

City of Schenectady
Planning Commission
Meeting Minutes
September 18, 2019

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:37 p.m.

II. ATTENDANCE

PRESENT: Mary Moore Wallinger, Chair; Bradley Lewis, Vice Chair; Ryan Bailey; Randall Beach; Kimberly Case; Richard Ferro; Andrew Healey; Christine Primiano, Principal Planner; Andrew Koldin, Assistant Corporation Counsel

EXCUSED: Jason Bogdanowicz-Wilson

III. CONFLICT OF INTEREST CHECK

Commissioner Beach recused himself from the consideration of New Business Item A, the application submitted by 501 State Street Associates, LLC.

Commissioners Ferro and Healey recused themselves from the consideration of New Business Item C, the application submitted by James Pardi.

Commissioner Ferro recused himself from the consideration of New Business Item D, the application submitted by Damon Campana and Amanda Ottati.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Case, seconded by Commissioner Bailey, to accept the Minutes of the August 21, 2019 meeting as submitted.

Motion carried unanimously.

V. OLD BUSINESS

A. TEEKAH LACHMAN requests a one-year extension of the site plan approval pursuant to Section 264-93 of a proposal to redevelop 1151 Hilderbrandt Avenue into a 9-unit apartment building, tax parcel #49.34-2-18, located in an “R-2” Two Family Residential District.

Teekah Lachman appeared before the Commission.

Assistant Corporation Counsel Andrew Koldin explained that the site is currently owned by the City and Mr. Lachman has been under contract to purchase it, but the City has been having difficulty clearing the title for the property so that the sale can go through. He stated that there is a

party with an interest in the property that has not signed a release, so the City is being forced to foreclose a second time, thus causing the sale to Mr. Lachman to be delayed by up to six months. He noted that the Corporation Counsel is in favor of granting the extension.

Commissioner Ferro asked Counselor Koldin if it is certain that the sale will be able to go through after the second foreclosure. Mr. Koldin responded that the sale will definitely go through, but the additional foreclosure process will take some time to complete.

PUBLIC COMMENTS

None.

SITE PLAN EXTENSION

Motion by Commissioner Beach, seconded by Commissioner Healey, to accept the proposal to grant a one-year extension of the previous site plan approval.

Motion carried unanimously.

B. SALMA MUSA requests site plan approval pursuant to Section 264-90 M of a proposal to operate a grocery store at 1100 Albany Street, tax parcel #49.50-5-1.11, located in a “C-2” Mixed Use Commercial District.

Salma Musa appeared before the Commission.

Commissioner Wallinger asked Mr. Musa if the outstanding non-compliance issues on the site had been addressed since they were discussed during Mr. Musa’s initial appearance at the August Commission meeting. Mr. Musa stated that they had been and showed Commissioner Wallinger and City Planner Primiano some photos on his phone. Ms. Primiano stated that when the site was visited by City staff on September 10th there were still many outstanding problems on the property. Mr. Musa responded that there has been a handyman working on the site almost daily. He stated that the handyman is employed by the building owner.

Ms. Primiano noted that the required street trees have still not been planted. Mr. Musa stated that there is no room on the property for trees. Commissioner Wallinger pointed out that the trees should be planted in the utility strip between the sidewalk and the curb. She explained that the Commission would not consider Mr. Musa’s application until the outstanding conditions of the previous site plan approval are met. She suggested that Mr. Musa complete the work and then contact Ms. Primiano to have her approve it before he returns to the Commission.

Ms. Primiano stated that she would be willing to meet Mr. Musa at the site so that they can discuss what needs to be done. Mr. Musa agreed.

PUBLIC COMMENTS

None.

MOTION TO TABLE

Motion by Commissioner Healey, seconded by Commissioner Case, to table the proposal pending the site being brought into compliance with the conditions of the previous site plan approval.

Motion carried unanimously.

- C. CHRISTOPHER MADDALONE requests site plan approval pursuant to Section 264-90 B and F of a proposal to construct four (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.**

Christopher Maddalone, his attorney Andrew Brick, and David Kimmer of ABD Engineers and Surveyors presented the proposal.

