

**City of Schenectady
Planning Commission
Meeting Minutes
May 15, 2019**

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:35 p.m.

II. ATTENDANCE

PRESENT: Mary Moore Wallinger, Chair; Ryan Bailey; Randall Beach; Kimberly Case; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner

EXCUSED: Bradley Lewis, Vice Chair; Richard Ferro; Andrew Healey; Andrew Koldin, Assistant Corporation Counsel

III. CONFLICT OF INTEREST CHECK

None.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Wilson, seconded by Commissioner Beach, to accept the Minutes of the April 17, 2019 meeting as submitted.

Motion carried unanimously.

V. NEW BUSINESS – CONSENT AGENDA

A. JOHN DE AUGUSTINE requests site plan approval pursuant to Section 264-90 M of a proposal to rent 40,000 sq. ft. of the existing office and warehouse space at 2345 Maxon Road, tax parcel # 30.83-1-2.111, located in an “M-1” Light Manufacturing and Warehousing District.

John De Augustine appeared before the Commission.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

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

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

3. Any future proposed changes to signage require approval of planning staff and the securing of all necessary permits prior to the installation of the sign(s).
4. All interior renovations require the issuance of building permits prior to beginning any work.

Motion carried unanimously.

B. ARMONDO CIOCCKE requests site plan approval pursuant to Section 264-90 M of a proposal to operate a restaurant at 416-426 State Street, tax parcel # 39.80-2-3.1, located in the “C-4” Downtown Commercial District.

Armondo Cioccke appeared before the Commission.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from State Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The proposed blade sign is approved as submitted but does require a revocable permit issued by the City Council prior to the issuance of a building permit.
4. The following are requirements of the Code Enforcement Department:
 - 1) Building permits are required for all plumbing, electrical, mechanical, and building changes to be completed.
 - 2) Fire safety inspections must be performed by a third-party vendor on all sprinkler systems, smoke alarms, and kitchen hoods. The inspection results must be uploaded to thecomplianceengine.com.
 - 3) The occupancy load of the business will be calculated by the Building Department.
 - 4) Licenses are required for a Certificate of Use and Public Assembly. These applications may be obtained in Room 22 between 8 a.m. and 4 p.m. Monday through Friday. Allow for 30 days for the Law Department to review the applications.

Motion carried unanimously.

C. RAYMOND DAVIS requests site plan approval pursuant to Section 264-90 M of a proposal to operate a smoothie and juice shop at 2545 Broadway, tax parcel # 48.66-2-11, located in a “C-2” Mixed Use Commercial District.

Raymond Davis appeared before the Commission.

Commissioner Wallinger asked Mr. Davis if the electrical box hanging over the door had been removed. Mr. Davis stated that it had been put back inside the soffit area and will be used to power an exterior light over the front door. Commissioner Wallinger asked if the black panel will remain over the door. Mr. Davis replied that he plans to put his sign in that space.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from Broadway.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The proposed sign is approved as submitted. Any future signage must be submitted to the City Planner for approval prior to purchase and fabrication of the sign.
4. The chipped paint on the front of the building will be repainted prior to the opening of the business.
5. The following are requirements of the Code Enforcement Department:
 - 1) Building permits are required for all plumbing, electrical, mechanical, and building changes to be completed.
 - 2) Fire safety inspections must be performed by a third-party vendor on all sprinkler systems, smoke alarms, and kitchen hoods. The inspection results must be uploaded to thecomplianceengine.com.
 - 3) The occupancy load of the business will be calculated by the Building Department.
 - 4) Licenses are required for a Certificate of Use and Public Assembly. These applications may be obtained in Room 22 between 8 a.m. and 4 p.m. Monday through Friday. Allow for 30 days for the Law Department to review the applications.

Motion carried unanimously.

