in the front of the  
13 building, and the sidewalk's really close there so  
14 we didn't want to be backing cars out, you know,  
15 the sidewalk for pedestrian traffic and that sort  
16 of thing.

17                   The current building is probably  
18 seven thousand square feet. We'll use the back  
19 parking area where we came to agreement a couple  
20 of weeks ago with the -- the Zoning Board to use a  
21 vinyl fence there instead of having to go with a  
22 ten-foot landscaping buffer or whatever the  
23 current code calls for.

24                   Just because it would have been  
25 really difficult to do given the layout of the

1 property and the proximity of the building to the  
2 yard, that's right next door. So I had met with  
3 the neighbors there, had a nice discussion, and  
4 they were in favor of the fence.

5           Actually, they had put a -- there's  
6 a small fence that they put up there now, which I  
7 think they're going to take down because it says  
8 it -- they said it prevents them from putting two  
9 cars side by side in the driveway so they're  
10 constantly having to move or maneuver in and out.

11           As far as the building goes, it's  
12 like I said, most of the changes will be setting  
13 up on the inside, building out some offices,  
14 storage area and closets and then just setting up  
15 the -- the drive-thru for the base.

16           CHAIR WALLINGER: Oh, and I'm  
17 sorry, I think you said this and I missed it, so I  
18 was just trying to find all the different  
19 documents, but where will vehicles be brought in  
20 and out of the -- the building?

21           MR. LELAND: So on the -- in the  
22 front so that -- we want to put a large overhead -  
23 -

24           CHAIR WALLINGER: Going all the way  
25 --

1 MR. LELAND: -- door in the front -  
2 - front facing State Street --

3 CHAIR WALLINGER: Okay.

4 MR. LELAND: -- and they'll be  
5 brought in there and then they'll exit on the  
6 Chester Street side.

7 CHAIR WALLINGER: Okay. So if I  
8 look at this drawing, they'll enter where the  
9 striped area is here?

10 MR. LELAND: Yes, at the State  
11 Street.

12 MS. PRIMIANO: Yes.

13 CHAIR WALLINGER: Yeah.

14 MR. LELAND: Yes.

15 CHAIR WALLINGER: And then they'll  
16 -- they'll exit through --

17 MR. LELAND: Correct.

18 CHAIR WALLINGER: -- these two  
19 doors.

20 MS. PRIMIANO: The middle one or  
21 the one marked to the right.

22 CHAIR WALLINGER: The middle one.

23 MS. PRIMIANO: Yeah.

24 CHAIR WALLINGER: Okay.

25 MS. PRIMIANO: That's where -- .



1 CHAIR WALLINGER: And then the --  
2 is the last one for service or delivery, it look -  
3 -.

4 MR. LELAND: Delivery.

5 CHAIR WALLINGER: Delivery, okay.

6 MR. LELAND: Yeah, that's there  
7 now.

8 CHAIR WALLINGER: Okay. Questions,  
9 comments from the Commissioners?

10 MS. PRIMIANO: Can you scroll up?

11 CHAIR WALLINGER: This one?

12 COMMISSIONER NADLER: You said this  
13 is your second?

14 MR. LELAND: Yeah, we've had an  
15 operation in Queensbury for a little over two  
16 years now.

17 COMMISSIONER NADLER: Okay.

18 MR. LELAND: And R&R Tire Express  
19 is, I think they're up to about a hundred and  
20 sixty-five locations now --

21 CHAIR WALLINGER: It looks  
22 different.

23 MR. LELAND: -- most were just  
24 started in the south, but now they're in  
25 Washington State, Colorado, we were the first ones

1 in New York, but I think they've got somebody  
2 coming on in Buffalo soon.

3 CHAIR WALLINGER: Yeah, this one  
4 doesn't have the landscape layer.

5 MS. PRIMIANO: So I spoke to Jeff  
6 today about a couple of things mentioned by staff,  
7 one was the extra parcel which is strange, do you  
8 understand what I'm talking about -- ?

9 MR. LELAND: I do only because the  
10 seller's attorney threw that out in an email  
11 several weeks ago now, but --

12 MS. PRIMIANO: Okay.

13 MR. LELAND: -- he was like,  
14 there's one other little parcel here that goes  
15 with the sale and whatever we got to do to just  
16 make it one parcel --

17 MS. PRIMIANO: Yeah.

18 MR. LELAND: -- going forward is --

19 MS. PRIMIANO: The tiny strip along  
20 the side of the building is a separate parcel --

21 MR. LELAND: Separate parcel.

22 MS. PRIMIANO: -- for some reason.

23 And then the containers, those types of containers  
24 are only meant to be temporary so I'm just going  
25 to consider what you'd like to do on a more

1 permanent basis?

2 COMMISSIONER LEWIS: Can I ask a  
3 question on the containers --

4 MS. PRIMIANO: Sure.

5 COMMISSIONER LEWIS: -- and the --  
6 the -- just the reasoning behind why they're only  
7 allowed temporaries and is this an aesthetics  
8 issue?

9 MS. PRIMIANO: Yeah, but they're  
10 also -- they're not -- they're portable structure  
11 --

12 MR. LELAND: Right.

13 MS. PRIMIANO: -- so they're not  
14 like a permanent -- shouldn't be on site  
15 permanently.

16 MR. LELAND: Why not?

17 MS. PRIMIANO: I know.

18 CHAIR WALLINGER: Okay. It is --

19 MR. LELAND: They would be a  
20 perfect use for used tires and --

21 MS. PRIMIANO: Yeah.

22 MR. LELAND: -- so what we're going  
23 to probably do instead is just build a fenced in  
24 area for extra storage. And I'd be willing to  
25 fence in the -- the units for aesthetics, but

1 whatever I got to do, we got to do. I think those  
2 were actually supposed to be removed.

3 MS. PRIMIANO: They were.

4 CHAIR WALLINGER: They were.

5 MR. LELAND: The last time around  
6 so, if he has to move them, he has to move them.

7 MS. PRIMIANO: Unless they were  
8 meant to be like a storage shelter or something  
9 like that. And you want -- the purpose you want  
10 to keep them is to store tires?

11 MR. LELAND: We would put used  
12 tires in there between pickups.

13 CHAIR WALLINGER: You mean if it's  
14 fenced in so that you don't --

15 MS. PRIMIANO: Yeah.

16 CHAIR WALLINGER: -- see it.

17 MS. PRIMIANO: So maybe the thing  
18 is to do is to fence in that whole area where  
19 you're going to have the dumpster and the  
20 containers?

21 MR. LELAND: Okay. Yeah, that  
22 would work well for me, if it works for you.

23 MS. PRIMIANO: Yeah, well, we'd  
24 have to ask the zoning officer but --

25 MR. LELAND: Okay.

1 CHAIR WALLINGER: So Christine, you  
2 could --

3 MS. PRIMIANO: -- I think you can  
4 try that.

5 CHAIR WALLINGER: -- you could  
6 think about how that might I work for you is --

7 MR. LELAND: Okay.

8 CHAIR WALLINGER: -- a fence  
9 straight across and Christine can research on her  
10 end, and then the two of you could coordinate.

11 MR. LELAND: Yeah, she's been very  
12 helpful so.

13 CHAIR WALLINGER: Yeah, she's  
14 great.

15 COMMISSIONER BOGDANOWICZ-WILSON:  
16 Didn't this property come before us --

17 MS. PRIMIANO: It did about two  
18 years ago --

19 COMMISSIONER BOGDANOWICZ-WILSON: -  
20 - not too long ago?

21 MS. PRIMIANO: -- for the mattress  
22 store.

23 COMMISSIONER BOGDANOWICZ-WILSON:  
24 And was there no landscape installed?

25 MS. PRIMIANO: It was installed at

1 the corner of Chester and State Street, but it  
2 wasn't maintained.

3 CHAIR WALLINGER: And then they  
4 piled all of the snow on top of it so it doesn't  
5 stand a chance --

6 MR. LELAND: There's one like,  
7 sorry, looking tree sitting there now but --.

8 MS. PRIMIANO: Is it there, I don't  
9 know if it's still there.

10 MR. LELAND: What's that?

11 MS. PRIMIANO: I don't think it's  
12 still there.

13 MR. LELAND: I took a picture of it  
14 a couple of weeks ago.

15 MS. PRIMIANO: Okay.

16 MR. LELAND: So it was but it may  
17 be gone now.

18 COMMISSIONER BOGDANOWICZ-WILSON: I  
19 see.

20 MR. LELAND: I just don't  
21 understand the --.

22 COMMISSIONER BOGDANOWICZ-WILSON:  
23 Right by that little pole that was it?

24 MS. PRIMIANO: Yeah.

25 MR. LELAND: Yeah. Whatever -- I

1 don't --

2 COMMISSIONER BOGDANOWICZ-WILSON:

3 That's all --.

4 MR. LELAND: -- I'm not into  
5 greenscaping or landscaping or anything, but  
6 whatever the recommended potential bushes or trees  
7 would be in there.

8 CHAIR WALLINGER: You should get a  
9 small like flowering tree and some shrubs in  
10 there.

11 MR. LELAND: I'm assuming they will  
12 not be so dense that you won't be able to see  
13 around the corner, pulling out onto State because  
14 I'm assuming --

15 CHAIR WALLINGER: They should be  
16 lower shrubs or at least --.

17 MR. LELAND: -- that's why we don't  
18 want snow pile there.

19 CHAIR WALLINGER: -- maintain at a  
20 lower -- but we don't want snow there because it  
21 kills --

22 MR. LELAND: Right.

23 CHAIR WALLINGER: -- whatever you  
24 plant there and that definitely obstructs the  
25 view.

1 MR. LELAND: The view, yeah, except  
2 this year.

3 CHAIR WALLINGER: So the shrubs So  
4 -- yeah, the -- the -- the snow I mean, I know  
5 some people store it on parking spaces  
6 occasionally, which I wouldn't -- as long as it's  
7 not on the sidewalk, I wouldn't have an issue with  
8 that, but it can't be on the landscape --

9 MR. LELAND: Right.

10 CHAIR WALLINGER: -- and especially  
11 not on the corner.

12 MR. LELAND: Okay.

13 CHAIR WALLINGER: The -- one of the  
14 other things is the -- the parking that's  
15 happening back here, this will -- this curb will  
16 need to be narrowed to just be the drive aisle and  
17 this will need to be -- and I think all that has  
18 to be replaced anyway, because it's in really bad  
19 shape.

20 MR. LELAND: The curb?

21 CHAIR WALLINGER: But the -- the  
22 curb should be the six inch curb to the end of  
23 where those cars are and then the driveway --  
24 transition should be --

25 MR. LELAND: Into there.



1 CHAIR WALLINGER: -- should be the  
2 --

3 MR. LELAND: Okay.

4 CHAIR WALLINGER: -- the area where  
5 people are actually pulling in and out. And then  
6 there's actually a landscape buffer required  
7 between the car and the sidewalk with the intent  
8 is just to screen the cars in the parking lot from  
9 public view and also to enhance the sidewalk.

10 And -- and also, we especially  
11 require that when it's transitioning into a  
12 neighbor -- a residential area. So -- so it would  
13 just be probably this last space that would need  
14 to be green space. But this -- this area here  
15 would need to -- it would need to be at least five  
16 feet deep, it doesn't have to be a full space.

17 So if you can rotate those or do  
18 your containers differently, you might be able to  
19 not lose the space. But this would need to have a  
20 tree and some kind of landscaping in it or a tree  
21 and a decorative fence just to create a buffer  
22 between the sidewalk and the parking area.

23 MR. LELAND: That last parking  
24 space you're speaking of?

25 CHAIR WALLINGER: Yes. Yeah, and

1 you can take this with you, if you --

2 MR. LELAND: Okay.

3 CHAIR WALLINGER: -- if that would  
4 be helpful.

5 MR. LELAND: So I think that's  
6 pavement currently.

7 CHAIR WALLINGER: Right. So the  
8 pavement would have to be removed in that  
9 location.

10 COMMISSIONER BOGDANOWICZ-WILSON:  
11 Because the curb cuts are only supposed to be a  
12 certain width.

13 CHAIR WALLINGER: Curb cuts are  
14 only supposed to be a certain width anyway, but  
15 you're never supposed to have the curb cut line up  
16 at the side of the --

17 COMMISSIONER BOGDANOWICZ-WILSON:  
18 Okay.

19 CHAIR WALLINGER: -- the car.

20 COMMISSIONER BOGDANOWICZ-WILSON:  
21 And then the -- there's going to be a new door on  
22 the front, like a garage door?

23 MR. LELAND: Yeah.

24 COMMISSIONER BOGDANOWICZ-WILSON:  
25 Is there going to be glass so that kind of

1 maintain as the same, like look, or is it going to  
2 --?

3 MR. LELAND: I haven't got cost  
4 estimates yet, it'll have some windows at least  
5 and currently the company colors are red, so they  
6 always like to spec red doors. And the last time  
7 I talked to overhead door -- Adirondack Overhead,  
8 they said they're not available anymore, at least  
9 at this point with the pandemic messing up the  
10 supply chain, you know, they're not making those,  
11 so.

