

TOWN OF NISKAYUNA
Planning Board and Zoning Commission

Agenda

February 14, 2022

7:00 PM

REGULAR AGENDA MEETING

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

1. January 24, 2022

IV. PUBLIC HEARINGS

V. PRIVILEGE OF THE FLOOR

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

VIII. DISCUSSION ITEM

1. 3140 Troy Rd. – site plan application for buildout of an existing medical office space building from the current 4,100 sq. ft. to a proposed 13,400 sq. ft.
2. 2764 Niskayuna Animal Hospital -- site plan app requesting an extension of the previously approved site plan for the construction of an 890 sq. ft. addition
3. 1 Research Circle – Site plan review for a new research and development building at General Electric

IX. REPORTS

1. Comprehensive Plan Update
2. Planning Department Updates
3. COVID 19 Updates

X. COMMISSION BUSINESS

XI. ADJOURNMENT

NEXT MEETING: February 28, 2022 at 7 PM
To be Held in the Town Board Room & via. Remote Software

TOWN OF NISKAYUNA
Planning and Zoning Commission
Hybrid Meeting
Meeting Minutes
January 24, 2022

Members Present:

David D'Arpino - Acting Chairman
Leslie Gold
Michael Skrebutenas (virtual)
Genghis Khan
Chris LaFlamme (virtual)
Daci Shenfield
Patrick McPartlon (virtual)

Also Present:

Laura Robertson, Town Planner
Alaina Finnan, Town Attorney (virtual)
Clark Henry, Assistant Planner (virtual)

I. CALL TO ORDER

Acting Chairman D'Arpino called the hybrid meeting to order at 7:00 P.M.

II. ROLL CALL

Chairman Walsh was absent/excused from the meeting tonight.

III. MINUTES**January 10, 2022**

Mr. Khan made a motion to approve the minutes and it was seconded by Ms. Gold. Upon voting, the minutes were approved unanimously.

Mr. Skrebutenas	AYE
Mr. Khan	AYE
Mr. LaFlamme	AYE
Mr. McPartlon	AYE
Ms. Gold	AYE
Ms. Shenfield	AYE
Acting-Chairman D'Arpino	AYE

IV. PUBLIC HEARINGS

1. 1930 Hillside Ave. – site plan app. for Capital Kids Care after school and summer camp within an existing place of worship at the Indian Orthodox church.

There were no speakers present either in person or virtual. Ms. Robertson received one anonymous email which stated a concern regarding additional traffic on Providence and Hillside if the project is approved.

V. PRIVILEGE OF THE FLOOR

There were no comments for privilege of the floor from virtual, email or in person tonight.

VI. UNFINISHED BUSINESS

There was no unfinished business

VII. NEW BUSINESS

1. RESOLUTION: 2022-05: A Resolution for recognition of Planning Board member Morris Auster.

Mr. Khan made a motion to approve the resolution and it was seconded by Mr. LaFlamme. The members of the Board expressed their gratitude to Mr. Auster for his time and leadership on the Planning Board.

Upon voting, the resolution was approved 7-0.

Mr. Skrebutenas	AYE
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Mr. Khan	AYE
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Mr. LaFlamme	AYE
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Mr. McPartlon	AYE
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Ms. Gold	AYE
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Ms. Shenfield	AYE
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Acting-Chairman D'Arpino	AYE
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2. RESOLUTION: 2022-03: A Resolution to make a recommendation to the Town Board on a special use permit to locate Capital Kids Care after school and summer camp within an existing place of worship at the Indian Orthodox church at 1930 Hillside Ave.

Mr. McPartlon made a motion to approve the resolution and it was seconded by Mr. LaFlamme. Mr. Khan noticed a small typo in the resolution. Ms. Robertson stated it will be fixed before being filed with the Clerk. The Board discussed the additional traffic concern. Ms. Gold stated she was a resident of the area where this church resides and gave a brief history of the daycares that have resided in the church. She stated she does not think traffic has been a concern in this area due to the nursery school. Ms. Robertson added, to her knowledge, she did not know of concerns regarding traffic in that area from any of the previous daycares.

Ms. Brownell, the applicant, was present for the meeting. She described that drop off during the school year is provided by the school buses. This will be approximately 3-4 buses for drop off. The pick-up time is between 4-6pm and is done intermittently as parents get out of work. Ms. Brownell stated she has not experienced a traffic issue with this type of configuration at other locations that she is familiar with.

Acting Chairman D'Arpino asked if there were any other questions. Seeing none, he called for a vote.

Upon voting the resolution for recommendation to the Town Board was passed unanimously 7-0.

Mr. Skrebutenas AYE

Mr. Khan AYE

Mr. LaFlamme AYE

Mr. McPartlon AYE

Ms. Gold AYE

Ms. Shenfield AYE

Acting-Chairman D'Arpino AYE

3. RESOLUTION: 2022-04: A Resolution for site plan approval to locate S&G Roofing at 3800 State St.

Mr. D'Arpino stated he had to recuse himself from acting on this resolution due to a business relationship with the applicant. Mr. Khan took over as Acting Chair. Mr. Singh, the applicant, was present for the meeting. Mr. Khan mentioned that he met with the applicant and Ms. Robertson before tonight's meeting to discuss 3 open items. The items included the 6 additional parking spots needed to be compliant with parking, adding the location of the dumpster on the site map and submitting a planting plan by the applicant. Mr. Khan stated all these three items will need to be updated on the site map. Ms. Gold asked if many clients come to the State St office. Mr. Singh stated no. Mr. Khan asked why the applicant was moving buildings. He stated it was for more room for his business.

Acting Chairman Khan asked for any other comments or questions. Hearing none, he called for a vote.

Upon voting, the resolution passed 6-0.

Mr. Skrebutenas AYE

Mr. LaFlamme AYE

Mr. McPartlon AYE

Ms. Gold AYE

Ms. Shenfield AYE

Acting-Chairman Khan AYE

117
118 **DISCUSSION ITEMS**

119 **1. 1356 Balltown Rd. – site plan application including area variances for the**
120 **construction of 9 townhome buildings (18 dwelling units).**

121 Acting-Chairman D’Arpino updated the Board on the decision to deny the variances for the
122 project by the ZBA. He stated that the applicants have been in contact with Ms. Robertson and
123 the Planning Department.

124 **2. 3140 Troy Rd. – site plan application for buildout of an existing medical office space**
125 **building from the current 4,100 sq. ft. to a proposed 13,400 sq. ft.**

126 Ms. Robertson stated that this is a new application and the Mr. Clark provided additional
127 information regarding this property in the packet.

128 Mr. Ray Trotta was present virtually, representing the applicant. He explained to the Board the
129 issue regarding the property. He stated that there is approximately 13,000 square feet in the
130 building but only 8,000 square feet of rentable space. Mr. Trotta stated his client is looking to use
131 the entire tenant space available that is in the building. Mr. Trotta stated there is a client
132 interested in renting the remainder of the available space. He stated he was hoping to get
133 direction from the Board on how to move forward. He stated that the Code may require
134 additional parking for the additional tenant space, although he feels the existing parking lot is
135 adequate. He discussed the option of getting a denial and needing to go to the ZBA with a
136 recommendation from the Planning Board for a variance or a waiver from the Planning Board.

137 Mr. Trotta explained the current number of parking spaces is at 56 spaces but the requirement
138 based on his calculations is 70 spots. He is asking for a variance form the Zoning Board for the
139 extra parking or a reconfiguration to allow for the extra parking.

140 Ms. Gold stated it would be helpful to see what the parking will look like on the site plan. She
141 stated that she will need to look at the site plan thoroughly to see if more tenant space is
142 allowable.

143 Mr. Khan asked the applicant what is the plan for the lower floor. Mr. Trotta stated it will be a
144 medical office but wouldn’t take up the whole floor.

145 Acting Chairman D’Arpino suggested to the applicant re-evaluate and possibly redesign the
146 parking configuration so a parking waiver could be considered by the Planning Board instead of
147 needing a variance from the ZBA.

148 Mr. Khan asked the applicant how many medical offices in total he is proposing for the building.
149 Mr. Trotta stated the proposed total offices would be 3.

150 Mr. Trotta asked Ms. Robertson to display the lower floor plan. He explained to the Board his
151 plan for the project and his calculation of square footage.

152 Ms. Robertson noted that the applicant would need to go through the process of tenant change
153 for the medical offices.

154 Acting Chairman D’Arpino suggested to Mr. Trotta to come back to the Board with a complete
155 mark-up to code specific what his plans are in case this needs to go to the Zoning Board. He
156 asked Mr. Trotta to review the parking configuration while doing this site plan. Acting Chairman

D'Arpino stated this will help to show the parking restraints and hardship due to the current configuration of parking. Mr. Trotta added that there is the potential to build an extra parking lot for staff nearby though it is quite a far walk from the building.

The Board discussed the possibility of this project needing a recommendation to the ZBA. Acting Chairman D'Arpino thanked the applicant for coming and stated he looked forward to seeing the updates to the plan.

1748 Union St. – site plan application for the demolition of the existing home and construction of a parking lot.

Mr. Paul Fallati was present virtually for the meeting. Mr. D'Arpino informed the Board that there is a split in municipality review for this project. He stated the existing building to be reused is in Schenectady and the existing building in Niskayuna is proposed to be removed and the property would become a parking lot only. Mr. Fallati discussed the possibility of knocking down the existing building and building a new structure. He questioned what uses are allowed on the empty parking lot. Mr. Fallati stated that nothing is concrete in what the possible applicant's plans are but wanted to present options and ideas to the Board. Ms. Robertson stated a parking lot only is not allowed in that zoning district. The Board asked Ms. Robertson if they merge the 2 properties would a simple parking lot be allowed. Ms. Robertson stated she checked with Schenectady County today and that a single parcel cannot be merged across 2 different municipalities.

The Board discussed the applicant's options. They asked how much parking is needed for the possible restaurant. Mr. Fallati stated at least 30 spots are needed. When they combine the proposed parking in Niskayuna with the existing parking spaces, they have 40 spots.

Ms. Robertson stated that it has been difficult to receive a use variance for a parking lot in the Town of Niskayuna. She noted that there have been a few applications for them but all were denied.

Acting Chairman D'Arpino asked Ms. Robertson to explain procedurally what needs to happen. They asked if the lot could be subdivided to allow for another use. Ms. Robertson noted she will do some more research regarding possible uses for that parcel and if it could be a stand-alone parcel as a parking lot.

