



**CITY OF RENSSELAER**  
**PLANNING AND DEVELOPMENT AGENCY**  
**BUILDING & ZONING**  
CITY HALL, 62 WASHINGTON STREET  
RENSSELAER, NEW YORK 12144-2696  
Planning (518) 465-1693 Building (518) 462-5489 Fax (518) 465-2031

**Minutes of the Special Meeting of the City of Rensselaer Planning Commission**  
**First Floor Conference Room, Rensselaer Community Center, 62 Washington Street**  
**January 26, 2011**

**Members Present:**

Charles Moore – Chair, Christine Van Vorst – Vice-Chair, Frank Adams, James Ahlemeyer, Bob Campano, Tom Cardamone.

**Members Not Present:**

George Farrell.

**Staff Present:**

Kevin McLoughlin – Assistant Planning Director

**Others Present**

Mark Visscher

**Call to Order:**

Chair Moore called the regular meeting of the City of Rensselaer Planning Commission to order at 6:42 PM. Roll call was taken, and it was determined there was a quorum.

**Adoption of Past Meeting Minutes**

No prior minutes were reviewed.

**Communications**

Mr. Moore asked if Mr. Spath would be attending. Mr. McLoughlin responded that he had not replied to the meeting notice e-mailed to him nor responded to a phone call shortly before the meeting and was likely unavailable.

**Old Business**

NONE.

**New Business**

- 1. Report to the Common Council** – discussion /review of proposed amendment to zoning code relating to allowed uses in industrial (I) zoning districts.

Mr. Moore read and summarized the proposed amendment to the zoning text for the rest of the board as language that creates an added layer of review for projects adjacent to the Historic Residential neighborhood and the council and administration wanted to grant the Planning Commission more authority in creating a proper buffer so there was not an impact on the Historic Residential area.

Mr. McLoughlin stated that the resolution language as written pertains to 3 specific parcels, which were proximate to or near the Historic Residential neighborhood, which was the area the Council's resolution and the draft report called out as being protected, but not directly adjacent. Mr. Campano agreed with this reading.

Mrs. Van Vorst stated that when she was driving through Menands she encountered a terrible smell from garbage burning or some other activity. She wanted to know if there was a way to impose a requirement in the Industrial area to prevent uses from emitting noxious odors or scattering of residue throughout the city. She stated that her concern arose in order to encourage people to come in rather than being driven out and that future changes were good growth and smart growth.

Mr. McLoughlin responded that there was a section on general performance standards in the Zoning Code on noise, odor, & glare and offenses which were enforceable through ticketing by city code enforcement officers.

Mrs. Van Vorst asked if the General Performance Standards applied to the proposed re-zoning area. Mr. McLoughlin answered that they applied throughout the City, but still required a valid basis under the law as nuisances to be ticketable and enforceable.

Mr. Campano asked if under the proposed amendment an applicant came in with a proposal for the parcels affected for a use currently allowed in the Commercial Industrial Zone whether they would only be required to undergo Site Plan Review. Mr. McLoughlin confirmed this would be the case.

Mrs. Van Vorst asked if these standards applied to the issue Mr. Ahlemeyer had with problem neighbors. Mr. McLoughlin noted that the general performance standards related to land uses rather than specific individuals or a pattern of quality of life complaints, which is why there is a separate law for this in the City Code.

Mr. Campano asked if there was a category of impact use beyond Heavy Industrial. Mr. McLoughlin responded that in his understanding Heavy Industrial was generally the zoning district where uses with the largest potential impacts were located. Mr. Campano stated he was surprised that there wasn't already such a Special Use Permit requirement in place.

Mr. Moore noted that the last two pages of the handout contained what would be the resolution before the Council.

Mr. Campano asked if the report to the Council was required but only advisory, which was confirmed.

Mr. Moore asked if a Site Plan for an allowed use could be denied. Mr. McLoughlin stated that in his understanding it could be so long as there was a reasonable basis for the decision and it wasn't arbitrary.

Mrs. Van Vorst expressed the preference Heavy Industrial (I) zoning district should have additional reviews to ensure the surrounding residential areas are protected.

Mr. Campano moved to adopt the draft report (text below) as submitted to the board with the added recommendation to the Common Council that it consider extending the coverage to other nearby properties to help buffer the residential area and neighborhood park. Mrs. Van Vorst seconded. The motion was unanimously approved.

**(a) Whether such change is consistent with the purposes embodied in this chapter (i.e. zoning) as applied to the particular district concerned.**

The proposed change is consistent with the purposes of zoning for the Industrial zoning district because in the interests of protecting residents' health, safety, and welfare additional reviews of industrial projects close to the Fort Crailo residential district will be made. Industrial uses, which are important to Rensselaer's economic base will be allowed if they are able to meet the Special Use Permit standards. The change in the zoning text further reinforces the boundary between the Fort Crailo neighborhood and the Port Industrial District by enabling more of a transitional area.

**(b) Which areas and establishments in the City will be directly affected by such change and in what way will they be affected.**

The proposed zoning amendment applies to three parcels in the Industrial (I) Zoning District. The affected tax parcel ID #'s are: 154.-5-2.3, 154.-5-2.12, & 154.-5-2.13.

Requirement for a Special Permit Review for uses of a more industrial nature than permitted commercial-industrial (CI) uses will allow the community greater influence on site design to more effectively buffer residents on Riverside Avenue and the southern portion of the Fort Crailo historic residential (HR) zoning district from potential quality of life impacts such as noise, light, and odors.

**(c) The indirect implications of such change in its effect on other regulations.**

By enabling additional reviews and buffering, the proposed zoning amendment will help protect the existing residential neighborhood character of the Fort Crailo historic residential (HR) zoning district.

**(d) Whether such proposed amendment is consistent with the underlying objectives of the City's Comprehensive Plan.**

The City's Comprehensive Plan identifies this area as Industrial (I) in the Future Land Use Plan and it will remain so with this change to the use table. The proposed re-zoning shifts multiple allowed uses to the Special Permit Use category to enable additional reviews for uses that may impact nearby residential neighborhoods.

The Comprehensive Plan also recommends that all industrial truck trips use the Irvin Stewart Port Expressway at 9J & US 9/20 in order to eliminate impacts from such traffic in the Fort Crailo residential district. Adding a Special Use requirement for heavy industrial uses will facilitate diversion of truck traffic to the south and away from northern Riverside Avenue, Belmore Place, and Rensselaer Avenue.

**Other Business**

NONE.

**Adjournment:**

Hearing no objections, Mr. Moore adjourned the meeting at 7:11 PM.

**Next Meeting:**

The next regular meeting is scheduled for February 14, 2010 at 6:30 PM.

**Record of Decisions:**

An official record of decisions noting the details of motions and votes from this meeting along with any conditions & stipulations of approval has been filed with the City Clerk and a copy maintained in Planning Department records.

Respectfully Submitted,

Kevin McLoughlin  
*(on behalf of)*  
Sarah Crowell  
Secretary