12 MS. PRIMIANO: What about --

13 CHAIR WALLINGER: Colors and --

14 MR. LELAND: So yeah, maybe a  
15 grayish or something like that neutral to go with  
16 the signage.

17 CHAIR WALLINGER: I mean, I almost  
18 wonder, like a darker gray or black or something  
19 just to -- because I assume you're filling in one  
20 of those window bays because you're -- you're kind  
21 of talking -- talking about just preserving the  
22 rhythm.

23 COMMISSIONER BOGDANOWICZ-WILSON:  
24 Right. Yeah, and I just -- I like the way the  
25 glass ones look --

1 CHAIR WALLINGER: Uh-huh.

2 COMMISSIONER BOGDANOWICZ-WILSON: -  
3 - it look much nicer since it's like right on the  
4 front --

5 CHAIR WALLINGER: Yeah.

6 COMMISSIONER BOGDANOWICZ-WILSON: -  
7 - it's facing State Street but.

8 MS. PRIMIANO: I think they have  
9 partial ones too, don't they?

10 COMMISSIONER BOGDANOWICZ-WILSON:  
11 Sure.

12 MS. PRIMIANO: Like the bottom  
13 third or so is solid and then there's glass above?

14 MR. LELAND: Right. I know I would  
15 -- I would love to have all the overhead doors in  
16 the front, frankly, and all glass so they could --  
17 people could see. Because our current situation  
18 is all of our doors are on the side of the  
19 building or not on the corner.

20 So that like, you install tires  
21 here, I'm like, that's what we do, but without the  
22 overhead doors in the front.

23 COMMISSIONER BOGDANOWICZ-WILSON:  
24 Yeah, you tend to wonder if everybody will park  
25 first.

1 MR. LELAND: It's better marketing.

2 COMMISSIONER BOGDANOWICZ-WILSON:

3 They'll be able to park and then they'll go in and  
4 then they'll come back out and get in their cars  
5 and have to drive back through?

6 MR. LELAND: What's that? Well, if  
7 -- I mean, if they park and come in normally, the  
8 first time they come in, they're not getting  
9 installed --

10 COMMISSIONER BOGDANOWICZ-WILSON:

11 Right.

12 MR. LELAND: -- that visit, they're  
13 coming back the next day or three days later,  
14 whatever the case may be.

15 COMMISSIONER BOGDANOWICZ-WILSON:

16 So is the --?

17 COMMISSIONER HITLALL: Is this the  
18 sidewalk?

19 MR. LELAND: What's that?

20 COMMISSIONER HITLALL: So there  
21 will be something besides the sidewalk?

22 MR. LELAND: Whatever, I guess is -  
23 -

24 COMMISSIONER HITLALL: Yeah, that's  
25 all.

1 MR. LELAND: -- out of --.

2 CHAIR WALLINGER: Because of the  
3 visibility.

4 COMMISSIONER BOGDANOWICZ-WILSON:  
5 So where is the door going, which one of these is  
6 going to be?

7 MR. LELAND: It's going to be like  
8 right here.

9 COMMISSIONER BOGDANOWICZ-WILSON:  
10 Okay.

11 MR. LELAND: I think I had my large  
12 overhead plan, I think I left it on my desk.

13 COMMISSIONER BOGDANOWICZ-WILSON: I  
14 see where the bump out is.

15 MR. LELAND: You could see it,  
16 yeah.

17 CHAIR WALLINGER: One thing to note  
18 is those --

19 MR. LELAND: That's kind of the  
20 drive-thru pattern.

21 COMMISSIONER BOGDANOWICZ-WILSON:  
22 Okay.

23 CHAIR WALLINGER: -- those big  
24 signs that, like, the big banner signs that stand  
25 up, they go outside?

1 MR. LELAND: Yeah, the -- like the  
2 -- we're talking about the banner flags --

3 CHAIR WALLINGER: Flags, yeah.

4 MS. PRIMIANO: Yeah.

5 MR. LELAND: -- that people use?

6 CHAIR WALLINGER: They are illegal  
7 in the city.

8 MR. LELAND: They're illegal in  
9 Queensbury too, but --

10 CHAIR WALLINGER: Okay.

11 MR. LELAND: -- at least  
12 permanently.

13 CHAIR WALLINGER: Yeah.

14 MS. PRIMIANO: Yeah, they're -- so  
15 you're allowed to do it --

16 MR. LELAND: You have to take them  
17 up every night.

18 MS. PRIMIANO: -- you're allowed to  
19 do it for thirty days during the grand opening,  
20 but that's it.

21 CHAIR WALLINGER: We do not want to  
22 see them.

23 MR. LELAND: Any banners, right?

24 MS. PRIMIANO: Yeah.

25 CHAIR WALLINGER: Correct.

1 MR. LELAND: Okay.

2 CHAIR WALLINGER: So what you might

3 --

4 MR. LELAND: I have --

5 CHAIR WALLINGER: -- consider is  
6 you could consider like maybe in the middle of  
7 this pedestrian entry, you could do like a  
8 monument sign. That could be in the middle, like  
9 maybe it with just like a nice base and it could  
10 have a sign that --

11 MR. LELAND: Okay.

12 CHAIR WALLINGER: -- it might just  
13 be a way to sort of get some more attention closer  
14 to the street --

15 MR. LELAND: Right.

16 CHAIR WALLINGER: -- without having  
17 the illegal banners, but especially -- sorry,  
18 with, like cars backing out there like we  
19 definitely don't want to see those --

20 MR. LELAND: Right.

21 CHAIR WALLINGER: -- those signs.  
22 They're just -- they're distracting for people on  
23 the road and they just aesthetically look pretty  
24 horrible. So -- so maybe you might want to, at  
25 some point, just consider a more permanent sign



1 somewhere.

2 MR. LELAND: I haven't -- frankly,  
3 I haven't drilled down too deep on the zoning  
4 requirements for the signage, but we'll put up as  
5 much as it allows. I wish I could have a bigger  
6 sign where I am now on the building.

7 MS. PRIMIANO: You show us a sign  
8 on the side or not?

9 MR. LELAND: What's that?

10 MS. PRIMIANO: A sign on the side?

11 MR. LELAND: I don't --

12 MS. PRIMIANO: You can't remember  
13 if you're proposing one on the side or not?

14 MR. LELAND: I don't think we have  
15 yet.

16 MS. PRIMIANO: You can.

17 MR. LELAND: Okay.

18 CHAIR WALLINGER: Yeah, since  
19 you're on the corner you could have two, so.

20 MR. LELAND: That'd be great.

21 COMMISSIONER HITLALL: Christine,  
22 off to the sidewalk on Chester Street.

23 MS. PRIMIANO: It's -- it's hard to  
24 say, engineering was not as specific as they  
25 normally are. But definitely based on photos it's

1 most of it, you know, compared to how State Street  
2 looks it is -- let's see, probably from the bay  
3 where he's going to be exiting, that's going to be  
4 a curb cut. Here, probably from that point, what  
5 is it south?

6 COMMISSIONER HITLALL: So the two  
7 bay that was closed up --the two bay on the left  
8 that was --?

9 MR. LELAND: So that's facing what  
10 east towards Albany, the Chester Street side.

11 MS. PRIMIANO: Yeah, so where --  
12 where your vehicles are going to exit?

13 MR. LELAND: Yes.

14 MS. PRIMIANO: You'd have to  
15 replace that curb cut because there really isn't  
16 one there --

17 MR. LELAND: There's not one there.

18 MS. PRIMIANO: -- so from that  
19 point on is really where it's the worst --

20 MR. LELAND: Okay.

21 MS. PRIMIANO: -- I would say.

22 MR. LELAND: From that point  
23 towards the residence?

24 MS. PRIMIANO: Correct.

25 COMMISSIONER BOGDANOWICZ-WILSON:

1     Yeah.

2                     MR. LELAND:   Okay.

3                     CHAIR WALLINGER:  Yeah, it's  
4     definitely where everybody's been driving over it  
5     that it's --

6                     MS. PRIMIANO:  Uh-huh.

7                     CHAIR WALLINGER:  -- that it's the  
8     worst.  Is there anyone from the public who wishes  
9     to speak to this project?  Okay.  Seeing none,  
10    I'll close the public hearing.  There were a  
11    couple comments from engineering, one was to  
12    internal -- identify where the internal roof  
13    drains discharge.  Do you know where?

14                    MR. LELAND:  I do not, I could talk  
15    to Ms. Primiano about that a little bit and  
16    potentially maybe the water department can help us  
17    discover where that goes.

18                    CHAIR WALLINGER:  Okay.

19                    MS. PRIMIANO:  Engineering  
20    basically wants to make sure that they're not  
21    going into the sanitary sewer line.

22                    CHAIR WALLINGER:  Right.

23                    MS. PRIMIANO:  And it's okay if the  
24    water from the parking lot pitches to the street,  
25    I did check on that --

1 MR. LELAND: Okay.

2 MS. PRIMIANO: -- so that -- that's  
3 fine.

4 CHAIR WALLINGER: The -- also the -  
5 - I think Christine may have spoken to you the --  
6 the stair that's on the side is actually on a  
7 different parcel?

8 MR. LELAND: Yeah, so we would  
9 merge the two parcels --

10 CHAIR WALLINGER: You already  
11 merged it, okay.

12 MR. LELAND: -- and the one -- we  
13 haven't done that yet but.

14 CHAIR WALLINGER: Okay. Any other  
15 comments or questions from the Commissioners? Do  
16 you -- Commissioner Wilson, does anybody have a  
17 like preference or I mean, strong preference about  
18 the doors like including glass or?

19 COMMISSIONER BOGDANOWICZ-WILSON:  
20 I'd say maybe some glass just because you're  
21 taking away glass.

22 CHAIR WALLINGER: Okay. So I think  
23 we'd like to -- you should -- when you pick out  
24 the door, run it by Christine and she'll look at  
25 it, it needs to have at least thirty percent

1 glass?

2 COMMISSIONER BOGDANOWICZ-WILSON:

3 Yeah.

4 CHAIR WALLINGER: Thirty percent  
5 glass and -- so just somehow tie into the overall,  
6 so if you can send her the -- the door with the  
7 dimensions and if you can just put together a  
8 sketch to kind of, you know, even if you take the  
9 existing photo and show exactly where it's going  
10 to be installed so she can see how --

11 MR. LELAND: Sure.

12 CHAIR WALLINGER: -- it lines up  
13 with the windows and that kind of thing, that  
14 would be --

15 MR. LELAND: Okay.

16 CHAIR WALLINGER: Does that work  
17 for Commissioners? Okay. I think for conditions  
18 we're going to require that the -- just the  
19 drainage, the roof drainage be solved and  
20 coordinated with the city engineer.

21 MR. LELAND: Uh-huh. Yes.

22 CHAIR WALLINGER: That's one of the  
23 condition is just so that's not -- not going where  
24 it's not supposed to. Otherwise I will take a  
25 motion for site plan approval with the SEQR --

1 okay. I'll take negative declaration for SEQR  
2 made by Commissioner Wilson and seconded by  
3 Commissioner Hitlall. All those in favor signify  
4 by saying aye.

5 ALL: Aye.

6 CHAIR WALLINGER: Aye. Anyone  
7 opposed? Anyone abstaining? Okay. And I will  
8 take a motion for site plan approval with the  
9 conditions that the internal roof drain discharge  
10 be verified, coordinated, and approved with the  
11 city engineer that no additional drainage be  
12 directed towards the neighboring properties that  
13 the sidewalk be replaced from the State Street  
14 edge of the -- of the entry -- the -- the drive-  
15 thru entry, the -- the --

16 MR. LELAND: The Chester Street.

17 CHAIR WALLINGER: -- the Chester  
18 exit to the residential property that's adjacent  
19 on Chester. And that the curb cuts be sized to  
20 match up with the entry points and the one in  
21 particular adjacent to the residential entrance be  
22 narrowed to the entry and that a minimum five foot  
23 wide by eighteen feet which is the length of a  
24 parking space buffer -- landscape buffer be  
25 installed between the sidewalk and the first

1 parked car in the rear parking area.

2 And that that planting bid include  
3 a shade tree -- are there -- are there power lines  
4 on that road? They're not so that should be a  
5 tall -- tall shade tree. The one -- and that the  
6 landscape will be -- the landscaping will be  
7 replaced and the bed on the corner will also  
8 include a smaller shade tree since there's power  
9 lines on -- on State Street.

10 Once you have the plan selected for  
11 those two areas, you should submit a revised plan  
12 to Christine and she will review it and approve it  
13 --

14 MR. LELAND: Okay.

15 CHAIR WALLINGER: -- prior to  
16 proceeding. Do we have -- do you have any idea  
17 when you'll be able to have that done?