Ms. Shenfield questioned the traffic pattern and if it will accommodate the amount of traffic that the proposal will generate. Mr. Fallati stated that the City of Schenectady commented on limiting left hand turns on Palmer Ave into the parking lot. It will need to be right turn only.

Mr. McPartlon asked Mr. Fallati if the applicant would consider adding on to the building so that it envelopes the parcel that is in Niskayuna. Mr. Fallati stated he would need to research more to answer that. He noted that the potential applicant requires a drive thru.

Mr. Skrebutenas asked when the name of the potential applicant / fast food restaurant could be disclosed. Mr. Fallati stated he will find out and give the Board an answer. Ms. Skrebutenas stated his concern with removing a building on the Town of Niskayuna side in order to create a parking lot. He felt this proposal wasn't the highest and best use for the Town of Niskayuna and felt if the older existing building needed to be removed than another building, closer to the street, should be considered in order to maintain the character of Upper Union St.

Ms. Shenfield asked about the possibility of electric vehicle charging station parking and whether or not some of the parking in the proposed parking lot could be made public. Mr. Fallatti stated he could look into that. Ms. Robertson stated it could be nice to have some additional greenspace there and Ms. Shenfield asked about the possibility of outdoor sitting / eating / gathering space.

Acting Chairman D'Arpino summarized to the applicant they would like to see other configurations that involved another building and possibly public parking or EV charging stations. He stated before closing the discussion that a project lead will be needed for this project and 3140 Troy Schenectady Road. He asked the Board to respond to Ms. Robertson if they could volunteer.

VIII. REPORTS

a) Comprehensive Plan Update

Ms. Robertson announced to the Board that she will need volunteers to help create the new Town Comprehensive Plan. Acting Chairman D'Arpino added that he was on the last committee to create the 2013 Plan and felt it really helps committee members learn a lot about the Town. He recommended volunteering for it to the Board members. Ms. Robertson added that the recommendation from the Town Board was to have a representative from multiple boards and the public to create a diverse collective of members.

b) Planning Department Updates

Ms. Robertson stated that Rivers Ledge apartments received a temporary CO for their first building. She stated that the interior of the apartments look beautiful but they are still in need of external landscaping in the spring.

c) COVID 19 Updates

Ms. Robertson stated that nothing has changed in the Town's COVID policy at this time.

IX. COMMISSION OF BUSINESS

Acting Chairman D'Arpino stated that Ms. Shenfield will hopefully be appointed as a full time Board member at the next Town Board meeting. The Board congratulated Ms. Shenfield.

X. ADJOURNMENT

Acting Chairman D'Arpino asked for a motion to adjourn. Mr. McPartlon made a motion and it was seconded by Mr. Skrebutenas. The meeting was adjourned at 9:02 pm.



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 1

MEETING DATE: 2/14/2022

ITEM TITLE: DISCUSSION: 3140 Troy Rd. – An Application for Site Plan Review to build out approximately 9,300 sq. ft. of new medical office space in addition to the existing 4,100 sq. ft. of medical office space.

PROJECT LEAD: Daci Shenfield

APPLICANT: Ray Trotta, agent for the owner

SUBMITTED BY: Laura Robertson, Town Planner

REVIEWED BY:

☐ Conservation Advisory Council (CAC) ☐ Zoning Board of Appeals (ZBA) ☐ Town Board
☐ OTHER:

ATTACHMENTS:

☐ Resolution ☒ Site Plan ☐ Map ☐ Report ☐ Other:

SUMMARY STATEMENT:

Ray Trotta, of the Holland Trotta project and agent for the owner, submitted an application to build out the currently unutilized portion of the medical office building at 3140 Troy Rd. as an additional 9,300 sq. ft. of medical office space. The 1.243 acre property is located within the R-P Residential and Professional Zoning district. Medical offices are special principal uses in this district per the Town Zoning Code.

BACKGROUND INFORMATION

The Planning Office reviewed the Building and Planning archives regarding 3140 Troy Rd. and assembled the following highlights.

- **Town Zoning Code** Section 220-10 District Regulations K, R-P Residential and Professional District 3 (b) includes medical offices as a special principal use.
- **Town Board** Resolution 2004-39 adopted on 1/20/04 granted a special use permit for the construction of an 8,000 sq. ft. professional / medical office building as proposed in a drawing entitled "Concept Plan, Proposed Office Building, 3140/3144 Troy-Schenectady Road," prepared by C.T. Male Associates, P.C. dated November 12, 2003.
- **Planning Board** Resolution 2004-26 adopted on 1/7/04 granted site plan approval for the construction of an 8,000 sq. ft. professional / medical office building located at 3140/3144 Troy Road. The site plan is described as being shown on "a set of plans entitled

“Niskayuna Professional Office Development, Town of Niskayuna, Schenectady County”, prepared by Lansing Engineering. P.C. dated May 11, 2004”.

- **Building Permit # 07040405** approved on 1/24/08, submitted by applicant David G. Lloyd, stamped “Received Apr 04 2007”, is for a 12,524 sq. ft. of **usable / rentable** medical office building at 3140/3144 NYS Route 7.

Mr. Fitzgerald’s Application for Site Plan Approval indicates there will be no change to the exterior of the existing building and the existing site. The following documents were included with the application.

- Project scope letter from Robert Fitzgerald to Niskayuna Planning Board dated 1/14/23
- Drawing entitled “First Floor Plan, Niskayuna Professional Office Building” by Chas. A. Johnson Engineering PLLC dated 8/30/07 last revised 10/30/09.
- Drawing entitled “Lower Level Plan, Niskayuna Professional Office Building” by Chas. A. Johnson Engineering PLLC dated 8/30/07 with no subsequent revisions.
- Short Environmental Assessment Form (EAF)

The application describes the following proposed development of the interior of the existing building.

- 4,100 sq. ft. of office space on the main floor is currently occupied / used.
- 2,800 sq. ft. of office space on the main floor is to be built out
- 6,500 sq. ft. of office space on the lower floor is to be built out
- 13,400 sq. ft. of total office space at the completion of the project

1/24/22 Planning Board (PB) meeting – The applicant described the proposed project to the Board and provided some insight into the discrepancy between the 8,000 sq. ft. of floor space approved in the special use permit and site plan approval and the 12,524 sq. ft. of floor space referenced in the building permit. It was difficult during the meeting to follow how the buildings square footage values were being determined so the Board requested a color coded version of the site plan and floor plan drawing. The number of available parking spaces (56) relative to the number required per code (77) was discussed. The Board requested a revised site plan drawing showing where an additional (21) parking spaces could be located on the lot to comply with code.

As follow up to the 1/24/22 PB meeting and preparation for the 2/14/22 PB meeting the Planning Office has researched how the Town Zoning Code establishes the area of a building. Section 220-4 Definitions of the Zoning Code includes the following: Floor Area, Gross: The sum of horizontal areas of the floors of a building, excluding unenclosed or unheated porches, unenclosed decks, unfinished basement areas or garages, measured from the exterior face of the exterior walls. Therefore, the gross floor area for the existing building is 15,770 sq. ft. (7,885 sq. ft. 1st floor + 7,885 sq. ft. lower level).

The Gross Floor Area is an important parameter for proposed Planning Board projects. The Town zoning code uses the Gross Floor Area of proposed buildings to calculate the number of parking spaces that are required to service the building.

On 2/10/22 Mr. Trotta provided the Planning Office with a new 11-page drawing set entitled “3140 Troy Schenectady Road Medical Office Tenant Layout” by the Holland Trotta Project and

Fitzgerald Engineering dated 020/9/22 with no subsequent revisions. The package includes the following.

- Sheet 1 – Existing site conditions
- Sheet 2 – Site design charrette in parking expansion possibilities
- Sheet 3 – Lower level – leasable square footage
- Sheet 4 – 1st Floor – leasable square footage
- Sheet 5 – National design guidelines medical office for reference only
- Sheet 6 – Existing building elevations – south and west elevations
- Sheet 7 – Existing building elevations – north and east elevations
- Sheet 8 – Existing building sections
- Sheet 9 – Overflow / employee parking expansion exercise
- Sheet 10 – Lower level – gross footprint square footage
- Sheet 11 – 1st Floor – gross footprint square footage

The 11-page drawing set includes values and calculations for Leasable Area or Square Footage (the square footage of the building that is proposed to actually be rented out) and values and calculations for Gross Floor Area (GFA) (the square footage of the building as defined previously and in the Niskayuna zoning code).

The applicant has worked with the Planning Office to make sure they are clearly answering the questions raised by the PB at the 1/24/22 meeting.

PB Request 1 – color code the site plan drawing to show the currently occupied and additional areas of the building that the applicant would like to build out and rent.

LEASABLE AREA – APPLICANT’S PREFERRED OPTION

Sheets 3 & 4 of the drawing package include the following proposal based on Leasable Area.

Sheet	Level	Description	Leasable Area (sq. ft.)	Notes	Total Area (sq. ft.)
4	1 st Floor	Area 1 - green	4,040	Currently occupied	4,040
4	1 st Floor	Area 2 – tan	2,800	Proposed	6,840
3	Lower level	Area 3 – blue	3,780	Proposed	10,620
3	Lower level	Area 4 - pink	1,564	Proposed	12,184
3	Lower level	<i>Unfinished basement</i>		<i>1,578 sq. ft</i>	

PARKING SPACES REQUIRED

220 Attachment 22 Schedule I-H R-P District Column 6 lists the minimum required off-street parking for professional medical offices as 1 space per 175 sq. ft. of gross floor area.

The Town zoning code based parking space requirement for this option is:

- $((\text{GFA } 1^{\text{st}} \text{ Floor} + \text{GFA Lower level}) / 175 \text{ (sq. ft. / parking space)}) =$
- GFA 1st Floor = 7,885 sq. ft.
- GFA Lower level = 7,885 – all unfinished basement & storage areas including....
 - Storage Area = 897
 - Storage Area = 115
 - Storage Area = 119
 - Storage Area = 46

- Mechanical Room = 125
- Mechanical Room = 82
- Sprinkler Room = 67
- Utility Room 1 = 86
- Utility Room 2 = 41
- TOTAL = 1,578
- $(7,885 + 7,885 - 1,578) / 175 = \mathbf{81 \text{ parking spaces required}}$

GROSS FLOOR AREA (GFA) – APPLICANT’S 2ND CHOICE OPTION

Sheets 10 & 11 of the drawing packet include the following proposal based on GFA.

