# TOWN OF NISKAYUNA Planning Board and Zoning Commission Agenda

# February 26, 2024 7:00 PM

#### REGULAR AGENDA MEETING

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES
  - 1. February 12, 2024
- IV. PUBLIC HEARINGS
  - 1. 2690 Balltown Rd. An Application for Site Plan Review for construction of a new building requiring a height variance (DAC Building)
- V. PRIVILEGE OF THE FLOOR
- VI. UNFINISHED BUSINESS
- VII. NEW BUSINESS
  - 1. RECOMMENDATION TO ZBA: 2690 Balltown Rd. A Recommendation to the ZBA for an Application for Site Plan Review for construction of a new (DAC) building requiring a 19 ft. height variance
  - 2. RESOLUTION: 2024-08: A Resolution for site plan approval for a tenant change to b.inspired a home, gift and garden shop at 2219 Nott St.

#### VIII. DISCUSSION ITEMS

1. 850 Oregon Ave. / 875 Stark Ave. - An application for lot line adjustment

#### IX. REPORTS

- 1. Project Submittal Timelines Update
- X. COMMISSION BUSINESS
- XI. ADJOURNMENT

NEXT MEETING: March 11, 2024 at 7 PM

To be Held in the Town Board Room & via Remote Software

1		TOWN OF NISKAYUNA
2	F	Planning and Zoning Commission
3		Hybrid Meeting
4		<b>Meeting Minutes</b>
5		February 12, 2024
6	<b>Members Present:</b>	Kevin Walsh, Chairman
7		Chris LaFlamme
8		Nancy Strang
9 10		Genghis Khan Sarah Bilofsky
11		David D'Arpino
12		Leslie Gold
13	Also in attendance	Alaina Finan, Town Attorney (virtual)
14		Laura Robertson, Town Planner
15		Clark Henry, Assistant Town Planner (virtual)
16		Trisha Bergami, Planning Department Secretary
17	I. CALL TO ORDER	
18	Chairman Walsh called the hybrid	rid meeting to order at 7:00 P.M.
19	II. ROLL CALL	
20	All members were present.	
21	III. APPROVAL OF MI	NUTES
22	1. January 22, 2024	
23	Mr. Khan made a motion to app	rove the minutes, seconded by Mr. LaFlamme.
24 25	All were in favor with one absteadopted.	ention from Ms. Bilofsky. Chairman Walsh stated the minutes were
26	IV. PUBLIC HEARINGS	S
27	No Public Hearings	
28	V. PRIVILEGE OF THE	FLOOR
29 30 31 32 33 34	of the Metroplex Authority, said the GE, Vernova project. Mr. starting with Niskayuna Comme & D and KAPL. He said this collectively bigger than Global	of Planning and Economic Development for Schenectady County and Chair of the wanted to thank Ms. Robertson for getting him the information about Gillen said this is one of the biggest innovation corridors in the region, erce Park then E One, on to Momentum's new headquarters and then GE R is triangle is one of the biggest employment and Tech corridors "it is Foundaries". Mr. Gillen said it is exciting news that GE is making an age green technology and doing it in Niskayuna.
36 37 38 39	on them in the Town center and reflected people involved in the	said she heard that the Town is going to put flags up with veteran's pictures if she would like to mention she thinks it would be nice if those flags also research, GE and the innovation that was just spoke about. Ms. Mesbahi special and specific to Niskayuna.

Chairman Walsh said hearing and seeing no one else, Privilege of the Floor was closed.

#### VI. UNFINISHED BUSINESS

42 No Unfinished Business.

#### VII. NEW BUSINESS

- 1. RESOLUTION: 2024-05: A Resolution for approval of Plat Plan Minor subdivision, for a 3-lot minor subdivision at 2890 River Road
- 46 Chairman Walsh read the following into the minutes:
- 47 RESOLVED, that this Planning Board and Zoning Commission does hereby grant minor subdivision 48 approval for a 3-Lot subdivision at tax map parcels 50.-1-7.1 and 51.9-2-1.1 as shown on the 49 aforementioned drawings by Engineering Ventures PC subject to the following conditions:
  - 1. In conjunction with recording the plat, the developer shall work with the Town Attorney to transfer the two areas labeled on the plat as Area 1 (+/- 83,453 SF) and Area 2 (+/- 3,592 SF), to be conveyed to the Town of Niskayuna. All conveyances shall be approved by the Town Attorney and filed in the Schenectady County recorder's office at the applicant's expense.
  - 2. Prior to recording the plat, a final letter of approval shall be received from the Town Designated Engineer (TDE) regarding all engineering and drainage aspects of the site plan.
  - 3. Prior to recording the plat, any engineering, sewer connection and drainage concerns will be addressed to the satisfaction of the Town Superintendent of Water, Sewer and Engineering.
  - 4. Prior to recording the plat, any minor textual changes to the subdivision map will be addressed to the satisfaction of the Town Planning Department.
  - 5. Prior to a final certificate occupancy for any of the single-family homes, a final tree planting plan shall be submitted to and approved by the Niskayuna Tree Council. The Planning Board requires that as many trees as possible, including unmarked trees and understory, be preserved during the building permit and construction process so that the forested nature of the land is maintained and:
    - a. Norway Maple (Acer Platanoides) is an invasive species in New York. Prior to recording the plat, it shall be substituted with Red Maple (Acer Rubrum) or Sycamore (Platanus occidentalis), or a similar native species, in the 10 locations noted on the subdivision
    - b. The applicant shall work with the Council to plant two additional trees in the public ROW to the northwest of the driveway.
  - 6. The limits of clearing on this subdivision shall be strictly adhered to during construction. To the maximum extent practicable the applicant shall retain as many of the site's healthy trees and native vegetation as possible.
  - 7. Prior to issuing a building permit, the new houses shall be referred to and reviewed by the Architectural Review Board.
  - 8. Prior to issuing a building permit, the applicant shall pay water and sewer trunk fees for the two new lots to the Town of \$2,000 for sewer (2 units x \$1,000 each unit) and \$2,000 for water (2 units x \$1,000 each unit).
  - 9. Prior to issuance of a building permit, the applicant shall participate in a preconstruction meeting with the Town of Niskayuna if so requested by the Planning or Building Department.
  - 10. Prior to site disturbance, the subdivision maps shall be modified to reflect agreed upon decisions of the preconstruction meeting, if any, and distributed as required to the Town and to all involved contractors. Final site plans shall be submitted to the Town labeled "for Construction."

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- 11. Prior to final certificate of occupancy for any new homes, the applicant shall sign a Storm Water Control Facility Maintenance Agreement and Access Easement, in order to ensure the proposed storm water facilities are installed and maintained per plans.
  - 12. In accordance with Chapter 180 of the Soil Erosion and Sediment Control Ordinance of the Town of Niskayuna, the applicant shall put in place soil erosion and sediment control measures sufficient to stabilize disturbed areas. These measures shall be satisfactory to the Superintendent of Water, Sewer, and Engineering and shall remain in place until such time as natural vegetation has been successfully established.
  - 13. Wetland boundaries shall be recorded and shown on any plot plan of a building lot containing wetlands. Wetlands may not be disturbed, drained or physically altered in any way without first contacting the Army Corps of Engineers.
  - 14. Additionally, the Town of Niskayuna requires that no land can be disturbed within a twenty-five (25) foot buffer from the boundary of the wetland. A split rail fence for the entire boundary or a split rail fence with a series of durable wetland buffer signage must be installed at said 25-foot buffer for each affected lot prior to issuance of a final certificate of occupancy. If the entire boundary cannot be a split rail fence due to specific circumstances within the forest, the final split rail fence and signage plan must be approved by the Planning and Building Department prior to installation.
  - 15. Should the garage floor elevation (GFE) for individual lots deviate by more than six inches from the elevations approved for construction by the Planning Board and Zoning Commission or the Building Department, then revised grading plans shall be submitted immediately to the Town's Engineering office for their review and approval.
- Mr. Khan made a motion to move the resolution for approval, Ms. Gold seconded.
- Mr. Khan said it is all in order and he is happy to see the conveyance of areas 1 and 2 to the Town. Mr.
- 106 Khan said all conditions were completed with the exception of number 14, the completion of the split rail
- 107 fence.
- Mr. Roman said he is not opposed to the split rail fence but he is asking to put the fence where it is depicted
- on the latest site drawing. Mr. Roman said the area they are not disturbing is very dense and it would be
- difficult to put the fence through the forest underbrush.
- Ms. Robertson said the reason they request the fence go through the entire parcel is to delineate where the
- buffer is. Future property owners could expand their backyards if there is nothing that delineates where the
- buffer starts.
- Mr. Roman stated he is not opposed to putting in the fence they are just requesting to put in 270 feet not
- the 840 feet. He stated they would be willing to do posts with signs on the dense area rather than the split
- 116 rail.
- There was extensive discussion between Board members and Mr. Roman on the split rail fence.
- Ms. Robertson said the fence to delineate the 25-foot buffer of the wetlands is a Niskayuna code not New
- 119 York State code.
- Mr. Khan said he is worried about setting a precedent being set if the split rail fence is not along the entre
- 121 buffer.
- Mr. D'Arpino asked if Niskayuna code calls for split rail fence.
- Ms. Robertson said the code does not require a split rail fence, that is a Planning Board choice, the code
- requires the buffer. The Planning Board has required it over the past 5 or 6 years because of encroachment
- issues that have occurred.

- Mr. D'Arpino said he supports the split rail on the 3 properties where it's possible. He said on the dense
- areas high quality posts with placards stating the wetlands is ok with him.
- 128 Chairman Walsh said to move this forward they could modify the condition to say split rail fence and or
- markers approved by the Building Department must be installed at the 25-foot buffer. Chairman Walsh
- said he would be in agreement with that.
- 131 Ms. Gold said she is not on board with the proposed changes to the language in the resolution.
- Mr. LaFlamme said he is on board and feels it will protect the under growth from being cut to put the fence
- 133 in
- Mr. Khan would like the language to state the preference was split rail fence but due to special
- circumstances of the land, the amount of disturbance and the density of the growth the Board would be
- willing to accept split rail fence and signage combo.
- Mr. Roman is in agreement with the additional wording, he stated it gives them the flexibility to address
- some of their concerns.
- 139 Chairman Walsh asked for a motion to modify condition number 14 as discussed and shown on the screen
- and discussed by the Board. Mr. Khan made a motion to amend condition number 14 as follows:
- 14. "Additionally, the Town of Niskayuna requires that no land can be disturbed within a twenty-five
- 142 (25) foot buffer from the boundary of the wetland. A split rail fence for the entire boundary or a split rail fence with a series of durable wetland buffer signage must be installed at said 25-foot
- buffer for each affected lot prior to issuance of a final certificate of occupancy. If the entire
- boundary cannot be a split rail fence due to specific circumstances within the forest, the final split
- rail fence and signage plan must be approved by the Planning and Building Department prior to
- installation."

- 149 Chairman Walsh said Mr. Khan made a motion to modify the amended resolution, it was seconded by Mr.
- LaFlamme. The amendment was approved by a vote of 6-1, with Ms. Gold voting no. Chairman Walsh
- stated they now had a modified resolution to act on.
- Hearing no further discussion, Chairman Walsh asked for roll to be called on the modified Resolution:
- 153 Mr. LaFlamme Aye
- 154 Ms. Strang Aye
- 155 Mr. Khan Aye
- 156 Ms. Bilofsky Aye
- 157 Mr. D'Arpino Aye
- 158 Ms. Gold Aye
- 159 Chairman Walsh Aye
- 160 Chairman Walsh stated the modified Resolution for 2890 River Road was approved.
- RESOLUTION: 2024-06: A Resolution for recognition of Planning Board member Michael
   Skrebutenas
- 163 Chairman Walsh read the ceremonial Resolution into the minutes:
- WHEREAS, Michael Skrebutenas was appointed to the Planning and Zoning Commission by the
- Niskayuna Town Board on June 25, 2013 and served continuously as a Planning Board member for over
- 166 10 years; and
- 167 WHEREAS, Mr. Skrebutenas has dedicated himself to driving good housing development policy and
- 168 practice, serving as Deputy Commission/President for the New York State Housing and Community
- Renewal office, Deputy Secretary for Economic Development and Housing in the Governor's Office,

- 170 Senior Vice President and Regional Director of Community Preservation at the Community Preservation
- 171 Corporation (CPC) and most recently becoming Senior Vice President of housing at the Local Initiatives
- 172 Support Corporation (LISC); and
- WHEREAS, Mr. Skrebutenas worked on a range of policy and programmatic opportunities to fuel housing
- development in underserved communities, working to help families facing pressure from evictions, racial
- discrimination, health and economic crisis; and
- WHEREAS, Mr. Skrebutenas brought his passion and professional knowledge to each and every Town of
- Niskayuna Planning Board meeting, ensuring development proposals had the proper financing to make it
- to the finish line and asking the hard questions about affordable housing and equity in the Town of
- 179 Niskayuna; and
- 180 WHEREAS, Mr. Skrebutenas reviewed each Planning Board packet to ensure projects took into account
- the needs of the surrounding neighborhoods and the greater good of the Town, and he excelled at
- 182 comprehensively thinking about projects and identifying potential impacts for the Board to address; and
- WHEREAS, Mr. Skrebutenas, in his capacity as a Planning Board member, treated residents and applicants
- with kindness and respect and demonstrated the kind of excellence in service to the public that the Town
- of Niskayuna strives for; and
- WHEREAS, Mr. Skrebutenas served the people of the Town of Niskayuna with honor and distinction, and
- 187 his knowledge and deep understanding of affordable housing and development financing will be greatly
- 188 missed.
- 189 NOW, THEREFORE, be it
- 190 RESOLVED, that the Planning Board and Zoning Commission of the Town of Niskayuna offers its
- 191 personal and official thanks and appreciation to MICHAEL SKREBUTENAS, and it does so publicly to
- 192 commend him for his excellent service.
- 193 Chairman Walsh moved the resolution for adoption it was seconded by D'Arpino.
- Ms. Gold said she appreciated the experience he brought with renewable and affordable housing, his
- analytical nature and his consummate professionalism to all.
- Mr. D'Arpino said he was a pleasure to work with and the perspective he brought to the projects was
- unparalleled on some levels. He also said he will be missed.
- 198 Chairman Walsh asked for roll to be called:
- 199 Mr. LaFlamme Aye
- 200 Ms. Strang Aye
- 201 Mr. Khan Aye
- 202 Ms. Bilofsky Aye
- 203 Mr. D'Arpino Aye
- 204 Ms. Gold Aye
- 205 Chairman Walsh Aye
- Chairman Walsh said the resolution was approved and said thank you to Mr. Skrebutenas for his service to the Town.
- RESOLUTION: 2024-07: A Resolution for recognition of Planning Board member Patrick
   McPartlon
- 210 Chairman Walsh read the ceremonial Resolution into the minutes:

- 211 WHEREAS, Patrick McPartlon was appointed as an alternate to the Zoning Board of Appeals by the
- Niskayuna Town Board on May 26, 2015 and quickly moved to a full-time member of the Board on March
- 22, 2016, serving continuously for over 2 years; and
- 214 WHEREAS, during his time on the Zoning Board, Mr. McPartlon expertly balanced the responsibilities of
- the Zoning Board with the appeal requests of residents of the Town of Niskayuna, and his ability to clarify
- the issues and find compromises with homeowners helped bring difficult and complicated appeal cases to
- fair conclusions; and
- 218 WHEREAS, Patrick McPartlon was appointed to the Planning Board on August 22, 2017, bringing with
- 219 him his knowledge of the Zoning Code and his understanding of the effect that Planning can have on
- occupants of the future homes, where he served continuously for over 6 years; and
- WHEREAS, Patrick McPartlon professionally serves as the Director of Finance at Kingsway Community,
- and he brought his passion for serving others to each and every Zoning Board and Planning Board meeting,
- 223 thoroughly reviewing the projects to ensure the most public benefit to the surrounding community and the
- least disruption to adjacent neighbors; and
- WHEREAS, Mr. McPartlon's attention to detail ensured projects took into account the needs of community
- stakeholders and the greater good of the Town, and he excelled at identifying potential impacts for the
- Board to address and asking questions that led to a better overall project; and
- WHEREAS, Mr. McPartlon was never afraid of a challenge and often volunteered to be project lead on the
- 229 most difficult projects with a lot of public scrutiny, where he would bring his attention to detail and hard
- work ethic to bear to bring each project to a fair conclusion; and
- WHEREAS, Mr. McPartlon, in his capacity as a Planning Board member, treated residents and applicants
- with kindness and respect and demonstrated the kind of excellence in service to the public that the Town
- of Niskayuna strives for; and
- WHEREAS, Mr. McPartlon served the people of the Town of Niskayuna with honor and distinction, and
- his knowledge and deep understanding of the Zoning Code and Planning issues will be greatly missed.
- NOW, THEREFORE, be it
- 237 RESOLVED, that the Planning Board and Zoning Commission of the Town of Niskayuna offers its
- 238 personal and official thanks and appreciation to PATRICK MCPARTLON and it does so publicly to
- 239 commend him for his excellent service.
- 240 Chairman Walsh moved the Resolution for approval, it was seconded by Mr. Khan.
- Mr. Khan said a key part of Mr. McPartlon was his attention to detail. He represented the perfect balance
- of advocacy for an applicant and abiding by the town code and Comprehensive Plan. His effectiveness was
- 243 his attention to detail and his concern and care for the applicant.
- Mr. D'Arpino said he enjoyed working with Mr. McPartlon. Mr. D'Arpino said he never backed down
- from the bigger projects and he was always well informed and very professional.
- 246 Chairman Walsh asked for roll to be called:
- 247 Mr. LaFlamme Aye
- 248 Ms. Strang Aye
- 249 Mr. Khan Aye
- 250 Ms. Bilofsky Aye
- 251 Mr. D'Arpino Aye
- 252 Ms. Gold Present
- 253 Chairman Walsh Aye
- 254 Chairman Walsh stated the Resolution was approved.

#### VIII. DISCUSSION ITEMS

- 1. 2690 Balltown Rd. GE Vernova -- An application for Site Plan Review for construction of a new building requiring a height variance (DAC Building)
- 258 Mr. Khan recused himself from this discussion item.
- Mr. Charles Dumas, Attorney for GE Vernova, said he had with him Mr. Peter Lilholt from CT Male and Mr. Platt from GE Vernova. Mr. Dumas said the building is going to be used for Direct Air Capture which means legacy carbon is removed from the atmosphere and sequestered and used at other times and for other applications. Mr. Dumas said this building is going to be a show piece. Mr. Dumas said there is a 650 square foot area that has a vestigial stone foundation. Mr. Dumas pointed out a small square easement to the DEC for a foundation to the west of the proposed building and stated at a point in time the entire GRC
- was subject to an Environmental DEC order prohibiting certain development which has been modified and
- this is the only area that remains. The only reason it was a concern is that there might be some pollution remaining but they have done soils tests and there is presently pending before the DEC a request to have
- this last area removed and to allow final remediation of the site and removal of the foundation.
- Mr. Dumas said the reason for the height variance is that there is a bridge crane that spans the area of the
- building that moves things beneath it within the building. The area above the crane is the motor and above
- that is super structure. Mr. Dumas said that the 19-foot variance making this building 54 feet is 10 feet less
- than already existing buildings on site. Mr. Dumas stated that the building will not be visible from Balltown
- 273 Road, River Road, the bike path or any residence.
- 274 Chairman Walsh requested some visuals to show the height of the building. Chairman Walsh said Ms.
- 275 Robertson will send this to the Fire Department to make sure they have capability for a building this height.
- 276 Chairman Walsh asked for a show of hands for a public hearing at the February 26 Planning Board meeting.
- 277 All were in favor. Chairman Walsh said they will be prepared to take action regarding their
- 278 recommendation to the Zoning Board of Appeals regarding the height variance. Chairman Walsh also said
- assuming they hear no surprises from the public they can call for a tentative resolution for the March 11
- meeting with the condition of approval of the height variance from the ZBA.
- Mr. D'Arpino said he would be interested in being the project lead.
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   2219 Nott St. A Application for Site Plan Review for a tenant change to b.inspired a
   home, gift and garden shop
- Ms. Brenner, the potential tenant for this property, said she is the owner of b.inspired home.
- Mr. Mesbahi owner of 2219 Nott St said the previous tenant was a nail salon but has been shut down for
- years. Mr. Mesbahi said he initially planned on opening a café in the space when he purchased the building
- but then changed his mind. He said Ms. Brenner needed a space. Mr. Mesbahi said he cleaned and painted
- the space for Ms. Brenner to move her business into the space.
- 289 Chairman Walsh said the business is suitable for the space his only question would be about parking.
- 290 Mr. Henry said all the analysis done previously on parking included this space as occupied.
- Ms. Robertson said the parking lot across the street is privately owned which means the Planning Board
- 292 cannot approve any use of it and any discussions for staff parking in that lot need to be had with the
- Niskayuna Co-Op. Ms. Robertson said Ms. Brenner can make arrangements with the Co-Op to use the
- parking lot if they are inclined to allow her to use it.
- Mr. LaFlamme asked if the façade at the Nott Street location would be similar to the one on Union Street.
- Ms. Brenner said she will use what is there for now and leave any upgrades to Mr. Mesbahi and his
- 297 discretion.

