

TOWN OF NISKAYUNA
Planning Board and Zoning Commission
Agenda
January 24, 2022
7:00 PM

REGULAR AGENDA MEETING

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MINUTES**
 - 1. January 10, 2022
- 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.
- V. PRIVILEGE OF THE FLOOR**
- VI. UNFINISHED BUSINESS**
- VII. NEW BUSINESS**
 - 1. RESOLUTION: 2022-05: A Resolution for recognition of Planning Board member Morris Auster.
 - 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.
 - 3. RESOLUTION: 2022-04: A Resolution for site plan approval to locate S&G Roofing at 3800 State St.
- VIII. DISCUSSION ITEM**
 - 1. 1356 Balltown Rd. – site plan application including area variances for the construction of 9 townhome buildings (18 dwelling units).
 - 2. 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.
 - 3. 1748 Union St. – site plan application for the demolition of the existing home and construction of a parking lot.
- IX. REPORTS**
 - 1. Comprehensive Plan Update
 - 2. Planning Department Updates
 - 3. COVID 19 Updates
- X. COMMISSION BUSINESS**
- XI. ADJOURNMENT**

NEXT MEETING: February 14, 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 10, 2022

Members Present:

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

Also Present:

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

I. CALL TO ORDER

Chairman Walsh called the hybrid meeting to order at 7:00 P.M.

II. ROLL CALL

All members present either in person or virtual tonight.

III. MINUTES**December 13, 2021**

Mr. LaFlamme made a motion to approve the minutes and it was seconded by Mr. Khan. Chairman Walsh added that there were technical difficulties with the meetings audio so the minutes will be a condensed version. He added some changes to the minutes including the wrong date for the PB meeting and ZBA meeting.

Upon roll call, the amended minutes were approved unanimously.

Mr. D'Arpino	AYE
Mr. Skrebutenas	AYE
Mr. Khan	AYE
Mr. LaFlamme	AYE
Mr. McPartlon	AYE
Ms. Gold	AYE
Chairman Walsh	AYE

42
43 **IV. PUBLIC HEARINGS**

44 No public hearings tonight
45

46 **V. PRIVILEGE OF THE FLOOR**

47 Ms. Robertson stated she received 1 email that was forwarded to the Board. Ms. Robertson stated
48 Ms. Karen Munez voiced her concerns regarding the project at 1356 Balltown Road. She stated
49 her concerns regarding the drainage and runoff from the project proposed.
50

51 **VI. UNFINISHED BUSINESS**

52 There was no unfinished business
53

54 **VII. NEW BUSINESS**
55

56 **RECOMMENDATION TO ZBA: 1356 Balltown Road - A Recommendation to the ZBA**
57 **concerning area variances for 9 townhome buildings (18 dwelling units) at 1356 Balltown**
58 **Rd.**

59 Mr. Caponera was present virtually to represent his clients. He reviewed with the Board the
60 updates and changes that have occurred since the last PB meeting. Mr. D'Arpino was the lead
61 Board member on this project. Chairman Walsh asked if Mr. D'Arpino could begin the
62 discussion on the recommendation to the ZBA.

63 Mr. D'Arpino stated for the record that the applicants have removed two units from the original
64 site plan (1 building); they have adjusted plans to create more open space and have moved 1 of
65 the buildings away from Balltown Road to eliminate some direct headlight issues on the existing
66 homes across the street on Balltown Road.

67 Chairman Walsh explained that the Board will answer 3 questions in regards to the
68 recommendation for the ZBA. He added that Ms. Gold will be sitting in for Mr. Auster who has
69 recently retired from the Planning Board.

70 **Effect on the Comprehensive Plan –**

71 Mr. D'Arpino proposed that there was no effect on the Comprehensive Plan. He stated he did
72 agree with the type of use of the property and noted that the current zoning classification will
73 continue to have a residential usage. The project fulfills a current need for this type of housing
74 within the Town and the Town Center Overlay District. Townhomes are an allowed use in this
75 R2 zoning district. He noted the negligible impact the traffic count data predicts for the
76 surrounding area. This proposal generates less traffic than that of full single family home build-
77 out. The development creates (18) new dwelling units which is consistent with the number of
78 single-family homes (17) shown in the baseline single-family home site plan.

79 Ms. Gold dissented stating that the project does have a negative effect on the comprehensive plan
80 due to its inclusion of several nonconforming lot sizes.

81 Chairman Walsh took out the Niskayuna Comprehensive Plan and noted the following:

Page 5 – “Introduction: -- ...Encourage housing development of various types, sizes, and costs to meet the needs of people at various stages of the life cycle, income, age levels and household compositions. New development shall not compromise the integrity of the surrounding neighborhoods”. Chairman Walsh stated the development of (18) townhomes will add housing diversity within the R-2 Zoning district.

Page 28 – “Issue: Pedestrian Movement – In May of 2002 the Town enacted Local Law # 3 the Sidewalk Installation, Maintenance and Repair Law that promotes the maintenance of safe and adequate sidewalks for pedestrian use.....Recently, the Planning Board has required developers to install new sidewalks in areas where they connect to existing sidewalks”..... Chairman Walsh stated the development will include new sidewalks to support pedestrian movement along Balltown Rd and along Van Antwerp Rd. In addition, pedestrian traffic will be able to occur through this development which connects Balltown Rd to Van Antwerp Rd.

Page 91 & 94 – “Issue Area: Land Use – Subarea B5: The Town Center is located in this subarea. The Town has adopted the Town Center Overlay District (TCOD) which includes design standards for any type of construction or renovation for any building located in the TCOD. The Town should continue to uphold the existing zoning standards in place that encourage pedestrian friendly development”. Chairman Walsh felt this submittal supports pedestrian movement and is an allowed use within the R2 district.

Page 98 – “Issue: Housing Diversity – The majority of Niskayuna’s development is single family residences. Single family homes include condominiums & townhomes”..... Resident calls to the Planning Office and developer market research indicates a need for more townhome and other “age in place” living options within the Town. Chairman Walsh indicated the project supports that need.

Chairman Walsh asked for any more discussion. Hearing none, he asked for a roll call on each question for the record.

Mr. D’Arpino AYE

Mr. Skrebutenas AYE

Mr. Khan AYE

Mr. LaFlamme AYE

Mr. McPartlon AYE

Ms. Gold NAY

Chairman Walsh AYE

The Board voted 6-1 that there was no effect on the Comprehensive Plan.

Suitability of Use –

Mr. D’Arpino proposed that the project was a suitable use. He stated the project maintains the residential use of the parcel by creating (18) townhome units which is nearly identical to the (17) R-2 single-family dwelling units shown in the baseline site plan. The project site sits between two C-N zones making it an ideal location for a harmonious transition to residential properties and housing diversity. The creation of owner occupied dwelling units is something the Town is striving for. It leaves a large portion of the land as open space which is desirable.

Mr. D'Arpino added that townhomes are allowed in the R-2 zoning district but specific details such as common side setback specifics are not incorporated into the Zoning code. The current 4th revision of the plan has reduced the number of variances since the inception of project from 103 to 54. Eighteen (18) of the 54 variances are due to the shared lot lines inherent in townhomes and no setback variances are needed to any contiguous properties. Five (5) single-family homes will be demolished and redeveloped as part of this proposal.

Chairman Walsh stated the project retains a larger section of the wooded area in the Town center than a traditional single-family home design would. The redevelopment of the five (5) current single-family homes reduces the number of curb cuts on Balltown Rd & Van Antwerp Rd from 8 to 2. The design minimizes cut-through traffic by providing a torturous path from Balltown Rd to Van Antwerp Rd.

Ms. Gold stated she did agree with the use on this project.

Chairman Walsh called for a roll call.

Mr. D'Arpino AYE

Mr. Skrebutenas AYE

Mr. Khan AYE

Mr. LaFlamme AYE

Mr. McPartlon AYE

Ms. Gold AYE

Chairman Walsh AYE

The Board voted (7-0) that the project was a suitable use.

RECOMMENDATION –

Chairman Walsh if there was any discussion on the recommendation. Hearing none, he asked for a roll call.

Mr. D'Arpino AYE

Mr. Skrebutenas AYE

Mr. Khan AYE

Mr. LaFlamme AYE

Mr. McPartlon AYE

Ms. Gold AYE

Chairman Walsh AYE

The Board voted (7-0) to recommend the Zoning Board approve all the variances as attached.

RESOLUTION: 2022-1: A Resolution for site plan approval of a 2-year extension to site plan approval of the Capital District Jewish Holocaust Memorial (CDJHM) at 2501 Troy Schenectady Rd.

Mr. Khan made a motion to approve the resolution and it was seconded by Mr. LaFlamme. Mr. Hubbell and Mr. Zeitler, attorney's representing the applicant, were present virtually for this meeting. Mr. Hubbell stated his appreciation for the extension of time for the applicant.

Mr. Khan stated his support for this project but wanted to express that no disturbance to the site should be done until there is a guarantee that the project can be completed. Mr. Hubbell agreed and stated there is no intent to start this project until all finances are secure for the project.

Chairman Walsh asked for any other comments from the Board. Hearing none, he called for a vote.

Upon voting, the resolution passed 7-0.

Mr. D'Arpino AYE

Mr. Skrebutenas AYE

Mr. Khan AYE

Mr. LaFlamme AYE

Mr. McPartlon AYE

Ms. Gold AYE

Chairman Walsh AYE

RESOLUTION: 2022-2: A Resolution to call for a public hearing for a day care, Capitol Kids Care, to operate within an existing place of worship at 1930 Hillside Ave.

Ms. Gold made a motion to approve the resolution and it was seconded by Mr. D'Arpino.

Chairman Walsh explained the process for a Special Use Permit. Mr. Khan noted that this use of the building has had a day care before, it just hasn't been in the last 2 years. The applicant, Ms. Kaitlyn Brownell was virtually present for the meeting. She stated she submitted the traffic plan for the site.

Chairman Walsh asked if the Board had any comments regarding this project and the public hearing. He noted a typo in the resolution which should be updated. Hearing no more comments, he called for a vote on the resolution.

Upon voting, the resolution was approved unanimously 7-0.

Mr. D'Arpino AYE

Mr. Skrebutenas AYE

Mr. Khan AYE

Mr. LaFlamme AYE

Mr. Auster AYE

Ms. Gold AYE

Chairman Walsh AYE

Chairman Walsh added that he would like to call for a tentative resolution for recommendation to the Town Board at the same meeting as the public hearing. The Board agreed.

DISCUSSION ITEMS

1. 3800 State Street – site plan application for a tenant change to S & G Roofing.

Mr. D'Arpino recused himself from the case due to his professional working relationship to the applicant.

The applicant, Mr. Singh was present for the meeting. He stated he is purchasing this building for better space and parking for his business. Chairman Walsh noted that Mr. Singh's current location is close to this property. He asked if there are any things he learned from occupying the former building that will apply to this building. Mr. Singh stated the current building was very small for what he wants to accomplish and the parking lot was too small.

The Board discussed with the applicant where he will store his vehicles and if there is a dumpster on site. Mr. Singh presented a markup where the vehicles will park. He stated there will be a dumpster to collect debris. Chairman Walsh asked Mr. Singh to mark where the dumpster will be located so the Board can evaluate whether it needs to be shielded.

Mr. Robertson noted tenant change is a good time to look at the landscaping and see if any buffers or landscaping needs to be updated / improved to accommodate the change. This is similar to the what the Board did on a property just down the street. The Board agreed.

Chairman Walsh asked for a tentative resolution for the tenant change at the next meeting for this applicant. The Board agreed. Chairman Walsh asked for a project lead for this project.

2. Resolution recognizing Mr. Auster

Chairman Walsh called for a resolution to recognize Mr. Auster's retirement from the Planning Board. The Board agreed.

VIII. REPORTS

1. Planning Department Updates

There were no updates tonight

2. COVID 19 Updates –

Niskayuna will continue offering hybrid meetings.

3. Board reappointments

Ms. Robertson stated she submitted all the names for reappointments to the Board.

IX. COMMISSION OF BUSINESS

225 Mr. McPartlon asked if there was any transcript from the last meeting. Ms. Robertson stated that
226 due to a technical failure, there is no transcript for the meeting. They reached out to the
227 livestream website to see if they could fix it and there was nothing they could do. She reiterated
228 her apology to the Board and to the public on this issue.

229 Mr. Khan stated his appreciation for the Architectural Review Board and Mr. D'Arpino. He
230 stated the Notts Landing West project looks great and it is an upscale addition for Nott Street
231 East.

232 **X. ADJOURNMENT**

233 Chairman Walsh asked for a motion to adjourn. Mr. LaFlamme made a motion and it was
234 seconded by Mr. Skrebutenas. The meeting was adjourned at 7:45 pm.



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. IV.1

MEETING DATE: 1/24/2022

ITEM TITLE: PUBLIC HEARING: For an after school and summer camp in the basement level of the Indian Orthodox Church located at 1930 Hillside Ave.

PROJECT LEAD: TBD

APPLICANT: Katlyn Brownell, applicant 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: Public Hearing

SUMMARY STATEMENT:

Katlyn Brownell, applicant for the owner of 1930 Hillside Ave, has submitted an Application for Site Plan Review for an after school and summer camp in the basement level of the Indian Orthodox Church located at 1930 Hillside Ave. The property lies within the R-2 Medium Density Residential Zoning district.

BACKGROUND INFORMATION

Article IV Use Regulations Section 220-10 District Regulations C R-2 Medium Density Residential (3) (j) lists child day-care center operated within a school or place of worship as a special principal use. Special Principal Uses are allowed in the district upon issuance of a special use permit by the Town Board. The Planning Board is required to hold a public hearing prior to making a recommendation to the Town Board for their review of the special use permit application.

There is no action to be taken at a public hearing. The Public Hearing Notice is attached.

(For maps and other drawings please see the Discussion Item)



NOTICE OF PUBLIC HEARING

TO BE HELD BY THE
PLANNING BOARD & ZONING COMMISSION
OF THE TOWN OF NISKAYUNA

NOTICE IS HEREBY GIVEN that pursuant to the Zoning Ordinance of the Town of Niskayuna and the applicable provisions of New York Town Law, a public hearing will be held by the Planning Board and Zoning Commission of the Town of Niskayuna in the Town Board Meeting Room at One Niskayuna Circle on the twenty-fourth (24th) day of January 2022 at 7:00 p.m. to consider an application from Katylyn Brownell for a site plan and special use permit at 1930 Hillside Ave relative to the following:

An application to operate a child day care center (after school and summer camp) within a place of worship in the basement level of the Indian Orthodox Church located at 1930 Hillside Ave in the Town of Niskayuna. The property is located within the R-2 Medium Density Residentail Zoning district.

A copy of the application for the after school and summer camp will be available for inspection at the Planning Department in the Niskayuna Town Office Building and at <https://www.niskayuna.org/planning-board> under the "News and Announcement" tab and will be shown during the public hearing.

