

**City of Schenectady
Planning Commission
Meeting Minutes
September 22, 2021**

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:10 p.m.

II. ATTENDANCE

PRESENT: Mary Moore Wallinger, Chair; Bradley Lewis, Vice Chair; Randall Beach; Richard Ferro; Nick Petrillo; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner

EXCUSED: Andrew Healey; Andrew Koldin, Corporation Counsel

III. CONFLICT OF INTEREST CHECK

None.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Ferro, seconded by Commissioner Wilson, to approve the Minutes of the August 18, 2021 meeting as submitted.

Motion carried unanimously, with Commissioner Petrillo absent from the vote.

V. NEW BUSINESS

A. DANNY ALASHA requests site plan approval pursuant to Section 264-90 M of a proposal to operate a hotel, the Days Inn, at 157 Nott Terrace, tax parcel #39.81-2-7, located in a “C-4” Downtown Commercial District.

Danny Alasha, the applicant, who is also the tenant, presented the proposal. Mr. Alasha stated that the hotel will operate similarly to the current operation.

Commissioner Wallinger read the staff comments to the applicant; the current sign is a pole sign and too large, therefore is not to code. The Police Department noted that there is a high call volume for the past few years at the property. The Building Inspector noted that a Certificate of Use is required if they are providing any food.

The property owner and current operator, Patel Navin, stated that there is only coffee service, no food service currently due to COVID.

Mr. Alasha then stated that he has experience in health, safety, and restaurant management and plans to be an involved operator, addressing incidents at the property immediately.

Christine Primiano stated that she will connect the applicant with members from the Schenectady Police Department so that they can discuss strategies to improve the number of incidents on site. The City Planner also stated that the landscaping has not been maintained, and that a new sign will require a permit, review, and compliance with the sign code.

The applicant stated that he did not plan on any major exterior improvements soon.

Commissioner Wallinger read the staff recommended conditions for site plan approval.

Mr. Alasha acknowledged understanding the proposed conditions and said it was no problem to comply with the conditions.

The City Planner stated that any future exterior improvements need to be submitted to the Planning Department for staff review and approval prior to the application of building permits.

Commissioner Wallinger asked if there were any comments from the Commissioners. There were none.

Commissioner Wallinger opened the public hearing. There were no public comments, and the public hearing was closed.

Motion by Commissioner Wilson, seconded by Commissioner Ferro, to issue a conditional site plan approval pursuant to the following conditions:

1. The address will be prominently displayed so that it is easily visible from Nott Terrace.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time.
3. All greenspaces and landscaping will be continuously maintained throughout the year.
4. All trash and debris shall be cleaned from the property daily.
5. The applicant will obtain a Certificate of Use prior to serving any food.
6. The property owner and applicant will work with Lts. Ryan Macherone Matt Douglas in the Schenectady Police Department to develop an operational plan to improve community relations moving forward.
7. Any changes to the exterior of the building or the existing signage must be submitted to City Planning staff prior to applying for permits and purchase or fabrication of a sign.

Motion carried unanimously, with Commissioner Petrillo absent for the vote.

- B. HAROON ALRADEE** requests site plan approval pursuant to Section 264-90 M of a proposal to operate a convenience store at 534 Kings

Road, tax parcel #60.61-2-31, located in a “R-1” Single Family Residential District and a “C-2” Mixed Use Commercial District.

Mr. Alradee introduced himself as the applicant and stated that he wanted to open a deli at 534 Kings Road. The property operated as a deli previously.

The applicant acknowledged the unsafe parking spaces in front of the building and stated he will move the parking to the righthand side of the building.

The City Planner showed the applicant a sketch of the changes to the parking layout and the addition of greenspace and trees. The Planner informed the applicant that he would have to have his proposed site plan revised to reflect the changes to the parking and landscaping.

Commissioner Wallinger told the applicant that each parking space should be 9 ft. by 18 ft. and a two-way driveway aisle is typically 24 feet wide. The Chair also explained that there is a 4 ft. buffer zoned required between the sidewalk and the first parking space.

The applicant stated that he will do all landscaping and repaving required.

Commissioner Wallinger asked the applicant if he planned to repaint the building since the paint is chipping in several locations. The applicant responded that he did plan to repaint the building purple on the body and pink on the top at the ridge of the façade. The Commissioners and applicant discussed the color choices. Commissioner Wallinger encouraged the applicant to paint the back and sides of the building a muted color, like gray, but the applicant was not interested. Commissioner Wallinger encouraged the applicant to consider colors not so bright, but the applicant was adamant that he wanted the building to be bright colors because he wanted it to stand out.

