

Minutes of the Regular Meeting of the City of Rensselaer Planning Commission
First Floor Court Room, Rensselaer Community Center, 62 Washington Street
September 12, 2011

Members Present:

Charles Moore – Chair, Christine Van Vorst – Vice-Chair, James Ahlemeyer, Bob Campano, and George Farrell

Members Not Present:

Frank Adams, Tom Cardamone,

Staff Present:

Daniel Berheide – Asst. Planning Director, Sarah Crowell – Director of Planning, Jack Spath – Counsel.

Others Present

Dave Gardner, Lou Lourinia, Kathy Ellis, Kyamw Myint, Tony Clemente, Frank Sorrento, Peter Burdick, Rocca Bachandouris, 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 Bob Campano to approve the minutes of August 18th of 2011 as submitted was seconded by Cand 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 #199362 and #400838 from Fraser & Associates and #357976 from Whiteman Osterman & Hanna for legal and technical services on the New Castle application. The motion carried.

New Business

1. **Rensselaer Scrap & Auto Recycling LLC, 550 South St.** – Action Requested: Approve site plan permitting the property to operate as a tow yard, automobile recycling, scrap metal recycling, and used car lot in a district zoned Commercial Industrial.

Mr. Sorrento provided a description of his current operations and proposed plans for his business located at 550 South St. Members of the Planning Commission asked several questions to better understand the details particular to dismantling vehicles and whether any environmental or aesthetic mitigation needed to be considered before approving the applicant's site-plan. The Planning Commission determined that to

serve both the interests of the community as well as the applicant a limit on the number of vehicles for each area of the proposed operations should be placed as a condition on the site-plan approval. Up to twenty-five cars undergoing dismantling, twenty cars for re-sale, and fifty impounded cars will be permitted on the premises at any given time. It was further decided that the required fence for the impound and signs associated with the business would be permitted upon the condition they received administrative review and approval by the Director of Planning and the Building and Zoning Administrator. Lastly, the Planning Commission requested the applicant provide the City's Department of Planning with copy of the lease and all required New York state licenses to operate as a tow yard, automobile recycling, scrap metal recycling, and used car lot. A motion was made by Christine Van Vorst, seconded by George Farrell, to approve the site-plan with the aforementioned conditions. The motion passed.

2. Kyaw Myint & YuYu Myaing, 1023 First St. – Action Requested: Approve Site plan permitting the installation of a third two bedroom basement unit in a district zoned multi-family.

The applicant was present to describe his intent in installing a third apartment in his basement. The discussion primarily revolved around how many spaces were currently available on-site and the location and number of spaces for future parking. In consultation with both Planning Department staff and the applicant, the Planning Commission agreed the apartment was an allowed use and required at least 5 spaces, but to preserve the character and open space available of the property no more than 5 spaces would be permitted. Furthermore, the Planning Commission requested the applicant consider placing natural screening between the road and the parking. As a condition to site plan approval, the material and location of the parking including screening is to be approved by administrative review between the Building and Zoning Administrator and the Director of Planning. A motion to approve the site-plan with the aforementioned conditions was made by George Farrell, seconded by Christine Van Vorst, and passed by all present.

3. Jessica Siddon, 27 Nelson Ave. – Action Requested: issue Certificate of Appropriateness to approve constructed wooden stairs and landing as conforming to standards in the Historic District.

On behalf of Jessica Siddon a relative, Kathy Ellis, spoke to the Planning Commission about the history of the steps the current wooden stairs replaced and argued the certificate of appropriateness should be passed based on the condition and character of the front steps of surrounding houses. Therein an thorough debate about the purpose of certificate of appropriateness, the designation of the historic district, and planning process preceded a decision to defer the details of reconstructing the existing stairs to Building and Zoning Administrator and Planning Director for administrative review. The applicant's representative was adamant that they wanted to resolve the issue and were less concerned with the elements of its design as they were with Planning Commission's delivering a decision. As such, the Planning Commission felt it was in the best interest of the community and the applicant if the matter was yielded to the Planning and Building Department for administrative review. Therefore, a motion was made by George Farrell, seconded by James Ahlemeyer, to approve a certificate of appropriateness upon the condition the reconstruction of the front steps comply with building codes, abide by the guidelines adopted for the historic district, and is approved by administrative review between the Building and Zoning Administrator and Director of Planning.

4. Delaet's Landing – Action Requested: Approve special use permit to place fill in the floodplain.

The presentation and discussion of the project's details demonstrated the special use permit application was a remaining procedural approval necessary for the Federal Emergency Management Agency (FEMA) to consider a Conditional Letter of Map Revision (CLOMR) to amend the Federal Insurance Rate Maps which represents the 100-year floodplain. The general intent of the project is to use fill to raise the area of construction outside of the floodplain. There was some discussion about the extent of the area raised out of the floodplain and where the fill was being sourced. It was generally agreed that though there may be a general increase in truck traffic due to importing fill there is broad community support and excitement for the project's start. The chair of the Planning Commission opened a public hearing. After hearing members of the public speak in favor of the project with no one against, the chair closed the public hearing. As conditions to approving the special use permit the applicant is to provide the Department of Planning a copy acknowledging the receipt and status of the CLOMR by FEMA, replenish escrow to cover both outstanding as well as anticipating invoices, hire a third party inspector, involve the city's consulting engineer in pre-construction meetings, and submit copies of all inspections for review. A motion was made Christine Van Vorst, seconded by George Farrell, to issue a special use permit with the aforementioned conditions.

5. Pete and Marlon Burdick, 908 Broadway- Action Requested: Approve site plan permitting tenants to operate and establish a barbershop in a district zoned for local business.

Partners in the business, Marlon and Pete Burdick, spoke to the board about opening a barbershop at its 908 Broadway location. After some discussion between Planning Commission members, in particular Mr. Ahlemeyer, and the applicants about the purpose of the sign ordinances it was determined that the existing sign shall be considered a temporary sign however should be allowed to remain in place for no longer than ninety days providing the applicants sufficient time to install a more permanent fixture that complies with both building code and zoning ordinances. The motion made by George Farrell, seconded by Christine Van Vorst, to approve the site-plan on the condition the applicants replace their current sign with a new permanent fixture to be approved by administrative review within ninety-days was passed without dissent. A second motion was made by George Farrell, seconded by Bob Campano, to approve a change of use to allow a barber shop to do business on the premises of 908 Broadway.

Adjournment:

Chair Moore motioned to adjourn the meeting at 8:05 PM. Seconded by Christine Van Vorst. Motion carried.

Next Meeting:

The next regular meeting is scheduled for October 24th, 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