VI. OLD BUSINESS

- A. VALE CEMETERY ASSOCIATION requests site plan approval pursuant to Section 264-90 I of a proposal to construct a 961 sq. ft. addition and 574 sq. ft. garage at the existing crematory building at 909 State Street, tax parcel # 49.34-1-24.1, located in an “OS” Open Space District.**

Mike Roth of SRG Architects presented the proposal.

Mr. Roth reviewed the site plan and elevation drawings and pointed out the revisions that had been made since his presentation at the April 2019 Commission meeting. He noted that the new drawings show the windows discussed at the last meeting, although final exterior colors have not yet been determined. Mr. Roth explained that the design team met with Chris Wallin, the City Engineer, at the site and discussed the Storm Water Management Plan. He stated that they will continue to work with the City as the plan moves forward. Mr. Roth also noted that at this time they believe that the building will not encroach upon City property, but they will not be sure until a survey is conducted.

The Commissioners discussed the application and determined that staff approval would be acceptable for the final details, including the exterior colors, which Mr. Roth stated will be gray tones chosen to blend well with the natural surroundings.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

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

1. The applicant will submit the final color scheme to the City Planner for final approval and for the record.
2. The site plan will be adjusted as required by the City Engineer prior to the issuance of building permits.
3. As required by the City Engineer, an onsite meeting will be held to address the Stormwater Management Plan and a contractor’s work permit will be obtained prior to the installation of the storm water infrastructure.
4. A license agreement is required to construct the addition if it encroaches on City-owned property. The agreement must be obtained prior to the issuance of building permits.

Motion carried unanimously.

VII. NEW BUSINESS - CONTINUED

A. CHRISTOPHER MADDALONE requests site plan approval pursuant to Section 264 B and F of a proposal to construct 4 apartment buildings, a total of 88 units, and eight (8) single family homes at 2515 Van Vranken Avenue, tax parcel #'s 30.76-3-1 through -46, located in a "PRD" Planned Residential Development District.

Andy Brick, attorney for Mr. Maddalone, and David Kimmer of ABD Engineers and Surveyors presented the proposal. Seth Meltzer, Mr. Maddalone's partner in the development, was also present at the meeting. Mr. Brick stated that Mr. Maddalone had a conflict and was unable to attend the meeting.

Mr. Brick explained that this project had been approved by the Planning Commission previously in 2017, but in the time that it took to secure the project financing the site plan approval had expired. Mr. Brick pointed out that there have been some revisions made to the plans, including upgrades to the buildings facades and reducing the building footprints. He explained that there will be three apartment building of 24 units each and one building with 16 units and a community center. Mr. Brick stated that the two streets and the stormwater system on the site will remain private. He also noted that as previously promised the applicant will work with the current homeowners to secure their deeds to the land surrounding their homes.

Mr. Kimmer briefly reviewed the site plan drawings. Commissioner Wallinger stated that the previously agreed upon landscaping should be shown on the new plan. Commissioner Case suggested the addition of some street trees to the site. Mr. Brick stated that he feels that street trees are not always desirable because they grow to large and become a future problem. Commissioner Wallinger stated that the Commission requires that street trees be added whenever possible, as they serve to slow traffic, protect pedestrians, and provide cleaner air and shade.

PUBLIC COMMENTS

Commissioner Wallinger read a letter from Erica Means of 2505 Van Vranken Avenue into the record. Ms. Means conveyed her opposition to the proposal, stating that the increased traffic and density will have a negative impact on the area.

Joe Aragosa of 443 Anthony Street stated that he had questions regarding the storm water management and parking for the residents, but otherwise he is in support of the project. *Mr. Kimmer stated that the required 1.5*

parking spaces per unit are provided on the site, and that as far as he is aware the storm water management system installed by the original developer is adequate, but they will be reviewing it. Commissioner Wallinger suggested that they consult with the City Engineer regarding the system.