The Commission discussed the colors some more and suggested that the applicant submit the specific color samples to City Planner staff to have the colors reviewed by Commissioners Wilson and Wallinger.

Commissioner Wallinger asked about the colors of the sign. The applicant stated that they are red, white, and blue. Commissioner Wallinger asked if the colors could be like the building colors and the applicant stated that he wanted them to be red, white, and blue.

Commissioner Wallinger asked if there were any comments from the Commissioners. There were none.

Commissioner Wallinger opened the public hearing. There were no public comments. The public hearing was closed.

Motion by Commissioner Ferro, seconded by Commissioner Wilson, to issue a conditional site plan approval pursuant to the following conditions:

1. The address will remain prominently displayed so that it is easily visible from Kings Road.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The building will be repainted prior to opening the business. Repainting will include painting the wood trim around the window on the side of the building. The specific paint colors will be submitted to City planning staff for review and approval by Commissioners Wilson and Wallinger.
4. The applicant will submit a revised site plan to City Planning staff for final approval that shows the removal of the parking in front of the building and the installation of grass and two (2) large street trees, a minimum of 2 inch diameter tree trunks between the sidewalk and the walkway to the parking lot, the parking spaces moved to the righthand side of the building, with a 4 feet buffer of grass and a third street tree.
5. The dumpster will be properly enclosed pursuant to Section 264-49 G prior to opening the business. Details of the dumpster enclosure will be submitted on a drawing to the City Planner for final approval prior to installation.
6. All conditions are required prior to opening of the business.
7. A Certificate of Use license is required to operate. Contact Code Enforcement in room 17 to apply for a Certificate of Use license. The business cannot open without the license.
8. Window signs cannot cover more than 20% of each window pane, pursuant to Section 264-63N.

Motion carried unanimously, with Commissioner Petrillo absent for the vote.

C. SOBHAI KISHORE requests site plan approval pursuant to Section 264-90 M of a proposal to operate a West Indian grocery store at 844 Albany Street, tax parcel # 49.33-4-12, located in a “C-2” Mixed Use Commercial District.

Sobhai Kishore introduced himself as the applicant and presented the proposal. The applicant is the tenant and the owner, Boyie Sherman, was present also.

Commissioner Wallinger asked the applicant if received that staff report. The applicant confirmed that he did.

Commissioner Wallinger stated that any future signs require Planning staff approval. The applicant stated that they did not plan to use the existing projecting sign pole and it will be removed.

Commissioner Wallinger stated that greenspace needs to be added to the front of the property, especially since people are parking on the sidewalk. The applicant and Commission discussed the possibility of two (2) large pots in front of the building

and the removal of 2 concrete panels to plant a smaller, flowering street tree between the curb and the sidewalk, like what was recently done at the neighboring property on the corner.

Commissioner Wallinger also asked the applicant if they could put a trash bin outside for customer use when the business is open and to clean the front sidewalk daily. The applicant agreed to do so.

Commissioner Wallinger asked if there were any comments from the Commissioners. There were none.

Commissioner Wallinger opened the public hearing. There were no public comments, and the public hearing was closed.

Motion by Commissioner Beach, seconded by Commissioner Wilson, to issue conditional site plan approval with the following conditions:

1. The address will remain prominently displayed so that it is easily visible from Albany Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. A Certificate of Use is a required license to operate the business. Contact Code Enforcement in room 17 to apply for a Certificate of Use license.
4. The projecting sign pole will be completely removed from the façade of the building prior to the opening of the business.
5. Parking on the sidewalk in front of the building is not permitted at any time.
6. The applicant will provide a trash bin outside the door for customer use and bring it in nightly. The sidewalk and front of the building will be swept daily and free of trash and debris.
7. Window signs cannot cover more than 20% of each window pane, pursuant to Section 264-63N.
8. The dumpster will be properly enclosed with a 6ft. tall wooden stockade fence. The enclosure will be kept closed and locked when not in use. The enclosure will be installed prior to the opening of the business.
9. Two (2) large planter pots will be placed in front of the building and will contain seasonal plantings. The pots will be installed prior to the opening of the business.
10. Two (2) concrete panels in front of the building will be removed and a smaller, flowering street tree will be planted in this location. The concrete panels are located between the curb and the sidewalk in the location of the utility strip. The tree will be planted the same location as the recent tree planting at 840 Albany Street. The tree will be planted prior to the opening of the business.
11. The applicant will submit exterior sign proposals to the City Planner for review and approval prior to purchase and fabrication of the sign.

Motion carried unanimously, with Commissioner Petrillo absent for the vote.