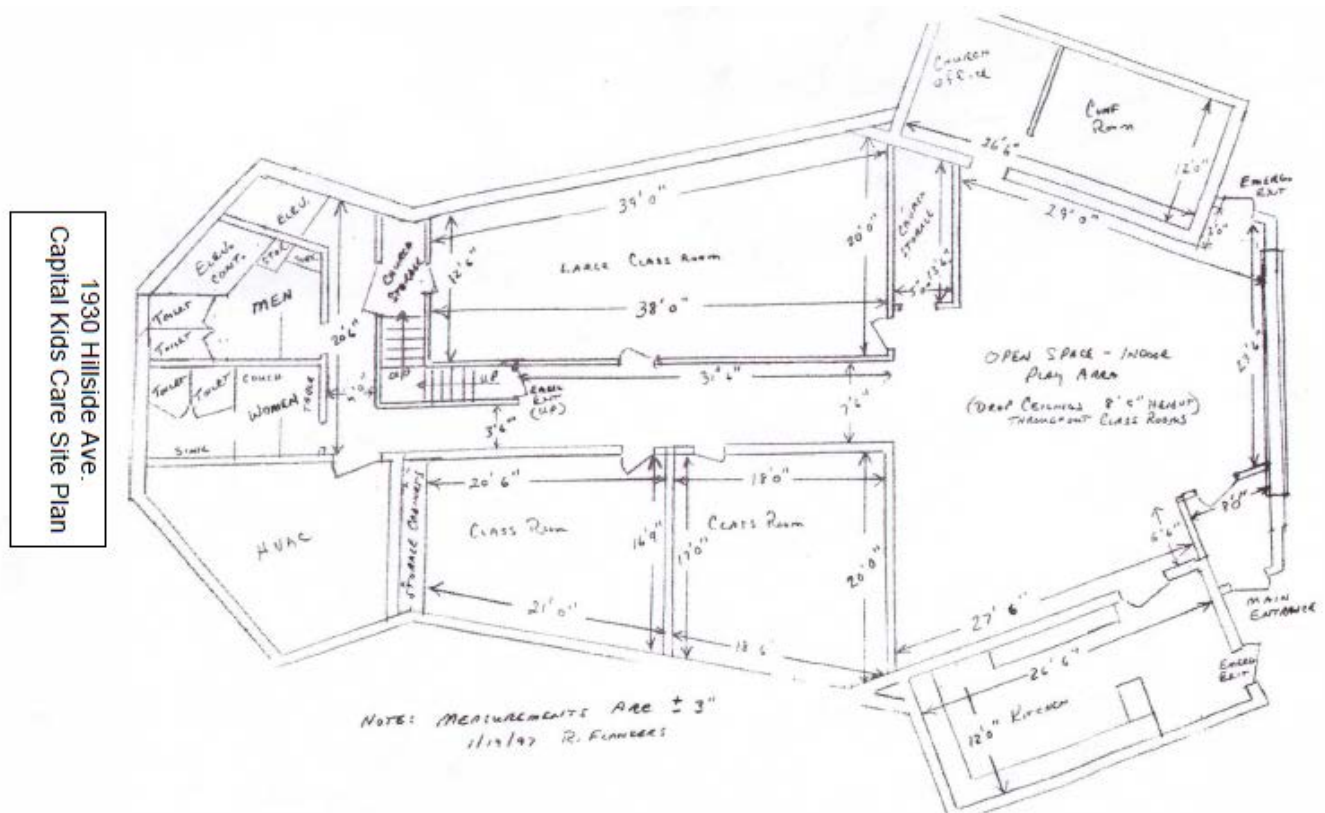
If you wish to express an opinion regarding the public hearing you may do so at the above-mentioned time and place. If you cannot be present, you may request a virtual login to the meeting by emailing lrobertson@niskayuna.org or calling 518-386-4530 or you may set forth you opinion in a letter which will be made part of the permanant record.

The Planning Board and Zoning Commission of the Town of Niskayuna will hear all persons interested during the aforementioned public hearing.

BY ORDER of the Planning Board of the Town of Niskayuna, New York.

KEVIN A. WALSH
Chairman, Planning Board and Zoning Commission

Katlyn Brownell is proposing to operate an after school and summer camp in the basement level of the Indian Orthodox Church located at 1930 Hillside Ave. The images below show the drop off and pick up traffic flow and the proposed site layout.





TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM VII. 1

MEETING DATE: 1/24/2022

ITEM TITLE: RESOLUTION: 2022-05: A Resolution for Recognition of former Planning Board member Morris Auster.

PROJECT LEAD: N/A

APPLICANT: N/A

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:

Attached is a resolution recognizing the services of Morris Auster to the Town Planning Board and Zoning Commission.

BACKGROUND INFORMATION

N/A

RESOLUTION NO. 2022 – 05

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 24TH DAY OF JANUARY 2022 AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE, IN SAID TOWN AT 7:00 P.M., THE FOLLOWING MEMBERS WERE PRESENT VIRTUALLY OR IN PERSON:

HONORABLE: KEVIN A. WALSH, CHAIRMAN
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 resolution of recognition for former Planning Board and Zoning Commission member Morris Auster.

The meeting was duly called to order by the Chairman.

The following resolution was offered by _____,
whom moved its adoption, and seconded by _____.

WHEREAS, Morris Auster was appointed to the Planning and Zoning Commission by the Niskayuna Town Board on February 26th, 2008 and served continuously for 14 years as a Planning Board member, and

WHEREAS, Mr. Auster sat on the Planning Board during its review of large development and redevelopment proposals that shaped much of the Town of Niskayuna and helped to rejuvenate its commercial zoning districts and protect its residential character; and

WHEREAS, on March 26th, 2011 Mr. Auster was appointed by the Niskayuna Town Board as a member of the Comprehensive Development Plan Committee, on which he was instrumental in developing long range goals to guide the Town's land use decisions and community growth patterns to protect the public health, safety and general welfare of Town of Niskayuna citizens; and

WHEREAS, Mr. Auster, through his ability to hone in on critical issues, was able to ensure projects took into account the needs of the surrounding neighborhoods and the greater good of the Town, and he excelled at navigating and balancing competing interests, which was an incredible asset to the Planning Board; and

WHEREAS, Mr Auster, in his capacity as a Planning Board member, treated residents and applicants with kindness and respect and demonstrated the kind of excellence in service to the public that the Town of Niskayuna strives for; and

WHEREAS, Mr. Auster served the people of the Town of Niskayuna with honor and distinction, and his knowledge and understanding of the Planning process and the Niskayuna Comprehensive Plan will be greatly missed.

NOW, THEREFORE, be it

RESOLVED, that the Planning Board and Zoning Commission of the Town of Niskayuna offers its personal and official thanks and appreciation to MORRIS AUSTER, and it does so publically to commend him for his excellent service.

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

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

The Chairman declared the same _____.



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VII. 2

MEETING DATE: 1/24/2022

ITEM TITLE: RESOLUTION: 2022-03: A Resolution to make a recommendation to the Town Board on a special use permit to locate a daycare (Capital Kids Care after school and summer camp) within an existing place of worship at the Indian Orthodox church at 1930 Hillside Ave.

PROJECT LEAD: TBD

APPLICANT: Katlyn Brownell

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:

Katlyn Brownell, applicant for the owner, has submitted a site plan application and special use permit application to operate an after school and summer camp in the basement level of the Indian Orthodox Church located at 1930 Hillside Ave. 1930 Hillside Ave, lies within the R-2 Medium Density Residential zoning district. Article IV Use Regulations Section 220-10 District Regulations lists child-care centers operated within a school or place of worship as a special principal use.

BACKGROUND INFORMATION

Ms. Brownell included a dimensioned interior floor plan drawing of the space and a letter of approval authored by Father Alex Joy, Vicar / President, of the Indian Orthodox Church with her applications.

The site plan application lists the proposed hours of operation for the child-care center as follows.

Monday – Friday 1:30 PM – 6:00 PM until June
Monday – Friday 7:30 AM – 5:30 PM July – Labor Day

The Board requested additional information regarding the number of students and faculty, proposed traffic routing for student drop off and pick up, survey drawing of the property and plans, if any, regarding use of the grounds outside of the building.

The applicant addressed these questions in an email to the Planning Office dated 12/19/21.

1. Proposed number of students and faculty
 - Expect 3 to 10 staff members (depending on the number of students and time of year)
 - The license capacity will be determined by OCFS during the licensing process
 - The program will not include more than 50 children during the school year or summer periods
 - The school will maintain a 1:10 adult to child ratio plus additional staffing
 - The program will employ additional staff during summer camp because of the extended hours
2. Proposed traffic routing for drop off and pick up
 - A drawing displaying the traffic routing was provided
 - Entrance & Exit will be via Hillside Ave
 - Parents and busses will enter through the "South Entrance" and exit through the "North Exit"
 - Parents will park in the portion of the lot closest to Hillside Ave.
 - Busses will stop on the driveway near the sidewalk leading to the basement entrance
 - Cap Kids staff will escort kids from the bus doors to the entrance of the building
 - Children and parents will enter the building through the basement doors
3. Survey drawing of the property was provided
4. Anticipated use of any grounds outside of the building
 - The backyard space will be used as a gross motor/play space
 - Parking lot sections will be coned off, per OCFS regulations, and used for play including chalk, basketball, hopscotch, etc.

1/10/22 Planning Board (PB) meeting – Ms. Brownell appeared before the PB and explained the proposed project. After a general discussion the PB voted unanimously to call for a public hearing to be held at the 1/24/22 PB meeting. The PB called for a tentative resolution at the 1/24/22 meeting to make a recommendation to the Town Board to approve the special use permit.

A resolution is included in the meeting packet for tonight.

RESOLUTION NO. 2022 – 03

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 24TH DAY OF JANUARY 2022 AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE, IN SAID TOWN AT 7:00 P.M., THE FOLLOWING MEMBERS WERE PRESENT VIRTUALLY OR IN PERSON:

HONORABLE: KEVIN A. WALSH, CHAIRMAN
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 make a recommendation to the Town Board on a special use permit.

The meeting was duly called to order by the Chairman.

The following resolution was offered by _____.
whom moved its adoption, and seconded by _____.

WHEREAS, Katlyn Brownell, has made an application to the Planning Board for site plan review and special use permit stamped "Received Dec 6 2021 Planning Office Niskayuna NY" for a tenant change to operate an after school and summer camp at 1930 Hillside Ave., Niskayuna, and

WHEREAS, the site plan is shown on an untitled drawing showing the 1930 Hillside Ave property stamped "RECEIVED Dec 06 20221, Planning Office Niskayuna, NY", and

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

WHEREAS, Town Zoning Code "Section 220-10 District Regulations C, R-2 Medium Density Residential District (3) Special principal uses includes (j) Child day-care center operated within a school or place of worship qualifies as a special principal use for this zoning district, and

WHEREAS, the Planning Board conducted a public hearing on January 24, 2022 to consider the application for site plan approval and special use permit, and

WHEREAS, this application was referred to the Schenectady County Planning Department, and

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

NOW, THEREFORE, be it hereby

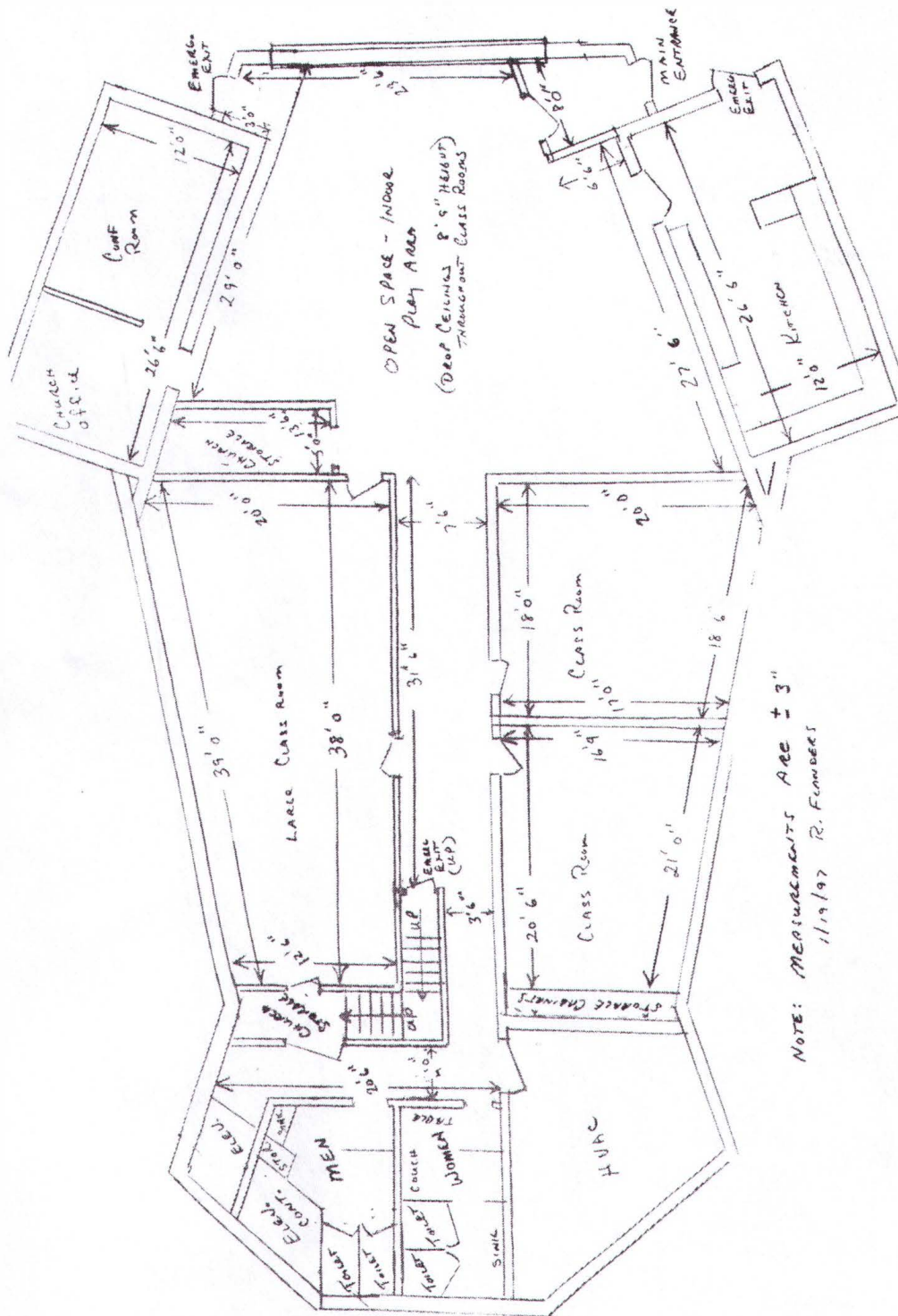
RESOLVED, that the Planning Board and Zoning Commission hereby recommends that the Town Board grant a Special Use Permit to locate Capital Kids Care after school and summer camp within an existing place of worship at the Indian Orthodox church at 1930 Hillside Ave, as shown in the site plan sketch received Dec 06 2021 and a traffic routing map stamped Dec 19 2021 subject to final site plan approval and the following conditions:

1. The Planning Office will review and approve any proposed code complaint signage.

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

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

The Chairman declared the same _____.