18 MR. LELAND: No.

19 MS. PRIMIANO: Do you mean the  
20 sidewalk and landscaping or all of it?

21 CHAIR WALLINGER: I guess he's  
22 going to want to have it done at the same time  
23 because there's going to be some -- asphalt has  
24 going to be removed to at the planting, but I mean  
25 --

1 MS. PRIMIANO: How about the corner  
2 landscaping immediately and then --

3 MR. LELAND: Yeah.

4 MS. PRIMIANO: Do you -- what do  
5 you think about --

6 MR. LELAND: Do you mean the point  
7 how --

8 MS. PRIMIANO: -- the sidewalk --

9 MR. LELAND: -- how quickly can we  
10 have the plan done?

11 CHAIR WALLINGER: Well, you can't  
12 do it until --

13 MR. LELAND: Right. Yeah, so I can  
14 have that done in --

15 CHAIR WALLINGER: -- like middle of  
16 April so --

17 MR. LELAND: I mean, I think it  
18 requested something by April 1st, or --

19 MS. PRIMIANO: The draft plan.

20 CHAIR WALLINGER: Yeah, we can give  
21 you till the end of April because there's --  
22 there'll be more materials available and it  
23 doesn't -- usually it doesn't get to planting time  
24 until April, we'll see this year, we might be able  
25 to plant tomorrow.



1 MR. LELAND: That's fine.

2 CHAIR WALLINGER: But for sidewalks  
3 like -- like this?

4 MS. PRIMIANO: Uh-huh.

5 CHAIR WALLINGER: What are you  
6 thinking? Do you know how long it would take you  
7 -- how long are you thinking it might take to do  
8 the sidewalks?

9 MR. LELAND: It depends on  
10 contractors.

11 CHAIR WALLINGER: Okay.

12 MS. PRIMIANO: September 1st?

13 CHAIR WALLINGER: September 1st?

14 MR. LELAND: Yeah, absolutely --

15 CHAIR WALLINGER: Okay.

16 MR. LELAND: -- if we're going to  
17 do it we're going to be open so.

18 CHAIR WALLINGER: Okay. All right.  
19 So we will say September 1st for the -- the  
20 sidewalk and -- and curb cuts and things. And  
21 then -- is there anything else, that any final  
22 signage would need to be run by Christine before  
23 purchasing and installing it.

24 MS. PRIMIANO: Fence enclosure,  
25 containers --

1 CHAIR WALLINGER: And a fence  
2 enclosure, submit a drawing to Christine showing  
3 where the fence would go, that would include the -  
4 -

5 MR. LELAND: Okay.

6 CHAIR WALLINGER: -- the dumpster  
7 and if the containers are remain -- going to  
8 remain that the --

9 MR. LELAND: Okay.

10 CHAIR WALLINGER: -- the fence and  
11 -- and that'll just be dependent on Christine's  
12 finding with the zoning officer.

13 MR. LELAND: Okay.

14 CHAIR WALLINGER: All right. So  
15 I'll take a motion made by Commissioner Wilson,  
16 seconded by Commissioner Nadler. All those in  
17 favor signify by saying aye.

18 ALL: Aye.

19 CHAIR WALLINGER: Aye. Anyone  
20 opposed? Anyone abstaining? All right.  
21 Congratulations.

22 MR. LELAND: Thank you very much,  
23 thanks a lot.

24 CHAIR WALLINGER: Next on the  
25 agenda, we have Fourteen Star Enterprises

1 Incorporated request site plan approval pursuant  
2 to Section 264-90G of a proposal to construct two  
3 additions to the existing building at 1471 State  
4 Street, tax parcel number forty-nine point sixty-  
5 eight dash five dash fifty-four located in the C  
6 Two mixed use commercial district. Good evening.

7 MR. FARRUKH: Good evening. Okay.  
8 So we're going to start a pharmacy there, so been  
9 in pharmacy business since the last forty years we  
10 had a pharmacy in New York City. And currently we  
11 are having a pharmacy in Albany 65 Central Avenue,  
12 Albany, New York.

13 And we want to start a business --  
14 pharmacy business here and because we -- as we  
15 surveyed there -- there is no pharmacy around that  
16 area at the select pharmacy there so I think it's  
17 good to have a pharmacy there so we can have the  
18 community and also have a business there.

19 And we acquired that building and  
20 that building doesn't have a, you know,  
21 handicapped bathroom. To put a handicapped  
22 bathroom over there we have to do some addition,  
23 that's why we are applying for the additions for  
24 the bathroom and the handicap ramp.

25 There are two main things over

1 there we had to -- do the additions there so  
2 that's why we are here to get the approval.

3 CHAIR WALLINGER: All right. Thank  
4 you. From the Commissioners?

5 MS. PRIMIANO: Are both additions  
6 for bathrooms or just a smaller room?

7 MR. FARRUKH: I'm sorry?

8 MS. PRIMIANO: Are both additions  
9 for bathrooms?

10 MR. FARRUKH: No, one is for the  
11 bathroom and in the back, we have a small storage  
12 that are useless so we want to put them in the  
13 main building, because we had to meet state board  
14 of pharmacies minimum pharmacy requirements, they  
15 need a minimum, you know, a pharmacy area.

16 MS. PRIMIANO: Okay.

17 MR. FARRUKH: And with those  
18 additions, we can easily put a compounding area  
19 there so we can do small compoundings there.

20 MS. PRIMIANO: Okay.

21 CHAIR WALLINGER: The -- the ramps  
22 that's going to be in the front, what is that  
23 going to look like?

24 MR. FARRUKH: I'm sorry?

25 CHAIR WALLINGER: The -- the A.D.A.

1 ramp to -- to provide because of the front door is  
2 quite high compare to the --

3 MR. FARRUKH: Yes.

4 CHAIR WALLINGER: -- so the ramp  
5 that's going to double back and forth, is that --

6 MR. FARRUKH: Yes.

7 CHAIR WALLINGER: -- going to be  
8 solid to the ground or is it --?

9 MR. FARRUKH: Solid -- solid  
10 concrete.

11 CHAIR WALLINGER: Okay. And what's  
12 going to happen to the space behind it because it  
13 just -- it looks like -- my concern is, if the  
14 ramp is at any kind of an angle, you're going to  
15 get a bathtub behind the -- behind the ramp  
16 because it's creating kind of a big low area  
17 that's pinned in between the building and the --

18 MR. FARRUKH: No, at -- at the  
19 present there's, you know, there's a covered area  
20 in the main door and that sidewalk is a covered  
21 area. So ramp, I believe the ramp start from  
22 there.

23 CHAIR WALLINGER: I -- I understand  
24 the ramps on the outside, but if it rains at an  
25 angle, which it does a lot you could end up with a

1 lot of water.

2 MR. FARRUKH: No, that main  
3 entrance is covered, do you see like a -- it's a  
4 veranda around the building on that -- on the two  
5 sides -- two sides, yes, is covered, rain is not  
6 going to affect that.

7 CHAIR WALLINGER: But this -- this  
8 space here, so if -- if the ramp is right here  
9 this space under the roof, if -- if the rain  
10 pushes in --

11 MR. FARRUKH: Okay.

12 CHAIR WALLINGER: -- it's going to  
13 puddle between where you're building the ramp and  
14 where the wall of the building is.

15 MR. FARRUKH: No, that's already,  
16 you know, fence is concrete over there is -- is  
17 already, you know, the concrete footing there.

18 CHAIR WALLINGER: I mean, Jason you  
19 deal with buildings all the time, am I --

20 COMMISSIONER BOGDANOWICZ-WILSON:  
21 I'm assuming he's raising it up to meet the -- I  
22 can't tell from the drawings though.

23 MR. FARRUKH: I have a bigger  
24 drawing if you can -- if you want I can show you -  
25 -.

1 COMMISSIONER BOGDANOWICZ-WILSON:  
2 Are you building the ramp underneath of this, this  
3 covered space because I think -- I can't I can't  
4 see it based on the drawing --

5 MS. PRIMIANO: That's what I was  
6 trying to look at but I can't see.

7 CHAIR WALLINGER: Is the ramp going  
8 to continue all the way to the wall of the  
9 building at that elevation so --

10 MR. FARRUKH: I'm not -- I'm not  
11 sure, the architect did -- did that.

12 COMMISSIONER BOGDANOWICZ-WILSON:  
13 What they're saying --

14 MR. FARRUKH: Uh-huh.

15 COMMISSIONER BOGDANOWICZ-WILSON: -  
16 - see how the step --

17 MR. FARRUKH: Yes.

18 COMMISSIONER BOGDANOWICZ-WILSON: -  
19 - is up here, your ramp is going to be that  
20 height.

21 MR. FARRUKH: Yeah, it's going to  
22 come from the side so there's going to be a big  
23 landing here so they can go in.

24 COMMISSIONER BOGDANOWICZ-WILSON:  
25 So this way --

1 MR. FARRUKH: Yeah.

2 COMMISSIONER BOGDANOWICZ-WILSON: -  
3 - right. So then this is -- this part back  
4 there's going to be lowered and everything, right?

5 MR. FARRUKH: No, there's --

6 COMMISSIONER BOGDANOWICZ-WILSON:  
7 Or are they all going to be the same height?

8 MR. FARRUKH: Same height, it's  
9 going to be the same height, that I will go up due  
10 to the big landing there and the ramp will go on  
11 the same height.

12 COMMISSIONER BOGDANOWICZ-WILSON:  
13 So it will be same height all the way across?

14 CHAIR WALLINGER: So even under the  
15 roof, it'll be the same height?

16 MR. FARRUKH: No, up to here, it's  
17 going to be a little bit on the side so it's going  
18 to be safe for the pedestrians if somebody wants  
19 to walk up it is going to be safer for them.

20 Let's see if I can have a --

21 COMMISSIONER BOGDANOWICZ-WILSON:  
22 Same bay, here we go. So just in this bay between  
23 these three columns --

24 MR. FARRUKH: Yes.

25 COMMISSIONER BOGDANOWICZ-WILSON: -



1 - that's going to be --

2 MR. FARRUKH: That's where the ramp  
3 would be, yeah.

4 COMMISSIONER BOGDANOWICZ-WILSON:  
5 That's where the ramps going to be?

6 MR. FARRUKH: Yeah. Let's see if  
7 we can show us here.

8 COMMISSIONER BOGDANOWICZ-WILSON:  
9 (unintelligible).

10 CHAIR WALLINGER: Because if we --

11 COMMISSIONER BOGDANOWICZ-WILSON:  
12 (unintelligible).

13 CHAIR WALLINGER: All right. So  
14 they're thinking any water that gets in this space  
15 will drain out this way?

16 COMMISSIONER BOGDANOWICZ-WILSON:  
17 Or even between, it looks like there's a space  
18 between those two --.

19 CHAIR WALLINGER: This is -- this  
20 is like the --

21 COMMISSIONER BOGDANOWICZ-WILSON:  
22 The wall --

23 CHAIR WALLINGER: -- the wall above  
24 (unintelligible).

25 COMMISSIONER BOGDANOWICZ-WILSON:

1 Yeah.

2 CHAIR WALLINGER: It's a  
3 (unintelligible) that they didn't drop wall on --

4 COMMISSIONER BOGDANOWICZ-WILSON:  
5 It's kind of slopes this way.

6 CHAIR WALLINGER: It -- it probably  
7 --

8 MR. FARRUKH: Outside -- the slope  
9 is outside, the porch there is I don't know, we  
10 call it like a porch area.

11 CHAIR WALLINGER: I -- I know it's  
12 covered with a roof, but generally like, you don't  
13 want a space where water can get into and if it  
14 does get in during a storm it's all going to  
15 puddle against your ramp, which is going to cause  
16 it to deteriorate more.

17 MR. FARRUKH: Okay.

18 CHAIR WALLINGER: So you just --  
19 anytime you design something, you want to make  
20 sure water is getting away from your building and  
21 your structure.

22 MR. FARRUKH: Okay.

23 CHAIR WALLINGER: So I'm just --  
24 they may need to just redo the grades in here a  
25 little bit to make sure it pitches out that way or

1 --.

2 MR. FARRUKH: Yeah, I can talk to  
3 the architect about your concern, so he can fix  
4 that according to the -- according to your  
5 requirements.

6 COMMISSIONER HITLALL: You're  
7 filling up so this entire space right here --

8 CHAIR WALLINGER: Uh-huh.

9 COMMISSIONER HITLALL: -- you're  
10 going to be filling that up bringing it up and  
11 level --

12 CHAIR WALLINGER: Uh-huh.

13 COMMISSIONER HITLALL: -- to this.

14 CHAIR WALLINGER: Yeah, it's --  
15 it's not that there'll be a cut, but I mean, you  
16 can picture just sometimes, like if you  
17 accidentally leave a window on your house open and  
18 there's quite a bit of -- if it's, you know, even,  
19 you know, covered shelters you always still plan  
20 for trying to get the water out from under them  
21 because --

22 MR. FARRUKH: Yeah.

23 CHAIR WALLINGER: -- the water's  
24 going to deteriorate in there eventually, so that  
25 -- that's all, yeah.

1                   COMMISSIONER NADLER: The pharmacy  
2 is going to be at the bottom part of the building  
3 or the whole building, or what is it the top?

