

For Economic Development, Historic Preservation & Environmental Conservation Committee

AGENDA

May 3, 2024

8:30 am

Schaefer Room

a. PUBLIC CONCERNS

b. MINUTES

- a. April 12, 2024

c. Resolutions / Finance Committee

- a. A Proclamation recognizing Arbor Day in the Town of Niskayuna
- b. *TENTATIVE* A Resolution to accept a Linkage Study grant through the Capital Region Transportation Council (CRTC)

d. Discussions

- a. Milton Keynes – enforcement update and short term rental regulation discussion
- b. Committee for Appointments – Update on policy
- c. Easement on 31 East St

e. Planning Board (Kevin Walsh) – report attached

- a. 2890 River Road – land has been deeded to the Town of Niskayuna
- b. New GE Building - approved
- c. Capital District Holocaust Memorial

f. Zoning Board – 2 cases for May, residential area variances.

g. Grants Update

- a. Lions Park
- b. Critical Pedestrian Grant
- c. Linkage Study Grant

h. Complete Streets

- a. Speed bump discussion on Birchwood Ln
- b. Setting 2024 goals and priorities
- c. Updating Transportation Chapter of Comprehensive Plan
- d. Bike Rodeo event June 15
- e. Bike Lanes on Grand Boulevard

i. Tree Council

- a. Arbor Day update
- b. Tree Planting scouting meeting planned next week

j. Conservation Advisory Council / Climate Smart Communities Task Force (Dart Strayer)

- a. NRI – walkabout meetings are set – building out community outreach May 25
- b. GHG/CAP for climate smart certification – collecting bills from finance
- c. Working on submittals for Round 3 Clean Energy Community – energy training has been approved
 - i. Working on EV Festival July 20 – EV campaign launching in May

- d. Working on a site plan checklist for CAC items

k. Architectural Review Board

l. Comprehensive Plan Committee

- a. Public Input Survey has been released
- b. Third Public Outreach schedule for Fire District 2 Station
- c. RFP

m. Building Department / Enforcement

- a. 3410 State St. – Upstate Guns and Ammo
- b. 2861 Troy Schenectady Rd. – Brookdale Sr. Living

n. Planning Department

- a. Drainage Analysis & coordination with Water, Sewer, Engineering & Highway
- b. Process maps of common Planning Department processes (site plan, subdivision, etc.)
- c. Consaul Road Sidewalk – moving forward with concept design
- d. Winnie Road Easement

o. Metroplex (Dr. Horton)

p. Legal (Alaina Finan)

q. Historical (Rita Ogburn-McCall)

Board Vacancy List

Planning Board (1 vacancy – alternate)

Zoning Board (2 vacancies – alternates)

CAC: (1 Vacancy)

Tree Council (2 vacancies)

Complete Streets Committee: (2 vacancies)

Architectural Review Board: (2 vacancies)

**NEXT COMMITTEE MEETING: June 7, 2024
at 8:30 am, Via Hybrid In-Person & Remote Meeting Software**

**Economic Development, Historic Preservation
& Environmental Conservation Committee**

MINUTES
April 12, 2024
8:30 am

Members Present: John Della Ratta, Chairman
Laura Robertson, Town Planner
Clark Henry, Assistant Town Planner
Alaina Finan, Town Attorney
Matt Yetto, Superintendent, Water, Sewer & Engineering
Dart Strayer, Chairman of CAC
Rita Ogburn McCall, Town Historian (virtual)
Beth Greenwood, Comptroller
Trisha Bergami, Planning Dept

Chairman Della Ratta called the meeting to order at 8:30am and asked for roll to be called.

a. Public Concerns

Ms. Marion Jackson, resident of Niskayuna, said she is very concerned they are not going to have a nice summer in her neighborhood. She stated there is an AirBnB home on Milton Keynes that has booked 16 events so far. Ms. Jackson said years ago herself and many neighbors worked very hard to keep Troy Road an R 1- residential road instead of having it turn into a commercial road like Central Avenue. She said this home on Milton Keynes is being run like a business in a residential area not zoned for business. She feels they should be shut down.

Chairman Della Ratta said the Town is looking into it and appreciated the residents bringing it to their attention. He said he does not know how long it will take to get a handle on it but the Town will work on it.