Sheet	Level	Description	Gross Floor Area (sq. ft.)	Notes	Total Area (sq. ft.)
11	1 st Floor	Area 1 - green	7,885	Proposed	7,885
10	Lower level	Area 2 – blue	4,072	Proposed	11,957
10	Lower level	Stair 1 & 2	267	Proposed	12,224
10	Lower level	<i>Unfinished basement</i>		<i>3,546 sq. ft.</i>	

The Town zoning code based parking space requirement for this option is:

- $((\text{GFA } 1^{\text{st}} \text{ Floor} + \text{GFA Lower level}) / 175 \text{ (sq. ft. / parking space)}) =$
- GFA 1st Floor = 7,885 sq. ft.
- GFA Lower level = 4,072 + Stairways 1 & 2 to access the lower level
 - Note: all other area is unfinished basement & storage area
 - Stair 1 = 124
 - Stair 2 = 143
 - STAIR TOTAL = 267
 - GFA LOWER LEVEL TOTAL = 4,339
- $(7,885 + 4,339) / 175 = \mathbf{70 \text{ parking spaces required}}$

PB Request 2 – provide a revised site plan drawing showing where additional parking spaces could be located on the property.

Sheets 2 and 9 of the 11-page drawing set display the available and possible future parking spaces on the lot.

Itemized Spaces	Description	Total
56	Existing spaces	56
3	Easy adds to main lot	59
11	Difficult adds to main lot	70
7	Remote lot	77

PROVISIONAL PARKING BOND

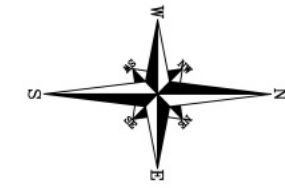
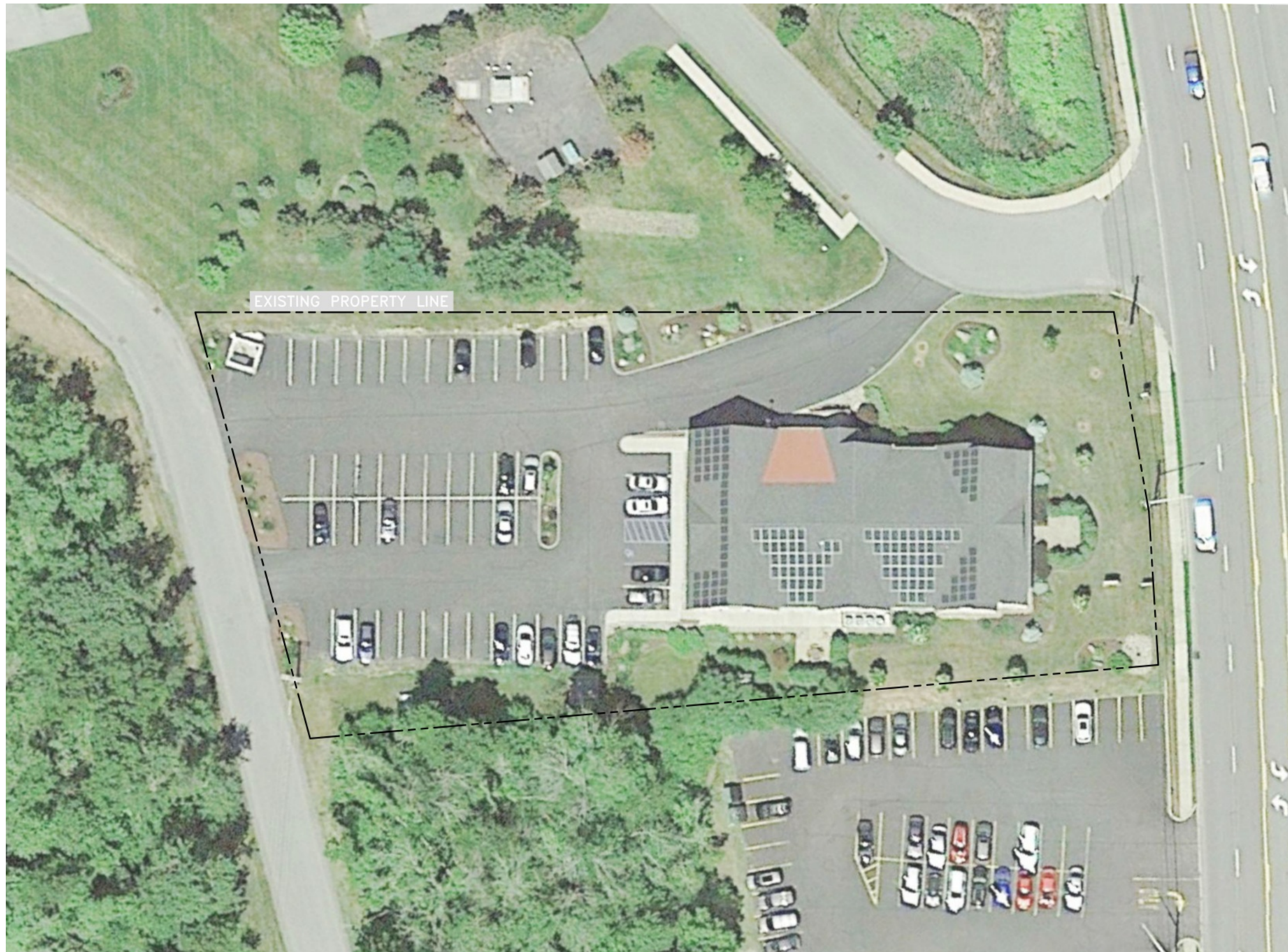
Section 220-19 Off-street parking; driveways E construction of parking area includes “If, in the judgement of the Planning Board, the required parking would be excessive, the Planning Board may allow up to 25% of the required to be unpaved, under bond, to allow extra landscaped

area. The Planning Board may require paving of the area left unpaved if it is deemed necessary at a later date. The bond shall be retained for three years.”

Applying this provision to the 81 parking space requirement of the Leasable Area proposal described on sheets 3 & 4 of the drawing package results in a parking space requirement of 61 spaces ($81 * .75 = 61$). As described above the applicant could create 61 paved spaces on the site plan but the maximum number of parking spaces they can create on the lot at 3140 Troy Road and the remote lot is 77. Therefore the applicant would need to pursue a recommendation from the Planning Board and relief from the zoning code from the Zoning Board of Appeals (ZBA).

Applying this provision to the 70 parking space requirement of the Gross Floor Area proposal described on sheets 10 & 11 of the drawing package results in a parking space requirement of 53 spaces ($70 * .75 = 53$). The applicant already has 56 paved parking spaces on the lot at 3140 Troy Road and can create a total of 70 spaces on the lot. Therefore if the Planning Board thinks the 70 parking space requirement is excessive in this case they can allow 75% of the parking spaces to be paved and allow the applicant to “bank” the additional 25% of the parking spaces as described in the code.

The applicant and the Planning Board have options that may be implemented regarding parking. These options should be reviewed and discussed at the 2/14/22 PB meeting.



PARKING REQUIREMENTS:

THE FOLLOWING PARKING DATA IS BASED UPON THE TOWN OF NISKAYUNA ZONING CODE AS PER TOWN CODE, REQUIRED PARKING IS BASED UPON THE PROPOSED USE.

AS PER THE TOWN OF NISKAYUNA ZONING CODE FOR THE R-P ZONING DISTRICT, 1 PARKING SPACE IS REQUIRED PER 175 SQUARE FEET OF GROSS FLOOR AREA FOR PROFESSIONAL MEDICAL OFFICE SPACE. THE EXISTING BUILDING WILL BE ABLE TO ACCOMMODATE +/-13,400 SQUARE FEET OF MEDICAL OFFICE SPACE THEREFORE, 77 PARKING SPACES ARE REQUIRED ON SITE. THE EXISTING PARKING COUNT ON SITE IS 56 SPACES THEREFORE, A VARIANCE IS REQUESTED.

Fitzgerald Engineering, PLLC

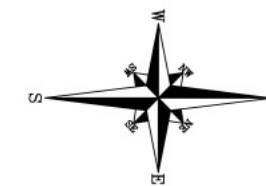
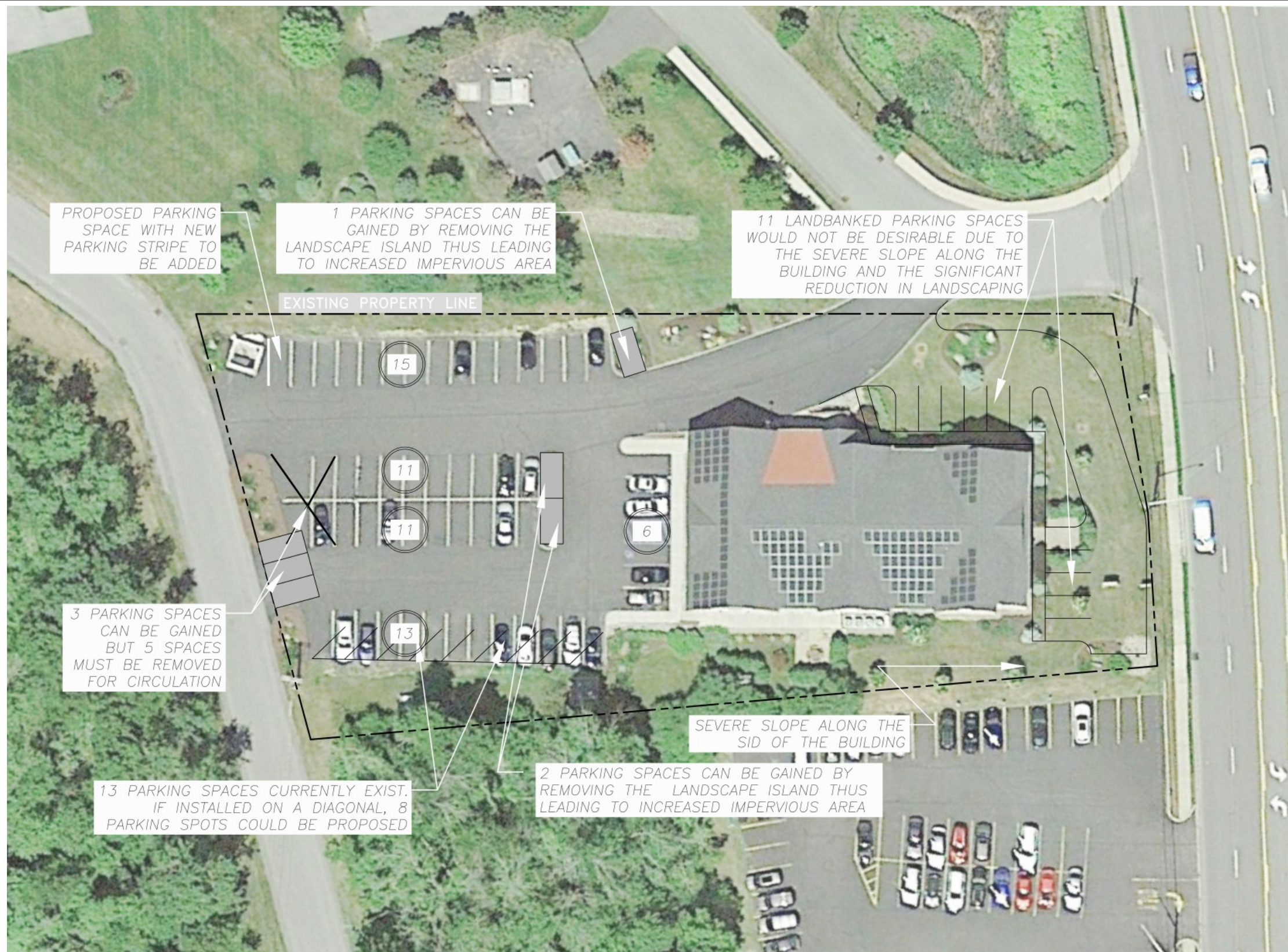