4                   MR. FARRUKH: Okay. On the top  
5 there are two apartments --

6                   COMMISSIONER NADLER: Uh-huh.

7                   MR. FARRUKH: -- what our plan is,  
8 those apartments, I'm going to make one my office  
9 and one is the record room.

10                  COMMISSIONER NADLER: Okay. So  
11 it's all part of the business?

12                  MR. FARRUKH: Yes, a part of the  
13 pharmacy --

14                  COMMISSIONER NADLER: Uh-huh.

15                  MR. FARRUKH: -- nobody's going to  
16 be living there and one big room because you need  
17 a lot of, you know, papers, prescription record so  
18 we have to keep that on premises.

19                  COMMISSIONER NADLER: Uh-huh.

20                  MR. FARRUKH: If we keep them out  
21 of the premises there's other legal issues so we  
22 want to keep it in the premises. And the basement  
23 is not good, there is not a finished basement and  
24 it's too low. So we decided to make an office and  
25 the record room upstairs.

1 COMMISSIONER NADLER: Okay. And  
2 the office -- the hours of the business will be  
3 like ten to five, nine to nine?

4 MR. FARRUKH: No, nine -- with this  
5 time we did open at nine thirty to six --

6 COMMISSIONER NADLER: Okay.

7 MR. FARRUKH: -- I probably will  
8 keep those same hours here, nine thirty to six  
9 p.m.

10 COMMISSIONER NADLER: Okay.

11 MR. FARRUKH: And Saturdays, we  
12 open ten thirty to four and Sundays we closed and  
13 then we keep the same hours.

14 COMMISSIONER NADLER: Uh-huh.

15 CHAIR WALLINGER: Have you gone  
16 over the -- they would --?

17 MS. PRIMIANO: No.

18 CHAIR WALLINGER: Okay. Have you  
19 looked at the staff comments?

20 MR. FARRUKH: I'm sorry?

21 CHAIR WALLINGER: Have you seen the  
22 staff comments that we're --

23 MS. PRIMIANO: Did you get the  
24 email, I sent?

25 MR. FARRUKH: Email?

1 MS. PRIMIANO: Yes.

2 MR. FARRUKH: Yes, today's email.  
3 I got it very late, I got it today.

4 CHAIR WALLINGER: So the handicap  
5 stall would need a minimum like five foot access.

6 MR. FARRUKH: No, actually no, I'm  
7 having hard of hearing that's why I'm having a  
8 problem.

9 CHAIR WALLINGER: The -- the  
10 handicap stall --

11 MR. FARRUKH: Okay.

12 CHAIR WALLINGER: -- needs at least  
13 a five foot striped area next to it --

14 MR. FARRUKH: Okay.

15 CHAIR WALLINGER: -- so that people  
16 can get in and out of the -- the vehicle.

17 MR. FARRUKH: Okay.

18 CHAIR WALLINGER: Is it five feet  
19 or eight feet, I think for the small medium five  
20 feet.

21 MS. PRIMIANO: Yeah, five feet and  
22 eight would be a shared like the two spots would  
23 share the same --.

24 CHAIR WALLINGER: Okay. Or  
25 sometimes they make them under eight.

1 MS. PRIMIANO: Correct. But you  
2 don't have to have it.

3 CHAIR WALLINGER: Okay.

4 MR. FARRUKH: Is there anyway so my  
5 architect can call this office and find out the  
6 requirements so he can make the changes before we  
7 start the construction there?

8 CHAIR WALLINGER: Yes, he should  
9 submit a revised --.

10 MR. FARRUKH: I'm not technical, I  
11 don't know these things, you know, --

12 CHAIR WALLINGER: Right.

13 MR. FARRUKH: -- architectural  
14 things so maybe I'm making mistakes of the ramp  
15 thing.

16 CHAIR WALLINGER: So -- so we can  
17 approve it with conditions --

18 MR. FARRUKH: Okay.

19 CHAIR WALLINGER: -- and you'll get  
20 a letter from Christine listing what the  
21 conditions are.

22 MR. FARRUKH: Wonderful.

23 CHAIR WALLINGER: And then he can  
24 revise the drawing --

25 MR. FARRUKH: Okay.

1 CHAIR WALLINGER: -- and send it to  
2 Christine and she can approve it to make sure that  
3 it's -- it's correct.

4 MR. FARRUKH: Okay. That's great.

5 CHAIR WALLINGER: And if he has any  
6 questions, he can definitely give her a call --

7 MR. FARRUKH: That's great, thank  
8 you.

9 CHAIR WALLINGER: -- and -- and she  
10 can help answer them. Uh-huh.

11 MR. FARRUKH: That's very helpful  
12 and it eliminates a lot of confusions because my -  
13 - I'm -- I work in a pharmacy I don't know a lot  
14 about construction so that's very hard for me to  
15 understand these things.

16 CHAIR WALLINGER: Got you. Well,  
17 it sounds like this will be really wonderful for  
18 the neighborhood.

19 MR. FARRUKH: Thank you -- thank  
20 you very much.

21 MS. PRIMIANO: Will you be selling  
22 food items and drinks or just --?

23 MR. FARRUKH: No food items.  
24 Drinks, I'm not sure, but we will -- we're selling  
25 prescription medicines and little bit over-the-



1 counter medication O.T.C.s.

2 MS. PRIMIANO: Okay.

3 MR. FARRUKH: That's all.

4 MS. PRIMIANO: If you decide to  
5 sell food, it requires another permit so that's  
6 why I'm asking you.

7 MR. FARRUKH: No, no food, we got  
8 food not in our -- we don't sell food in our  
9 existing pharmacy because they get expired, a lot  
10 of problems. We don't -- we don't touch foods,  
11 no.

12 MS. PRIMIANO: Okay.

13 MR. FARRUKH: A lot of destruction  
14 with expired foods, instead of filling  
15 prescription, you're taking care of food so no, we  
16 don't want that, only strictly pharmacy business.

17 CHAIR WALLINGER: You will -- I  
18 think it requires more parking spaces than what  
19 you have on site so you would need to go to the  
20 zoning board of appeals --

21 MR. FARRUKH: Okay.

22 CHAIR WALLINGER: -- to get a  
23 variance --

24 MR. FARRUKH: Okay. For the  
25 parking.

1 CHAIR WALLINGER: -- so they can  
2 approve that. Do you anticipate most of your  
3 customers driving or do you think a fair amount of  
4 them will walk?

5 MR. FARRUKH: I don't know because  
6 this pharmacy with the existing pharmacy doesn't -  
7 - on Central Avenue no parking, but people come.  
8 They -- they find a public parking outside or they  
9 walk, we had no issues there because there is no  
10 parking on Central Avenue, this is near a Henry  
11 Johnson Boulevard.

12 And there are public parking on the  
13 side but not in front of a pharmacy.

14 CHAIR WALLINGER: Okay.

15 MR. FARRUKH: But there is parking  
16 over there.

17 CHAIR WALLINGER: Yeah, and this  
18 one has a bus shelter, a lot of people take the  
19 bus on State Street too.

20 COMMISSIONER NADLER: And there's  
21 one close by.

22 CHAIR WALLINGER: Uh-huh. So we  
23 usually try to -- to get street trees in where we  
24 can because State Street's really lacking in  
25 greenery and it shows that it's just much better

1 for communities, and mental health, and storm  
2 water benefits --

3 MR. FARRUKH: Yeah.

4 CHAIR WALLINGER: -- and all that.  
5 So I think I was trying to look at the site to  
6 figure out where we could do that and I think we  
7 could get a tree in this landscape area, you're  
8 showing her the addition. And then I think if we  
9 take out a little bit of the -- the paving in the  
10 front we could get a tree out on the -- the front,  
11 we could just tie into that --

12 MR. FARRUKH: Okay. Yeah.

13 CHAIR WALLINGER: -- in this  
14 landscape are.

15 MR. FARRUKH: We also like really -  
16 - my love -- my wife loves planting so I'll bring  
17 her -- her and we're going to put some grass over  
18 there. And, you know, the flower parts of the  
19 columns we'll try to make it beautiful.

20 CHAIR WALLINGER: Oh, that's great.

21 MR. FARRUKH: Yeah.

22 CHAIR WALLINGER: Yeah, so -- so  
23 maybe even -- yeah, maybe you can see what she  
24 thinks and maybe you could do -- maybe you could  
25 do like a half circle in front of the -- the ramp

1 where you could do some planting --

2 MR. FARRUKH: Okay.

3 CHAIR WALLINGER: -- in the front  
4 and put some green space back in. So maybe just  
5 think about that and we'll -- we'll send the  
6 comments to your --

7 MR. FARRUKH: Sure.

8 CHAIR WALLINGER: -- so you'll have  
9 it for your architect.

10 MR. FARRUKH: Okay.

11 CHAIR WALLINGER: And then just --  
12 again, once -- once you get a drawing ready, you  
13 can have them submitted back to Christine.

14 MR. FARRUKH: Okay. Great. Thank  
15 you.

16 CHAIR WALLINGER: Thank you. Any  
17 other comments or questions from the  
18 Commissioners? Is there anyone from the public  
19 who wishes to speak to this project? Okay.  
20 Seeing none, I'll close the public hearing. SEQR?

21 MS. PRIMIANO: Yes.

22 CHAIR WALLINGER: Okay. So I will  
23 take a motion for a negative declaration for SEQR  
24 made by the Commissioner Hitlall and seconded by  
25 Commissioner Engert -- wait, sorry.

1 MS. PRIMIANO: Engert.

2 CHAIR WALLINGER: Seconded by  
3 Engert. I can't quite -- sorry, it's been a very  
4 long day. All those in favor signify by saying  
5 aye.

6 ALL: Aye.

7 CHAIR WALLINGER: Anyone opposed?  
8 All right. Anyone abstaining? Okay. And then I  
9 will take a motion for site plan approval with the  
10 conditions that a tree be added on the State  
11 Street side, that a landscaping plan be submitted  
12 that shows some additional landscape area and a  
13 tree on State Street and then a tree be added to  
14 the landscape bed between the -- the bathroom  
15 addition and the sidewalk on -- what is the side  
16 street here.

17 MS. PRIMIANO: Willow.

18 COMMISSIONER NADLER: Willow.

19 CHAIR WALLINGER: Willow. And that  
20 the drainage in the front just be coordinated with  
21 the architects so that water is draining  
22 positively away from the building and -- and the  
23 ramp.

24 MR. FARRUKH: Okay.

25 CHAIR WALLINGER: And that a --- an

1 access aisle -- a five foot access aisle be added  
2 next to the handicap parking space in the rear.  
3 Am I missing anything?

4 MS. PRIMIANO: The variance with  
5 parking.

6 CHAIR WALLINGER: And yes, the  
7 variance be received for the parking and it's --  
8 is all of the signage -- this is the sign -- do  
9 you have any additional signage planned or this is  
10 --?

11 MR. FARRUKH: No, only this two,  
12 the side of the building and the front of the  
13 building.

14 MS. PRIMIANO: Did you decide which  
15 version? There's two versions, just curious.

16 MR. FARRUKH: Not yet, so I'll talk  
17 to my, you know, the sign guy, not expensive,  
18 simple, very simple.

19 CHAIR WALLINGER: Yeah, I like -- I  
20 think we like the one on the left if --?

21 COMMISSIONER BOGDANOWICZ-WILSON:  
22 Yeah, for sure.

23 MR. FARRUKH: Okay.

24 CHAIR WALLINGER: Yeah.

25 COMMISSIONER BOGDANOWICZ-WILSON:

1 Looks nice.

2 CHAIR WALLINGER: Yeah, that  
3 building is so kind of cut up by the way they -- I  
4 think having just the lettering will look a lot  
5 cleaner and stand out more. And did -- was the  
6 size okay?

7 MS. PRIMIANO: Yes.

8 CHAIR WALLINGER: Do you need a  
9 final plan for that?

10 MS. PRIMIANO: No.

11 CHAIR WALLINGER: Okay. All right.  
12 So is that everything?

13 MS. PRIMIANO: Uh-huh.

14 CHAIR WALLINGER: Okay. So made by  
15 Commissioner Nadler, seconded by Commissioner  
16 Beach. All those in favor signify by saying aye.

17 ALL: Aye.

18 CHAIR WALLINGER: Anyone opposed?  
19 Anyone abstaining?

20 MR. FARRUKH: Great. That's a  
21 great news.

22 CHAIR WALLINGER: Thank you very  
23 much.

24 MR. FARRUKH: Thank you very much.

25 CHAIR WALLINGER: Congratulations.

1 MR. FARRUKH: Thank you and I  
2 promise we will try our best to make that as  
3 beautiful and that it's going to be a very nice,  
4 beautiful addition to State Street.

5 .  
6 I believe for the last seven years.  
7 CHAIR WALLINGER: Oh, wow.

