

TOWN OF NISKAYUNA
Planning Board and Zoning Commission
Agenda
October 16, 2023
7:00 PM

REGULAR AGENDA MEETING

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

1. Sept. 11, 2023

IV. PUBLIC HEARINGS

V. PRIVILEGE OF THE FLOOR

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

1. RESOLUTION: 2023 – 21: A Resolution for site plan approval for a tenant change to a Milan Hair Removal Treatment Center at 400 Balltown Rd.
2. RESOLUTION: 2023 – 22: A Resolution for site plan approval for a tenant change to The Heritage Group insurance company at 2331 Troy – Schenectady Rd.
3. RESOLUTION: 2023 – 23: A Resolution for site plan approval for a tenant change to Albright's Meat and Company at 2321 Nott St. E.

VIII. DISCUSSION ITEMS

1. 2890 River Rd. – A sketch plan application for a 4-lot subdivision.
2. One Research Circle – GE Global Research – An application for a 2-lot subdivision.
3. 797 Westmoreland Dr. – An application for a lot line adjustment.
4. 3631 State St. – Metro Ford – An application for site plan approval of exterior façade renovations including new signage

IX. REPORTS

X. COMMISSION BUSINESS

XI. ADJOURNMENT

NEXT MEETING: Nov. 13, 2023 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
October 2, 2023

Members Present: Kevin Walsh, Chairman
Patrick McPartlon
David D'Arpino
Leslie Gold
Nancy Strang
Joseph Drescher

Also Present: Laura Robertson, Town Planner
Alaina Finan, Town Attorney
Clark Henry (virtual)
Trisha Bergami, Planning Department

I. CALL TO ORDER

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

II. ROLL CALL

Chris LaFlamme, Michael Skrebutenas and Genghis Khan were absent/excused

III. APPROVAL OF MINUTES

1.Sept. 11, 2023

Mr. McPartlon made a motion to approve the Minutes from the 9/11/23 meeting. Ms. Strang seconded. The Board discussed corrected two typos on line 18 and 92. Chairman Walsh asked for all in favor. All were in favor of approving the meetings, including the corrections to line 18 and line 92.

IV. PUBLIC HEARINGS

No Public Hearings

V. PRIVILEGE OF THE FLOOR

Ms. Tiberio of 8 Seneca Road provided the Board members with information relating to Iroquois Middle School construction causing an open stream to be buried, and she provided information about the problems with stream burial. She believes this study has some interesting findings that might apply to the current water situation in her neighborhood. Ms. Tiberio stated that two tributaries on the Rosendale/Iroquois properties dating back to 1953 are shown on the map she provided to the Board. Ms. Tiberio would like restoration strategies for the school property as well as regulatory authorities involvement. She said the time to study this is important with climate change upon us and the increasingly severe storms. Ms. Tiberio believes that maybe the Town should take a pause on reviewing this development until the water issue is resolved.

Chairman Walsh stated seeing and hearing no one else, Privilege of the Floor is closed.

VI. UNFINISHED BUSINESS

No Unfinished Business

VII. NEW BUSINESS

1. RESOLUTION: 2023 – 20: A Resolution for site plan approval for a lot line adjustment between 1900 Union St. and 1854 Union St.

Chairman Walsh stated the draft of Resolution 2023-20 has been posted online. The conditions are as follows:

1. Prior to recording the plat all ownership signatures on the lot line adjustment application shall be notarized.
2. Prior to recording the plat the final lot line adjustment map shall be sent to the Planning Department for review and approval. Any changes, additions or deletions requested shall be addressed to the satisfaction of the Planning Department before printing the mylars.

The resolution was moved for adoption by Ms. Gold and seconded by Ms. Strang.

Ms. Gold stated she appreciated the Zoning Board's review of the case as the variance was needed in order for this lot line adjustment to move forward. She believes this is the best option for both property owners.

Hearing no further comments, Chairman Walsh called for the vote:

Mr. McPartlon Aye

Mr. D'Arpino Aye

Ms. Gold Aye

Ms. Strang Aye

Mr. Drescher Aye

Chairman Walsh Aye

Chairman Walsh stated the Resolution was approved 6-0 and thanked the applicant for their time.

VIII. DISCUSSION ITEMS

1. 2890 River Rd. – A sketch plan application for a 4-lot subdivision

Mr. McPartlon stated the Board is in a holding pattern for a drainage study from the applicant with a preliminary analysis of upstream storm water to be reviewed by the TDE. There are sum Request for Proposals (RFPs) out but the Town has not identified a TDE yet. Mr. McPartlon believes the goal is to choose a TDE in advance of the site walk scheduled for this Thursday. Mr. McPartlon stated the Board was provided a copy of the Iroquois Middle School SWPPP. Mr. McPartlon said there does seem to be quite a large volume of water coming off the Iroquois School property but he feels it was pre-existing of the Iroquois School addition and parking lot improvements.

Mr. Roman, representing the applicant, said he is looking forward to the walk through on Thursday and getting the process moving forward.

Chairman Walsh said it is very early in the process and there are some concerns and more information is still needed. Chairman Walsh stated all information presented is important and will be taken into consideration.

2. 400 Balltown Rd. – A site plan application for a tenant change to a Milan Hair Removal Treatment Center.

The applicant was not present. Chairman Walsh asked Ms. Robertson or Mr. Henry to reach out to the applicant to see if they are able to change the size of the sign to what is acceptable or if they will request a waiver. The rest of the tenant change is a go and it is great to fill an empty store front.

Chairman Walsh stated he is ready to entertain a tentative resolution for next meeting which can include the sign if the information is ready, or can exclude the sign if it is not ready.

Ms. Robertson said if the Board can get a Project Lead, she or Mr. Henry can reach out to the applicant and get a rendering of what compliant signage looks like. The Project Lead can recommend how to prepare the resolution - either with a waiver or not - for the signage.

3. 2331 Troy-Schenectady Rd. – A site plan application for a tenant change to The Heritage Group Inc. – an insurance agency.

Tyler Terpening spoke, applicant for the tenant change. Mr. Terpening plans to move his Colonie-based business to Niskayuna. He said this building fits their model perfectly. He stated the most employees in the office at any given time would be ten.

Chairman Walsh asked how many parking spots there are. Mr. Terpening stated there are 14 and 1 handicap space.

Chairman Walsh asked if there would be any changes to that parking configuration. Mr. Terpening stated no, he is not proposing any changes to the parking or the exterior of the building.

Chairman Walsh said the Board can do a tentative resolution for next meeting with the caveat that the signage is reviewed at a later date.

Ms. Gold stated she recalls there may be a uses variance for this property, that it is not a pre-existing non conforming office building because she remembers it was once a gas station. If the property has a use variance to allow the professional office use in the R-1 Zoning district, she asked that it be properly cited in the resolution and agenda statement.

Ms. Robertson agreed that her office will look into the history of the building and make sure it is cited correctly. She stated whether it was a pre-existing non-conforming or received a use variance, it would not change the allowance for the existing professional office space (realtor office) to change to a different professional office space tenant (insurance office). The tenant is still a professional office so it is allowable in either situation. She reiterated her office would clarify which one it was before the next meeting.

Mr. D'Arpino volunteered to be Project Lead for the site.

4. 2321 Nott St. E. – A site plan application for a tenant change to Albright's Meat and Company – a local eatery of hot and cold hand sliced sandwiches on artisanal bread.

Mr. Albright, applicant, stated he has lived in Niskayuna for 7 years. Mr. Albright presented plans to open a sandwich café. He said this is a new business, not an existing one, although he owns other businesses in the Capital Region.

Chairman Walsh asked about the parking situation in the ShopRite Plaza. Mr. Albright said it will work out well, he is a complementary use to the plaza and the parking spaces are set up to accommodate the use.

Mr. D'Arpino asked the applicant why he had 2 interior floor plans and if he was more interested in one over the other. Mr. Albright said that it is due to the size of the smoker and whether or not he can get the bigger one into the space. Mr. Albright said once they figure out the details of the smoker, he can finalize the interior layout. The two choices are not very different from each other though – they just accommodate a larger smoker unit.

Chairman Walsh said he is comfortable with this tenant change and they can move this forward to a tentative resolution for next meeting with a condition to review the signage.

IX. REPORTS

127 Ms. Robertson mentioned GE came in too late to make the meeting but they would like to split their
128 parcel into two parcels. It is currently one parcel right now with three companies on it, the Health Care,
129 the Aviation and the Energy. GE is looking for a two- lot subdivision making a parcel for the Research
130 Circle entrance and a parcel for the Balltown Road entrance. Ms. Robertson said GE is trying to get this
131 done by the end of the year because of their fiscal responsibilities.

132 Chairman Walsh asked if they made application. Ms. Robertson said they did but it was too late to get in
133 on this Planning Board Meeting. They will be before the Board on October 16th, 2023.

134 Ms. Finan said there were no changes in legal matters since last meeting.

135 **X. COMMISSION BUSINESS**

136 Ms. Gold asked if the up coming training for October 20 at HVCC will be archived. Ms. Robertson said
137 she wasn't sure. She said if they do record it, they would probably put it where they put all their webinars
138 online and she will be sure to share it with the Board.

139 **XI. ADJOURNMENT**

140 Chairman Walsh asked for a motion to adjourn. Ms. Strang made a motion to adjourn. Ms. Gold
141 Seconded. The meeting was adjourned at 7:40 pm.

142

143 *The video recording for this meeting can be found at: <https://www.youtube.com/watch?v=ppSXshI81v8&list>*



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VII. 1

MEETING DATE: 10/16/2023

ITEM TITLE: RESOLUTION: 2023-21: A Resolution for site plan approval for a tenant change to a Milan Hair Removal Treatment Center at 400 Balltown Rd.

PROJECT LEAD: TBD

APPLICANT: Bryan Larsen, Construction Manager Milan Laser

SUBMITTED BY: Bryan Larsen, Construction Manager Milan Laser

REVIEWED BY:

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

ATTACHMENTS:

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

SUMMARY STATEMENT:

Bryan Larsen submitted an Application for Site Plan Approval for a tenant change at 400 Balltown Rd. to a Milan Laser Hair Removal Treatment Center.

Mr. Larsen did not attend the regularly scheduled 10/2/23 Planning Board meeting. In his absence, Chairman Walsh summarized the project for the Board and a short discussion ensued. The Board asked the Planning Office to contact the applicant and ask if a code compliant sized sign would meet his needs. They called for a tentative resolution for site plan approval for the 10/16/23 PB meeting with an appropriate condition regarding code-compliant signage. Mr. Larsen informed the Planning Office that he will revise the signage to comply with code.

COMPREHENSIVE PLAN

The proposed tenant change complies with the Economic Development section, beginning on page 73, of the 2013 Niskayuna Comprehensive Plan.

BACKGROUND INFORMATION

The property is located in the C-S Shopping Center Commercial zoning district. Retail and service stores are permitted principal uses in the C-S district. The façade of the building that includes the front door and proposed signage has 17' 7" of frontage to the parking lot.

The following details were included with the application.

- Hours of operation:
 - Monday – Thursday 9 AM – 6 PM
 - Friday & Saturday 9 AM – 5 PM

- Sunday Closed
- Approx. number of employees: 3 – 4
- Approx. number of customers: 2
- Exterior changes to the building: None
- Signage: A 27.8 sq. ft. façade sign is proposed

Section 220-48.22 G (2) (c) [3] states that “For façade signs, one square foot of sign area shall be permitted for each linear foot of building frontage..... Under no circumstances shall any one façade sign exceed 50 sq. ft.”

The building has 17' 7" (17.6') of street frontage so as proposed the Planning Board would need to grant a waiver of 10.2 sq. ft. ($27.8 - 17.6 = 10.2$) of façade signage.

10/2/23 Planning Board (PB) meeting – Mr. Larsen did not attend the meeting. Chairman Walsh summarized the proposed project for the Board. The Board questioned why the larger façade sign was required and asked the Planning Office to reach out to Mr. Larsen for additional details / justification. Several Board members also noticed the apparent differences between the proposed sign as it appears in the photo rendering of the front façade of the building and the dimensioned rendering of sign. After a short discussion the Board called for a tentative resolution for site plan approval for the 10/16/23 meeting, with an appropriate condition regarding the size of the sign.

A tentative resolution is included in the meeting packet materials. It includes a condition allowing the Planning Department to approve code compliant signage. Any non-code compliant signage would need to return to the Planning Board for their review of a requested waiver. On 10/12/23 Mr. Larsen emailed the Planning Office that he will revise the signage to comply with code.

RESOLUTION NO. 2023-21

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 16TH DAY OF OCTOBER 2023 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
LESLIE GOLD
NANCY STRANG
JOSEPH DRESCHER

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 _____.

WHEREAS, Bryan Larsen has made an application to the Planning Board and Zoning Commission for site plan approval for tenant change at 400 Balltown Road to a Milan Laser Hair Removal Treatment Center as described in a 2-page letter authored by the DLC Management Group dated 9/12/23 and a 1-page façade sign drawing, and

WHEREAS, the zoning classification of the property is C-S: Shopping Center Commercial and retail and service stores are permitted principal uses in the district, and

WHEREAS, the proposed tenant change complies with the Economic Development section of the 2013 Niskayuna Comprehensive Plan, and

WHEREAS, the Planning Board referred this application to the Town's Superintendent of Water, Sewer and Engineering, the Fire District Chief and the Chief of Police and there were no objections to the proposal, and

WHEREAS, the 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 the above referenced site plan meets the requirements of the Zoning Code and previous site plan approvals, and therefore, hereby approves the site plan with the following conditions:

1. Signage: Prior to issuance of a building permit the Planning Office will review and approve any proposed code compliant 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
LESLIE GOLD
NANCY STRANG
JOSEPH DRESCHER

The Chairman declared the same _____.

TOWN OF NISKAYUNA
Application for Site Plan Review

Applicant (Owner or Agent):

Name Bryan Larsen
Address 17645 Wright Street, Building 1
Suite 300, Omaha, NE 68130
Telephone 402-681-4048 Fax _____

Location:

Number & Street 400 Balltown Road
Section-Block-Lot _____ - _____ - _____
Zoning District Shopping Center Commercial

Proposal Description:

This project is an interior tenant build-out of a new Milan Laser Hair Removal Treatment Center.
The scope of work includes demo, new partition walls, new accessible restroom, new interior
finishes throughout the space, modifications to electrical distribution, devices & low voltage system,
modifications to HVAC system, and modifications to existing plumbing (design build).

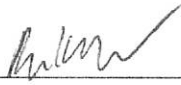
Each site plan application shall be accompanied by:

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 VIIIB 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: _____

Signature of owner (if different from applicant): 

Date: 9/14/23

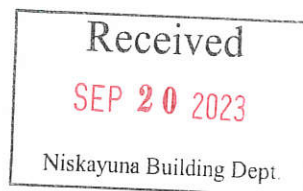




September 12, 2023

Via Email

Haylee Fredericks	HFredericks@lga-partners.com
Rozlynn Roman	RRoman@lga-partners.com
Paulette Burns	PBurns@lga-partners.com
Sigita Ivaska	Slvaska@lga-partners.com
Andria Simons	buildingpermits@milanlaser.com



Re: CONSTRUCTION Drawing Review (AAN) – Milan Laser Hair Removal ("Tenant") for premises located at Mohawk Commons, Niskayuna, NY

Dear Tenant,

By copy of this letter, we wish to confirm that we have reviewed your submitted **CONSTRUCTION** drawings for the above listed project. The drawings are being returned to you **Approved As Noted.**

The Landlord accepts no liability for the adequacy, correctness or completeness of these plans. However, please be aware that these plans must be approved by all governmental agencies having jurisdiction. Lastly, the Landlord does not accept any responsibility for underground or under slab obstructions as it may relate to Tenant's proposed work.

If plans were not submitted for approval electronically, or require modification, please direct your design professional to forward copied of these plans to the Landlord as PDF files, via email or on disc, for file.

Please see the reviewed plans for redlined comments along with the following:

1. **Property Vendors** – Please contact the Property Manager for your location to coordinate if there are any preferred and/or required vendors with must be used on the Premises during Tenant's work (ie: roofer, fire alarm, fire sprinkler, etc) Your Property Management contact is:

Bill Maxwell - Regional Property Manager
Email Address: bmaxwell@dlcmgmt.com

2. **Exterior Sign Shop Drawings** - to be submitted electronically for Landlord approval, to Patti Eick at peick@dlcmgmt.com. Drawing set should include signage design with all dimensions, mock-up of proposed storefront elevation with signage, installation details and specifications



3. Insurance Coverage - All contractors (unless covered by the General contractor's policy) working on this project must have on file, in this office, a Certificate of Insurance as follows:

Contractor shall, at its own expense, for the period of this agreement carry and maintain in full force and effect, general liability insurance with minimum of Two Million Dollars (\$2,000,000.00) combined single limit per occurrence. **Contractor's** Insurance shall not be cancelable without thirty days written notice to Owner. **Contractor** shall also maintain statutory Workers Compensation Insurance. **Contractor** shall furnish to Owner a copy of the Certificate of insurance showing that the above insurance is in effect, stating policy numbers, effective dates, expiration dates, and limits of liability thereunder. The following shall be named as additional insureds:

Mohawk Commons Owner, LLC
c/o DLC Management Corporations
565 Taxter Road
Elmsford, New York 10523

4. Building Permit – Once issued, a copy of the City issued Building Permit for this project must be on file, in this office. Copy is to be submitted electronically for Landlord file to Patti Eick at peick@dlcmgmt.com
5. Certificate of Occupancy - Once issued, a copy of the City issued Certificate of Occupancy for this project must be on file, in this office. Copy is to be submitted electronically for Landlord file to Patti Eick at peick@dlcmgmt.com

Please ensure that these conditions are met prior to commencing the work and that all other required documentation is submitted.

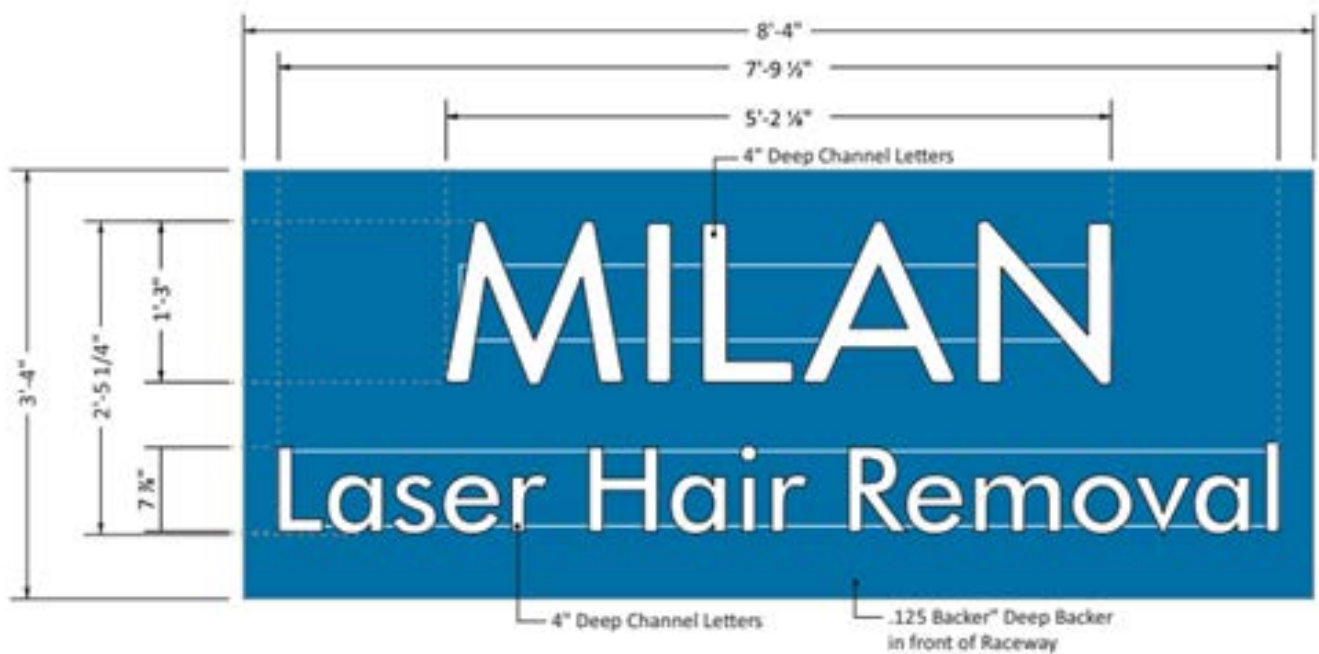
Very truly yours,

Patti Eick

Patti Eick
Senior Tenant Coordinator
DLC Management Corporation
a/a/f Mohawk Commons Owner, LLC

DLC MANAGEMENT CORP.	914.631.3131 T
CORPORATE OFFICE	914.631.6533 F
565 TAXTER ROAD	866.DLC.MGMT
ELMSFORD, NY 10523	WWW.DLCMGMT.COM

400 Balltown Road Suite 6D





TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VII. 2

MEETING DATE: 10/16/2023

ITEM TITLE: RESOLUTION: 2023-22: A Resolution for site plan approval for a tenant change to The Heritage Group insurance company at 2331 Troy-Schenectady Rd.

PROJECT LEAD: Mr. D'Arpino

APPLICANT: Tyler Terpening

SUBMITTED BY: Tyler Terpening

REVIEWED BY:

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

ATTACHMENTS:

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

SUMMARY STATEMENT:

Tyler Terpening submitted an Application for Site Plan Approval for a tenant change at 2331 Troy-Schenectady Rd to The Heritage Group insurance company. The property was most recently a Berkshire-Hathaway Realtor office.

Mr. Terpening attended the 10/2/23 Planning Board meeting and presented the proposal to the Board. The Board reviewed available parking, hours of operation, estimated peak occupancy of the building during open hours, etc. After a short discussion the Board called for a tentative resolution for site plan approval for the 10/16/23 Planning Board meeting.

COMPREHENSIVE PLAN

The proposed tenant change complies with the Economic Development section, beginning on page 73, of the 2013 Niskayuna Comprehensive Plan. The Comp Plan also seeks to protect the residential neighborhoods on the Route 7 corridor. As submitted – this plan does not increase the commercial nature of the building and does not increase the intensity of use either – therefore it is in compliance with the goals and objectives of the Route 7 corridor recommendations of the Comprehensive Plan.

BACKGROUND INFORMATION

The property is located in the R-1 zoning district. The existing “professional office non-medical” use is pre-existing nonconforming relative to the adoption of the zoning code and the classification of the property as being within the R-1 zoning district. Niskayuna Zoning Code Section 220 – 52 Changes in nonconforming uses A states: “No nonconforming use shall not be changed to anything other than a conforming use for the district in which it is situated.” The proposed use by The Heritage Group as an insurance office is also a professional office non-medical use. The use

from previous tenant to proposed tenant remains unchanged and is therefore compliant with the zoning code.