- 298 Mr. Mesbahi said there will be beautification done to the façade but he first is trying to figure out the incline
- in front of his building. He stated he definitely plans to beautify the front of the building.
- 300 Ms. Robertson said Ms. Brenner submitted her building application concurrently with this and she is
- 301 comfortable recommending based on the parking analysis a tentative resolution at the next Planning Board
- 302 meeting.
- 303 Chairman Walsh agreed and added that any façade changes or awnings need to come before the Planning
- Board. Ms. Robertson stated the façade signs on the window will require a waiver from the Planning Board.
- Ms. Brenner stated she is not planning to install a true façade sign just the painting shown on the glass.
- 306 Ms. Gomes asked if another business would be going into the other space.
- 307 Mr. Mesbahi said not at this time but if anything were to move in there it would be a gallery.
- 308 Mr. Khan recused himself from this topic due to an emotional connection.
- 309 Chairman Walsh said they will have a resolution for a change of tenant at the next meeting on February 26.
- 31. 3. 2501 Troy- Schenectady Rd. CDJHM An application for Site Plan approval
- 311 Ms. Strang recused herself from this item.
- Mr. Dembling gave a presentation of the status of the memorial and said he is asking for another extension
- 313 to continue to raise the money for the project. Mr. Dembling said he feels two years is not going to be
- enough time to raise the money. He stated he would like to request a longer extension. Mr. Dembling said
- 315 the memorial will be used as a learning center to educate people on the Holocaust.
- 316 Ms. Robertson said the site plan currently doesn't expire until November 2024. Ms. Robertson said if the
- 317 attorney reviews the code and agrees with her interpretation, the Board may be able to grant a longer
- 318 extension if needed. She said Mr. Dembling has already given his presentation and she feels it should not
- be a problem to approve a longer extension based on the education plans and the things that were presented
- 320 Mr. Khan said the main concern is that the project is not started until the money is there to pay for the entire
- 321 project to be completed. Mr. Khan asked if at some point after several extensions, do they have to start
- 322 over from the beginning.
- 323 Ms. Robertson said there doesn't appear to be an overall time limit provided the extensions are valid.
- Mr. LaFlamme said he wouldn't mind them coming back in two years and giving an update, he also is not
- opposed to giving a longer extension than two years.
- 326 Chairman Walsh said the next step would be Ms. Robertson would need to consult with the Legal
- 327 Department to get confirmation of extension time allowed. Mr. Dembling should come back to the Board
- with a summary of the amount of time he thinks he would need, and the Board can go from there. Chairman
- Walsh thanked Mr. Dembling for his presentation and said they would see him again soon once they worked
- out the timelines.
- 4. 2475 Brookshire Dr. Tall Oaks Apartments -- An application for Site Plan Review for a
- 332 monument (directory) sign
- 333 Mr. Wheeler is virtually representing Tall Oaks Apartments. Mr. Wheeler said the sign is basically a 4' x
- 4' (16 sf) map sign so visitors can check the sign to find the building they are looking for.
- Chairman Walsh said the Planning Department took a look at it and since it is interior and not on a public
- roadway it did not seem like a concern.
- 337 Mr. Henry said this is a directory sign not a directional sign.
- 338 Ms. Robertson said this will need a waiver from the Planning Board.

- Ms. Gold asked why the location was chosen. Mr. Wheeler said the land owner thought it was a central
- location and it made sense to them.
- 341 Ms. Robertson said she likes the sign but thinks the location would not helpful to people coming there. It is
- in the grass between two rows of parking and would not assist with deliveries or people finding buildings
- in the location that is shown.
- Mr. Khan agreed with Ms. Robertson and asked why it wouldn't be placed near the office. Mr. Wheeler
- said he can go back and ask the land owner if there is a better spot to put the sign but he thinks that the
- complex is big enough that there could even be 3 signs.
- Ms. Gomes asked how accessible is the location for people of all abilities. Mr. Wheeler said they would
- 348 look into that.
- Chairman Walsh summarized that they are good with the reason for the sign but they are challenging the
- location. Ms. Strang feels one sign is not enough. Mr. Khan said maybe the sign should be on Brookshire
- being as that is how the address is listed.
- 352 Chairman Walsh asked Mr. Wheeler to review the Board's concerns with the Tall Oaks people and clarify
- 353 the best location and return to the Board with some different options.
- 354 IX. REPORTS
  - Project Submittal Timelines Update
- 356 Ms. Robertson said she will have this ready for next meeting and will put together an agenda statement.
- 357 Chairman Walsh asked Mr. D'Arpino if he still is available to be project lead.
- 358 Mr. D'Arpino said yes.
- 359 X. COMMISSION BUSINESS
- 360 None

- 361 XI. ADJOURNMENT
- 362 Mr. LaFlamme made a motion to adjourn, Ms. Bilofsky Seconded. All in favor, the meeting was adjourned
- 363 at 9:30 pm.
- The video recording for this meeting can be found at: <a href="https://www.youtube.com/watch?v=amzQWKOHKMc&list">https://www.youtube.com/watch?v=amzQWKOHKMc&list</a>



# **TOWN OF NISKAYUNA**

#### PLANNING BOARD AND ZONING COMMISSION

#### **AGENDA STATEMENT**

AGENDA ITEM NO. IV. 1	MEETING DATE: 2/26/2024
ITEM TITLE: PUBLIC HEARING: An Application for Site Plan Robuilding requiring a height variance.	eview for construction of a new
PROJECT LEAD: David D'Arpino	
APPLICANT: Corrie Whalen	
SUBMITTED BY: Laura Robertson	
REVIEWED BY:  ☐ Conservation Advisory Council (CAC) ☐ Zoning Board of App ☐ OTHER: ARB	peals (ZBA) □ Town Board
ATTACHMENTS:  ☐ Resolution ■ Site Plan ☐ Map ☐ Report ■ Other: Public He	earing

#### **SUMMARY STATEMENT:**

Corrie Whalen submitted an application for site plan review for the construction of a new building requiring a height variance on the recently established GE Vernova lot at 2690 Balltown Rd. The property is located within the I-R Research & Development zoning district.

The following documents were included with the site plan application.

- 1. A 12-page site plan drawing entitled "GE RELC DAC Building 2690 Balltown Rd." by C.T. Male Associates dated "Progress Set 1/4/24."
- 2. A 15-page set of "civil drawings" entitled "GE RELC DAC Building 2690 Balltown Rd." by C.T. Male Associates dated "Issued For Town Permitting 02/06/2024."
- 3. A Short Form EAF signed by Corrie Whalen dated 1/12/24
- 4. A 203-page Stormwater Pollution Prevention Plan (SWPPP) entitled "GE RELC DAC Building 2690 Balltown Rd." by C.T. Male Associates dated 1/19/24.
- 5. A soil survey aerial image
- 6. A photo rendering of the exterior image

#### BACKGROUND INFORMATION

The Public Hearing Notice is attached. The Planning Board will receive and weigh feedback at the Public Hearing and consider acting on a tentative resolution for plat plan approval.



# NOTICE OF PUBLIC HEARING

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

NOTICE IS HEREBY GIVEN that pursuant to the Code of the Town of Niskayuna, New York and the applicable provisions of the Town Law of the State of New York, a public hearing will be held by the Planning Board and Zoning Commission of the Town of Niskayuna in the Town Board Meeting Room at One Niskayuna Circle on the twenty-sixth (26<sup>TH</sup>) day of February 2024 at 7:00 p.m. to consider an application from Corrie Whalen (agent for GE Vernova) at 2690 Balltown Road, for construction of a new building requiring a height variance in the Town of Niskayuna (Tax Parcel ID#40.00-1-45.31). The property is located within the I-R Research & Development zoning district.

A copy of the Application for Site Plan Review will be available for inspection at the Planning Department in the Niskayuna Town Hall and can be viewed at <a href="https://www.niskayuna.org/pbnotices">https://www.niskayuna.org/pbnotices</a> under the "Public Hearings" tab and will be shown electronically during the public hearing.

If you wish to express an opinion regarding the public hearing you may do so at the above-mentioned time and place. If you cannot be present, you may request a virtual login to the meeting by emailing <a href="mailto:lrobertson@niskayuna.org">lrobertson@niskayuna.org</a> or calling 518-386-4531 or you may set forth your opinion in a letter which will be made part of the permanent record. Please note there is a five (5) minute time limit for each speaker at the public hearing and submitted letters will not be read out loud at the public hearing, but such letters will be included in the minutes and added to the record.

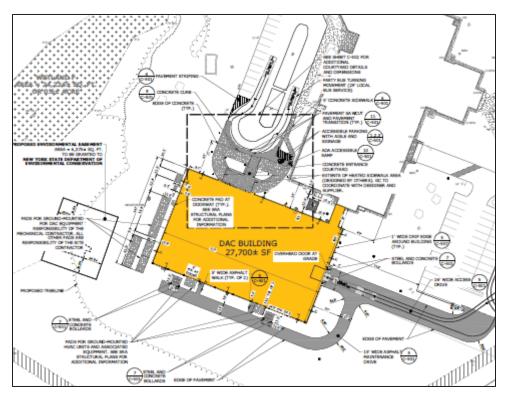
The Planning Board and Zoning Commission of the Town of Niskayuna will hear all persons interested during the aforementioned public hearing.

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

KEVIN A. WALSH Chairman, Planning Board and Zoning Commission

# 2690 Balltown Road: GE Vernova DAC Building





This applicant, Corrie Whalen / GE Vernova, proposes to construct a new 54 ft. high building requiring a 19 ft. height variance. The building will be for used industry leading pilot run scale demonstration of a clean energy process called Direct Air Capture (DAC).



# **TOWN OF NISKAYUNA**

#### PLANNING BOARD AND ZONING COMMISSION

#### **AGENDA STATEMENT**

AGENDA ITEM NO. VII. 1	MEETING DATE: 2/26/2024
ITEM TITLE: RECOMMENDATION: A Recommendation of for a new 27,700 sq. ft. high bay DAC building requiring a at 2690 Balltown Rd.	
PROJECT LEAD: David D'Arpino	
APPLICANT: Corrie Whalen	
SUBMITTED BY: Corrie Whalen	
REVIEWED BY:  ■ Conservation Advisory Council (CAC) □ Zoning Board □ OTHER:	of Appeals (ZBA) $\square$ Town Board
ATTACHMENTS: □ Resolution ■ Site Plan □ Map □ Report ■ Other: Pu	blic Hearing

#### **SUMMARY STATEMENT:**

Corrie Whalen submitted an application for site plan review for the construction of a new building requiring a height variance on the recently established GE Vernova lot at 2690 Balltown. This site was formerly known as the GE Training building.

The property is located within the I-R Research & Development zoning district. Research, experimental and testing laboratories are permitted principal uses in the district.

Mr. Charles Dumas, agent for GE Vernova, presented the proposed project to the Planning Board at their 2/12/24 meeting. The Board asked Mr. Dumas for additional information regarding parking spaces and the visibility of the building from public vantage points and called for a public hearing for the 2/26/24 meeting. The requested materials have been provided and a public hearing was held earlier this evening.

#### **COMPREHENSIVE PLAN**

The Economic Development section of the 2013 Comprehensive Development Plan (Comp. Plan) includes the following.

2. Issue: Present Zoning Classification I-R Research & Development as a Limit to Economic Growth

Page 74 of the Comp. Plan states, "In the previous decade, no new research and development facilities have located within the Town of Niskayuna. In 2001 The SI Group, formerly known as Schenectady International, expanded to locate its corporate headquarters in Niskayuna, Environment One received approval to construct a 40,000 sq. ft. addition to the existing facility

and in 2002 G.E. Global Research (formerly G.E. R & D) received approval for a multi-million-dollar expansion." The section goes on to state, "The Town may wish to investigate broader economic development opportunities and not limit itself to the niche opportunity of research and development facilities."

Reasonable expansion of an existing research and development site that serves to further solidify that entity as an economic stronghold in the community is consistent with the Comp Plan.

#### **BACKGROUND INFORMATION**

The following documents were included with the site plan application.

- 1. A 12-page site plan drawing entitled "GE RELC DAC Building 2690 Balltown Rd." by C.T. Male Associates dated "Progress Set 1/4/24."
- 2. A 15-page set of "civil drawings" entitled "GE RELC DAC Building 2690 Balltown Rd." by C.T. Male Associates dated "Issued For Town Permitting 02/06/2024."
- 3. A Short Form EAF signed by Corrie Whalen dated 1/12/24
- 4. A 203-page Stormwater Pollution Prevention Plan (SWPPP) entitled "GE RELC DAC Building 2690 Balltown Rd." by C.T. Male Associates dated 1/19/24.
- 5. A soil survey aerial image
- 6. A photo rendering of the exterior image

The General Electric Company is dividing into three (3) unique companies: Healthcare, Aerospace and Energy (GE Vernova). In an effort to support the three (3) companies and allocate operating costs proportionally, the GE Global Research Center divided into 2-Lots, approved by the PB via Resolution 2023-27 on 11/27/23. The northern most lot will be owned and operated by GE Vernova (beginning in approximately April). The aforementioned site plan application is to construct a new 27,700 sq. ft. and 54 ft. tall building on the northern site.

The Planning Office and Mr. Charles Dumas, agent for GE Vernova, established a draft project sequence of required events and the project has begun review at the CAC and Tree Council.

<u>1/30/24</u> – Details of the proposed project were circulated to Niskayuna Fire District No. 1 for comment.

<u>2/6/24</u> -- A Zoning Coordination Referral was sent to the Schenectady County Dept. of Economic Development & Planning.

<u>2/7/24</u> Conservation Advisory Council (CAC) meeting — Charles Dumas, agent for GE Vernova, Karl Platt, of GE Vernova, and Peter Lilholt, of C.T. Male Associates attended the meeting and collaboratively presented the project. Mr. Dumas explained that DAC is an acronym for "direct air capture", a process for removing and storing carbon dioxide from the atmosphere. He explained that the process has been proven on a smaller (1X) scale basis and the purpose of the proposed building is to demonstrate that the process may be scaled up to a larger (10X) scale. Demonstrating the technology on this larger scale supports their goal of establishing regional DAC centers beginning with a pilot location in Houston, TX.

A discussion ensued that included the following relevant details of the project.

- The building will be mostly laboratory space
- The building will be approximately 2,200' from Balltown Rd.
- Approximately 12 people will be added bringing the total staffing on site to approximately 112
- 1,200 amps of electrical will be provided
- No wastewater will be discharged
- Stormwater management bioretention pond is included with a discharge point to the southeast corner of the site
- The GE Vernova site currently contains 330 parking spaces
  - o Based on 1 space / 300 sf of building area approximately 420 spaces are required
  - o Mr. Dumas stated that they are confident the current number of parking spaces is adequate so they will demonstrate that they could add 90 additional spaces to the site if needed but will be requesting a waiver for the additional spaces from the PB.
- The CAC raised the following concerns which the GE Vernova team agreed to examine
  - Bird strikes associated with the large glass frontage on one side of the building investigate reflective glass that prevents bird strikes
  - View of the proposed building from the bike path & all public vantage points asked for renderings
  - Requested attempting a net-zero energy design, including the inclusion of Solar panels on the roof or ground mounted onsite
  - Level of noise emanating from the HVAC units would it disturb wildlife or bike path users

<u>2/8/2024 Tree Council (TC) Meeting</u> – The Tree Council reviewed the proposed limits of clearing and had the following questions and comments:

- 1. There are only 4 trees in the proposed planting plan. More trees need to be planted to replace what was removed TC suggested rows along sidewalks and roadways
- 2. TC asked what was the large white area surrounded by lawn that is not labeled lawn. Is this meant to be a biodiversity field?
- 3. The TC remembered when the existing stormwater areas outflow would overflow and the overflow water went down to the bike path. There was a lot of erosion and damage to trees from this. They wanted to know where the overflow for the new basin was going and if the old basin had been fixed.
- 4. For the planting plan they suggested that the blue gramma be changed to little bluestem (more native to NY), or Indian grass or switch grass. They also requested more biodiversity in the perennials. For instance, instead of having 250 gayfeathers, have 75 gayfeathers, 75 coneflowers, 50 black eyed Susan's and 50 salvias, for instance. Also spreading out the blooming time of the different species benefits the pollinators.
- 5. For the area being cleared the Tree Council requested either a walk-through of the site or a map showing how many trees of significance (over 10" in diameter) will be cleared.

<u>2/12/24 Planning Board (PB) meeting</u> – Mr. Khan recused himself from this portion of the meeting. Charles Dumas spoke on behalf of GE Vernova and summarized the project for the Board. He

repeated the description of the project that he gave to the CAC. He explained that DAC is an acronym for Direct Air Capture, a process by which carbon dioxide (CO<sub>2</sub>) is removed from the air and sequestered for future use. He stated that the work that will be performed in the proposed DAC building is in support of a larger pilot project that is planned in Houston, TX. Mr. Dumas also explained that similar projects are being performed in Florida and Colorado.

Mr. Dumas stated that he will be asking the Board for a parking space waiver. He supported his request by noting that the Niskayuna zoning code states the following for the minimum required off-street parking spaces the I-R zoning district, "2 spaces for each 3 employees or 1 space for each 300 square feet of floor area, whichever is greater." He stated that the existing Learning Center is 50% lab space and basing parking on the floor area will result in an unnecessary increase in the amount of impervious area for the purpose of adding parking spaces. The Planning Board and Planning Office noted that they conceptually supported his request for a parking space waiver. They informed Mr. Dumas that the site plan should show that the additional required parking spaces required to comply with the zoning code could be added if required. A general discussion regarding the proposed building ensued.

Chairman Walsh summarized the discussion by listing the following action items.

- Consider the CAC requests
- Show the required "banked" parking spaces on the site plan drawing
- Include visual line of sight renderings from public access points

The Board then approved a vote to call for a public hearing for the 2/26/24 PB meeting.

2/12/24 – Mr. Dumas provided the Building and Planning Office with an application and supporting documents to appear before the ZBA. The following documents are included in the application package.

- 1. A completed Zoning Board of Appeals application dated 2/12/24 and signed by Charles B. Dumas and Christal Henderson
- 2. An Architect's exterior rendering of the proposed DAC building (filename 2024-01-08 DAC Building Exterior (007306331xC66EC).jpg
- 3. A 1-page site location plan entitled, "Progress Print Overall Site Location Print GE RELC-DAC Building" by C.T. Male Associates dated 2/8/24 with no subsequent revision.
- 4. A 1-page building elevation drawing entitled, "GE Vernova DAC Building Exterior Elevations" by Re4orm Architecture dated 1/19/24 with no subsequent revisions.
- 5. A 1-page cross section drawing entitled, "GE Vernova DAC Building Schenectady, NY" by Re4orm Architecture dated 1/19/24 with no subsequent revisions.
- 6. Four (4) photographs from Balltown Rd. entitled, "GE DAC Building 2690 Balltown Road, Niskayuna, NY, Google Streetview Images Photo Credit Google"

2/16/24 – Mr. Dumas provided the Planning Office with a 5-page document entitled, "Request for Waiver of Parking Requirements GE DAC Building 2690 Balltown Road." The document includes the following.

- 337 parking spaces currently exist on the site
- 335 parking spaces are required per code
- 93 additional parking spaces are required per code for the proposed addition

• Due to the high percentage of lab space Mr. Dumas proposes that no additional parking spaces be added to the site

### 2/2/2024 and 2/26/2024 Complete Streets Meeting

The Complete Streets reviewed the project and asked if GE was the owner of the shed adjacent to the bike path which was falling into disrepair. Complete Streets asked for GE to repair or replace the shed as part of its site upgrades.

The PB should consider and discuss the feedback from the public hearing and the new material from the applicant and make a recommendation to the ZBA regarding the requested building height variance.



## Town of Niskayuna

# MEMORANDUM

TO: File

FROM: Laura Robertson, Town Planner

DATE: February 26, 2024

RE: 2690 Balltown Rd. - GE Vernova

At a regular Planning Board and Zoning Commission (PB) meeting held on February 26, 2024, the PB reviewed the appeal by Charles B. Dumas, Esq., agent for GE Renewables North America, LLC, property owners of 2690 Balltown Rd. for a variance from Section 220-17 A of the of the Zoning Ordinance. The property is located in the I-R Research and Development Zoning District.

Section 220-17 Height regulations A states: "No building or structure shall exceed a height of thirty-five (35) feet above the average finished grade adjoining the building unless otherwise specified in this chapter. The finished grade of artificial berms or similar earthen structures created for insulation or other purposes adjacent to the building shall be disregarded in the determination of average finished grade." As proposed, the building is fifty-four (54) feet above the average finished grade, therefore a nineteen (19) foot height variance is required.