NOTE: MEASUREMENTS ARE $\pm 3"$
1/19/97 R. FENNER

1930 Hillside Ave.
Capital Kids Care Site Plan

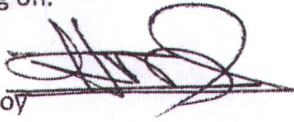
November, 22nd 2021

To whom it may concern,
Subject to the final lease agreement, Capital Kids Care has preapproval from myself, Father Alex Joy, as well as the Indian Orthodox Church Board, to run their afterschool and summer camp program in our basement space located at 1930 Hillside Avenue, Niskayuna, New York 12309.

Their daily operation times for afterschool are Monday through Friday 1:30pm-6pm from the first week of September through the last week of June. Then their operations change for summer camp to Monday through Friday 7:30am-5:30pm from the first week of July through the last week of August.

We are granting them access to three classroom spaces, main gathering space downstairs as well as all bathrooms in basement. The backyard and side yard green space will also be available for Capital Kids Care to use. The full parking lot is available for all employees, busses dropping off, and parents picking up and dropping off.

From,
Father Alex Joy
Vicar/President

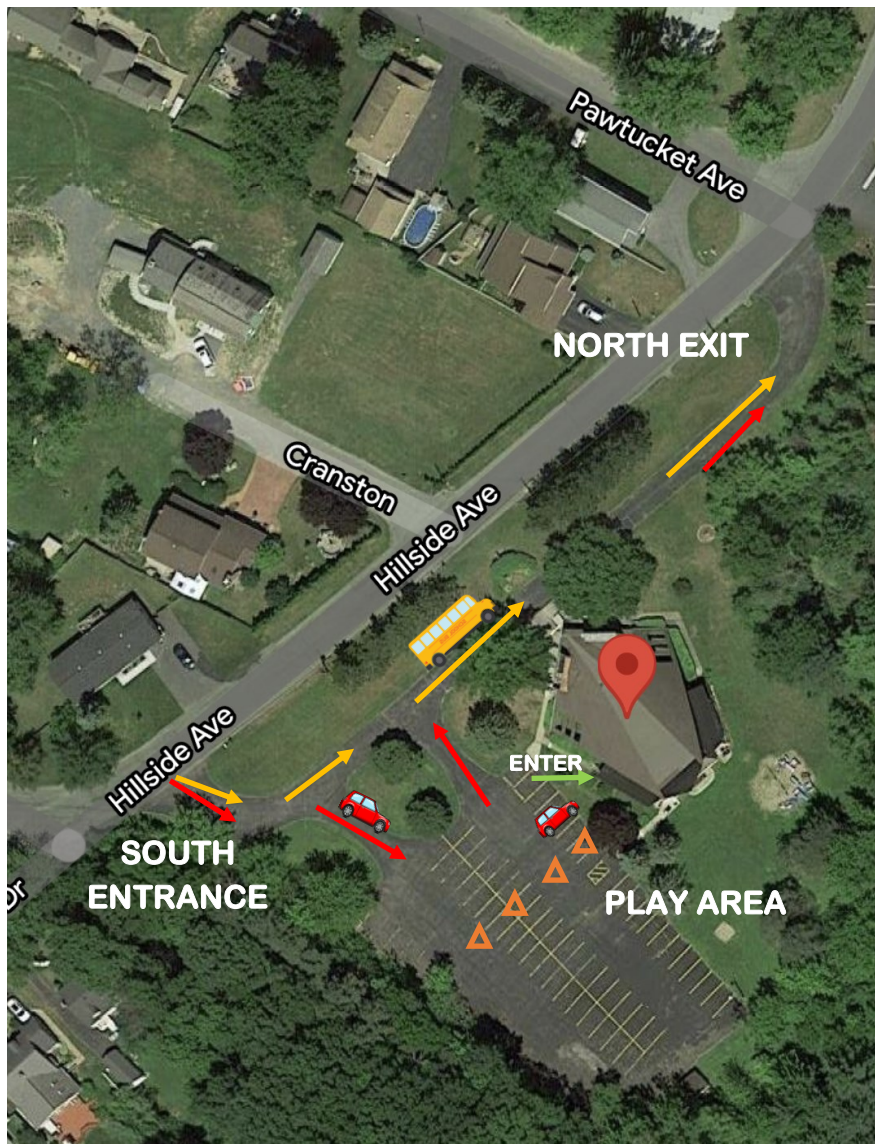






St. Paul's Indian Orthodox Church
1930 Hillside Ave.
Niskayuna, NY 12309



Proposed traffic routing for drop off and pick up:

Capital Kids Care 1930 Hillside Ave



Key	
	Bus Route
	Parent Route
	Parent/Child Entry
	Cone Line



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VII. 3

MEETING DATE: 1/24/2022

ITEM TITLE: RESOLUTION: 2022-04: A Resolution for site plan approval for a tenant change to S&G Roofing at 3800 State St.

PROJECT LEAD: TBD

APPLICANT: Sukhdev Singh, applicant 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:

Sukhdev Singh, owner of S&G Roofing and applicant for the owner, submitted an Application for Site Plan Review for a tenant change at 3800 State Street. The lot falls within the C-H Highway Commercial zoning district. General business offices and wholesale distribution facilities are permitted principal uses in the district.

BACKGROUND INFORMATION

Mr. Singh proposes to relocate his business, S&G Roofing, from 4013 State Street in Niskayuna to 3800 State Street. The building at 3800 State St. is twice as large as the building at 4013 State St. and the parking at the new location is four times as large.

1/10/24 Planning Board (PB) meeting – Mr. Singh presented the project to the Planning Board. The PB expressed their support for the project with the following comments / requirements.

- Parking spaces – PB asked applicant to compare the number of available parking spaces with the code-based calculated requirement
- Plantings & landscaping -- PB requested that new plantings and landscaping be added to the site plan drawing as was required for site plan approval of another project recently approved on State St.
- Dumpster locations – PB requested that the site plan drawing be revised to include dumpster locations and screening.

The PB called for a resolution for site plan approval at the 1/24/22 meeting. A resolution is included in the meeting packet.

The Planning Department researched the Parking Spaces and noted that Schedule I-E Part 1 C-H District column 6 states that 1 parking space is required for each 225 sq. ft. of gross floor area. Town records indicate, and the site plan sketch included with the application also indicates, approximately 11,518 sq. ft. of floor area. Therefore, $11,518 / 225 = 51.19 = 52$ parking spaces are required. The site plan sketch depicts 33 parking spaces. Therefore the tenant change request is deficient by 19 parking spaces.

In 2000, the site received a special use permit to be an automotive sales and service establishment and the site was granted area variances for acreage, building setbacks, access to a local street, parking and driveways. The parking area variance was a waiver of 55 parking spaces (45 provided) and allowing parking in the front yards of Mohroff Ave and South Amherst Ave. In 2005, there was a tenant change application to sale and service of truck accessory parts, which was deemed acceptable within the current variances.

The Planning Office classifies a contractor business as a service store, and therefore the old parking variances don't apply to this tenant change. Planning Board can discuss with the applicant the addition/ delineation of 6 additional parking spaces and a potential waiver for 25% of the required parking (13 parking spaces). The Planning Board can discuss with the applicant how the additional 13 could be provided for in the future (ie greenspace or restriping) and bank the spaces for a future retail/service store use that may be higher intensity. The Planning Department prepared the resolution with this provision – but this can be discussed or modified at the meeting or tabled until February.

RESOLUTION NO. 2022 – 04

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 24TH DAY OF JANUARY 2022 AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE, IN SAID TOWN AT 7:00 P.M., THE FOLLOWING MEMBERS WERE PRESENT VIRTUALLY OR IN PERSON:

HONORABLE: KEVIN A. WALSH, CHAIRMAN
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 approval.

The meeting was duly called to order by the Chairman.

The following resolution was offered by _____,
whom moved its adoption, and seconded by _____.

WHEREAS, Sukhdev Singh, owner of S&G Roofing, has made an application to the Planning Board and Zoning Commission for site plan review to relocate his business from 4013 State Street in Niskayuna, NY to 3800 State Street in Niskayuna, and

WHEREAS, the site plan is shown on a hand drawn drawing entitled "3800 State Str. Schenectady" stamped "Received Dec 30 2021 Planning Office Niskayuna, NY", and

WHEREAS, the zoning classification of the property is C-H Commercial Highway zoning district, and

WHEREAS, S&G Roofing, qualifies as a permitted principle use for this zoning district, and

WHEREAS, Zoning 220 Attachment 18 Schedule I-E Part 1 C-H District column 6 states that 1 parking space is required for each 225 sq. ft. of gross floor area. Therefore the Building, at approximately 11,518 sq. ft. of gross floor area, requires 52 parking spaces. As proposed, the site plan sketch depicts 33 parking spaces. Therefore 6 parking spaces must be added to the site plan and a waiver of 25% of the required 52 spaces (13 parking spaces) is required.

WHEREAS, Section 220-19 (E) of the Code states that “If, in the judgment of the Planning Board, the required parking would be excessive, the Planning Board may allow up to 25% of the required parking 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, and

WHEREAS, the Planning Board has determined that 52 parking spaces for this proposed site plan is excessive and there is enough room to reconfigure the parking lot striping at a later date if more parking is required, and

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

NOW, THEREFORE, be it hereby

RESOLVED, that the Planning Board and Zoning Commission has determined that the proposed waiver to reduce the required parking by 25% is appropriate due to the pre-existing nature of the property and previous area variances granted to parcel for an Automotive sales and service establishment, and therefore grants this waiver for said proposed site plan, with the following conditions:

1. Six (6) additional parking spaces must be added to the site plan and delineated at the property.
2. Parking spaces delineated on the site plan must be properly striped and signed prior to occupancy of the building.
3. The Planning Board may require paving/restriping of the lot if it is deemed necessary at a later date.

And be it hereby

FURTHER RESOLVED, that the Planning Board and Zoning Commission finds the above referenced site plan meets the requirements of the Zoning Code and previous site plan approvals, and therefore, hereby approves this site plan and tenant change with the following conditions.

1. Signage
 - a. Prior to issuance of a building permit the Planning Office will review and approve any proposed code compliant signage.
2. Landscaping
 - a. Prior to issuance of a building permit the applicant will review the project with the Niskayuna Tree Council and revise the site plan drawing to include the landscaping and plantings recommended by the Council.
3. Dumpster locations

- a. Prior to issuance of a building permit the applicant will work with the Building and Planning Office to identify appropriate garbage dumpster locations, add their locations and description to the site plan drawing and include visual screening of the dumpsters to minimize their negative impact on the neighborhood.

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

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

The Chairman declared the same _____.



TOWN OF NISKAYUNA

One Niskayuna Circle
Niskayuna, New York 12309-4381



Phone: (518) 386-4530

Application for Site Plan Review

Applicant (Owner or Agent):

Name SUKHDEV SINGH

Address 191 FILLMORE AVE
NISKAYUNA NY 12304

Email SGContracting94@yahoo-com

Telephone 518-229-4458 Fax _____

Location:

Number & Street 3800 STATE ST.

Section-Block-Lot 60.19-1-12 (3800 STATE ST)
60.19-1-22 (16 HURHUFF)

Zoning District _____

Proposal Description:

moving my. S & G Roofing inc Buisness from
4013- State St NISKAYUNA NY to 3800 State St
because Two times Biger Building and 4 Times
Biger Parking Area