Ms. Robertson said the Town reached out to the owners and the Building Inspectors have gone to the residence and they made them remove all commercial references of their property. They are not allowed to rent for weddings or parties. The Supervisor’s assistant has been in contact with Airbnb and they are helping with how to police the property during the summer while the Town works on Code updates.

Ms. Scordino said they bought a house in a quiet neighborhood on a dead-end street to raise their family on purpose and it turns out that next door now they have an Airbnb. She said she feels it is absolutely a business. Ms. Scordino said they may have restrictions but it is still rented 17 out of 21 weekends. She said they market it with the ability to sleep 16 to 20 people which is a lot of people without a special event just staying over. She said this totally disrupts their neighborhood every weekend. She feels Airbnb should not be allowed in Niskayuna which is a residential town. She said it is not zoned business and it is clearly a business. Ms. Scordino said it should be a 30-day limit for renting and that would immediately eliminate each weekend being a different group of people.

Ms. Robertson said the Town doesn’t regulate rentals and does not distinguish between short or long-term rentals right now. She said there are people that have been happily renting homes for 30 plus years in Niskayuna, and they need to be mindful of how they enact legislation. She stated the Planning Board decided they want to opening up the zoning code to look at short term rental regulations and will pursue a code. Ms. Robertson said it is a long process that takes time.

Chairman Della Ratta said they feel the neighborhood pain, 17 out of 21 weekends in the summer is not why they bought their beautiful home in their neighborhood. He said he doesn’t think it’s possible to get this resolved before summertime but if it does get noisy or rowdy – he told the residents to call the police and these complaints can then be forwarded to Airbnb.

Ms. Bukhari said she feels 16 people in that house is a lot and then add all the cars. She said their children ride bikes and play ball in the driveway and the circle area. They do not want to wait until there is an incident with someone driving drunk or someone that is driving ruthlessly in the neighborhood for this to become an issue.

51 Ms. Scordino said even if you take out the commercial aspect of this house, if there are 20 people staying there
 52 and there is some kind of fire, then firefighters have to try to find 20 people sleeping there. She said it's not safe.
 53 Ms. Scordino said that is an absurd amount of people for a home.

54 Ms. Robertson said the Supervisor's office has been working hard on this issue and has information to share with
 55 residents and she is going to work on the long term solution.

56 Ms. Jackson said she is afraid of vandalism or worse not knowing who is coming into the neighborhood.

57 Ms. Scordino said she agrees. It is being advertised as "come stay in this rich nice neighborhood" which seems
 58 like a set up for not great things. She said this is hard and emotional for the neighbors but this can also be a prob-
 59 lem throughout Niskayuna.

60 Ms. Robertson said many towns are going through this right now because short term rentals doesn't fit in to tradi-
 61 tional zoning. That is why the Town is struggling with enforcement right now.

62 Chairman Della Ratta thanked everyone for their thoughts.

63 **b. Minutes**

64 a. March 1, 2024

65 Ms. Greenwood made a motion to approved the March 1, 2024 minutes, seconded by Mr. Strayer.

66 Ms. Ogburn McCall stated she would like added to the minutes on line 63 that "the boards are functioning as
 67 combined but are still waiting on a final resolution".

68 Chairman Della Ratta made a motion to amend the minutes to reflect the additional wording, Ms. Greenwood se-
 69 conded it. All were in favor of the amendment.

70 Chairman Della Ratta called for a vote on the amended minutes. The amended minutes were approved unani-
 71 mously.

72 **c. Resolutions / Finance Committee**

73 a. A Resolution integrating the Town Historical Committee into the Town's Historic Preservation
 74 Commission – attached

75 Ms. Robertson said this did not make the last Town Board meeting but it will go on this coming meeting without
 76 issue because the drafted resolution is complete.

77 Ms. Ogburn McCall said they are having a problem getting a Real Estate Attorney and an Archeologist that are
 78 willing to give her time. She has sent out many letters trying to fill this need. She said if Ms. Finan would sit in
 79 on a few meetings or help find someone that would be a big help.

80 Ms. Finan said she doesn't believe an attorney is required but she will look into the code.

81 Mr. Strayer said he thinks the Town needs to invest in a speaker system for the Schaefer room because the speak-
 82 ers in the TV are terrible. He said they have a lot of meetings with people on line and he is concerned they are
 83 missing a lot of what is said when they participate because not everyone can't hear them.