The Planning Board made the following recommendations:

Effect on the Comprehensive Plan -

Suitability of Use -

**RECOMMENDATION -**

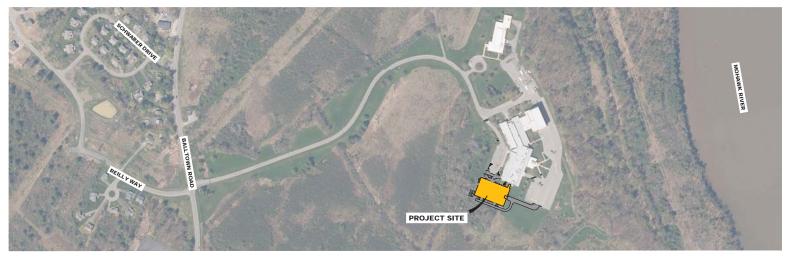
# (ege)

# GE RELC - DAC BUILDING 2690 BALLTOWN ROAD



**2690 BALLTOWN ROAD** 

ISSUED FOR TOWN PERMITTING 02/06/2024



NEW YORK STATE
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SITE LOCATION MAP

	DRAWING LIST	
SHEET NUMBER	SHEET TITLE	SHEET DESCRIPTION
SHEET NUMBER	SHEET TILE	SHEET DESCRIPTION
01	COVER SHEET	G-001
02	GENERAL NOTES, LEGENDS, & ABBREVIATIONS	G-002
03	EXISTING CONDITIONS & DEMOLITION PLAN	C-101A
04	SITE LAYOUT PLAN	C-101
05	SITE GRADING PLAN	C-102
06	SOIL EROSION AND SEDIMENT CONTROL PLAN	C-103
07	SITE UTILITY PLAN	C-104
08	SITE LANDSCAPING & LIGHTING PLAN	C-105
09	SITE DETAILS	C-501
10	COURTYARD DETAILS	C-502
11	WATER DETAILS	C-503
12	SANITARY SEWER DETAILS	C-504
13	STORM SEWER DETAILS	C-505
14	EROSION & SEDIMENT CONTROL DETAILS	C-506



# ISSUED FOR TOWN PERMITTING 02/06/2024

#### © 2023

WARRING: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING LINGE THE DIRECTION OF A LICENSED ARCHITECT, TO ALTER AN TIEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF AN ARCHITECT IS ALTERED, THE ALTERING ARCHITECT SHALL AFFEX TO HIS ITEM THE SEAL AND THE NOTATION "ALTERED BY FOLLOWED HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION, ARCHITECTURE

WARNING: IT IS A FOLGATION OF THIS LAW FOR ANY PERSON, UNLESS HE IS ACTING LUCKER THE DISECTION OF A LECENDE PROFESSIONAL REGISSERY OF TO ALTER AN ITEM SIX AVIVAY. IF AN ITEM SEASON THE SEAL OF AN ENCINEER OR AND SURVEYOR IS ACTION. IT SAME SIX ATTEMPT OF A LITTLE SEAL OF LAW SURVEYOR SHALL SHARL SHARL SHARL SEAL SHARL SHA

## **C.T. MALE ASSOCIATES**

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH: 518.786.7400
GLENS FALLS, NY JOHNSTOWN, NY POUGHKEEPSIE, NY SYRACUSE, NY



PROJECT NO. 23.3617 DRAWING NO. 23-0700

G-001

FEATURE	SYMBOL				
	PROPOSED	EXISTING			
ROADS					
	ASPHALT MILLINGS ASPHALT CONC	1194.			
SIDEWALKS		19%			
CURB / GUTTER		TIPE			
GRAVEL ROAD/DRIVEWAY		796			
BLACK TOP / CONC. DRIVEWAY		TIPE			
BOX BEAM / CORRUGATED GUIDE RAIL	ТҮРЕ	199T			
FENCE	SIZE AND TYPE	SIZE AND TYPE			
STONE WALL	-0000000000-	-0000000000			
RAILROAD					
DITCH					
STREAM / RIVER	=:::=:::=	=::=::=			
POND/LAKE BOUNDARY					
RIPRAP					
ROCK OUTCROP					
CONTOURS	100	100			
BASE LINE / TRAV. PT.		<u>\</u>			
BUILDING					
EASEMENT LINE					
COUNTY / CITY BOUNDARY	TYPE	TYPE			
ROAD CENTERLINE					
PROPERTY LINE					
R.O.W. / ST / HWY BDY					
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TEST PIT	B <sup>TP</sup>	® <sup>™</sup>			
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DECIDUOUS/CONIFEROUS TREE	(?) (3)	⊕ *			
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FEATURE	SYMBOL				
	PROPOSED	EXISTING			
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UTILITY POLE w/GUY	#	← — -p <sup>NUVBER</sup>			
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YARD LIGHT		*,,			
LAMP POST	<b>■</b> LP	• LP			
ELECTRIC MANHOLE	<b>E</b> MH <b>⊕</b>	O EMPI			
ELECTRIC METER		∆ DATE			
TRANSFORMER	TRANS	□ TRANS			
HAND HOLE	<b>●</b> HH	o HH			
RAFFIC SIGNAL SUPPORT POLE	SSP	0559			
TRAFFIC SIGNAL POLE	TSP	O TSP			
TRAFFIC SIGNAL BOX	TSB	D <sup>TSB</sup>			
TRAFFIC SIGNAL HEAD	+	-0-			
POLICE / FIRE CALL BOX	PCB FCB	PCB FCB			
SANITARY SEWER	SIZE AND TYPE	SIZE AND TYPE———			
FORCE MAIN	SIZE AND TYPE	SIZE AND TYPE			
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CLEAN OUT	со	o <sup>CD</sup>			
SEWER VALVE	<b>s</b> V	°2A			
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CURB STOP	wso	• WSO			
WATER MANHOLE	WMH	O WAR			
WELL	WELL	• WELL			
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GAS VALVE	_GV	• GV			
GAS DRIP	_GD	GD GD			
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#### GENERAL NOTES

- 1. OWNER & APPLICANT:
- WHERE THERE IS A DISCREPANCY BETWEEN THE NOTES IN THE CONTRACT DOCUMENTS, THE MORE CONSERVATIVE DIRECTIVE SHALL BE ADHERED TO.
- DIG SAFELY NEW YORK (PHONE 800-962-7962 / PHONE 811 / WWW.DIGSAFELYNEWYORK.COM) SHALL BE NOTIFIED PRIOR TO CONDUCTING ANY TEST BORINGS, EXCAVATION OR CONSTRUCTION. UTILITY MARK-OUTS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

- 6. CONTRACTOR SHALL REMOVE AND REPLACE IN KIND ANY AND ALL DRAINAGE CULVERTS DISTURBED WHETHER SHOWN ON PLANS OR NOT.

- 9. CONTRACTOR SHALL RESTRAIN ALL UTILITY POLES TO UTILITY OWNER'S REQUIREMENTS AS REQUIRED DURING COMPTRICTION.
- 11. ALL UNDERGROUND UTILITIES ARE SHOWN IN THEIR RELATIVE POSITION AND ARE FOR INFORMATION ONLY. THEIR EXACT LOCATION SHALL BE VERIFIED AT THE SITE BEFORE CONSTRUCTION BEGINS CONTRACTOR SHALL COMPACT HEW YORK AT 1-800-962-7962 PRIOR TO EXCAVATION. CONTRACTOR SHALL COMPLY WITH ALL PROVISIONS OF NYS CODE RULE 752 (IN MYGRE PART 755).
- 12. AT THE END OF EACH WORKDAY THE PROJECT SITE SHALL BE LEFT IN A CLEAN AND SAFE CONDITION. ALL EXCAVATIONS SHALL BE BACKFILLED AND ALL ROADWAYS SHALL BE CLEANED. NO EXCAVATION SHALL BE LEFT OPEN OVERNICHT EXCEPT WITH PRIOR APPROVAL OF THE ENGINEER AND ALL PROPER SAFETY PRECAUTIONS IN PLACE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING RECORDS OF THE LOCATION OF ALL PIPE INSTALLED AND WORK PERFORMED.
- 14. ALL DUCTILE IRON PIPE INSTALLED UNDER THIS PROJECT SHALL BE CEMENT LINED THICKNESS CLASS 52
- 15. ALL BURIED DUCTILE IRON PIPE AND FITTINGS SHALL BE WRAPPED IN POLYETHYLENE ENCASEMENT
- 16. SEWER MAINS IN RELATION TO WATER MAINS: WHERE POSSIBLE, WATER MAINS SHALL BE LAID AT SEWER MAINS IN RELATION TO WATER MAINS: WHERE POSSIBLE, WATER MAINS SHALL BE LAID AT LEAST TEN (10) FEET HORIZONTALF FROM MAY EXSTRING OF PROPOSED SEWER MAIN, VERTURAL AND SEPARATION SHALL BE MAINTAINED TO PROVIDE EIGHTEEN (18) INCHES BETWEEN TOP OF SEWER MAIN THE HOWERT OF THE WATER MAIN AT UTILITY CROSS TOW, WHEN MPOSSIBLE TO DISTANT HE PROPER VERTICAL SEPARATION, PRESSURE RATED PIPE SHALL BE USED TEN (10) FEET ON EACH SIDE OF THE WATER MAIN BERONG CROSSED.
- 17. THE PROJECT IS NOT WITHIN A 100-YEAR FLOODPLAIN.
- CONTRACTOR SHALL RESTORE LAWNS, DRIVEWAYS, WALKS, CURBS, FENCES ETC. TO A CONDITION AT LEAST AS GOOD AS THEY WERE BEFORE BEING DISTURBED. MAILBOXES, POSTS, ETC.. SHALL BE LEAST AS GOUD AS THEY WERE BEFORE BEING DISTURBED. MAILBUXES, POSTS, ETC., SHALL BE PROTECTED OR REMOVED AND REPLACED EXACTLY AS THEY WERE BEFORE BEING DISTURBED. DAMAGED ITEMS SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
- 19. BOX ALL TREES AND HOUSE ALL SHRUBS & HEDGES TO REMAIN BEFORE PLACING EARTH AGAINST OR NEAR THEM. SHRUBS & HEDGES WHICH MUST BE REMOVED DURING CONSTRUCTION SHALL BE HEALED IN AND REPLANTED IN AS GOOD A CONDITION AS THEY WERE BEFORE THEIR REMOVAL, ANY DAMAGED TREES, SHRUBS AND/OR HEDGES SHALL BE REPLACED AT THE CONTRACTOR'S EXEMSE.
- 20. ANY WORK IN AND ADJACENT TO EXISTING DITCHES OR DRAINAGE SWALES SHALL BE RESTORED BY THE END OF EACH DAY.
- 21. ANY TRENCH WORK ADJACENT TO CATCH BASINS WILL REQUIRE THAT THE CONTRACTOR SUPPORT THE

- STRUCTURE FROM SHIFTING, SETTLEMENT, OR DAMAGE. SELECT GRANULAR BACKFILL SHALL BE PLACED AND COMPACTED ADJACENT TO DRAINAGE STRUCTURES AS NEEDED.
- 22. NO WORK, STORAGE OR TRESPASS SHALL BE PERMITTED BEYOND THE BOUNDARIES OF ANY EASEMENTS WITHOUT WRITTEN PERMISSION OF THE PROPERTY OWNER.
- 23. THE CONTRACTOR SHALL VERIFY THE DEPTH OF EXISTING UTILITIES, CROSSING EITHER BELOW OF
- IN A WELL VEGETATED UPLAND AREA. WHEN COMPLETED, ALL DEPOSITED SEDIMENTS SHALL BE DISPOSED OF OFF-SITE.
- EROSION CONTROL FABRIC SHALL BE USED ON ALL SLOPES GREATER THAN 1V:3H AND MORE THAN 5
  FEET HIGH.
- 26. ADEQUATE SURVEY LAYOUT INFORMATION WILL BE PROVIDED TO THE SUCCESSEUL BIDDER

- 29. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ADCOUNT EXPOSION CONTROL MEASURES. WHETHER ROWNED ON THE DRAWNINGS ON BOY. IN GENERAL, SITE FERE, SILT SOCK AND STONG CHECK DAMS ARE NOT SHOWN ALONG PIPELINE INSTALLATION ROUTES, HOWEVER SHALL BE INSTALLED TO REVENT RESOION AND SEDIMENT TRANSPORT.
- 30. UTILITY SERVICES (WATER, SEWER, GAS, ELECTRIC, COMMUNICATION, ETC.) TO PRIVATE PROPERTIES SHALL BE LOCATED PRIOR TO WATERLINE INSTALLATION. CONTRACTOR SHALL PLAN CROSSINGS OF THESE SERVICES APPROPRIATELY TO AUDIO UN
- 31. AT THE END OF EACH WORK DAY, THE JOBSITE SHALL BE LEFT IN A CLEAN AND SAFE CONDITION.
- 32. ADEQUATE RECORDS SHALL BE MAINTAINED OF THE LOCATION OF ALL WORK INSTALLED.

#### MAP NOTES: TOR SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION

- 34. WEGRMATION SHOWS HEREON WAS SECTION SUPPLY ENTITLED TEXTENDED TORGGRAPHIC THE FRAMING CENTER PORTION OF LANDS NOW OR FROMERLY OF GENERAL ELECTRIC COMPANY DATED
- 3. VERTICAL DATUM SHOWN HEREON PER MAP REFERENCE NO. 1.
- SURFACE FEATURES SUCH AS CATCH BASIN RIMS, MANHOLE COVERS, WATER VALVES, GAS VALVES, ETC. ARE THE RESULT OF FIELD SURVEY UNLESS NOTED OTHERWISE.
- DIG SAFELY NEW YORK (PHONE 800-962-7962 / PHONE 811/ WWW.DIGSAFELYNEWYORK.COM) SHALL BE NOTIFIED PRIOR TO BE CONDUCTING ANY TEST BORNINGS, EXCAVATION OR CONSTRUCTION. UTILITY MARK-OUTS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 7. AREAS OUTSIDE LIMITS OF NOVEMBER 2023 SURVEY WERE NOT CHECKED OR VERIFIED

INFORMATION SHOWN HEREON WAS FROM A SURVEY ENTITLED "EXTENDED TOPOGRAPHIC "THE LEARNING CENTER" PORTION OF LANDS NOW OR FROMERLY OF GENERAL ELECTRIC COMPANY" DATED NOVEMBER 3, 2023 REPEARED BY C.T. MALE ASSOCIATES.



UTILITY PROVIDER INFORMATION									
SERVICE AREA	UTILITY TYPE	CONTACT	ALTERNATE CONTACT	EMERGENCY CALLOUT					
NATIONAL GRID EAST ELEC 2	ELECTRIC	NATIONAL GRID PREMIER LEVERAGE VOICECALL (866)-507-3010 X3	NATIONAL GRID PREMIER LEVERAGE VOICECALL (631)-418-7886	NATIONAL GRID PREMIER LEVERAGE VOICECALL					
NATIONAL GRID EAST GAS 2	GAS	NATIONAL GRID PREMIER LEVERAGE VOICECALL (866)-507-3010 X3	NATIONAL GRID PREMIER LEVERAGE VOICECALL (631)-418-7886	NATIONAL GRID PREMIER LEVERAGE VOICECALL					
TOWN OF NISKAYUNA	HIGHWAY, SANITARY, SEWER, STORM SEWER, WATER	MATT YETTO (518)-366-1897	MATT YETTO (518)-366-1897	MATT YETTO (518)-366-1897					

#### **ISSUED FOR TOWN PERMITTING 02/06/2024**

Ī	PETER L. LILHOLT, JR. P.E. NO. 074704	DATE		REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A	Г
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ı			A					DATE: FEB. 6, 2024	1

**GENERAL NOTES, LEGENDS, & ABBREVIATIONS** 

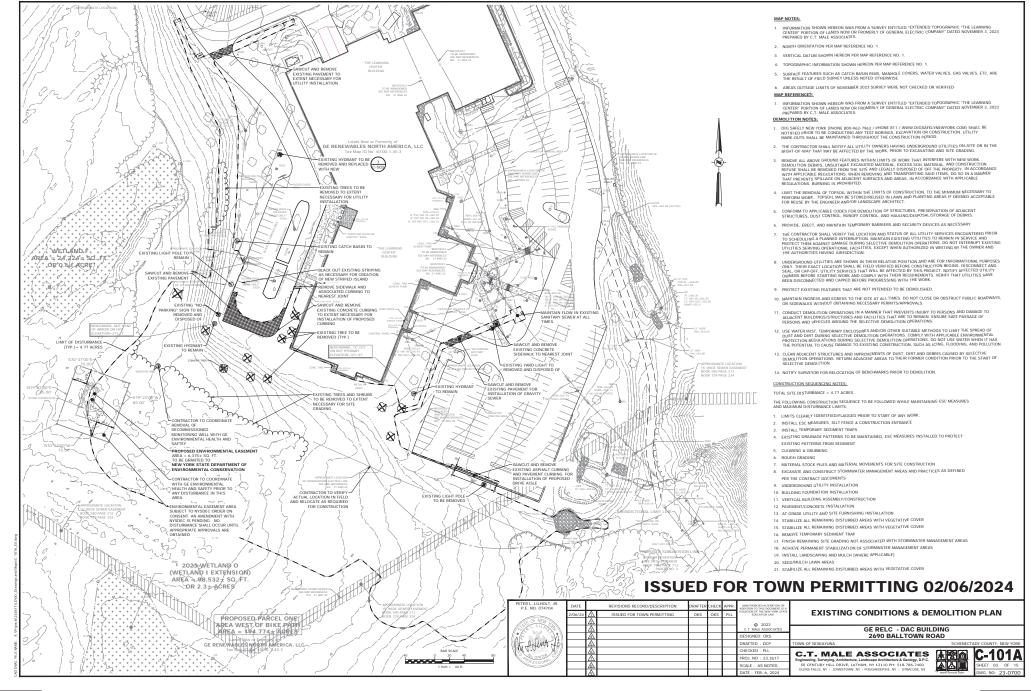
GE RELC - DAC BUILDING

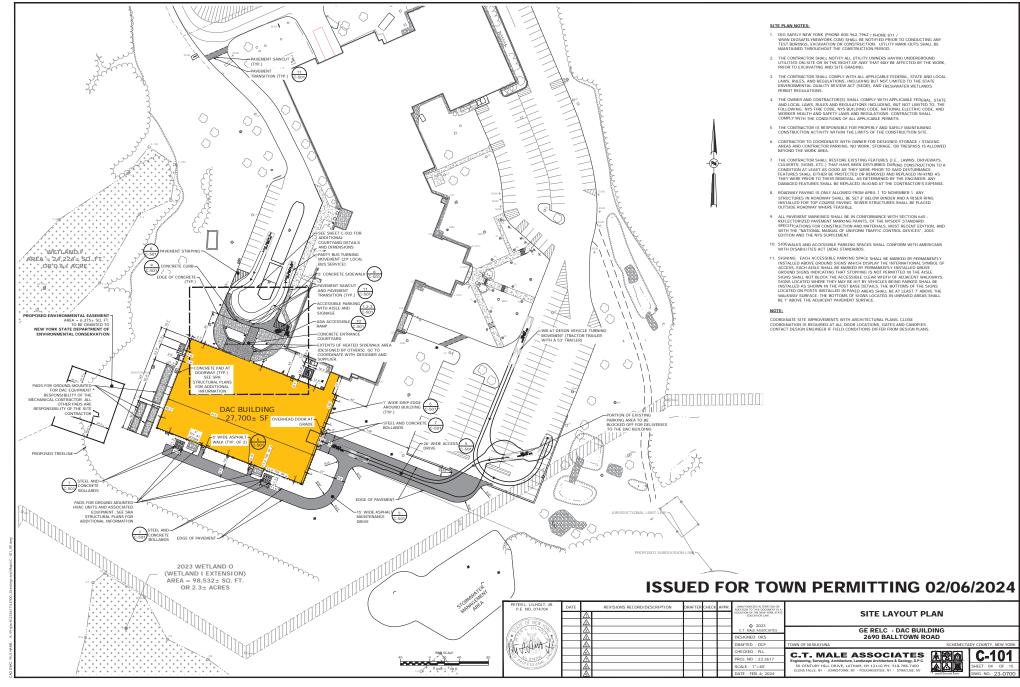
2690 BALLTOWN ROAD

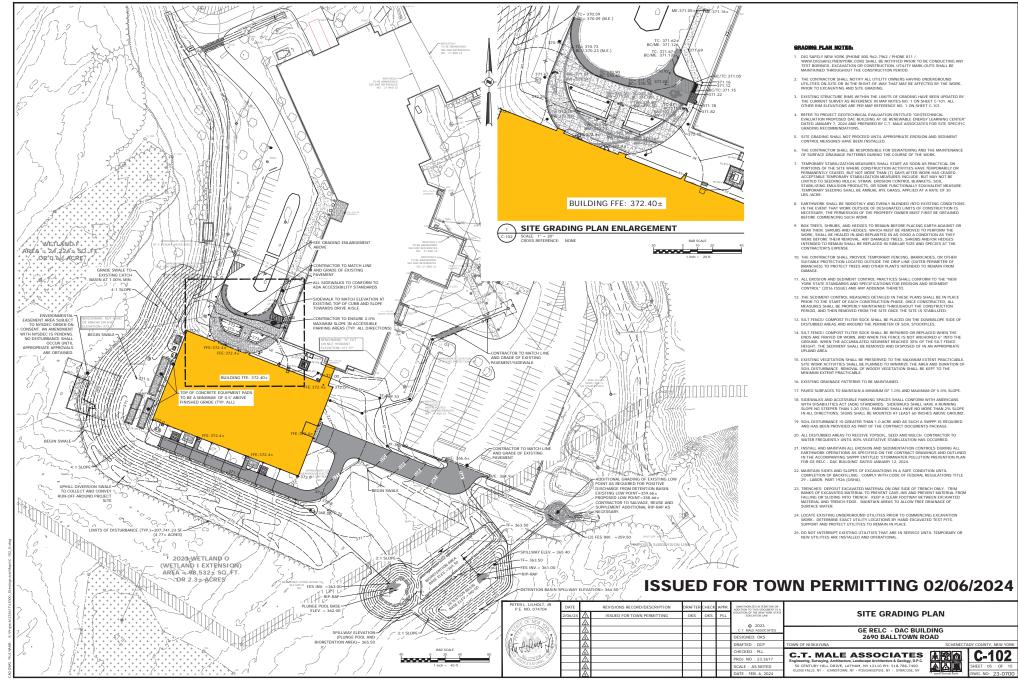
C.T. MALE ASSOCIATES
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
50 CENTURY HILL DRIVE, LATHAM, NY 1213 D PH: 518.786.7400
CLEIS FALS, NY - JOHNSTON, MY - POURCHEEPIS HY - SYNGLUSE, NY ngineering, surveying, Architecture, Landscape Architecture & Geology, D.P.C. SO CENTURY HILL DRIVE, LATHAM, NY 12110 PH: 518.786.7400 GLENS FALLS, NY - JOHNSTOWN, NY - POUGHKEEPSIE, NY - SYRACUSE, NY