The following details were included with the application.

- Hours of operation:
 - Monday – Friday:
 - Saturday & Sunday: Closed
- Approx. number of employees:
- Approx. number of customers:
- Exterior changes to the building:
- Signage: TBD
 - Note: the previous tenant had a 24 sq. ft. monument sign

10/2/23 Planning Board (PB) meeting – Mr. Terpening presented the proposed project to the Board. He described the business as being predominantly related to commercial insurance with most employees working from home. The Board reviewed typical site plan approval questions such as hours of operation, the number of parking spaces, expected peak occupancy of the building during the day, etc. Mr. Terpening noted that 14 parking spaces exist with an additional Americans with Disabilities Act accessible space. One Board member remembered this site being used as an automobile service station years ago and asked the Planning Office to check if a use variance exists. The Board called for a tentative resolution for site plan approval for the 10/16/23 Planning Board meeting with an appropriate condition regarding future signage.

The Planning Office reviewed Town records and located documents supporting the following.

- 1971 – The Town adopted a zoning code and the property became a pre-existing nonconforming gasoline service station in the newly formed R-1 zoning district.
- 1987 – The Zoning Board of Appeals (ZBA) approved a use variance allowing the use of the premises as a professional office – which is not a permitted use in the R-1 zoning district.
- 1988 – A Certificate of Occupancy was issued by the Town Building Department on 10/3/88 as part of professional office use application that notes the “finished” basement of the building is to be used for storage only and not for office space.
- 1988 – The building owner at the time, Mr. Charles Bosco, appealed the Building Inspector’s issuance of the Certificate of Occupancy that stated the basement of the building was to be used for storage only.
- 1989 – At their meeting on 3/16/89 the ZBA approved Mr. Bosco’s appeal to overrule the Building Inspector’s decision, subject to a site plan review by the Planning Board, and allowed the basement to be used as professional office space resulting in “office space in excess of 2,130 square feet”.
- 1989 – At their meeting on 5/8/89 the Planning Board voted 6-0 to approve the site plan. The minutes for the meeting note that the changes to the site plan which allowed for the basement

office use “increased parking spaces from 12 to 16 spaces as required by the zoning ordinance [in effect at that time], removed 18 feet of blacktop to the front of the property and documented the number and kinds of proposed plantings.”

- 1989 – On 6/9/89 the Town Building Department issued a Certificate of Occupancy for a “Professional Office Building Group C 1 – Business Two professional offices” with no restrictions.

The proposed tenant change application will not change the use of the property, the previous use as a real estate office and the proposed use as an insurance office are both professional office, non-medical uses. Therefore, the proposed tenant change is compliant with the aforementioned Section 220-52 of the Niskayuna zoning code.

A parking analysis was performed using the typical zoning code ratio of 1 parking space being required for each 225 sq. ft. of gross floor area, yielding the following results.

Building Level	Gross Floor Area	Sq. Ft. / Parking Space	Spaces Required	Spaces Available	Additional Spaces
1 st Floor	2,133	225	10	15	+5
Basement	459	225	2	NA	
TOTAL	2,592	NA	12	15	+3

The analysis indicates that based on the zoning code currently in effect with both the 1st floor and basement used as professional office space an excess of 3 parking spaces relative to code exists.

A tentative resolution for site plan approval of the tenant change has been prepared and is included in the meeting packet. There is currently no proposal for signage on the property and so there is a condition in the resolution allowing the Planning Department to approve code compliant signage. Any non-code compliant signage would need to return to the Planning Board for their review and recommendation to the Zoning Board of Appeals.

RESOLUTION NO. 2023-22

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 16TH DAY OF OCTOBER 2023 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
LESLIE GOLD
NANCY STRANG
JOSEPH DRESCHER

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, Tyler Terpening, owner of Terpening and Associates, has made an application to the Planning Board and Zoning Commission for site plan approval for a tenant change at 2331 Troy-Schenectady Rd. to The Heritage Group insurance company, and

WHEREAS, the property is located within the R-1 Low Density Residential zoning district and a professional office is not a permitted principal use in the district, and

WHEREAS, on March 25, 1987 the Zoning Board of Appeals approved a use variance to allow the use of the property as a professional office, the premises were previously utilized as a gasoline service station under a lawful nonconforming status, and

WHEREAS, the property was most recently used a professional real estate office for Berkshire Hathaway, and

WHEREAS, the proposed tenant change complies with the Economic Development section of the 2013 Niskayuna Comprehensive Plan. The Plan seeks to protect the residential neighborhoods on the Route 7 corridor and as submitted this plan does not

increase the commercial nature of the building and does not increase the intensity of use and is therefore in compliance with the goals and objectives of the Route 7 corridor recommendations of the Comprehensive Plan, and

WHEREAS, the Planning Board referred this application to the Town's Superintendent of Water, Sewer and Engineering, the Fire District Chief and the Chief of Police and there were no objections to the proposal, and

WHEREAS, this Board has carefully reviewed the proposal and finds this tenant change complies with the use variance in effect on the property, and by this resolution does set forth its decision heron,

NOW, THEREFORE, be it hereby

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 with the following conditions.

1. Signage: Prior to issuance of a building permit the Planning Office will review and approve any proposed code compliant 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
LESLIE GOLD
NANCY STRANG
JOSEPH DRESCHER

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):

Tyler Terpering / Terpering ASSOCIATES, INC.

Location:

Name TAE Heritage Group.

Number & Street 2331 Troy - Schenectady Rd.

Address 2331 Troy - Schenectady Rd
Niskayuna NY 12309

Section-Block-Lot - -

Email Tyler@taeheritagegrp.com

Telephone 518-782-2211
X1061

Fax 518-915-7722

Zoning District

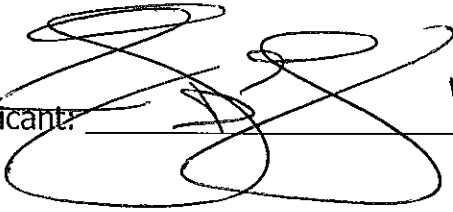
Proposal Description:

Move my Insurance Agency office into new Building

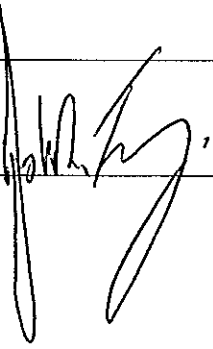
That we are purchasing @ 2331 Troy Schenectady Rd Niskayuna

Hours of operation 8AM-4:30 pm M-F 10 Employees at location.

Per Day Employee Count 8-10 per Day.

Signature of applicant: 

Date: 9/22/23

Signature of owner (if different from applicant): 

Date: 9/22/23

Each site plan application shall be accompanied by:

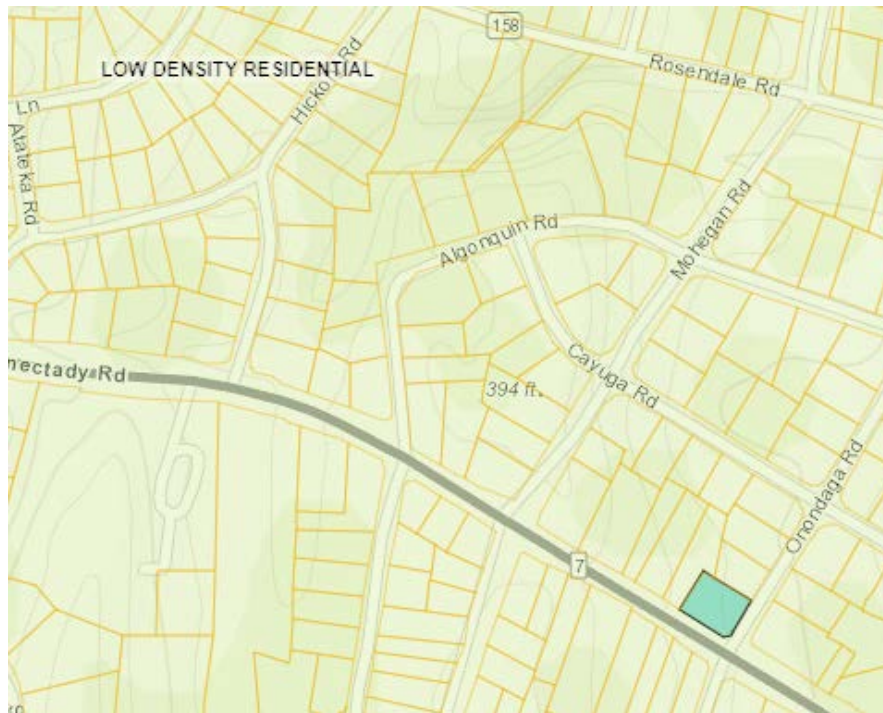
1. Digital copies in pdf format of all application forms and supporting documents.
2. A digital copy in pdf format and three (3) full size copies of any large scale plans or maps prepared by a licensed engineer, architect or surveyor.
 - a. The site plan shall include the following: the title of the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

2331 Troy-Schenectady Rd.

Zoning District: R-1

Previous use: Berkshire Hathaway Realtors Office

Parking Space Requirement: Professional offices non-medical 1 space / 225 sq. ft. of gross floor area



TOWN OF NISKAYUNA
Building Department

Date June 9, 1989

Address 2331 Troy Road 50.20-2-38 Permit Number 5122

CERTIFICATE OF OCCUPANCY

This document certifies that the (Building) ~~Structure~~ located at 2331 Troy Road
_____, Niskayuna, New York,
has been inspected and found to comply with the Zoning Ordinance of the Town of Niskayuna
and the plans on file with the Building Inspector.

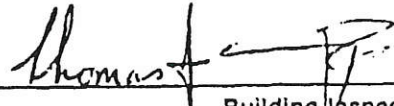
The following occupancies are permitted: PROFESSIONAL OFFICE BUILDING

Group C 1 - Business

Two professional offices

No change in the character, construction or use of this (Building) ~~Structure~~ inconsistent with the use(s)
authorized herein shall be made without the approval of the Building Department of the Town of Niskayuna.

Issuance Recommended by


Building Inspector

TOWN OF NISKAYUNA
SCHENECTADY COUNTY
PLANNING BOARD AND ZONING COMMISSION
1335 BALLTOWN ROAD
SCHENECTADY, NEW YORK 12309

AGENDA
MAY 8, 1989
7:30 PM

I. PUBLIC MEETING

- A. ADOPTION OF MINUTES
- B. PRIVILEGE OF THE FLOOR ON PLANNING MATTERS

II. WORKING SESSION

- A. PLANNER'S REPORT
- B. PROJECTS

- 1. Bellevue Hospital (Special Use Permit)
- D. Heagerty
- 2. L/O Egan - 2154 Rosendale Road (Minor Subdivision)
- C. Marotta
- 3. Zenner Associates (Special Use Permit) - D. Howell
- 4. R.J. Murray (Site Plan) - D. Howell
- 5. Fox Hill Estates (Major Subdivision) - C. Marotta
- 6. B'nai B'rith (Minor Subdivision) - J. Monaco
- 7. Avon Crest West (Major Subdivision) - C. Marotta
- 8. L/O Harris (Major Subdivision) - C. Marotta
- 9. L/O Bosco - 2331 Troy Road (Site Plan)
- 10. 1786 Union Street (ZBA Referral) - D. Heagerty
- 11. 3512 Rosendale Road (ZBA Referral) - L. Gould

THE SCS DRAINAGE PRESENTATION HAS BEEN POSTPONED TO MAY 22, 1989

III. NEW ASSIGNMENTS

- 1. 1776 Union Street (Site Plan)

map must be provided before the Board advertises for a public hearing.

7. Avon Crest West - Major Subdivision

In the absence of Mr. Heffernan, Ms. Sturman presented an overview of the subdivision proposal. The parcel consists of 16.98 acres and 15 lots. A detention basin is proposed for storm water management, and water and sewer services must be coordinated with existing homes and with the proposed development of Brendan Court to the north.

Mr. Muccigrosso stated that the Town does not intend to be responsible for maintenance of the detention basin.

Mr. Buckman suggested a joint agreement might be worked out with the Brendan Court development, but Gary Hoffman on behalf of that project pointed out that there is only a small drainage increase from Brendan Court south to the basin area.

The Planning Board agreed unanimously to call for a public hearing on Avon Crest West - Phase One on May 22.

8. L/O Harris - Major Subdivision

Ms. Marotta reviewed the sketch plan proposal for a fifteen lot, thirty-two acre subdivision to the east of River Road directly south of Rosendale Road. The property is located in the R-R and R-1 zone. The applicant is meeting the 80,000 square feet requirement for the R-R zone and proposing lots considerably larger than the 18,000 square feet required in the R-1 zone. Three driveways and the subdivision road will access Rosendale Road. A sewer line and pump station are proposed. There seem to be two keyhole lots, and the Board discussed the possibility of reorienting lots 6 and 7 to eliminate one of these.

The Board indicated that further study was needed on the key hole lots, on the stream running through the property, and changes in the traffic flow with a possible "Y" pattern and a stub road to the adjacent undeveloped property to the west which consists of eight acres.

9. L/O Bosco (2331 Troy Road) - Site Plan Review

A. Muccigrosso reviewed the history of the ZBA action that resulted in additional office space being granted subject to a site plan review. The present plan is a revision of the recent, previous submittal and more in keeping with the site plan previously approved by the Planning Board.

Mr. Muccigrosso pointed out that the current plan increases parking from twelve to sixteen spaces as required by the

zoning ordinance, removes eighteen feet of blacktop to the front of the property and documents the number of kinds of proposed plantings. There is no site lighting proposed only building lighting.

On the motion of Mr. Muccigrosso, seconded by Mr. Howell, the Planning Board voted 6-0 to approve the site plan.

10. ZBA Referral: 1786 Union Street - Adult Care Home

Perry Noun, applicant, presented his amended ZBA appeal. The total site of 2.16 acres is to be subdivided into 1.0 and 1.16 acre lots in an R-2 zone. He noted that the site has been available since the fall of 1986 and that commercial, office and residential uses are located within a 1/4 mile radius of the site.

The applicant is requesting two variances: (1) 40 beds (amended from 60 beds) instead of the 35 beds permitted and (2) 1.16 acres instead of the five acres required.

D. Heagerty reviewed the previous Planning Board recommendation for this proposal and presented the amended requests. The Board voted 5-0 to recommend against the lot size variance but voted 5-0 to recommend in favor of the density variance. Mr. Howell abstained.

11. ZBA Referral: 3512 Rosendale Road - Day Care Center

L. Gould reviewed the appeal for a use variance for a day care center in a CN zone, developing the history of the site and its most recent use as the Capital District Deaf Center.

C. Daniels indicated that only a use variance was required for this application, a variance from the age limits of a nursery school was not applicable in this case.

The Board voted 6-0 to recommend approval of this variance.

III. New Assignments

Mr. Muccigrosso announced the availability of DOT maps for Schenectady County. Order forms will be distributed to Board members.

1. 1776 Union Street - Site Plan Review (Shed): J. Monaco
2. Monica Heights - Minor Subdivision: L. Gould

ZONING BOARD OF APPEALS

Town of Niskayuna

1335 BALLTOWN RD.
SCHENECTADY, N. Y. 12309
(518) 377-8931

March 21, 1989

Steve T. Mackey
Building Inspector
Town of Niskayuna
1335 Balltown Road
Schenectady, NY 12309

RE: 2331 Troy Road

Dear Mr. Mackey:

The appeal of Charles Bosco pursuant to Section 11.4.5 of the Zoning Ordinance to review a decision by the Zoning Enforcement Officer to use the basement as office space at 2331 Troy Road pursuant to a Certificate of Occupancy dated October 3, 1988 was acted upon by the Board at a regular meeting held March 16, 1989. The Building Department has determined that based upon the Zoning Board of Appeals decision dated March 27, 1987 and upon the Planning Board's site plan review process that the amount of usable office space for the premises is limited to 2130 square feet. (1410 square feet for existing building and 720 square feet for addition). Use of the basement as additional office space would result in office space in excess of 2130 square feet.

It was the decision of the Board to grant the appeal subject to a site plan review by the Planning Board utilizing the standards for a professional office in a R-2 zone.

Yours truly,

William Barczak (e)

William Barczak, Chairman

cc: Town Clerk, Bldg. Dept., BA File(2), Bosco

Mr. Hendricks: Can solve that question with a ruler. Does the old gas station have 1400 (*) in it, yes. Did we put a 720' on the level with the old gas station, yes. Is there 720' in the basement, yes. 720, 720, 1400 gets us up to about 2900, 28 or 2900 square feet that's where we are. The Planning Board applied an 85% useage space rule against a certain number not that number.

Ms. Sutton: That was my confusion.

Mr. Hendricks: That's right. It was not against that number because the number they applied it against was another number to come up with another figure.

Mr. Mackey, Building Inspector: As far as the parking I think Mr. Steigman cleared up a little bit in what your trying to get at is right now I think they have 12 legal parking spaces. I believe they could make the additional parking spaces to meet all of the 1400, 720, 720 the basement they could but at this time they do not have those physically marked out. They aren't there.

Mr. Hendricks: They are not lined there now.

Mr. Mackey, Building Inspector: Correct but I believe they could work it out so that they could create those spaces and that's why I recommended giving it to the Planning Board to review the site plan and to make sure those spaces are in fact made there.

Mr. Steigman: I appreciate that. That is what I am trying to establish. So now I have the dubious distinction of having to reformulate this thing. I guess I am moving that the Certificate of Occupany language, assist me counselor..

Ms. Daniels: That the condition be removed.

Mr. Steigman: That the condition be removed for the basement subject to site plan review by the Planning Board.

Mr. Hendricks: I second that motion.

Mr. Barczak: Ok we have a motion to reverse the Zoning Officers Certificate of Occupany restricting the use of the basement area subject to site plan review. It has been seconded.

Roll Call

Mr. Wall As the motion was approved or made and seconded I'll vote in favor.

Mr. Hendricks Yes

Mr. Prawdzik Yes

Ms. Sutton No, I don't believe that the Planning Board intended that many square feet to be in this addition and so I vote no. I think what the Planning Board was talking about was

1410 square feet of existing space and 720 square feet in the new addition and not any more then that. So I vote no.

Mr. Steigman Yes

Mr. Ambrose Yes

Chariman Barczak I vote no basicially on the fact that I believe Mr. Bosco understood that he did not get permission to use the downstairs as office space. I vote no.

Mr. Barczak: The vote is carried 5-2 and the subject to site plan review the Certificate of Occupany issued by the Zoning Officer is (*).

5. The appeal of Zenner Associates for a variance of Section 5.2, Schedule I-C of the Zoning Ordinance to permit the construction of a professional office at 2546 Balltown Road. The property is located in an area zoned R-2: Medium Density Residential. Section 5.2, Schedule I-C requires that a professional office in an R-2 Zone abut and access a major and minor arterial highway. As proposed the project abuts a major arterial highway only (Balltown Road).

Secretary: There were 13 notices mailed with no reponses. There was a Planning Board and county referral which are attached to the minutes.

Mr. Barczak: Some one here on behalf of Zenner Associates? Dr. Goodman.

Dr. Goodman: I'm speaking as a representative of Zenner Associates which is a group of ten individuals who would like to build a professional office building on the land I think you are all aware of. Two months ago we requested that variance to construct that building. It is in an R-2 zone on a piece of land which does not exactly abutt a major and minor arterial. Prior to that meeting we were informed by numerous individuals in the town government present and those who were on the Board the time the Zoning Ordinances were initiated that the code as interpreted by the Board at this time was not that that was intended. Since there are three virtually contiguous professional offices to this piece of property that have received variances as recently as ten months ago we evidently mistaken I believe that information that this variance would be approved at that meeting. As a result we really were not prepared for that meeting in January and we'd appreciate the chance to present that again. We would like to tonight to present new data which hopefully will result in the passage of that variance. I would like to introduce several individuals to speak on behalf of this appeal. First would be Paul Male who will describe again the professional building. Second will be Mr. Siford who's the Chairman of the Board of Trustees for the Church. Third will be the attorney for the church, Mr. Paul. Then two of the partners of Zenner Associates who would like to voice their opinion in favor of the project. And I hope some of the other members of the audience who are both

BA

ZONING BOARD OF APPEALS

Town of Niskayuna

1335 BALLTOWN RD.
SCHENECTADY, N. Y. 12309
(518) 177-8931

March 27, 1987

M.A. Mastropietro
Commissioner of Public Works
Town of Niskayuna
Schenectady, New York 12309

RE: 2331 TROY ROAD

Dear Mr. Mastropietro:

The appeal of Charles Bosco for a variance of Section 4.1.2 of the zoning ordinance to permit the use of the premises at 2331 Troy Road as a professional office was acted upon by the Board at a regular meeting held on March 25, 1987. The property is located in an area zoned R-1: Low Density Residential. A professional office is not a permitted use in the R-1 district. The premises were previously utilized as a gasoline service station under a lawful nonconforming status. That use has been discontinued. The proposed professional office would utilize the existing building which would provide 1410 sq. feet of office space and a proposed addition which would provide 720 sq. feet of office space.

At the meeting, the applicant stipulated that the proposed office building would contain no more than two(2) offices.

It was the decision of the Board to grant the appeal subject to a site plan review by the Planning Board utilizing the standards for a professional office in a R-2: Medium Density Residential zoning district. Exceptions to those regulations were set forth for the lot size and the set backs of the building and addition as shown on the plan submitted. (The plan is entitled "Lands Of Mobil Oil Corp. Under Option To: Charles J. Bosco", dated 2/24/87.)

Yours truly,

Katherine N. Miller

Katherine N. Miller
Chairperson

llf

Cc: Town Clerk, Bldg. Dept., BA File, PB, County, Bosco



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VII. 3

MEETING DATE: 10/16/2023

ITEM TITLE: RESOLUTION: 2023-23: A Resolution for site plan approval for a tenant change to Albright's Meat and Company at 2321 Nott St. E.

PROJECT LEAD:

APPLICANT: Benjamin Albright

SUBMITTED BY: Benjamin Albright

REVIEWED BY:

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

ATTACHMENTS:

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

SUMMARY STATEMENT:

Benjamin Albright submitted an Application for Site Plan Approval for a tenant change at 2321 Nott St. E. to Albright's Meat and Company.

Mr. Albright attend the 10/2/23 Planning Board meeting and described the project to the Board. He noted that he has been in the restaurant business for 25 years and sees an unfilled need for a predominately takeout restaurant in the Shop Rite Plaza. After a short discussion the Board called for a tentative resolution for site plan approval for the 10/16/23 meeting.

COMPREHENSIVE PLAN

The proposed tenant change complies with the Economic Development section, beginning on page 73, of the 2013 Niskayuna Comprehensive Plan.