84 Ms. Greenwood said they have one that sits in the middle of the table that is omnidirectional so it picks up from
 85 around the room.

86 b. A Resolution amending Resolution 2024-42 Retaining Professional Engineering Services on an
 87 As-needed Bases (TDEs) for 2024 and setting their rates

88

89 Ms. Robertson said she received the rates from the TDE so this is ready to go.

90

91 c. A Resolution authorizing a concept design from Weston & Sampson for a section of sidewalk

92

93 Ms. Robertson said this is a fundable proposal to do a concept design for the Consaul Road sidewalk which in-
 94 cludes a concept design package, a preliminary design meeting, cost estimates and preliminary details on the sec-

95 tions of sidewalk. She said this is not survey grade or construction drawings but very good set of drawings with
96 probable cost estimates for potentially getting a grant.

97 d. *TENTATIVE* A Resolution to accept a Linkage Study grant through the Capital Region
98 Transportation Council (CRTC)

99 Ms. Robertson said they are waiting on the contract.

100 **d. Discussions**

101 a. Milton Keynes – enforcement update and short-term rental regulation discussion
102 Ms. Robertson said the Supervisor’s office has reached out to Airbnb and they have contact there that has been
103 working with them on the issues for this home and best practices for governing short term rentals. They have
104 been working with the police department on complaint calls and are putting together guidance for the short term.
105 For long term, Planning Board has discussed opening up the zoning code and will have further discussion at the
106 next meeting.

107 b. 31 East St – Land Purchase Request
108 Ms. Robertson said she received a request from the owners 31 East Street to purchase the piece of property at the
109 end of East Street. She said she spoke with Ms. Finan who felt this might have to go out to bid. Ms. Finan stated
110 yes, it will have to go to bid.
111

112 Mr. Henry asked why they want to purchase the piece of land. Ms. Robertson said because it looks like it belongs
113 to their property and they want to clean it up and plant flowers.

114 Mr. Strayer feels the State should keep their parcel by the cul-de-sac for future parking lot issues and not sell it.
115 He stated this area in one of a limited number of parking areas to access the bike path. Ms. Robertson said the
116 parking lot for the bike path is regularly used, it is rarely without at least one car.

117 Chairman Della Ratta asked if they could let her plant flowers there without selling the land and suggested an
118 easement. Ms. Finan agreed that would be more acceptable. Ms. Robertson said she will reach out to the owner
119 and see if she would like to pursue an easement.

120 c. Committee for Appointments – Update on policy

121 Ms. Robertson said Jason Moskowitz, Bill McPartlon, Eric Amberger, Joseph Drescher and herself met to go over
122 the process for selecting people to be on the Board. Ms. Robertson said Mr. Drescher came up with a written pol-
123 icy of everything they decided and it looks good. She is not sure the Board formally adopted it or not but as soon
124 as they are happy with it then they will show it to everybody to make sure everybody is happy with how they will
125 do Board appointments going forward.

126 **e. Planning Board (Kevin Walsh) – report attached**

127 a. 2890 River Road – land has been deeded to the Town of Niskayuna
128

129 Ms. Robertson reported for Mr. Walsh. She stated the new building was approved for GE, the height variance
130 from the Zoning Board of Appeals was approved as well The Capital District Holocaust is requesting a 4 year site
131 plan extension which looks to be okay. The Planning Board is reviewing a wayfinding monument sign on Brook-
132 shire Drive. The Glen Eddy is putting in garden improvements and a new shed, which Ms. Robertson stated is
133 going to look really nice. There is a tenant change on Balltown Road from a Game Stop to a Papa Johns. St. Pe-
134 ter’s Health Partners requested new signage. The Planning Board wasn’t happy with the façade sign but they ap-
135 proved the panel in the monument sign to be changed. They are also looking at a lot line adjustment on Oregon
136 Avenue. New projects for the Planning Board include a smoke shop/convenient store at 3905 State Street. Ms.
137 Robertson clarified this is not a cannabis or marijuana dispensary, just a smoke shop, and they are not within 2000
138 feet of a daycare or school. She stated that 1769 Union Street was proposing new signage and Schenectady JCC is
139 proposing to put a yurt in their backyard for their after-school program and summer camps.
140

141 Ms. Robertson stated the Planning Board is still waiting for the sign for Kelt’s Farm and the Brookdale storage is
142 almost done.