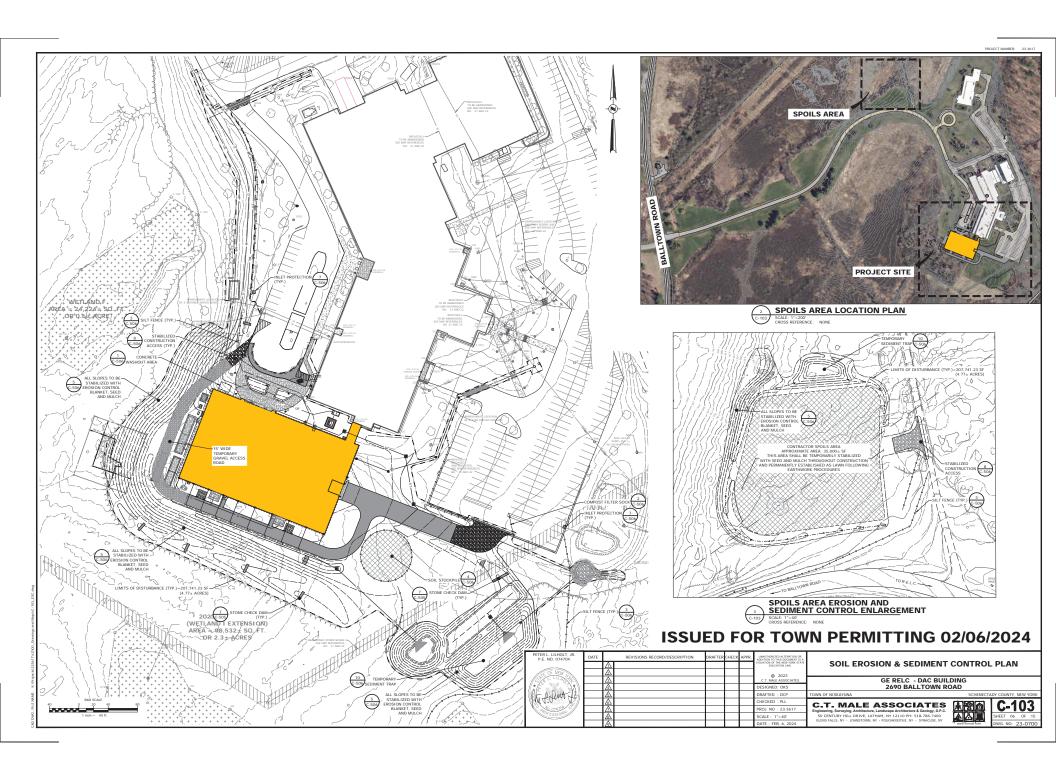


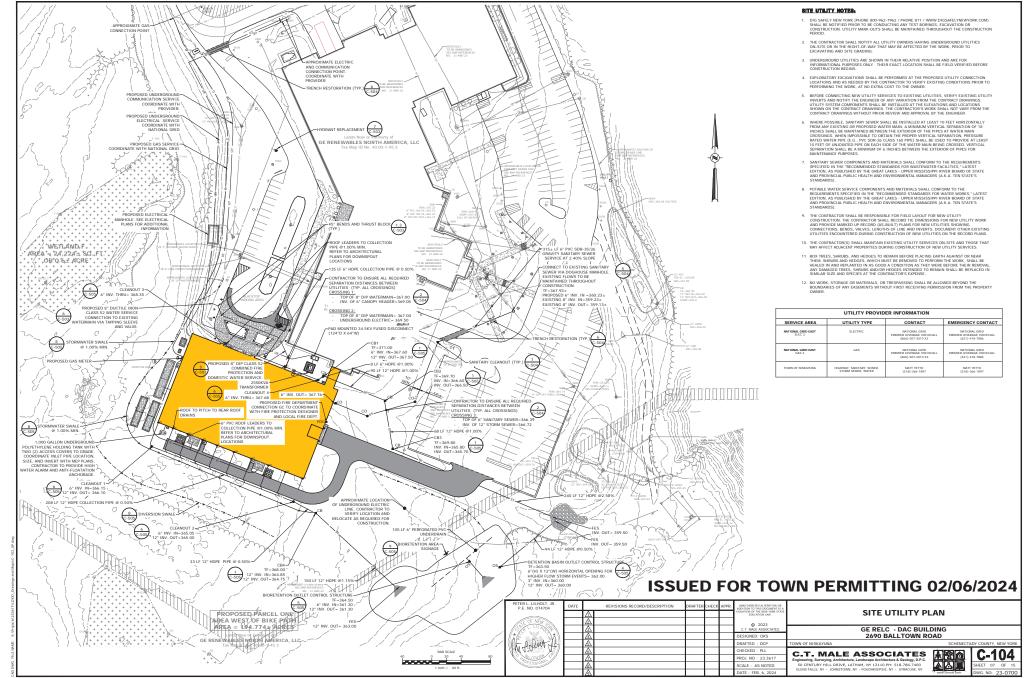


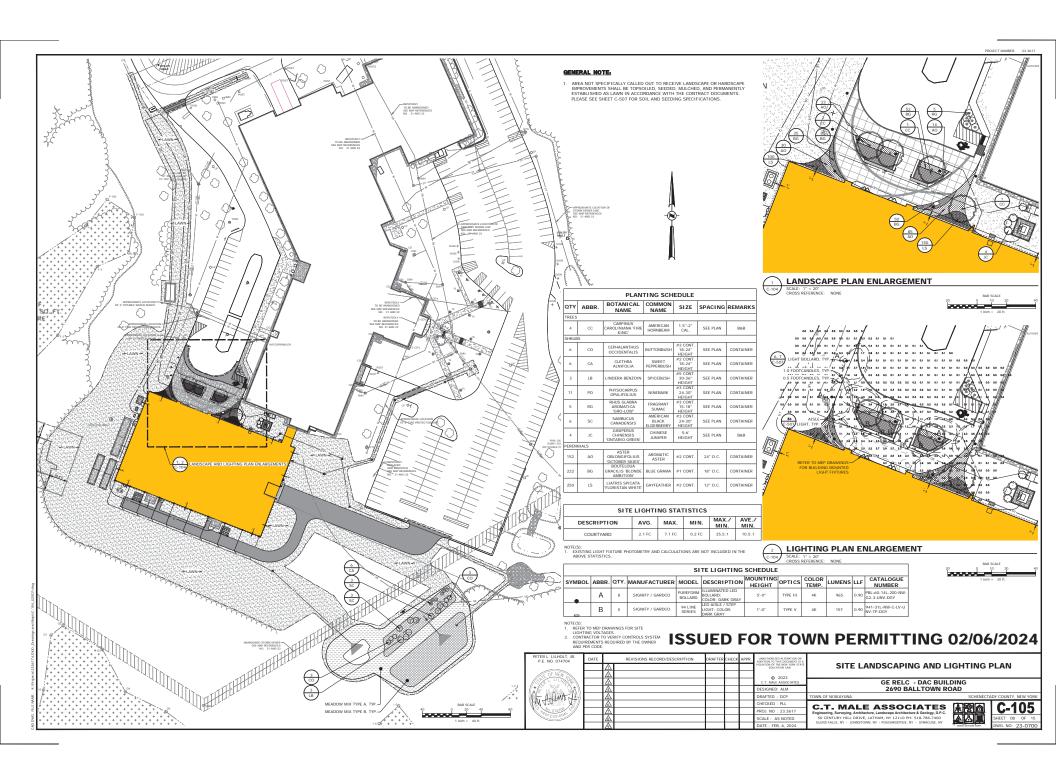


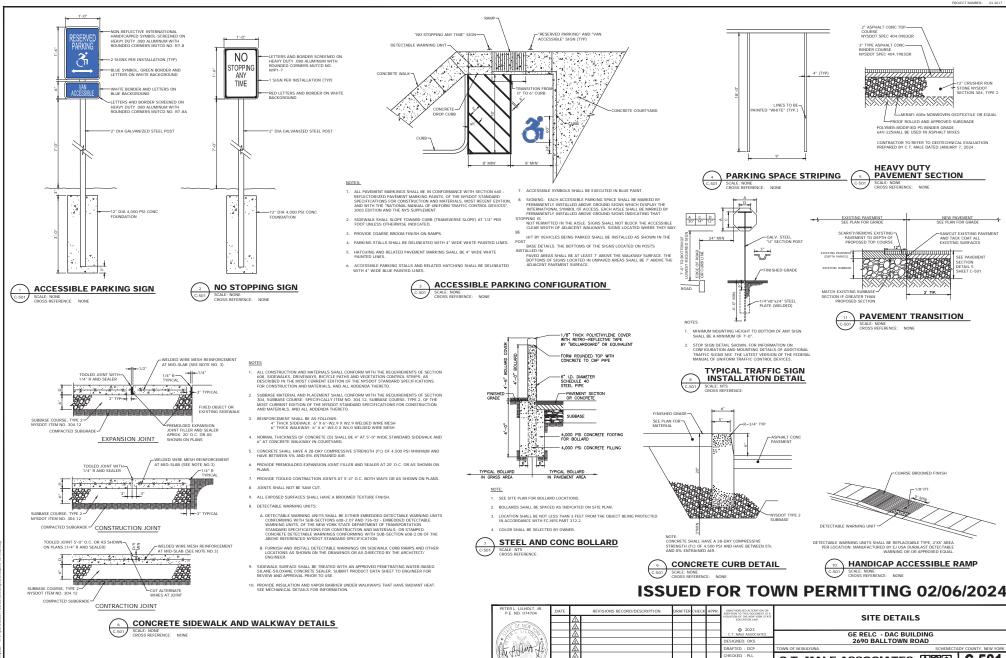












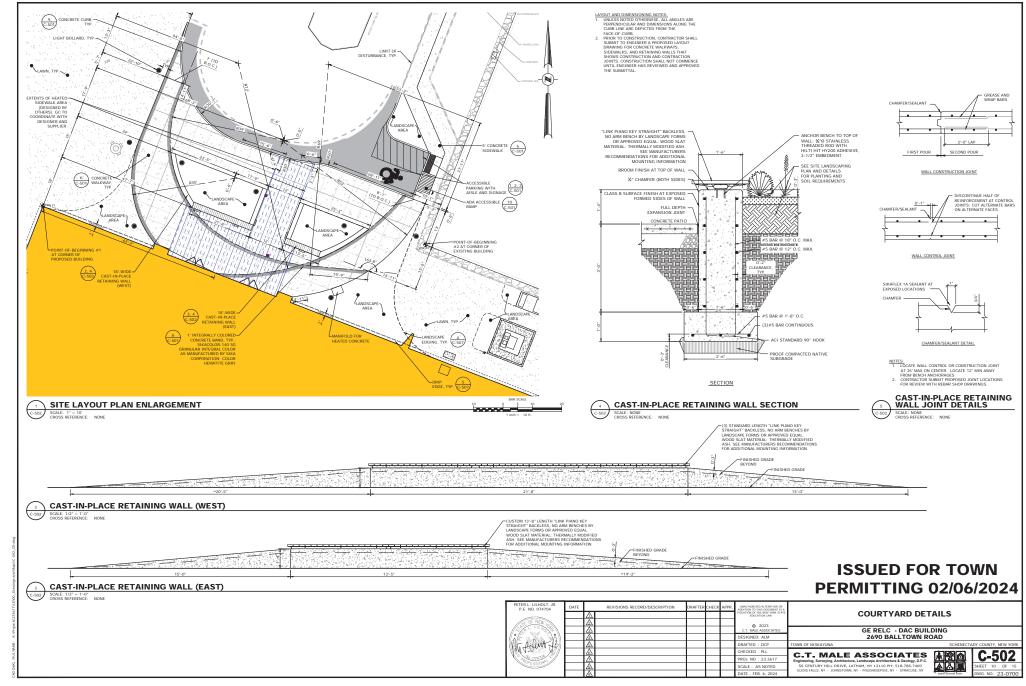
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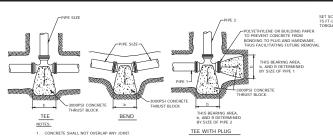
PROJ. NO : 23.3617

SCALE: AS NOTED

C.T. MALE ASSOCIATES

igineering, surveying, Architecture, Lanoscape Architecture & Geology, D.F. 50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH: 518.786.7400 GLENS FALLS, NY - JOHNSTOWN, NY - POUGHKEEPSIE, NY - SYRACUSE, NY





- 3. FOR REDUCERS, USE MECHANICAL JOINT FITTINGS WITH RETAINER GLANDS
- 4. FOR DIMENSIONS AND THRUST REACTIONS. SEE TABLE ON THIS SHEET.

THRUST REACTIONS-R(LB) PER									
100PSI INTERNAL PRESSURE									
NOM PIPE	DEAD	90°	45°	22 1/2°	11 1/4°				
DIA IN.	END	BEND	BEND	BEND	BEND				
4	1,810	2,559	1,385	706	355				
6	3,739	5,288	2,862	1,459	733				
8	6,433	9,097	4,923	2,510	1,261				
10	9,677	13,685	7,406	3,776	1,897				
12	13,685	19,353	10,474	5,340	2,683				
14	18,385	26,001	14,072	7,174	3,604				
16	23,779	33,628	18,199	9,278	4,661				

REQUIRED BEARING AREAS -b (SQFT) FOR BEARING BLOCKS\* 0.8 7.2 10.1 5.5 2.8 1.4 10.9 15.4 8.3 4.2 2.1 21.8 11.8 1.4 20.6 29.1 15.8 8.0 4.0

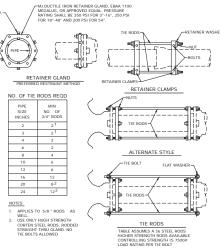
> 26.8 37.9

NOTES: 1. VALUES FOR TEE APPLY TO TEES, END PLUGS, CAPS, AND TAPPING SLEEVES.

- REQUIRED BEARING AREAS ARE DUE TO THRUSTS CAUSED BY 150PSI WORKING PRESSURE PLUS 50%(75 PSI) SURGE ALLOWANCE RESULTING IN 225 PSI TOTAL INTERNAL PRESSURE.
  - REQUIRED BEARING AREAS ARE BASED ON ALLOWABLE SOIL BEARING CAPACITY OF 3,000 POUNDS PER SOULAR FOOT. DUE TO OTHER SOIL CONDITIONS ENCOUNTERED, BEARING AREAS MAY BE MODIFIED BY THE ENGINEER.

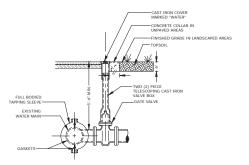
SOIL	BEARING STRENGTH SB (LB/SQ FT)
MUCK	0
SOFT CLAY	1,000
SILT	1,500
SANDY SILT	3,000
SAND	4,000
SANDY CLAY	6,000
HARD CLAY	9.000

IN MUCK, PEAT, OR RECENTLY PLACED FILL ALL THRUSTS SHALL BE RESISTED BY PILES OR TIE RODS TO SOLID FOUNDATIONS, OR BY REMOVAL OF SUCH UNSTABLE MATERIAL AND REPLACEMENT WITH BALLAST OF SUFFICIENT STABILITY TO RESIST THE THRUSTS, ALL AS REQUIRED BY THE ENGINEER.





THRUST RESTRAINT OPTIONS SCALE: NONE CROSS REFERENCE: NONE



NOTES

1. WET TAP OF PUBLIC WATER MAIN SHALL BE PERFORMED UNDER THE SUPERVISION OF THE ENGINEER, AND THE TOWN OF NISKAYUNA WATER DEPARTMENT.

2. TAPPING SLEEVE AND VALVE SUPPORT SHALL BE COORDINATED WITH THE ENGINEER TO SUIT FIELD CONDITIONS.

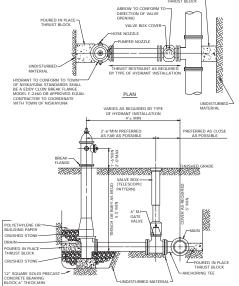
3. MINIMUM DISTANCE TO JOINTS, FITTINGS, OR OTHER WET TAPS OR STOPS SHALL BE 3 FEET.

4. VALVE OPERATING DIRECTION SHALL BE CLOCKWISE TO OPEN (TURNING RIGHT).

5. TAPPING SLEEVE SHALL BE SELECTED TO FIT EXISTING PIPE MATERIAL (C.I., D.I., A.C.) AND OUTSIDE DIAMETERS.

6. TAPPING SLEEVE & VALVE SHALL BE IN ACCORDANCE WITH TOWN OF NISKAYUNA WATER DEPARTMENT STANDARDS & AS MANUFACTURED BY MJ.

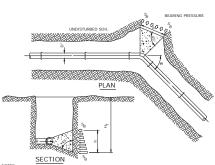




ELEVATION TYPICAL HYDRANT INSTALLATION

#### SCALE: NONE CROSS REFERENCE: NONE **WATER DETAILS** GE RELC - DAC BUILDING 2690 BALLTOWN ROAD DESIGNED: OKS M. P. Dint J. HECKED : PLL C.T. MALE ASSOCIATES PROJ. NO : 23.3617 ngineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C 50 CENTURY HILL DRIVE, LATHAM, NY 1210 PH: 518.786.7400 GLENS FALLS, NY - JOHNSTOWN, NY - POUGHKEEPSIE, NY - SYRACUSE, NY CALE: AS NOTED DATE : FEB. 6. 202

#### \*FACTOR OF SAFETY=1.5 SOIL BEARING OF 3,000 PS 225 PSI DESIGN PRESSURE TYPICAL CONCRETE THRUST BLOCK DETAILS SCALE: NONE CROSS REFERENCE: NONE



NOTES:

1. BEARING SURFACT SHOULD, WHERE POSSIBLE, BE PLACED AGAINST UNDISTURBED SOIL
WHERE IT IS NOT POSSIBLE. THE FILL BETWEEN THE BEARING SURFACE AND UNSTURBED
SOIL MUST BE COMPACTED TO A TLEAST POSI. STRANGAP POSCOTOR DESIGNATION.

2. BLOCK HEIGHT (TI) SHOULD BE COULD TO OR LESS THAN ONE-HEIT THE TOTAL DEPTH TO THE
BOTTOM OF THE BOOK, III, I BLOCK THE SHOULD SHOULD BE COUNTED THE STRANGAP OF THE STRANGAP OF

- BOTTOM OF THE BLOCK, (H.), BUT NOT LESS THAN THE PIPE DIAMETER (U.).
  BLOCK HEIGHT (h) SHOULD BE CHOSEN SUCH THAT THE CALCULATED BLOCK WIDTH(b) VARIES BETWEEN ONE AND TWO TIMES THE HEIGHT.
  FOR DIMENSIONS AND THRUST REACTIONS. SEE TABLE ON THIS SHEET.



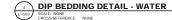


NOTE: 1. OVEREXCAVATE AT BELLS TO PROVIDE 4" BEDDING BELOW BELLS.

2. MINIMUM DEPTH OF COVER SHALL BE 5 FEET.

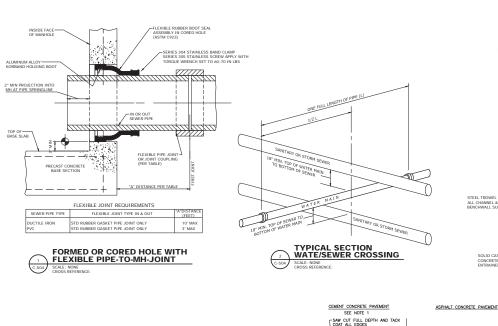
OPTIONAL EXTRA REDDING AGRE

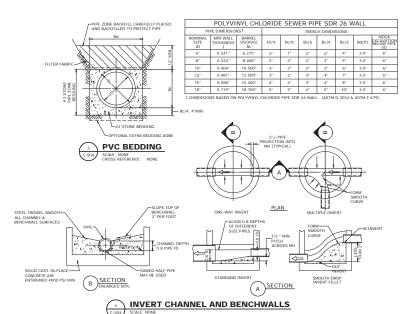
0.031 17.4" 20.0"



**ISSUED FOR TOWN PERMITTING 02/06/2024** 

C-503





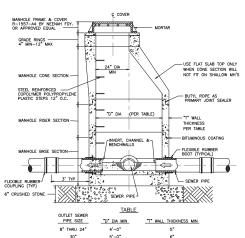
- METAL REINFORCEMENT -2" TOP COURSE 4,000 PSI CONC MATCH EXISTING DEPTH -3" BINDER COURSE 9 9 2'-0" SAW CUT FULL DEPTH AND TACK COAT SEE PAVEMENT TRANSITION DETAIL DRILL AND GROUT-2" DIA HOLE 10" DEEP

TRENCH RESTORATION

-IRON BODY FERRULE WITH SOLID, SQUARE NUT THREADED BRASS PLUG LCOMBINATION WYE AND 1/8 BEND CLEANOUT DETAIL

### **ISSUED FOR TOWN PERMITTING 02/06/2024**

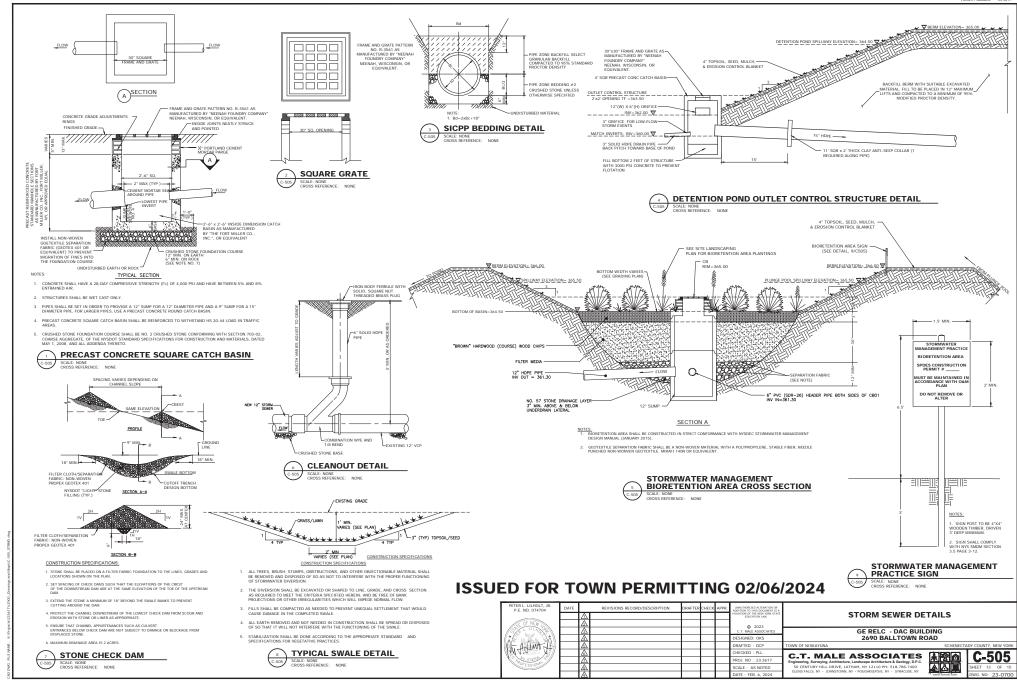
PETER L. LILHOLT, JR. P.E. NO. 074704	DATE		REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A	
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/6% - 5 5 5 F \		Δ					C.T. MALE ASSOCIATES	GE RELC - DAC BUILDING
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VF animate		$\mathbb{A}$					DRAFTED : DCP	TOWN OF NISKAYUNA SCHENECTADY COUNTY, NEW YORK
MM 4:00. NSV		Δ					CHECKED : PLL	C.T. MALE ASSOCIATES 保險區 C-504
A 07470 S		$\Delta$					PROJ. NO : 23.3617	Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
TOPESSION	<b>A</b>					SCALE: AS NOTED	50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH: 518.786.7400 A SHEET 12 OF 15	
		₪					DATE: FEB. 6, 2024	GLENS FALLS, NY - JOHNSTOWN, NY - POLIGHKEEPSIE, NY - SYRACUSE, NY - WWW.Ztmak.bom DWG. NO: 23-0700
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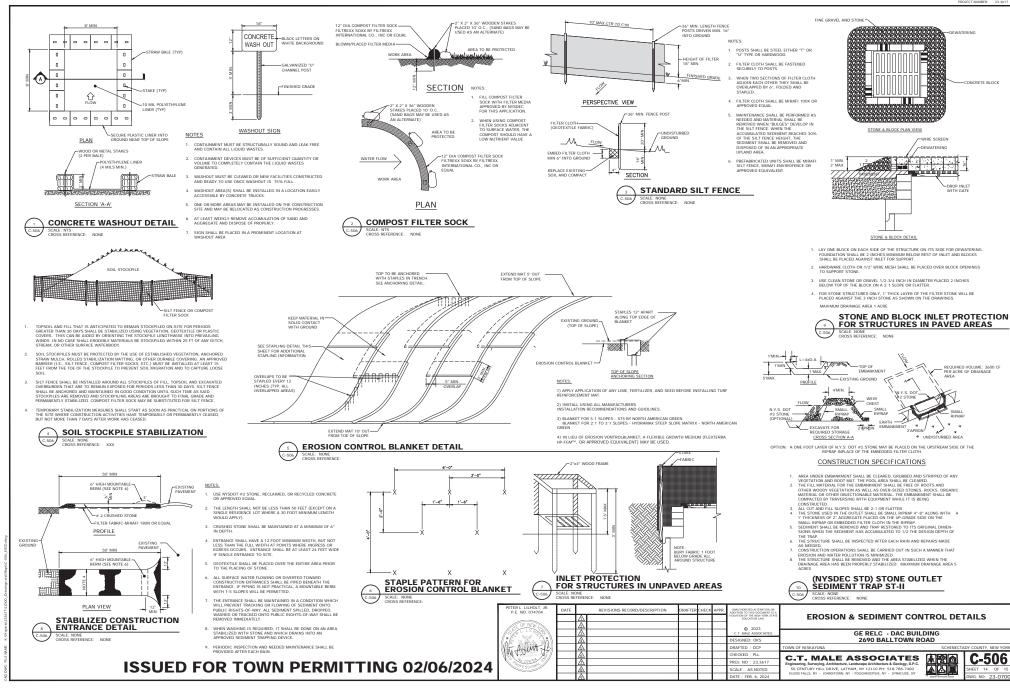