Martin Manley of 216 Front Street stated that he would like more information regarding the environmental details of the development and what conservation efforts will be made. *Mr. Brick stated that he believes that his client is making every effort to build energy-efficient buildings.* David Schoch of 200 St. James Drive stated that he is concerned about obtaining the deed to his property, as was promised earlier by the developer. He also expressed concerns about the traffic entering and exiting at Van Vranken, as this is a very busy stretch of road, and requested that a landscape buffer be provided between the existing homes and the apartment building. *Mr. Meltzer stated that he and Mr. Maddalone intend to honor their earlier promise to provide deeds for the existing homeowners.*

Gary Denise of 534 North End Drive expressed concerns about the increased traffic and density in the development, stating that the area was initially approved for townhomes and single-family homes, not large apartment buildings. *Mr. Brick explained that the apartment buildings are an allowed use because his client had previously obtained a Use Variance from the Board of Zoning Appeals, and that variance does not expire.*

Ray Gillen, Chair of Metroplex Development Authority, spoke in favor of the project. He stated that Mr. Maddalone is making a large investment in the area and will work with the existing homeowners to secure their rights to their land.

Kristin Mahreu of 203 Sara Court spoke in opposition to the project, stating that it will decrease the existing homeowners' property values and bring transient people to the area. She added that entering and exiting on Van Vranken Avenue is already a problem. She asked Mr. Brick who the target market will be for the apartments. *Mr. Brick stated that they are targeting the local work force, but he does not have a specific rent estimate yet. He added that the developers are seeking DHCR funding.*

Seeing no further members of the public who wished to speak Commissioner Wallinger closed the public hearing portion of the meeting. In light of the neighbors' comments Commissioner Wallinger suggested that the applicants consider the traffic on the site and perhaps give thought to an alternative circulation flow. City Planner Primiano suggested that they speak to City staff about a possible turn lane off Van Vranken. She also noted that the sewers should be inspected, as there very likely could be a problem with the way they were installed by the previous developer on the site. Commissioner Wilson stated that he would like to see every effort taken to preserve any mature trees on the

site. The Commissioners agreed. Ms. Primiano stated that the applicants should speak to the existing homeowners in the development to see what type of buffer such as a fence, trees, or both, they would prefer.

SEQR RESOLUTION

Motion by Commissioner Beach, seconded by Commissioner Bailey, to declare the Schenectady City Planning Commission Lead Agency for SEQR review.

Motion carried unanimously.

B. CROSSTOWN PLAZA SC requests site plan approval pursuant to Section 264-90 I of a proposal to construct a 5,300 sq. ft. Urgent Care Facility at 2330 Watt Street, tax parcel # 59.36-1-19.2, located in a “C-5” Business District.

Chris Boyea of Bohler Engineering, Kevin Correia, in-house architect for Convenient MD, and Dave Sanderson, Site Selection Manager for Convenient Md, presented the proposal.

Mr. Sanderson began the presentation by explaining the concept of Convenient MD as a full-service urgent care provider. He stated that while most urgent care facilities can handle 20-25% of emergency room issues, Convenient MD is able to service 70-75% of the issues presented at emergency rooms. He also noted that they place a heavy emphasis on community involvement, offering discounted sports physicals for students and free services to children referred by a school nurse.

Mr. Boyea reviewed the site plan and Mr. Correia briefly reviewed the elevations drawings. The Commissioners and applicants discussed the siting of the building and how each side would be best presented to passing traffic and potential clients. It was also suggested that the sidewalk continue along the Watt Street side of the building for easier pedestrian travel. The Commissioners suggested that the applicants might consider applying for a variance for additional signage, since the building will be visible from all four sides.

Commissioner Wallinger suggested that the applicants consider colors that more closely tie in with the scheme of the newly renovated plaza. Mr. Correia stated that the proposed color scheme is part of the company’s branding.

Mr. Boyea stated that they would consider the Commissioners’ comments and suggestions before returning for site plan review.

PUBLIC COMMENTS

Ray Gillen, Chair of Metroplex Development Authority, spoke in favor of the proposal. He stated that the plaza owner, Steven Metrick, had invested millions of dollars in upgrading the site and that this tenant would be a great fit for the area.