Signature of applicant: _____

Date: 12/29/21

Signature of owner (if different from applicant): _____

Date: 12/7/21

- 142 -

9x18 9x18 9x18 9x18 9x18 9x18 9x18 9x18

9'x18' parking

49

- 129 -

12x25 12x25 12x25 12x25 12x25 12x25 12x25 12x25 12x25

Equipment parking

MAIN PARKING
ENTRANCE
FROM STREET
47' opening

Side
ENTRANCE

305

S AMHERST AVE

LANE

9x18 9x18

- 32 -

33

Side
ENTRANCE

Front
ENTRANCE

OHD OHD

- 95 -

33

225

105

MORRIS AVE

RECEIVED



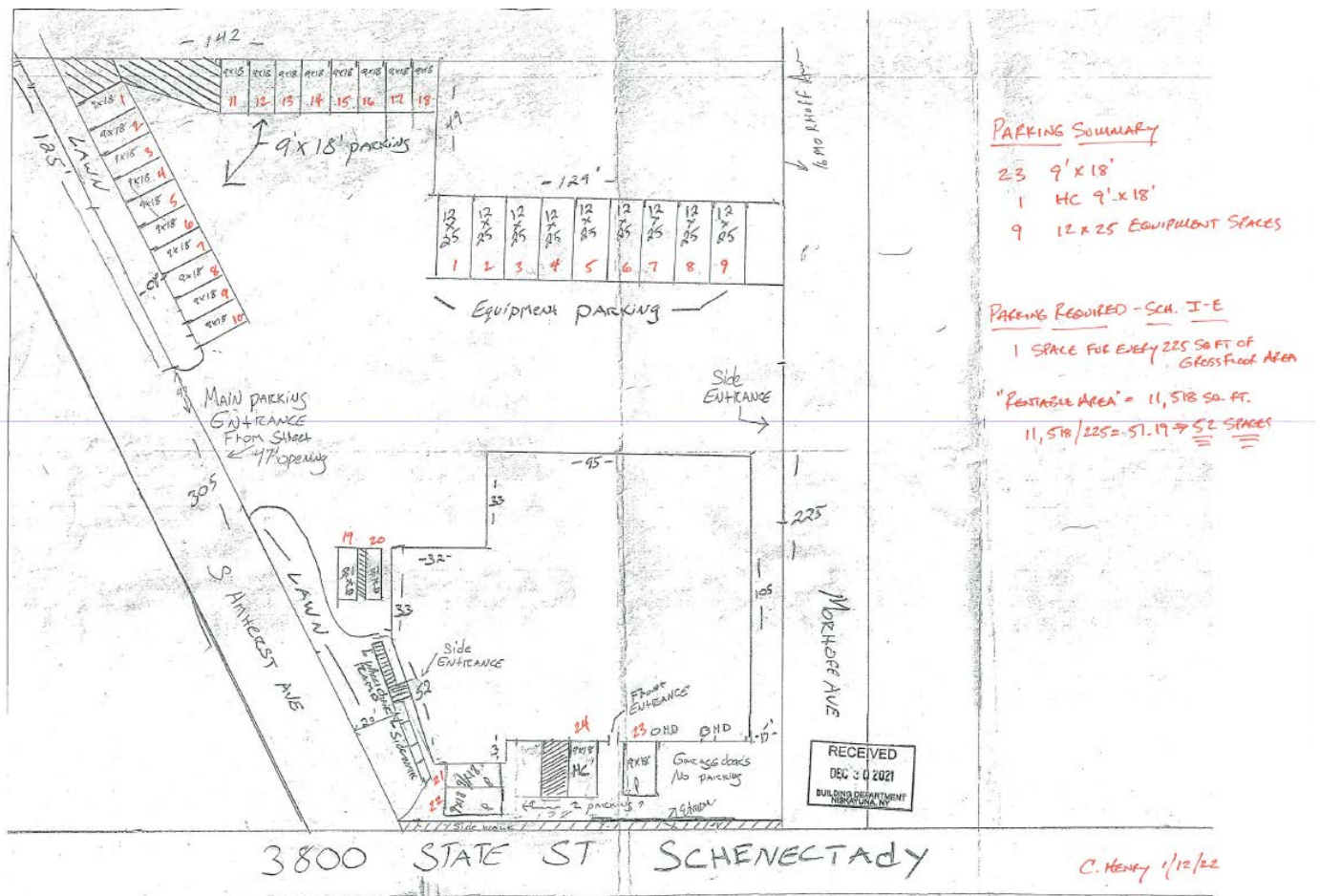
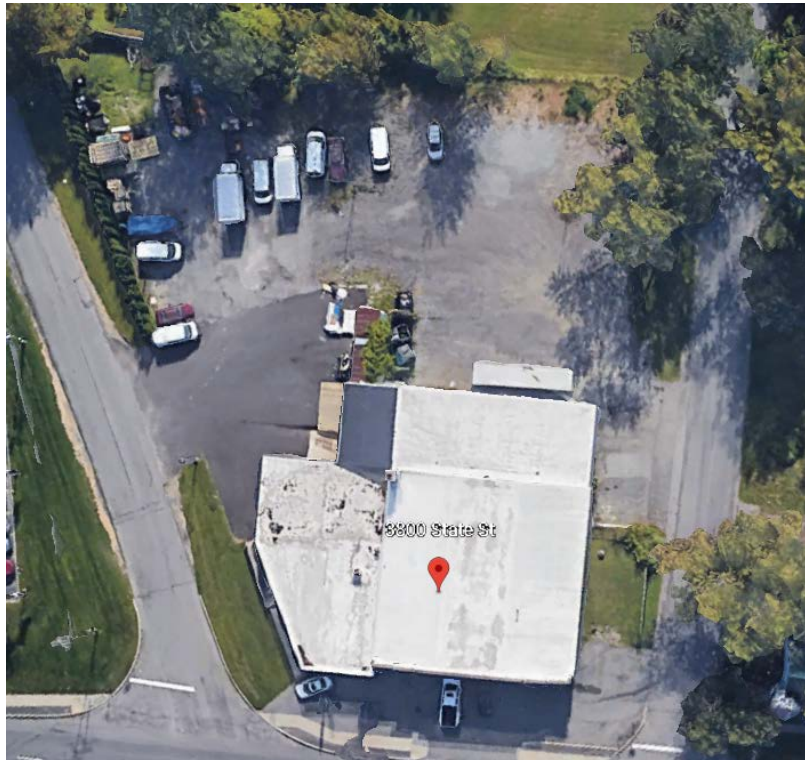
3800 State Street – Parking Analysis

C-H Highway Commercial

Schedule I-E requirement = 1 space for each 225 sq. ft. of gross floor area

Rentable Area = 11,518 sq. ft.

$11,518 / 225 = 51.19 = 52$



9x15	9x18	9x18	9x18	9x18	9x18	9x18
------	------	------	------	------	------	------

[illegible]

Equipment Parking

MAIN PARKING
GUTRANCE
FROM STREET
← 477 opening

Side
ENTRANCE

Garage doors
No parking

WORTHINGTON AVE

3800 STATE ST
SCHENECTADY



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 1

MEETING DATE: 1/24/2022

ITEM TITLE: DISCUSSION: 1356 Balltown Rd. – sketch plan application requiring area variances for 9 townhome buildings (18 dwelling units) at 1356 Balltown Rd.

PROJECT LEAD: David D'Arpino

APPLICANT: Victor A. Caponera, agent for property owner Niskayuna RB Holding Co, LLC

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:

Victor A. Caponera submitted an Application for Sketch Plan Approval – 5 Lots or More for a major subdivision consisting of 18 single family townhomes (10 buildings with 2 units per building) of the 5.3 acre lot at 1356 Balltown Road, in the R-2 zoning district and Town Center Overlay District. Single family residences are permitted principal uses in the R-2 Medium Density Residential zoning district.

BACKGROUND INFORMATION

In November of 2017, 1356 Balltown Road was proposed as 50 apartments and 6,000 feet of small shop commercial space but after a public hearing and several revisions, the proposal was withdrawn over concerns with the rezoning request. During 2018-2021 the applicant worked on a series of iterations of both single family homes and townhomes. In August of 2021, the applicant brought forward a sketch plan for a subdivision that resembled an average density development but included 100% townhomes and required area variances.

During the initial review, traffic impacts were looked at by the Planning Board, as well as reconfiguration of the buildings to reduce the number of area variances required. The Board also had the developer extend the sidewalk along Van Antwerp Road. In October the CAC expressed concerns about the stormwater and open space, more trees, and inclusion of “green” practices for the site and buildings. On October 21, 2021 the plan included reconfigured buildings and more overflow parking and the revised traffic summary report included total trips generated each day.

From 2021 to early 2022, the Board and developer reduced the area variances requested from 103 down to 54. They also explored sharing access with WRGB, had a preliminary look at the building facades with the Architectural Review Board, and explored the quality of open space with the CAC and Tree Council. The CAC felt strongly that the proposal should abide closely by the Average Density Development rules, even though it was in the R-2 Zoning. They asked the developer to remove 1-2 buildings and continued to stress quality of open space, green concepts, and affordable housing. The Tree Council also wanted clarification on the wetland determination as non-jurisdictional, wanted a summary of the number of trees proposed to be removed, and wanted to come up with a replanting plan in the context of the town center overlay district. The Planning Board required the developer to remove a building, going from 20 townhomes down to 18, and this increased open space and brought the total variance request to 54. The CAC felt this project then more closely aligned with an Average Density Development.

On 1/10/22 Planning Board (PB) meeting – The PB discussed the Rev 4 site plan drawing and the revised variance table. The number of variances requested was reduced from 73 to 54. The PB drafted a detailed and lengthy recommendation to the ZBA in favor of approval of all 54 variances.

1/19/22 Zoning Board of Appeals (ZBA) meeting – The applicant, developer and the developer's engineer appeared before the ZBA at their 1/19/22 meeting. There were 6 written comments read into the record for the public hearing and 2 speakers. All of the comments expressed concerns about the project relating to it changing the character of the neighborhood, increasing traffic at an already well known traffic bottleneck and the significant reduction in forest and greenspace in the last undeveloped portion of the Town Center Overlay District. The speakers asked for the Board to consider further reductions in variances through removal of more buildings. The Planning Board and Zoning Commission's recommendation was read into the record as well.

The applicant provided a detailed historical and chronological summary of the development and discussed the changes to the project that had led them to be requesting 54 variances.

After a long discussion, the ZBA voted unanimously to deny the 54 taken together. The Board stated that 54 area variances were very substantial and the number of variances required could be reduced through the elimination of one or two of the proposed buildings. They stated that they believed the proposed project would negatively impact the character of the neighborhood and nearby properties, would negatively exacerbate an already well known traffic bottleneck area and significantly reduce, and practically eliminate, the last significantly large undeveloped greenspace area in the Town Center Overlay District. The applicant thanked the ZBA for their careful consideration of the project.

At this time the applicant can decide to reconfigure the project so that it would require fewer area variances or pursue a different type of development. The Planning Board has no further action required at this time.



TOWN OF NISKAYUNA

BUILDING DEPARTMENT

Thomas J. Cannizzo
Building Inspector

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4592

Kenneth P. Hassett
Building Inspector

BUILDING AND ZONING PERMIT DENIAL

**Address: 1356 Balltown Rd.
Niskayuna BR Holding Co., LLC**

Application Date: 12/27/21

Niskayuna BR Holding Co., LLC
5 Southside Drive, Suite 200
Clifton Park, NY 12065
rmillerjr@thewindsorco.com

Dear Mr. Miller:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your Application for Sketch Plan Approval – 5 Lots or More for a major subdivision of 18 townhomes at the 5.3 acre property at 1356 Balltown Road has been denied by reason of failure to comply with the provisions of NISKAYUNA CODE SCHEDULE I-C Part 1 R-2 District Schedule of Supplementary Regulations Town of Niskayuna. The property is located in the R-2 Medium Density Residential Zoning District.

The following documents were submitted and used for this zoning code evaluation and resulting denial.

- “Subdivision Sketch Plan 1356 Balltown Rd. Niskayuna, NY 12309” by Ingalls & Associates, LLP dated May 7, 2021 with a most recent revision of Rev 4 dated 12/27/21.
- “Subdivision Sketch Plan Bulk Area & Setback Table” with a most recent revision of Rev Date 1/3/22 and stamped “Received Jan 3 2022 Planning Office Niskayuna, NY”

Your application is denied based upon the following requirements of the Zoning Ordinance:

Schedule I-C includes the following lot size, maximum percentage of coverage & setback requirements for single-family dwellings in the R-2 zoning district.

1. Minimum lot size: 9,000 sq. ft., 80’ wide x 100’ deep
2. Lot coverage: 30%
3. Minimum setbacks: Front = 30’, side = 15’, rear = 20’

Table 1 displays the setback and lot dimensions for the proposed subdivision. Numbers in boldface indicate noncompliance with the zoning code. A total of 54 area variances are required.

Table 1: Setback and Lot Dimensions (Rev Date 1/3/22)

	Front Setback	Side setback common lot line	Side setback	Rear setback	Width	Depth	Area	Maximum Coverage
Required	30'	15'	15'	20'	80'	100'	9,000 sf	30%
Lot 1	30	0	15		46	147	7,798	27
Lot 2	20.5	0	--		54	147	7,385	29
Lot 3	20.5	0	--		53	147	7,323	29
Lot 4	30	0	15		46	147	6,728	31
Lot 5	30	0	15		46	147	6,790	31
Lot 6	30	0	15		46	147	6,790	31
Lot 7	30	0	15		46	147	6,790	31
Lot 8	30	0	15		41	147	7,662	28
Lot 9	30	0	49	20	84	105	9,050	23
Lot 10	30	0	--	20	87	105	9,095	23
Lot 11	30	0	28	--	59	147	10,004	21
Lot 12	30	0	17		48	147	7,117	30
Lot 13	30	0	17		48	147	7,103	30
Lot 14	30	0	17		48	147	7,108	30
Lot 15	30	0	17		48	147	7,119	30
Lot 16	22.5	0	--		61	147	8,298	26
Lot 17	30	0	31	20	80	118	10,586	20
Lot 18	30	0	32	20	80	105	9,798	21
Lot 19	30	--	15	20	151	176	11,769	0
Lot 20	30	--	15	20	313	150	44,370	0
Lot 21	30	--	15	20	83	46	3,391	0
Total	3	18	0	0	14	1	14	4

Table 2 displays the numerical value of each area variance required. The values were determined by subtracting the setback or lot dimensions shown in Table 1 from the required values shown in Schedule I-C (also shown in the "Required" row in Table 1, above).

Table 2: Area Variances Required

	Front Setback	Side setback common lot line	Side setback	Rear setback	Lot Width	Lot Depth	Lot Area	Maximum Coverage
Required	30'	15'	15'	20'	80'	100'	9,000 sf	30%
Lot 1		15			34		1,202	
Lot 2	9.5	15			26		1,615	
Lot 3	9.5	15			27		1,677	
Lot 4		15			34		2,272	1
Lot 5		15			34		2,210	1
Lot 6		15			34		2,210	1
Lot 7		15			34		2,210	1
Lot 8		15			39		1,338	
Lot 9		15						
Lot 10		15						
Lot 11		15			21			
Lot 12		15			32		1,883	
Lot 13		15			32		1,897	
Lot 14		15			32		1,892	
Lot 15		15			32		1,881	
Lot 16	7.5	15			19		702	
Lot 17		15						
Lot 18		15						
Lot 19								
Lot 20								
Lot 21						54	5,609	
Total	3	18	0	0	14	1	14	4

As noted in Table 2, above, the proposed 21 lot major subdivision requires 54 area variances.

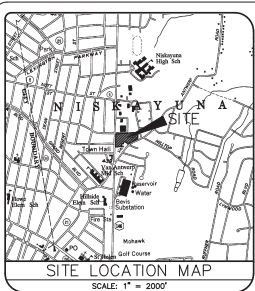
Under the provisions of Section 220-69 the Zoning Ordinance of the Town of Niskayuna you may appeal this decision to the Zoning Board of Appeals and the undersigned within 60 days.



Laura Robertson, Deputy Code Enforcement Officer

1/3/22

Date



DEED REFERENCES:

1) CONVEYED BY RICHARD M. TENTOR TO NISKAYUNA BR HOLDING COMPANY, LLC BY DEED DATED MAY 9, 2017 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON MAY 22, 2017 IN LIBER 1962 OF DEEDS AT PAGE 974.

MAP REFERENCES:

- 1) MAP ENTITLED "MAP OF SURVEY FOR LOT CONSOLIDATION LANDS N/F RICHARD TENTOR, TOWN OF NISKAYUNA, COUNTY OF SCHENECTADY, STATE OF NEW YORK" AS PREPARED BY AEO ENGINEERS, LLP ON JANUARY 27, 2017 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON FEBRUARY 16, 2017 IN PLAT CABINET N AS MAP 287.
- 2) MAP ENTITLED "SECTION TWO, RESERVOIR PARK, NISKAYUNA, SCHENECTADY CO., N.Y., OWNED BY EVERETT C. WELLS, FORMERLY OWNED BY CHAS. H. BEVIS ET AL" AS PREPARED BY ERNEST W. BRANCH, C.E. AND U.S. DATED APRIL 1919 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE IN PLAT CABINET E AS MAP 161.
- 3) NEW YORK STATE DEPARTMENT OF TRANSPORTATION DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY, MOHAWK GOLF CLUB-AQUEDUCT S.W. NO. 1872 SCHENECTADY COUNTY, MAP NO. 93 PARCEL NO. 111 AND DATED JANUARY 21, 1994.
- 4) MAP ENTITLED "ALTA/ACSM LAND TITLE SURVEY #1320, #1330 & #1347 BALTOWN ROAD, #1345 VAN ANTWERP ROAD AND A PORTION OF GARLAND STREET, TOWN OF NISKAYUNA, COUNTY OF SCHENECTADY, STATE OF NEW YORK" AS PREPARED BY INGALLS & ASSOCIATES, LLP ON MARCH 21, 2014.