BACKGROUND INFORMATION

The property is located in a Planned Development District (PDD) within the C-N Neighborhood Commercial zoning district and Town Center Overlay District. "Restaurants, sit-down or take-out (no vehicle pickup or order facilities)" are allowed uses in the PDD. The façade of the building that includes the front door and future signage has approximately 19' 2" (19.2') of frontage to the parking lot.

The proposed eatery will feature a variety of hot and cold sandwiches hand sliced to order and served on artisanal bread. A daily special will feature a sandwich of the day, soup and salad. In the evenings they will have a rotating Chef Crafted family meal for easy take home dinners. On Saturdays they will open at 10 AM serving BBQ as a special once a week.

The following details were included with the application.

- Hours of operation:
 - Monday – Friday: 11 AM – 9 PM
 - Saturday: 10 AM – 9 PM
 - Sunday: Closed
- Approx. number of employees: 3
- Approx. number of customers: 20
- Exterior changes to the building: None
- Signage: TBD (sign package to be submitted at a later date)

Section 220-48.22 G (2) (c) [3] states that “For façade signs, one square foot of sign area shall be permitted for each linear foot of building frontage..... Under no circumstances shall any one façade sign exceed 50 sq. ft.”

The building has approximately 19.2’ of building frontage so 19.2 sq. ft. of façade signage is allowed per code.

10/2/23 Planning Board (PB) meeting – Mr. Albright attended the meeting and described his application to the Board. He noted that his restaurant would be primarily takeout and stated that he sees this as an unfulfilled need in the area. Ms. Robertson added that the Planned Development District (PDD) for the Shop Rite Plaza includes restaurants as acceptable uses. It was decided that signage would be addressed at a future date. The Board called for a tentative resolution for site plan approval for the 10/16/23 PB meeting.

A resolution for site plan approval is included in the meeting packet.

RESOLUTION NO. 2023-22

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 16TH DAY OF OCTOBER 2023 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
LESLIE GOLD
NANCY STRANG
JOSEPH DRESCHER

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, Benjamin Albright has made an application to the Planning Board and Zoning Commission for site plan approval for a tenant change to Albright's Meat and Company at 2321 Nott St. East, and

WHEREAS, the following documents were provided with the application.

- A 4-page set of floor plan drawings entitled "Benjamin Albright Tenant Fit-Out" by LaBella Powered by Partnership, 4 British American Boulevard, Latham, NY dated 8/23/23 with no subsequent revisions.
- A 4-page set of manufacturer's product specification drawings for a "Smoke-Master Model 250 RFS Barbecue Pit".
- Three (3) photographic renderings showing how the proposed barbecue pit would be installed.

, and

WHEREAS, the property is located in a Planned Development District (PDD) within the C-N Neighborhood Commercial zoning district and the Town Center Overlay District (TCOE), and

WHEREAS, the proposed tenant change complies with the "Town Center" (page 77) portion of the Economic Development section of the 2013 Niskayuna Comprehensive Plan, and

WHEREAS, "Restaurants, sit-down or take-out (no vehicle pickup or order facilities) are allowed uses in the approved PDD, and

WHEREAS, the Planning Board referred this application to the Town's Superintendent of Water, Sewer and Engineering, the Fire District Chief and the Chief of Police and there were no objections to the proposal, 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 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 with the following conditions.

1. Signage: Prior to issuance of a building permit the Planning Office will review and approve any proposed code compliant 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
LESLIE GOLD
NANCY STRANG
JOSEPH DRESCHER

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: Benjamin M. Albright

Address: Nott street East

Niskayuna, NY 12309

Email: Balbright0152@gmail.com

Telephone: 518-506-3703 Fax: N/A

Location:

Number & Street: 2321

Section-Block-Lot _____ - _____ - _____

Zoning District _____

Proposal Description:

BE5K LLC doing business as Albright's Meat and Company will be a local eatery that will feature a variety of hot and cold sandwiches hand sliced to orders served on artisanal bread. Daily we will feature a sandwich of the day, Soup and salad. In the evenings we will have a rotating Chef Crafted family meal for easy take home dinners. On Saturdays we will open at 10:00 serving BBQ as a special once a week event. Pre orders for Saturday will be highly encouraged.

Signature of applicant: _____

Date: _____

9/25/23

Signature of owner (if different from applicant): _____

Date: _____

Each site plan application shall be accompanied by:

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

by the Town beyond the estimated charges initially collected from the applicant, shall be collected from the applicant prior to final action upon the application.



TOWN OF NISKAYUNA

The Niskayuna Code
Niskayuna, New York 12074-0001

Phone: (518) 386-4530

Application for Site Plan Review

Applicant (Owner or Agent):

Name: Benjamin Albright

Address: 2321 Nott St East

Niskayuna NY 12309

Email: balbright0152@gmail.com

Telephone 518.506.3703 Fax _____

Location:

Number & Street: 2321 Nott St East

Section-Block-Lot _____ - _____

Zoning District

Proposal Description:

Meat and Company is a café/BBQ restaurant featuring Hot and cold sandwiches, soups and salads with a strong emphasis on BBQ on the weekends.

Signature of applicant: [Signature] Date: 9/27/23

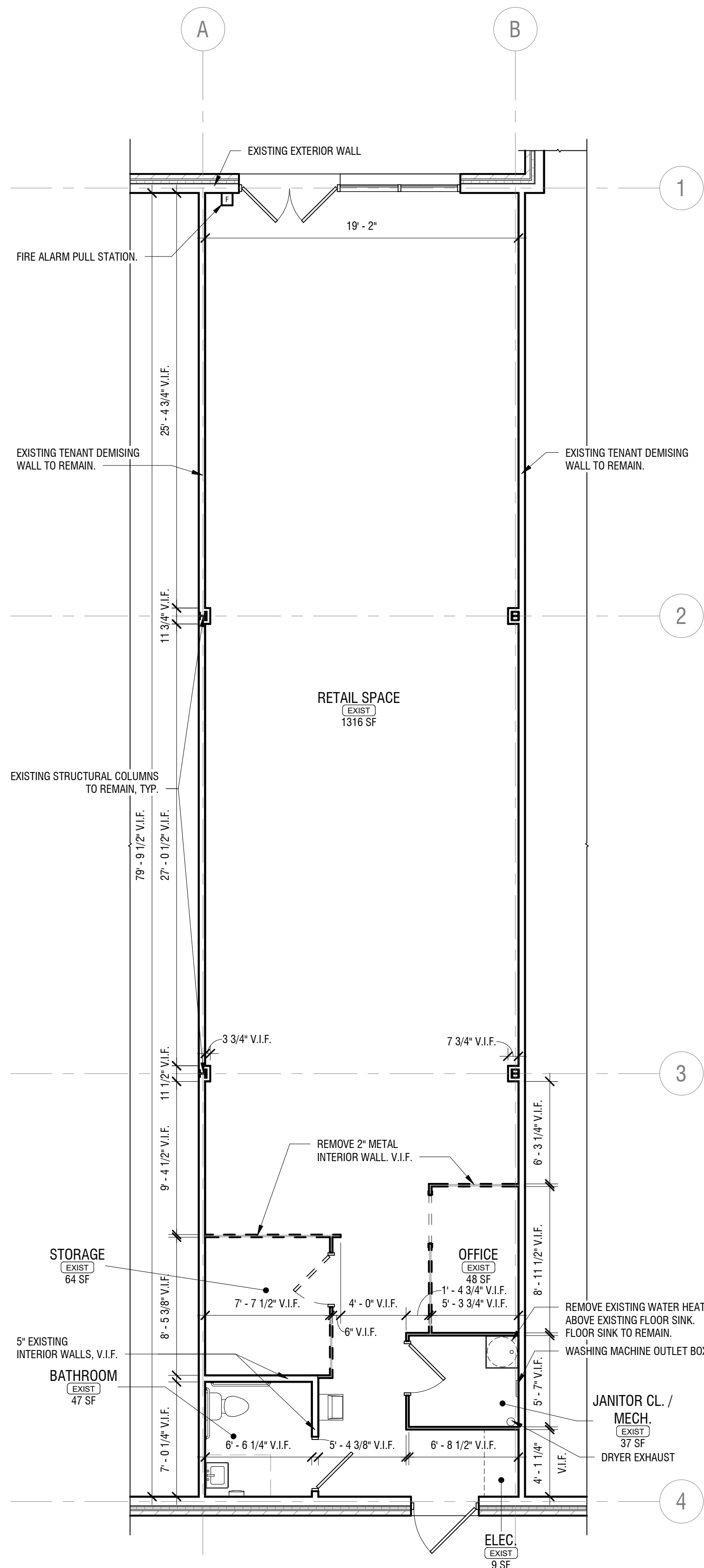
Signature of owner (if different from applicant): [Signature]

Date: Sept 29 2023

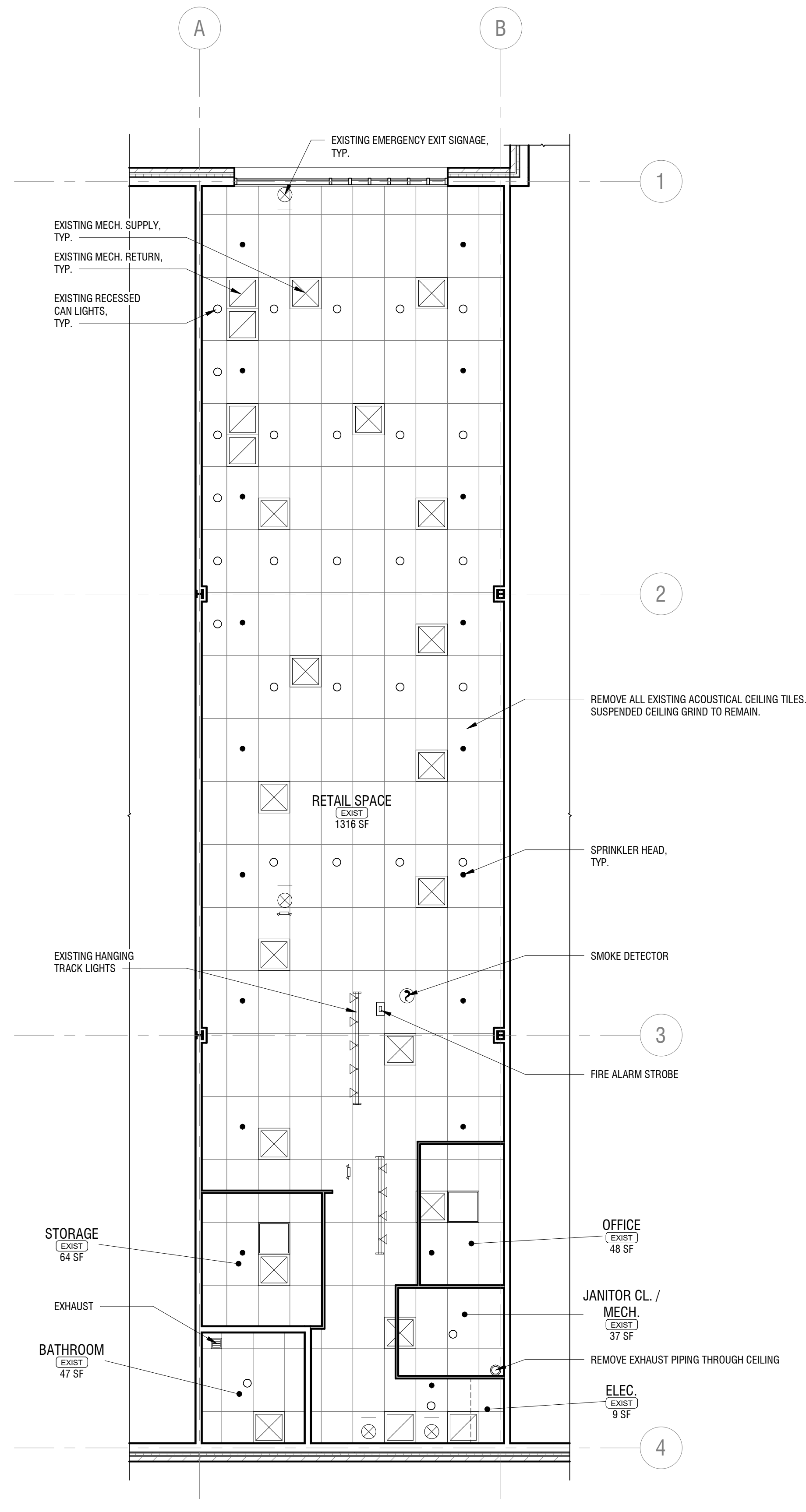
Each site plan application shall be accompanied by:

1. Digital copies in pdf format of all application forms and supporting documents.
2. A digital copy in pdf format and three (3) full size copies of any large scale plans or maps prepared by a licensed engineer, architect or surveyor.

8/23/2023 10:13:58 AM



1 DEMOLITION PLAN
SCALE: 3/16" = 1'-0"



2 REFLECTED CEILING DEMOLITION PLAN
SCALE: 3/16" = 1'-0"

REMOVAL LEGEND:

- ===== EXISTING WALL TO BE REMOVED
- EXISTING DOOR AND FRAME TO BE REMOVED
- ===== EXISTING WALL TO REMAIN
- EXISTING DOOR TO REMAIN



4 British American Boulevard
Latham, NY 12110
(518) 273-0055
labellapc.com

NOT FOR CONSTRUCTION

CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018281
LAND SURVEYING: 017976
GEOLOGICAL: 018750

It is a violation of New York Education Law Art. 145 Sec. 7209 & Art. 147 Sec. 7307, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered; the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

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BENJAMIN ALBRIGHT

889 MEADOW LN., NISKAYUNA, NY 12309

TENANT FIT-OUT

2321 NOTT ST. EAST, NISKAYUNA, NY 12309

NO.	DATE:	DESCRIPTION:
Revisions		

PROJECT NUMBER: 2232842

DRAWN BY: GH

REVIEWED BY: PM

ISSUED FOR: DESIGN DEVELOPMENT

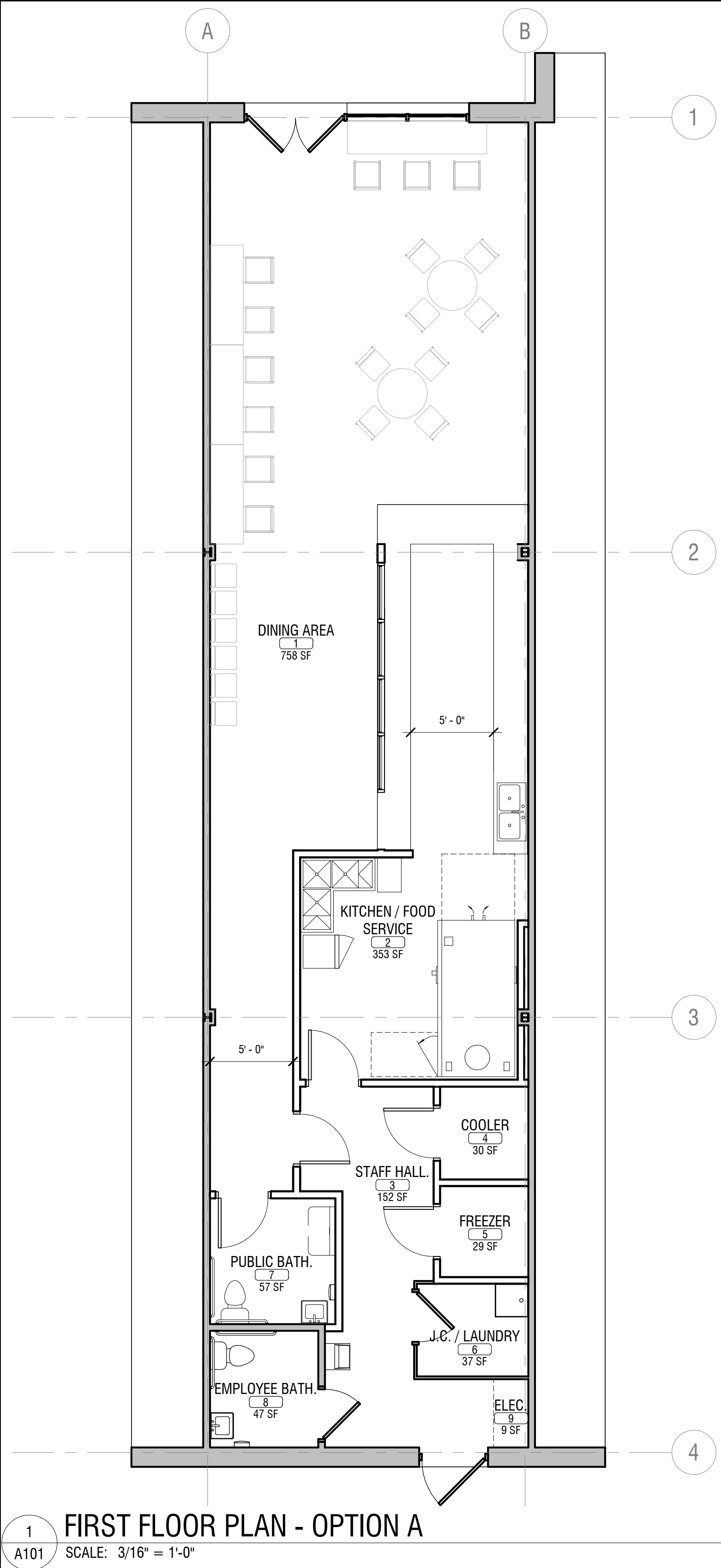
DATE: 08/23/2023

DRAWING NAME:

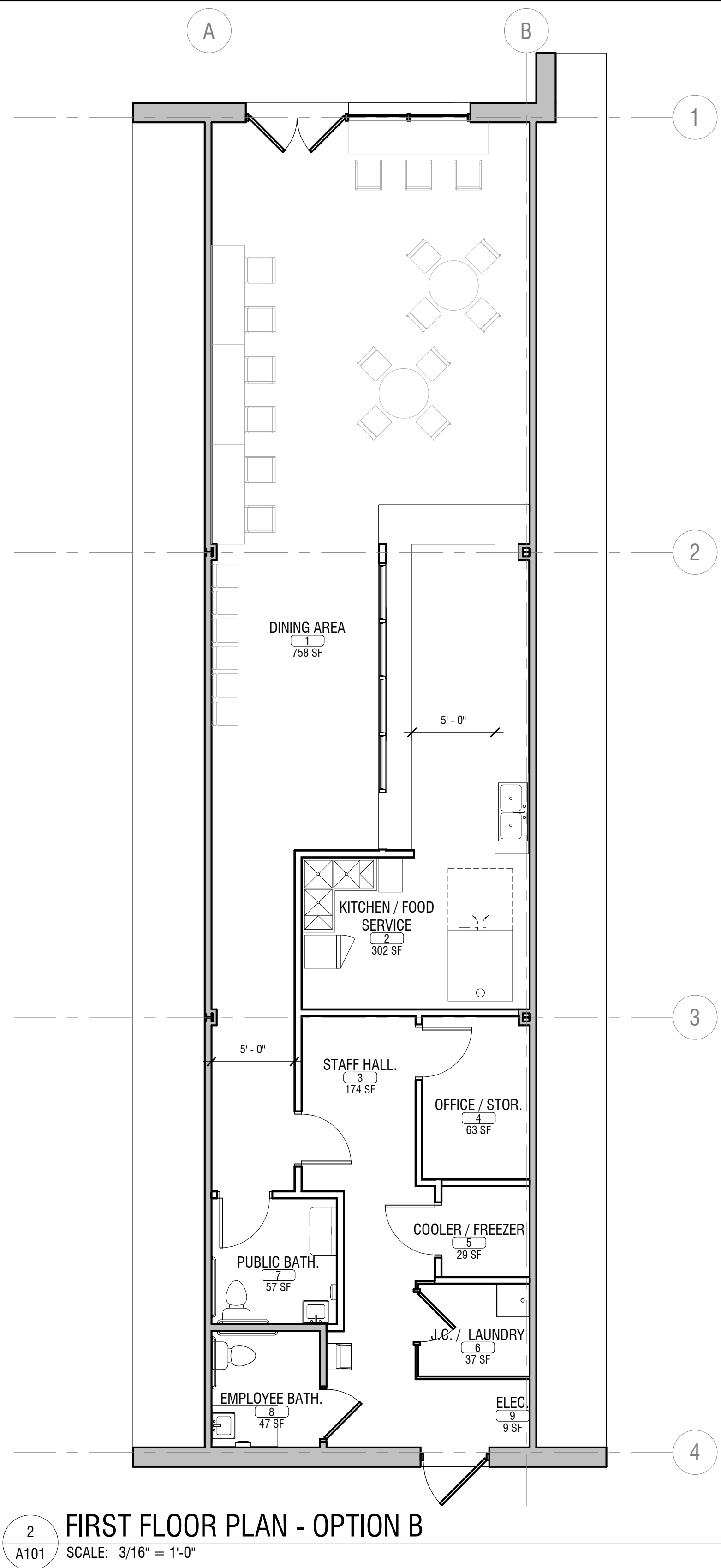
FIRST FLOOR EXISTING FLOOR PLAN

DRAWING NUMBER:

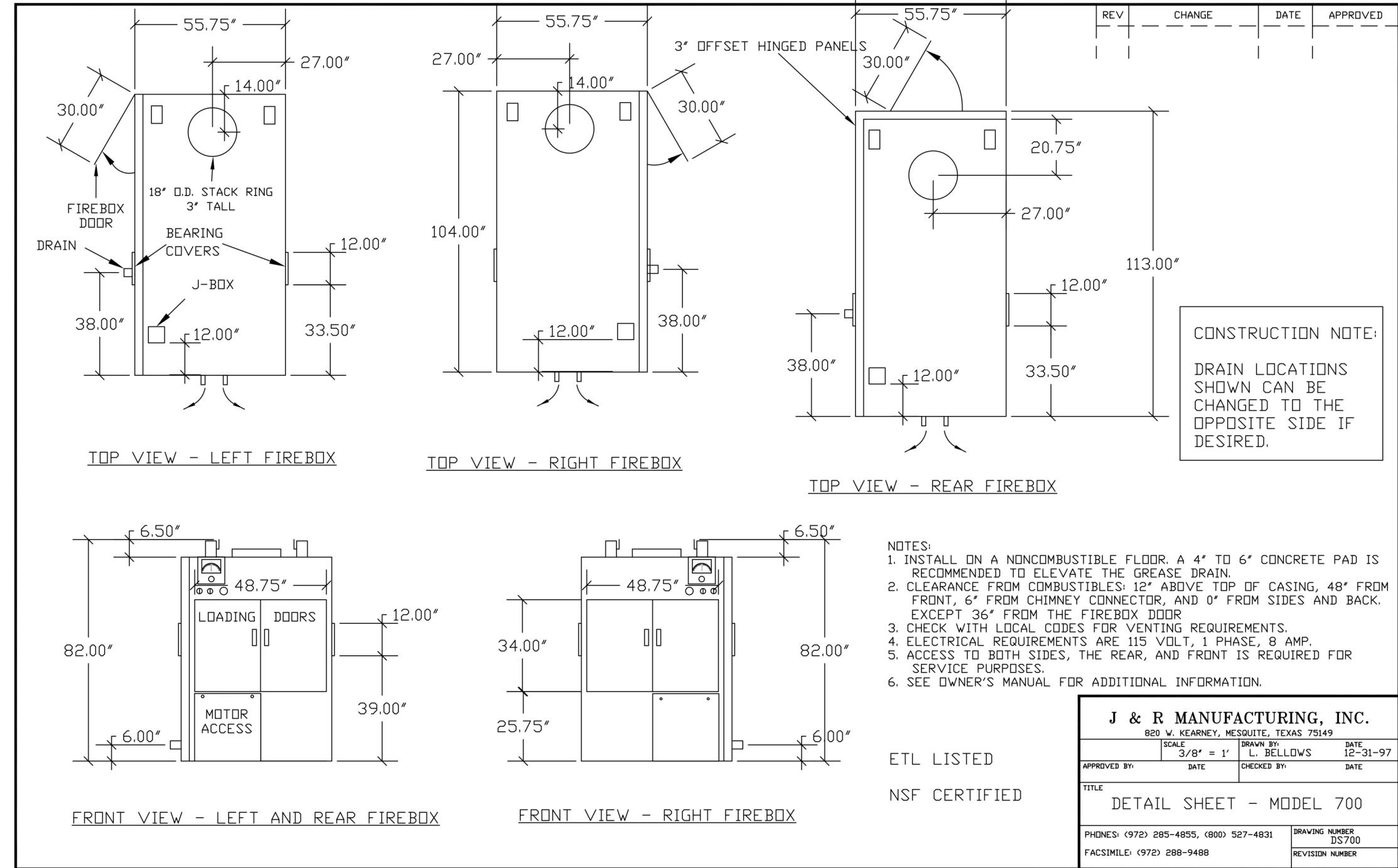
AD101



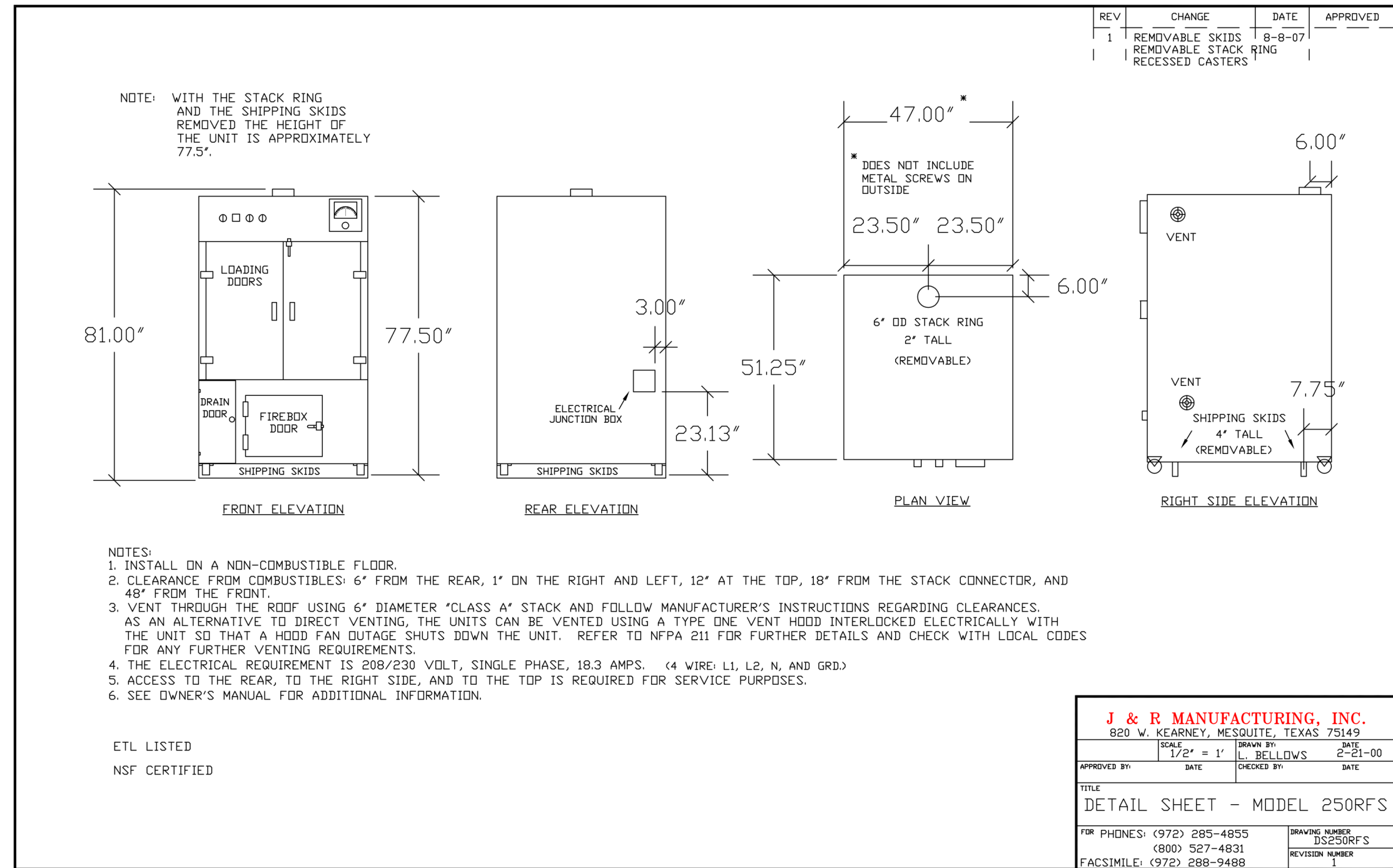
1 FIRST FLOOR PLAN - OPTION A
A101 SCALE: 3/16" = 1'-0"



2 FIRST FLOOR PLAN - OPTION B
A101 SCALE: 3/16" = 1'-0"



OPTION A - MODEL 700 DETAIL VIEWS



OPTION B - MODEL 250RFS DETAIL VIEWS

NOT FOR CONSTRUCTION

BENJAMIN ALBRIGHT

889 MEADOW LN., NISKAYUNA, NY 12309

TENANT FIT-OUT

2321 NOTT ST. EAST, NISKAYUNA, NY 12309

NO.	DATE:	DESCRIPTION:
Revisions		

PROJECT NUMBER: 2232842

DRAWN BY: GH

REVIEWED BY: PM

ISSUED FOR: DESIGN DEVELOPMENT

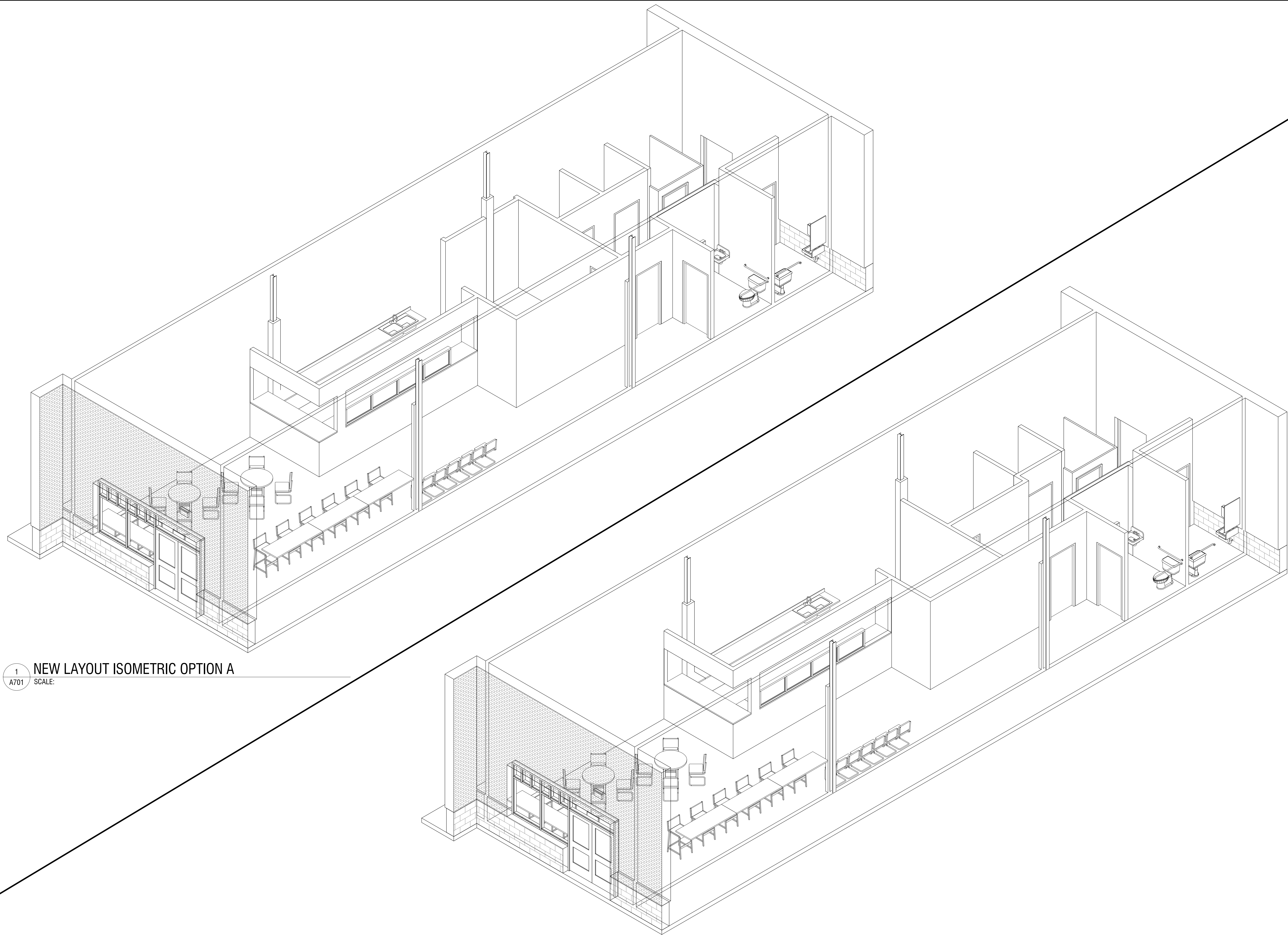
DATE: 08/23/2023

DRAWING NAME:

FIRST FLOOR PLAN

DRAWING NUMBER:

A101



1
A701
NEW LAYOUT ISOMETRIC OPTION A
SCALE:

2
A701
NEW CONSTRUCTION ISOMETRIC OPTION B
SCALE:

NOT FOR CONSTRUCTION

CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018281
LAND SURVEYING: 017976
GEOLOGICAL: 018750

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NO:	DATE:	DESCRIPTION:
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DATE: 08/23/2023

DRAWING NAME:

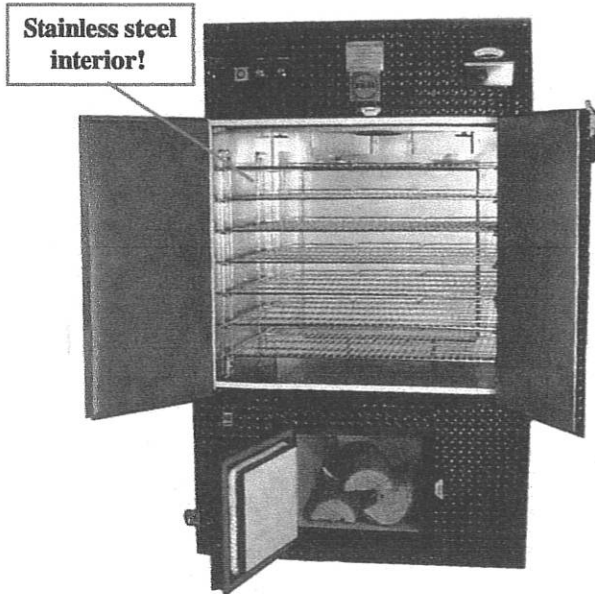
3D VIEWS

DRAWING NUMBER:

A701

SMOKE-MASTER

Model 250 RFS Barbecue Pit



This large capacity pit (big brother to the Little Red Smokehouse) is wood fired but comes equipped with an electric oven heating element. This feature reduces wood consumption and allows you to craft the flavor of the meat to your exact preference. By using safe, clean electrical energy to assist the wood fire you will produce authentic barbecue without the "gassy taste" associated with gas/wood ovens. You can cook up to 600 pounds per load of briskets, pork butts, tri-tips, etc. Even cooking is assured with our unique high velocity convection air system, so no rotation of the meat will be required.

LOADED WITH FEATURES :

Easy to Use

Fire starting is easy with the built in stack fan providing draft and the combustion air fan providing oxygen. However, live coals last over 72 hours in the refractory lined firebox so most customers start a fire from scratch only once. After that, they just scoop out some ashes daily and add fresh wood. The coals and the pit do the rest to ignite the newly added wood. Loading and unloading are easy with the large doors and slide out racks. After loading, just set the thermostat and relax. The air control system will precisely maintain your selected temperature while you sleep.

Electric elements

Safe, clean electrical energy reduces wood consumption if you choose, thereby eliminating the hazard, foul taste, and odor of gas with its sulfurous components (mercaptans).

Economical

The Smoke-Master is incredibly efficient due to the unique temperature control design and heavy insulation. It cooks up to 600 pounds of meat yet requires less than 17 square feet of floor space!

Evacuation System

Just turn the evacuation switch and our damper and fan system goes into action to induce fresh air into the pit and exhaust the smoke out through the stack and not into your kitchen.

Cook and hold.

Set the cooking time and the initial cooking temperature. After the timer counts down, the pit temperature automatically resets to 145 degrees (holding temperature).

Easy to clean.

Removable racks and rack slides. The oven floor slopes to a large drain reservoir, which can be easily drained through a remote valve. Stainless steel interior.

Easy to vent.

Can be vented directly with six inch Class A stack or placed under a Type I exhaust hood.



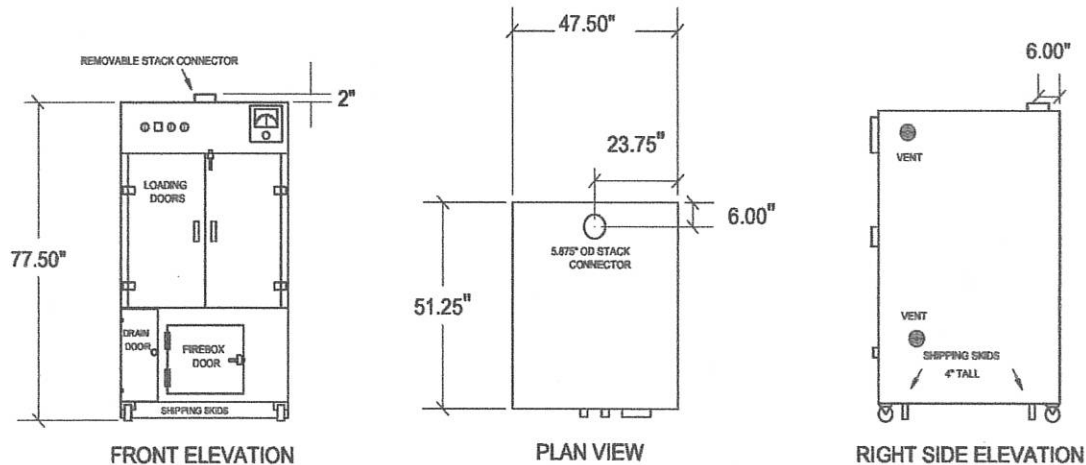
J&R MANUFACTURING
P.O. BOX 850522
MESQUITE, TEXAS 75185-0522



PHONE: 972-285-4855
TOLL FREE: 800-527-4831
FACSIMILE: 972-288-9488

www.jrmanufacturing.com

Model 250 RFS Specifications



NOTES:

1. INSTALL ON A NON-COMBUSTIBLE FLOOR.
2. CLEARANCE FROM COMBUSTIBLES: 6" FROM THE REAR, 1" ON THE RIGHT AND LEFT, 12" AT THE TOP, 18" FROM THE STACK CONNECTOR, AND 48" FROM THE FRONT.
3. VENT THROUGH THE ROOF USING 6" DIAMETER "CLASS A" STACK AND FOLLOW MANUFACTURER'S INSTRUCTIONS REGARDING CLEARANCES. AS AN ALTERNATIVE TO DIRECT VENTING, THE UNITS CAN BE VENTED USING A TYPE ONE VENT HOOD INTERLOCKED ELECTRICALLY WITH THE UNIT SO THAT A HOOD FAN OUTAGE SHUTS DOWN THE UNIT. REFER TO NFPA 211 AND NFPA 96 FOR FURTHER DETAILS AND CHECK WITH LOCAL CODES FOR ANY FURTHER VENTING REQUIREMENTS.
4. THE ELECTRICAL REQUIREMENT IS 208/230 VOLT, SINGLE PHASE, 18.3 AMPS (4 WIRE: L1, L2, N, AND GRD.).
5. ACCESS TO THE REAR, TO THE RIGHT SIDE, AND TO THE TOP IS REQUIRED FOR SERVICE PURPOSES.
6. SEE OWNER'S MANUAL FOR ADDITIONAL INFORMATION.

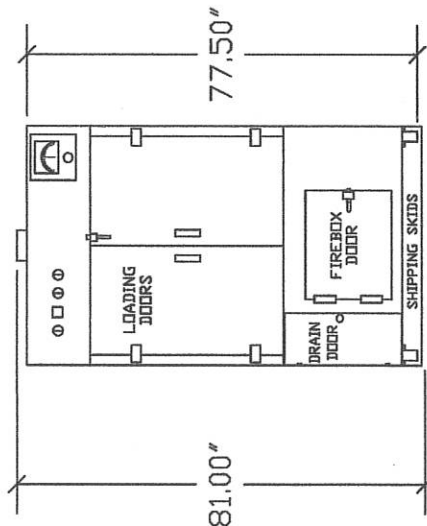
CAPACITIES

ROASTS	BACKRIBS	SPARERIBS*	CHICKEN
600 LBS	161 SLABS	70 SLABS	210 HALVES
7 Racks: 32"x39"		* 2.5 and down	

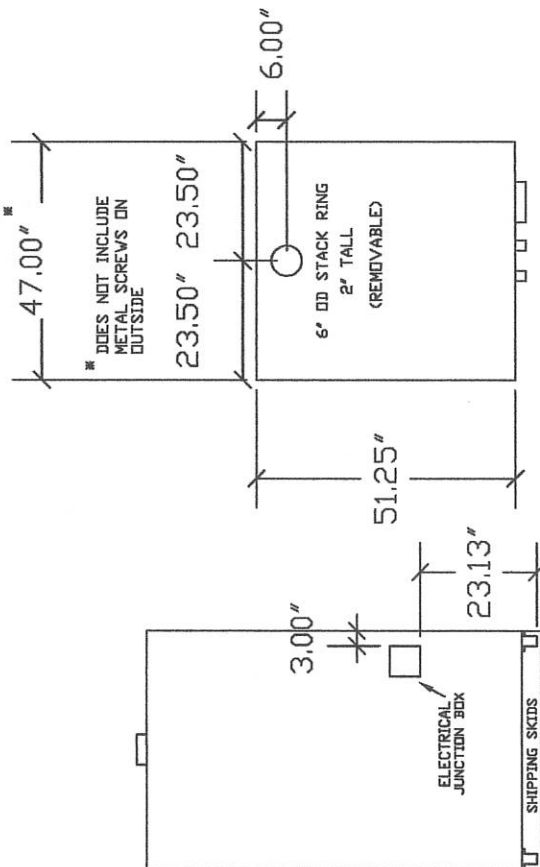
CONSTRUCTION... Extra heavy, all structural steel welded framing with 14 gauge stainless steel interior. Exterior front is 14 gauge epoxy coated steel treadplate. Exterior sides and back are 18 gauge epoxy coated steel. Color choices are red, black, or gray. The firebox and firebox flue are constructed from ten gauge steel lined with 2 inch thick, 2500 degree cast refractory. The oven, flues, and firebox are then wrapped with high temperature insulation. The controls such as relays, overloads, thermostats, and timers are located above the oven front and are accessed through a hinged cover above the oven doors. The oven racks are constructed of heavy nickel chrome plated wire. Shipping weight: 2600 pounds

REV	CHANGE	DATE	APPROVED
1	REMOVABLE SKIDS REMOVABLE STACK RING RECESSED CASTERS	8-8-07	

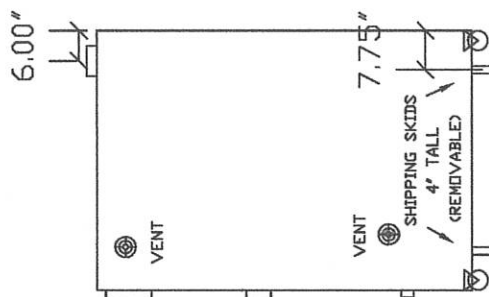
NOTE: WITH THE STACK RING
AND THE SHIPPING SKIDS
REMOVED THE HEIGHT OF
THE UNIT IS APPROXIMATELY
77.5".



FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION

- NOTES:
1. INSTALL ON A NON-COMBUSTIBLE FLOOR.
 2. CLEARANCE FROM COMBUSTIBLES: 6" FROM THE REAR, 1" ON THE RIGHT AND LEFT, 12" AT THE TOP, 18" FROM THE STACK CONNECTOR, AND 48" FROM THE FRONT.
 3. VENT THROUGH THE ROOF USING 6" DIAMETER "CLASS A" STACK AND FOLLOW MANUFACTURER'S INSTRUCTIONS REGARDING CLEARANCES. AS AN ALTERNATIVE TO DIRECT VENTING, THE UNITS CAN BE VENTED USING A TYPE ONE VENT HOOD INTERLOCKED ELECTRICALLY WITH THE UNIT SO THAT A HOOD FAN OUTGAGE SHUTS DOWN THE UNIT. REFER TO NFPA 211 FOR FURTHER DETAILS AND CHECK WITH LOCAL CODES FOR ANY FURTHER VENTING REQUIREMENTS.
 4. THE ELECTRICAL REQUIREMENT IS 208/230 VOLT, SINGLE PHASE, 18.3 AMPS. (4 WIRE: L1, L2, N, AND GND.)
 5. ACCESS TO THE REAR, TO THE RIGHT SIDE, AND TO THE TOP IS REQUIRED FOR SERVICE PURPOSES.
 6. SEE OWNER'S MANUAL FOR ADDITIONAL INFORMATION.