8 MR. FARRUKH: And now, here .

9 CHAIR WALLINGER: Well, we like to  
10 hear that. Thank you.

11 MR. FARRUKH: Thank you very much.

12 CHAIR WALLINGER: All right. Next  
13 on the --.

14 MR. MORELLI: We have to sign here?

15 MS. PRIMIANO: Yes, please sign  
16 right there.

17 CHAIR WALLINGER: So next on the  
18 agenda, Sandy Lutchmonsing requests site plan  
19 approval pursuant to Section 264-90J. And a  
20 special use permit pursuant to Chapter 264  
21 Schedule B of a proposal to operate an automobile  
22 repair shop at 1-3 Steuben Street, tax parcels  
23 numbers -- parcel numbers forty-nine-point thirty-  
24 three dash five dash thirty-four and forty-nine  
25 point thirty-three dash five dash thirty-three



1 located in the C2 mixed use Commercial District.

2 MR. MORELLI: Folks, how are you?

3 MS. PRIMIANO: Hello, good.

4 CHAIR WALLINGER: Hi, Dan.

5 MS. PRIMIANO: I'm sorry. I  
6 apologize.

7 CHAIR WALLINGER: No, that's okay.  
8 No -- no -- no, it's okay.

9 MR. MORELLI: All right. As you  
10 know, my name is Dan Morelli, Morelli Design and  
11 Construction. And I'm here representing Andrew  
12 and Sandra Lutchmonsing in a request for site plan  
13 approval and a special use permit to operate an  
14 automobile repair shop at 1-3 Steuben Street,  
15 located in a C2 mix used Commercial District.

16 We presented at the January 5th  
17 special meeting and were tabled due to several  
18 concerns by the Board, and some modifications that  
19 were required by the -- on the site plan, which  
20 we've done.

21 I'd like to address the site plan  
22 modifications first, and then we can address the  
23 corrective ac -- actions taken that the Board was  
24 concerned with the last time. And then I'll turn  
25 it over to Andrew, who's the owner of the property

1 with his mother. And you can ask him any business  
2 operating questions that are needed.

3 So the last time we were here, we  
4 discussed moving the buffer area in front of the  
5 fence and moving the fence behind it, which we've  
6 done. So we've got a four-foot buffer area from  
7 the property line to the fence line.

8 And we've got a -- a sliding four-  
9 foot fence with an opening at the center, got to  
10 be closed at night and opened during business  
11 hours. This section of sidewalk here, actually  
12 this whole section is just paved with no curbing.

13 We're going to -- and then this  
14 section here is paved and this sidewalk's pretty  
15 beat up. So what we propose to do is put a  
16 continual sidewalk in, replace the damaged  
17 sidewalk, take up the concrete in front of the  
18 building, put a continuous sidewalk in per city  
19 standards and put a curb in this area where  
20 there's no curb now leaving the twelve-foot-wide  
21 curb cut here, that's already existing to access  
22 the building itself.

23 We put a new ten-foot-wide curb cut  
24 here to access the parking lot. Refuse area would  
25 be out of stockade fence towards the rear of the

1 property, site lighting on the building per city  
2 standards, and of course the sidewalk would be per  
3 city standards.

4           The owner -- within forty-eight  
5 hours of our last meeting, I met with the owners,  
6 they were very happy to move forward with  
7 progressing the project. They immediately set out  
8 one of the suggestions, that the Commission made  
9 was, to set out some orange cones on the sidewalk  
10 where the cars were parking to limit the parking  
11 on a sidewalk to zero -- basically zero cars and  
12 to start to clean up the lot a little bit.

13           Mr. Lessen -- Lutchmonsing has  
14 removed the secondary sign that was on the side of  
15 the building, so there's only one sign now on the  
16 front of the building, which is preexisting. He's  
17 tidied it up a lot, a little bit, not a hundred  
18 percent yet, I think Christine has taken some  
19 photographs of that.

20           He's still working on that, the  
21 intent is to get that lot cleaned up, get it  
22 resurfaced, restriped. This fence by the way, we  
23 -- we -- we realized, the eight-foot-high fence  
24 doesn't belong to -- to the owner of the property,  
25 it belongs to SCAP. They put that in as a shield

1 to the parking lot, and this lot.

2 So our proposed new fencing is  
3 along this lot line. It's a six-foot-high chain  
4 link fence with screen to match what's already  
5 here on this side, that it fully -- fully enclosed  
6 the lot and seal it off on off -- off business  
7 hours.

8 Obviously, there's some violations.  
9 There's a violation notice from December of 2021  
10 on the property. To address those violations, we  
11 need site plan approval, so it's kind of a catch  
12 twenty-two, what comes first.

13 So we're seeking site plan approval  
14 tonight, whether it be conditional or not, and  
15 allow Mr. Lutchmonsing to proceed with the project  
16 based on the conditions issued and move forward  
17 with operating his business.

18 So if there's any questions  
19 pertaining to the site plan itself, I'm more than  
20 happy to answer. If there's questions pertaining  
21 to the business itself, feel free to ask Mr.  
22 Lutchmonsing himself.

23 CHAIR WALLINGER: I had some  
24 questions. I did see I have been by it a few  
25 times I've seen the cones, which is great. That

1 side of the street looks much better. I was there  
2 on January 10th, and the -- the whole opposite  
3 side of the road was full of cars that had broken  
4 parts and that they looked like they were all cars  
5 that are being worked on.

6 And I know that's been an issue in  
7 the past, and I know we spoke about that at the  
8 last meeting. And I also saw that, the parcel on  
9 the opposite side of the building that's not even  
10 part of this property was still full of -- of  
11 cars. And even Christine's photos showed --  
12 recent photos showed more cars in the parking lot  
13 than they're supposed to be. So one of the  
14 questions we have is, you know, is auto body work  
15 being done? That's probably it.

16 MR. LUTCHMONSING: At -- at this  
17 point, now, I'm moving towards all mechanical  
18 work. I don't have the staff to do it. I'm just  
19 going according to -- when you say body work, what  
20 do you mean by that? Like, spray, panel repair or  
21 --?

22 MS. PRIMIANO: One second.

23 CHAIR WALLINGER: Yeah, Christine's  
24 going to get the official definition for you.  
25 Hold on one second.

1 MS. PRIMIANO: Body repair and  
2 frame straightening, painting, and under coating  
3 of motor vehicles.

4 MR. LUTCHMONSING: Under coating,  
5 no. According to that definition, yes.

6 MS. PRIMIANO: Okay. So that's not  
7 permitted.

8 MR. LUTCHMONSING: Body work is not  
9 permitted?

10 MS. PRIMIANO: Not permitted there.

11 MR. LUTCHMONSING: Okay.

12 MS. PRIMIANO: Do you have a New  
13 York State license to do that?

14 MR. LUTCHMONSING: New York State  
15 license, I don't believe they give one. I believe  
16 they give an umbrella repair license. I don't  
17 know if they split that.

18 MS. PRIMIANO: No. They -- they do  
19 because there's a concern about paint fumes and  
20 how things are done.

21 MR. LUTCHMONSING: Okay. Paint  
22 work, I don't do paint work there, I sublet that  
23 stuff out. We -- we haven't had staff for maybe  
24 the last two years where I can do any of that. So  
25 I do sublet it out. If the work does come in, I

1 sublet it to a different shop who can handle it.

2 MS. PRIMIANO: Okay. So you do the  
3 straightening of the body and the --?

4 MR. LUTCHMONSING: Not really, no.

5 MS. PRIMIANO: So based on that  
6 definition, what do you do then?

7 MR. LUTCHMONSING: We might repair  
8 panels or maybe dents or something like that.

9 MS. PRIMIANO: Okay.

10 MR. LUTCHMONSING: In the past, we  
11 have though.

12 CHAIR WALLINGER: So I often see  
13 cars there with like fenders falling up -- off.  
14 Does that count as, I mean, would that count as --  
15 ?

16 MS. PRIMIANO: Dismantled, yeah.  
17 And any missing parts are dismantled. There's  
18 also at least fourteen unlicensed vehicles on  
19 site?

20 MR. LUTCHMONSING: Fourteen, I  
21 believe --.

22 MS. PRIMIANO: There, I counted  
23 twelve and then two on the neighbor's property  
24 that don't have plates.

25 MR. LUTCHMONSING: I do do dealer

1 work where dealerships might bring me cars with  
2 dealer plates. I do quick repairs and try to get  
3 them out as soon as possible.

4 MS. PRIMIANO: Okay.

5 MR. LUTCHMONSING: I am trying to  
6 minimize the space if I can get a fence up. Right  
7 now, I get cars dropped off to me. When I tell  
8 them, please don't, because I know I have an issue  
9 with the city. And then I say, I can't keep these  
10 cars here. I don't have the time to work on them.  
11 Well, you better figure it out.

12 But because I don't have the fence,  
13 they drop them at night without me knowing.  
14 Sometimes they're keyless. The cars across the  
15 street, we don't do any work on the street. I  
16 know I have -- my next-door neighbor across the  
17 street, he has three cars, which he kind of -- the  
18 things never move. They just take up parking  
19 spots there, never move.

20 The house two doors over on the  
21 opposite end, they're always working on the street  
22 there. Like, I already know, like, it's an issue  
23 with the city. I'm not trying to have an issue  
24 with the city. Like, if I can clean this up, I'm  
25 willing to pave, I'm willing to do whatever. And



1 the cones, like right now, I have complaints,  
2 people think I'm closed.

3           They're like, oh, we see the cones,  
4 we don't even think you're working. So I'm like,  
5 all right, it has to be that way because we can't  
6 have cars on the sidewalk. But it's rough in that  
7 neighborhood because you can ask someone, could  
8 you please leave and come back in an hour for an  
9 inspection and whatnot.

10           They don't want to leave, they're  
11 like, no, we're going to stay here. Can you  
12 please pull into the parking lot? They'll do  
13 whatever they can. The cones have been really  
14 helpful, so.

15           But another thing is, after I do  
16 sidewalks and all, I'm trying to figure out what I  
17 can do at that point without cones to keep them  
18 there. I think the trees are going to help. I  
19 don't know if I can go higher on curbs because we  
20 have to put curbs there, right?

21           MR. MORELLI: You do, yeah.

22           MR. LUTCHMONSING: So if I could go  
23 a little higher on the curbs, something -- I think  
24 the trees might help. I might have to keep some  
25 cones out. I don't like the way it looks. I wish

1 it would be trees and my customers will listen,  
2 but it's rough.

3 CHAIR WALLINGER: Could we ask the  
4 city engineer if he would be open to, like, a -- a  
5 permanent bollards, so you could do something  
6 that's like black and metal and looks more  
7 decorative as opposed to the orange?

8 MR. MORELLI: Good idea.

9 MR. LUTCHMONSING: Well, maybe, a  
10 fence along there or --

11 MR. MORELLI: No bollards. Because  
12 we're going to set -- we're going to set the  
13 bollards around the fire area anyway, so we're  
14 going to already have bollards in place, in that  
15 plane and that street scape, so we can certainly  
16 do that. Obviously, the ones around the -- the --  
17 the fire hydrant going to be yellow.

18 CHAIR WALLINGER: And there's no  
19 utilities in that zone that it would be an issue  
20 with, right?

21 MR. MORELLI: No, no.

22 CHAIR WALLINGER: And I mean, the  
23 city installs bollards, it's a common practice to  
24 protect people standing at crosswalks on corners.  
25 So it -- it'd probably just be a revocable permit.

1 But that could be a way to have it be permanent.  
2 You wouldn't have to take them in and out every  
3 day, it would look nice, it wouldn't -- it  
4 wouldn't give this like sign that like, oh, they  
5 might not be open. I think you'd have less  
6 confusion --

7 MR. MORELLI: It would spruce up  
8 the site too.

9 CHAIR WALLINGER: -- that way. It  
10 would spruce up the site.

11 MR. LUTCHMONSING: Sure.

12 CHAIR WALLINGER: I -- I think that  
13 might be it.

14 MS. PRIMIANO: And you can have an  
15 open sign if you want one.

16 MR. LUTCHMONSING: Huh?

17 MS. PRIMIANO: You can have an open  
18 sign if you want one in the window.

19 MR. LUTCHMONSING: There's a  
20 problem with the sign. The sign you guys asked me  
21 to take down, that was from my father old  
22 ownership, never even realized --

23 MS. PRIMIANO: Yeah -- no -- no. I  
24 mean, you can have a sign that says, open.

25 MR. LUTCHMONSING: My customers

1 don't read that.

2 MS. PRIMIANO: No? Yeah. The one  
3 on the side because you're not on a corner, you  
4 can only have one sign attached.

5 MR. LUTCHMONSING: Okay.

6 MS. PRIMIANO: That's why.

7 MR. LUTCHMONSING: All right.

8 MR. MORELLI: And not to -- you  
9 guys not to intervene, I just want to, you know,  
10 set the table. So Andrew's father owned the  
11 business for quite some time. I guess some deal  
12 was struck years ago to do what he's doing, which  
13 is auto body repair, auto repair, painting detail,  
14 and so on and so forth. When he passed away,  
15 Andrew just took the business over with the  
16 assumption that that could all still take place.