NOTES:

- 1) SURVEYED PARCEL: TOWN OF NISKAYUNA - TAX MAP 40.19, BLOCK 1, PARCEL 6.1.
- 2) SURVEY PREPARED BY INGALLS & ASSOCIATES, LLP FROM A JULY 2017 FIELD SURVEY.
- 3) NORTH IS REFERENCED TO NAD 83 NEW YORK STATE PLANES, EAST ZONE.
- 4) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS, RECORDED OR UNRECORDED.
- 5) SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
- 6) SUBJECT TO AN EASEMENT GRANTED TO NEW YORK TELEPHONE COMPANY FOR COMMUNICATION FACILITIES AS RECORDED IN LIBER 1085 AT PAGE 974.
- 7) SUBJECT TO AN EASEMENT GRANTED TO NIAGARA MOHAWK POWER CORPORATION FOR ELECTRIC UTILITY FACILITIES AND RECORDED IN LIBER 801 AT PAGE 391 AND PAGE 393.
- 8) UNDERGROUND UTILITIES: IF SHOWN HEREON ARE BASED ON VISIBLE PHYSICAL EVIDENCE. THEY SHOULD BE CONSIDERED SCHEMATIC ONLY AND ARE SHOWN TO DEPICT GENERAL UTILITY LOCATIONS AND CONNECTIONS RATHER THAN EXACT UNDERGROUND LOCATIONS. INGALLS & ASSOCIATES, LLP MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE UNDERGROUND UTILITY LOCATIONS AND OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.
- 9) FIELD DELINEATION BY D. INGALLS OF INGALLS & ASSOCIATES ON 4/4/16. JURISDICTIONAL DETERMINATION WAS PROVIDED BY USACE LETTER DATED 1/7/17 DECLARING THE WETLANDS NON-JURISDICTIONAL.
- 10) SURVEY IS PREPARED IN ACCORDANCE WITH THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS CODE OF PRACTICE FOR LAND SURVEYS AS ADOPTED IN OCTOBER OF 1966 AND LAST REVISED ON JULY 18, 1987.
- 11) WETLANDS AS SHOWN ARE FROM A APRIL 2016 FIELD DELINEATION BY D. INGALLS OF INGALLS & ASSOCIATES, LLP.
- 12) NO WETLAND SURVEY SHALL BE DEEMED FINAL WITHOUT A JURISDICTIONAL DETERMINATION FROM THE UNITED STATES ARMY CORPS OF ENGINEERS (USACE) AND/OR THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC).
- 13) ALL ROADWAY AND STORMWATER MANAGEMENT AREAS WILL BE PRIVATELY OWNED.

OWNER:

NISKAYUNA BR HOLDING COMPANY LLC
5 SOUTHSIDE DR SUITE 200
CLIFTON PARK, NY 12065

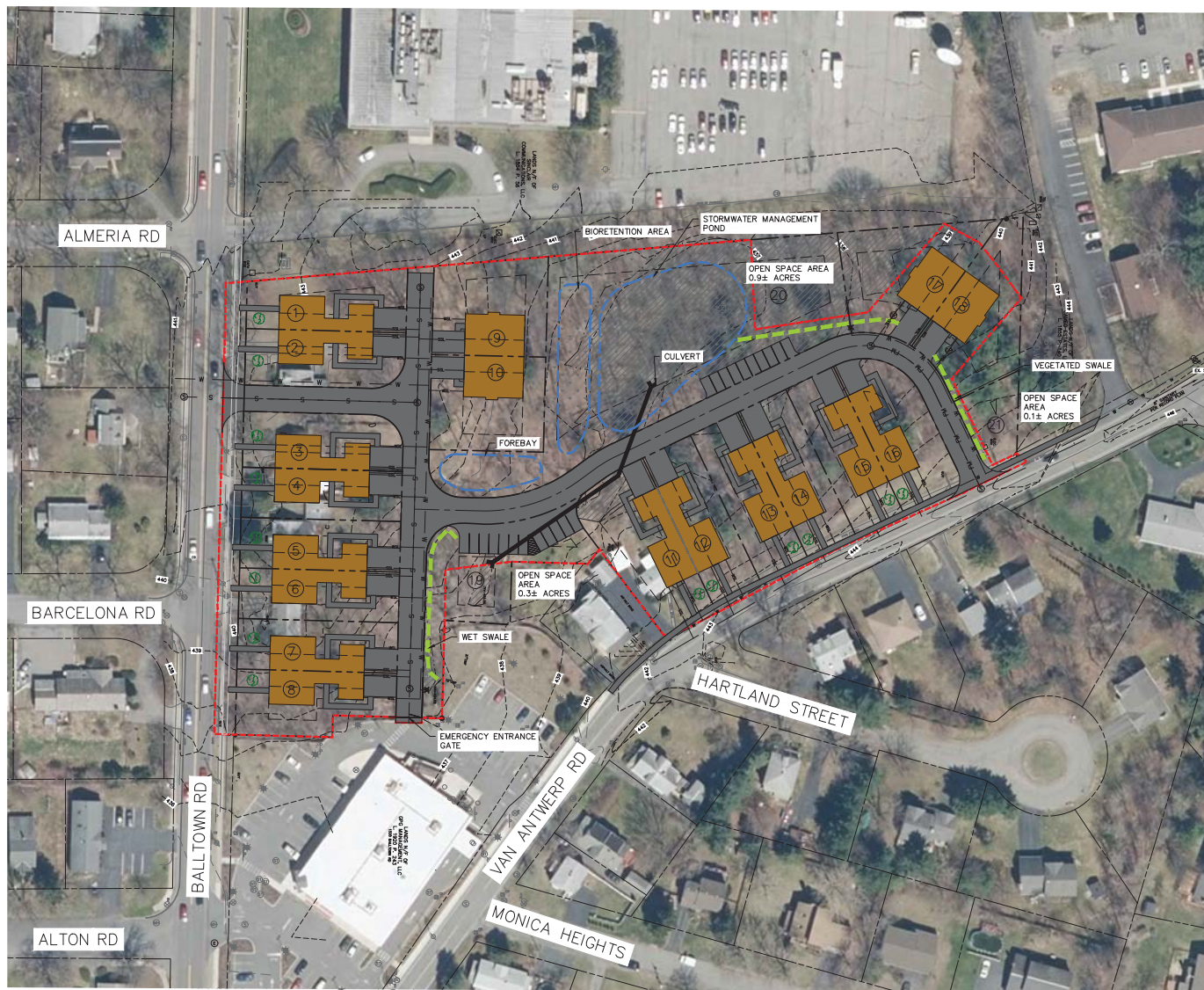
APPLICANT:

NISKAYUNA BR HOLDING COMPANY LLC
5 SOUTHSIDE DR SUITE 200
CLIFTON PARK, NY 12065

TAX MAP ID:
40.19-1-6-1

SITE AREA:
5.3 AC

NOTE: 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL CONTACT DIG SAFELY NEW YORK TO LOCATE ALL UNDERGROUND UTILITIES. 1-800-962-7962



LEGEND

- 2 POST SIGN
- SINGLE POST SIGN
- LIGHT POLE
- SANITARY MANHOLE
- GRINDER PUMP
- CATCH BASIN
- HYDRANT
- WATER VALVE
- WATER SHUT OFF
- TEL PEDESTAL
- POWER POLE
- IRON ROD
- IRON PIPE
- PROPOSED TOWN HOUSE AREA
- PROPOSED HYDRANT
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPERTY LINE SETBACK
- NON-JURISDICTIONAL WETLAND AREA
- OPEN SPACE / SWM AREA
- PROPOSED GRASS SWALE
- PROPOSED SANITARY SEWER
- PROPOSED WATERLINE
- PROPOSED FORCEMAIN
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATER LATERAL
- LIMITS OF DISTURBANCE (5.0+ ACRES)

SITE STATISTICS:

EXISTING ZONE: R2 - MEDIUM DENSITY RESIDENTIAL
EXISTING PARCEL AREA: 5.3+ ACRES
LOT AREA: 9,000 SF
LOT COVERAGE REQUIRED: 30% MAX. BUILDINGS AND STRUCTURES
LOT WIDTH REQUIRED: 80 FT
LOT DEPTH REQUIRED: 100 FT
SETBACKS: FRONT: 30 FT, SIDE: 15 FT, REAR: 20 FT
*PROPOSED BULK AREA STATISTICS & SETBACKS PER SEPARATE SPREADSHEET

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 7209 SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES MADE FROM THE ORIGINAL OF THIS DRAWING BEARING AN ORIGINAL INKED OR EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES.	
4/12/21	REVISED PER PLANNING BOARD COMMENTS
3/12/21	REVISED PER PLANNING BOARD COMMENTS
2/9/21	REVISED PER PLANNING BOARD COMMENTS
1/28/21	REVISED FOR SKETCH PLAN APPLICATION
NO.	DATE
REVISIONS	
BY: DAVID F. INGALLS JR., P.E.	
DATE: 12/22/2021	

ingalls

ingalls & associates, LLP
ingalls, environmental services
1000 BUSHLAND DRIVE
SCHENECTADY, NY 12306
PHONE: (518) 393-2729
FAX: (518) 393-2224

DAVID F. INGALLS JR., P.E.
N.Y.S. LIC. NO. 064993

SUBDIVISION SKETCH PLAN
1356 BALTOWN RD
NISKAYUNA, NY 12309

TOWN OF NISKAYUNA
COUNTY OF SCHENECTADY
STATE OF NEW YORK

DATE: DECEMBER 27, 2021
CHECKED BY: D.F.I.
JOB NO. 16-027
DRAWN BY: JCH
CADD FILE: 16-027 Townhouse Concept.dwg
SCALE: 1" = 60'
SHEET 1 OF 1



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 2

MEETING DATE: 1/24/2022

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: TBD

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

The applicant is before the Board this evening to present their proposed plan and answer any questions that arise.



TOWN OF NISKAYUNA

One Niskayuna Circle
Niskayuna, New York 12309-4381

Phone: (518) 386-4530

Application for Site Plan Review

Applicant (Owner or Agent):

Name Applicant: Ray Trotta

Address 277 Alexander Street Suite 210
Rochester, New York 14607

Email ray @htprojectsolutions.com

Telephone 585-703-6562 Fax _____

Location:

Number & Street 3140 Troy Schenectady Road

Section-Block-Lot 61 - 3 - 22.211

Zoning District R-P (Residential & Professional)

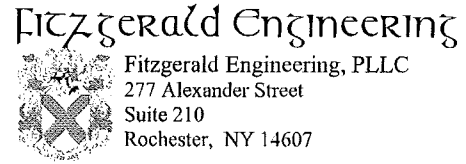
Proposal Description:

(Refer to Letter of Intent)

Signature of applicant:  Date: January 14, 2022

Signature of owner (if different from applicant): 

Date: 1/14/2022



January 14, 2022

Planning Board
Town of Niskayuna
1 Niskayuna Circle
Niskayuna, New York 12309

**Planning Board Application
3140 Troy Schenectady Road**

Dear Town Officials:

On behalf of our client, The Holland Trotta Project, we are pleased to submit the attached Planning Board application and supporting documents reflecting the proposed development of medical office space to be located at 3140 Troy Schenectady Road in the Town of Niskayuna.

The subject parcel is located at 3140 Troy Schenectady Road (S.B.L. # 61.3-22.211). This parcel is 1.243 acres and is currently occupied by a medical office tenant. The subject parcel is located in the R-P (Residential & Professional Zoning District).

The existing medical office tenant occupies approximately +/-4,100 square feet of office space on the main floor. The developer for the project, looks to build out the remaining +/-2,800 square feet on the main floor. In addition to this, the developer will also build out the +/-6,500 square feet of office space on the lower floor. In total, the existing building will occupy +/-13,400 square feet of medical office space. At this point in time, there will be no change to the exterior of the building and the existing site.

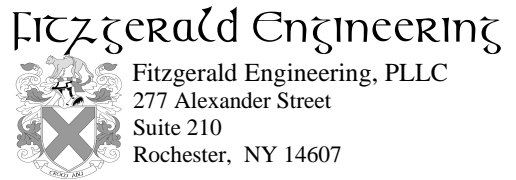
Please review the attached materials for completeness and notify us of any other items necessary to complete the application. We look forward to working with the Town of Niskayuna to develop this project. You may contact me at 585-281-9897 with any questions.

Regards,

Fitzgerald Engineering, PLLC

Robert Fitzgerald, P.E.

C:\CWA\LESTER\MEDICAL BUILDING\FINAL.dwg 11/18/2010 10:21:48 AM EST



November 29, 2021

Zoning Board of Appeals
Town of Niskayuna
1 Niskayuna Circle
Niskayuna, New York 12309

**Area Variance Application
3140 Troy Schenectady Road**

Dear Town Officials:

On behalf of our client, The Holland Trotta Project, we are pleased to submit the attached Zoning Variance application and supporting documents reflecting the proposed development of medical office space to be located at 3140 Troy Schenectady Road in the Town of Niskayuna.

The subject parcel is located at 3140 Troy Schenectady Road (S.B.L. # 61.3-22.211). This parcel is 1.243 acres and is currently occupied by a medical office tenant. The subject parcel is located in the R-P (Residential & Professional Zoning District).

The existing medical office tenant occupies approximately +/-4,100 square feet of office space on the main floor. The developer for the project, looks to build out the remaining +/-2,800 square feet on the main floor. In addition to this, the developer will also build out the +/-6,500 square feet of office space on the lower floor. In total, the existing building will occupy +/-13,400 square feet of medical office space. At this point in time, there will be no change to the exterior of the building and the existing site.

The proposed development will require will require 1 Area Variance. The following is a description of the required variance:

- 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.

Please review the attached materials for completeness and notify us of any other items necessary to complete the application. We look forward to working with the Town of Niskayuna to develop this project. You may contact me at 585-281-9897 with any questions.

Regards,

Fitzgerald Engineering, PLLC

A handwritten signature in black ink, appearing to read "Robert Fitzgerald".

Robert Fitzgerald, P.E.

ZONING BOARD OF APPEALS
Application and Procedures For A Variance

Case No.	_____
Date Rece'd BA	_____
Date Hearing	_____
Date Action	_____
Ref.P.B.	_____ Date _____
Ref. County	_____ Date _____

TO: ZONING BOARD OF APPEALS

FROM: The Holland Trotta Project

RE: Property at 3140 Troy Schenectady Road Niskayuna, New York 12309

Section 61 **Block** 3 **Lot** 22.211


I, Brian Lemanski, the (owner) (agent of the owner) of the property located at 3140 Troy Schenectady Road Niskayuna, New York 12309 in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance in order to permit the proposed construction shown on the accompanying drawings.

I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.