143 Chairman Della Ratta said he is pleased with GE staying in Niskayuna and bringing new technology to the com-
 144 munity. He said between what is going on with the GE campuses, Global Foundry's and Albany Nanotechnology
 145 is like a little Silicon Valley.

146 **f. Zoning Board** – 3 cases for April, 3 residential area variances

147 Ms. Robertson said there was an interpretation case last month that she worked with Ms. Finan on and they found
 148 a section of code that she was not aware of, so her initial interpretation ended up getting overturned. Ms. Finan
 149 reached out to the applicant to notify them and Ms. Robertson copied the Zoning board on the updates to the case.

150 **g. Grants Update**

151 a. Lions Park

152 Mr. Henry said the next step is to file an application with the DEC.

153
 154 b. Critical Pedestrian Grant – still working on these invoices

155 Mr. Robertson is still working on this.

156 c. Linkage Study Grant

157 Ms. Robertson is waiting for the contract.

158 **h. Complete Streets**

159 a. Setting 2024 goals and priorities

160 Ms. Robertson said they didn't finalize their goals and priorities at the last meeting, but they are really close.

161
 162 b. Updating Transportation Chapter of Comprehensive Plan

163 Ms. Robertson said they are closing on their initial draft of the Transportation Chapter.

164
 165 c. Planning Bike Rodeo event late May at Town Hall

166 Ms. Robertson said they settled on June 15 with a rain date of June 22.

167

168 **i. Tree Council**

169 a. **Arbor Day April 27th – 2024 from 11am – 1pm**

170 Ms. Robertson said the Town will plant the Sycamore trees a couple days before, instead of during the Arbor Day
 171 Event. This way people do not have to get out of line to watch them being planted, they can check out the trees
 172 whenever they want to. Ms. Robertson said they have more saplings this year than in the past.

173 b. Met with Highway Department on Tree Plantings

174 Ms. Robertson said the Highway shared the planting list with the Tree Council and it is a long list. Ms. Robertson
 175 said they worked with the Highway Department on a way for the Tree Council to pre-screen owners to get a tree
 176 picked out and a stake in the ground to save time.

177 **j. Conservation Advisory Council / Climate Smart Communities Task Force (Dart Strayer)**

178 a. NRI – walkabout meetings are set – building out community outreach

179 Mr. Strayer said they have had one meeting with the consultant. They have identified properties and are going to
 180 have at least two walk throughs, that will be open to the community. He said the consultant will do a field study
 181 and then write up a report and evaluate the value of the property for the Town.

182

183 b. GHG/CAP – for climate smart certification

184 Mr. Strayer said they met with the consultant on Wednesday that is doing their Greenhouse Gas Inventory and
 185 they had a very good discussion. Mr. Strayer said they are trying to get this done before July so they qualify for
 186 the Climate Smart Initiative grant. The second half of that is the Climate Smart Plan and they will be working
 187 with the CAC on that.

188

189 c. Working on submittals for Round 3 Clean Energy Community

190 Ms. Robertson said the Town possibly may be qualifying for \$10,000 and she will submit the paperwork shortly.

191 **k. Architectural Review Board**

192 a. 2690 Balltown Rd. – GE Vernova

193 This project is completed.

194 b. Lions Park Historic Train Station

195 Still working on this.

196 c. 2890 River Rd. – 3-lot subdivision

197 Still working on this.

198 **l. Comprehensive Plan Committee**

199 a. Public Input Survey has been released

200 Mr. Strayer said they will have this open until the end of May. They will do a big push at Niska Day.

201 b. Third Public Outreach scheduled for Fire District 2 Station – April 18th at 7pm.

202 Mr. Strayer said they would like to have one more after this and then they will have covered each geographical
203 area of the Town.

204 c. RFP needs to be re-bid.

205 Mr. Strayer said they need to put this out to rebid because they changed the way it will be funded in the scope.
206 This is for a consultant for the Comp Plan.

