

Minutes of the Regular Meeting of the City of Rensselaer Planning Commission
First Floor Court Room, Rensselaer Community Center, 62 Washington Street
August 18, 2011

Members Present:

Charles Moore – Chair, Christine Van Vorst – Vice-Chair, Frank Adams, Bob Campano, and George Farrell

Members Not Present:

Tom Cardamone, James Ahlemeyer

Staff Present:

Daniel Berheide – Asst. Planning Director, Sharon Butler – Office Manager, Phil Dixon – Counsel.

Others Present

Doug Hanks, Michele Peart, Dawn Gilla, Rocca Bachandouris, Dave Gardner, Pete Sheehan, among others.

Call to Order:

Chair Moore called the meeting of the City of Rensselaer Planning Commission to order at 6:35PM. Roll call was taken and quorum determined.

Adoption of Past Meeting Minutes

A motion by Frank Adams to approve the minutes of July 11th of 2011 as submitted was seconded by George Farrell and passed by those present.

Communications

NONE

Old Business:

1. A motion from Chris Van Vorst, seconded by, George Farrell was made to pay the following invoices #197344, #198331, #354746, #356500, #354509, and #0075814 from Chazen Company, Whiteman Osterman & Hanna, and Fraser & Associates for legal and technical services on the de Laet's Landing, Cottage Hill, and New Castle projects. The motion carried.

New Business

1. **Doug Hanks, 827 2nd St.** – Action Requested: Recommend the Zoning Board of Appeals approve the area variance for 10' relief from minimum setback regulations to allow a deck to front the building.

Doug Hanks provided a description of his proposed deck including dimensions, consistency with the character of neighboring decks, and a history of the previous deck. After a few questions to clarify the proximity of the decking to the sidewalk and addressing concerns about it representing a hazard, Bob Campano asked if the applicant would be open to reducing the width of the deck from 7 to 6 feet. Mr.

Hanks responded explaining reducing the width would hamper his options to furnish the deck with a table and chairs. Chris Van Vorst made a motion to issue a positive recommendation to the Zoning Board of Appeals to grant the variance requested. Seconded by Frank Adams. The motion carried.

- 2. New Castle Asphalt, LLC-** Action Requested: Approve Final Conditioned Negative Declaration, including Coastal Assessment Review, and a Site Plan and Special Use Permit (to develop in a floodplain) for the construction and operation of a blacktop plant at the Port of Rensselaer in an Industrial Zone.

Chair Moore began speaking to the members of the public in attendance with a presentation outlining the Planning Commission's review and actions taken on the New Castle application to this point. Phil Dixon, repeated the legal process involved in the State Environmental Quality Review and summarized the public comments received regarding the New Castle application. Of the comments received the substantive comments were either taken under consideration or already found to be incorporated into existing mitigative factors or conditions placed on the negative declaration. Bob Campano and Christine Van Vorst asked some clarifying questions regarding the Department of Environmental Conservation permitting and the conditions to be set in the site plan to monitor air quality and limit emissions. A discussion concluded that existing independent non-profit organizations and governmental agencies already monitor the area's air quality and have the ability to alert the public and authority to levy punitive measures. The Assistant Director of Planning, Daniel Berheide, provided an overview of the Local Waterfront Revitalization Program (LWRP) and a the criteria outlined to determine and "certify consistency" between the applicant's proposal and the policies of the LWRP. Pete Sheehan interjected to debate whether the proposed action was consistent with the LWRP. Following a rebuttal by the Assistant Director, the Chair of the Planning Commission read aloud the proposed resolution to adopt the Conditioned Negative Declaration, certify consistency with the LWRP, grant the site-plan and special use permit, and approve stormwater pollution prevention plan. At Christine Van Vorst's suggestion, the Chair of the Commission requested an additional provision be incorporated into the resolution to supply the City of Rensselaer access to production volume records. George Farrell made a motion to pass the aforementioned resolution. Seconded by Bob Campano. All present voted in favor to pass the resolution.

Adjournment:

Chair Moore motioned to adjourn the meeting at 7:35 PM. Seconded by Christine Van Vorst. Motion carried.

Next Meeting:

The next regular meeting is scheduled for September 12, 2011 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,

Sarah Crowell
Secretary