CHECKLIST OF REQUIRED ITEMS

- X Fifteen (15) copies of plot plans
- n/a Two (2) copies of construction plans, if applicable
- X Appeal fee (see application procedures for details) (\$200)
- n/a Appeal statement (see application procedures for details)
- X Short Environmental Assessment Form, Project Information, as applicable for use variance
- n/a Additional information as specified by the Zoning Enforcement Officer

Signature of Agent:  Date November 29, 2021

Signature of Owner (if different from Agent) 

Telephone Number: 518-265-3800

For an area variance: Before an area variance can be granted, State Law requires that the ZBA take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Refer to Hardship Description Letter Attached

- 2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Refer to Hardship Description Letter Attached

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

Refer to Hardship Description Letter Attached

4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

Refer to Hardship Description Letter Attached

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

Refer to Hardship Description Letter Attached

Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Due to the constraints of the site (size, shape and available area) and the other restraints on site (existing building placement, minimal developable area) in addition to the restraints set forth in the "Off-street parking" zoning code section 220-19, "Off-street parking shall not be permitted between the front building line and the street line" there are no other feasible means to accommodate for additional parking. The only other land that could be purchased are two small adjoining parcels located along the southern property line. Even if these parcels were purchased, they could not accommodate for the necessary parking requirements for the subject parcel and a zoning variance would still be required.

Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Throughout the Town, there are many buildings and sites that do not conform to the zoning requirements. Saying this, if the variances were granted, an undesirable change would not be produced in the character of the neighborhood or be a detriment to nearby properties.

Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The Town Code requires the subject parcel to have 77 parking spaces for the amount of office space that is being proposed. The existing parking count on site is 56 spaces. While this increase requires an area variance, it is not substantially higher than the 77 parking spaces mandated by the Town. It is also important to recognize the needs of the building and the tenants within it. If the existing building is totally occupied by (4) individual medical office tenants, we would require approximately 18 total potential exam/procedure rooms per floor (2 offices each floor = 36) plus staff of 5 staff per 4 offices (including the physicians) (20) = 56 Total spaces needed.

Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The proposed site is similar to many other sites and establishments throughout the neighborhood. This being said, the proposed variance would not have an adverse impact on the physical or environmental conditions in the neighborhood or district.

Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

While the variance would appear to self created, the constraints of the site (size, shape and available area) and the other restraints on site (existing building placement, minimal developable area) the hardship for the variance has been passed onto the developer of the site thus the variance is not self created.

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

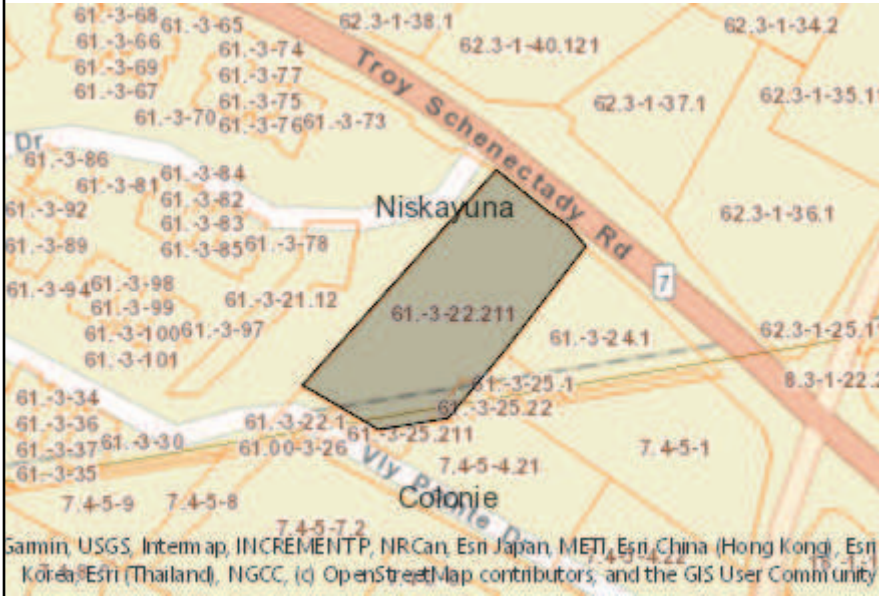
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 3140 Troy Schenectady Road			
Project Location (describe, and attach a location map): 3140 Troy Schenectady Road Niskayuna, New York			
Brief Description of Proposed Action: The subject parcel is located at 3140 Troy Schenectady Road (S.B.L. # 61.3-22.211). This parcel is 1.243 acres and is currently occupied by a medical office tenant. The subject parcel is located in the R-P (Residential & Professional Zoning District). The existing medical office tenant occupies approximately +/-4,100 square feet of office space on the main floor. The developer for the project, looks to build out the remaining +/-2,800 square feet on the main floor. In addition to this, the developer will also build out the +/-6,500 square feet of office space on the lower floor. In total, the existing building will occupy +/-13,400 square feet of medical office space. At this point in time, there will be no change to the exterior of the building and the existing site.			
Name of Applicant or Sponsor: Applicant: Ray Trotta of the Holland Trotta Project		Telephone: 585-703-6562 E-Mail: ray@htprojectsolutions.com	
Address: 277 Alexander Street Suite 210			
City/PO: Rochester		State: New York	Zip Code: 14607
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Zoning Board Approval		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.243 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.243 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

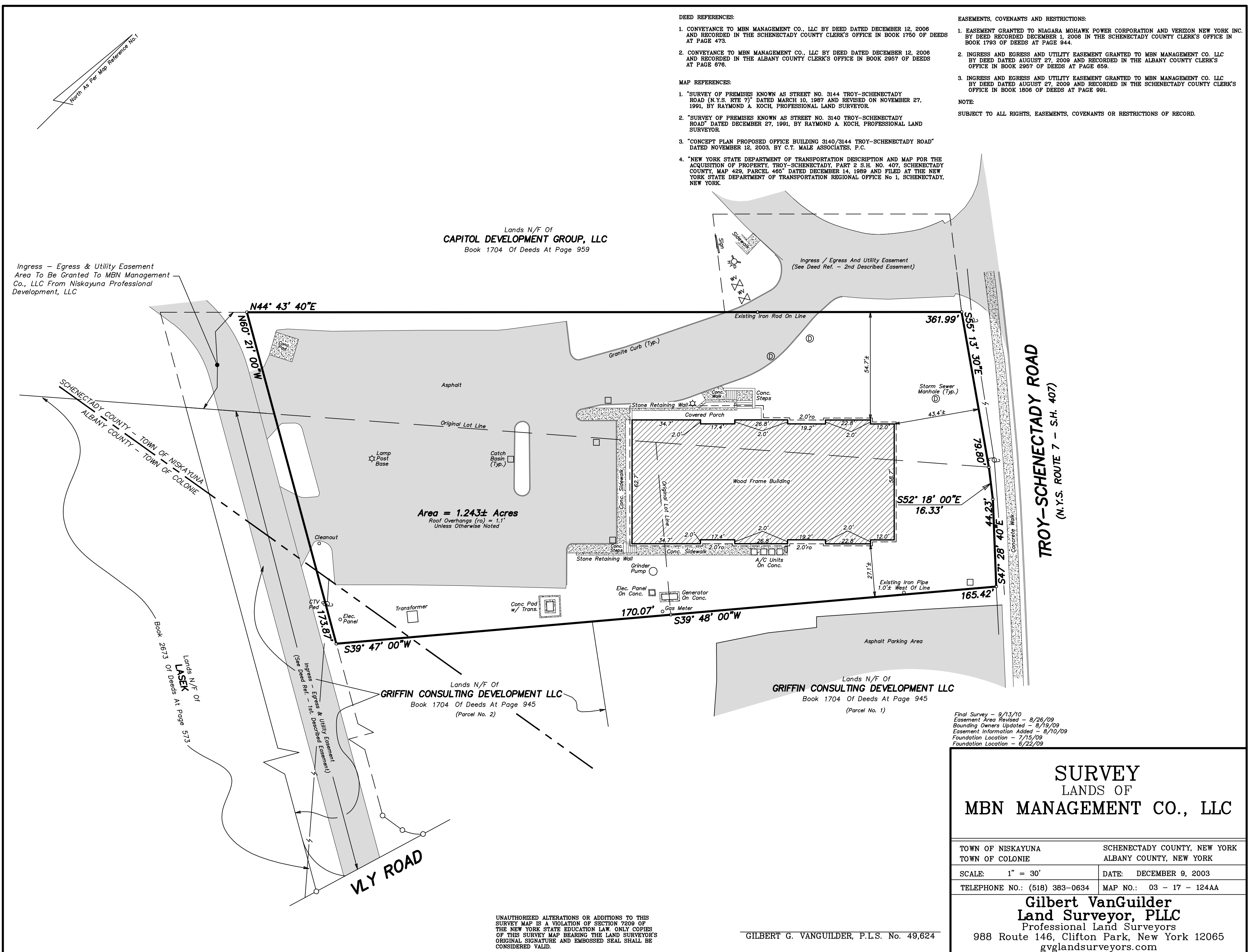
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? </div> If Yes, briefly describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Applicant: Ray Trotta</u> Date: <u>November 29, 2021</u> Signature: <u></u> Title: _____		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



DEED REFERENCES:

1. CONVEYANCE TO MBN MANAGEMENT CO., LLC BY DEED DATED DECEMBER 12, 2006 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE IN BOOK 1750 OF DEEDS AT PAGE 473.
 2. CONVEYANCE TO MBN MANAGEMENT CO., LLC BY DEED DATED DECEMBER 12, 2006 AND RECORDED IN THE ALBANY COUNTY CLERK'S OFFICE IN BOOK 2957 OF DEEDS AT PAGE 676.
- MAP REFERENCES:
1. "SURVEY OF PREMISES KNOWN AS STREET NO. 3144 TROY-SCHENECTADY ROAD (N.Y.S. RTE 7)" DATED MARCH 10, 1987 AND REVISED ON NOVEMBER 27, 1991, BY RAYMOND A. KOCH, PROFESSIONAL LAND SURVEYOR.
 2. "SURVEY OF PREMISES KNOWN AS STREET NO. 3140 TROY-SCHENECTADY ROAD" DATED DECEMBER 27, 1991, BY RAYMOND A. KOCH, PROFESSIONAL LAND SURVEYOR.
 3. "CONCEPT PLAN PROPOSED OFFICE BUILDING 3140/3144 TROY-SCHENECTADY ROAD" DATED NOVEMBER 12, 2003, BY C.T. MALE ASSOCIATES, P.C.
 4. "NEW YORK STATE DEPARTMENT OF TRANSPORTATION DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY, TROY-SCHENECTADY, PART 2 S.H. NO. 407, SCHENECTADY COUNTY, MAP 429, PARCEL 465" DATED DECEMBER 14, 1989 AND FILED AT THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGIONAL OFFICE No 1, SCHENECTADY, NEW YORK.

EASEMENTS, COVENANTS AND RESTRICTIONS:

1. EASEMENT GRANTED TO NIAGARA MOHAWK POWER CORPORATION AND VERIZON NEW YORK INC. BY DEED RECORDED DECEMBER 1, 2008 IN THE SCHENECTADY COUNTY CLERK'S OFFICE IN BOOK 1793 OF DEEDS AT PAGE 944.
2. INGRESS AND EGRESS AND UTILITY EASEMENT GRANTED TO MBN MANAGEMENT CO. LLC BY DEED DATED AUGUST 27, 2009 AND RECORDED IN THE ALBANY COUNTY CLERK'S OFFICE IN BOOK 2957 OF DEEDS AT PAGE 659.
3. INGRESS AND EGRESS AND UTILITY EASEMENT GRANTED TO MBN MANAGEMENT CO. LLC BY DEED DATED AUGUST 27, 2009 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE IN BOOK 1806 OF DEEDS AT PAGE 991.

NOTE:

SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.

Final Survey - 9/13/10
Easement Area Revised - 8/26/09
Bounding Owners Updated - 8/19/09
Easement Information Added - 8/10/09
Foundation Location - 7/15/09
Foundation Location - 6/22/09

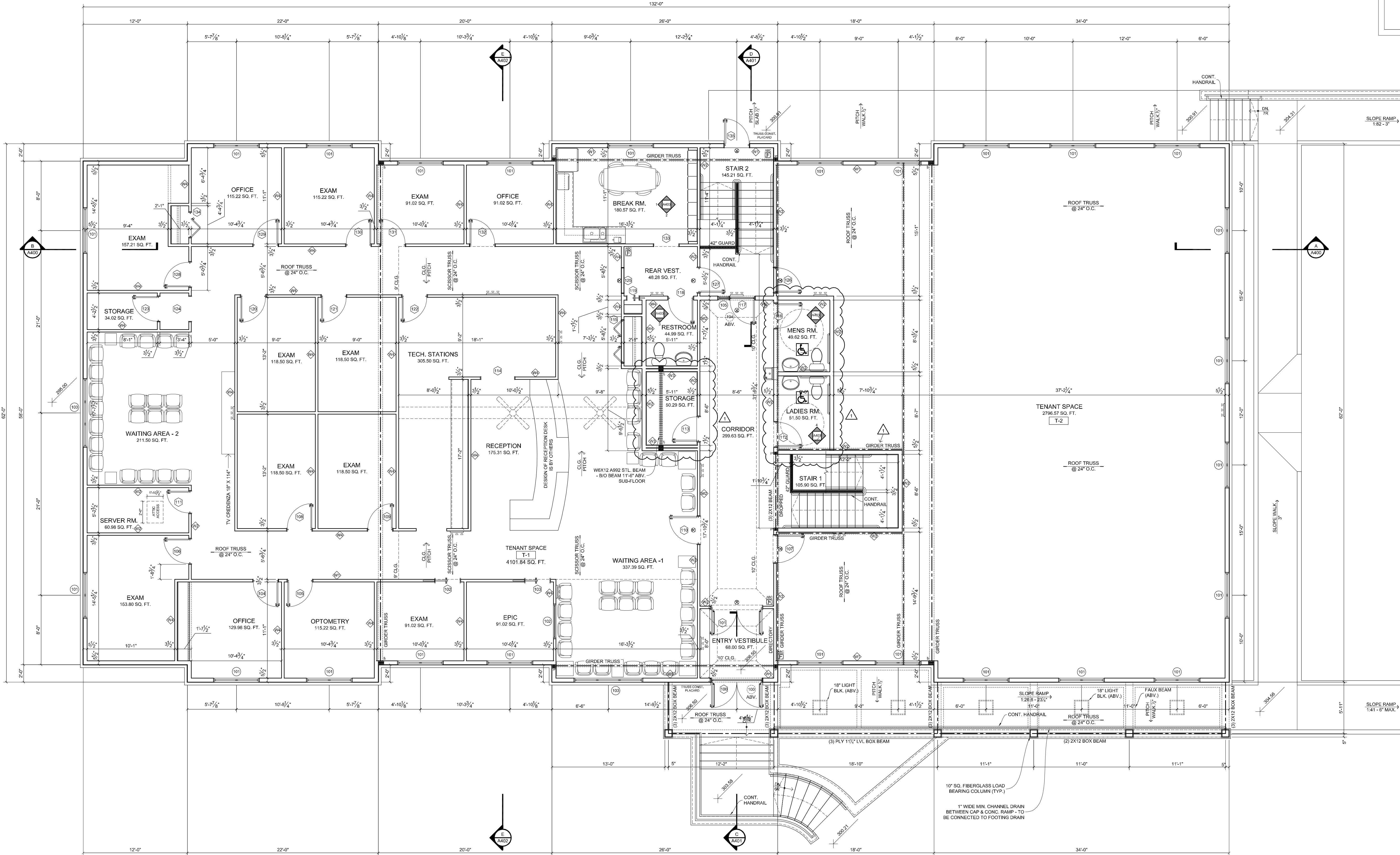
SURVEY
LANDS OF
MBN MANAGEMENT CO., LLC

TOWN OF NISKAYUNA	SCHENECTADY COUNTY, NEW YORK
TOWN OF COLONIE	ALBANY COUNTY, NEW YORK
SCALE: 1" = 30'	DATE: DECEMBER 9, 2003
TELEPHONE NO.: (518) 383-0634	MAP NO.: 03 - 17 - 124AA

Gilbert VanGuilder
Land Surveyor, PLLC
Professional Land Surveyors
988 Route 146, Clifton Park, New York 12065
gvglandsurveyors.com

GILBERT G. VANGUILDER, P.L.S. No. 49,624

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES OF THIS SURVEY MAP BEARING THE LAND SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL SHALL BE CONSIDERED VALID.