VI. OLD BUSINESS

A. 200 BRANDYWINE, LTD. requests final building and sign design approval of the proposal to construct a 6,500 SF car wash facility at 200 South Brandywine Avenue, tax parcel # 49.58-2-2.311, located in a “C-5” Business District.

Luigi Palleschi from ABD Engineers and Mike Roth from SRG Architects presented the proposal. Mr. Palleschi and Mr. Roth described the updated drawings that show the detailed elevations of the building and the proposed monument sign.

Commissioner Wallinger stated that street tree additions are good.

Commissioner Wilson agreed that the increase in landscaping really helps the whole corner.

Commissioner Wallinger stated that the City is in the process of conducting a safety assessment for the South Brandywine Avenue corridor because there is a lot of traffic near the pedestrians on the sidewalk. It was suggested that maybe the sidewalk could be pulled in a from the curb to allow for a greenspace buffer with trees. Mr. Palleschi asked if he could review the City’s plans and see what the best configuration is and that it can be coordinated prior to construction. He also noted there may be some conflicts with utilities.

Mr. Roth stated that the sign will have a masonry that matches the building. The rendering submitted, however, shows that the masonry base will match the stone that is proposed for the stone pillars for the fence. The Commissioners agreed that it is ok for the applicant to use the masonry base that matches the building.

Commissioner Wallinger stated that the trees should be larger, like Ginkoes instead of Maple trees due to salt tolerance. Tree Lilacs and Adirondack Crab Apple trees are also salt tolerant. Some larger trees along Duane Avenue near the vacuums and adjacent to the berm is also best.

Mr. Palleschi stated that the berm is 3 feet tall with dwarf Alberta spruce trees planted on the berm. The spruces will be 5 feet tall.

Commissioner Wallinger asked if there were any comments from the Commissioners. There were none.

Commissioner Wallinger opened the public hearing. There were no public comments, and the public hearing was closed.

Motion by Commissioner Ferro, seconded by Commissioner Wilson, to issue conditional site plan approval with the following conditions:

1. The address will be prominently displayed so that it is easily visible from Brandywine Avenue.
2. Metal roll gates and iron bars will not be placed on any doors or windows at any time in the future.
3. The building elevations and sign design are approved as presented.
4. A sewer report will be submitted to the Water Department for approval prior to the issuance of building permits.
5. The applicants will submit the final revised site plans, showing the landscaping changes, including Ginkoes, Tree Lilacs, and/or Adirondack Crab Apple trees adjacent to the street. Ornamental grass will be planted on either end of the monument sign. Five-foot tall Dwarf Alberta Spruce trees will be planted on a three- foot tall berm.
6. The monument sign will have a masonry base as wide as the sign, and it will be constructed of the same masonry to match the building. The maximum height is 7 feet and the maximum square footage is 25 square feet.
7. All changes must be submitted to the City Planner for review prior to making the site plan change. If the change is significant, the proposal will require further review and approval by the Planning Commission.

Motion carried unanimously.

- B. JOSEPH BATTISTA** requests final building design approval of a proposal to construct a 3,500 square foot building and operate a motor vehicle sales business at 1907 State Street, tax parcel # 60.47-3-9, located in a "C-5" Business District.

The applicant, Joe Battista, presented the proposal. Mr. Battista stated that he previously was issued site plan approval to construct a 3,500 square foot building, but needed to return to the Planning Commission to present the details of the building. The building will be an insulated steel construction with an aluminum roof. The colors will be maroon and white.

The City Planner summarized staff comments which include a limit of 12 vehicles on display for sale at one time, no more than 3 vehicles parked in the rear of the building, the operation must comply with Zoning Code Section 264-107, no long-term storage of vehicles, or storage of junk cars or old oil permitted. Two trees will be planted on the property; one on the eastern side of the property in the utility strip by the sidewalk, the other tree will be in front of the building on the western side of the site. There will be foundation plantings are proposed and small, low growing shrubbery at the front of the site in the existing greenspace buffer between the sidewalk and parking lot. Pennants, flags and streamers are prohibited.

The Commission and applicant then discussed the existing pole sign displaying the JB Auto Sales sign. It was determined to be located on the neighboring property, not owned by the applicant. Since it is not located on the applicant's property, it is considered an off-premise sign and therefore must be removed because off-premise

signs are prohibited. The applicant agreed to remove the sign panel from the pole sign.

The applicant asked for clarification on the trees and stated he thought it would be difficult to add plantings. The Chair explained that landscaping is a zoning code requirement and must be part of the proposal for site plan approval. The Commission and applicant discussed the tree placement again and clarified that the bushes in front of the vehicles for display can be low-growing and not block the visibility of the cars.

Commissioner Wallinger asked if there were any comments from the Commissioners. There were none.