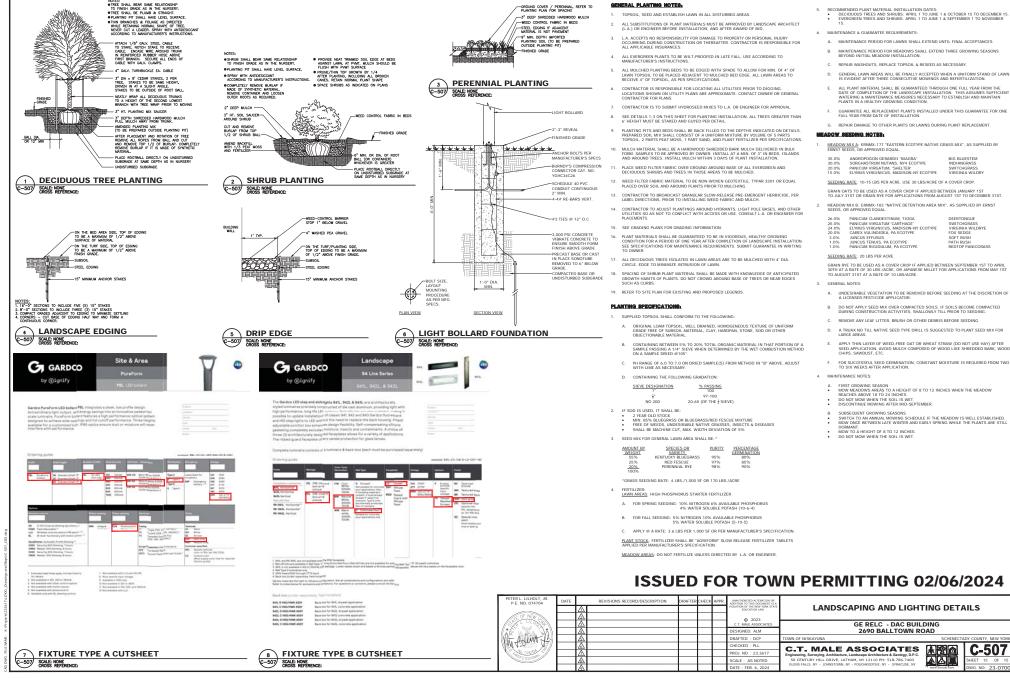
USE ONLY WET-CAST UNITS, DRY-CAST NOT ACCEPTABLE

S PRECAST CONC INSERTION MANHOLE

SCALE: NONE
CROSS REFERENCE:







# Short Environmental Assessment Form Part 1 - Project Information

#### **Instructions for Completing**

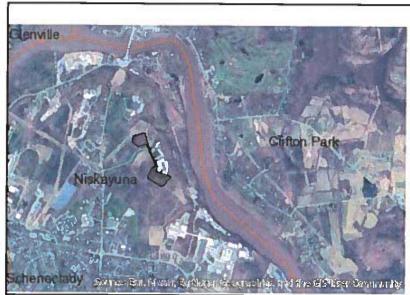
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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				_		
GE Vernova						
Name of Action or Project:						
GE RELC DAC BUILDING						
Project Location (describe, and attach a location map):						
2690 Balltown Road, Town of Niskayuna, Schenectady County Tax Map Parcel 40.00-1-45.3						
Brief Description of Proposed Action:						
GE Vernova is proposed a new building at their existing RELC facility located at 2690 Balltown Road. The proposal consists of a new 27,700± square foot building with associated entrance courtyard, truck access drive and on-site stormwater treatment practices. The proposed building will be located to the west of the existing Learning Center Building. The new building will be connected to the adjoining Learning Center Building via an enclosed corridor. The existing access drives for the RELC will provided access to Balltown Road and no additional parking areas are proposed. An access drive for trucks is proposed at the south side of the proposed building to the existing on-site drives.						
Name of Applicant or Sponsor:	Telephone: 518 - 391 - 9182					
GE Vernova	E-Mail: Corrie . Whelen @ ge. com			, com		
Address:						
1 Research Circle						
City/PO:	State:					
Niskayuna	NY 12309			_		
Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES		
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.						
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES		
If Yes, list agency(s) name and permit or approval: NYSDEC NOI SPDES Stormwater				~		
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?  194.77± acres  194.77± acres						
4. Check all land uses that occur on, are adjoining or near the proposed action:						
5. Urban Rural (non-agriculture) Industrial Commerci	al 🗹 Residential (suburi	ban)				
Forest Agriculture Aquatic Other(Specify): Research & Develoment						
Parkland	ony).					

E Table managed and in		
	YES	N/A
a. A permitted use under the zoning regulations?	<b>1</b>	
b. Consistent with the adopted comprehensive plan?	V	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES
Is the proposed action consistent with the predominant character of the existing built or natural landscape?		V
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES
If Yes, identify:	7	
	NO	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		YES
b. Are public transportation services available at or near the site of the proposed action?		井
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed		ᆜ
action?		
	NO	YES
If the proposed action will exceed requirements, describe design features and technologies:		~
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
If No, describe method for providing potable water:		
	$\exists  $	<b>V</b>
11. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment:		
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	NO	YES
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	<b>7</b>	П
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?		
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?	70	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<b>-</b>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		
	-	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☑ Shoreline ☑ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
☑Wetland ☐ Urban ☑ 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
Bald Eagle		<b>&gt;</b>
16. Is the project site located in the 100-year flood plan?	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
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)?	<b>V</b>	
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)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
	انا	ш
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility? If Yes, describe:		
	<b>V</b>	$  \sqcup  $
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:		
NYSDEC Environmental Site Remediation Database, Site No. 447011, 447013, 447017 and 447013A		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE	ST OF	
MY KNOWLEDGE		
Applicant/sponsor/name: Corrie Whalen  Date: 1/12/24  Signature: Title: Director Site Opera		
Applicant/sponsor/name: Corrie While Date: 1/12/34  Signature: Title: Director Site Opera	group	_



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.



Sources: Esri, HERE, Garmin, USGS, Intermac, INCREMENT P RCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri Thailand, NGCC, (c) OpenStreetMap contributors, and the GIS User Edifimionity, Esri HERE, Garnin, Max USSS, NPS

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]

....

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]

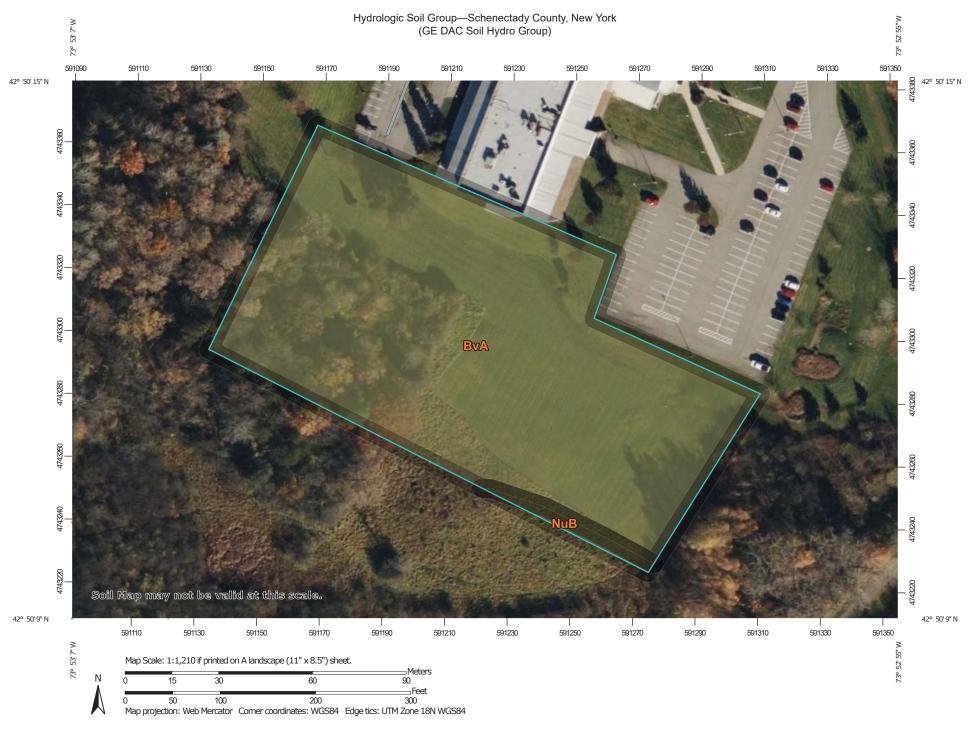
**Bald Eagle** 

Part 1 / Question 16 [100 Year Flood Plain]

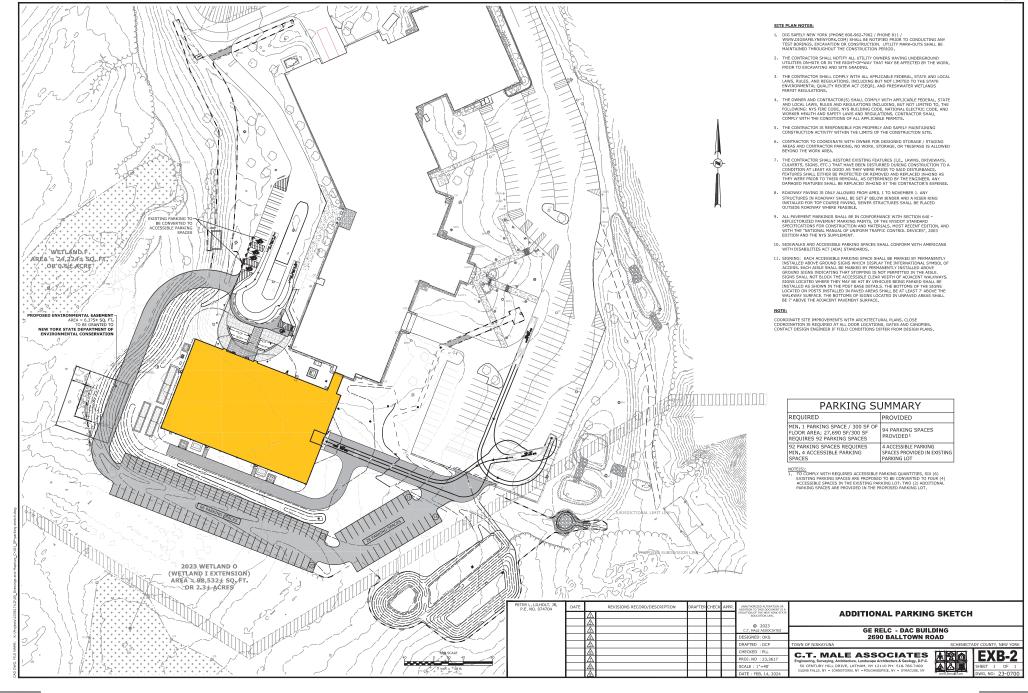
No

Part 1 / Question 20 [Remediation Site]

Yes























GE DAC Building 2690 Balltown Road, Niskayuna, NY

Google Streetview Images – Photo Credit Google

## From Balltown Road at RELC entrance:



From Balltown Road north of RELC entrance:



# From Balltown Road south of RELC entrance:



# From Niskayuna Soccer Park:



# Request for Waiver of Parking Requirements

GE DAC Building 2690 Balltown Road

# The Property and Building Project:

The project property consists of a portion of the 533-acre General Electric Global Research Center, Niskayuna, New York (GRC), located within the Town's I-R Zoning District. In preparation for the much-publicized spin off by GE of its energy division, GE Vernova (GEV), to occur early in the second quarter of this year, last fall the Company applied for and received approval to subdivide and deed a 195-acre portion of the GRC to GEV. The conveyance of this property to GEV's real estate holding company, GE Renewables North America, LLC, was completed at the end of 2023.

The GEV Property has primary frontage and gated access from Balltown Road. It is presently improved by a 22,500 square foot office building and a 78,000 square foot facility known as the Research and Learning Center (RELC). GEV seeks site plan approval to construct a 27,690 square foot addition to the RELC (DAC Building) to accommodate the further study and implementation of a novel environmental process to capture and sequester carbon from the atmosphere.

# Parking Requirement:

As set forth in Niskayuna Town Code, Zoning, §220, Attachment 19, the minimum parking requirement in the I-R District is: 2 spaces for each 3 employees; or 1 space for each 300 feet of floor area, whichever is greater. A copy of the table is attached as **Exhibit "A"**.

#### **Existing Parking:**

Attached as **Exhibit "B"** is an inventory and assessment of the GEV's parking needs. As set forth on the spreadsheet, the GEV Property current has 337 Parking spaces serving two buildings: 107 spaces serve the 22,500 square foot office building, which has 50 employees; and 220 spaces serve the 78,000 square foot learning center building, which has 100 employees.

Based purely on the square footage calculation method (1 space for each 300 feet of floor area), the minimum parking requirement is met for the existing buildings. However, using this same method for the proposed 27,690 square foot DAC Building, another 92 spaces would need to be added, for a total of 427 spaces.

# Parking Needs for the GEV Property:

As set forth on the inventory and assessment, the use of the RELC is one of many things that makes the facility unique. Here consider that nearly half of the 78,000 square foot facility houses labs and utility spaces. These areas consist of large open areas filled with tooling,

equipment and utilities that support research activities, quite different that the density of use in office settings.

Likewise, the proposed new DAC Building (27,690 square feet) is proposed to consist of 21,480 square feet of lab space and 6,210 square feet of meeting room, lobby, and utility space. Ten new employees are expected to work in the new building.

This use and configuration of building space at the RELC translates into fewer employees and thus lower demand for parking.

# **Proposed Waiver:**

Given that the use of the RELC and the proposed DAC Building is demonstrably less intense than the traditional office setting and given that post pandemic use of office space is less intense generally than when parking metrics were previously conceived, we submit that that use of the per employee calculation method (2 spaces for each 3 employees- **Exhibit "C"**) supports a reduction in required parking spaces for this action. Using this methodology, only 106 spaces would be required for the GEV current and anticipated work force, which is nearly a third of the existing parking spaces.

Viewed in this context, it is reasonable to expect that the existing 330 spaces at the GEV Property will serve well the existing RELC and adjacent office building and proposed DAC Building now and well into the future, without having to add more impervious surface to accommodate simply to another 92 unnecessary parking spaces.

Accordingly, GEV requests a waiver of the requirement that 92 parking spaces be added to support construction of the DAC Building.

This approach was view favorably when presented to the Conservation Advisory Council on February 7, 2024

#### NISKAYUNA CODE

1	2		3		4			5		6	7	
Zoning				Maximum Percentage of	Minim	Minimum Yard Dimensions (feet)		Minimum Required		8		
	Permitted Uses	M	Minimum Lot Size Width Depth		Coverage by Building and		Side		Side Off-Street Permitted Signs	Permitted Signs (Also see	Additional Use Regulations, Prohibitions, Notes, Other Provisions and Requirements	
District		Area	(feet)	(feet)	Structures	Front	1	Both	Rear	(Also see § 220-19.)	§ 220-22.)	(Also see §§ 220-16 and 220-21.)
-R <sup>†</sup> Research and Develop- ment	Research, experimental, and testing laboratories and light manufacturing uses	2 acres	200	200	25	50	25	50	50	2 spaces for each 3 employees or 1 space for each 300 square feet of floor area, whichever is greater	For each linear foot of building frontage, 1 square foot of sign area shall be permitted. Such sign shall only be attached to the building face and shall not protrude more than 1 foot from the building face and shall be a single face sign. Under no circumstances shall any 1 sign exceed 50 square feet and no more than 1 facade sign shall be permitted per property. For sites of five acres or more, 1 freestanding monument (ground) is permitted. The freestanding monument sign shall be no greater than 8 feet in height above the finished grade. Such sign shall have a maximum area of 30 square feet at the primary driveway. It shall be set back a minimum of 10 feet from the right-of-way line and side property line and be located in a manner that does not interfere with required minimum sight distance at driveways or intersections. Such sign shall be constructed of materials complementary to the principal building and shall be externally lit. Content on each sign shall be limited to the identification of one place or one business. Double faced	For all nonresidential uses:  1. Other portions of this chapter notwithstanding, for los areas of 5 acres or larger, at the discretion of the Plann Board, 1 principal use may be contained in more than principal building on the lot.  2. There shall be a minimum 25% of the total land area the site reserved as landscaped open space. At the discretion of the Planning Board, a portion of this oper space shall be used to provide landscaping internal to required off-street parking areas.  3. Uses are subject to the performance standards of § 22 23.  4. Light manufacturing uses shall employ electricity or other motive power and shall generally utilize hand lat or similar processes.  5. All accessory storage of materials and/or goods shall within completely enclosed buildings.
	Single-family dwelling				2 902200000						signs are permitted.	
	on existing lot of record				See § 220-15A.							
	Child day-care centers									1 space for each employee	1 permanent sign attached to the building, not to exceed 2 square feet, which may be illuminated by low-intensity lamp(s) only	See § 220-32.2.

Editor's Note: Resolution No. 276, adopted 9-8-1987, amended the schedule for this district to delete the standards for public utility substations, pumping stations, telephone exchange and switching stations; public utility rights-of-way, high-tension ttransmission lines, accessory poles and towers; and public service facilities.

otal existing parking spaces	- 227				
otal existing parking spaces	= 337				
Building	Sq. Ft.	Office Space	*Lab Space	Utility Space	Conf. Rm/Lobby/Utility
Bldg. 610	22,500	19,000		3,500	
High Bay	16,000	1,000	13,000	2,000	
Connector from HB	4,700	1,250	3,450		
Rt. Wing	28,300	3,168	23,982	1,150	
Lt. Wing	29,000	24,600	1,600	2,800	
Existing S.F. Parking (SF/300)	100,500 <b>335</b>	49,018 <b>163</b>	42,032 <b>140</b>	9,450 <b>32</b>	
New Bldg. Parking (SF/300)	27,690 <b>92</b>	0	21,480 <b>72</b>	0	6,210 <b>21</b>

Calculation Method Com	parison			
Building	Spaces	Employees	Sq. Ft. & Spaces	People & Spaces
RELC	220	100	78,000 / 260	100 / 66
Office Building	107	50	22,500 / 75	50 / 34
Proposed DAC Bldg	10	10	27,690 / 92	10 ppl / 6 sp
Гotal	337	160	427	106

# Request for Waiver of Parking Requirements

GE DAC Building 2690 Balltown Road

# The Property and Building Project:

The project property consists of a portion of the 533-acre General Electric Global Research Center, Niskayuna, New York (GRC), located within the Town's I-R Zoning District. In preparation for the much-publicized spin off by GE of its energy division, GE Vernova (GEV), to occur early in the second quarter of this year, last fall the Company applied for and received approval to subdivide and deed a 195-acre portion of the GRC to GEV. The conveyance of this property to GEV's real estate holding company, GE Renewables North America, LLC, was completed at the end of 2023.

The GEV Property has primary frontage and gated access from Balltown Road. It is presently improved by a 22,500 square foot office building and a 78,000 square foot facility known as the Research and Learning Center (RELC). GEV seeks site plan approval to construct a 27,690 square foot addition to the RELC (DAC Building) to accommodate the further study and implementation of a novel environmental process to capture and sequester carbon from the atmosphere.

# Parking Requirement:

As set forth in Niskayuna Town Code, Zoning, §220, Attachment 19, the minimum parking requirement in the I-R District is: 2 spaces for each 3 employees; or 1 space for each 300 square feet of floor area, whichever is greater. A copy of the table is attached as **Exhibit "A"**.

#### **Existing Parking:**

Attached as **Exhibit "B"** is an inventory and assessment of the GEV's parking needs. As set forth on the spreadsheet, the GEV Property current has 337 Parking spaces serving two buildings: 107 spaces serve the 22,500 square foot office building, which has 50 employees; and 230 spaces serve the 78,000 square foot learning center building, which has 100 employees.

Based purely on the square footage calculation method (1 space for each 300 square feet of floor area), the minimum parking requirement is met for the existing buildings (with extra 2 spaces). However, using this same method for the proposed 27,690 square foot DAC Building, another 93 spaces would be required for the added building floor area, for a total of 428 spaces.