Fitzgerald Engineering, PLLC
277 Alexander Street
Suite 210
Rochester, NY 14607
Phone: 585.281.9897
Web Site: fitzgeraldengineering.net

Existing Site Conditions
Not to Scale - For Reference

	DATE	BY
DWN		
REV		

SCALE SEE VIEW
02/10/22
DATE



Fitzgerald Engineering, PLLC

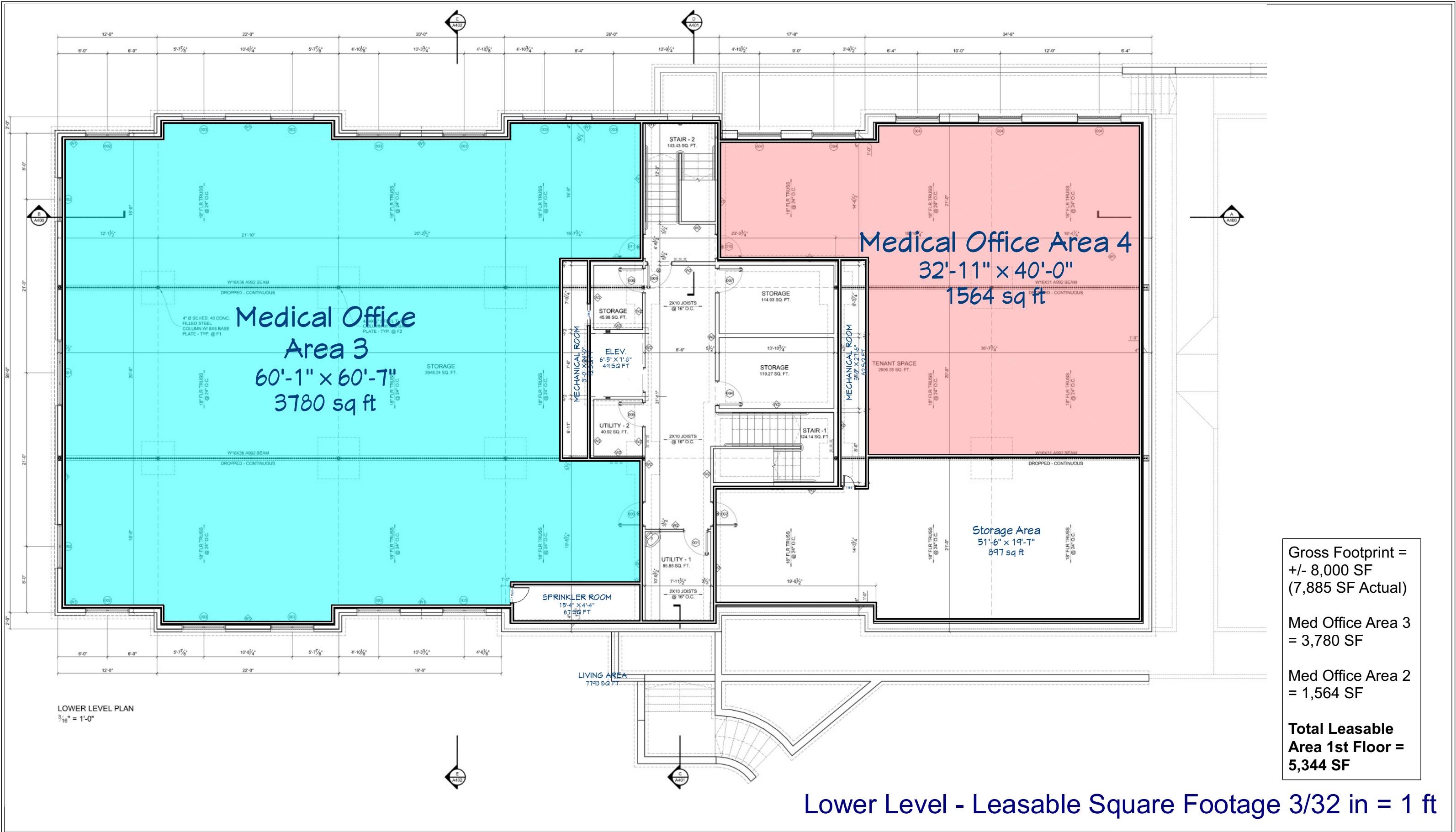


Fitzgerald Engineering, PLLC
277 Alexander Street
Suite 210
Rochester, NY 14607
Phone: 585.281.9897
Web Site: fitzgeraldengineering.net

Site Design Charrette in Parking Expansion Possibilities Not to Scale - For Reference

	DATE	BY
DWN		
REV		

SCALE SEE VIEW
02/10/22
DATE



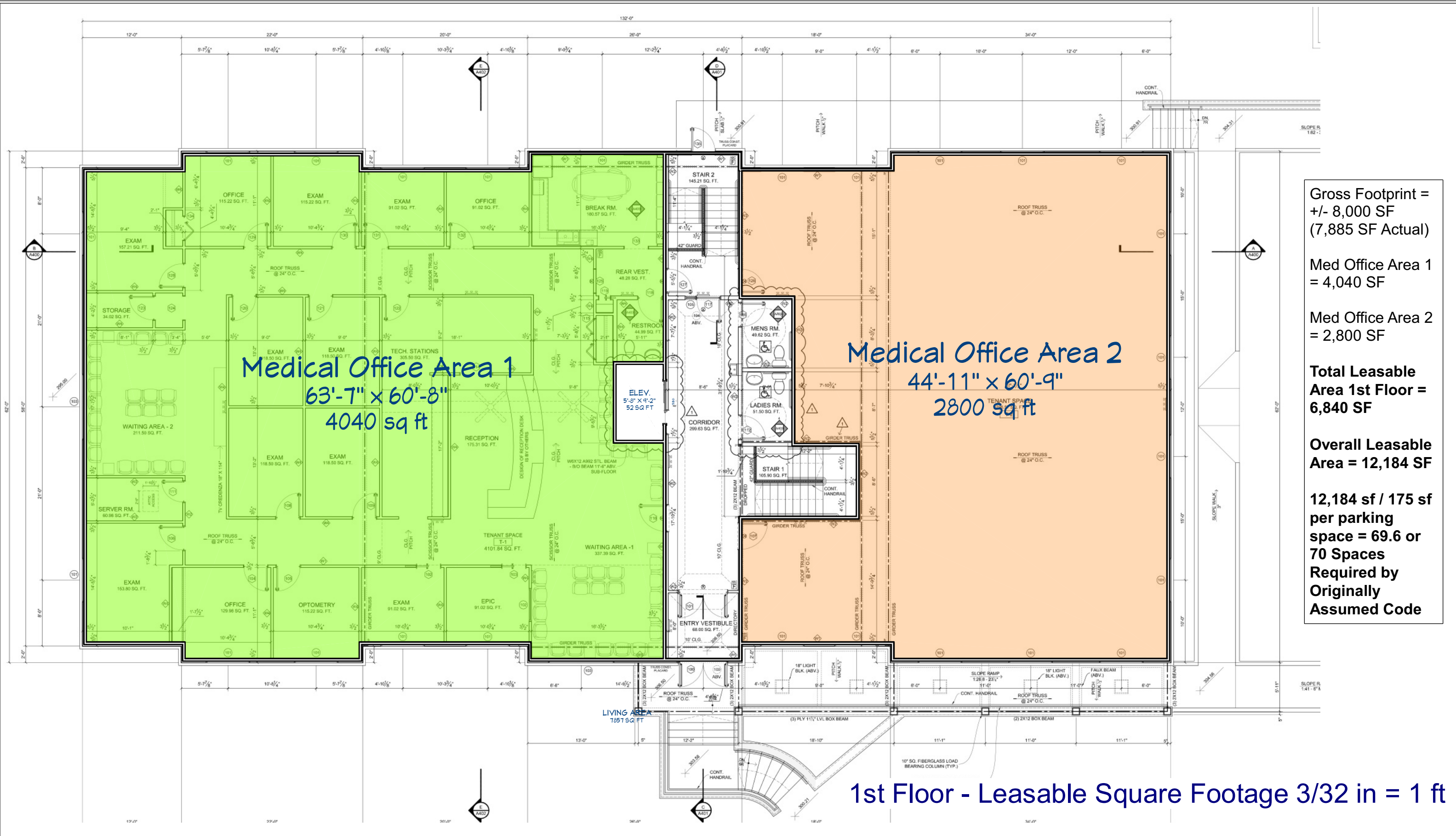
Gross Footprint =
+/- 8,000 SF
(7,885 SF Actual)

Med Office Area 3
= 3,780 SF

Med Office Area 2
= 1,564 SF

**Total Leasable
Area 1st Floor =
5,344 SF**

Lower Level - Leasable Square Footage 3/32 in = 1 ft



Gross Footprint =
+/- 8,000 SF
(7,885 SF Actual)

Med Office Area 1
= 4,040 SF

Med Office Area 2
= 2,800 SF

Total Leasable
Area 1st Floor =
6,840 SF

Overall Leasable
Area = 12,184 SF

12,184 sf / 175 sf
per parking
space = 69.6 or
70 Spaces
Required by
Originally
Assumed Code

1st Floor - Leasable Square Footage 3/32 in = 1 ft



DESIGNED FOR
Niskayuna, NY
Planning Board

3140 Troy
Schenectady Road

Medical Office
Tenant Layout

	DATE	BY
DWN		
REV		

SCALE SEE VIEW
02/10/22
DATE

SHEET #
4

Home (<https://www.trb.org/>) » [TRID \(/\)](#) » View Record



(<https://bit.ly/2022CareerFair>)

Parking Requirements for Medical Office Buildings

This study was conducted to document the parking requirements for medical office buildings (MOBs). A total of 50 MOBs located throughout the United States were studied to determine their parking requirements. Research was conducted with the following objectives: identify and reference historical MOB peak-hour parking demand ratios; create a database of MOB peak-hour parking demand ratios that employ the number of parking spaces needed per 1,000 gross square feet; identify municipal code requirements for those buildings surveyed; and summarize findings by mean and 85th-percentile values. Based on the findings from this research, providing 4.5 spaces per 1,000 gross square feet of building space should be sufficient to meet MOB needs during peak-hours.