FIRST FLOOR PLAN
3/16" = 1'-0"
FOOTPRINT
7984.00 SQ. FT.
INTERIOR
7799.67 SQ. FT.

NO.	DATE:	DESC.	REVISIONS
1	10-30-09	Field changes, show girder truss @ stair	

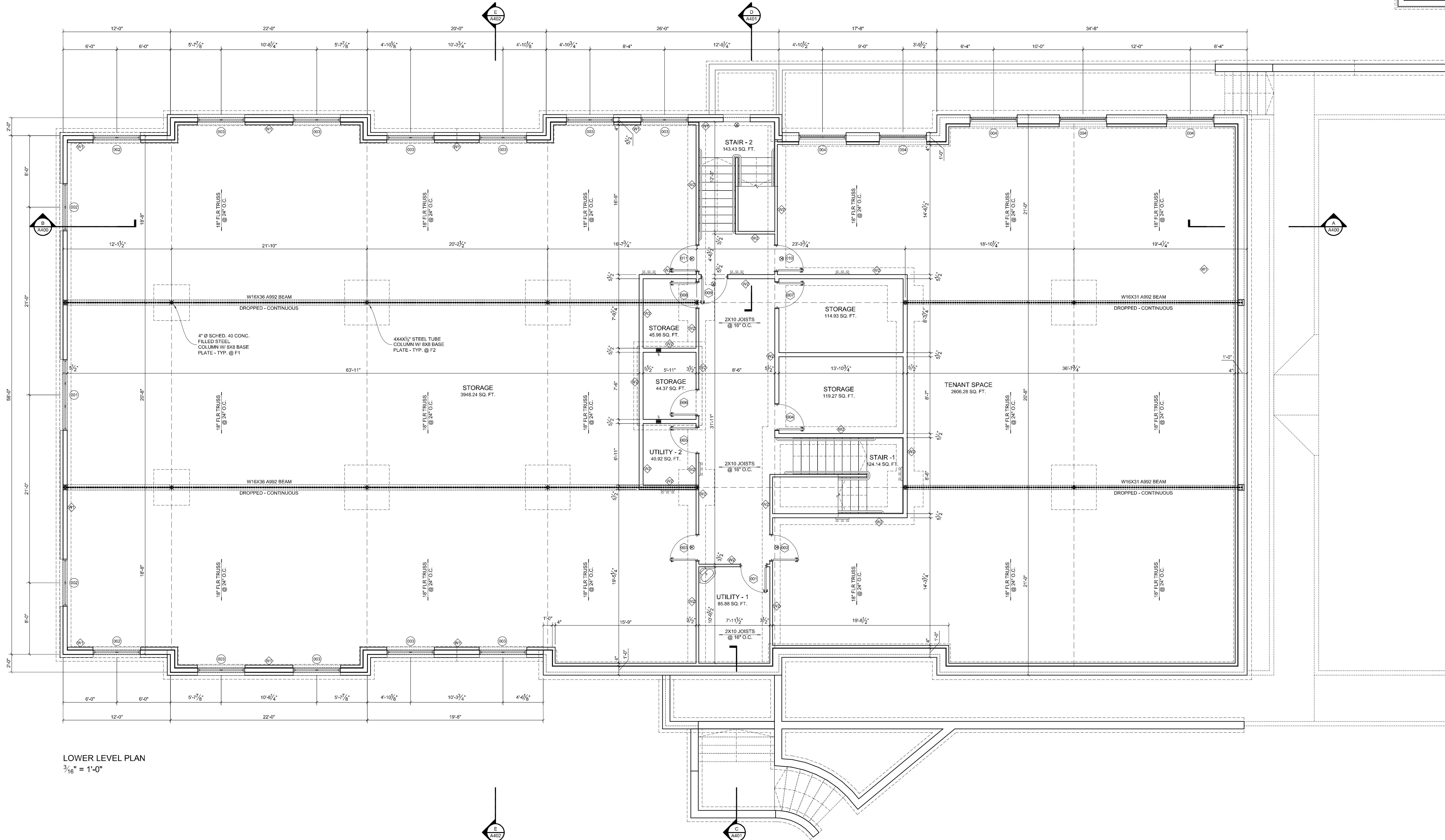


UNAUTHORIZED
ALTERATION OR ADDITION
TO THIS PLAN IS A
VIOLATION OF SECTION
7209 (2) OF THE N.Y.S.
EDUCATION LAW

Chas. A. Johnson
Engineering PLLC
P.O. Box 264
Central Bridge, New York
12035
Phone (518) 868-4540

Sheet Title
FIRST FLOOR PLAN
Project Title
NISKAYUNA PROFESSIONAL OFFICE BUILDING

Drawing Number
A101
OF:
DATE: 30 AUGUST 2007



LOWER LEVEL PLAN
3/16" = 1'-0"



UNAUTHORIZED
ALTERATION OR ADDITION
TO THIS PLAN IS A
VIOLATION OF SECTION
7209 (2) OF THE N.Y.S.
EDUCATION LAW

P.O. Box 264
Central Bridge, New York
12035
Phone (518) 868-4540

Chas. A. Johnson
Engineering PLLC

Sheet Title
LOWER LEVEL PLAN

Project Title
NISKAYUNA PROFESSIONAL OFFICE BUILDING

Drawing Number
A100

OF:
DATE: 30 AUGUST 2007

**TOWN OF NISKAYUNA****APPLICATION FOR BUILDING AND ZONING PERMIT**

One Niskayuna Circle
Niskayuna, New York 12309
386-4522 Fax 386-4592

APPLICATION # 07040405**RECEIVED****APR 04 2007**BUILDING DEPARTMENT
NISKAYUNA, NY

APPLICATION IS HEREBY MADE to the Town of Niskayuna Building Department for the issuance of a building and zoning permit pursuant to the New York State Uniform Fire Prevention and Building Code for the construction of buildings, additions or alterations, or for the removal or demolition, as herein described. The Applicant or Owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on this application which are part of these requirements, and will also allow or arrange for all inspectors to enter the premises for inspections.

BUILDING SITE ADDRESS 3140/3144 NYS Route 7 (Troy-Schenectady Road)ZONING DISTRICT R1 SECTION-BLOCK-LOT 6b-3-22.1DESCRIBE WORK APPLIED FOR Construct Professional Office Building

ESTIMATED VALUE OF ALL WORK: (labor and materials)

TOTAL \$ 1,200,000Cell 857-6097APPLICANT David G. LloydDAY PHONE 518-283-2620CHECK ONE: ☐ CONTRACTOR (complete workers' compensation information below)☐ HOMEOWNER (see workers' compensation information below)☒ OTHER (explain) Consultant for Project Development & Pre ConstructionADDRESS 74 Edwards RdCITY Wynantskill STATE NY ZIP 12198CONTRACTOR David Lawrence LLCDAY PHONE 283-2620ADDRESS 1238 Rt 9PCITY Saratoga Springs STATE N.Y. ZIP 12866

GENERAL LIABILITY CARRIER

POLICY #

EXP. DATE

Note: General Contractors must prove compliance with Section 57 of the Workers' Compensation Law by providing one of the following: ☐ C-105.2 ☐ U-26.3 ☐ SI-12 ☐ C-105.21

Note: General Contractors must prove compliance with Section 220 Sub. 8 of the Disability Benefits Law by providing one of the following: ☐ DB-120.1 ☐ DB-155 ☐ C-105.21

PROPERTY OWNER Mabel ChengDAY PHONE 518-782-7777ADDRESS (if different than above) 2302 Pine Ridge RoadCITY Niskayuna STATE NY ZIP 12309

Note: Homeowners doing own work must provide either: ☐ BP-1 ☐ Workers' compensation insurance

PLEASE SIGN BACK

The applicant has reviewed and understands the requirements and conditions listed on this application. Article II, Section 75.5B of the Code of the Town of Niskayuna requires that where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

Applicants who are the owners of the property DO NOT have to have this application notarized.

The undersigned hereby swears that the information provided on this application is true, correct and accurate.

Sworn to me on this 4th day of April, 2007

RACHAEL WOODLEY
NOTARY PUBLIC, STATE OF NEW YORK
REGISTRATION# 01WO6042250
QUALIFIED IN SCHENECTADY COUNTY
MY COMMISSION EXPIRES MAY 22, 2010

Rachael Woodley
Notary Public, State of New York

David J. Lloyd
Signature of Applicant

74 Edwards Rd Wyanntskill NY 12198
Address

518 283-2670
Phone

Date

(FOR OFFICE USE ONLY BELOW)

BUILDING SITE ADDRESS 3140/3144 TROY RD.

KNOWN EASEMENTS: ✓ WATER ✓ SEWER ✓ DRAINAGE ✓ OTHER

PERMIT FEE DUE \$ 2630 - BASED ON 12524 SF

COMMENTS MEDICAL OFFICE BUILDING

REQUIRED INSPECTIONS:

- ✓ 1. FOOTING FORMS AND REINFORCING PRIOR TO POURING OF CONCRETE
- ✓ 2. FOUNDATION LOCATION PROVIDED AND STONE DRIVEWAY BASE INSTALLED PRIOR TO FOUNDATION INSPECTION
- ✓ 3. FOUNDATION WALL AND DRAIN TILE INCLUDING LATERAL PRIOR TO BACKFILLING
- ✓ 4. FIREPLACE INSPECTION AT BOX AND AT HALF STACK
- ✓ 5. ROUGH PLUMBING
- ✓ 6. ROUGH ELECTRICAL
- ✓ 7. ROUGH FRAMING INSPECTION INCLUDING TRUSS CERTIFICATES AND ROUGH GRADING ESTABLISHED
- ✓ 8. INSULATION INCLUDING PROPER VENTILATION
- ✓ 9. FINAL PLUMBING
- ✓ 10. FINAL ELECTRICAL
- ✓ 11. FINAL BUILDING INSPECTION
- ✓ 12. FINAL GRADING AND SOIL EROSION CONTROL
- ✓ 13. (ADDITIONAL INSPECTIONS)

APPROVED BY [Signature]

DATE 1-24-08

RESOLUTION NO. 2004 - 26

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE SEVENTH DAY OF JUNE, 2004 AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE, IN SAID TOWN AT 7:30 P.M., THE FOLLOWING MEMBERS WERE PRESENT:

HONORABLE: WILLIAM N. HENDRICKS, III, CHAIRMAN
LESLIE P. GOLD
ANGELO T. MUCCIGROSSO
KEVIN A. WALSH
HARVEY RANDALL
JAMES I. MCKINNEY
ELLEN L. MALKIS

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

The meeting was duly called to order by the Chairman.

The following resolution was offered by Mr. Muccigrosso whom moved its adoption, and seconded by Mr. Randall

WHEREAS Niskayuna Professional Development, LLC has made application to the Planning Board for final site plan approval for the construction of a 8,000 square foot professional/medical office building located at 3140/3144 Troy Road, and

WHEREAS the site plan is 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, and

WHEREAS the property is located in the R-P: Residential/Professional Zoning District, and

WHEREAS this application was referred to the Schenectady County Planning Dept., and they responded by memorandum dated December 12, 2003 with comments, and

WHEREAS this application was referred to the Niskayuna Police Department on May 4, 2004, and

WHEREAS this application was referred to Fire District Two on May 5, 2004, and

WHEREAS this application was referred to the Superintendent of Water, Sewer and Engineering on May 5, 2004, and

WHEREAS the Town Board acting in accordance with the State Environmental Quality Review Regulations and local law, has contacted all involved agencies, and they have concurred with the Town Board that it should assume the position of lead agency for the purpose of environmental review of this proposal, and

WHEREAS the Town Board acting as lead agency in accordance with the State Environmental Quality Review (SEQR) regulations and local law, determined that this project will not have a significant effect on the environment and directed the Town Planner to file a negative declaration, and

WHEREAS this application was referred to the Niskayuna Conservation Advisory Council which met on December 3, 2003 and recommended that a negative declaration be filed pursuant to SEQRA, and

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

NOW, THEREFORE, be it hereby

RESOLVED, that the Planning Board and Zoning Commission finds that the site plan shown on the aforementioned map entitled "Niskayuna Professional Office Development," meets the conditions for final site plan and this Board hereby approves the final site plan with the following conditions:

1. This resolution shall be incorporated into any deed of sale for this project, and the conditions of this resolution shall be binding on the applicant, the owner if different from the applicant, their successors, assigns, or transferees.
2. Prior to site disturbance, the applicant will provide a copy of the SWPPP as well as the Notice of Intent to NYSDEC to the Town of Niskayuna.
3. Prior to site disturbance, the applicant will address any concerns raised by the Town's Consulting Engineering firm.
4. Prior to site disturbance the applicant will obtain a permit from NYS Dept. of Transportation for work in the State right-of-way.
5. Prior to site disturbance the applicant will provide a copy of the letter from NYS Dept. of Transportation approving the curb-cut to Troy Road.
6. Prior to site disturbance the applicant will provide a copy of the letter from the Town of Colonie approving the curb-cut to Vley Road.
7. Prior to site disturbance the applicant will update the plan to show a sidewalk from the proposed building to the existing sidewalks on Troy Road.
8. Prior to site disturbance the applicant will participate in a pre-construction meeting with the Department of Public Works. This meeting shall include, but not be limited to the following issues:
 - a. Identification by the applicant of the location of required soil erosion control measures. Soil erosion and sediment control shall be in accordance with Chapter 180 of the Town Code of the Town of Niskayuna.
 - b. Prior to site disturbance, any conditions set by the Department of Public Works as a result of the preconstruction meeting must be added to the set of maps.