17 MS. PRIMIANO: Understand.

18 MR. MORELLI: Unknowingly that,  
19 some of it couldn't. So it's not that he was  
20 intentionally violating the law in that aspect, he  
21 just didn't know until we had told him.

22 Obviously, the paint, the -- the --  
23 the -- the paint shop is still there, there's a  
24 stack coming through the roof, but he sublets that  
25 out. He -- he just doesn't have the time to do

1 it. He discussed that the -- the -- the auto body  
2 repair part of it. So that's kind of the history  
3 of how this came to be.

4 CHAIR WALLINGER: So maybe the  
5 thing -- so I think at this point, what we would  
6 talk about is a conditional approval and we should  
7 just very clearly outline what the conditions are,  
8 so you understand.

9 MR. MORELLI: Sure.

10 CHAIR WALLINGER: So you know,  
11 we're all on the same page. So I just --.

12 MR. MORELLI: Because he's ready to  
13 -- he's ready to go. He's ready to do what needs  
14 to happen, but he hasn't been able to yet.

15 COMMISSIONER HITLALL: Bottom line  
16 is there is no auto body.

17 CHAIR WALLINGER: So -- so the auto  
18 body is not allowed.

19 MR. MORELLI: So I do have a  
20 question regarding that, and it's a silly  
21 question, but I have to ask it anyway. So if I  
22 pull up a property report, the property classes of  
23 four three three, which is classified as an auto  
24 body classification for that property.

25 MS. PRIMIANO: Uh-huh.

1 MR. MORELLI: So I guess that's  
2 where I'm confused.

3 MS. PRIMIANO: So the assessor goes  
4 and sees what's happening --

5 MR. MORELLI: Okay.

6 MS. PRIMIANO: -- does not say  
7 whether it's legal or not. Well, that's, the  
8 assessor's going to go assess for the tax value.

9 MR. MORELLI: Okay. So that's why  
10 it's classified?

11 MS. PRIMIANO: So that's -- yeah.  
12 So it's classified properly.

13 MR. MORELLI: Because I was a  
14 little confused with that myself when I pulled up  
15 the report. I said, it's classified as that and  
16 why can't we do it? So okay.

17 MS. PRIMIANO: Yeah.

18 MR. MORELLI: Understood.

19 MS. PRIMIANO: Yeah. You might --  
20 maybe your taxes will go down if it's classified  
21 properly.

22 MR. LUTCHMONSING: Another thing is  
23 the name of the business been changed, but for  
24 twenty years it was known as A.D.S. Auto Body  
25 Collision.

1 MS. PRIMIANO: Right.

2 MR. LUTCHMONSING: Because it was  
3 mainly a collision shop. I turned it into a  
4 mechanic, so that's why I'm a little confused.

5 CHAIR WALLINGER: Well, I think the  
6 issue was, like somehow this project flew under  
7 the radar. It never got site plan approval. So  
8 what was happening there was never actually  
9 reviewed --

10 MR. LUTCHMONSING: While I came in  
11 --

12 CHAIR WALLINGER: -- and approved.

13 MR. LUTCHMONSING: Sorry. I came  
14 in when I was supposed to take the business over  
15 and I ended up not taking it over. So when I came  
16 in and they were asking for everything that was  
17 needed, --

18 CHAIR WALLINGER: Uh-huh.

19 MR. LUTCHMONSING: -- I wasn't able  
20 to do it at that point. So I was like, you know  
21 what, I'm not going to be able to do what the  
22 city's asking me of. Certain things happened, I  
23 came back, start running the business myself.

24 At this point, I'm able to do  
25 whatever you guys need from me. So I'm ready and

1 able, but the business was known as just the auto  
2 body and collision shop for twenty years.

3 MS. PRIMIANO: So when your dad  
4 opened in 2003, I think it was --

5 MR. LUTCHMONSING: It was all -- it  
6 was straight auto body I believe.

7 MS. PRIMIANO: He did get a special  
8 use permit, but his application was for vehicle  
9 repair. It was not for auto body.

10 MR. LUTCHMONSING: It wasn't for  
11 auto body?

12 MS. PRIMIANO: No.

13 MR. LUTCHMONSING: Okay.

14 MS. PRIMIANO: So he was issued  
15 approval back then, --

16 MR. LUTCHMONSING: Yeah.

17 MS. PRIMIANO: -- but that's not  
18 what he did.

19 MR. LUTCHMONSING: Got you. So --

20 MS. PRIMIANO: And it just was  
21 never cited.

22 MR. LUTCHMONSING: So at that  
23 point, I grew up thinking one thing when it's not.

24 MS. PRIMIANO: Right.

25 MR. LUTCHMONSING: And I've been



1 like staying away from auto body, so it's not a  
2 problem if I have to figure out something else or  
3 sublet everything back out.

4 The only other concern is, the  
5 working on the cars on the opposite side, I  
6 believe that's the neighbors, because I strictly  
7 tell my guys, don't do anything on the sidewalks.  
8 If customers pop up and they're opening hoods  
9 because they showing --

10 CHAIR WALLINGER: So --

11 MR. LUTCHMONSING: -- what I tell  
12 them, don't do it, go in the yard or --

13 CHAIR WALLINGER: So this car here  
14 with no license plate on it, you think that's one  
15 of the -- the neighbors, they just keep parked  
16 over there or?

17 MR. LUTCHMONSING: Can I get a  
18 closer look?

19 CHAIR WALLINGER: Yeah.

20 MR. LUTCHMONSING: Thank you.

21 CHAIR WALLINGER: You're welcome.

22 Yeah, come on over. So --?

23 MR. MORELLI: Is that the one?

24 CHAIR WALLINGER: That one was  
25 there. And then --

1 MR. LUTCHMONSING: That's the  
2 neighbor.

3 CHAIR WALLINGER: All right, so.

4 MR. LUTCHMONSING: The neighbor.

5 CHAIR WALLINGER: That's the  
6 neighbor. The one in front's the neighbor.

7 MR. LUTCHMONSING: Those are all  
8 the neighbors.

9 CHAIR WALLINGER: These three are  
10 the neighbors, okay. And then? So this was like  
11 up closer to over here?

12 MR. LUTCHMONSING: Yeah.

13 CHAIR WALLINGER: And that one  
14 didn't have a plate on it. And then, there was  
15 like further down the street --

16 MR. LUTCHMONSING: So this car --.

17 CHAIR WALLINGER: -- but I couldn't  
18 tell if this was like --

19 MR. LUTCHMONSING: I believe a  
20 customer dropped that one off. This one was in an  
21 accident. Someone dropped -- a tow truck dropped  
22 it and never left keys. I contacted the owner, he  
23 came by after the accident and never gave me the  
24 keys and just left the car there.

25 MS. PRIMIANO: That's amazing.

1 Like, people just --

2 MR. LUTCHMONSING: So I told --

3 MS. PRIMIANO: -- don't do  
4 anything?

5 MR. LUTCHMONSING: They just drop  
6 it and leave it.

7 MS. PRIMIANO: Yeah.

8 MR. LUTCHMONSING: And another  
9 issue I have is repairing cars. People not  
10 affording to pick them up.

11 MS. PRIMIANO: Not paying it, yeah.

12 MR. LUTCHMONSING: And half the  
13 time, I'll give them away like, you, I can't keep  
14 the car here, if you're paying me you pay me.  
15 Just --

16 MS. PRIMIANO: Yeah.

17 MR. LUTCHMONSING: Because they  
18 don't come in and say they don't have the money,  
19 they're all like, I need it as soon as possible.  
20 The next thing I know, oh, I don't have any money  
21 then I'm stuck.

22 MS. PRIMIANO: Right.

23 MR. LUTCHMONSING: So a lot of time  
24 with the city issue, I'm like, alright, I'm just  
25 eating it a lot of times.

1 MS. PRIMIANO: You need more space.

2 MR. LUTCHMONSING: The last time we  
3 sat, I believe you asked me to purchase another  
4 spot, but I wasn't ready. I believe, where Katie  
5 and Son was at, I think the plumbing guys --.

6 MS. PRIMIANO: Yeah.

7 MR. LUTCHMONSING: I wish if it was  
8 a year or later, I would've probably been able to  
9 do that.

10 MS. PRIMIANO: Uh-huh.

11 CHAIR WALLINGER: So maybe look for  
12 another place where you can store some. But --  
13 but you definitely can't store it on the property  
14 that's not yours.

15 MR. LUTCHMONSING: Oh, I don't -- I  
16 tried to not to store cars like. And another  
17 thing is, the place might look packed. Say it's  
18 Wednesday today, by Friday it's empty.

19 Like this morning was packed, right  
20 now, I have double cars in there because I -- I am  
21 busy. And we work fast, that's why I stay busy  
22 and I'm reasonable on my prices. And cars are in  
23 and out. The dealer cars, I really don't like  
24 them there.

25 And I tell them, don't bring them

1 because I have more than enough customers. If I  
2 have space, I'll call you. As soon as I'm done,  
3 please come pick them up. But these guys try to  
4 use me as a storage facility.

5 MS. PRIMIANO: Yeah.

6 CHAIR WALLINGER: You may have to  
7 put a sign on the side of the building where the  
8 property that belongs to a different owner is,  
9 that says, if you park here, you will get towed.  
10 And you may have to have a few of them towed --

11 MR. LUTCHMONSING: Yeah.

12 CHAIR WALLINGER: -- and they'll  
13 learn that.

14 MR. LUTCHMONSING: Before I closed  
15 up today, I saw three cars parked there. None of  
16 them are mine, but it looks like it's mine. So  
17 they come with dealer plates, leave a car there,  
18 grab a car and leave. And I tell them they can't  
19 park there.

20 MR. MORELLI: Well, the gate will  
21 help that.

22 UNIDENTIFIED SPEAKER: I -- I -- I  
23 was going to -- I was going to say that.

24 MR. LUTCHMONSING: Well, the gate  
25 will be on my side. The other side --

1 CHAIR WALLINGER: Right. But this  
2 is the property that's not even his.

3 MR. MORELLI: Oh, you're talking on  
4 the -- this side of the -- on the north side of  
5 the building?

6 CHAIR WALLINGER: The other side.  
7 There's always like six cars over there. I mean -  
8 -.

9 MR. MORELLI: That's wide open,  
10 yeah.

11 CHAIR WALLINGER: So I think you  
12 might have to put a sign that says, if you park  
13 here, you're going to get towed. You know, just  
14 have --.

15 MR. LUTCHMONSING: And is there a  
16 possibility, maybe me calling up like maybe --  
17 like parking enforcement? Because they do come  
18 and they do line up. And I'm like, guys, please  
19 come back, you're going to get me in trouble.

20 At the end of the day, it all comes  
21 back on me and I have to eat it. But you -- the  
22 neighborhood I'm in, there's only so much I can  
23 say before they start destroying this stuff.

24 CHAIR WALLINGER: Is it --?

25 MR. MORELLI: So you know what you

1 do? You put a no parking sign, tell the owners to  
2 enforce the no parking in their lot.

3 MR. LUTCHMONSING: Yeah.

4 MR. MORELLI: That makes it not  
5 your problem because it's not in your lot, but the  
6 signs there you're going to put your bollards up  
7 in front getting them off the sidewalk. That's  
8 the fix there, on that higher curbs. And then --.

9 COMMISSIONER BOGDANOWICZ-WILSON:  
10 Is there a curb -- is there a curb cut there now?  
11 Is that where I can get up there?

12 MR. MORELLI: Yeah. This whole  
13 thing is wide open.

14 COMMISSIONER BOGDANOWICZ-WILSON:  
15 Oh, it's their driveway.

16 MR. MORELLI: That's driveway.

17 COMMISSIONER BOGDANOWICZ-WILSON:  
18 (unintelligible)

19 MR. MORELLI: Oh, here? It's all  
20 driveway.

21 COMMISSIONER BOGDANOWICZ-WILSON:  
22 Of course, that's why they park there.

23 CHAIR WALLINGER: So --.

24 MR. LUTCHMONSING: It's driveway  
25 throughout so there's always a way for them to

1 maneuver in. Another question is, a hydrant's an  
2 issue where people keep on catching it. Either  
3 their destroying the car or the hydrant.

4 So the way it's drawn out there, I  
5 already have a curb cut to the right of it. If I  
6 can use that, so they're not close to the hydrant  
7 if that's a possibility.

8 CHAIR WALLINGER: Can you point on  
9 -- on there where you're talking about?

10 MR. LUTCHMONSING: There's already  
11 a curb cut there. And where the opening's showing  
12 there, that's where that hydrant is at. Once I  
13 put the fence, I believe that hydrant won't be --.