Mr. Brick briefly reviewed the changes that had been made to the site plan since the last meeting with the Commission. He noted that at the Commission's suggestion internal sidewalks and street trees have been added to North End Drive, and the building elevations have been revised to add some interest to the facades. Commissioner Wallinger asked if they know what the specific exterior materials will be. Mr. Kimmer stated that they plan to use a cultured stone veneer with vinyl siding, shakes, and shutters. Mr. Brick pointed out windowed gables and a greater variety of materials had been added to the building designs at the Commission's request. He also noted that ABD Engineers had inspected the storm water drainage and concluded that the system is operating satisfactorily, but they will continue to monitor it during the course of construction. He stated that they have no objection to the other conditions set for by the Engineering Department.

Mr. Brick stated that there continues to be discussion with the City as to whether North End Drive is a public street or is owned by the City. He explained that the City contends that it is private, but he believes that because Sara Court and St. Jean Place, which go off of North End, are public, it seems unlikely that North End is private.

Commissioner Wallinger asked Mr. Maddalone what the timeline is for the project. Mr. Maddalone stated that they would like to begin site work

this fall with construction starting in the spring. Mr. Brick noted that Mr. Maddalone still plans to donate land to the existing homeowners so that they will own their lots. Commissioner Ferro asked if the road connecting the end of the two dead ends will be gravel. Mr. Brick responded that it will be, noting that it is for emergency vehicle use only.

PUBLIC COMMENTS

Commissioner Wallinger read a letter from David Schoch, resident of 200 St. Jean Place, into the record. Mr. Schoch stated concerns about traffic, maintenance of the site, and deed issues.

Kristen Mahieu, resident of 203 Sara Court, spoke of outstanding concerns regarding traffic and a lack of communication and maintenance of the site by the developer.

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

Commissioner Wallinger gave the applicants an opportunity to address the concerns raised by the residents. Mr. Kimmer stated that he had been present at the site at peak traffic times and did not observe any problems. He also noted that the storm water management plan seems to be functioning adequately, although he commented that he has not observed it during a period of very heavy rain.

Mr. Brick noted that he had advised his client not to grant the deeds to the existing homeowners until he is granted site plan approval by the Planning Commission and knows that the project will be able to move forward. Ms. Primiano agreed that this is the proper procedure. He also stated that his client had not been maintaining North End Drive because there is still the outstanding dispute over whether it is public or private. He added that they would be willing to cut back some of the vegetation but did not want to be overstepping their bounds with the City. Ms. Primiano and Assistant Corporation Counsel Koldin both stated that they do not believe that the City will object to Mr. Maddalone cleaning up the street.

SITE PLAN APPROVAL

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

1. The applicant will submit a final revised site plan showing the proposed property lines, landscaping, lighting, and signage to the City Planner for final approval.
2. Updated elevation drawings with all building elements properly labeled will be submitted to the City Planner for final approval.
3. During the course of construction if any changes become necessary to the approved site plan and elevations the applicant

will return to the City Planner, and the Planning Commission if the changes are deemed significant, for further review and approval prior to proceeding with construction.

4. The overgrown vegetation on the site will be addressed by September 30, 2019.
5. The lot lines for the current homeowners will be resolved and their deeds will be filed prior to the issuance of any building permits for construction on the site.

Motion carried unanimously.

VI. NEW BUSINESS

A. 501 STATE STREET ASSOCIATES, LLC requests site plan approval pursuant to Section 264-90 B of a proposal to demolish the building and create a parking lot at 501 State Street, tax parcel # 39.72-4-14 located in a “C-4” Downtown Commercial District.

Damien Pinto-Martin, Vice President of Development for Redburn Development, presented the proposal.

Mr. Pinto-Martin explained that his company would like to demolish the building and put a temporary parking lot in its place until they begin work on construction of another building on the site, which they anticipate breaking ground for in the spring of next year. He briefly reviewed some of Redburn’s other development projects in the downtown area and stated that as a company it is their practice to move quickly and they have every intention of developing the lot as soon as possible. Mr. Pinto-Martin assured the Commissioners that they have no intention of not developing the site, which is why they are not cutting utilities to it when demolishing the current building.