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

MOTION TO TABLE

Motion by Commissioner Wilson, seconded by Commissioner Bailey, to table the application pending the submittal of further application materials.

Motion carried unanimously.

C. DOUGLAS DAVIS requests site plan approval pursuant to Section 264-90 M of a proposal to operate a restaurant at 607 Union Street, tax parcel # 39.65-2-21.11, located in the “C-4” Downtown Commercial District.

Douglas Davis and Frank Gilmore of SRG Architects presented the proposal.

Mr. Davis explained that he is buying the existing Manhattan Exchange bar and restaurant and plans to add an addition which will allow him to reconfigure the interior of the space and add a second-floor deck. Mr. Gilmore reviewed the site plan and elevation drawings. The Commissioners and Mr. Davis discussed the issue of who owns the driveway property that Mr. Davis plans to build on. Mr. Davis produced a letter from Jayme LaHut, Director of Metroplex, which owns the parking lot adjacent to the building on that side, stating that as far as his records show the driveway in question belongs to the restaurant property.

City Planner Primiano noted that the applicant had received the necessary approvals of the building design from the Historic District Commission. She explained that the HDC would also review and approve any new signage when it is proposed.

PUBLIC COMMENTS

Ray Gillen, Chair of Metroplex Development Authority, spoke in favor of the proposal, stating that this is an important site in the downtown area, and it is fortunate that it will continue as a restaurant after the current owners retire. He added that Metroplex will work with Mr. Davis to ascertain exactly where the property line is and install a landscape buffer between the parking lot and the new addition.

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

SITE PLAN APPROVAL

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

1. The address will remain prominently displayed so that it is easily visible from Union Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The applicant will submit a final landscaping plan to the City Planner for approval prior to any of the landscaping being installed.
4. The following are requirements of the Code Enforcement Department:
 - 1) Building permits are required for all plumbing, electrical, mechanical, and building changes to be completed.
 - 2) Fire safety inspections must be performed by a third-party vendor on all sprinkler systems, smoke alarms, and kitchen hoods. The inspection results must be uploaded to thecomplianceengine.com.
 - 3) The occupancy load of the business will be calculated by the Building Department.
 - 4) Licenses are required for a Certificate of Use and Public Assembly. These applications may be obtained in Room 22 between 8 a.m. and 4 p.m. Monday through Friday. Allow for 30 days for the Law Department to review the applications.

Motion carried unanimously.

D. WEI CHEN requests site plan approval pursuant to Section 264-90 M of a proposal to operate a restaurant at 1729 Union Street, tax parcel # 50.39-1-5, located in a “C-2” Mixed Use Commercial District.

Wei Chen presented the proposal.

Mr. Chen explained that he plans to move his restaurant, Mr. Wasabi, which is currently located a few blocks away on Union Street, to this location. He stated that he plans to use half of the building for the restaurant and rent the other half to a retail tenant.

The Commissioners reviewed the site plan and elevations drawings. City Planner Primiano noted that the applicant should submit the details of the outdoor seating area to her for approval once he has the details finalized. The Commissioners indicated that they would also be comfortable allowing Ms. Primiano to review the lighting, awning, and landscaping details as well.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from Union Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. Details of exterior lighting, awnings, exterior colors, the outdoor seating area, and landscaping plans will be submitted to the City Planner for approval prior to the installation of any of these items and prior to the opening of the business.
4. The following are requirements of the Code Enforcement Department:
 - 1) Building permits are required for all plumbing, electrical, mechanical, and building changes to be completed.
 - 2) Fire safety inspections must be performed by a third-party vendor on all sprinkler systems, smoke alarms, and kitchen hoods. The inspection results must be uploaded to thecomplianceengine.com.
 - 3) The occupancy load of the business will be calculated by the Building Department.
 - 4) Licenses are required for a Certificate of Use and Public Assembly. These applications may be obtained in Room 22 between 8 a.m. and 4 p.m. Monday through Friday. Allow for 30 days for the Law Department to review the applications.