14 CHAIR WALLINGER: So you'd get rid  
15 of some of the parking spaces and move it  
16 essentially?

17 MR. LUTCHMONSING: Possibly, yes.

18 MR. MORELLI: Or we talked about  
19 last time, which I don't think is going to happen,  
20 but maybe the city can move the hydrant for us?

21 MS. PRIMIANO: I think we could  
22 ask, but I doubt it.

23 MR. MORELLI: It looks -- it looks  
24 brand new.

25 MS. PRIMIANO: I doubt it.



1 MR. MORELLI: I know it's not, but  
2 it looks so new.

3 CHAIR WALLINGER: I think putting  
4 the bollard on both sides is your best.

5 MR. MORELLI: Yeah.

6 MS. PRIMIANO: I think you should  
7 move the curb up when you replace the sidewalk.

8 MR. LUTCHMONSING: Yeah.

9 MR. MORELLI: Yeah, we could -- we  
10 could -- we could shift

11 MR. LUTCHMONSING: Well to the  
12 right, there -- there's already a curb up there,  
13 so I'm thinking of using that existing.

14 MS. PRIMIANO: But you're going to  
15 go right into a parking, that's -- that's actually  
16 where the -- the landscaping is. And if you have  
17 a fence up, you're not going to be able to.

18 MR. LUTCHMONSING: Got you.

19 MR. MORELLI: We need the bollards  
20 to see if it will solve the problems. And bollard  
21 over there will solve that problem.

22 MS. PRIMIANO: Yeah, you're going  
23 to have to change where your curbs are and where  
24 your opening is --

25 MR. LUTCHMONSING: Okay.

1 MS. PRIMIANO: -- to make it work.  
2 Around like to -- so you have your opening to the  
3 left of the fire hydrant and that's right in line  
4 with the center of your parking lot.

5 MR. LUTCHMONSING: Okay.

6 MS. PRIMIANO: And to answer your  
7 question about the ticketing, --

8 MR. LUTCHMONSING: Yeah.

9 MS. PRIMIANO: -- if you want to  
10 contact the traffic division, --

11 MR. LUTCHMONSING: Uh-huh.

12 MS. PRIMIANO: -- you can request.

13 MR. LUTCHMONSING: Because I've  
14 been telling them for months and I'm like, yo, the  
15 city's ticketing you. At one point I'm like, yo,  
16 they're taking off the cameras just so they would  
17 move. I'm like, please move it. Because they  
18 won't listen. They'll -- you need an inspection  
19 of the derelict. You can't.

20 MS. PRIMIANO: Yeah.

21 MR. LUTCHMONSING: So I'm -- I have  
22 to tell them that they're ticketing over video.  
23 That's how I get them to move.

24 CHAIR WALLINGER: So can the city  
25 take a look at the cars that are parked on that

1 street and just start ticketing the ones that are  
2 there for five days without moving or --

3 MR. MARNEY: I think it's forty-  
4 eight hours.

5 CHAIR WALLINGER: Forty-eight  
6 hours, yeah. Because it sounds like there's some  
7 that are just there all of the time. Is that?

8 MR. LUTCHMONSING: Like those three  
9 right there.

10 MS. PRIMIANO: I think the issue is  
11 if they're licensed and registered, they're  
12 probably okay, whether do they move or not.

13 CHAIR WALLINGER: Oh, so you can  
14 just leave your car parked?

15 MR. MARNEY: No, there is a --  
16 there is a restriction. They have to -- they have  
17 to move within forty-eight hours --.

18 MS. PRIMIANO: Drive around the  
19 block.

20 MR. MARNEY: (unintelligible)

21 MR. MORELLI: (unintelligible)

22 MS. PRIMIANO: They did.

23 CHAIR WALLINGER: It's  
24 unconstitutional.

25 MR. MARNEY: Yeah, there's a

1 federal police.

2 COMMISSIONER BOGDANOWICZ-WILSON:  
3 What about your unlicensed vehicles that are on  
4 other people's property?

5 MS. PRIMIANO: The unlicensed  
6 vehicles on other people's property is really like  
7 a civil matter. So the -- the property owner  
8 adjacent, you know, they can have them towed  
9 because it's civil trespass, right?

10 MR. MARNEY: Yeah, it's a civil --  
11 civil department.

12 COMMISSIONER BOGDANOWICZ-WILSON:  
13 So the -- so the owner of that property would have  
14 to call?

15 MS. PRIMIANO: Uh-huh.

16 COMMISSIONER BOGDANOWICZ-WILSON:  
17 Is not illegal to have an unlicensed car sitting  
18 on it?

19 MS. PRIMIANO: It is, but we can't  
20 hold him.

21 COMMISSIONER BOGDANOWICZ-WILSON:  
22 And would they be ticketed though, right?

23 MR. MARNEY: The property owner  
24 would be ticketed for that.

25 COMMISSIONER BOGDANOWICZ-WILSON:

1 Well, if you do that a couple times, they'll start  
2 calling about tow trucks.

3 MS. PRIMIANO: That's true. I --  
4 they're supposed to be developing that building.  
5 I don't know.

6 MR. MORELLI: It's started.

7 MS. PRIMIANO: The apartments.

8 MR. MORELLI: I don't think it's  
9 going very far, but --.

10 MS. PRIMIANO: They started without  
11 any approvals and then --

12 MR. MARNEY: -- well that explains  
13 that.

14 MS. PRIMIANO: But they went  
15 through all approvals. They did finally get them  
16 all.

17 CHAIR WALLINGER: I don't know what  
18 they're waiting for.

19 UNIDENTIFIED SPEAKER: Well, that  
20 might help too once they're actually done.

21 UNIDENTIFIED SPEAKER: Because I'm  
22 sure they're going to use that lot.

23 UNIDENTIFIED SPEAKER: They were  
24 going pretty fast.

25 CHAIR WALLINGER: Yeah, they're

1 going to want access to it.

2 MR. LUTCHMONSING: They were going  
3 fast until they were told they had to stop.

4 MR. MORELLI: Yeah -- yeah.

5 CHAIR WALLINGER: All right. So  
6 what is -- just so we all understand, the -- the  
7 cars without license plates, are they -- I'm  
8 sorry. So cars without license plates, is there  
9 any circumstance where they're allowed or?

10 MS. PRIMIANO: They have to have  
11 the dealer plates.

12 MR. LUTCHMONSING: Park in my area  
13 they're allowed like if I am working on?

14 MS. PRIMIANO: You have to have  
15 dealer plates on them.

16 MR. LUTCHMONSING: Oh, that have to  
17 be on?

18 MS. PRIMIANO: Yeah.

19 MR. LUTCHMONSING: Okay.

20 CHAIR WALLINGER: All right. So  
21 the -- the conditions are that the site plan would  
22 be followed, that the number of cars in the lot  
23 would not exceed the number of striped spaces  
24 shown on the plan. That any cars in there would  
25 need to have license plates, which dealers plates

1 would be okay, but they need to have plates.

2 The, you know, considering some  
3 permanent bollards in the front with the, you  
4 know, coordination with the city engineer for the  
5 revocable permit, is encouraged.

6 And I mean, we could require at  
7 least signs on the side of it. I mean, could we  
8 have a couple signs on the side of the building  
9 that say like, you know, this is private property  
10 and no parking or I mean, something just to  
11 discourage?

12 MS. PRIMIANO: Uh-huh.

13 CHAIR WALLINGER: What -- what do  
14 we think would make sense?

15 MR. MORELLI: So we have --

16 MS. PRIMIANO: Two signs?

17 MR. MORELLI: -- signs in the front  
18 of the building that say no parking, and there's  
19 going to be the bollards.

20 CHAIR WALLINGER: I'm talking about  
21 on the side that sees --

22 MR. MORELLI: But on the side?

23 CHAIR WALLINGER: -- private  
24 property.

25 MR. MORELLI: I think -- I think --

1 MS. PRIMIANO: Small signs on that  
2 side of the building.

3 MR. MORELLI: -- for you to put up  
4 a sign that says --

5 MR. LUTCHMONSING: I'll put it up  
6 because the neighbor's been more than nice to me,  
7 so I don't want to see them go through any issues  
8 because of me.

9 CHAIR WALLINGER: Yeah. Maybe just  
10 a sign that says like, no parking for the garage  
11 here.

12 MR. LUTCHMONSING: Yeah.

13 CHAIR WALLINGER: And maybe you  
14 even say that, that you'll be towed even if  
15 they're not. But -- but just --

16 MR. LUTCHMONSING: Yeah.

17 CHAIR WALLINGER: Okay.

18 MR. LUTCHMONSING:  
19 (unintelligible).

20 CHAIR WALLINGER: Okay.

21 MR. LUTCHMONSING: Maybe I'll tow a  
22 few and say the city did it. And --.

23 CHAIR WALLINGER: Yeah, it's --  
24 that's not your property. That's a super easy way  
25 to say it.



1 MR. LUTCHMONSING: Yeah.

2 CHAIR WALLINGER: Or -- well, or  
3 yeah.

4 MS. PRIMIANO: So what the zoning  
5 code says and I'll give this to you in writing, so  
6 you know.

7 MR. LUTCHMONSING: Uh-huh.

8 MS. PRIMIANO: Storage of vehicles,  
9 no more than five motor vehicles, including  
10 partially dismantled or wrecked vehicles shall be  
11 stored at one time in an open area at a motor  
12 vehicle repair establishment provided that the  
13 outdoor storage of the specific motor vehicle  
14 shall not exceed thirty days.

15 MR. LUTCHMONSING: Okay.

16 MS. PRIMIANO: So no longer-term  
17 storage, --

18 MR. LUTCHMONSING: Uh-huh.

19 MS. PRIMIANO: -- up to five, no  
20 more than thirty days.

21 MR. LUTCHMONSING: Okay.

22 MS. PRIMIANO: Okay.

23 MR. LUTCHMONSING: And once I have  
24 a fence up I can go according to that?

25 MS. PRIMIANO: Yeah.

1 MR. LUTCHMONSING: Okay.

2 MS. PRIMIANO: You have to go --  
3 well, like tomorrow, you have to go according to  
4 that, really.

5 MR. LUTCHMONSING: Okay.

6 MS. PRIMIANO: You're supposed to  
7 be doing that now.

8 MR. LUTCHMONSING: Well, I try to  
9 get everything in and out as soon as possible.

10 MS. PRIMIANO: Yeah.

11 MR. LUTCHMONSING: It's going to  
12 help me after this with the no plates once those  
13 are gone.

14 MS. PRIMIANO: Right.

15 MR. LUTCHMONSING:  
16 (unintelligible). Because they kind of pick it  
17 up, you know.

18 MS. PRIMIANO: Yeah.

19 MR. LUTCHMONSING: So I'll do that.

20 CHAIR WALLINGER: So I think it  
21 would make sense to maybe try to establish some  
22 milestones for when we think the sidewalk  
23 improvements, you know, the site improvements  
24 should be made and then some and probably set a  
25 timeframe for when all of the unlicensed plates

1 should be out of the lot.

2 Just so you have a clear  
3 understanding and we have a clear understanding of  
4 what needs to be done for this all to work. So  
5 what do we think is a reasonable timeframe to get  
6 any unlicensed vehicles out of the -- the lot?

7 COMMISSIONER HITLALL: End of  
8 April?

9 CHAIR WALLINGER: By April?

10 COMMISSIONER HITLALL: Yeah.

11 CHAIR WALLINGER: Can -- is that  
12 enough time?

13 MR. LUTCHMONSING: I'll try to get  
14 it done before that.

15 CHAIR WALLINGER: Okay.

16 MR. LUTCHMONSING: Because I need  
17 the parking spots for the walk-in customers.

18 CHAIR WALLINGER: Okay. So by  
19 April, the parking lot will be functioning as it  
20 should be with the number of cars that's allowed  
21 and -- and --

22 MR. LUTCHMONSING: Okay.

23 CHAIR WALLINGER: -- and everything  
24 will have plates. The exterior work, you're not  
25 even going to be able to start until April. So

1 would an August, like August 15th?

2 MR. LUTCHMONSING: Okay. I know I  
3 was trying to do the -- the asphalt and the fence.  
4 I believe it was last August, but I couldn't get  
5 permits. So I think that's seasonal right now, if  
6 I call him up and say, all right, I'm good to go.  
7 I should be one of his first guys whenever the  
8 season starts.

9 CHAIR WALLINGER: Okay. So getting  
10 it done by August 15th of this year wouldn't be a  
11 problem?

12 MR. LUTCHMONSING: I'm hoping it's  
13 not. If there is any issues, I would get in  
14 contact and let you guys know, if there's  
15 scheduling issues or anything like that. I got a  
16 couple quotes on concrete, nothing, but it's hard  
17 to find the workers around here. I'll do my best  
18 to get that done also.

19 On the trees, is there anything in  
20 specific you guys would like me to plant or?

21 CHAIR WALLINGER: Are there power  
22 lines on that side?

23 MR. MORELLI: I don't think so.  
24 No.

25 MR. LUTCHMONSING: I don't believe

1 so.