Commissioner Wallinger asked how long they anticipate the asbestos abatement will take to complete prior to razing the building. Mr. Pinto-Martin stated that they estimate three to four weeks. Commissioner Case stated that while she understands that the parking lot is only intended to be temporary, she is concerned about the maintenance of the street wall on this prominent corner in the downtown corridor. She suggested using a combination of fencing and landscaping, with perhaps a sign showing what will be coming to the lot. Mr. Pinto-Martin stated that while a majority of their budget is committed to the \$90,000 to \$95,000 for demolition and the approximately \$135,000 needed for asbestos abatement, he is sure that they can budget for some elements that will help to soften the look of the parking lot and make it as attractive as possible.

PUBLIC COMMENTS

Ray Gillen, Chairman of Metroplex Development Authority, spoke in favor of the proposal. He stated that Redburn Development has built an excellent reputation both in Schenectady and beyond, and he is certain that the building that they will eventually build on the site will be a great addition to the downtown area. He assured the Commissioners that Metroplex has no desire to have a long-term parking lot on this site.

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

Commissioner Wallinger stated that she would have no objection to granting site plan approval for a temporary parking lot on the site, as long as the applicants understand that the site may not remain a parking lot for more than one year. She added that the Commissioners could grant site plan approval with the condition that the applicants return to the October meeting with the details and final design of the temporary parking lot. The Commissioners agreed.

SEQR RESOLUTION

Motion by Commissioner Lewis, seconded by Commissioner Ferro, to adopt the Negative Declaration.

Motion carried unanimously, with Commissioner Beach recusing himself from the vote.

SITE PLAN APPROVAL

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

1. The applicants will return to the Commission at the October 2019 meeting for consideration of a final site plan for the parking lot which will show striping, buffers, landscaping, and any fencing or signage.
2. The site plan approval is for a temporary parking lot only. The site plan approval for the use of the site as a parking lot will expire in one year from this decision.

Motion carried unanimously, with Commissioner Beach recusing himself from the vote.

- B. THOMAS & ALEXANDRA BLAND request revised site plan approval pursuant to Section 264-90 F of a proposal to redevelop the building to create a retail design studio, woodworking shop, and three (3) residential units at 10 North Center Street, tax parcel # 39.64-2-30, located in a “C-4” Downtown Commercial District.**

Thomas and Alexandra Bland presented the proposal.

Mr. Bland explained that he has been running his woodworking shop from his home, and later the Electric City Barn, since he came to Schenectady eight years ago. He stated that he and his wife had recently sold their home in the City and had purchased this building, where they plan to live on the second floor and have a retail outlet and workspace on the ground floor. Mr. Bland briefly reviewed the site plan and explained that they have been in informal talks with the neighboring church about shared parking. He added that if they are not able to share the parking, they will at least try to get an easement from the church that will allow them to access the back of the building, where they have room for the storage of four cars inside.

The applicants and Commissioners briefly discussed the addition of a mural to the side of the building. City Planner Primiano noted that should they decide to install a mural they will need to return to the Commission for approval of a Special Use Permit.

PUBLIC COMMENTS

Ray Gillen, Chairman of Metroplex Development Authority, spoke in favor of the proposal. He stated that the business will be an excellent addition to the community and a great use for this building.

Jamie Doriguzzi, Program Director for Schenectady Home Furnishings, the current owners of the building, spoke in favor of the proposal.

Rebecca Paavola, Director of Training and Education for Schenectady Enterprise and Training Center (SEAT) spoke in favor of the proposal.

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

SEQR RESOLUTION

Motion by Commissioner Healey, seconded by Commissioner Case, to adopt the Negative Declaration.

Motion carried unanimously.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from North Center Street.
2. Metal roll gates and iron bars will not be installed on any doors or windows at any time in the future.
3. The sidewalk will be replaced to City standards by June 30, 2020.
4. All garbage will be stored out of public view.

5. Large planters with plantings that are maintained year-round will be installed in front of the building. The applicants will submit a final landscaping plan to the City Planner for review and approval prior to the opening of the business.
6. As discussed at the meeting, should the applicants choose to have a mural painted on the side of the building they must obtain a Special Use Permit before installing the mural.