Availability:

Find a library where document is available. Order URL: <http://worldcat.org/oclc/614107147> (<http://worldcat.org/oclc/614107147>)

Authors:

Dorsett, John W
Lukasick, Mark J

Publication Date: 2007-8

Language

English

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Features: Figures; References; Tables;

Pagination: pp 40-43

Serial:

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Subject/Index Terms

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Subject Areas: Highways; Law; Planning and Forecasting; Terminals and Facilities; I72: Traffic and Transport Planning;

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Overall Leasable
Area = 12,184 SF

12,184 sf /4.5
parking spaces
per 1,000 sf =
54.82 or 55
Spaces per
national design
standards

National Design Guidelines
Medical Office For Reference Only



DESIGNED FOR
Niskayuna, NY
Planning Board

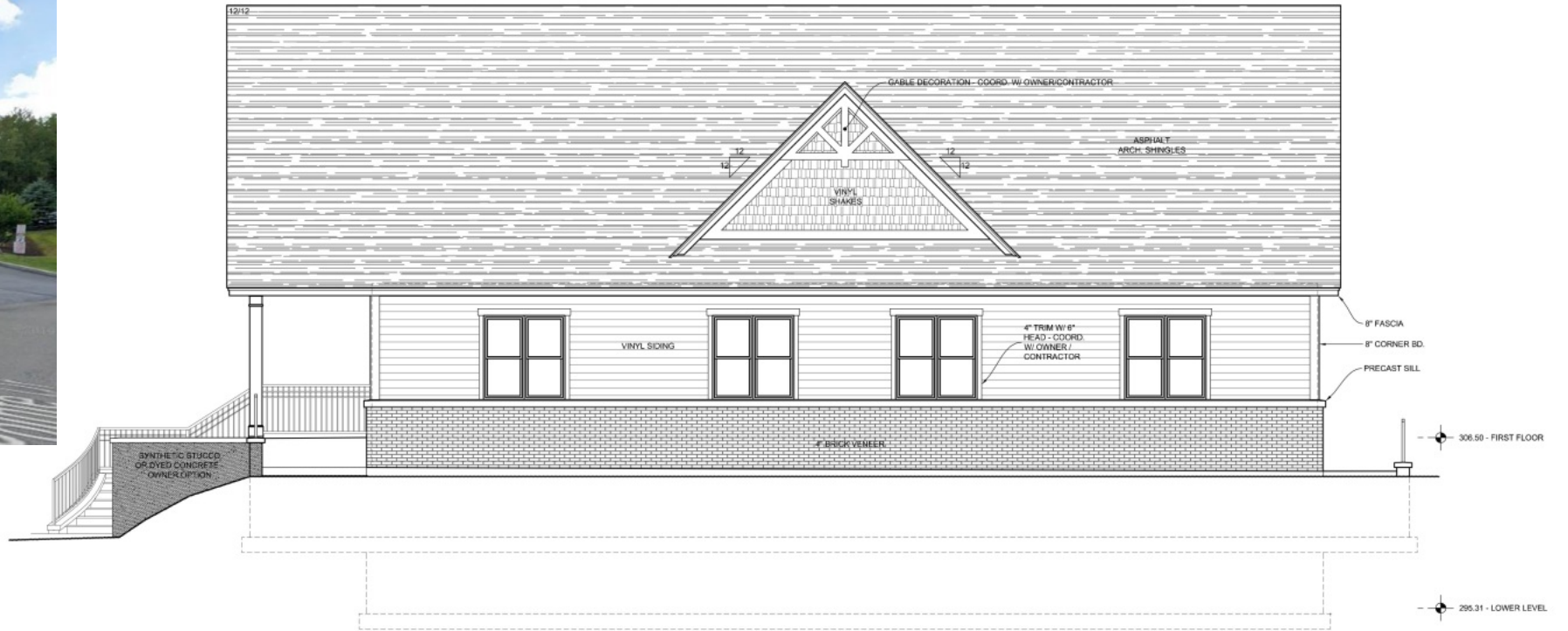
1/2
3140 Troy
Schenectady Road

Medical Office
Tenant Layout

	DATE	BY
DWN		
REV		

SCALE SEE VIEW
<small>Applicable on Arch B Paper</small>
02/10/22
DATE

SHEET #
5



SOUTH ELEVATION
 $\frac{3}{16}'' = 1'-0''$

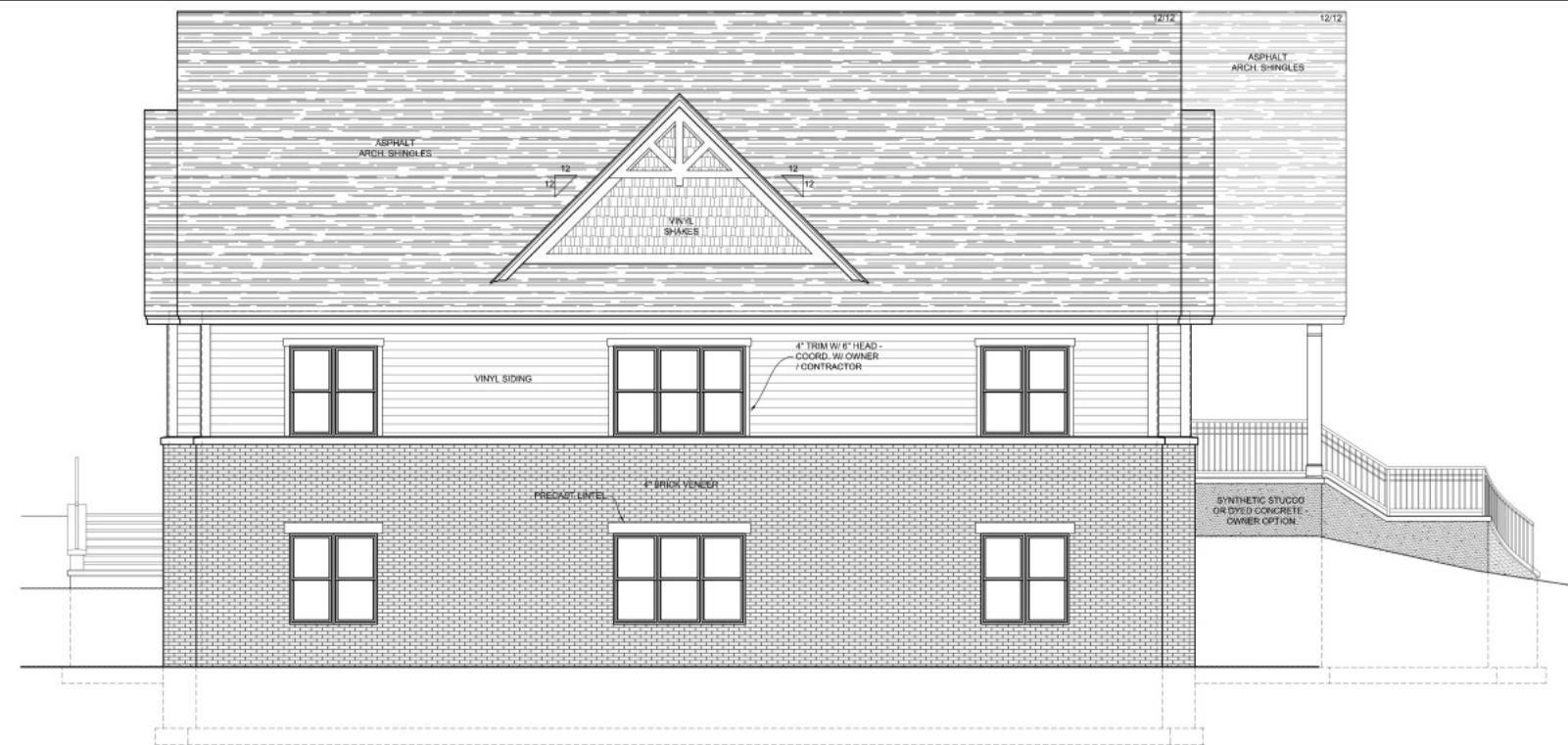


Existing Building Elevations
 Not to Scale - For Reference Only

	DATE	BY
DWN		
REV		

SCALE SEE VIEW
02/10/22
DATE

idographic



NORTH ELEVATION
3/16" = 1'-0"

