



Draft Planning Board  
Regular Meeting  
November 24, 2014

James Greene, Chairman  
Steve Caruso, Board member  
Elaine Van De Carr, Board member  
Cathy Glass, Board member  
Tim Wilford, Board member

Dean Whalen, Board Liaison  
Kelly Best, Secretary  
Jason Shaw, Village Attorney  
Kerry Dineen, Village Trustee  
Kate Provencher, ZBA Member  
Mr. and Mrs. Bush, Applicants  
Jason Peterson, Land Surveyor for the Bushes  
Mr. and Mrs. Freeman, Applicants  
Chuck Marshall, Stewarts Shop Rep. Applicant

The Chairman opened the meeting at 7:08 pm.

The Chairman reviewed with the Freemans and the board their request for a Lot Line Adjustment Wavier. Mr. Freeman stated that they would like to move the lot line back to where it was prior to the 2006/7. It was moved when Mrs. Judith Freeman wished to convert her home into a two family. This was never done. Mrs. Judith Freeman has passed away. By reducing her lot, the size will prevent the conversion to a two family in the future. The Board pointed out that moving the lot line would create a five foot setback on the garage. Village Attorney, Jason Shaw, advised the Board that this is allowable for an accessory building in an R10 zone and a garage is considered an accessory building.

Board member Van De Carr made a motion to approve the Lot Line Adjustment Wavier. Board member Caruso seconded the motion. All in favor.

Chairman Greene reviewed the SEQR, acknowledging that it is a Type II action, and that the Board approves the SEQR making a negative declaration.

The Village Attorney reviewed the SEQR procedure with the Board.

- 1) The SEQR form is part of an application.
- 2) The application is not complete until the Planning Board
  - a) Makes a resolution to be the lead agency (most applications)
  - b) Or makes a resolution granting another agency the lead agency role in the SEQR assessment.
- 3) If Planning Board is lead agency, Planning Board must classify the action as Type I, Type II or Unlisted (definitions found in SEQR process rules) and include in resolution.
- 4) Actually go through the SEQR assessment and determine if action will impact environment or if action is considered a negative declaration. Resolution must be made.
- 5) Once this is done, the SUP, Site Plan or Subdivision Application is complete and Planning Board may continue on to Concept and/or Public hearing.

The Board reviewed the Stewarts proposal to add an addition on to their store, moving their parking lot to meet the drive-around/parking requirements and expanding the roof to cover the sidewalks on front and side of building.

Mr. Marshall from Stewarts Shops stated that this was an Unlisted Action under SEQR. The company wants to add an addition, enclose all appendages and create a uniform wall line. He stated that they wanted to bring the roof line out 5 ½ ft to cover the side walks around the building, making it safer for both customers and staff from snow and ice.

Mr. Marshall stated that the lighting has all been upgraded to LED lighting. He stated that the expansion of the parking lot was to retain the same footage and that the building addition would consume some of the existing parking lot. To meet Village Code, the parking lot would have to be expanded along the creek and west side of the building.

Mr. Marshall did confirm that they would like to install propanel (metal siding) on west side of building. He stated that the addition on the east side would be all brick.

Board inquired why Stewarts would not brick around the entire store. Mr. Marshall stated that enclosing the cooler with brick is not a good idea and that use of propanel made for easier construction.

Board stated that the improvements are not keeping within the historic nature of the Village, especially in a Village where the majority of homes along both sides of Main Street are listed in the National Register of Historic Buildings.

The Board also was concerned about the environmental impact of expanding the parking lot so close to the creek. Mr. Marshall stated that the expansion of the parking lot is 10 feet in some areas to 20 feet in others. Mr. Marshall stated that the existing fence would be moved. He stated that the new fence and parking lot would follow the creek bed. Mr. Marshall stated that they have to maintain the drive-around and the parking spaces per Village Code.

Trustee Whalen stated that the new parking lot will be 3 feet from the top of the creek bank. Mr. Marshall stated the parking lot will have a wing curb along the edge by the creek. He also stated that he will have to bump out parking lot adjacent to the residence on Helderberg Avenue. Board stated that they were concerned about the amount of mature landscaping that will have to be removed. It was determined that there would be a 30% reduction in green space. Currently, there is 9,100 sq ft, removing 2,300 sq ft, leaving about 5,800 sq ft.