#### Parking Needs for the GEV Property:

As set forth on the inventory and assessment (**Exhibit "B"**), the use of the RELC is one of many things that makes the facility unique. Here consider that nearly half of the 78,000 square foot facility houses labs and utility spaces. These areas consist of large open areas filled with tooling,

equipment and utilities that support research activities, quite different that the density of use in office settings.

Likewise, the proposed new DAC Building (27,690 square feet) is proposed to consist of 21,480 square feet of lab space and 6,210 square feet of meeting room, lobby, and utility space. Ten new employees are expected to work in the new building.

This use and configuration of building space at the RELC translates into fewer employees and thus lower demand for parking.

# **Proposed Waiver:**

Given that use of the RELC and the proposed DAC Building is demonstrably less intense than the traditional office setting and given that post pandemic use of office space is less intense generally than when parking metrics were previously conceived, we submit that that use of the per employee calculation method (2 spaces for each 3 employees- **Exhibit "C"**) supports a reduction in required parking spaces for this action. Using this methodology, only 106 spaces would be required for the GEV current and anticipated work force, which is nearly a third of the existing parking spaces.

Viewed in this context, it is reasonable to expect that the existing 337 spaces at the GEV Property will serve well the existing RELC and adjacent office building and proposed DAC Building now and well into the future, without having to add more impervious surface to accommodate simply to another 91 unnecessary parking spaces.

Accordingly, GEV requests a waiver of the requirement that 91 parking spaces be added to support construction of the DAC Building.

This approach was view favorably when presented to the Conservation Advisory Council on February 7, 2024

# Recapitulation:

- 337 Existing Spaces (230 RELC/ 107 Office Building)
- Code requirement for current buildings (100,500 sf ÷ 300)
  - 2 Existing spaces more than code requirement
- 93 Spaces required for DAC Building (27,690 ÷ 300)
- 428 Total spaces required for existing facilities and DAC building
- 91 Requested waiver (428 total spaces required 337 existing spaces)

#### NISKAYUNA CODE

1	2		3		4	1		5		6	T	
					Maximum	Minin	um Ya	rd Dime eet)	ensions		7	8
Zoning	Permitted Uses	M	inimum Lo Width	1	Percentage of Coverage by	Side		Minimum Required Off-Street Permitted	Permitted Signs	Additional Use Regulations, Prohibitions,		
District		Area	(feet)	Depth (feet)	Building and Structures	Front	1	Both	Rear	Parking Space(s) (Also see § 220-19.)	(Also see § 220-22.)	Notes, Other Provisions and Requirements
I-R <sup>1</sup> Research and Develop- ment	Research, experimental, and testing laboratories and light manufacturing uses	2 acres	200	200	25	50	25	50	50	2 spaces for each 3 employees or 1 space for each 300 square feet of floor area, whichever is greater	For each linear foot of building frontage, I square foot of sign area shall be permitted. Such sign shall only be attached to the building face and shall not protrude more than I foot from the building face and shall be a single face sign. Under no circumstances shall any I sign exceed 50 square feet and no more than I facade sign shall be permitted per property. For sites of five acres or more, I freestanding monument (ground) is permitted. The freestanding monument sign shall be no greater than 8 feet in height above the finished grade. Such sign shall have a maximum area of 30 square feet at the primary driveway. It shall be set back a minimum of 10 feet from the right-of-way line and side property line and be located in a manner that does not interfere with required minimum sight distance at driveways or intersections. Such sign shall be constructed of materials complementary to the principal building and shall be externally lit. Content on each sign shall be limited to the identification of one place or noe business. Double faced signs are permitted.	principal building on the lot.  2. There shall be a minimum 25% of the total land area of the site reserved as landscaped open space. At the discretion of the Planning Board, a portion of this open space shall be used to provide landscaping internal to
	on existing lot of record				Sec § 220-15A.				Į.			
	Child day-care centers	12.412.41								1 space for each employee	I permanent sign attached to the building, not to exceed 2 square feet, which may be illuminated by low-intensity lamp(s) only	Sec § 220-32.2.

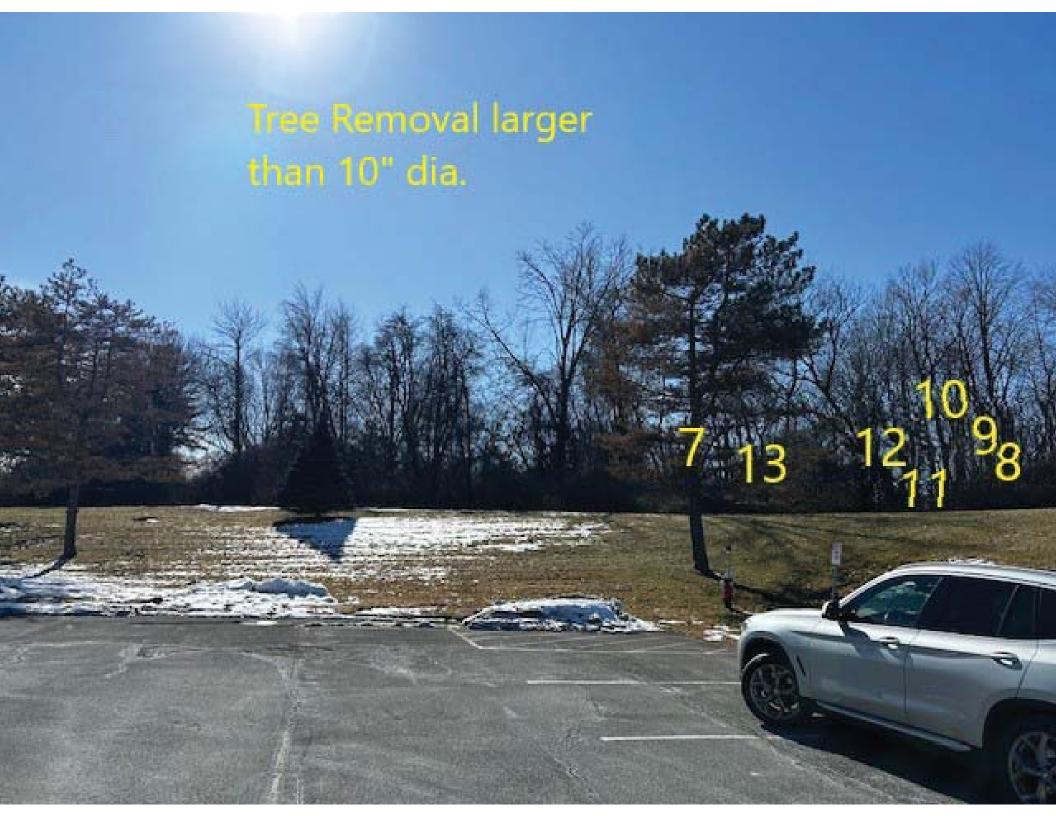
#### NOTES

<sup>1</sup> Editor's Note: Resolution No. 276, adopted 9-8-1987, amended the schedule for this district to delete the standards for public utility substations, pumping stations, telephone exchange and switching stations; public utility rights-of-way, high-tension ttransmission lines, accessory poles and towers; and public service facilities.

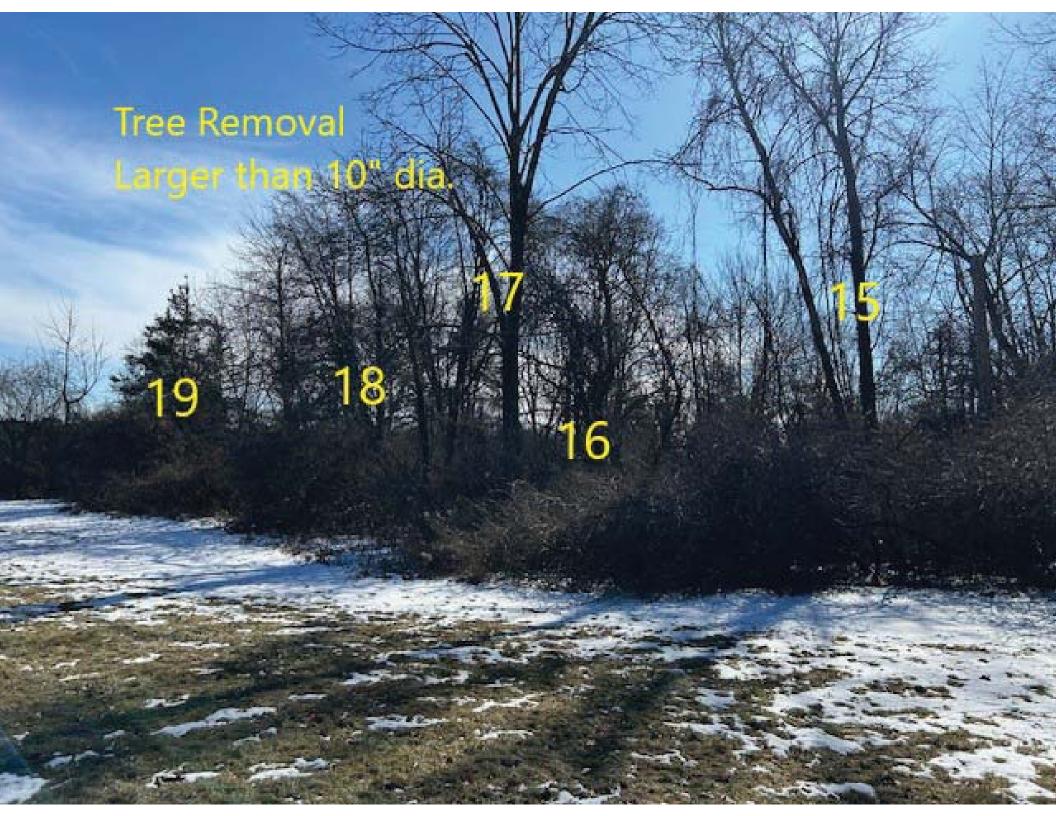
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Connector from HB	4,700	1,250	3,450		
Rt. Wing	28,300	3,168	23,982	1,150	
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Existing S.F. Parking (SF/300)	100,500 <b>335</b>	49,018 <b>163</b>	42,032 <b>140</b>	9,450 <b>32</b>	
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Calculation Method Com	parison			
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Proposed DAC Bldg		10	27,690 / 93	10 ppl / 6 sp
「otal	337	160	428	106











# ZONING BOARD OF APPEALS Application and Procedures For A Variance

Case No		
Date Rece'd E	BA_	
Date Hearing		
Date Action		
Ref.P.B.	Date	
Ref. County	Date	

TO: ZONING BOARD OF APPEALS
FROM: GE Vernova
RE: Property at 2690 Balltown Road, Niskayuna, New York 12309
Portion of Tax Parcel 401-45.3 (Recently subdivided- Pending assignment of SBL #)
I, Charles B. Dumas, the agent of the owner of the property located at 2690 Balltown Road in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance to permit the proposed construction shown on the accompanying drawings.
I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.
CHECKLIST OF REQUIRED ITEMS
Fifteen (15) copies of plot plans
Two (2) copies of construction plans, if applicable
Appeal fee (see application procedures for details)
Appeal statement (see application procedures for details)
Short Environmental Assessment Form, Project Information, as applicable for use variance
Additional information as specified by the Zoning Enforcement Officer  Signature of Agent:Date
Signature of Owner: GE Renewables North America, LLC
By: Christal Henderson
Christal Henderson

{LG 00729077 1 }

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

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

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

As set forth in the accompanying narrative, GE Vernova (GEV) proposes to construct a 27,690 square foot addition (DAC Building) to its existing research and development facility (RELC). The purpose of the new building is to accommodate research and further development for GEV's direct air capture technologies. Operation of the tooling and equipment within the structure will require the use of a bridge crane. As shown in the building cross section attached as Exhibit "A" to the narrative, the height of the equipment plus the distance required for the bridge crane, rigging and clearances is determinative of the height required for the building.

Maximum building height in the I-R Zone where the DAC Building is proposed to be constructed, is 35 feet. To accommodate the tooling, equipment and building superstructure the DAC Building must have a minimum height of 54 feet, or it simply cannot be built at this site in Niskayuna. The request therefore is for a 19-foot variance of the height limitation. The project architects and engineers have designed a roofing system with a minimal allowable slope to mitigate the exceedance as much as possible. Unfortunately, other more complete alternatives are not evident.

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

The GEV Property is situate in the I-R Zone and is part of a much larger grouping of research and development properties along River Road, including GE's Global Research Center and Knolls Atomic Power Laboratory. The proposed DAC Building is a permissible use under current zoning. Niskayuna's 2013 Comprehensive Plan contemplates and views as desirable ongoing development of facilities within the I-R District and recognizes such as providing stability to the Town's tax base and employment opportunities.

The DAC Building is proposed to be constructed in a location on the GEV Property that is approximately 2,000 feet from Balltown Road and the nearest residence and well over 3,000 feet from River Road. As such, the current RELC and adjacent office building on the GEV Property are

simply not viewable from the neighboring properties and are barely so from the bike path which is some 500 feet away. At its apex the RELC is approximately 64 feet in height, which is 10 feet higher than the proposed DAC Building. It is submitted therefore, that the DAC building would be in harmony with its immediate surroundings and in character with the I-R District generally.

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

In determining whether the requested variance is substantial, case law instructs the Board to consider the degree of exceedance, not by mathematical formula, but in terms of its it potential for impact. Consequently, what constitutes "substantial" is fact specific to each case. Thus, while a 19-foot height variance may materially impact property in a different setting, as in this case, where the project site is remote from neighboring properties and the impact de minimis, the variance should be viewed as insubstantial.

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

Although this prong of the balancing test overlaps a bit with the first in terms of effect on the neighborhood, the inquiry here tends to focus on: natural environmental characteristics, such as drainage, flooding, runoff; topographical changes, such as grading, trees, and vegetation; and traffic.

By the time this application will have come before the Board, the project will have first been to and through the Town's site plan approval process, which have included at least two appearances before each of the Planning Board and Conservation Advisory Council. Those appearances are expected to result in a SEQRA review and recommendation by the CAC to the Planning Board; a negative SEQRA declaration by the Planning Board; a review of the site plan by Doug Cole of Prime AE, the Town Designated Engineer, and a site plan approval by the Planning Board, conditioned upon this Board's grant of the requested height variance.

With respect to the foregoing please consider the following:

• The applicant made an initial presentation to the CAC on February 7, 2024 and at that time thoroughly vetted the potential environmental impacts of this project. A searching discussion was had about: the science behind direct air capture and the research to be conducted in the DAC Building; the site work required to construct the building, including tree removal, grading, and compliance with NYS Stormwater management standards; building impacts on nature and wildlife within the GEV property; and the landscaping and planting schedule. The CAC will be providing its input to the Planning Boad before making a SEQRA recommendation to the Planning Bord, anticipated to be made at the CAC's March 6 Meeting. It is expected that the CAC's input will form a part of the Planning

Board's action on the project.

 Additionally, as part of the Planning Board's November, 2023 approval of the subdivision for the GEV Property from the remainder of the GRC, the applicant has agreed and will be participating in several initiatives currently being undertaken by the Town, including the replacement of certain trees at the GRC, a Natural Resource Inventory that will include, the GRC and GEV properties, and dialogue about conservation measure along the GRC's river frontage.

It is submitted that the forgoing measures, ongoing and to be undertaken by GEV and General Electric Company are directly responsive to this prong of the Board's inquiry.

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

In making this proposal for construction of the DAC Building, GEV does so with foreknowledge of the zoning standards applicable in the I-R District, understanding that the building cannot be constructed without a variance for building height. Thus, GEV accepts that the hardship is self-created.

However, statute instructs that a finding of self-created hardship is not fatal to the grant of an area variance, being only one of several factors to be considered. Thus, this Board is empowered to grant the Applicant's variance request based on its finding that the Applicant has met its burden under the balancing test resulting.

Wherefore, the Applicant requests that the Board determine as follows and grant the Applicant's request for relief:

- a. That the DAC Building cannot be developed without a height variance, but noting that the Applicant has implemented a building design that will require the minimum degree of exceedance under the circumstances.
- b. That the proposed building, other than as to its height, is compliant with the other requisites of the I-R zoning district; is consistent with the intentions of the Town's Comprehensive Plan; will not be visible from neighboring properties, and as such will be in keeping with the character of the area and not detrimental to the community.
- c. That based on its de minimis potential impact on the community, the requested 19-foot height variance is insubstantial.
- d. That the proposed DAC Building Project has been thoroughly reviewed by this Board's constituent personnel, agencies, and boards and has been determined to be consistent with applicable regulatory, engineering and environmental practices, which findings and determinations this Board ratifies and reaffirms.

# Narrative in Support of Application for Area Variance

# The Property and Building Project:

The project property consists of a portion of the 533-acre General Electric Global Research Center, Niskayuna, New York (GRC), located within the Town's I-R Zoning District. In preparation for the much-publicized spin off by GE of its energy division, GE Vernova (GEV), to occur early in the second quarter of this year, last fall the Company applied for and received approval to subdivide and deed a 195-acre portion of the GRC to GEV. The conveyance of this property to GEV's real estate holding company, GE Renewables North America, LLC, was completed at the end of 2023.

The GEV Property has primary frontage and gated access from Balltown Road. It is presently improved by a 22,500 square foot office building and a 78,000 square foot facility known as the Research and Learning Center (RELC). Over the years the GRC, of which the RELC is part, have been home to cutting edge research and advancement in environmental science. By the time GEV comes before this Board, GEV will have appeared before the Planning Board and Conservation Advisory Council for site plan approval to construct a 27,690 square foot addition to the RELC (DAC Building) to accommodate the further study and implementation of a novel environmental process to capture and sequester carbon from the atmosphere.

# The Science and GEV's Role:

Carbon capture systems are being developed to remove legacy carbon dioxide (CO2) from the atmosphere, found to fuel climate change. It is the Biden Administration's stated goal to remove between 400 million and 1.8 billion metric tons of CO2 from the atmosphere and captured from emissions sources annually by 2050. To that end the Department of Energy has made funding available to GEV from the President's Bipartisan Infrastructure Law-funded Regional DAC Hubs program, which program seeks to eventually establish a national network of regional carbon capture hubs. In this project GEV's role will be to lead a pre-feasibility assessment to establish a direct air capture (DAC) regional hub near Houston, Texas.

In addition to its work on the Houston pilot project, GEV is also to be a DAC technology provider to two other projects in Colorado and Florida. The DAC Building will house laboratory facilities to enable GEV to exponentially increase the capability and usefulness of a specialized DAC modality developed and proven viable at the GRC.

# The Need and Request for Area Variance:

To accommodate this work, the DAC Building is to be outfitted with highly specialized tooling and equipment. It is the size and configuration of this apparatus that is dictating the nature of the building to house it. To illustrate this point please consider the building cross section attached as Exhibit "A". As set forth on the drawing, the tooling in the building's lab area will be serviced by an overhead crane suspended from a beam, the motor for which is shown as extending above the beam. As such, the tooling and equipment accounts for a minimum operating envelop of at least 35 feet in height, which of course is the maximum permissible height for building in the I-R

Zoning District. Accordingly, to account for superstructure, the DAC Building must exceed this limitation.

As set forth on the drawing the DAC Building is proposed to stand at no more than 54 feet at its apex. Our request, therefore, is for a 19-foot variance for building height.

### Justification:

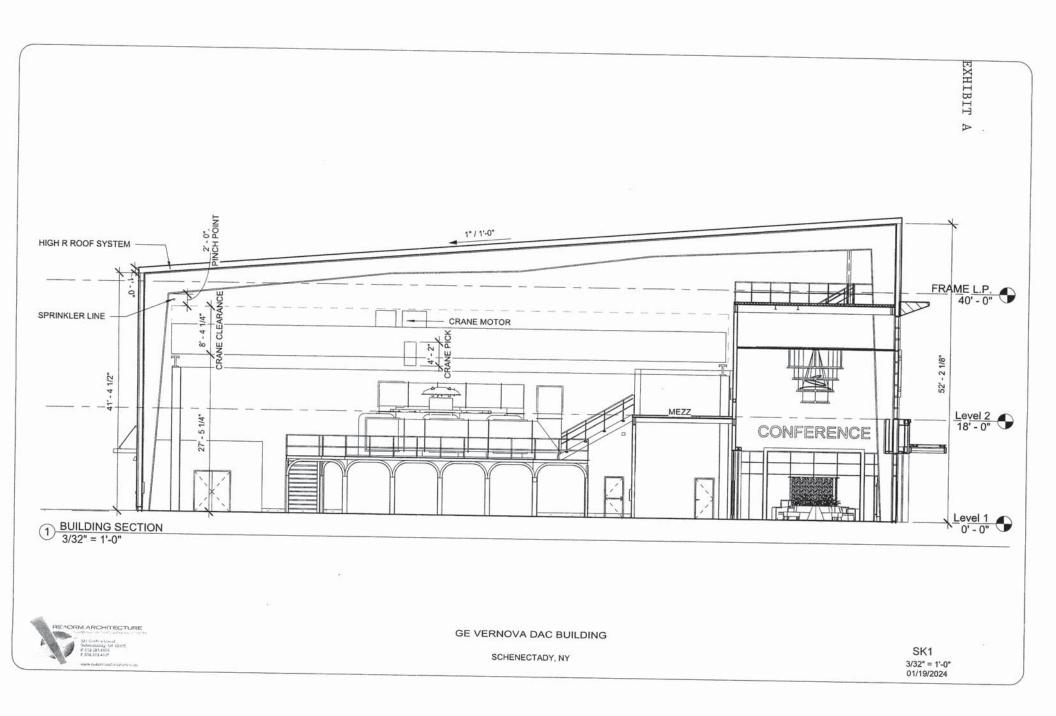
Reference is made to the accompanying Application for Variance and the statutory factors incumbent on the Board to evaluate, but supplemental to same consider the following additional information.