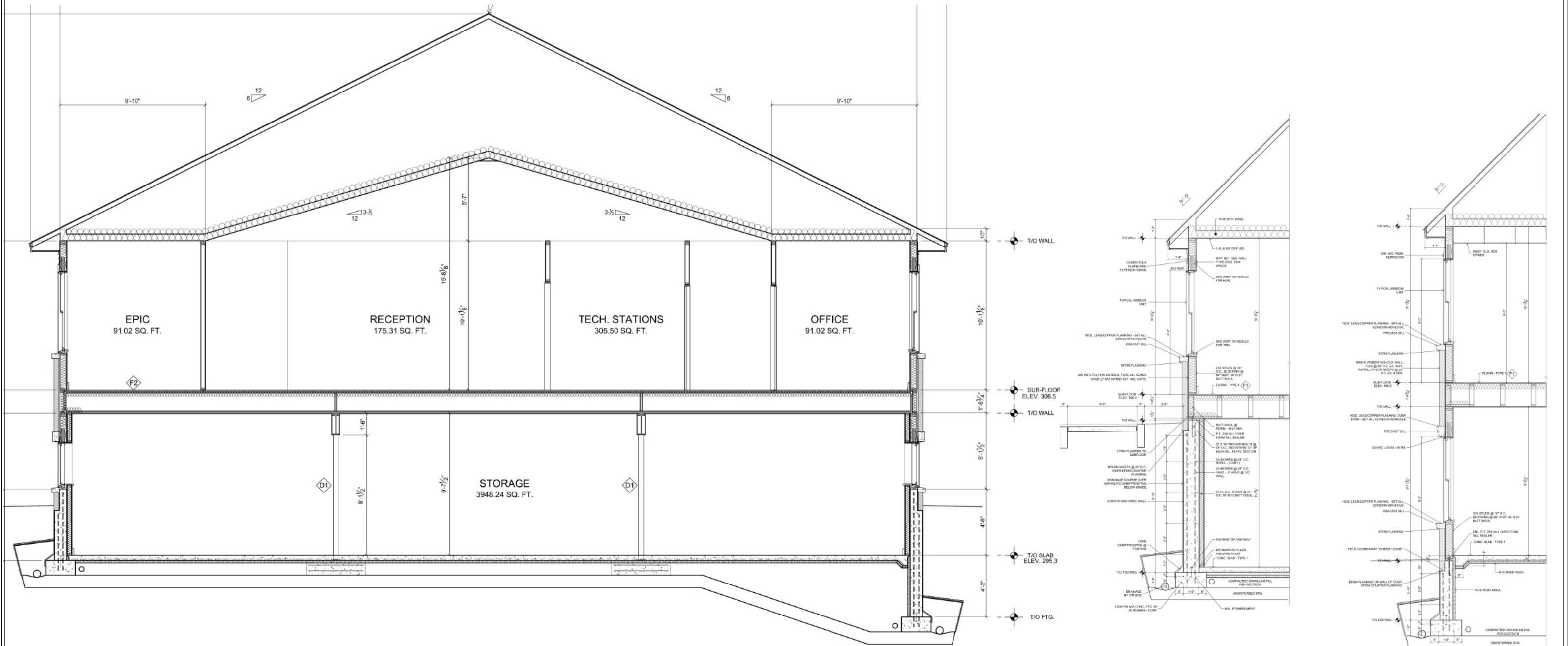


EAST ELEVATION
3/16" = 1'-0"

Existing Building Elevations
Not to Scale - For Reference Only

	DATE	BY
DWN		
REV		

SCALE SEE VIEW
02/10/22
DATE



Existing Building Sections
Not to Scale - For Reference Only



Fitzgerald Engineering, PLLC



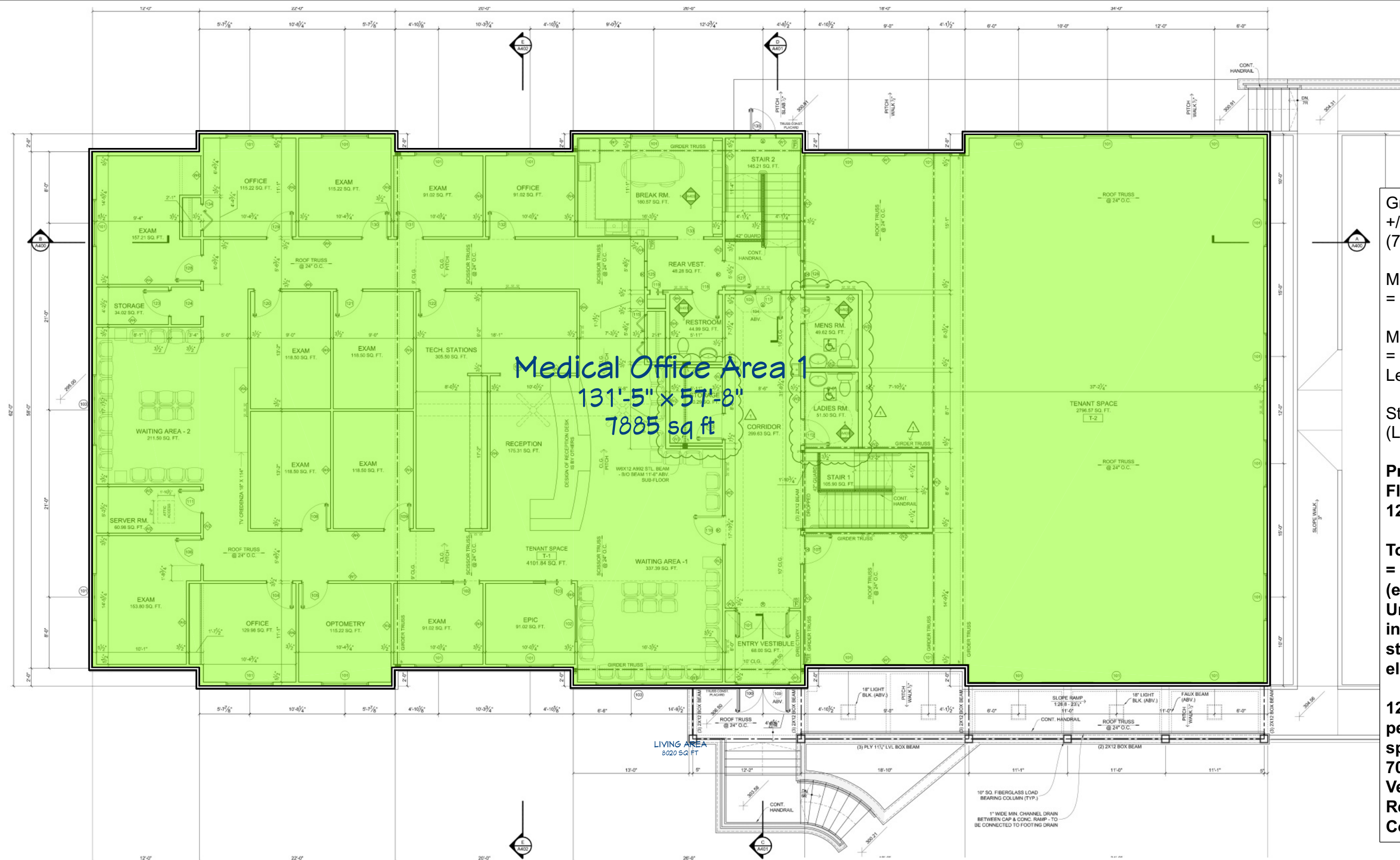
Fitzgerald Engineering, PLLC
277 Alexander Street
Suite 210
Rochester, NY 14607
Phone: 585.281.9897
Web Site: fitzgeraldengineering.net

Overflow/ Employee Parking Expansion Exercise
Not Desirable option by Owner - For Reference Only

	DATE	BY
DWN		
REV		

SCALE SEE VIEW
02/10/22
DATE

SHEET #
9



Gross Footprint =
+/- 8,000 SF
(7,885 SF Actual)

Med Office Area 1
= 7,885 SF

Med Office Area 2
= 4,072 SF (Lower
Level)

Stairs = 267
(Lower Level)

**Proposed Gross
Floor Area =
12,224 SF**

**Total Gross Area
= 15,458 SF
(excluding
Unfinished Area
in Lower Level,
stair wells and
elev.)**

**12,224 sf / 175 sf
per parking
space = 69.85 or
70 Spaces
Verified as
Required by
Code**

1st Floor - Gross Floor Area Sqaure Footage $\frac{3}{32}$ in = 1 ft



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII.2

MEETING DATE: 2/14/22

ITEM TITLE: DISCUSSION: An application for an extension to Resolution 2020-12 for site plan approval of an addition to the Niskayuna Animal Hospital at 2764 Troy Schenectady Road

PROJECT LEAD: TBD

APPLICANT: Eileen Gaegan, owner

SUBMITTED BY: Laura Robertson, Town Planner

REVIEWED BY:

☒ Conservation Advisory Council (CAC) ☒ Zoning Board of Appeals (ZBA) ☐ Town Board
☐ OTHER:

ATTACHMENTS:

☐ Resolution ☒ EAF ☒ Site Plan ☒ Map ☐ Report ☒ Other: Recommendation to ZB

SUMMARY STATEMENT:

Dr. Eileen Gaegan, owner of Niskayuna Animal Hospital located at 2764 Troy-Schenectady Road, submitted an application for an extension of the site plan for the construction of an 890 sq. ft. building addition and parking improvements to the existing animal hospital.

BACKGROUND INFORMATION

The previous owner of the animal hospital, Dr. Scharf, submitted an Application for Site Plan Review to construct an 890 sq. ft. building addition to connect two veterinary buildings. Minor adjustments to paving and parking were also included.

The application received an area variance from the Zoning Board of Appeals (ZBA) for the 890 square foot addition (a 31% increase to a pre-existing nonconforming building) and noted no change in intensity of use. The Planning Board approved the site plan (Resolution 2020-12, attached) with the conditions on parking lot expansion, final engineering review and Architectural Review Board review of the final façade.

Upon taking ownership of the Niskayuna Animal Hospital in 2020, Dr. Gaegan experienced significant Covid-19 pandemic related staffing shortages. The unexpected sudden departure of two critical staff members required that Dr. Gaegan assume many of their responsibilities in addition to her own and required that she scale back the practice until new staff could be recruited and trained. She is requesting a 2 year extension to the approved site plan which, similar to the COVID related timeline setbacks for the Capital District Jewish Holocaust Memorial site plan and special use permit, is the controlling timeline for all associated additional approvals (ZBA).



TOWN OF NISKAYUNA

One Niskayuna Circle
Niskayuna, New York 12309-4381

Phone: (518) 386-4530

Application for Site Plan Review

Applicant (Owner or Agent):

Location:

Name EILEEN GERAGAN, VMD
(NISKAYUNA ANIMAL HOSPITAL)

Number & Street

Address 2764 TROY - SCHENECTADY RD.
NISKAYUNA, NY 12309

Section-Block-Lot 51.11 - 4 - 1.1

Email emgvmd@gmail.com

Telephone 518 785-9731 / Fax 518 785-9741 Zoning District

Proposal Description:

I am requesting a two year extension to
the site plan as it currently exists. It is set to
expire in April.