The Board asked if Stewart's would submit a landscaping plan which would include along the west side of the lot, to include mature trees if possible and along the fence line. The dumpster will also be moved.

Ms. Provencher asked if there will be a public hearing regarding the Stewarts request. The Board said yes, once the applicant and board are satisfied with the final proposal.

The Board inquired about the unfinished screening on the canopy which was one of the conditions of their last variance/SUP approval.

The Board indicated that the proposed drawing looks like a cobbled together hunting camp. The Board stated that propane metal siding is not appealing, that there is a concern about Stewarts not completing the screening on the canopy per approved variance/SUP, concerns regarding environment along the creek and the overall look is not in character with the other buildings within the Village.

Dean Whalen stated that the hearing tonight is just a concept hearing and the next step of the board would be the site plan review which would address these issues.

The Board would like to see the Stewarts shop updated but feel the need to make it visually appealing to the neighbors, not impact environmentally in any way the creek, and maintain as much mature landscaping as possible.

Dean Whalen told the board that they can request a grading plan and landscaping plan.

The Board asked Mr. Marshall why expands this store? Mr. Marshall stated that the company wanted to increase the square footage of the core area, upgrade the bathroom to meet ADA standards, allow customers access to a walk in cooler, and enlarge the cooler and the passage through the aisle will be wider.

Mr. Marshall stated that the impact of the improvements will have minimal affect on the look of the building and property. The roof will be stream lined .

The Board inquired if it was possible to use some other material than the propanel (metal siding). Mr. Marshall stated nothing is yet set in stone.

The Attorney and the Board discussed the possibility of having Stewart's setup an escrow account for engineering review if needed regarding the creek.

Mr. Marshall stated that Stewarts will check into the pro-panel. The Board asked if Stewarts considered looking at other locations within the Village that a larger Stewart Shop might be built on. Mr. Marshall has spoken with the adjacent neighbor located on Helderberg Avenue.

The Chairman stated he would be happy to provide Mr. Marshall with a letter summarizing the concerns of the Board for Stewarts Shop. The Board stated that they were concerned about making sure that Stewarts upgrades are done properly and visually pleasing. The Board stated that they are charged with doing what is best for the Village. The Board asked if Stewarts could review plans and take in consideration the comments and concerns of the Board and try to find some alternate solutions to the remodeling of the exterior of the building as well as alternate plans.

The Board reviewed the minor sub-division of Mr. and Mrs. Bush. The Bush's representative, Jason Peterson reviewed the new plans which changed the subdivision from a major subdivision of 3 lots to a minor subdivision of 2 lots. He stated that he submitted the plans to Jan Weston at the Town of Guilderland. She did not provide him with any comments or recommendations. The new plans do not include any proposed ingress or egress off of Arlington Road only from Brandle Road. The Planning Board noted the following items:

1. Change from major subdivision of 3 lots to minor subdivision of 2 lots
2. New plans show no crossing over the stream as did major subdivision plans
3. One lot will be an acre + and is the current home of the Bush's. House will remain.
4. The proposed second lot is 18,238 sq ft – much more square footage then required in that zone.
5. Shared the recommendations and comments from Jan Weston with Mr. and Mrs. Bush and Mr. Peterson.
  - a. 100' setback from the stream not shown.
  - b. Mark and note all vegetation which will be left as a buffer

Mr. Bush stated he put in all the vegetation in himself as well as the retaining wall in the stream next to his home.

The Board asked if the proposed new home on the new lot was 100 feet from the stream. Mr. Peterson stated that it was 100 feet from the top of the bank of the stream. Mr. Whalen stated that the building code will also require a setback toe to slope.

Mr. Shaw pointed out to the Bushes and Mr. Peterson that the Village has restrictions relating to building in a flood zone. The code is listed under 355-13. Flood overlay. The Board wanted the Bushes to check into it to make sure that they can actually build on the new proposed lot before they subdivide it.

Mr. Peterson will make the requested changes to the plat as per Ms. Weston's recommendations.

The Board did not approve the October 2014 minutes and will do so at the December meeting.

Board member Glass made a motion to adjourn at 8:30 pm. Board member Van De Carr seconded the motion. All in favor.

Respectfully submitted,

Kelly Best