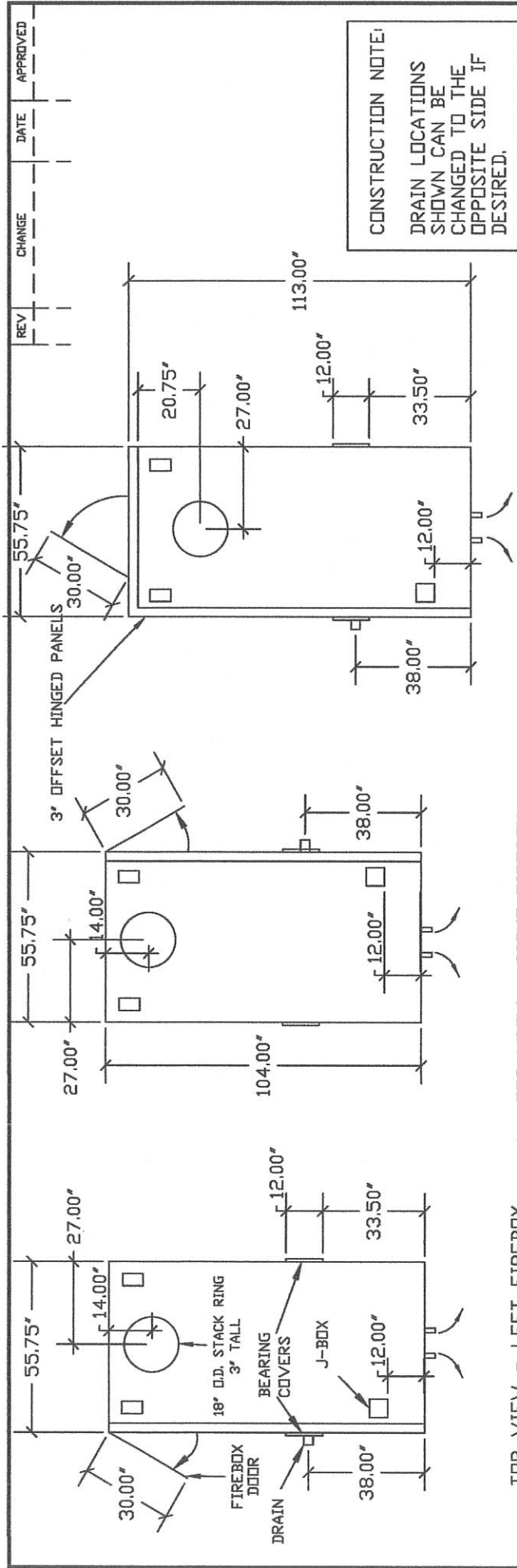
ETL LISTED
NSF CERTIFIED

J & R MANUFACTURING, INC.
820 V. KEARNEY, MESQUITE, TEXAS 75149

APPROVED BY	DATE	CHECKED BY	DATE
SCALE 1/2" = 1'		DRAWN BY L. BELLOWS	2-21-00

TITLE
DETAIL SHEET - MODEL 250RFS

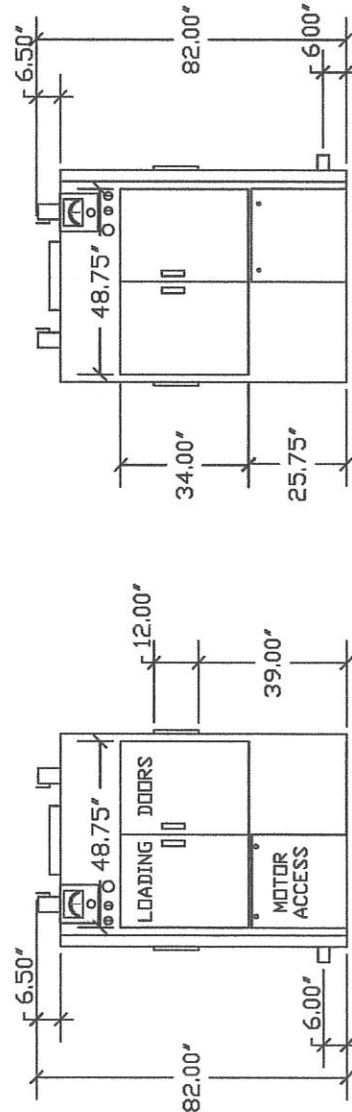
FOR PHONES: (972) 285-4855	DRAWING NUMBER DS250RFS
(800) 527-4831	REVISION NUMBER
FACSIMILE: (972) 288-9488	



TOP VIEW - LEFT FIREBOX

TOP VIEW - RIGHT FIREBOX

TOP VIEW - REAR FIREBOX



FRONT VIEW - LEFT AND REAR FIREBOX

FRONT VIEW - RIGHT FIREBOX

- NOTES:
1. INSTALL ON A NONCOMBUSTIBLE FLOOR. A 4" TO 6" CONCRETE PAD IS RECOMMENDED TO ELEVATE THE GREASE DRAIN.
 2. CLEARANCE FROM COMBUSTIBLES: 12" ABOVE TOP OF CASING, 48" FROM FRONT, 6" FROM CHIMNEY CONNECTOR, AND 0" FROM SIDES AND BACK, EXCEPT 36" FROM THE FIREBOX DOOR.
 3. CHECK WITH LOCAL CODES FOR VENTING REQUIREMENTS.
 4. ELECTRICAL REQUIREMENTS ARE 115 VOLT, 1 PHASE, 8 AMP.
 5. ACCESS TO BOTH SIDES, THE REAR, AND FRONT IS REQUIRED FOR SERVICE PURPOSES.
 6. SEE OWNER'S MANUAL FOR ADDITIONAL INFORMATION.

J & R MANUFACTURING, INC.

880 V. KEARNEY, MESQUITE, TEXAS 75149

SCALE 3/8" = 1'

APPROVED BY: L. BELLOWS

CHECKED BY: DATE

DATE 12-31-97

ETL LISTED

NSF CERTIFIED

DETAIL SHEET - MODEL 700

PHONE: (972) 265-4855, (800) 927-4831

FACSIMILE: (972) 268-9468

DRAWING NUMBER

DS700

REVISION NUMBER

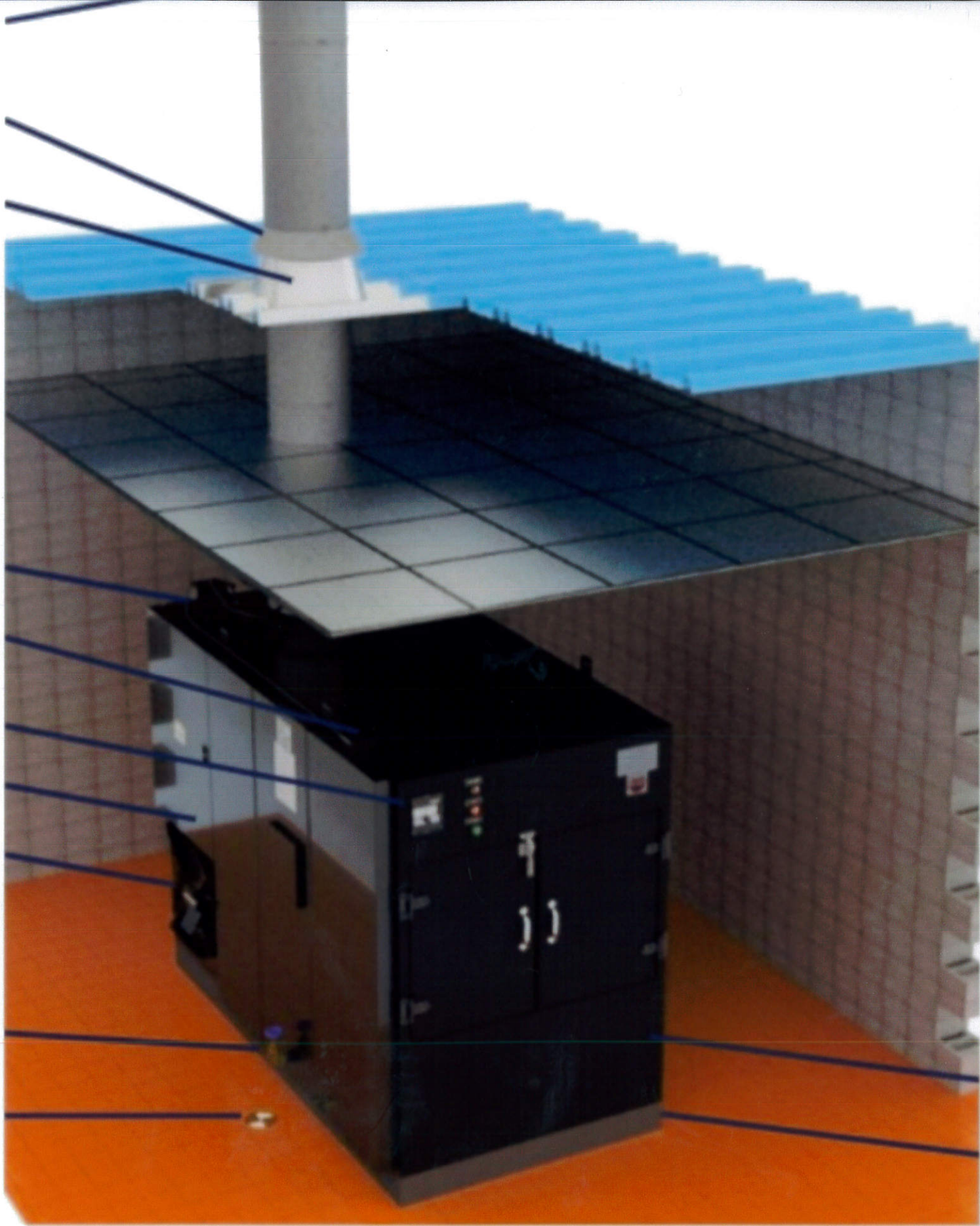
REV

CHANGE

DATE

APPROVED









TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 1

MEETING DATE: 10/16/2023

ITEM TITLE: DISCUSSION: 2890 River Rd. – An application for Sketch Plan Approval – 4 Lots or Less for a 4-lot subdivision

PROJECT LEAD: Patrick McPartlon and Genghis Khan

APPLICANT: Michael Dussault, P.E., 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:

Michael Dussault, P.E., of Engineering Ventures, P.C. and agent for Ryan Lucey, property owner, has made an application for Sketch Plan Approval – 4-Lots or Less for a 4-lot subdivision at 2890 River Rd. The proposed subdivision will divide the existing 5.26 Acre property at 2890 River Rd and the 0.83 Acre property contiguous to it along Seneca Rd into 4 lots of 0.46, 0.46, 2.64 and 2.53 Acres, respectively. The existing home at 2890 River Rd is in very poor condition and will be demolished.

The property is located within the R-1 Low Density Residential zoning district.

Since the 10/2/23 Planning Board meeting a Town Designated Engineer (TDE) has been engaged and the Planning Board project leads have hosted a site walk of the project site for project stakeholders (applicant & applicant's engineer, Town Planning, Engineering, Highway Departments, TDE, concerned neighbors, etc.). A storm water management report was received by the Planning Office on Thursday 10/12/23 which has been forwarded on to the TDE.

BACKGROUND INFORMATION

The property owner, Ryan Lucey, met with Department Heads of the Niskayuna Planning, Water, Sewer & Engineering and Highway Departments to discuss a proposed 4-lot subdivision as shown in the drawing entitled "Subdivision Plan 2890 River Rd." by Engineering Ventures, P.C. dated 6/23/23 with no subsequent revisions. At the time Mr. Lucey owned the 5.26 Acre property at 2890 River Road and was in the process of purchasing the 0.83 Acre property contiguous to it along Seneca Rd. The utility review performed by the Town representatives identified the project area as being susceptible to flooding during heavy rain events. It was noted that a thorough storm water review will be required. Mr. Lucey was informed that for his proposed subdivision to come before the Planning Board he would need to demonstrate site control by obtaining signature approval of

the application from the current owner of the 0.83 Acre portion of land or wait until the sale of the land to him was completed.

On 8/23/23 Mr. Lucey provided with Planning Office with the following documents.

- A sketch plan application for a minor subdivision of 4-lots or less
- A "Contract For Purchase and Sale of Real Estate" dated 8/16/23 indicating that Mr. Lucey owned the 0.83 Acre parcel of land.
- A 1-page survey drawing entitled "Survey Lands of RPL Family Trust #2890 River Rd." by Gilbert VanGuilder Land Surveyor, PLLC dated 12/1/2022 with no subsequent revisions.
- A 1-page subdivision site plan entitled "Subdivision Plan Proposed 4-Lot 2890 River Rd." by Engineering Ventures P.C." dated 8/23/23 with no subsequent revisions.
- A Short Environmental Assessment Form (EAF) – Part 1 dated 6/22/23.

6/23/23 Subdivision Drawing

This drawing includes 4 lots. Two (2) of the lots front River Road, one (1) lot fronts Seneca Road near its intersection with River Road and one (1) lot fronts Seneca Road near the cul-de-sac at the northeast end of the road.

8/23/23 Subdivision Drawing

This drawing includes 4 lots. Three (3) of the lots front River Road, the one (1) lot near the intersection of Seneca Rd and River Rd has been eliminated and the one (1) lot that fronts Seneca Rd. near the cul-de-sac at the northeast end of the road remains.

Mr. Lucey and his representatives are before the Board this evening to present and discuss his application. The Planning Board and Planning Office should review the application relative to Town codes and the current storm water conditions along Seneca Rd.

8/28/23 Planning Board (PB) meeting – Ryan Lucey and Michael Roman attended the meeting and presented the project to the Board. They explained the 6/23/23 4-lot subdivision drawing included two lots on Seneca Rd and two lots on River Rd. The 8/23/23 drawing includes one lot on Seneca Rd and 3 lots on River Rd. The Board and Planning Office discussed the history of storm water accumulation during storms in this general area and stated a through upstream and downstream storm water analysis will be needed. Mr. Khan stated that in other areas of Niskayuna the Board has essentially inherited storm water challenges – in this area, and on this project, they have the opportunity to avoid storm water related issues. The Board noted that the small strip of property along Seneca Rd near the intersection with River Rd may be able to be used to help mitigate storm water events. The Board concluded their discussion with a request that a few additional items be added to the site plan: the addition of limits of clearing and footprints of homes that are representative of the size the applicant intends to build.

9/6/23 PB Project Lead site walk – The PB project leads and Mr. Lucey walked the project site to obtain a first-hand look at the land, wetlands, grading, neighboring properties, etc.

9/6/23 Conservation Advisory Council (CAC) meeting – The CAC briefly reviewed the project at their regularly scheduled meeting. Ms. Robertson presented the site plan and provided background regarding the storm water challenges in the area. She asked the Board to familiarize themselves with the project details and the project site. She suggested they drive by the area to get a first-hand feel for the distances between houses, storm water drainage areas, etc. Chairman

Strayer noted that he would like to see a multi-use path be included in the plan connecting Seneca Rd to River Road Park. He also noted that a Town access easement along River Road along the project area would be helpful for the installation of a future sidewalk or multi-use path someday. Ms. Robertson said the CAC will be reviewing this again during the October 4, 2023 meeting.

9/11/23 Planning Board (PB) meeting – Mr. Roman and Mr. Lucey attended the meeting. The co-project leads, Patrick McPartlon and Genghis Khan updated the Board on their observations during the 9/6/23 site walk. They noted the upland properties, Iroquois and Rosendale schools, Campo Court, etc., and observed that water generally flows towards the existing culvert under Seneca Road and into the wetland area of 2890 River Road. Ms. Robertson noted that Niskayuna Zoning Code includes sections requiring the examination of upstream and downstream drainage when conducting a Stormwater Management Report. The discussion primarily focused on drainage and how to efficiently assess the existing condition and post-development condition. Ms. Robertson recommended that existing stormwater reports for the neighboring sites be reviewed by Mr. Lucey's engineer. Mr. McPartlon encouraged the Board members to visit the site and acquaint themselves with the grading, vegetation, etc. Ms. Finan noted that Mr. Lucey still needs to demonstrate full site control of the thin strip of land along Seneca Road via either signed approval of the current land owner or evidence that he is the landowner. Ms. Robertson noted that the Planning Office is in the process of securing quotes for a TDE review of the project.

A summary of actions that have occurred since the 9/11/23 meeting is as follows.

- Mr. Lucey submitted a FOIL request and received the Stormwater Management Report for the Iroquois Middle School project that is currently underway.
- The Planning Office has received 2 quotes for a TDE review of the proposed project.
 - One additional quotation is expected.
- The Planning Office has located the Storm Water Management Report for the Campo Court 7-lot major subdivision that is upstream from the proposed action.
 - Stormwater reports for other upstream areas are in the process of being located
- At the request of Mr. Lucey, a site walk with the Engineering and Highway Departments is planned for Thursday 10/5/23.

10/2/23 Planning Board (PB) meeting – Mr. Lucey and Mr. Roman attended the PB meeting. Chairman Walsh asked Mr. McPartlon, co-project lead of the project for the Planning Board, to provide a quick update since the last meeting. He stated that a Town Designated Engineer (TDE) was in the process of being selected and a site walk was being planned to familiarize everyone with the property. Mr. Roman added that the applicant's engineer was preparing a storm water management report.

10/4/23 Conservation Advisory Council (CAC) meeting – Laura Robertson, Town Planner, provided the CAC with background information on the proposed project. She described the slides and pictures that have been assembled documenting recent storm water related events in the area recently. A CAC member stressed that we need to make sure we are planning for the future and heeding storm water trends, etc. The CAC requested that the site plan drawings include representative footprints of the homes that are intended for the lots rather than small generic squares or rectangles. They also requested an inventory of animals that inhabit the area that may be impacted by the development of the land.

10/5/23 Site walk – A site walk was held at noon on 10/5/23. Participant's included Ms. Robertson, Town Planner, & Mr. Henry of the Planning Office, Mr. Doug Cole, the TDE from Prime Engineering, Mr. Yetto Superintendent of Water, Sewer and Engineering, Mr. Smith Superintendent of the Highway Department, Mr. McPartlon and Mr. Khan of the Planning Board, Mr. Lucey and his team including his engineer and a few interested neighbors. The Planning Office explained the roles and responsibilities of each member of the project team and stressed the importance of how important communication between the applicant's engineer and the TDE will be to the success of the project. The group walked the upstream areas and discussed how storm water is managed and drains on the property. Prior to concluding the site walk meeting the group noted that the next step is for the applicant's engineer to complete and submit a storm water management report.

The project is on the agenda this evening so that Mr. Lucey and the Planning Office may provide them with an update on the project.



TOWN OF NISKAYUNA

Planning Department

One Niskayuna Circle
Niskayuna, New York 12309
Phone: (518) 386-4530
Fax: (518) 386-4592

Application for Sketch Plan Approval – 4 Lots or Less

Applicant: RPL Family Trust

Address: 2505 Whamer Lane, Niskayuna, NY 12309

Phone Number: 518-374-1461 Email: ryan@midstateltd.com

Owner Name (if different from applicant): _____

Address: _____

Phone Number: _____ Email: _____

Description / Address of Property: 2890 River Road, Niskayuna, NY 12309

Section – Block - Lot: 51.-1-7.1 and 51.9-2-1.1

Each application shall be accompanied by:

1. A digital copy, three (3) full size copies and thirteen (13) 11x17 copies of any large scale plans or maps.
2. Administrative Fees: An application for Sketch Plan Approval shall be submitted to the Planning Department at least ten (10) days prior to a regular meeting of the Planning Board. Each application shall be accompanied by a fee of \$100. Fees are payable to the *Town of Niskayuna*.
3. 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: 6/22/2023

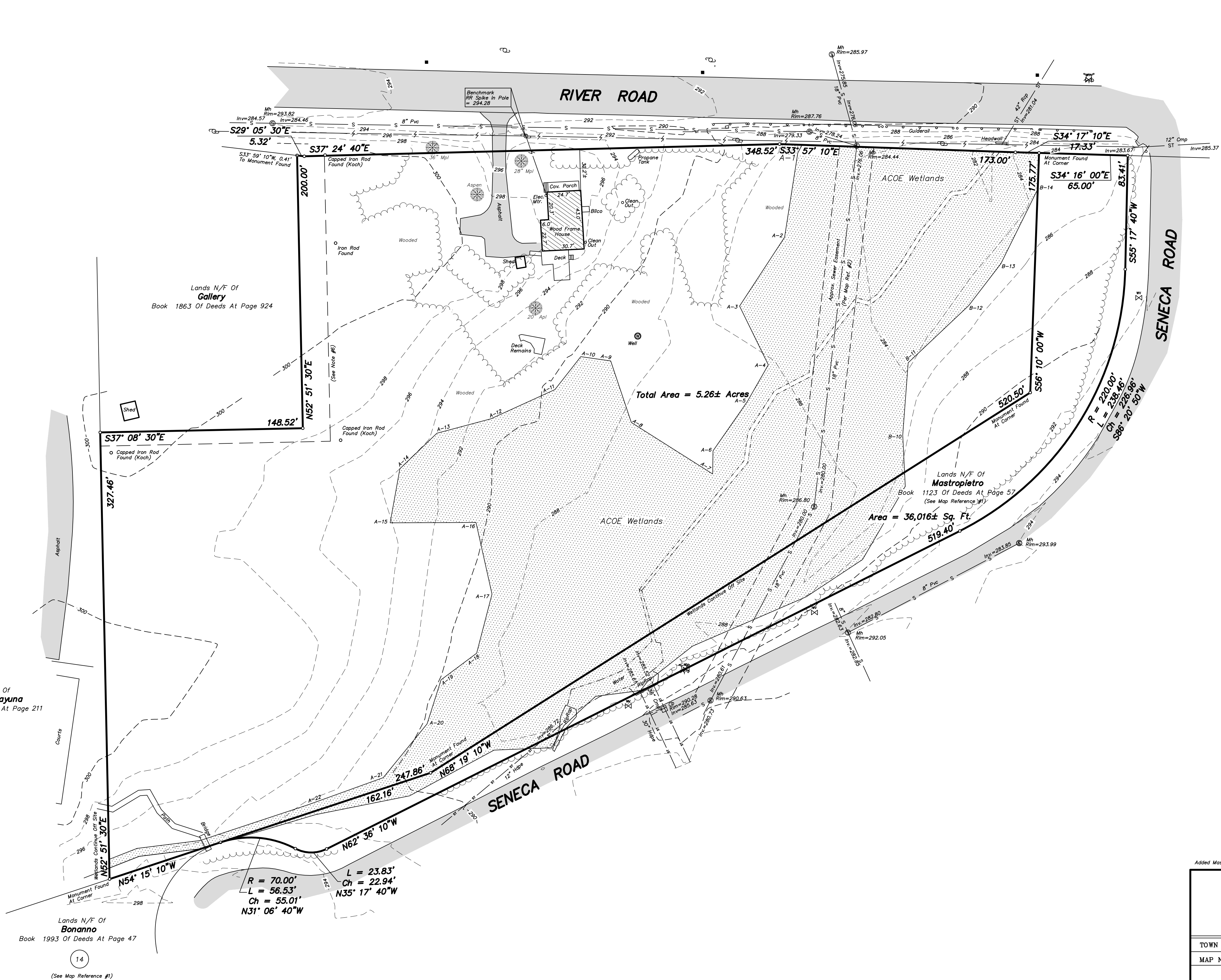
Signature of owner (if different from applicant): _____

Upon approval of Sketch Plan:

An Application for Approval of Plat Plan must be filed along with all appropriate documentation.