Signature of applicant:

Eileen M. Geragan, VMD

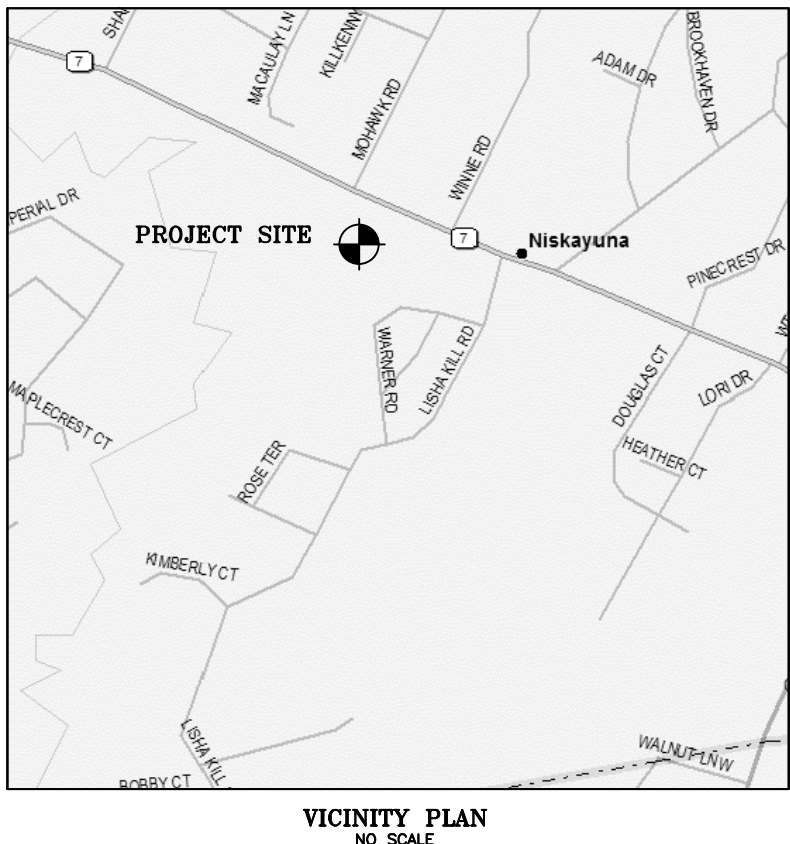
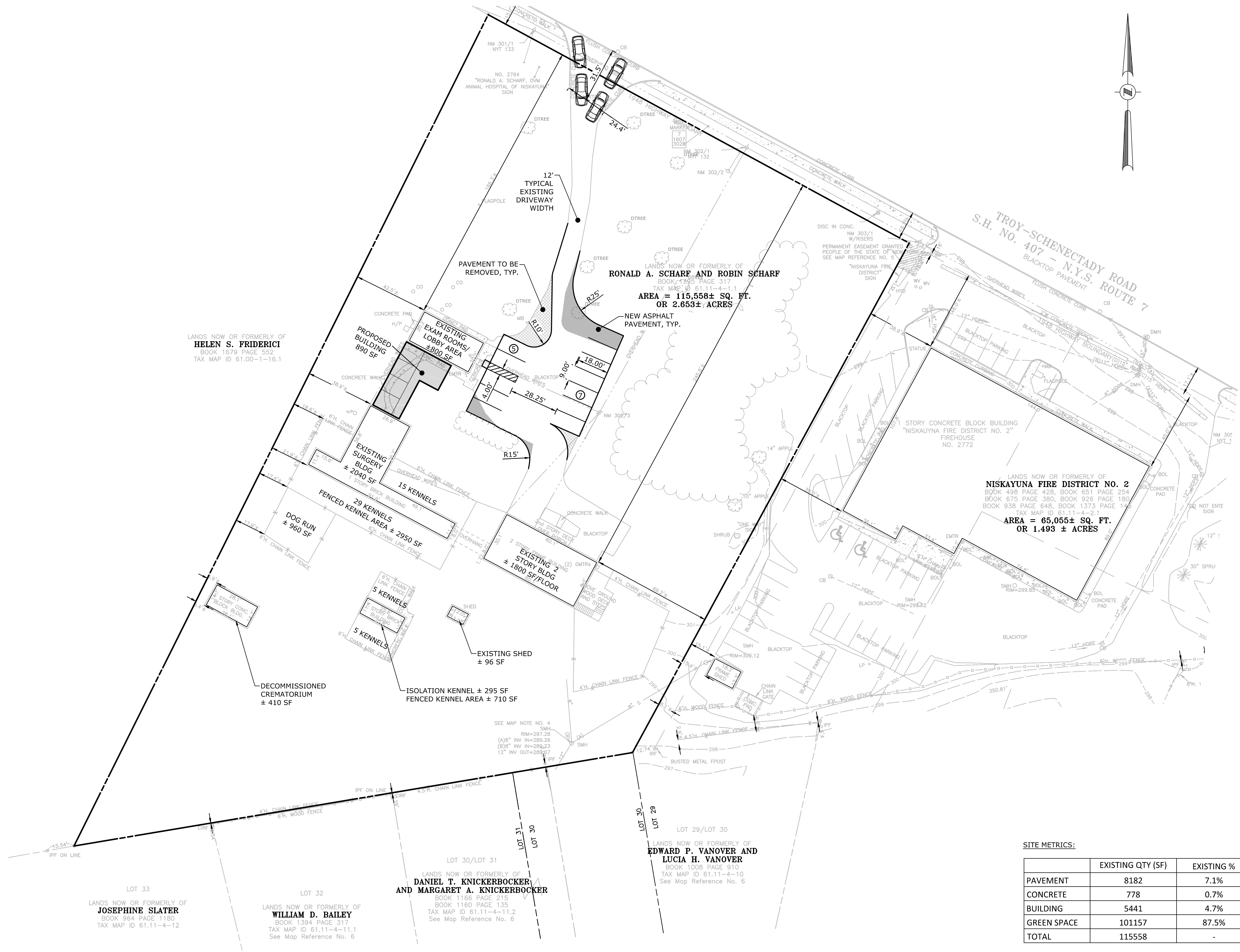
Date: 2/8/2022

Signature of owner (if different from applicant):

Date: _____

Each site plan application shall be accompanied by:

1. Digital copies in pdf format of all application forms and supporting documents.
2. A digital copy in pdf format and three (3) full size copies of any large scale plans or maps prepared by a licensed engineer, architect or surveyor.
 - a. The site plan shall include the following: the title of the drawing, including the name(s), address(es), phone and fax numbers of the applicant and the name address, phone and fax number of the person, firm or organization preparing the map.
 - b. The North point, date and scale.
 - c. Boundaries of the property.
 - d. Existing watercourses and direction of existing and proposed drainage flow.
 - e. The location of all proposed site improvements; proposed water and utility facilities; a description of the method of sewage disposal and location of such facilities; the location of all proposed signs; and location of proposed areas of vegetation.
2. A digital copy in pdf format of a lighting plan showing the lighting distribution of existing and proposed lights, specifications, photometric data, and catalog cuts of the proposed fixture(s) which meet the requirements of Article VIII B of the Zoning Ordinance of the Town of Niskayuna entitled "Guidelines for Lighting of Outdoor Areas under Site Plan Review".
3. One (1) copy of the short or long Environmental Assessment Form (EAF), as required by 6NYCRR Part 617, "State Environmental Quality Review", and Chapter 95, "Environmental Quality Review" of the Code of the Town of Niskayuna.
4. If the application is being made by someone other than the current property owner, the applicant or the agent for the applicant must provide proof that they are authorized to pursue this site plan approval. Such proof may be in the form of a contract for sale or letter by the current owner that the applicant/agent is authorized to proceed with this application.
5. Administration Fees: An application for site plan approval shall be submitted to the Planning Board at least ten (10) business days prior to a regular meeting of the Planning Board. Each petition shall be accompanied by a minimum fee of **\$200.00** plus an additional fee based on the square footage of new building construction. Fees are payable to the Town of Niskayuna.
6. Consulting Fees: The cost incurred by the Town for the review of an application by the Town Engineer, consulting engineering firm or other consulting fees, in connection with a Board's review of a proposed application shall be charged to the applicant. The Board to whom the application is made shall obtain an estimate from any designated consultant of the amount sufficient to defray the cost of such services and shall collect from the applicant the estimated charges. Any portion of the estimated charges so collected, which are not expended by the Town, shall be returned to the applicant. Any such costs incurred by the Town beyond the estimated charges initially collected from the applicant, shall be collected from the applicant prior to final action upon the application.



BULK REQUIREMENTS: ZONING DISTRICT: R-2

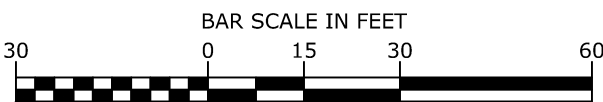
	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	5 AC	2.65 AC	2.65 AC
MIN. LOT WIDTH	400 FT	275 FT	275 FT
MIN. LOT DEPTH	400 FT	532 FT	532 FT
MAX % COVERAGE OF BUILDINGS	25%	5%	6%
MIN. FRONT YARD SETBACK	75 FT	166 FT	166 FT
MIN. SIDE YARD SETBACK	75 FT	39 FT/ 186 FT	39 FT/ 186 FT
MIN. REAR YARD SETBACK	75 FT	200 FT	200 FT
MIN. PARKING SPACES	*	6	12


SITE METRICS:

	EXISTING QTY (SF)	EXISTING %	REMOVED QTY (SF)	ADDED QTY (SF)	PROPOSED QTY (SF)	PROPOSED %
PAVEMENT	8182	7.1%	448	611	8345	7.2%
CONCRETE	778	0.7%	317	13	474	0.4%
BUILDING	5441	4.7%	0	890	6331	5.5%
GREEN SPACE	101157	87.5%	1773	0	100408	86.9%
TOTAL	115558	-	2538	2538	115558	-

LEGEND:

- PROPOSED BUILDING
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- PROPOSED PAVEMENT REMOVAL



DOMINICK F. ARICO P.E. NO. 066515	DATE	REVISIONS RECORD/DESCRIPTION		DRAFTER	CHECK	APPR.	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW. © 2019 C.T. MALE ASSOCIATES DESIGNED: ARW DRAFTED : ARW CHECKED : DFA PROJ. NO : 19.9706 SCALE : 1" = 30' DATE : FEB. 05, 2020	SITE LAYOUT PLAN			
	2/19/2020	△	UPDATED SITE METRICS & METRICS TABLE	ARW	DFA	DFA		BUILDING & PARKING LOT EXPANSION ANIMAL HOSPITAL OF NISKAYUNA			
		△						TOWN OF NISKAYUNA			
		△						ALBANY COUNTY, NEW YORK			
		△						C.T. MALE ASSOCIATES			
		△						Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. 50 CENTURY HILL DRIVE, LATHAM, NY 518.786.7400			
		△						COBLESKILL, NY • GLENS FALLS, NY • POUGHKEEPSIE, NY • JOHNSTOWN, NY LITTLE FALLS, NY • RED HOOK, NY • SYRACUSE, NY			
		△						www.ctmale.com			
	△							C-101	SHEET 1 OF 1		
									DWG. NO: 19-0731		

RESOLUTION NO. 2020-12

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 13TH DAY OF APRIL 2020 AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE, IN SAID TOWN AT 7:00 P.M., THE FOLLOWING MEMBERS WERE PRESENT:

HONORABLE: KEVIN A. WALSH, CHAIRMAN
MORRIS AUSTER
GENGHIS KHAN
MICHAEL A. SKREBUTENAS
CHRIS LAFLAMME
PATRICK MCPARTLON
DAVID D'ARPINO
DACI SHENFIELD
LESLIE GOLD

One of the purposes of the meeting was to take action on a final site plan.