207 **m. Building Department / Enforcement**

208 a. 3410 State St. – Upstate Guns and Ammo – building addition replacing a storage container

209 b. 2861 Troy Schenectady Rd. – Brookdale Sr. Living – shed replacing a storage container

210 **n. Planning Department**

211 a. Drainage Analysis & coordination with Water, Sewer, Engineering & Highway

212
213 This is a long-term item. Mr. Yetto said they are working on updating this, the one they have is dated 1991. He
214 said most of the information is still valid it just needs to be tweaked a little. Mr. Yetto said he wants to update the
215 maps this summer, they have much more accurate GPS equipment now and then they can input the data into their
216 GIS system and then provide that information to a consultant rather than pay someone to go out to map their pipes
217 and catch basins.

218

219 b. Process maps of common Planning Department processes (site plan, subdivision, etc.)

220 c. Consaul Road Sidewalk – quote attached, discussed earlier

221 d. Winnie Road Easement

222 **o. Metroplex (Dr. Horton)**

223 Nothing for today

224 **p. Legal (Alaina Finan)**

225 Nothing for today

226 **q. Historical (Rita Ogburn-McCall)**

227 Ms. Ogburn McCall said that she and Mr. McKinney have been working on the grant to restore the Niskayuna
228 Railroad Station. Ms. Ogburn McCall said the Schenectady City Historian is willing to come and give any assis-
229 tance they need as far as getting the grant moving forward. She said they want to get over there and seal up the
230 spaces where animals can get in. Ms. Ogburn McCall said they are also preparing for the 100th anniversary of the
231 Niskayuna Police Department in 2026 and they will start releasing articles to gain interest leading up to 2026.

232 Ms. Ogburn McCall requested to be included on the logo Committee emails if she was going to be responsible for
233 keeping track of the finances.

234 Ms. Robertson said she can ask the committee to copy her with everything they are doing so she knows.

235 Ms. Greenwood said she can give her summaries of the expenditures or provide whatever she needs.

236 Chairman Della Ratta said they need to do something substantial for Mr. McKinney for all the work, time and
237 effort he has put into this.

238 **r. Adjournment**

239 Chairman Della Ratta asked if there was any additional business before the Committee. Hearing none, he made a
240 motion to adjourn. Ms. Greenwood seconded. All were in favor. The meeting was adjourned at 9:43.

DRAFT

EDHPEC Committee; PB Updates

5/3/24

- Recently Completed PB Actions/Resolutions (since last EDHPEC Meeting)
 - 2475 Brookshire Dr. - Tall Oaks Apartments, application for site plan review for a monument (directory) sign, approved at 4/15/24 PB meeting.
 - 1 Glen Eddy Dr. - Glen Eddy - Application for site plan approval of community garden improvements and a new shed, approved at 4/15/24 PB meeting.
 - 412 Balltown Rd. - Application for site plan approval for a tenant change to a new Papa John's restaurant, approved at 4/15/24 PB meeting.
 - 2501 Troy-Schenectady Rd. - CDJHM, application for site plan approval extension, current expiration is 11/24, 4-year extension to 11/28 approved at 4/29/24 PB meeting.
 - 850 Oregon Ave. / 875 Stark Ave - application for lot line adjustment, approved at 4/29/24 PB meeting.
 - 2565 Balltown Rd. - Schenectady JCC - An application for site plan approval of a 30' diameter yurt in the field near existing tennis courts, approved at 4/29/24 PB meeting.

- Active
 - 3905 State St. - An application for site plan approval for a tenant change to a convenience store / smoke shop, tabled at 4/29 meeting to continue discussions with applicant.
 - 2546 Balltown Rd. - St. Peter's Health Partners - Application for site plan review for new signage at multi-tenant medical office building. Negative recommendation to ZBA on required area variances issued.
 - 1769 Union St. – Albany Med Urgent Care building - Capital Cardiology - An application for site plan review for new individual tenant façade signage. Negative recommendation to ZBA on required area variances issued.

- New Projects
 - 2301 Nott St. East - TD Bank - Application for site plan review for new signage.
 - 2333 Nott St. East - Market 32 - Application for site plan review for new signage.
 - 3359 Consaul Rd. - Ingersoll Place - Application for site plan review for a new pavilion.
 - 2530 Balltown Rd. - Chinese Fellowship Church - Application for site plan review for a 777 square foot addition (kitchen).

- Waiting on Applicant
 - 2538 River Rd. - Kelts Farm - signage review, PB and TB action needed.

Next PB meeting 5/13/2024