DEED REFERENCES:
CONVEYANCE TO RPL FAMILY TRUST, RYAN LUCY AS TRUSTEE BY DEED DATED NOVEMBER 7, 2022 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 2097 OF DEEDS AT PAGE 644.
MAP REFERENCES:
1. MAP ENTITLED "SENECA MANOR SECTION II AMENDED", DATED JUNE 19, 2002, LAST REVISED 9/13/04, PREPARED BY C.T. MALE ASSOCIATES, P.C. AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE AS MAP K-328.
2. MAP ENTITLED "LOT LINE ADJUSTMENT BETWEEN LANDS OF SANDRA LAUDATO ANDERSON AND LAWRENCE GALLERY & KAREN LONG 2890 RIVER ROAD & 2882 RIVER ROAD", DATED JANUARY 4, 2018, PREPARED BY RAYMOND A. KOCH, P.L.S. (NO RECORD OF FILING FOUND).

- NOTES:
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN UP TO DATE ABSTRACT OF TITLE AND/OR TITLE REPORT AND MAY BE SUBJECT TO WHATEVER STATEMENT OF FACTS THEY MAY REVEAL.
 - NO ATTEMPT WAS MADE TO SHOW UNDERGROUND IMPROVEMENTS IN THE PREPARATION OF THIS SURVEY.
 - ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
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 - AREA SHOWN ON MAP REFERENCE #2 TO BE CONVEYED TO GALLERY & LONG. NO DEED FOUND OF RECORD FOR THIS CONVEYANCE NOR ANY FILED MAP FOR MAP REF. #2.



Added Mastropietro Parcel - 3/16/2023

SURVEY
LANDS OF RPL FAMILY TRUST
#2890 RIVER ROAD

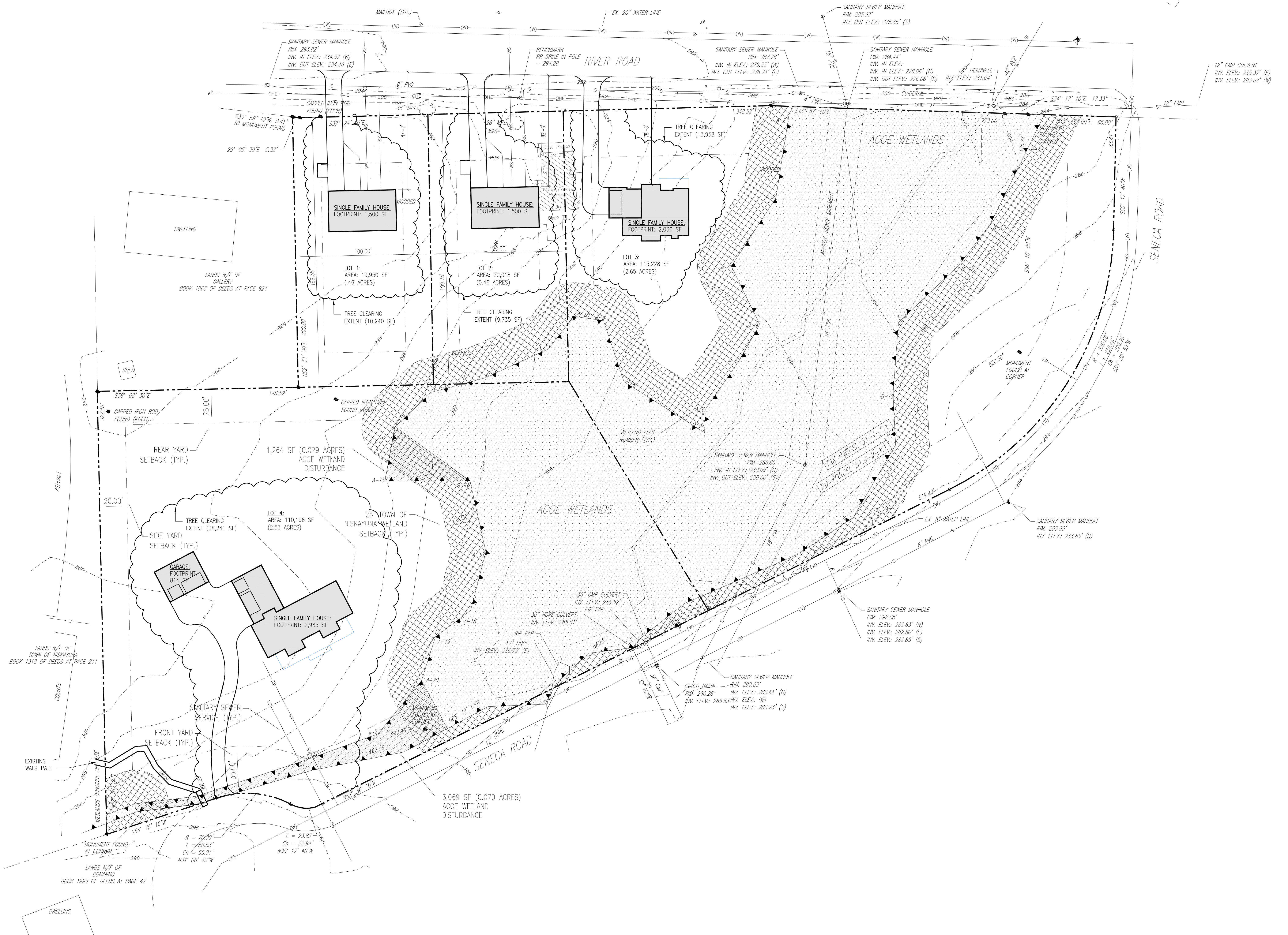
TOWN OF NISKAYUNA SCHENECTADY COUNTY, NEW YORK
MAP NUMBER: 22 - 22 - 251 SCALE: 1" = 40' DATE: DECEMBER 1, 2022

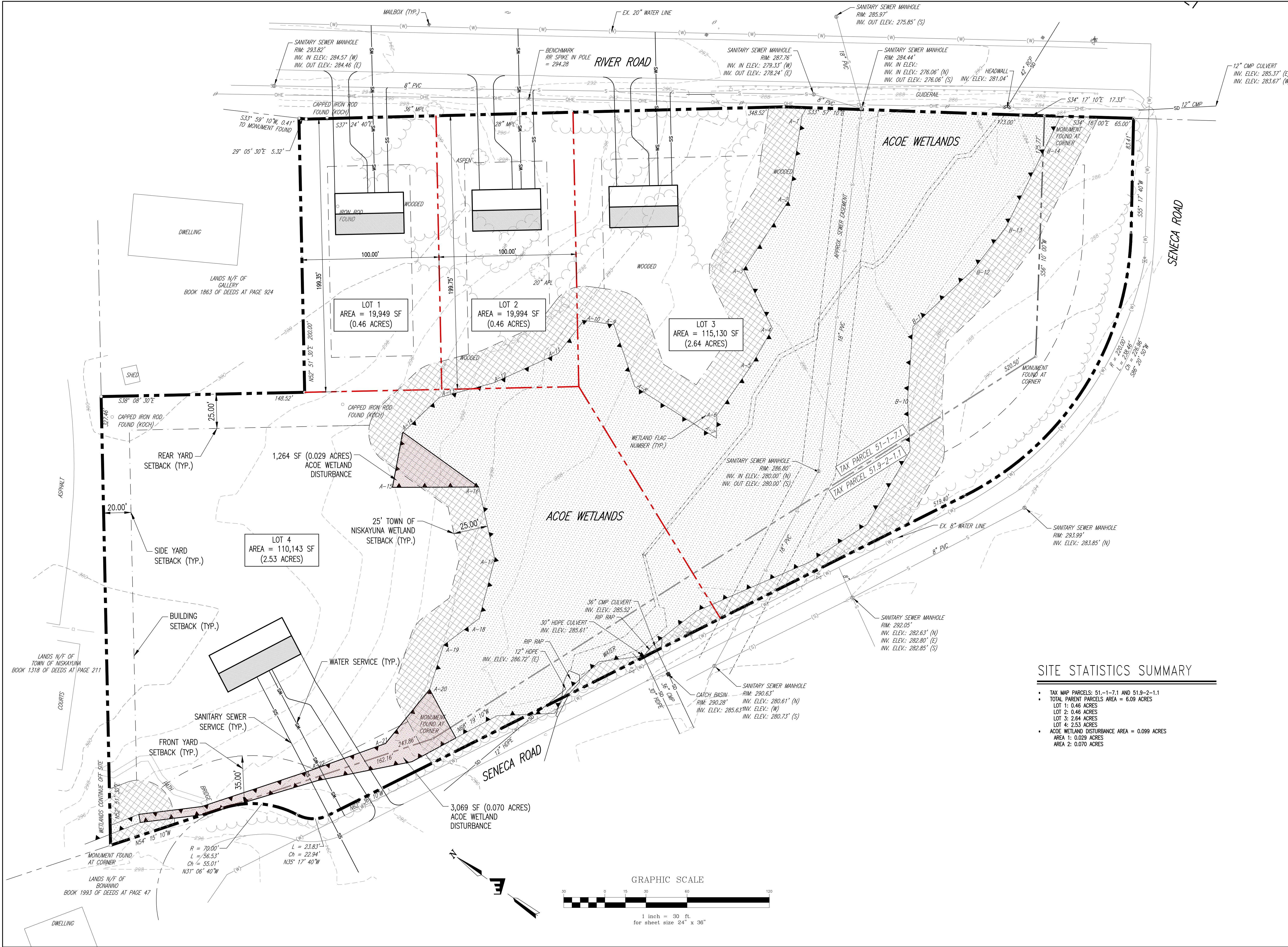
Gilbert VanGuilder
Land Surveyor, PLLC

Professional Land Surveyors
988 Route 146, Clifton Park, New York 12065
Telephone: (518) 383-0634
gvglandsurveyors.com

TODD WESTERVELD, P.L.S. No. 50,319

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.





SITE STATISTICS SUMMARY

- TAX MAP PARCELS: 51.1-7.1 AND 51.9-2-1.1
- TOTAL PARENT PARCELS AREA = 6.09 ACRES
- LOT 1: 0.46 ACRES
- LOT 2: 0.46 ACRES
- LOT 3: 2.64 ACRES
- LOT 4: 2.53 ACRES
- ACOW WETLAND DISTURBANCE AREA = 0.099 ACRES
- AREA 1: 0.029 ACRES
- AREA 2: 0.070 ACRES

Stamp	
Date	Description

ENGINEERING VENTURES PC

208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-863-6225
85 Mechanic Street, Suite E2-3, Lebanon, NH 03766 • 603-442-3333
414 Union Street, Schenectady, NY 12305 • 518-205-9141
www.engineeringventures.com

RPL Family Trust
2505 Whamler Lane
Niskayuna, NY 12309

**SUBDIVISION PLAN
PROPOSED 4-LOT**

2890 RIVER ROAD

TOWN OF NISKAYUNA, SCHOENECTADY COUNTY, NY

Sheet Title:

Project Title:

EV Project #: 22352

Drawn By: HMB

Checked By: MHD

Scale: AS NOTED

Date: 8/23/2023

C101

Short Environmental Assessment Form

Part 1 - Project Information

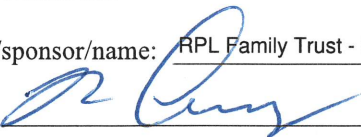
Instructions for Completing

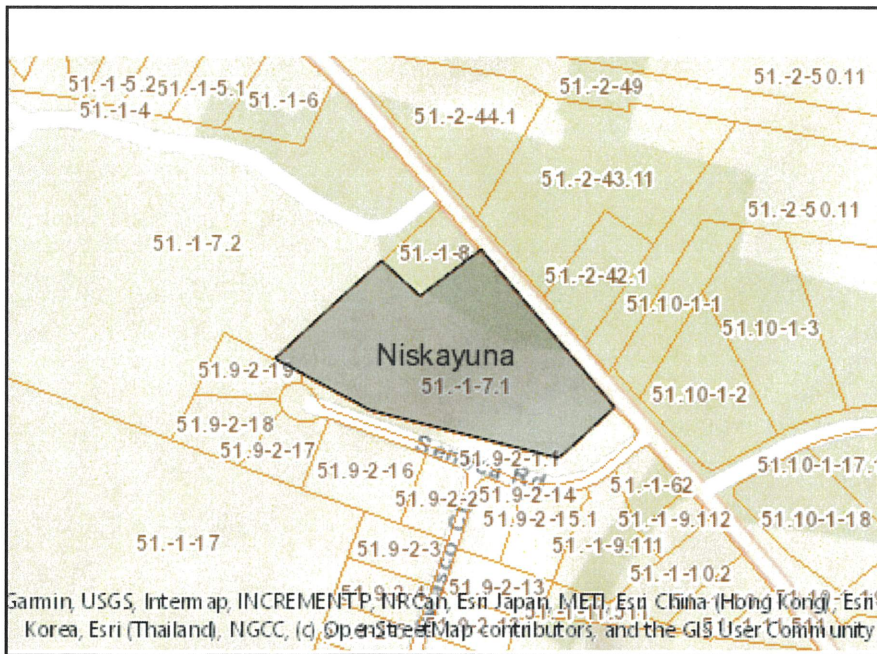
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: 2890 River Road Subdivision			
Project Location (describe, and attach a location map): 2890 River Rd, Niskayuna, New York 12309			
Brief Description of Proposed Action: The Applicant proposes a 4-lot subdivision of Town of Niskayuna tax parcels 51.-1-7.1 and 51.9-2-1.1. Each new lot will have a single family residence per lot. The proposed dwellings will be serviced by public water and sanitary sewer systems.			
Name of Applicant or Sponsor: RPL Family Trust		Telephone: 518-374-1461 E-Mail: ryan@midstateltd.com	
Address: 2505 Whamer Lane			
City/PO: Niskayuna		State: NY	Zip Code: 12309
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 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: US ACOE Nationwide Permit #29 for disturbance to freshwater wetlands.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.09 acres 2.00 acres 6.09 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 type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input checked="" 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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <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? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The proposed action does not plan to exceed 0.1 acre of freshwater wetland disturbance. _____ _____			

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 checked="" 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?	NO	YES
	<input checked="" type="checkbox"/>	<input 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, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ Site storm water will be directed through roadside ditches and pipe conveyance systems to public storm sewer. _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" 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>RPL Family Trust - Ryan Lucy</u> Date: <u>6/22/2023</u> Signature: <u></u> Title: <u>TRUSTEE</u>		



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]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 2

MEETING DATE: 10/16/2023

ITEM TITLE: DISCUSSION: 1 Research Circle – GE Global Research – A sketch plan application for a 2-lot subdivision.

PROJECT LEAD: TBD

APPLICANT: Charles Dumas

SUBMITTED BY: Charles Dumas

REVIEWED BY:

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

ATTACHMENTS:

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

SUMMARY STATEMENT:

Charles Dumas submitted an application for sketch plan approval for a 2-lot subdivision that would divide the 530 acre site into two lots of approximately 190 acres and 340 acres. The proposed subdivision is strategically important to GE as they restructure themselves into 3 businesses: Healthcare, Energy and Aerospace, and apportion their assets at the Global Research Center accordingly.

COMPREHENSIVE PLAN

The proposed subdivision complies with page 74 of the 2013 Niskayuna Comprehensive Plan. The proposed action will not alter the use or intensity of use of the land and will help secure the retention of high paying STEM jobs in the community.

BACKGROUND INFORMATION

The property is located in the I-R Research & Development Industrial zoning district. The Global Research Center is a permitted principal use in the district.

The following documents were included with the sketch plan application.

1. A 1-page drawing entitled "Sketch Plan Proposed Two Lot Subdivision Lands Now or Formerly of General Electric Company" by C.T, Male Associates dated 9/29/23 with no subsequent revisions.
2. A 4-page Short Environmental Assessment Form (EAF) dated 10/11/23.

3. An Application For Approval of Plat Plan – Minor Subdivision dated 10/10/23.

9/29/23 Meeting with the Planning Office – Mr. Charles Dumas of Lemery Greisler LLC and Mr. Raymond Liuzzo of C.T. Male Associates met with Laura Robertson, Town Planner and Planning Department staff to acquaint them with the project and review the path the project would follow relative to the Town's various review boards. Mr. Dumas explained the strategic value the subdivision has to the General Electric Company as they restructure themselves, and the Global Research Center, into the previously referenced 3 business units. The proposed subdivision allows the newly formed approximately 190 acre lot to be allocated to GE's Energy Division and facilitates a logical proportioning of other buildings and facilities on the approximately 340 acre lot among the other businesses. Mr. Dumas repeated his explanation of the project at the Conservation Advisory Council (CAC) meeting on 10/4/23. Important aspects of the project are captured in the summary of that meeting, below.

The timeline of GE's restructuring was discussed at length and the path a minor subdivision follows per the Niskayuna zoning code was mapped out in a spreadsheet of critical milestones.

GE Global Research Center 2-lot Minor Subdivision			
STEP 1: Sketch Plan Approval			
Date	Meeting	Description of Action	Applicant Must Provide The Following
10/4/2023	Conservation Advisory Council (CAC)	CAC reviews project and makes SEQR Recommendation to PB	Must submit by 10/2/23 (1) Site drawing -- DONE
10/16/2023	Planning Board (PB)	Applicant presents project PB established as lead agency PB calls for Resolution for sketch plan approval for 11/13/23 PB meeting	Must submit by 10/10/23 (1) Sketch Plan app. & associated fee (2) Drawings (3) Short form EAF (if possible)
11/8/2023	CAC	CAC makes SEQR Recommendation to PB - short form EAF must be received by 11/1/23	Must submit by 11/1/23 (1) Short form EAF
11/13/2023	PB	PB does the following 3 things at the meeting (1) Makes SEQR determination (2) Acts on Resolution for sketch plan approval (3) Calls for a public hearing for 11/27/23	
STEP 2: Minor Subdivision Approval			
Date	Meeting	Description of Action	Applicant Must Provide The Following
11/27/2023	PB	PB holds the public hearing & may take action on a Resolution for subdivision approval	Must submit by 11/1/23 (1) Application for minor subdivision & fee (2) Plat plan drawing
12/11/2023	PB	Backup date for PB to take action on a Resolution for subdivision approval	

10/4/23 Conservation Advisory Council (CAC) meeting – Mr. Dumas attended the meeting and repeated the summary of the project that he made at the 9/29/23 meeting. Highlights of the presentation are as follows.

- The dividing line of the proposed two lots is the bike path that runs between the large complex of buildings that are accessible from Research Circle (River Rd.) and the smaller training building that is accessible from Balltown Rd.
- The property contains a few easements and variances.
- The property contains some wetland areas.

- They will be seeking an easement and an approximately 15' wide road to allow access between the two lots without venturing out onto Balltown Rd.
 - The CAC asked for an approximate trip count on the proposed new road.
- They do not anticipate any increase in the number of workers at the site.
- They do not anticipate any removal of trees.
- The Energy portion of GE will be the title owner of the newly formed 190 lot that would include the GE Training Center.
- The Healthcare portion will not own any land but they will rent office space in buildings in the larger of the two newly formed lots.
- The only physical alteration of the site will be the construction of the internal road connecting the two lots.
- A CAC member asked if GE would shore up the bank of the Mohawk River along its property as part of the project. Mr. Dumas stated that could be looked at down the road but due to the pressing timeline he would like to remain focused on the basic subdivision at this time.

10/12/2023 Tree Council meeting

The Tree Council looked at the proposed subdivision and noted they would like to see the plan for the proposed road connection when it was complete to review the limits of clearing but did not see any issues with the subdivision. They did want to ask that the Planning Board consider, as a condition of subdivision approval, requiring GE to remove the dead crabapple trees in front of the solar panels and replace the dead trees in kind with more crab apple trees. They noted this was an important area for birding and the crab apples were a great source of food for the birds.

The applicant is on the agenda this evening to present the application to the Board and address any questions that arise.



TOWN OF NISKAYUNA

Planning Department

One Niskayuna Circle
Niskayuna, New York 12309
Phone: (518) 386-4530
Fax: (518) 386-4592

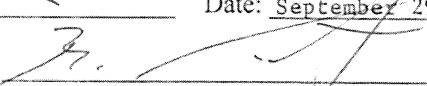
Application for Sketch Plan Approval – 4 Lots or Less

Applicant: Lemery Greisler LLC (Charles B. Dumas, Esq.)
Address: 677 Broadway, Albany, New York 12207
Phone Number: 518.930.4143 Email: cdumas@lemerygreisler.com
Owner Name (if different from applicant): General Electric Company (Karen B. Simons) Counsel
Address: One River Road, Schenectady, New York 12345
Phone Number: 518.894.0975 Email: karen.simons@ge.com
Description / Address of Property: One Research Circle, Niskayuna, New York
Section – Block - Lot: 40.-1-45.3

Each application shall be accompanied by:

1. A digital copy, three (3) full size copies and thirteen (13) 11x17 copies of any large scale plans or maps.
2. Administrative Fees: An application for Sketch Plan Approval shall be submitted to the Planning Department at least ten (10) days prior to a regular meeting of the Planning Board. Each application shall be accompanied by a fee of \$100. Fees are payable to the *Town of Niskayuna*.
3. 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: September 29, 2023

Signature of owner (if different from applicant): 
Buckmaster De Wolf III

Upon approval of Sketch Plan:

An Application for Approval of Plat Plan must be filed along with all appropriate documentation.



TOWN OF NISKAYUNA

Planning Department

One Niskayuna Circle
Niskayuna, New York 12309
Phone: (518) 386-4530
Fax: (518) 386-4592

Application for Approval of Plat Plan - Minor Subdivision

Petitioner Name: Lemery Greisler LLC (Charles B. Dumas, Esq.)