Commissioner Wallinger opened the public hearing. There were no public comments, and the public hearing was closed.

Regarding the color scheme of the building, the Chair suggested that the applicant consider a different color than bright white because white gets dirty easily in high traffic volume locations.

Motion by Commissioner Wilson, seconded by Commissioner Ferro, to issue conditional site plan approval 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 will not be installed on any doors or windows at any time in the future.
3. The applicant will return to the Planning Commission with a final revised site plan and elevation drawing showing the design changes discussed at the meeting.
4. The maximum number of vehicles to be displayed for sale at one time shall be 12. The 12 vehicles shall be displayed as shown on the approved site plan.
5. The maximum number of vehicles to be parked on site at the rear of the building at any one time is 3 as shown on the approved site plan. The vehicles parked in the rear are for staff and temporary, short-term storage parking only.
6. All vehicle storage must comply with Zoning regulations in Section 264-107.
7. The applicant will submit a final landscaping plan to the City Planner for final approval. The four-foot grass buffer between the sidewalk and vehicles on display at the front of the property, along with the two trees, one at the front corner of the property and one set back closer to the corner of the building, will be installed by July 1, 2018. The foundation plantings in front of the building and around the base of the sign, as discussed at the meeting, will be installed by September 1, 2018.

8. The storage of garbage, old oil, and any other waste materials will either be inside the building or adjacent to the rear of the building and out of public view.
9. Pursuant to Section 264-62 D. Prohibited Signs: Pennants, flags, streamers, tinsel, balloons, strings of lights on commercial properties or fluttering devices are not permitted except as part of a grand opening, not to exceed 30 days.
10. The building is approved as submitted.
11. All site plan approval conditions must comply by July 1, 2022.

Motion carried unanimously.

- C. BUDRAJ P. SEENANAN** requests site plan approval pursuant to Section 264-90 M of a proposal to operate a convenience store and deli at 1339 State Street, tax parcel #49.60-2-44, located in a “C-2” Mixed Use Commercial District.

The applicant, Mr. Seenanan, presented the updates to his proposal.

Commissioner Wallinger reviewed the changes to the proposed site plan, including, the parking layout, fencing, gate, and enclosed dumpster in the parking lot on the side of the building.

The City Planner discussed the greenspace being added in front of the building and on the side of the building between the sidewalk and the building. A revised sign proposal was also submitted that shows a smaller sign that complies with the sign code and repaired metal panel siding behind the new sign.

Commissioner Wallinger suggested that some small shrubs, 2-3ft at the most, should be planted in the greenspace on the side of the building to prevent people from driving over the curb and sidewalk, especially in the winter when the grass may be sparse.

Commissioner Wallinger asked if there were any comments from the Commissioners. There were none.

Commissioner Wallinger opened the public hearing. There were no public comments, and the public hearing was closed.

Motion by Commissioner Lewis, seconded by Commissioner Petrillo, to issue conditional site plan approval 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 will not be installed on any doors or windows at any time in the future.

3. The parking lot layout, dumpster and enclosure, sign proposal, and landscaping plan are all approved as proposed.
4. Window signs cannot cover more than 20% of each individual windowpane.
5. No additional exterior signs other than the business sign on the front of the building are permitted at any time.
6. In addition to the small street trees, the applicant will plant low evergreen yews alternating with spirea along the foundation in the greenspaces on the side of the building.
7. All conditions must be in compliance by November 15, 2021.

Motion carried unanimously.

D. HUSSAIN HUSSAIN requests site plan approval pursuant to Section 264-90 M of a proposal to operate a retail tobacco shop at 1769 Van Vranken Avenue, tax parcel #39.43-2-50, located in a “C-2” Mixed Use Commercial District.

Joel Bisailon, former property owner, presented on behalf of the applicant, Hussain Hussain, and the current property owner, Lucky House USA, LLC, both present at the meeting.

The applicant is willing to plant the greenspace and trees in front of the building, but would like to clarify the extent of the plantings due to site constraints. The most challenging constraint is that concrete was poured on solid shale and it will most likely be difficult to dig down too deep into the ground. The applicant is proposing to remove 5’ x 6.5’ panels of concrete on either side of the entry doors. Mr. Bisailon asked about tree and shrubbery plantings.

Commissioner Wallinger stated that a small tree lilac would be appropriate in the greenspace to the right of the front of the building. Commissioner Wallinger also recommended hardy shrubbery along the sidewalk edge.