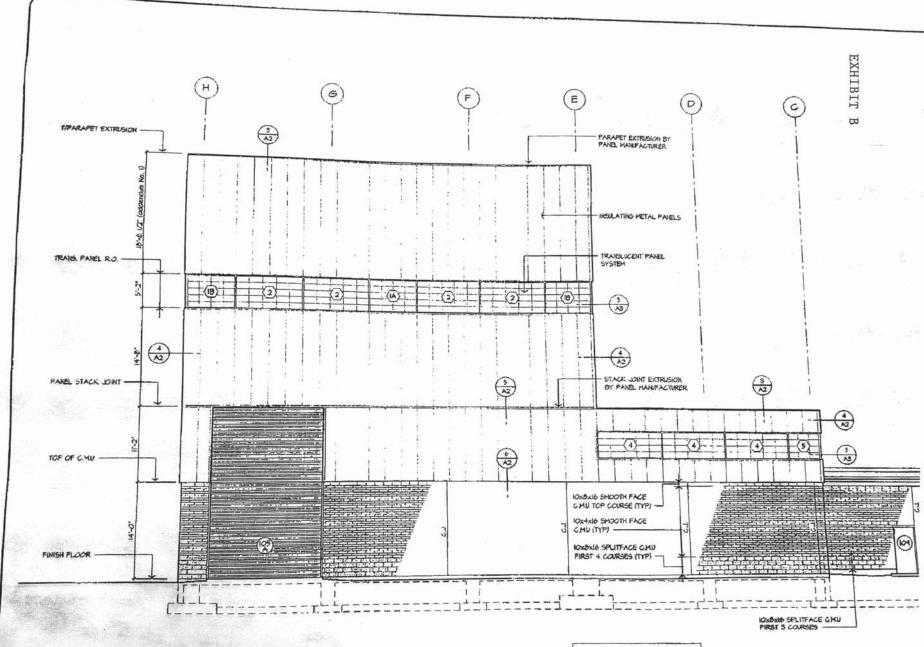
In the 2013 Niskayuna Comprehensive Plan, continued expansion and development within the I-R Zoning District where the GRC is located was recognized as being desirable. (Comp Plan pp. 74-75) thereby helping to secure for the Town the derivative benefits of such economic development, such as stability of tax base and employment opportunities (Comp Plan pp. 73, 79). It is believed that these goals will be continued and advanced by Town planners in the ongoing comprehensive plan update.

The request made for this height variance is consistent with at least one prior holding of this Board for a free-standing research and development building at the GRC. Here reference is made to the March 2022 area variance granted at the GRC to enable construction of the Cryogenic Research Building (CRB). In that case, like the present matter, the nature of research to be conducted and the equipment needed for it dictated the design and height of the building. For that structure, the Board granted a variance allowing for a building height of up to 63 feet, 9 feet more than the current request.

Though it was not constructed, the CRB was to be in proximity to River Road and thus, visible from it. Consequently, as part of the variance the approved site plan provided for tree planting to shield and buffer the view. In the present case, unlike the CRB, the DAC Building will simply not be visible by the public considering that it will be approximately 2,000 feet from Balltown Road, approximately 3,000 feet from River Road and some 1,500 feet to the nearest residence.

Lastly, as depicted on the building elevation attached as Exbibit "B", at its apex the current RELC Building stands at approximately 64 feet, some 10 feet taller than the proposed DAC Building. From field observations the current buildings at the site are not visible from surrounding properties and barely so from the bike path. Accordingly, it is submitted that the proposed DAC Building is in harmony with the use and occupancy requirements and expectations of the I-R Zoning District.





NOTE: C.J. INDICATES PREFORMED CONTROL JOINT GASKETS IN SASH BLOCKS, SEE STRUCT DWGS FOR COINCIDING JOINTS IN FOUND, WALLS

#### Short Environmental Assessment Form Part 1 - Project Information

#### **Instructions for Completing**

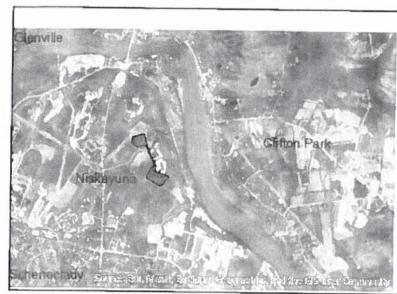
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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	7-11-			
GE Vernova				
Name of Action or Project:				
GE RELC DAC BUILDING				
Project Location (describe, and attach a location map):				
2690 Balltown Road, Town of Niskayuna, Schenectady County Tax Map Parcel 40.00-1	-45.3			
Brief Description of Proposed Action:				
GE Vernova is proposed a new building at their existing RELC facility located at 2690 Balltown Road. The proposal consists of a new 27,700± square foot building with associated entrance countyard, truck access drive and on-site stormwater treatment practices. The proposed building will be located to the west of the existing Learning Center Building. The new building will be connected to the adjoining Learning Center Building via an enclosed corridor. The existing access drives for the RELC will provided access to Balltown Road and no additional parking areas are proposed. An access drive for trucks is proposed at the south side of the proposed building to the existing on-site drives.				
Name of Applicant or Sponsor:	Telephone: 518 - 391	-5/6)		
GE Vernova	E-Mail: Corrie .			
Address:		•		
1 Research Circle				
City/PO:	State:	Zip Code:		
Niskayuna	NY	12309		
<ol> <li>Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?</li> </ol>	l law, ordinance,	NO YES		
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.				
2. Does the proposed action require a permit, approval or funding from any other	er government Agency?	NO YES		
If Yes, list agency(s) name and permit or approval: NYSDEC NOI SPDES Stormwater				
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?  194.77± acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. Urban 🗹 Rural (non-agriculture) 🗹 Industrial 🗹 Commercia	Residential (suburl	ban)		
Forest Agriculture Aquatic Other(Spec				
✓ Parkland	***************************************			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	П	V	ĪП
b. Consistent with the adopted comprehensive plan?	H	V	tH
6. Is the proposed action consistent with the predominant character of the existing built and the proposed action consistent with the predominant character of the existing built and the proposed action consistent with the predominant character of the existing built and the proposed action consistent with the predominant character of the existing built and the proposed action consistent with the predominant character of the existing built and th		NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		П	V
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify:		V	$\Box$
			+==
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation services available at or near the site of the proposed action?		V	님
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		H	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			120
		П	V
	_		
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
			V
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:	+		1 23
			V
12 a Does the project site contains in its about 17 and 18			
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		NO	YES
Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<b>V</b>	
AND A SECOND PROCESSION OF A SECOND S			
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?	İ		~
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
#3 #			V
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		V	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
	_		
	-		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		-
✓ Shoreline ✓ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
✓ Wetland		
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
Bald Eagle		V
16. Is the project site located in the 100-year flood plan?	NO	YES
	V	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		V
a. Will storm water discharges flow to adjacent properties?	V	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	V	
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)?  If Yes, explain the purpose and size of the impoundment:	110	TLS
If it es, explain the purpose and size of the impoundment:	V	$\Box$
		ш
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
	8	Ш
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?  If Yes, describe:		120
	П	V
NYSDEC Environmental Site Remediation Database, Site No. 447011, 447013, 447017 and 447013A		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name: Corrie While Date: 1/12/14  Signature: Title: Director Site Operation		
Signature: - Cl Title: Di-d- St n	L~ =	
Time. Street Ser Open	Mans	



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.

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(See Condition), Est HERE Garmin, New USS APS

Part 1 / Question 7 [Critical Environmental Area]

Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites!

Part 1 / Question 12b [Archeological Sites]

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]

Part 1 / Question 15 [Threatened or Endangered Animal]

Part 1 / Question 15 [Threatened or Endangered Animal - Name]

Part 1 / Question 16 [100 Year Flood Plain]

Part 1 / Question 20 [Remediation Site]

No

No

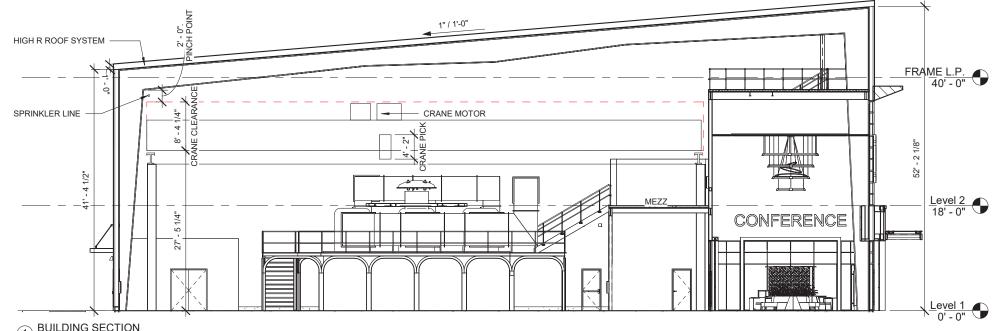
Yes

Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

Yes

**Bald Eagle** 

No Yes



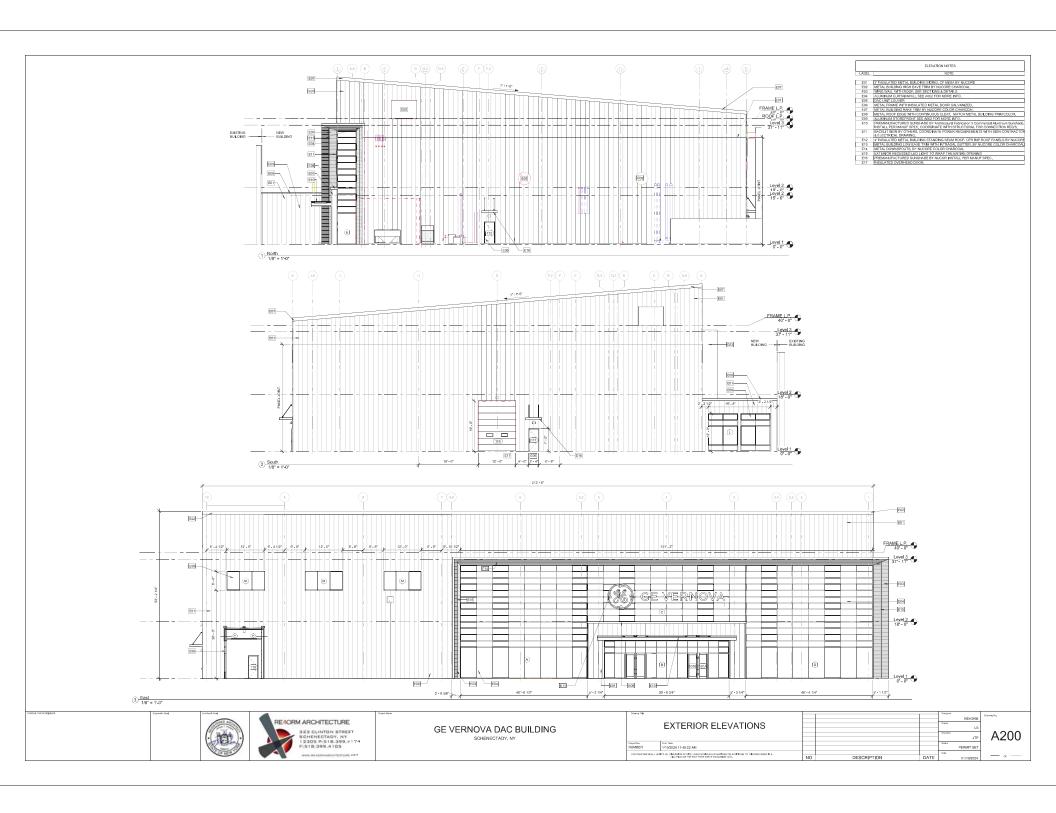
BUILDING SECTION
3/32" = 1'-0"

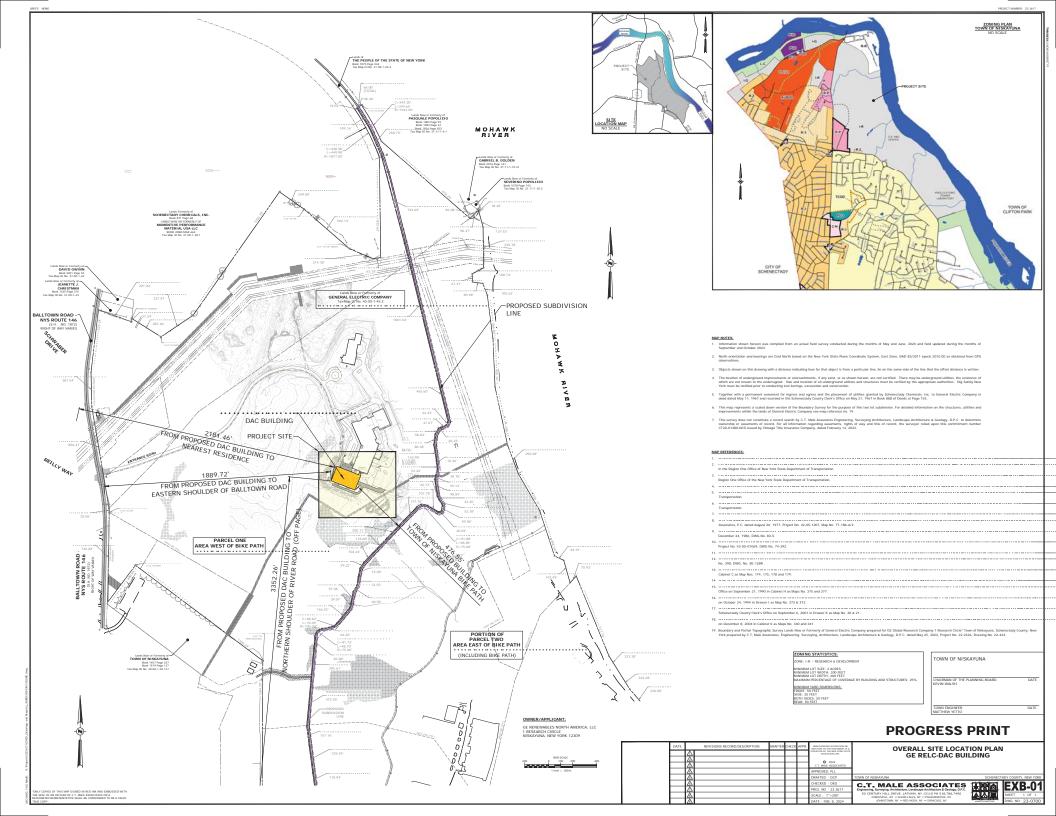


GE VERNOVA DAC BUILDING

SCHENECTADY, NY

SK1 3/32" = 1'-0" 01/19/2024





GE DAC Building 2690 Balltown Road, Niskayuna, NY

Google Streetview Images – Photo Credit Google

#### From Balltown Road at RELC entrance:



From Balltown Road north of RELC entrance:



#### From Balltown Road south of RELC entrance:



#### From Niskayuna Soccer Park:





#### **TOWN OF NISKAYUNA**

#### PLANNING BOARD AND ZONING COMMISSION

#### **AGENDA STATEMENT**

AGENDA ITEM NO. VII. 2	MEETING DATE: 2/26/2024
ITEM TITLE: RESOLUTION: 2024-08: A Resolution for si b.inspired – a home, gift and garden shop at 2219 Nott St PROJECT LEAD: TBD	
APPLICANT: Embarek and Aliza Mesbahi – property owr tenant	ners and Anne Brenner, proposed
SUBMITTED BY: Embarek and Aliza Mesbahi and Anne	Brenner
REVIEWED BY:  ☐ Conservation Advisory Council (CAC) ☐ Zoning Board ☐ OTHER:	of Appeals (ZBA) ☐ Town Board
ATTACHMENTS: ■ Resolution ■ Site Plan □ Map □ Report □ Other:	

#### **SUMMARY STATEMENT:**

Embarek and Aliza Mesbahi and Anne Brenner have submitted an application for a tenant change from a vacant commercial space to a b.inspired home goods store focusing on goods for the home, table and garden at 2219 Nott St. E. The location was most recently a nail salon.

The property lies within the C-N Neighborhood Commercial zoning district. Retail and service stores are permitted principal uses in the district.

The applicants and potential tenant presented the project to the Planning Board at their 2/12/24 meeting. After a short discussion the Board called for a resolution for approval for the 2/26/24 meeting. Resolution 2024-08 includes a waiver allowing a second façade sign on the façade of the building fronting Nott St.

#### **COMPREHENSIVE PLAN**

The proposed tenant change complies with the Economic Development section of the current (2013) Comprehensive Development Plan. Page 77 includes the following regarding the Town Center:

"Development in the Nott Street / Balltown Rd. area should be distinguished from existing commercial districts in that it should be a centralized node versus strip development, pedestrian friendly, and oriented to serve Town residents. Existing trends in commercial activity, combined with future plans for public buildings, provide Niskayuna with an opportunity to develop a commercial area nearer to the center of Town."

The proposed b.inspired home goods store (retail service store) is well matched to the objectives for the Town Center Overlay district portion of Town.

#### **BACKGROUND INFORMATION**

The following documents were included with the application.

- 1. An email from Anne M. Brenner to Laura Robertson entitled "b.inspired home information" dated 2/2/24
- 2. Three untitled (3) interior floorplan sketches stamped "Received Jan 18 2024 Planning Office Niskayuna, NY"
- 3. Signage Plans from Mathews Sign for the window treatments

The email states that b.inspired opened in the Village of Scotia in 2018, moved to Upper Union St. in 2020 and resided there through the end of 2023. Ms. Brenner indicates that the store appeals to all ages and is beloved for their array of goods and level of quality.

The email also notes that the store will typically have only one employee in the store but two parttime occasional employees may help on Fridays and Saturdays. Hours of operation are proposed to be Wed – Fri 11-5 and Sat. 10-4.

Signage is minimal and consists of painting the store name on the outside face of each of the two windows fronting Nott St. (see attached plan and images). Niskayuna Zoning Code Chapter 220-22 "Signs" and Chapter 220-48 "Town Center Overlay District, Neighborhood Commercial and Highway Commercial Standards" state that no sign shall be painted or similarly applied to a building or part thereof, except in compliance with the regulations for wall or façade signs. The proposed wall or façade signs are 10 square feet each (20 square feet total) and well within the allowable 40 square foot limit (40 feet of frontage), however a waiver is required for the second façade sign because only one is allowed (Chapter 220-48.4 E (9)).

<u>2/12/24 Planning Board (PB) meeting</u> – Mr. and Mrs. Mesbahi and Ms. Brenner presented the proposed tenant change application to the Planning Board. Ms. Brenner explained the history of her store in the Village of Scotia and Upper Union St. and her vision for the store in the Niskayuna Co-op Plaza. Ms. Robertson displayed the proposed window stencil Ms. Brenner is proposing in lieu of façade signage. After a short discussion regarding potential façade improvements and parking the Board called for a resolution for site plan approval for the 2/26/24 meeting.

A resolution for approval is included in the meeting packet.

#### RESOLUTION NO. 2024-08

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 26TH DAY OF FEBRUARY 2024 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 CHRIS LAFLAMME DAVID D'ARPINO LESLIE GOLD NANCY STRANG SARAH BILOFSKY EHASUYI GOMES

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, Embarek and Aliza Mesbahi have made an application to the Planning Board and Zoning Commission for site plan approval for tenant change at 2219 Nott St. to a b.inspired home goods store as described in the following documents:

- 1. An email from Anne M. Brenner to Laura Robertson entitled "b.inspired home information" dated 2/2/24
- 2. Three untitled (3) interior floorplan sketches stamped "Received Jan 18 2024 Planning Office Niskayuna, NY"
- 3. Signage Plans from Mathews Sign for the window treatments

, and

WHEREAS, the zoning classification of the property is C-N: Neighborhood Commercial zoning district 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 aforementioned signage plans consist of painted lettering on the windows of the Nott St. façade of the building, and

WHEREAS, Zoning Code Chapter 220-22 Signs, A, For uses in all districts, (9) states the following, "No sign shall be painted or similarly applied to a building or part thereof, except in compliance with these regulations", and

WHEREAS, Zoning Code Chapter 220-22 Signs, A, (10) (a) [3] states the following, "Freestanding signs shall be ground (monument) signs only. Building signs shall be wall signs only."

WHEREAS, Zoning Code Chapter 220-4 Definitions, Sign, Wall states the following, "Any sign attached parallel to but within one foot of a wall, painted on the wall surface of or erected and confined within the limits of an outside wall of any building or structure which is supported by such wall or building and which displays only one sign surface, and

WHEREAS, Chapter 220-48.4 Signs, E Minimum performance criteria, (9) Number of signs states the following, "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..." As proposed, two façade signs will exist on the Nott St. façade. Therefore, a waiver is required for one (1) additional façade sign (two (2) façade signs total) on the Nott St. façade, 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 has determined that the proposed sign waiver as described above would have a minimum negative effect on aesthetics and compatibility with neighborhood character, and be it

FURTHER RESOLVED, that the Planning Board and Zoning Commission does hereby grant said waiver to allow for the signage as described above, and be it

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

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

KEVIN A. WALSH, CHAIRMAN GENGHIS KHAN CHRIS LAFLAMME DAVID D'ARPINO LESLIE GOLD NANCY STRANG SARAH BILOFSKY EHASUYI GOMES

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):	Location:
Name MESBAHI	Number & Street 2219 NOTT ST
Address 2184 Story Ave	Section-Block-Lot
NISKY NY 12309	
Email jeabrs @ gwail.com Telephone 518-312-1829	Zoning District
Proposal Description:	
	Brenner to operate
boinspired home, most re	Brenner to operate recently operated on Union ST. Il home decor.
moving to Notet St. to se	Il home decor.
MARADAK	11.5/21
Signature of applicant:	Date: 1 1 1 2 4
Signature of owner (if different from applicant	
Signature of owner (if different from applicant	
Date: 18/24	Received
	JAN 18 2024
	Planning Office Niskayuna, NY

#### Laura Robertson

From: Anne M Brenner < labrenner4640@msn.com > on behalf of Anne M Brenner

**Sent:** Friday, February 2, 2024 9:39 AM

**To:** lrobertson@niskayuna.org

**Subject:** [EXTERNAL] b.inspired home information

Hi Laura-it was nice to chat with you yesterday. As requested, please find information about my business.

b.inspired home was established in 2018, I opened a small retail shop in the Village of Scotia after working for many years in public health and infectious disease. I moved my business from the Village to Upper Union Street in the fall of 2020. I entered into a 3 year lease at that time which concluded in September of 2023. I extended that lease thru January 31, 2024 so that I was able to stay thru the holiday season, which is usually one of my busiest.