Address: 677 Broadway, Albany, New York 12207

Phone Number: 518-930-4143 Email: cdumas@lemerygreisler.com

Owner Name (if different from petitioner): General Electric Company (Karen B. Simons, counsel)

Address: One River Road, Schenectady, New York 12345

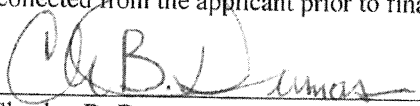
Phone Number: 518-894-0975

Description / Address of Property: One Research Circle, Niskayuna, New York 12309

Section - Block - Lot: 40.-1-45.3

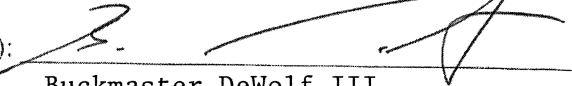
Each application shall be accompanied by:

1. A digital copy, three (3) full size copies and thirteen (13) 11x17 copies of any large scale plans or maps.
2. Thirteen (13) copies of the short Environmental Assessment Form (EAF), Part 1 and three (3) copies of the storm water pollution prevention plan (SWPPP) prepared in accordance with Chapter 180 of the Town Code of the Town of Niskayuna, if required.
3. Administrative Fees: An application for minor subdivision plat approval shall be submitted to the Planning Department at least ten (10) days prior to a regular meeting of the Planning Board. Each application shall be accompanied by a fee of **\$300.00**. Fees are payable to the *Town of Niskayuna*.
4. 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: 

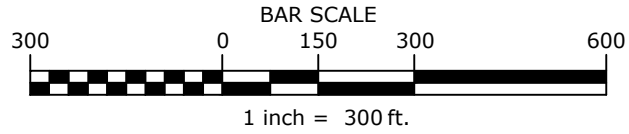
Charles B. Dumas

Date: October 10, 2023

Signature of owner (if different from applicant): 

Buckmaster DeWolf III

Date: October 10, 2023



MAP REFERENCES:

1. "Barge Canal State of New York, Eastern Division, Erie Canal, Section 2" dated March 29, 1922 Sheets 17, 18 and 19 filed in the Office of the New York State Canal Corporation.
2. New York State Route 146, S.H. No. 1872, Balltown Road acquisition map "Mohawk Golf Club-Aqueduct County Highway" Map Numbers 11A and B William Green (Reputed Owner) dated April 3, 1930 filed in the Region One Office of New York State Department of Transportation.
3. New York State Route 146, S.H. No. 1872, Balltown Road acquisition map "Mohawk Golf Club-Aqueduct County Highway" Map No. 13 Beatrice Shopmeyer (Reputed Owner) dated April 3, 1930 filed in the Region One Office of the New York State Department of Transportation.
4. "River Road, County Highway No. 4-N" Map No. 3, G. Albert & Marian A. Finke (Reputed Owners) dated August 1951 filed in the Region One Office of New York State Department of Transportation.
5. "River Road, County Highway No. 4-N" Map No's 7, 8 and 9, General Electric Company (Reputed Owner) dated October 23, 1951 filed in the Region One Office of the New York State Department of Transportation.
6. "River Road, County Highway No. 4-N" Map No. 10, R-1, General Electric Company (Reputed Owner) dated December 28, 1951 filed in the Region One Office of the New York State Department of Transportation.
7. "River Road, County Highway No. 4-N" Map No. 11, General Electric Company (Reputed Owner) dated October 23, 1951 filed in the Region One Office of the New York State Department of Transportation.
8. "Sewer District 6 - Extension 22 North Trunk Sewer Extension, Proposed Easement Lands Now or Formerly of General Electric Company to be Granted to the Town of Niskayuna" prepared by C.T. Male Associates, P.C. dated August 26, 1977, Project No. 42-05-1207, Map No. 77-186-6/2.
9. "Town of Niskayuna Bike Path, Easements on Lands of General Electric Company Granted to the Town of Niskayuna" prepared by C.T. Male Associates, P.C. dated December 29, 1982 last revised December 24, 1986, DWG No. 83-5.
10. "Property Line Survey of a Portion of Lands of Knolls Atomic Power Laboratory United States of America" prepared by C.T. Male Associates, P.C. dated November 15, 1974 and revised January 2, 1975, Project No. 42-05-01069, DWG No. 74-392.
11. "Boundary Survey Knolls Atomic Power Laboratory, 2401 River Road" prepared by C.T. Male Associates, P.C., dated December 14, 2005 revised January 13, 2006, Project No. 02.8087, DWG. No. 05-899.
12. "Survey of Portion of Lands Now or Formerly of Fred C. & Gladys Joy Ewing prepared for Rosemarie Rossi" prepared by C.T. Male Associates, P.C. dated April 4, 1985 last revised October 25, 1987, Project No. 398, DWG. No. 85-128R.
13. "Moorelighten Belonging to Daniel Danes in the Town of Niskayuna" dated June 23, 1902 by William Gifford, Surveyor and filed in the Schenectady County Clerk's Office December 20, 1905 in Plat Cabinet C as Map Nos. 174, 175, 178 and 179.
14. "Crimson Oak Estates" prepared by C.T. Male Associates, P.C., dated August 25, 1987 filed in the Schenectady County Clerk's Office on August 28, 1989 in Cabinet H in Sleeve No. 274 & 275.
15. "Subdivision Plan Fossil Estate" prepared by C.T. Male Associates, P.C. dated February 9, 1989 last revised June 29, 1990, Project No. 88.2618, DWG No. 89-85R filed in the Schenectady County Clerk's Office on September 21, 1990 in Cabinet H as Maps No. 375 and 377.
16. "Phase 2 Edison Woods" prepared by C.T. Male Associates, P.C. dated January 3, 1986 last revised August 11, 1993, Project No. 90.3318, DWG. No. 86-140R filed in the Schenectady County Clerk's Office on October 24, 1994 in Drawer I as Map No. 372 & 373.
17. "Subdivision Plan - Amendment No. 1, Phase 3A Edison Woods" prepared by C.T. Male Associates dated March 7, 2000 last revised August 23, 2001, Project No. 00.6082, DWG. No. 86-141R, filed in the Schenectady County Clerk's Office on September 6, 2001 in Drawer K as Map No. 20 & 21.
18. "Phase 3B Edison Woods" prepared by C.T. Male Associates, P.C. dated July 22, 2002 last revised November 19, 2004, project No. 00.6082, DWG No. 02-292 filed in the Schenectady County Clerk's Office on December 8, 2004 in Cabinet K as Maps No. 340 and 341.
19. Boundary and Partial Topographic Survey Lands Now or Formerly of General Electric Company prepared for GE Global Research Company 1 Research Circle" Town of Niskayuna, Schenectady County, New York prepared by C.T. Male Associates, Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. dated May 25, 2022, Project No. 22.2326, Drawing No. 22-424.

MAP NOTES:

1. Information shown hereon was compiled from an actual field survey conducted during the months of May and June, 2020.
2. North orientation and bearings are Grid North based on the New York State Plane Coordinate System, East Zone, NAD 83/2011 epoch 2010.00 as obtained from GPS observations.
3. Topographic information shown hereon was prepared from Aerial Stereo Photogrammetry prepared by Blue Sky Geospatial, Ltd. and flown June, 2020. Data shown was taken from digitally compiled manuscripts. National Mapping Standards indicate that 90% of all contours shown shall be correct to within one half (1/2) of the contour interval, and the remaining 10% shall not be in error by more than the contour interval.
4. The location of underground improvements or encroachments, if any exist, or as shown hereon, are not certified. There may be underground utilities, the existence of which are not known to the undersigned. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, excavation and construction.
5. Wetlands and other waters of the U.S. were delineated on April 23, 2020 by a C.T. Male representative in accordance with the 1987 Corps of Engineers Wetland Delineation Manual. Wetland flags were field located by a C.T. Male survey crew during the month of June 2020.
6. Together with a permanent easement for ingress and egress and the placement of utilities granted by Schenectady Chemicals, Inc. to General Electric Company in deed dated May 11, 1967 and recorded in the Schenectady County Clerk's Office on May 21, 1967 in Book 888 of Deeds at Page 155.

2023.09.29 PROGRESS FOR REVIEW AND COMMENT

SKETCH PLAN PROPOSED TWO LOT SUBDIVISION

LANDS NOW OR FORMERLY OF

GENERAL ELECTRIC COMPANY

1 RESEARCH CIRCLE

TOWN OF NISKAYUNA

SCHENECTADY COUNTY, NEW YORK

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH 518.786.7400
CORLESKILL, NY • GLENS FALLS, NY • Poughkeepsie, NY
JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY
www.ctmale.com



PROJECT NO. 22.2326

DWG. NO. 23-594

SHEET 1 OF 1

DATE: SEPT. 29, 2023

Short Environmental Assessment Form

Part 1 - Project Information

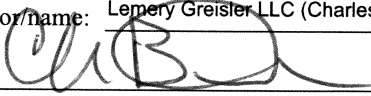
Instructions for Completing

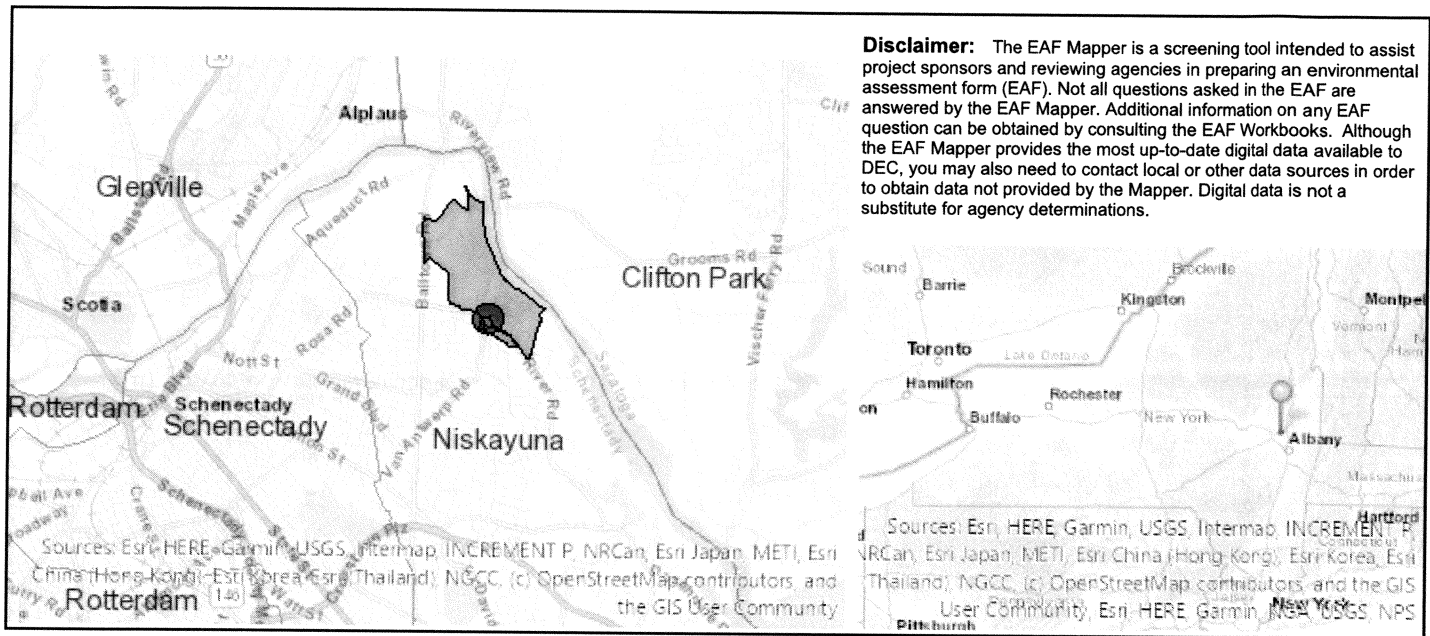
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Minor Two Lot Subdivision of Lands of General Electric Company			
Project Location (describe, and attach a location map): 1 Research Circle Niskayuna, New York 12309 Tax Map Parcel ID 40.00-1-45.3			
Brief Description of Proposed Action: Proposing a Minor Two Lot Subdivision of the Lands of General Electric Company on the north side of River Road. Subdividing the overall north parcel area of 533.169+/- Acres into two lots, Parcel one being 194.774+/- acres west of the Town of Niskayuna Bike Path and Parcel Two being 338.395+/- acres east of the Town of Niskayuna Bike Path. The parcels south of River Road at Van Antwerp Road are not under consideration at this time.			
Name of Applicant or Sponsor: Lemery Greisler LLC (Charles B. Dumas, Esq.)		Telephone: 518-930-4143 E-Mail: cdumas@lemerygreisler.com	
Address: 677 Broadway			
City/PO: Albany		State: New York	Zip Code: 12207
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"/>
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: Town of Niskayuna Planning Board: Approval of Minor Two Lot Subdivision			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <u>533.169</u> acres b. Total acreage to be physically disturbed? <u>0</u> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>550.608</u> acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Research & Development <input checked="" type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Existing Connections _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Existing Connections _____	NO <input checked="" type="checkbox"/>	YES <input 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? 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?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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
_____ NYSDEC Environmental Site Remediation Database, Site No. 447011,447013,447017 and 447013A.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Lemery Greister LLC (Charles B. Dumas, Esq.)</u> Date: <u>10/11/23</u> Signature: <u></u> Title: <u>Applicant and Attorney for Owner</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
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]	Yes
Part 1 / Question 20 [Remediation Site]	Yes



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 3

MEETING DATE: 10/16/2023

ITEM TITLE: DISCUSSION: 797 Westmoreland Dr. / 793 Westmoreland Dr. – An application for lot line adjustment.

PROJECT LEAD: TBD

APPLICANT: John Adamec

SUBMITTED BY: John Adamec

REVIEWED BY:

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

ATTACHMENTS:

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

SUMMARY STATEMENT:

Mr. Adamec submitted an application for lot line adjustment to adjust an approximately 108' long section of the southern side property line of his property approximately 1.83' to the north, thereby conveying the approximately 197.6 sq. ft. (108' x 1.83') of property to his neighbor Ms. Baestlein-DuBois. Ms. Baestlein-DuBois mistakenly installed her fence on Mr. Adamec's property and the proposed lot line adjustment will transfer the land under the fence to Ms. Baestlein-DuBois and in doing so, will preserve several large trees.

COMPREHENSIVE PLAN

The proposed change complies with the 2013 Niskayuna Comprehensive Plan. If the lot line adjustment is approved and executed both lots will remain conforming relative to all zoning code requirements.

BACKGROUND INFORMATION

The properties are located within the R-1 Low Density Residential zoning district.

A 1-page proposed site plan drawing entitled "Proposed Plot Plan Lands Known As Street No. 797 Westmoreland Drive" by ABD Engineers and Surveyors dated 8/4/23 with a most recent revision date of Rev 6 8/18/23 was provided with the application.

The Planning Office recommends that the adjusted lot line should continue all the way to Westmoreland Drive rather than stopping at the front of the proposed new home as shown in the site plan drawing that was included with the application. This will align more with the Comprehensive Plan because the lots will be more regular.

APPLICATION FOR LOT LINE ADJUSTMENTS

PROPERTY INFORMATION

Physical Address(es): 797 Westmoreland Dr
Section-Block-Lot(s): 60.12-2-16.2
Number of Lots Involved: 2 Current Zoning(s): 311-Res
Approx Acreage: 130.0 X 150.20

Additional Information: _____

OWNER(S) OF RECORD (Attach additional sheets if necessary)

SECTION-BLOCK-LOT: 60.12-2-16.2

Name: J & N Adamec Enterprises LLC
Address: 389 Masullo Pkwy
City/State: Schenectady Zip: N.Y.
Phone: 518-355-1392
E-Mail: noradamec@AOL.COM

Name: _____
Address: _____
City/State: _____ Zip: _____
Phone: _____
E-Mail: _____

SECTION-BLOCK-LOT: 60.12-2-16.1

Name: Robin L. Baestlein - DuBois
Address: 793 Westmoreland Drive
City/State: Niskayuna, NY Zip: 12309
* Phone: 360-1632
* E-Mail: waterfrontford@yahoo.com

Name: _____
Address: _____
City/State: _____ Zip: _____
Phone: _____
E-Mail: _____

SURVEYOR OR ENGINEER

Company: ABD Engineers LLP
Name: Robert D. Davis, Jr. P.E.S.
Address: 411 Union St.
City/State: Schenectady Zip: N.Y.
Phone: 518-377-0315
E-Mail: www.abdeng.com
or bob@abdeng.com

Surveyor or engineer must have a current professional license with the State of New York.

LICENSE #: 51060

APPLICATION FOR LOT LINE ADJUSTMENTS

SUPPLEMENTARY INFORMATION (Attach separate sheet if necessary)

1. What is the purpose of this adjustment? To give Mrs DuBois a strip of land approximately 108 feet by 1.83 feet wide.

2. What is the proposed timeline for adjustment completion? one week

3. Is any part of the proposed adjustment within the regulated floodplain as designated by the Federal Insurance Rate Maps (FIRMs) adopted by the Town of Niskayuna on December 1983? ☐ Yes ☒ NO. If yes, explain what area is in the floodplain and how this is being accounted for in the adjustment process. _____

4. Is there additional information which may aid in the processing of this application. (e.g., proposed variances, zoning change requests, building permit applications, etc.)? No

5. Are there any potential adverse environmental impacts that could be triggered by this lot line adjustment? Include any impacts to wetlands, surface water, groundwater, flooding, plants and animals, aesthetics, Historic sites, open space, recreation, transportation, noise, odor, light, geological features, etc. (Attach separate pages as necessary). No; however, it will keep and protect the existing trees on the DuBois property.

NOTARIZED OWNER'S ACKNOWLEDGMENT/ AUTHORIZATION FOR LOT LINE ADJUSTMENT

SECTION-BLOCK-LOT: 60.12-2-16.2
PHYSICAL ADDRESS: 797 Westmoreland Drive

ACKNOWLEDGMENTS

1. I am aware of and consent to the filing of this application.
2. I confirm that the information provided in this application is true and correct to the best of my knowledge and I assume all responsibility for the truth and validity of this application and all associated exhibits and documents submitted.
3. I agree to allow representatives of the Town of Niskayuna to go on or about the subject property for inspection purposes in connection with this application.
4. I confirm that I have uncontested legal ownership of the subject property, without any outstanding rights, reservations or encumbrances which could nullify the intended development and use of this lot line adjustment (if there is a loan or mortgage on the affected property, it is my responsibility to inform the appropriate party of the property changes and secure their consent).
5. If the owner is a corporation, partnership, limited liability company (LLC), governmental agency or other entity, I confirm that I am authorized to act on behalf of the corporation, partnership, LLC, governmental agency or other entity in processing this application.
6. I acknowledge that any potential or existing separate lots, land titles, partitions, previously subdivided lots or other such land units will be consolidated with this lot line adjustment and upon final approval only the newly created lot(s) will be recognized.

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

Sworn to me on this 16th day of June, 2023 J & N Adamec Enterprises LLC

John A. Adamec member
Signature of Applicant

John A. Adamec
Printed Name

Cheri Ann McGeary
Notary Public, State of New York

6/16/2023
Date

CHERI ANN MCGEARY
Notary Public, State of New York
No. 01MC6038407
Qualified in Albany County
Commission Expires March 13, 2026

Each property owner is required to sign.
Attach additional sheets if necessary

NOTARIZED OWNER'S ACKNOWLEDGMENT/ AUTHORIZATION FOR LOT LINE ADJUSTMENT

SECTION-BLOCK-LOT: 60.12-2-16.1

PHYSICAL ADDRESS: 793 Westmoreland Drive

ACKNOWLEDGMENTS

1. I am aware of and consent to the filing of this application.
2. I confirm that the information provided in this application is true and correct to the best of my knowledge and I assume all responsibility for the truth and validity of this application and all associated exhibits and documents submitted.
3. I agree to allow representatives of the Town of Niskayuna to go on or about the subject property for inspection purposes in connection with this application.
4. I confirm that I have uncontested legal ownership of the subject property, without any outstanding rights, reservations or encumbrances which could nullify the intended development and use of this lot line adjustment (if there is a loan or mortgage on the affected property, it is my responsibility to inform the appropriate party of the property changes and secure their consent).
5. If the owner is a corporation, partnership, limited liability company (LLC), governmental agency or other entity, I confirm that I am authorized to act on behalf of the corporation, partnership, LLC, governmental agency or other entity in processing this application.
6. I acknowledge that any potential or existing separate lots, land titles, partitions, previously subdivided lots or other such land units will be consolidated with this lot line adjustment and upon final approval only the newly created lot(s) will be recognized.

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

Sworn to me on this 2nd day of October, 2023

+ Robin B. DuBois
Signature of Applicant


+ Robin Baestlein-DuBois
Printed Name

10/2/2023
Date

[Signature]
Notary Public, State of New York

Laurence Navlasky
Notary Public State of New York
No. 4952214
Qualified in Albany County
Commission Expires June 12, 2027

Each property owner is required to sign.
Attach additional sheets if necessary

<h1 style="text-align: center;">PROPOSED PLOT PLAN</h1> <p style="text-align: center;">LANDS KNOWN AS</p> <p style="text-align: center;">STREET No. 797 WESTMORELAND DRIVE</p>			
TOWN OF NISKAYUNA		COUNTY OF SCHENECTADY	
STATE OF NEW YORK			
ADD ENGINEERS  SURVEYORS 411 Union Street Schenectady, N.Y. 12305 518-377-0355 fax 518-377-0379 www.addeng.com			
DATE: AUGUST 4, 2023	SCALE: 1" = 20'	DWG. 5553A-PPP4	SHEET 1 OF 1



TOWN OF NISKAYUNA

PLANNING BOARD AND ZONING COMMISSION

AGENDA STATEMENT

AGENDA ITEM NO. VIII. 4

MEETING DATE: 10/16/2023

ITEM TITLE: DISCUSSION: 3631 State St. – Metro Ford / Quicklane -- a site plan application for façade and signage changes to rebrand the site to “Ford Pro Elite”.

PROJECT LEAD: TBD

APPLICANT: Michael Roman

SUBMITTED BY: Michael Roman

REVIEWED BY:

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

ATTACHMENTS:

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

SUMMARY STATEMENT:

Mr. Roman submitted an application for façade and signage changes to rebrand the site as a Ford Pro Elite service facility. The building is currently a Quick Lane automobile service center.

In his application Mr. Roman describes the scope of the project as follows: “Renovation to existing one-story building which will include a new exterior façade. All work will be within the existing building footprint. Existing pylon sign to be converted to Ford Pro Elite sign, existing overall size to remain.”

COMPREHENSIVE PLAN

The proposed application complies with the Economic Development section, beginning on page 73, of the 2013 Niskayuna Comprehensive Plan.

BACKGROUND INFORMATION

The property is located in the C-H Commercial Highway zoning district. Automobile sales and service establishments, general automotive repair facilities, gasoline services stations and automobile laundries are special principal uses in the district.

The following drawings were provided with the application.

1. A 2-page set of elevation drawings entitled “Ford PRO Metro Ford” by Evview360” dated 5/25/23 with no subsequent revisions.

2. A 1-page drawing entitled “Building Elevations Metro Ford” by C2 Architecture, PC dated 9/22/23 with no subsequent revisions.
3. A 1-page slide of photographs showing the current signage entitled “Metro Ford Elite Commercial Services – Existing Photos” by C2 Architecture, PC dated 10/5/23 with no subsequent revisions.