Mr. Bisailon asked if they could put bollards in place of the shrubs to deter people from pulling up over the curb and parking. The consensus from the Commission was that bollards and shrubbery can be installed. The first two (2) concrete slabs from the curb towards the building will be left intact as the sidewalk area. Additionally, there will be an 18inch strip of concrete remaining along the front of the building, adjacent to the front that connects all the entries to the building.

There was further discussion regarding tree planting. If the applicant can dig through the ground to plant, two small flowering trees like a tree lilac or an Adirondack Crabapple, will be planted in the grass areas. If the trees are not possible, then a combination of the bollards and shrubbery will be planted. Applicant to confirm with City Planner what will be planted.

The applicant asked if he could have a larger sign because the sign that was installed for the previous tenant was larger. It was determined by City Planning staff that the sign could be larger because the applicant is occupying the entire first floor of the building and the provisions for another sign for a second tenant are not needed. The applicant wants to install a 2' x 12' sign. The City Planner confirmed that size does meet code.

The City Planner also reminded the applicant that they must submit a copy of their NYS Tobacco license to be filed for the record.

Commissioner Wallinger reminded the applicant about the limitation on window signs and the necessity to sweep and clean the front of the property daily.

Commissioner Wallinger asked if there were any comments from the Commissioners.

Commissioner Petrillo asked what the plan was for garbage storage and told the applicant that a dumpster enclosure is required. The applicant agreed that an enclosure will be installed. The enclosure will be a 6ft. tall chain-link fence with vinyl privacy slats.

Commissioner Wallinger opened the public hearing. There were no public comments, and the public hearing was closed.

Motion by Commissioner Beach, seconded by Commissioner Ferro, to issue conditional site plan approval with the following conditions:

1. The address will be prominently displayed so that it is easily visible from Van Vranken Avenue.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. 5' x 6.5' panels of concrete on either side of the entry doors will be removed and replaced with grass.
4. Two small flowering trees, either Tree Lilacs or Adirondack Crabapple trees will be planted in the greenspaces in front of the building. If it is not possible to dig deep enough to plant the trees, then a combination of low growing shrubbery and bollards will be planted at the perimeter of each greenspace to deter vehicles from pulling up over the curb and parking.
5. The applicant will submit a copy of his NYS Tobacco license to keep on file for the record.
6. The applicant will sweep and clear debris from the front of the building and sidewalk daily.
7. Window signs cannot cover more than 20% of each individual windowpane.
8. Pennants, flags, streamers, tinsel, balloons, strings of lights on commercial properties or fluttering devices are not permitted.

9. The dumpster will be properly enclosed with a 6-foot-tall chain link fence with vinyl privacy slats. The enclosure will be kept closed and locked at all times not in use.
10. All conditions must be in compliance by November 15, 2021.

Motion carried unanimously.

VII. MISCELLANEOUS

- A. Preliminary review at the request of Development staff for 922 State Street, tax parcel #49.33-5-32, located in a “C-4” Downtown Commercial District.

Planning staff introduced the proposal as an 18 unit apartment building and stated that the applicant could not attend the meeting due to being out of town and that it is a religious holiday, but that they would like any feedback that the Commission has to offer regarding the proposal. Staff proceeded to explain that the proposal will require 27 parking spaces and that those spaces will have to be located off-site. The proposal does not include any details regarding the parking lot, other than the location at 900 State Street. The Commission and staff noted that there currently is vacant land at 900 State Street, but no parking lot construction. The Commission and staff agreed that the zoning code requires that the parking lot be up to city standards and that a separate site plan review will be required to construct that parking lot, pursuant to Section 264-107 B.

Reviewing the proposal submitted by the applicant, the Commission commented on the following:

1. It has been identified several times that the auto repair business behind 922 State Street, located at 3 Steuben Street, has a history of encroaching on the rear yard of 922 State Street. It is advised and recommended that a fence be installed on the property line to prevent any future encroachments and problems for the tenants of 922 State Street.
2. Color scheme for exterior of the building is to be submitted to the Planning Commission for approval (not the Historic District Commission as noted on the application).
3. Refuse containers must be enclosed and screened from public view, pursuant to Section 264-49G.
4. Landscaping/greenspace proposal required for 922 State St. Here are some ideas: Snow storage area must be grass/permeable, a minimum 4 foot deep buffer between the sidewalk and paving in the rear on either side of the driveway, maybe a strip of landscaping along the rear fence line, concrete removal in the utility strip on Steuben Street to provide small flowering street trees, three (3) large masonry planters below the windows in the front of the building.

City Planning staff asked that no members of the Commission delete items from the dropbox because it deletes files from everyone's box.

Motion by Commissioner Ferro, seconded by Commissioner Wilson, to adjourn the meeting. *Motion carried unanimously. Meeting adjourned at 8:24 p.m.*