2 CHAIR WALLINGER: You --.

3 MR. MORELLI: I did. Yeah, so  
4 we're going to do -- we're going to do some bushes  
5 in here, some evergreen bushes in here. A catalpa  
6 tree, which is a flowering tree here, here, here,  
7 and here. There's small street trees.

8 MR. LUTCHMONSING: Okay. Just --

9 CHAIR WALLINGER: Yeah. I think  
10 that'd be fine, these smaller adds to our  
11 streetscape diversity. So -- and then, all right.  
12 And then, you're doing wooden planter boxes in the  
13 front, is that?

14 MR. MORELLI: I'm sorry?

15 CHAIR WALLINGER: You're doing  
16 wooden planter boxes?

17 MR. MORELLI: Yes.

18 CHAIR WALLINGER: Okay. And those  
19 will just have annuals or something?

20 MR. MORELLI: Yes.

21 CHAIR WALLINGER: Okay. So maybe  
22 we'll put September 1st for the -- the concrete  
23 and the curb work. Just because you're not going  
24 to want it to go too late into the -- into the  
25 fall. And --.

1 MR. LUTCHMONSING: Why don't we get  
2 it done as soon as possible, have everything and  
3 move on to other problems.

4 CHAIR WALLINGER: Okay. And if you  
5 can, when do you think you'd be able to get us a  
6 revised plan that like to coordinate with the  
7 engineering department and get a revised plan that  
8 would show the bollards, the permanent bollards?

9 MR. MORELLI: End of next week.

10 CHAIR WALLINGER: Okay. So by next  
11 month would be?

12 MR. MORELLI: Yeah.

13 CHAIR WALLINGER: And it's a  
14 conditional approval. Do we want the applicant to  
15 come back in the fall and then if everything's in  
16 place and working, we could just -- they could not  
17 have to, but tentatively put it in there that they  
18 would come back to say the October Planning  
19 Commission meeting?

20 MR. MORELLI: Uh-huh.

21 CHAIR WALLINGER: Okay.

22 MR. LUTCHMONSING: If I finish  
23 earlier, could we do that earlier or we just come  
24 back whenever?

25 CHAIR WALLINGER: If you finish

1 earlier and everything's great, you won't have to  
2 come. The October dates just gives us an  
3 opportunity, if things are still outstanding, --

4 MR. LUTCHMONSING: Okay.

5 CHAIR WALLINGER: -- you come in,  
6 we figure out why and figure out where to go from  
7 there. That being said, if -- if nothing's  
8 changed --

9 MR. LUTCHMONSING: No, I'm ready.

10 CHAIR WALLINGER: -- that would be  
11 bad.

12 MR. LUTCHMONSING: I took vacation,  
13 so --.

14 CHAIR WALLINGER: No, that's fine.  
15 I just -- I just want to be very clear so you know  
16 what to --.

17 MR. LUTCHMONSING: No, I'm ready to  
18 do.

19 CHAIR WALLINGER: Yeah.

20 MR. LUTCHMONSING: I just need the  
21 permits.

22 CHAIR WALLINGER: Okay. So  
23 quickly, I don't think there is, but is there  
24 anyone from the public here who wishes to speak to  
25 this projects? Okay. Seeing none I'll close

1 public hearing.

2 MR. MORELLI: Wouldn't that be the  
3 kicker?

4 CHAIR WALLINGER: Oh. Okay. So to  
5 -- are there any other comments or questions or  
6 anything? Okay. So just to reiterate the  
7 conditions, this would be a conditional site plan  
8 approval with the conditions that, a revised site  
9 plan that includes the -- the new curb cut, and  
10 the bollards, and signs for the side of the  
11 building that's adjacent to the -- the State  
12 Street property be submitted by March 15th.

13 And that the landscaping as shown  
14 on the site plan be installed by -- do you think  
15 you'd be able to do that by the end of June by any  
16 chance? I'm just worried if you do it in July and  
17 August it's going to die.

18 MR. LUTCHMONSING: Soon as I get  
19 that fence up, I'm going to have them because one  
20 day asphalt, I guess he's going to have to cut.  
21 So the fences going to go up and then I can try to  
22 do -- I'll have him start planning -- planting as  
23 soon as it gets nice.

24 CHAIR WALLINGER: Okay. So why  
25 don't we say by July 1st for the landscaping. And



1 then, we'll say by September. And then, that the  
2 hardscape improvements will be made by September  
3 1st?

4 MR. MORELLI: Perfect.

5 CHAIR WALLINGER: And that the  
6 applicant will come back to the October Planning  
7 Commission meeting. And -- and if everything is  
8 installed, and that no -- let's see.

9 And that by April 1st, any -- that  
10 by April 1st, the parking will follow what's  
11 proposed on the site plan will not exceed that  
12 number of cars and will not include any unlicensed  
13 vehicles.

14 And so the applicant will come back  
15 in October and if all of the conditions have been  
16 met, the applicant is welcome to request a month  
17 ahead of time or ahead of time, at that meeting be  
18 that they not have to come to the meeting.

19 But that'll give you a chance to  
20 install everything and we'll be able to see that  
21 the unlicensed plates aren't there and -- and  
22 things are working the way they're supposed to.  
23 Is that everything or have I have forgotten  
24 anything?

25 MS. PRIMIANO: Just want to make

1 sure you do the whole thing.

2 CHAIR WALLINGER: Okay. Should I  
3 do this?

4 MS. PRIMIANO: Make them first.

5 CHAIR WALLINGER: Yeah. So first  
6 I'll have a motion for a negative declaration for  
7 SEQR. Made by Commissioner Engert, second by  
8 Commissioner Hitlall. All those in favor signify  
9 by saying aye?

10 ALL: Aye.

11 CHAIR WALLINGER: Anyone opposed?  
12 Anyone abstaining? Okay. And next, we need to do  
13 the specialties permit?

14 MS. PRIMIANO: Yeah.

15 CHAIR WALLINGER: Special use  
16 permit, Commissioner Beach?

17 COMMISSIONER BEACH: I would like  
18 to make a motion. Are you wondering what it is?

19 CHAIR WALLINGER: Yes, I am.

20 COMMISSIONER BEACH: I make a  
21 motion to approve the applicant -- application for  
22 a special use permit based on the following  
23 criteria and having taken into account the  
24 conditions that we have discussed.

25 We find that the proposed use shall

1 not substantially impact by the nature and  
2 character to the surrounding neighborhood. And in  
3 doing so, we have considered location, size, and  
4 the proposed use, the nature and intensity of the  
5 operations involved.

6 And then, we have addressed our  
7 concerns with respect to the impact by placing the  
8 conditions that we have discussed in our  
9 admittances as of now, and I also propose that we  
10 find that the proposed use will not have a  
11 substantial or undue adverse effect upon the  
12 adjacent property, the character of the  
13 neighborhood, traffic conditions, parking.

14 Again, this is -- may -- we've made  
15 these findings with the understanding that our  
16 conditions will be adhered to. Next, we find that  
17 the operations in connection with the proposed use  
18 will not be more objectionable to nearby  
19 properties by reason of noise, vehicle vibration  
20 or flashing lights than would otherwise be  
21 permitted.

22 And we find that the proposed  
23 building or use in this case, you shall be served  
24 adequately by essential public facilities and  
25 services. We have not found that any of those

1 services would've been increased through  
2 accommodating the use.

3 And we find that the proposed use  
4 will not result in the structural loss or damage  
5 of any natural scenic, architectural, historic  
6 features of significant accordance.

7 And finally, we find that the  
8 proposed use with the imposition of the conditions  
9 that we have discussed will be in compliance with  
10 the other provisions of zoning law, city of  
11 Schenectady.

12 MS. PRIMIANO: Yes. And the  
13 conditions are asserted.

14 CHAIR WALLINGER: All right. So I  
15 will take a second. Made by Commissioner Wilson,  
16 all those in favor, signify by saying aye?

17 ALL: Aye.

18 CHAIR WALLINGER: Aye. Anyone  
19 opposed? Anyone abstaining? Okay. And next, I  
20 will take a site plan with the conditions as just  
21 outlined before the last two votes. Made by  
22 Commissioner Beach, seconded by Commissioner  
23 Hitlall, all those in favor, signify by saying  
24 aye?

25 ALL: Aye.

1                   CHAIR WALLINGER:  Aye.  Anyone  
2  opposed?  Anyone abstaining?  Congratulations.  
3  You have the -- the first -- the first site plan  
4  for this -- this site.  I think it's great that  
5  you're -- I think the improvements you're  
6  proposing look wonderful.  I think it's great that  
7  you want to bring this business into compliance.

8                   I think this, you know, provide a  
9  valuable service and -- and I'm very excited to  
10 see the sidewalk open and clear, because I do  
11 think with this neighborhood, there's a lot of  
12 people that walk and those side streets are really  
13 important corridors to State Street.

14                  So we're going to want to see -- so  
15 as long as you're, you know, hitting those  
16 milestones that we talked about and that sticking  
17 to that path, then you should be in good shape.

18                  But if -- I know you've gotten, you  
19 know, lots of things from the city and -- and  
20 we've met several times, we're going to -- by the  
21 end of those timeframes, that's going to need to  
22 happen and what we're going to expect to see in  
23 order for the site plan to stay valid.

24                  MR. LUTCHMONSING:  Okay.  Thank  
25 you.  So all my permits should go through, I can

1 let everyone or do they still have to go to the  
2 departments?

3 CHAIR WALLINGER: Christine, do you  
4 know what?

5 MS. PRIMIANO: What was the  
6 question?

7 CHAIR WALLINGER: He's asking about  
8 his permits. I mean, which -- which permits, so?

9 MR. LUTCHMONSING: I needed the  
10 permit for the asphalt and the gate, that --  
11 that's what was getting turned down all the time.

12 CHAIR WALLINGER: Okay. So they  
13 couldn't give you a permit until you had the site  
14 plan?

15 MR. LUTCHMONSING: I believe.

16 CHAIR WALLINGER: Yeah, so now that  
17 you have conditional site plan approval, then they  
18 should be able to, as long as it meets the city's  
19 standards, they should be able to approve that.

20 MS. PRIMIANO: And you'll submit  
21 the site plan that they just approved, so --

22 MR. MORELLI: Yes.

23 MS. PRIMIANO: Yeah.

24 MR. MORELLI: Christine, can I get  
25 a copy of that letter you send out, please?

1 MS. PRIMIANO: Yes.

2 CHAIR WALLINGER: Do you have any  
3 other questions for us?

4 MR. LUTCHMONSING: The only other  
5 question, when you said you saw cars being worked  
6 on, was that on the opposite side of the street or  
7 --

8 CHAIR WALLINGER: It was --

9 MR. LUTCHMONSING: -- those cars  
10 you're showing me?

11 CHAIR WALLINGER: It was the ones,  
12 yeah, on the opposite side of the street.

13 MR. LUTCHMONSING: Yeah, those are  
14 neighbors.

15 CHAIR WALLINGER: Okay. And there  
16 was that white one that didn't have plates.

17 MR. LUTCHMONSING: That white one  
18 someone might have popped in and out, I don't  
19 know.

20 CHAIR WALLINGER: Okay.

21 MR. LUTCHMONSING: Might have been  
22 parked. I don't think I worked on that one.

23 CHAIR WALLINGER: Okay. All right.  
24 Well, thank you very much. Good luck.

25 MS. PRIMIANO: Good luck. Yeah.

1 MR. LUTCHMONSING: Thank you.

2 MR. MORELLI: Thank you guys very  
3 much.

4 CHAIR WALLINGER: I'm sorry.  
5 Andrew, can you just give me the spelling of your  
6 last name for the transcript?

7 MR. LUTCHMONSING: L-U-T-C-H-M-O-N-  
8 S-I-N-G.

9 CHAIR WALLINGER: Thank you.

10 MR. MORELLI: Thanks, guys.

11 CHAIR WALLINGER: Thank you.

12 MR. MORELLI: Short one today.

13 Have a good night.

14 CHAIR WALLINGER: You too.

15 (Off the record, 07:42 p.m. to  
16 07:42 p.m.)

17 CHAIR WALLINGER: Oh, okay. Have a  
18 motion to adjourn made by everyone. Made by  
19 Commissioner Beach and seconded by Commissioner  
20 Hitlall. Thank you very much.

21 MS. PRIMIANO: Thank you.

22 CHAIR WALLINGER: All right. I  
23 think that's it.

24 (The meeting concluded at 7:42  
25 p.m.)



1 STATE OF NEW YORK

2

3 I, DANIELLE CHRISTIAN, do hereby certify that the  
4 foregoing was reported by me, in the cause, at the  
5 time and place, as stated in the caption hereto,  
6 at Page 1 hereof; that the foregoing typewritten  
7 transcription consisting of pages 1 through 104,  
8 is a true record of all proceedings had at the  
9 hearing.

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IN WITNESS WHEREOF, I have hereunto  
subscribed my name, this the 21st day of February,  
2023.

*Danielle Christian*

DANIELLE CHRISTIAN, Reporter

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