Motion carried unanimously.

C. JAMES PARDI requests site plan approval pursuant to Section 264-90 M of a proposal to operate a tattoo shop at 206 Lafayette Street, tax parcel # 39.80-2-29, located in a “C-4” Downtown Commercial District.

James Pardi presented the proposal.

Mr. Pardi explained that he has been operating his tattoo shop at the Wedgeway building on State Street for eight years and plans to relocate his shop to this building that he recently purchased. He stated that he has not yet decided whether he would like to have a projecting sign or awnings and signage in the window. City Planner Primiano stated that if he chooses not to use the projecting sign the bracket must be removed. The Commissioners agreed that Ms. Primiano would approve the sign once Mr. Pardi finalizes his design plan.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

Motion by Commissioner Bailey, 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 Lafayette Street.
2. Metal roll gates and iron bars will not be installed on any doors or windows at any time in the future.
3. The applicant will submit detailed information about any proposed signs to the City Planner for final approval prior to purchase and fabrication of the sign.
4. A revocable permit is required for a projecting sign. If the sign is not going to project from the front of the building, the sign pole will be removed in its entirety prior to the opening of the business.
5. Window boxes and/or potted plants will be added to the front façade prior to the opening of the business and maintained throughout the year.

6. All overgrown weeds will be removed prior to the opening of the business and maintained throughout the year.
7. All garbage will be stored out of public view.

Motion carried unanimously, with Commissioners Ferro and Healey recusing themselves from the vote.

D. DAMON CAMPANA requests site plan approval pursuant to Section 264-90 M of a proposal to operate a barber shop at 103 State Street and AMANDA OTTATI requests site plan approval to operate a retail art gallery at 107 State Street, tax parcel # 39.71-2-2, located in a “C-4” Downtown Commercial District.

Damon Campana, Amanda Ottati, and Patrick Haggerty, the building owner, presented the proposal.

Mr. Campana explained that he has been a barber in the area for many years and would like to open an upscale barber shop at the site. Ms. Ottati stated that she and her husband, who is originally from the area, currently run a retail store and art gallery in Miami Florida and are planning to relocate their family and business to Schenectady. Mr. Haggerty stated that he is working with Metroplex on a new façade design for the building, which he anticipates will be finalized within six months. The Commissioners agreed that they would grant conditional site plan approval with the understanding that Mr. Haggerty would return to the Commission within six months with final plans for the façade.

PUBLIC COMMENTS

Ray Gillen, Chairman of Metroplex Development Authority, spoke in favor of the proposal. He stated that retail development of this kind is a major goal of Metroplex, and he believes that these businesses will be an excellent use for this building.

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

SITE PLAN APPROVAL

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

1. The addresses will be prominently displayed so that they are easily visible from State Street.
2. Metal roll gates and iron bars are not permitted on any doors or windows at any time in the future.
3. The applicants will submit detailed information about any proposed signs to the City Planner for final approval prior to purchase and fabrication of the sign.

4. Window boxes and/or potted plants will be added to the front façade prior to the opening of the business and will be maintained throughout the year.
5. All garbage will be stored out of public view.
6. The entrance to 107 State Street will be repaired to the satisfaction of Code Enforcement.
7. Prior to April 1, 2020 and before beginning the new façade construction, the building owner must submit plans for the façade renovation to the Planning Commission for review and approval.

Motion carried unanimously, with Commissioner Ferro recusing himself from the vote.

VII. MISCELLANEOUS

Corporation Counsel Koldin briefly reviewed his memo regarding the application for an Inn at 1013 Nott Street that was considered by the Commission at the August 2019 meeting. He stated that it is the City's position that the intent of the Code is that inns are not an allowed use in residential districts.

The Commissioners and staff briefly discussed electronic message board signs and how to deal both with owners of the signs that are not in compliance and new applications for the signs. Staff will follow up with further information about how other upstate cities deal with electronic message boards.

VIII. MOTION TO ADJOURN

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

Motion carried unanimously.

Meeting was adjourned at 8:52 p.m.