The meeting was duly called to order by the Chairman.

The following resolution was offered by Mr. Auster.
whom moved its adoption, and seconded by Mr. LaFlamme.

WHEREAS, CT Male Associates, on behalf of Ronald Scharf of the Animal Hospital of Niskayuna, has made an application to the Planning Board and Zoning Commission for site plan review for the construction of an 890 square foot addition between the existing exam rooms and the surgery building at 2764 Troy Schenectady Road, and

WHEREAS, the site plan is shown in the map entitled "Site Layout Plan, Building & Parking Lot Expansion, Animal Hospital of Niskayuna," prepared by CT Male Associates, on February 5, 2020 and last revised on February 19, 2020, and

WHEREAS, the zoning classification of the property is the R-2: Medium-Density Residential, and

WHEREAS, this application was referred to the Schenectady County Planning Department on January 23, 2020, and on February 18, 2020, they responded by stating that they defer the project's review to local consideration, and

WHEREAS, the application was referred to the Niskayuna Conservation Advisory Council for its review and on February 5, 2020 it recommended that a negative declaration be prepared with recommendations to the applicant, and

WHEREAS, the Zoning Board of Appeals reviewed this application as it related to Town Code section 220-53 (A) of the Zoning Ordinance of the Town of Niskayuna and granted an area variance to allow an 890 square foot addition to the building, an allowance for a 31% increase to the total square footage of the pre-existing non-conforming buildings, with a note that there was no change in the intensity of use to the property, and

WHEREAS, this Board has carefully reviewed the proposal and by this resolution does set forth its decision hereon,

NOW, THEREFORE, be it

RESOLVED, that the Planning Board and Zoning Commission, acting in accordance with the State Environmental Quality Review regulations and local law, has determined that this project will not have a significant effect on the environment and hereby directs the Town Planner to file a negative declaration, and be it

FURTHER RESOLVED, that the Planning Board and Zoning Commission does grant final site plan approval for the site plan of the map entitled "Site Layout Plan, Building & Parking Lot Expansion, Animal Hospital of Niskayuna," prepared by CT Male Associates, on February 5, 2020 and last revised on February 19, 2020, with the following conditions:

1. The parking lot shall not be expanded without site plan approval by the Planning Board
2. Prior to issuance of a Building Permit for the building, the applicant shall submit elevation and landscaping drawings to the Architectural Review Board for their review and approval, to ensure that the proposed addition is aesthetically integrated with the existing structures.
3. Prior to issuance of a Building Permit, all site grading and engineering shall be addressed to the satisfaction of the Town Engineering Department.
4. Prior to issuance of a building permit, a handicap parking space is to be added to the site plan drawing "Building & Parking Lot Expansion Animal Hospital C-101" and it shall be constructed upon restriping of the parking lot.

Upon roll call the foregoing resolution was adopted by the following vote:

KEVIN A. WALSH, CHAIRMAN -- Aye
MORRIS AUSTER -- Aye
GENGHIS KHAN -- Aye
MICHAEL A. SKREBUTENAS -- Aye
CHRIS LAFLAMME -- Aye
PATRICK MCPARTLON -- Aye
DAVID D'ARPINO -- Aye

The Chairman declared the same duly adopted.

2764 Troy Schenectady Road SEQR Review and Findings
January 27, 2020

Memorandum to the Planning Board and Zoning Board
From: Conservation Advisory Council

RE: CAC SEQR Review and Findings

Project Description

2764 Troy-Schenectady Road is a 2.7 acre parcel located within the R-2, Medium Density Residential, zoning district. Currently, Dr. Ronald Scharf operates the Niskayuna Animal Hospital at this location as a registered non-conforming commercial business within the R-2 zoning district. The business currently utilizes 2 independent and unattached buildings for waiting room / exam room and surgical rooms. The third building is currently a residential rental unit. On 1/23/20 Dr. Scharf submitted an Application for Site Plan Review to construct a 1,640 sq. ft. building addition to connect the two veterinary buildings. Minor adjustments to paving and parking are also included. Two currently paved areas will have the paving removed approximately offsetting the addition of paving in two areas to reconfigure and create new parking spaces.

The site plan application was denied by reason of Section 220-53 (A) of the Zoning Ordinance, increasing more than 10% usable floor area of a nonconforming use, and therefore requires a Use Variance.

In their review of the project and the short form EAF, the CAC made the following findings:

1. There is a moderate/large conflict with an adopted land use plan or zoning regulation

The CAC noted that the Zoning regulations are specific about restricting additions to non-conforming uses and the Comprehensive Plan takes a strong stance against any increase in commercial use of properties along Route 7. Therefore this proposal had a large conflict with the adopted land use plan. However, the CAC noted the conflict is mitigated by it being an existing business, the use is not changing, and there is still continuity with the neighborhood. Another mitigating factor was the addition would be difficult to see from the road, the property already has a residential feel, and there is a low visible footprint to this proposal. They also noted the parking is not being extensively modified and that in and of itself may keep the level of use of the property the same.

- a. Any changes to parking to allow more customers at one time should be thoroughly reviewed by the Planning Board.

2. There is a small change in the use or intensity of land

The CAC noted the use is continuing and only modernizing and they do not want to see an increase in the intensity of use.

3. The proposed action will not impact or impair the character or quality of the existing community.

The CAC noted the applicant has stated they will not be increasing boarding or any of the activities that cause inherent nuisance to the community. There will be the same number of employees. This proposal is to give space to a cramped exam room / waiting room configuration, separate cats from dogs and modernize the practice.

- a. Set limits on use

4. The proposed action will not have an impact on a CEA.

The Environmental Assessment Form (EAF) submitted by the applicant's engineer states that the proposed action is consistent with the predominant natural landscape and that the proposed action is not located in or adjoin a state listed Critical Environmental Area.

5. The proposed action will have no impact to level of traffic or biking

The proposed activity will not significantly increase parking and the applicant is stated there will not be an increase in boarding / kenneling / doggie day care. Therefore this should not increase traffic.

6. The proposed action will cause no/small increase in the use of energy

7. The existing action will have no/small impact on public water and wastewater utilities.

8. The proposed action has no/small impact on the character of quality of important historic, archeological, architectural or aesthetic resources.

The CAC noted that the existing buildings are old and residential looking – so any addition should be kept to the character of the surrounding buildings.

9. The proposal has a small adverse change to natural resources.

There may be some affected Trees. The Tree Council should look at impacted vegetation.

10. The proposed action has no/small increase in the potential for flooding or drainage problems.

11. The proposed action will not create a hazard to environmental resources or human health

The Conservation Advisory Council unanimously approved a recommendation for a negative declaration, with the following recommendations:

- The business must remain a veterinary hospital with the same relative activity it has today. The proposal is to modernize the inside of the hospital - there should not be an increase in boarding levels or doggie daycare that may increase the nuisance to the neighborhood.
- The Parking Lot should not be expanded without site plan approval by the Planning Board. The size of the parking lot contributed to the CAC's decision of low environmental impact.
- The proposed addition shall be aesthetically integrated with the existing structures.
- It is important that the addition is far from the road and does not affect the visual corridor of Route 7. Any changes that affect the visible façade should be thoroughly reviewed.
- The CAC would like to see the least amount of disturbance to existing vegetation and asked the Tree Council to review any impacted trees.

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
(518) 386-4530**

February 27, 2020

Ronald Scharf
2764 Troy Rd
Niskayuna, NY 12309

Dear Dr. Scharf,

At its regularly scheduled meeting held on February 26, 2020, the Zoning Board of Appeals ("the Board") reviewed the following case:

Appeal by Ronald Scharf for a variance from Section 220-53 (A) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2764 Troy Schenectady Road, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District and is a registered non-conforming use, to construct a 890 square foot addition to the veterinary practice which exceeds the allowance for nonconforming properties. Section 220-53 (A) states "A nonconforming building may be structurally altered as long as cumulative alterations do not add more than 10% to the usable floor area of said building or structure as it existed on July 1, 1971, and when a valid zoning and building permit has been obtained. Such alteration shall not tend to increase any inherent nuisance, nor shall such alterations violate any provisions of this chapter regarding yards, lot area or lot coverage for the district in which it is situated or increase any existing violation of such provision." As proposed, an addition of 890 square feet adds 31% to the square foot total of the two buildings (2,839) that are being connected with the addition. Therefore, a use variance is required.

Town Code Section 220-69 (D) (1) allows: "The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the Zoning Enforcement Officer and to that end shall have all the powers of the Zoning Enforcement Officer from whose order, requirement or decision the appeal is taken." The Board voted 5-2 to modify the Zoning Enforcement Officer's denial. They voted to treat the 890 square foot addition as an area variance which allows a 31% increase to the total square footage of the existing buildings. They noted there was no change in the intensity of use on the property.

Based on the modified denial, it was the decision of the Board to grant an area variance for the 890 square foot addition.

The Board based its decision on the findings of fact set forth in the applicant's appeal and the discussion between the applicant (or the applicant's representative) and the Board members during the meeting. You can view a video of the meeting at https://www.youtube.com/watch?v=_BL1gICzGrI.

The approval of a variance by the Board does not constitute authorization to proceed with the establishment on extension of any use, nor the construction of any structure. It shall authorize the filing of an application for permits with the Building Department on approval as required by Town Code.

Town Code Section A235-10(D) provides: "Unless otherwise specified, any order or decision of the Board for a permitted use shall expire if a building or occupancy permit for the use is not obtained by the applicant within 90 days from the date of the decision; however, the Board may extend this time an additional 90 days." As such, you must proceed with applying for a permit within 90 days of the date of this decision.

Sincerely,

Fred Goodman
Chairman

cc: Town Clerk
Building Department
ZBA File