I am relocating to 2219 Nott Street, a strategic move to a bustling area with the right foot traffic and a customer base that supported me on Upper Union. We are excited to join and compliment the other businesses on Upper Nott Street.

b.inspired home is a home goods store focusing on goods for the home, table and garden. We are a beloved store not only the array of goods we carry, but for the quality. We appeal to all ages and look forward to curating a new look in our new location.

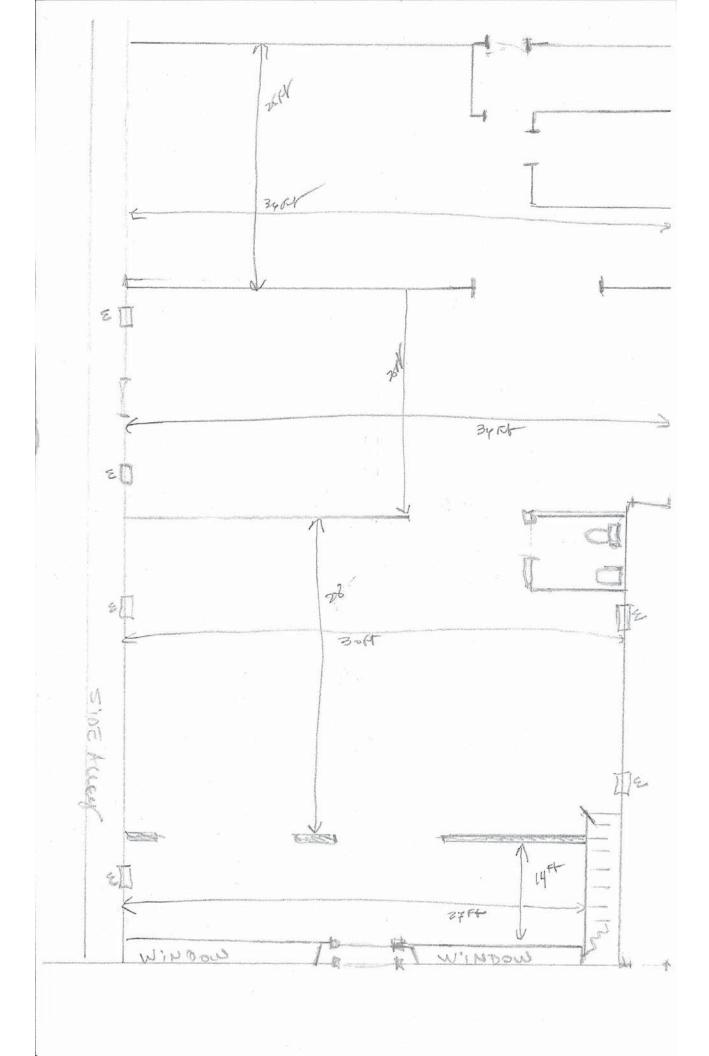
I am the owner and major staff for the store, I do have (2) part-time, occasional staff that help at the store on Fridays and Saturday. We anticipate that we will utilize the parking lot across the street to park unless told otherwise. Our hours of operation have been Wed-Fri 11-5/Sat 10-4. I do plan on meeting with the other business owners in the plaza to assess their hours to see how we could compliment them. Plans for signage will be minimal with basic lettering in the store window. Matthews Sign did the lettering on Upper Union and we anticipate doing something similar in the new space.

I look forward to meeting all of you on February 12th, please be in touch if I can provide anything further at this time.

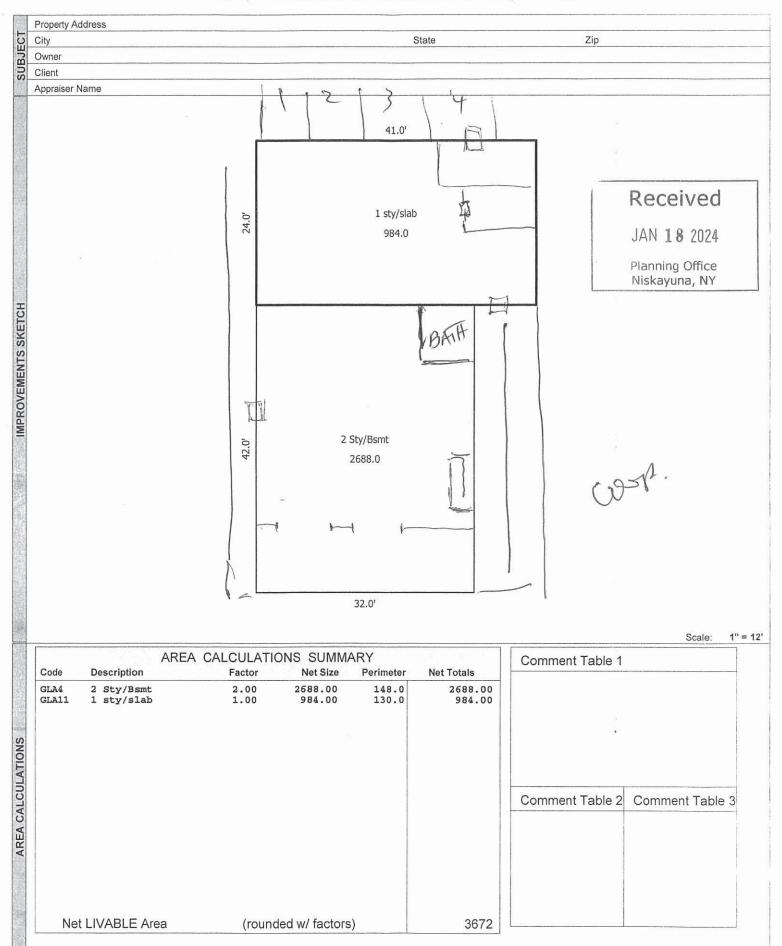
Thank you,

anne m. brenner b.inspired home 2219 Nott Street schenectady, new york 12309 www.binspiredlifestyle.com

PRIVATE SPACE For OWNER RETAIL STORE WITH fo be USED BY DE INSPIRAD



#### SK CH/AREA TABLE ADDE DUM



#### 2219 Nott St.



# b.inSpired/home

2 WINDOWS LETTERED AT 2291 NOTT ST. WHITE VINYL LETTERS 24" X 60" MATTHEWS SIGNS





#### **TOWN OF NISKAYUNA**

#### PLANNING BOARD AND ZONING COMMISSION

#### **AGENDA STATEMENT**

AGENDA ITEM NO. VIII. 1	MEETING DATE: 2/26/2024	
ITEM TITLE: DISCUSSION: 850 Oregon Ave. / 875 Stark Ave adjustment	- An application for lot line	
PROJECT LEAD: TBD		
APPLICANT: Ray Smith		
SUBMITTED BY: Laura Robertson		
REVIEWED BY:  Conservation Advisory Council (CAC)  Zoning Board of App  OTHER:	peals (ZBA) □ Town Board	
ATTACHMENTS: ☐ Resolution ■ Site Plan ☐ Map ☐ Report ☐ Other:		

#### **SUMMARY STATEMENT:**

Mr. Ray Smith, Mr. Timothy Stewart, Mr. Andrew Stewart and Ms. Joy Stewart Irr. Trust submitted an application for lot line adjustment to transfer a portion of the lot at 875 Stark Ave. to 850 Oregon Ave. The result will be more rectangularly shaped lots for both 875 Stark Ave and 850 Oregon Ave.

This is the first appearance of this project before the Planning Board.

#### **COMPREHENSIVE PLAN**

No references to lot line adjustments or the configuration of lots were found in the 2013 Comprehensive Plan.

#### **BACKGROUND INFORMATION**

The property is located in the R-2 Medium Density Residential zoning district.

Section 189-19 Lots A (2) states: "Shapes of lots shall lend themselves to utilization of entire lots as building and yard space. Shapes such as triangles and quadrangles with small included angles are discouraged." As proposed, the lot line adjustment makes both lots more rectangular in shape and has no adverse effect on neighboring properties.

The applicant is before the Board to present the application and address any questions that arise.

## OF NISA

#### TOWN OF NISKAYUNA

Planning Department One Niskayuna Circle Niskayuna, New York 12309 Phone: (518) 386-4530

Fax: (518) 386-4592

#### APPLICATION FOR LOT LINE ADJUSTMENT

#### **Building And Engineering Department Review**

#### Each application shall be accompanied by:

- 1. Administration Fees: An application for lot line adjustment shall be submitted to the Planning Department. Each petition shall be accompanied by a fee of \$100.00. Fees are payable to the *Town of Niskayuna*.
- 2. Two (2) Copies of a Sketch Plan. Sketch Plan must include: Existing lot line locations, proposed lot lines, building envelopes, location of existing structures / fences with distances to lot lines where appropriate and any additional information requested by the Zoning Enforcement Officer in order to review the proposal for compliance with the Subdivision and Zoning codes.

#### **Planning Board Review**

After receiving sketch plan approval from the Zoning Enforcement Officer, a Final Map must be prepared by a licensed surveyor or engineer and submitted to the Town for Planning Board review.

Submit a digital copy, thirteen (13) 11x17 copies of the Final Map to the Planning Department at least ten (10) business days prior to a regular meeting of the Planning Board.

Final Map must include: A signed seal of a surveyor or engineer licensed in the State of New York, actual field survey of boundary lines of the amended parcels with bearings and distances and appropriate monumentation, and a signature block described below.

: include lines for signatures as shown below.	
Planning Board Chairman	Date
Town Engineer	Date

The complete Lot Line Adjustment regulations can be found at the Niskayuna Town Code online, at: http://lecode360.comiN110974.

## OF MISA

#### **TOWN OF NISKAYUNA**

Planning Department One Niskayuna Circle Niskayuna, New York 12309 Phone: (518) 386-4530

Fax: (518) 386-4592

#### **Application For Lot Line Adjustments**

<b>Property Information</b>	
Physical Address(es): 850 OF	EGON AVE. / 875 STAKK AVE.
Section-Block-Lot(s): 50.14.	-1-59 AND 50-14-2-20
Number of Lots Involved: 2	Current Zoning(s): R-2 MEDIUM DENSITY RESIDE
Approximate Acreage: /.o/ Acr	ets (.48 ANO .53)
· ·	Ti .
Additional Information:	
5	
0 (0) 000	
Owner(S) Of Record (Attach addition	onal sheets if necessary)
Section-Block-Lot: 50. 14-2-59	
Name: RAYMOND J. SMITH	
Address: 850 OFEGON AJE.	Address:
City/State: Nisky Zip: 12309	City/State: Zip:
Phone:	Phone:
E-Mail:	E-Mail:
Section-Block-Lot: 50. 14 - 2 - 20	
Name: TIMOTHY M. STEWART	Name:
Address: 875 STACK AVE.	Address:
City/State: NIS LY Zip: 12309	
Phone:	
E-Mail:	
Surveyor Or Engineer	
Company:	Surveyor or engineer must have a current
Name:	professional license with the State of New
Address:	York.
City/State: Zip:	LICENSE #:
Phone:	
E-Mail:	<del></del>

## OF NISKA

#### **TOWN OF NISKAYUNA**

Planning Department One Niskayuna Circle Niskayuna, New York 12309 Phone: (518) 386-4530

Fax: (518) 386-4592

#### **Application For Lot Line Adjustments**

Supplementary Information (Attach separate sheet if necessary)

1.	What is the purpose of this adjustment? To Sovake OFF 850 OFEGON AJE
2.	What is the proposed timeline for adjustment completion? 2 MONTHS
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 <a href="Model">NO </a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a></a>

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#### **TOWN OF NISKAYUNA**

Planning Department One Niskayuna Circle Niskayuna, New York 12309 Phone: (518) 386-4530

Fax: (518) 386-4592

### **Notarized Owner's Acknowledgment/ Authorization For Lot Line Adjustment**

Section-Block-Lot:	50.14-2-59	
Physical Address:	850 Oftbon Ave.	=

#### 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 31st day of January	2024
WOBERTSON,	13
	Signature of Applicant
STAN VORK OF NEW YORK OF NEW YORK ONNY OF NEW YORK ONNY ON NEW YORK ON NEW YORK ONNY ON NEW YORK ONNY ON NEW YORK	RAPMOND J. SMITH.
NOTAR Share and 29923	Printed Name
12 Min Thin	1/31/2024
Milston Public, State of New York	Date

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



#### TOWN OF NISKAYUNA

Planning Department One Niskayuna Circle Niskayuna, New York 12309 Phone: (518) 386-4530

Fax: (518) 386-4592

#### Notarized Owner's Acknowledgment/ Authorization For Lot Line Adjustment

Section-Block-Lot:	50.14-2-20	
Physical Address:	875 SMAR AVE.	

#### 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 7th day of February 2004

Signature of Applicant

TIMOTHY M. STEWART

2-71-2024

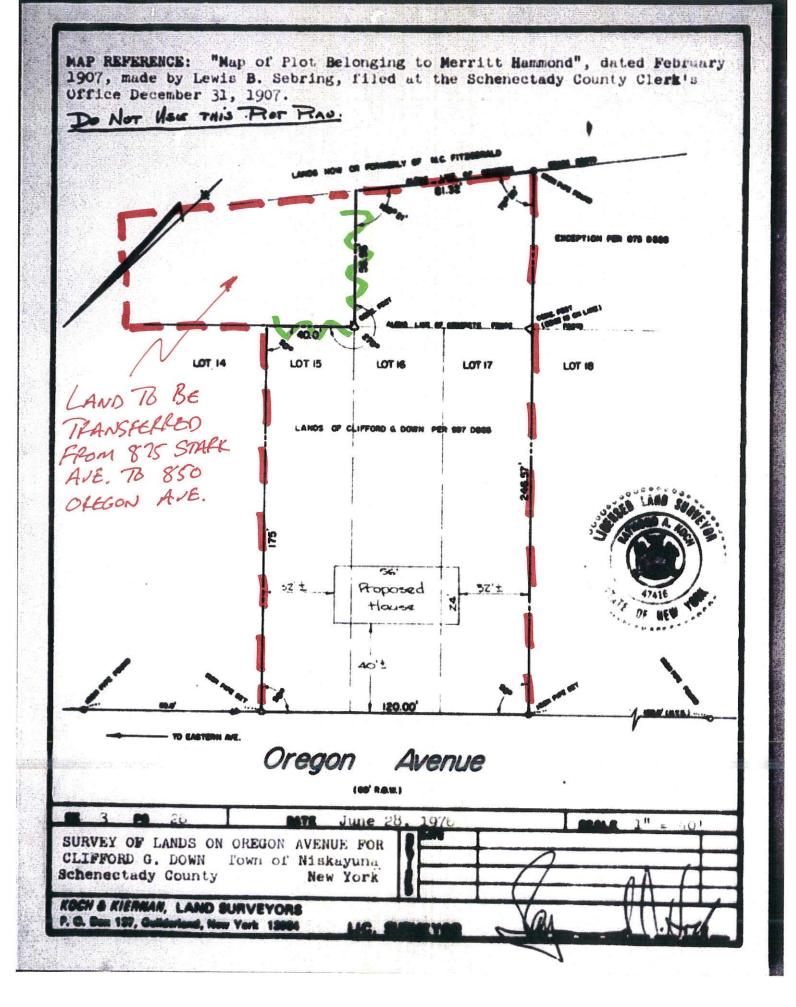
Notary Public, State of New York

Date

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

TINA BIANCO
Notary Public, State of New York
Qualified in Saratoga County
Reg. # 01BI6272175
Commission Expires 11/13/202

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

September 19, 2017

FILED TOWN OF NISKAYUNA

Raymond Smith 850 Oregon Avenue Niskayuna, NY 12309

SEP 1 9 2017

Michelle M. Martinelli Town Clerk

Dear Mr. Smith,

At its regularly scheduled meeting held on September 18, 2017, the Board reviewed the following case:

The appeal of Raymond Smith, 850 Oregon Avenue, Niskayuna, N.Y. for a variance from Section 220-13, Schedule I-C, Section 220-18 A (3), and Section 220-18 B (3)(b) of the Zoning Ordinance of the Town of Niskayuna for the construction of a 30' x 40' (1200 square foot) pole barn on the property noted above. The property is located in an R-2 District: Medium Density Residential Zoning District. Accessory Structures: Section 220-18 B (3)(b) states, "the required side and rear yard dimensions for major accessory structures shall be the same as applies to the principal building." A major accessory structure is defined as "detached accessory buildings or other structures in excess of 120 square feet." The proposed pole barn, at 1200 square feet, is a major accessory structure. Section 220-13, Schedule I-C establishes the rear setback as twenty (20) feet. As proposed, the pole barn is located ten (10) feet from the rear property line at the closest point; therefore a ten (10) foot rear yard setback variance is required. Section 220-18 A (3) states: "Unless otherwise specified, accessory structures shall not exceed fifteen (15) feet in height." As proposed, the pole barn would have a height of eighteen (18) feet; therefore, a three (3) foot height variance is required.

It was the decision of the Board to grant the variance as written.

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

Sincerely,

Fred Goodman

Chairman

cc:

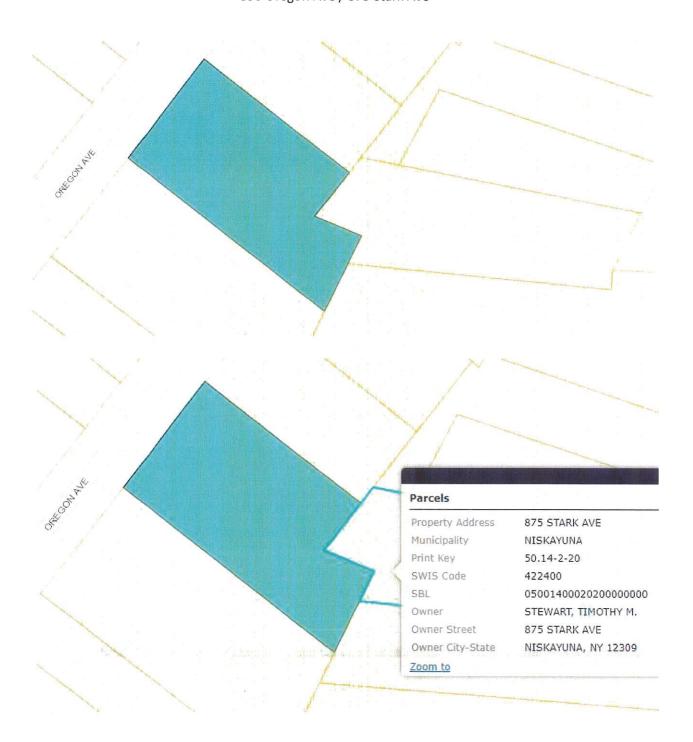
Town Clerk

Fred Dodman /2ml

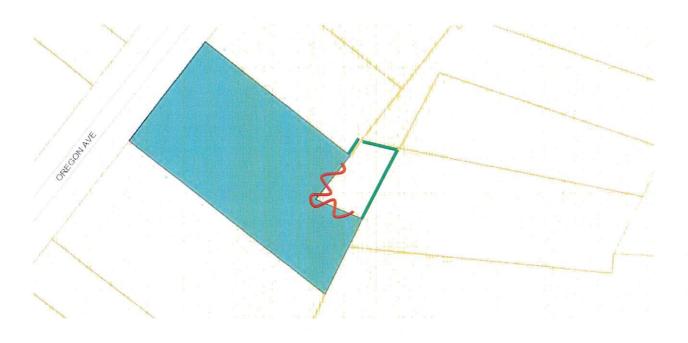
Building Department

ZBA File

#### Lot Line Adjustment 850 Oregon Ave / 875 Stark Ave



#### Lot Line Adjustment 850 Oregon Ave / 875 Stark Ave





#### **TOWN OF NISKAYUNA**

#### PLANNING BOARD AND ZONING COMMISSION

#### **AGENDA STATEMENT**

AGENDA ITEM NO. IX. 1	MEETING DATE: 2/26/2024		
ITEM TITLE: REPORTS: Project submittal timeline review			
PROJECT LEAD: NA			
APPLICANT: NA			
SUBMITTED BY: Laura Robertson			
REVIEWED BY:  ☐ Conservation Advisory Council (CAC) ☐ Zoning Board of Appeals (ZBA) ☐ Town Board ☐ OTHER:			
ATTACHMENTS:  ☐ Resolution ☐ Site Plan ☐ Map ☐ Report ☐ Other: PB re	eview		

#### **SUMMARY STATEMENT:**

Chapters of the Niskayuna Town Code defining the processes for topics such as the Subdivision of Land (Chapter 189), and Articles of the Zoning Code defining the processes for actions such as Site Plan Approval (Article VIII) and Special Use Permits (Article X), and the associated application forms, contain clear requirements regarding the deadline for the submission of new applications and supporting materials relative to Planning Board meeting dates. The aforementioned documents do not establish requirements or guidance regarding deadlines for the submission of updated materials or additional supporting materials for projects relative to subsequent / follow up Planning Board meetings.

The goal of this project is to facilitate an open discussion, including feedback from the array of impacted stakeholders, and establish, communicate and follow clear deadlines for the submission, distribution and utilization of updated and/or additional PB project materials relative to follow up PB meetings (dates).

Brief discussions have occurred regarding this topic at PB meetings over the past few years. This project is envisioned to be a more formal review resulting in clarification of the subject.

#### **COMPREHENSIVE PLAN**

This subject is not addressed in the current (2013) Comprehensive Development Plan.

#### **BACKGROUND INFORMATION**

A 1-page slide has been prepared to help identify fundamental questions, establish a project scope and initiate discussion. Board members should compile their individual thoughts, questions and wishes so that they can contribute to the discussion and help achieve the shared goal.

## Questions & Things to Think About Regarding PB Material Submission Deadlines

- The <u>zoning code</u> and <u>application forms</u> include clear direction regarding when a new application must be received to be on the agenda for a PB meeting (10 days).
- The zoning code does not provide direction regarding when materials for follow up PB meetings, or additional supporting materials for a new application, must be received to be on meeting agendas or included in the meetings.

#### Questions to consider:

- For a Monday meeting, when would you like to receive the PB meeting packet?
- How would you like to handle material submitted after the submission deadline?
- How broad would you like this review to be?
  - Would you like a Benchmarking Study comparing Niskayuna submission deadlines to other municipalities?
  - Would you like a feedback from stakeholders (applicants), residents (public hearing)?
  - Would you like a Benchmarking Study comparing Niskayuna Planning zoning code and processes to industry recognized Planning Association Best Practices and other municipalities?