Existing variances

Date Granted	Zoning Code Section	Description	Code Requirement	Variance	Total Approved
9/18/13	220-13, Sch I-E, Col 4	Maximum % coverage by buildings and structures....	30%	17.9%	47.9%
9/18/13	220-13, Sch I-E, Col 8	...there shall be a minimum of 25% of the total land area reserved as landscaped open space	25%	7.2%	17.8%

Previously approved façade signage

The following 4 signs were previously approved for the south façade (fronting State St.)

Sign No.	Name	Area (sq. ft.)
1	Hand Symbol	16.8
2	Quick Lane	29.1
3	Tire & Auto Center	3.9
4	Hours of Operation	15.0
Total		64.8

The 4 façade signs listed above were approved “as-is”, in that they were approved based on the size, color, design and location of each of the 4 signs as documented in the site plan drawings. The approval of the 4 façade signs is *NOT* a blanket approval for 4 signs of any size, color, design and location.

Proposed new signage

Article VIIIA Town Center Overlay District, Neighborhood Commercial, Highway Commercial Standards, Section 220-48.4 Signs E (9) Number of signs states: “A maximum of one façade sign per use is permitted, except that a use fronting on two streets may have one sign for each building front...”

Schedule I-D Column 7 Permitted Signs for the C-N zoning district states the following: “For all uses: For each linear foot of building frontage 1 square foot of sign area shall be permitted...Under no circumstances shall any 1 sign exceed 50 square feet.

Schedule I-E Column 7 Permitted Signs for the C-H zoning district states the following: “All uses: Same as C-N District regulations plus 1 freestanding sign limited in area to 1 sq. ft. for each linear foot of building, up to a maximum of 80 square feet. The uppermost part of such sign shall not be higher than 25 feet in height above the average grade at its location.”

Section 220-48.6 Application Procedures C Modifications and Waivers states the following: “The Planning Board may waive one or more of the specific requirements of this article upon a showing by the applicant that the regulation imposes an undue hardship due to such factors as existing conditions, site topography or site configuration. The Planning Board shall approve the minimum waiver necessary to allow the application to be approved. The applicant for any such waiver shall have the burden of showing that the proposed project with such waiver shall have a minimum negative effect on aesthetics and compatibility with neighborhood character.”

Façade signs

The application proposes 4 new signs on the south façade of the building. There is no signage proposed for the other 3 facades of the building. Note: The building has approximately 376 ft. of combined frontage on State St. and Central Ave.

Sign No.	Name - Proposed	Area (sq. ft.)	Name – Previously Approved	Area (sq. ft.)	Increase (sq. ft.)
1	Elite Commercial Service	84.0	Hand Symbol	16.8	
2	Metro Ford	9.3	Quick Lane	29.1	
3	Ford logo	35.1	Tire & Auto Center	3.9	
4	PRO	14.0	Hours of Operation	15.0	
Total		142.4		64.8	77.6

As proposed, the following waivers are required.

1. A waiver for 3 additional façade signs of the sizes and designs listed above on the south (State St.) façade is required.
2. A waiver of 34 sq. ft. ($84 - 50 = 34$) of sign area is required for Sign 1 – Elite Commercial Service since it exceeds the 50 sq. ft. limit for an individual sign.

Freestanding sign

Proposed new monument sign

A code compliant freestanding sign measuring 65.8 sq. ft. in area and 9 ft. in height is proposed.

Planning Office recommendation

In an attempt to identify the “minimum waiver necessary” as required in Section 220-48.6, above, the Planning Office evaluated combining signs 3 & 4, the Ford logo & “PRO” signs, respectively. This would reduce the number of façade signs from 4 to 3. However, as currently designed this results in a sign that exceeds the 50 sq. ft. maximum limit for a single sign as required per Schedule I-D Column 7, above. The Planning Office recommends granting the waivers listed above to approve the design as-is.

TOWN OF NISKAYUNA
Application for Site Plan Review

Applicant (Owner or Agent):

Name Michael Roman

Address 24 Airport Road
Schenectady NY 12302

Telephone 320-8250 Fax _____

Location:

Number & Street 3631 State St, Schenectady, NY 12304

Section-Block-Lot 60.19 - 2 - 2

Zoning District C-H

Proposal Description:

Renovation to existing one-story building which will include a new exterior facade. All work will be within the existing building footprint. (See attached proposed elevations and rendering.) Existing pylon sign to be converted to Ford Pro Elite sign, existing overall size to remain.

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: Michael A. Banta Date: 10/3/2023

Signature of owner (if different from applicant): DTW

Date: 10/3/23



Metro Ford

Date
05/25/2023

Issue
Project Status

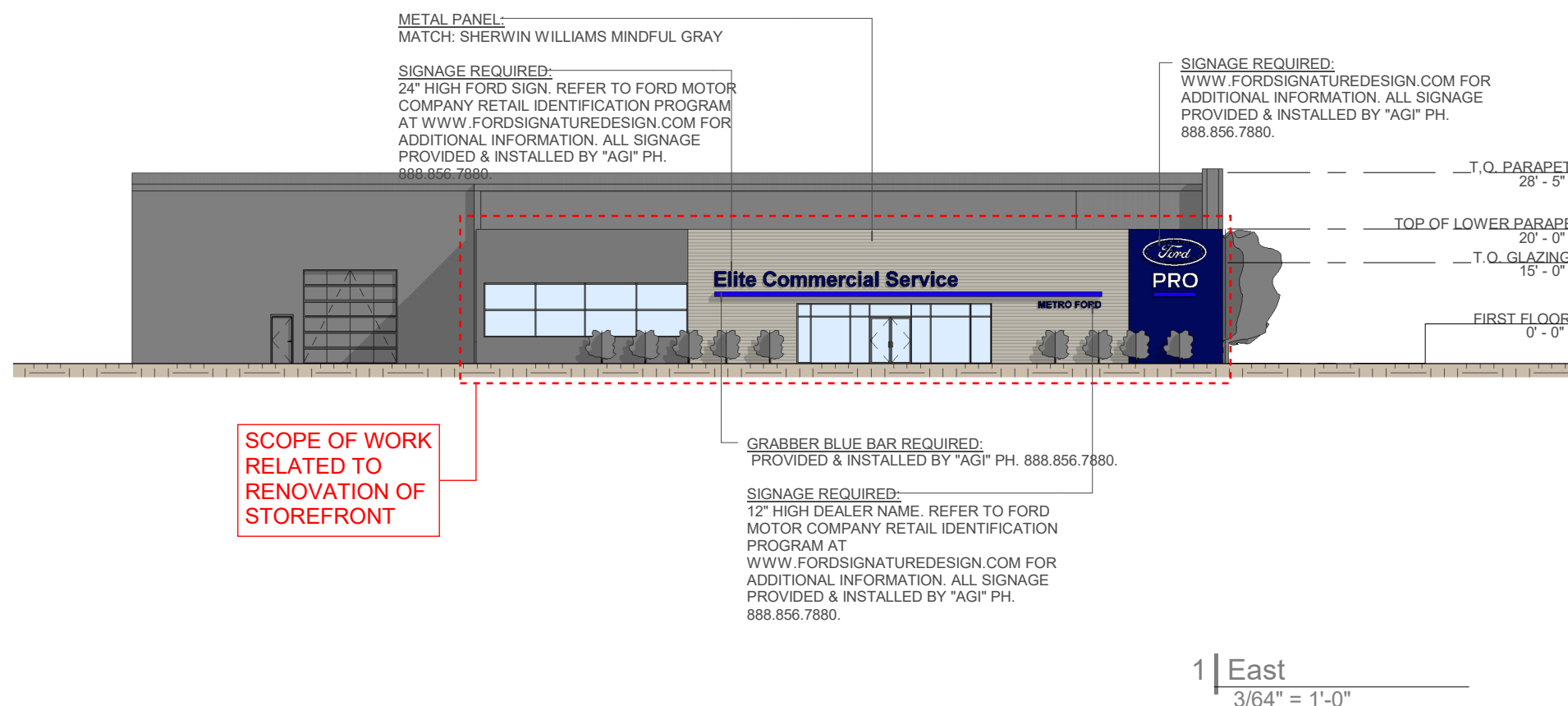
Project Address
Schenectady, NY

Scale 1/16" = 1'-0"
0 4 8 16 32

These drawings are for communication of design intent only. These drawings are not suited or intended for construction or fabrication.

Proposed - Entry
Elevation

A 601



Local Architect to verify in field all existing building conditions and identify any potential issues of concern with dealership facility design, if design is effected.

Architect shall coordinate all furniture power and installation requirements with furniture vendor.



Metro Ford

Date
05/25/2023

Issue
Project Status

Project Address
Schenectady, NY

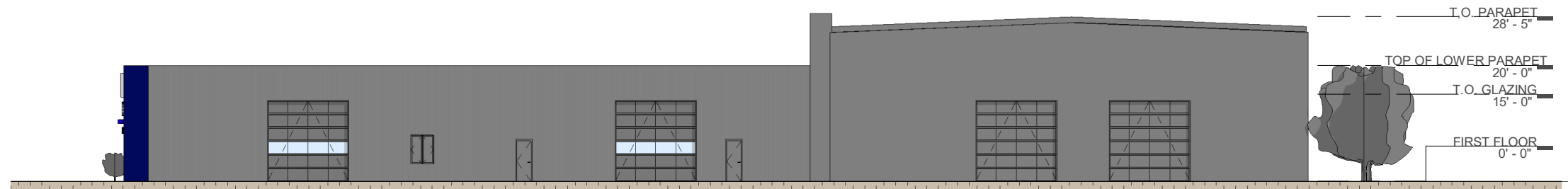
Scale 1/16" = 1'-0"
0 4 8 16 32

These drawings are for communication of design intent only. These drawings are not suited or intended for construction or fabrication.

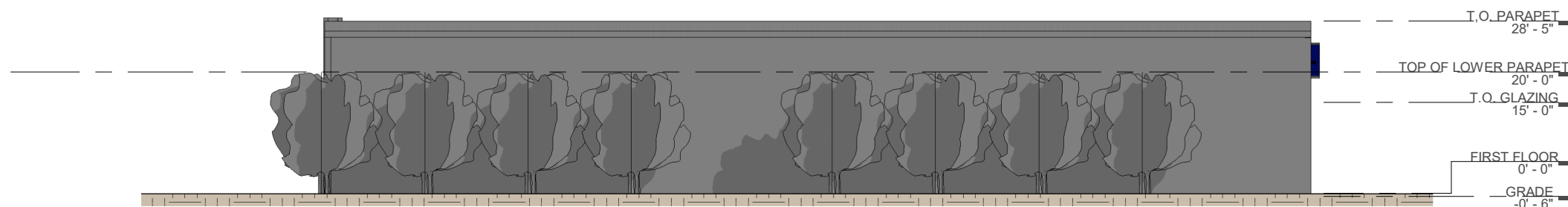
Proposed - Exterior Elevations

A 602

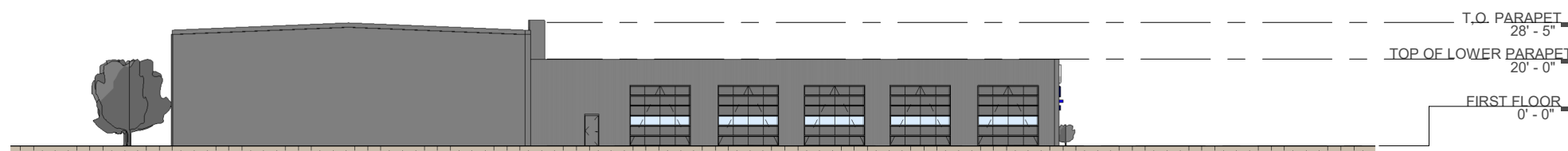
EVIEWS360



1 | North
3/64" = 1'-0"



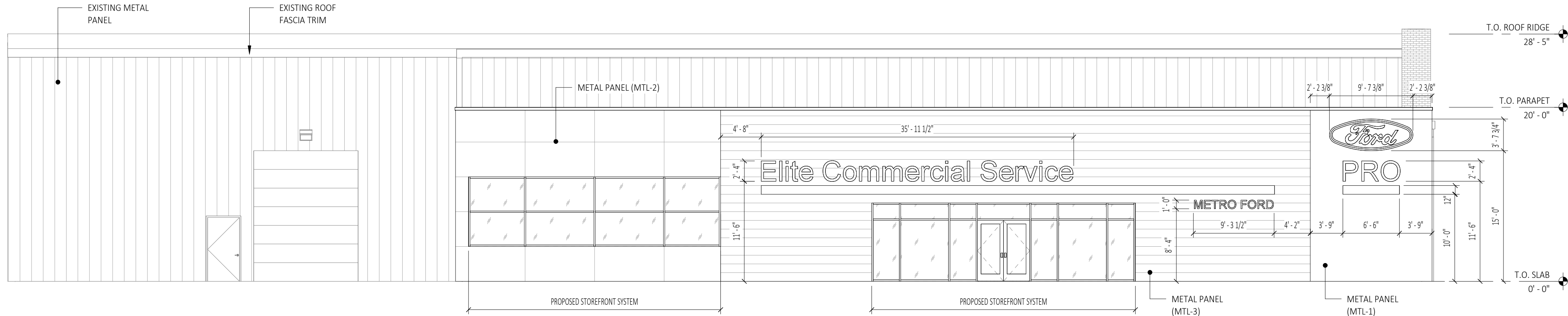
2 | West
3/64" = 1'-0"



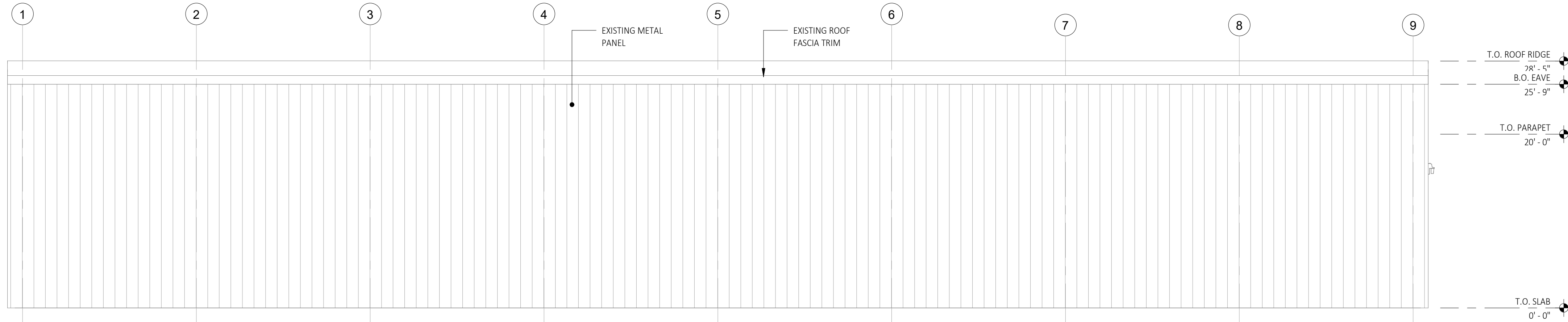
3 | South
1/32" = 1'-0"

Local Architect to verify in field all existing building conditions and identify any potenial issues of concern with dealership facility design, if design is effected.

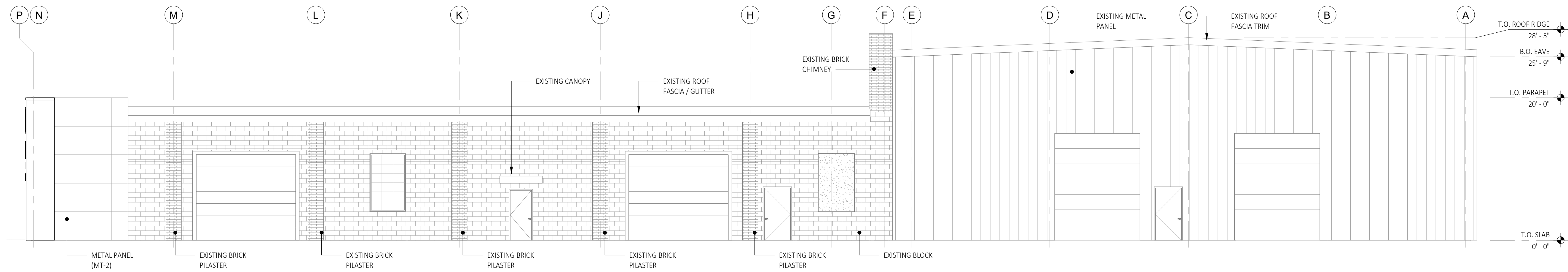
Architect shall coordinate all furniture power and installation requirements with furniture vendor.



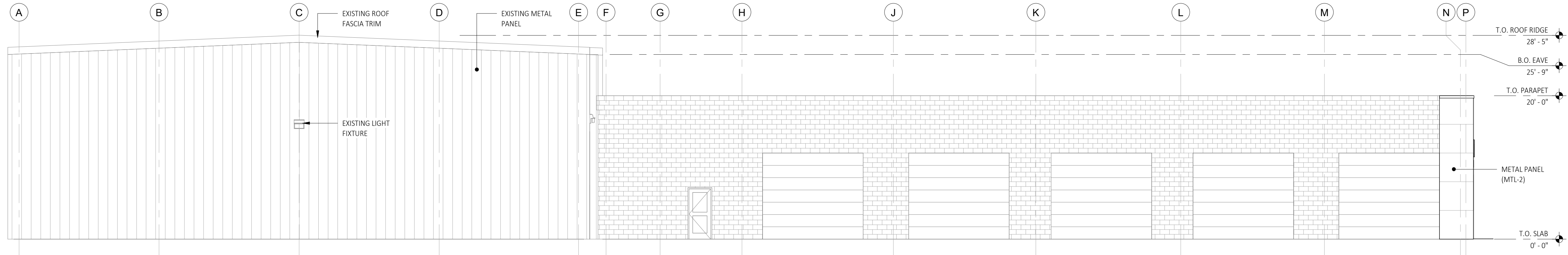
4 Front Building Elevation (State Street)
A200 SCALE: 1/8" = 1'-0"



3 Rear Building Elevation
A200 SCALE: 1/8" = 1'-0"



2 Side Building Elevation (Central Ave)
A200 SCALE: 1/8" = 1'-0"



1 Side Building Elevation (Parking Lot)
A200 SCALE: 1/8" = 1'-0"

STAMP:

Conceptual Design	DATE:
	SUBMITTAL / REVISION
No.	

Building Elevations	Renovations to: Metro Ford	3631 State Street Schenectady, NY 12304

DRAWN BY:	C2 Architecture
DATE:	09/22/2023
SCALE:	AS NOTED
JOB NO:	2318
SHEET:	A200

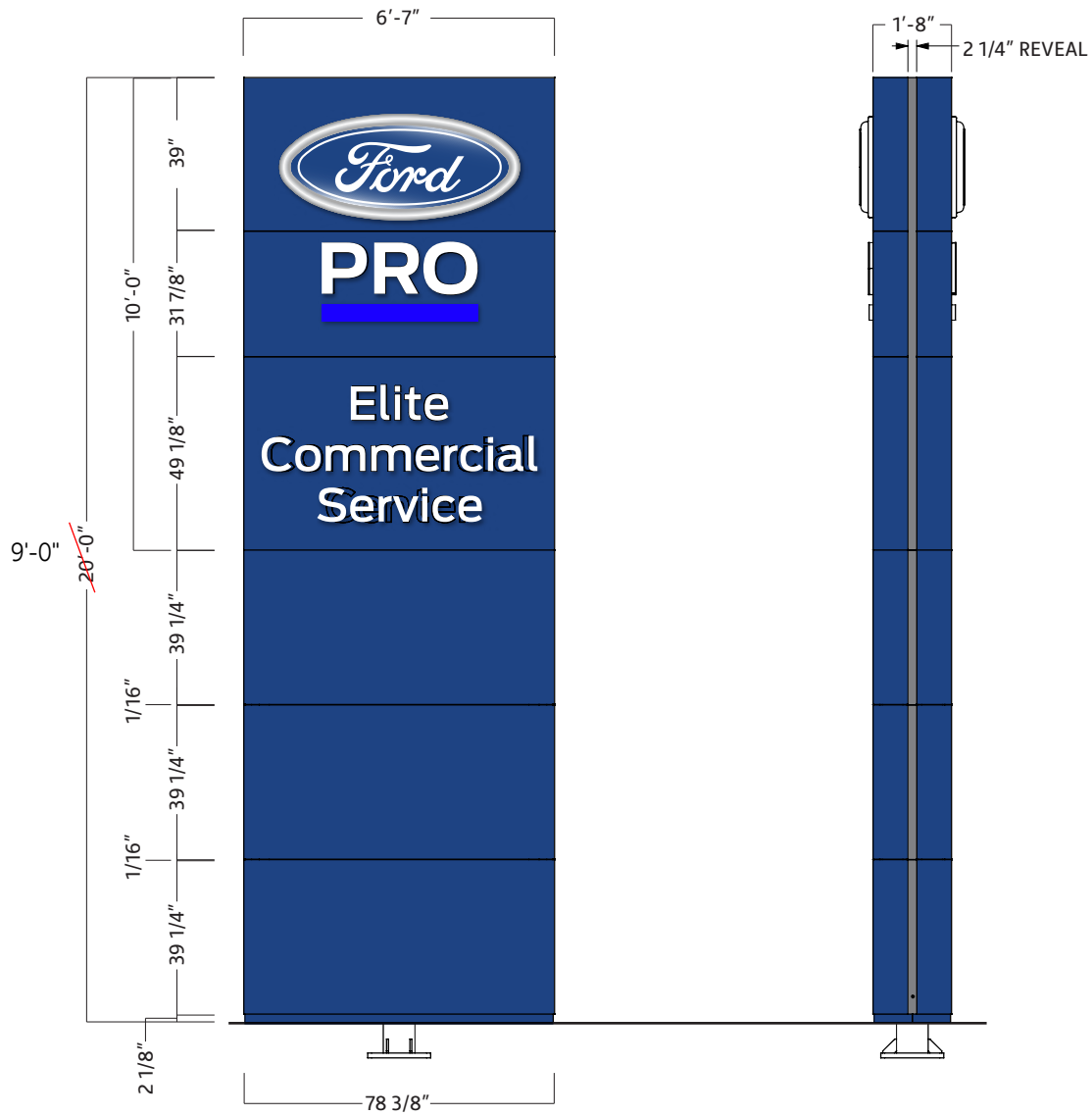


OCTOBER 5, 2023

EXISTING PHOTOS



PRO Pylon
"Elite Commercial Service"



Scale: 1/4"=1'

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TRUE DIMENSIONS MUST BE PROVIDED BY ENGINEERING PRIOR TO PRODUCTION.**