9. The Town of Niskayuna will hire a licensed professional at the expense of the applicant to monitor site work and certify to the Town that all site improvements are installed in accordance with the approved site plans.

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

WILLIAM N. HENDRICKS, III, CHAIRMAN - AYE
LESLIE P. GOLD - AYE
ANGELO T. MUCCIGROSSO - AYE
KEVIN A. WALSH - AYE
HARVEY RANDALL - AYE
JAMES I. MCKINNEY - AYE
ELLEN L. MALKIS - AYE

TOWN OF NISKAYUNA
Helen F. Kopke, Town Clerk

The Chairman declared the same duly adopted.

JUN 08 2004

FILED

AT A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF NISKAYUNA, DULY CALLED AND HELD ON THE 20TH DAY OF JANUARY, 2004 AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE IN SAID TOWN, AT 7:00 O'CLOCK, PM, THE FOLLOWING MEMBERS WERE PRESENT:

HONORABLE	LIZ ORZEL KASPER	COUNCILWOMAN
	WILLIAM R. CHAPMAN	COUNCILMAN
	RICHARD A. HOLT	COUNCILMAN
	DIANE P. O'DONNELL	COUNCILWOMAN
	LUKE J. SMITH	SUPERVISOR

ABSENT:	LIZ ORZEL KASPER	COUNCILWOMAN
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The meeting was duly called to order by the Supervisor.

One of the purposes of the meeting was to take action on an application for a special use permit for 3140/3144 Troy-Schenectady Road.

The following resolution was offered by **Councilman Chapman**, who moved its adoption and seconded by **Supervisor Smith**.

WHEREAS, Niskayuna Professional Development, LLC, 10 Century Hill Drive, Latham, New York, has made application to the Town Board for approval of a special use permit to allow the construction of a 8,000 square foot professional/medical office building located at 3140/3144 Troy-Schenectady Road as shown on a map entitled "Concept Plan, Proposed Office Building, 3140/3144 Troy-Schenectady Road," prepared by C. T. Male Associates, P.C. dated November 12, 2003, and

WHEREAS, the zoning classification of the premises is R-P: Residential Professional Zoning District, and

WHEREAS, the application was referred to the Conservation Advisory Council which reviewed the proposal on December 3, 2003 and stated that there is no significant impact and recommended that a negative declaration be prepared, and

WHEREAS, the application was referred to the Schenectady County Planning Department which responded on December 16, 2003 with comments, and

WHEREAS, the Planning Board, by its Resolution 2003-40 dated December 15, 2003, recommended approval of the special use permit subject to certain conditions, and

WHEREAS, this Town Board conducted a public hearing on December 16, 2003 at which time all parties in interest and citizens were afforded ample opportunity to be heard, and

WHEREAS, this Board has carefully reviewed the proposal and by this resolution sets forth its decision thereon,

NOW THEREFORE, be it hereby

RESOLVED, that this Town Board does hereby determine that this project will not have a significant effect on the environment and directs the Town Planner to file a negative declaration, and be it hereby

FURTHER RESOLVED, that this Town Board does hereby grant Niskayuna Professional Development, LLC a special use permit to allow the construction of a 8,000 square foot professional/medical office building located at 3140/3144 Troy-Schenectady Road subject to final site plan review and the following conditions:

1. The applicant shall submit acceptable lighting plan as part of the final site plan review. Lighting plan shall include specifications and photometric data that demonstrate sufficient no glare lighting in the parking area, in accordance with Article VIII(B) of the Zoning Ordinance entitled "Guidelines for Lighting of Outdoor Areas under Site Plan Review."
2. Prior to site disturbance, the applicant will submit the Stormwater Pollution Prevention Plan (SWPPP) to the Schenectady County Soil and Water Conservation District, prior to submitting to NYSDEC.
3. Prior to site disturbance, the applicant will provide a copy of the SWPPP to the Town as well as the Notice of Intent to NYSDEC.
4. Prior to site disturbance, the applicant will participate in a pre-construction meeting with the Department of Public Works.
5. Prior to final site plan approval, the applicant will provide a copy of a letter from the Town of Colonie that allows full access to Vley Road for the 8,000 square foot professional/medical office building.
6. The applicant shall secure the necessary approvals from the New York State Department of Transportation for work within the Troy Road right-of-way.
7. The applicant shall provide for an appropriate licensed professional to monitor site work and certify to the Town that all site improvements are installed in accordance with the approved site plans.

UPON ROLL CALL THE FOREGOING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

COUNCILWOMAN KASPER	VOTING	ABSENT
COUNCILMAN CHAPMAN	VOTING	AYE
COUNCILMAN HOLT	VOTING	AYE
COUNCILWOMAN O'DONNELL	VOTING	AYE
SUPERVISOR SMITH	VOTING	AYE

THE SUPERVISOR DECLARED THE SAME DULY ADOPTED.



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 3

MEETING DATE: 1/24/2022

ITEM TITLE: DISCUSSION: 1748 Union St. – Application for Site Plan Review for the demolition of an existing house and the construction of a parking lot for use by the neighboring quick serve restaurant (formerly Key Bank) at 1742 Union St.

PROJECT LEAD: TBD

APPLICANT: Paul Fallati, applicant 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:

Paul Fallati, applicant for the owner, submitted an application for the demolition of the existing home at 1748 Union St. in the Town of Niskayuna and the construction of a parking lot for the adjacent quick serve restaurant (formerly Key Bank) at 1742 Union St. in the City of Schenectady. The lot falls within the C-N Neighborhood Commercial zoning district in the Town of Niskayuna. The lot at 1742 Union St. falls within the Mixed Use Commercial zoning district in the City of Schenectady.

BACKGROUND INFORMATION

Niskayuna Town Code Chapter 220 Zoning Article IV Use Regulations E C-N Neighborhood Commercial District does not include a parking lot as a permitted principal use or as a special principal use. Therefore, the use of 1748 Union Street as only a parking lot does not comply with the Town's zoning code.

A 2-page site plan drawing entitled "Sketch Plan, 1742 Union Street, City of Schenectady" by Brett L. Steenburgh, P.E. PLLC with no drawing date or revision status was provided with the site plan application.

The Town Planning Office created a pictorial map showing the two properties in question.

The applicant is before the Board this evening to present their proposed plan to the Board and discuss the steps required to work with the Town of Niskayuna and the City of Schenectady to achieve their goal.

TOWN OF NISKAYUNA
Application for Site Plan Review

Applicant (Owner or Agent):

Name J&K Development LLC
Address 18 Computer Drive East
Albany, NY 12205
Telephone 518 461-4234 Fax _____

Location:

Number & Street 1746-1748 Union Street
Section-Block-Lot 50.10 - 3 - 34
50.10 3 1
Zoning District CN

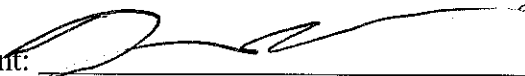
Proposal Description:

We are proposing to demo the existing building
and modify the parking/site design per the
attached drawing

Each site plan application shall be accompanied by:

1. Twelve (12) site plan 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 lighting plan showing the lighting distribution of existing or 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. Six (6) copies 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 *two hundred dollars (\$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.

Signature of applicant:  Date: 1-17-22

Signature of owner (if different from applicant): _____

Date: _____



Demo House and
create parking lot

SKETCH PLAN		BRETT L. STERNBURGH, P.E. PLLC	
1742 UNION STREET		BESS BROOKHART BUILD	
CITY OF SCHENECTADY		SCHENECTADY, NY 12306	
STATE OF NEW YORK		(618) 342-1475	
BESS BROOKHART BUILD		blessbrookhart@yahoo.com	
SCALE: 1"=40'		CIVIL ENVIRONMENTAL STRUCTURAL	
SHEET 1 OF 1		ENGINEERING	

Demo House

Former Key Bank site

5,889 AADT

5,080 AADT

11,074 AADT

4,601 AADT

SITE

UNION STREET

Bank of America

I&I
TATTOO

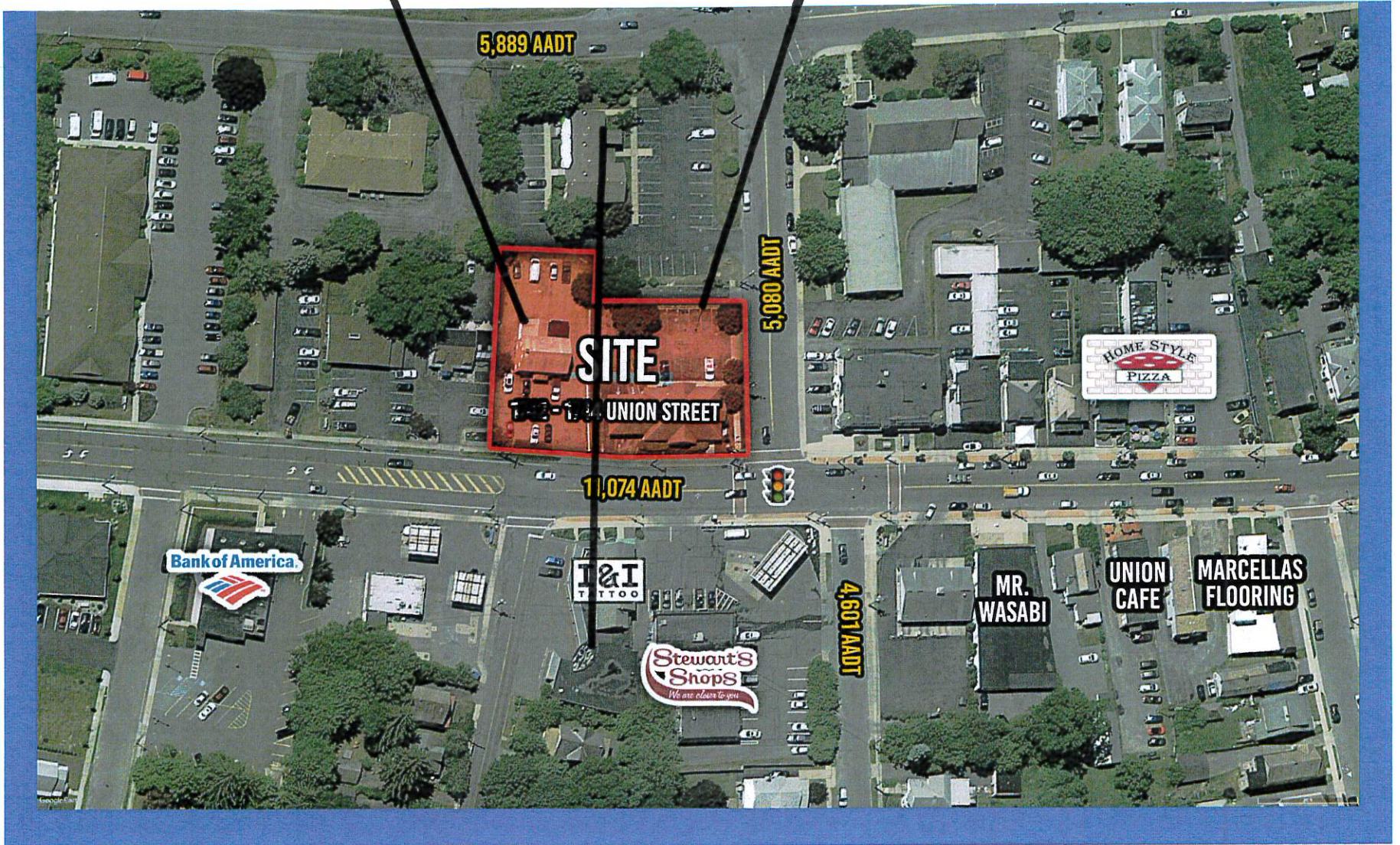
Stewart's
Shops
We are close to you

MR.
WASABI

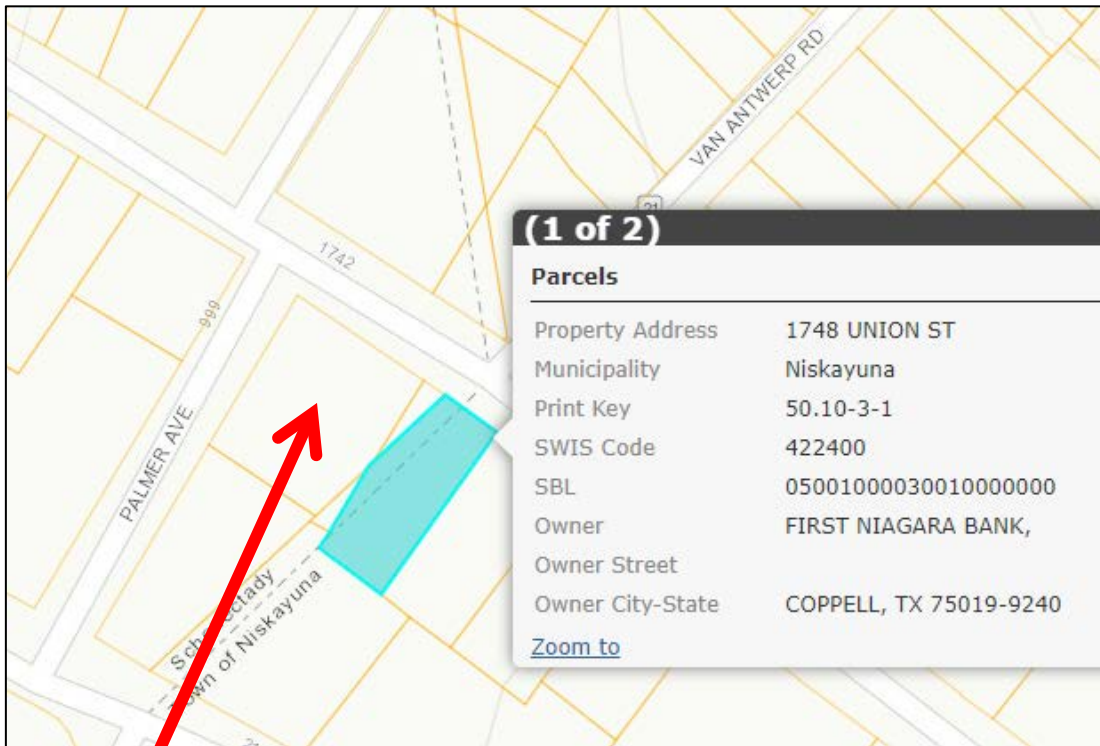
UNION
CAFE

MARCELLAS
FLOORING

HOME STYLE
PIZZA



1748 Union St. – Town of Niskayuna
C-N Neighborhood Commercial Zoning District



1742 Union St.
City of Schenectady
Mixed Use
Commercial zone