Motion carried unanimously.

- E. ANNA ATANASOVA requests site plan approval pursuant to Section 264-90 M of a proposal to operate a laundromat at 224 Front Street, tax parcel # 39.56-3-2.2, located in the “C-3” Waterfront Mixed Use District.**

Anna Atanasova presented the proposal.

Ms. Atanasova explained that she would like to re-open this former laundromat, as she believes there is a great demand for one in the area. She stated that she plans to renovate the entire interior and install new machines. She noted that there will be an attendant present at the business whenever it is open, and that her proposed hours are 9 a.m. to 7 p.m. to start, with longer hours if the demand is sufficient.

PUBLIC COMMENTS

Carmella Ruscitto, President of the East Front Street Neighborhood Association, stated that in the past there have been lots of problems at the site and the Association would only support the proposal if there will be security cameras installed and a full-time attendant present.

Martin Manley of 216 Front Street stated that while the area does need a laundry facility, he believes that this business is too close to residential properties and there have been many problems with drugs and crime there in the past.

Chris Morris, President of the Schenectady Landlords Association and resident of Front Street, spoke in favor of the business, stating that there is a great need for it in the community and as long as there is an attendant present it should be an asset to the neighborhood.

Gerald Plante, resident of 227 Front Street and co-owner of a B&B there spoke in opposition to the proposal, stating that there have been many problems with the property in the past, and disputing the applicant's claim that she has cleaned up the property. He passed out photos showing the property condition and blight in other areas of the neighborhood and expressed his frustration with the City's lack of attention to these issues. Mr. Plante stated that while he believes the neighborhood needs a laundromat, he thinks that there are alternative locations which would not be right in the middle of residences.

Stam Christy, resident of 227 Fronts Street and co-owner of the B&B there, also spoke in opposition to the proposal, citing past problems with drugs, crime, and loitering at the site. He stated that if the laundromat is allowed to be at this location there must be a full time attendant and security camera on the site.

Seeing no further members of the public who wished to speak Commissioner Wallinger closed the public hearing portion of the meeting. She urged Ms. Atanasova to seriously consider the neighbors' concerns and stated that there should always be an attendant on duty. She explained to the neighbors that this is an allowed use for the site so the Commission cannot keep the business from opening there, but rather can control site plan issues such as hours of operation, keeping the site tidy and free of loiterers, etc. She asked Ms. Atanasova if she had any objection to installing security cameras. Ms. Atanasova replied that she does not. Commissioner Wallinger stated that the site must also be kept

free of litter and debris, and a trash can should be provided if Ms. Atanasova deems it necessary.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from Front Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The proposed sign is approved as submitted. Any future signage must be submitted to the City Planner for approval prior to the purchase and fabrication of the sign.
4. Asphalt in front of the building will be removed and green space will be added in its place. The applicant will provide detailed information to Planning staff prior to installation of the landscaping. The landscaping will be installed by July 1, 2019.
5. Lighting will be installed at each entrance. The lighting will be residential in size so that it does not negatively impact the surrounding residences.
6. The sidewalk is in disrepair and needs replacement. The sidewalk will be replaced according to City standards by September 1, 2019.
7. Security cameras will be installed to monitor the exterior of the building.
8. The exterior of the site will be cleaned of litter and debris at least once daily. If necessary, the applicant will place a trash can outside the building for patrons' use.

Motion carried unanimously.

VIII. MISCELLANEOUS

Commissioner Wilson noted that some of the newly planted trees along Erie Boulevard appear to be dead. Commissioner Wallinger stated that the property on the corner of Duane and Brandywine Avenues is once again littered with debris and various vehicles. Staff will follow up.

IX. MOTION TO ADJOURN

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

Motion carried unanimously.

Meeting was adjourned at 9:35 p.m.