

Minutes of the Regular Meeting of the City of Rensselaer Planning Commission
First Floor Court Room, Rensselaer Community Center, 62 Washington Street
June 11, 2012

Members Present:

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

Members Absent:

Bob Campano, Tom Cardamone, and Frank Adams

Staff Present:

Daniel Berheide – Asst. Planning Director and Jack Spath - Counsel.

Others Present

Will O’leary, Colleen Pierson, Lou Lourinia, Scott Harnett, Jay Jakovic, and Steve Hart.

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

The meeting minutes for May were reviewed, amended and accepted. Charles Moore requested that an additional statement be added to the record noting department staff and legal counsel advised the Planning Commission the Brayton proposal fell within the parameters of the a Type II action.

Communications

Answering a question from Charles Moore, the Assistant Director of Planning stated he had been informed by the City Engineer the Broadway reconstruction project was at that point ahead of schedule.

Old Business:

1. **Brayton Construction, 44 Aiken Ave** - Action requested: Approve special use permit and site-plan. Steve Hart presented an updated site plan and supplemental material including a landscape and illumination plan prepared by the Crissey group. Mr. Hart pointed to the areas where some changes or issues had been addressed including the green space, sidewalks, and lighting. Mr. Hart reiterated a variance would be required for the green space and setbacks. Steve Hart mentioned a question about the floodproofing was asked of him before the start of the meeting and the Crissey group was working with the Building and Zoning Administrator to provide the details and engineering to meet those requirements. It was also stated that earlier that the public hearing on the special use permit for building in the city’s designated floodplain was held the previous month as the record will reflect. The chair of the commission read aloud for the record the recommendations from the planning department. Jack Spath, legal counsel, added that a “hold harmless” agreement should be added to the list of conditions if the site plan approval is to include the construction of a sidewalk in the city’s right-of-

way. Chris Van Vorst made a motion, seconded by George Farrell, to approve the final site plan and special use permit with the following conditions.

1. The applicant will provide copies of the following documentation to the Planning Department:
 - i. written permission from the adjacent neighbor (69 Columbia St., Tax Map # 143.83-4-6) to install the bio-retention area;
 - ii. a work schedule and a “hold harmless agreement” be on file and authorized by Department of Public Works to place sidewalks and greenspace along the Aiken Avenue right-of-way as indicated on the site plan;
 - iii. all necessary authorizations from city’s Building and Zoning Administrator including floodplain development permit;
 - iv. notification and/or findings the Department of Transportation has reviewed the plans; and
 - v. digital and hardcopies of “as built” once construction is completed.
2. All tenants must receive administrative or Planning Commission approval.

The motion passed by all present.

New Business

1. **Kelly Sharpenter, Fairfield Terrace (off Aiken)** – Action Requested: Approve subdivision of “Elysian Fields” into two lots approximately 0.5 acres and 1.0 acres. Representing Ms. Sharpenter, Mr. Hartnett described the history of the property along with the associated paper street and the owner’s proposal to subdivide the property and construct a shared driveway. Mr. Hartnett illustrated the somewhat steep and variable grade of the area designated for a street. He went on further to describe the “grinder” pumps that would serve the sanitary needs of the proposed residences to connect with the city’s services on Aiken. Concerns were raised by Ms. Van Vorst and Mr. Moore about the shared use of the driveway and the condition of the sanitary line along Aiken Ave. The Assistant Director of Planning noted the city’s engineer’s positive review of the subdivision. The city engineer noted, however, the driveway would need to be widened to twenty-feet for approximately eight feet in length in the area connected to Aiken ave to allow for safe passage of vehicles. The Assistant Director of Planning said he would followup with the city’s sewer specialist and city’s engineer to determine the condition and capacity of the sewer line. Legal counsel advised that while a shared use may not be optimal the issue would be a civil matter. Concerned that the subdivision necessarily requires a determination be made about the ownership and responsibility of the road or driveway, the Planning Commission members voiced desire to table the proposal until the Common Council has passed a resolution on the matter. Motion by Mrs. Van Vorst, seconded by Mr. Farrell, to table consideration of the subdivision until the owner has received Common Council approval of the paper street known as Fairfield Terrace. The motion carried.
2. **Jay Harold Jakovic, 30 Aiken** – Actions Requested: (1) Approve certificate of appropriateness to replace siding, refinish railings, and expose brick foundation in a historic district. (2) Recommend an area variance to install a four (4’) foot fence along the property line, a three foot (3’) relief from setback requirements and height restrictions for a corner lot. Mr. Jakovic introduced himself and told the board the previous tenants of his property, whom had been in residence for thirty years or so, had passed on and he felt it was time to recondition the house. Supported by a letter from Historic Albany, Mr. Jakovic showed he is using the recent work on the buildings at the Yacht club and the fencing near the Fort Crailo site as exemplifying his proposal. Discussion about the fencing requirements showed how in this case meeting the requirement would be a considerable constraint on a unique property. Mr. Farrell made a motion, seconded by James Ahlemeyer, to grant the certificate

of appropriateness to replace siding, refinish railings, and expose brick foundation as described on their application and provide a positive recommendation to the Zoning Board of Appeals to grant a variance to allow Mr. Jakovic to install a four foot fence along the property line, a three foot relief from setback requirements and a one foot relief from height restrictions for a corner lot with the stipulation the fence should be an open, not stockade fence, similar to the wrought iron styled fence proposed. The motion was approved.

3. **Jim Thomas, 12 Nelson** – Action Requested: Approve certificate of appropriateness to replace siding and porch railings in a historic district. Mr. Thomas was absent from the meeting. A motion was made by James Ahlemeyer to table consideration of the proposal until the applicant or representative can be present. The motion was seconded by George Farrell and passed by all present.
4. **Albany Yacht Club, 63 Broadway** – Action Requested: Approve certificate of appropriateness to replace garage doors, install “Navajo beige” colored siding on the east and west exterior walls, and paint the north side to match on the property in the historic district. Will O’leary, Vice Commodore, presented on behalf of the Yacht club. Will O’leary also disclosed he is a part-time employee of the city to ensure transparency. The legal counsel said his status as an employee should have no bearing on the outcome of the application and that the Yacht club has followed all the proper procedures in accordance with city policy. Mr. Farrell asked if they would be replace the vestibule to which Will responded they were likely to remove the front vestibule all together. Upon providing further description, Mr. Ahlemeyer and Mr. Moore agreed the proposed would be terrific and complimented the improvements on the other properties as having been well received. George Farrell made a motion to approve the certificate of appropriateness to replace the garage doors, install “Navajo beige” colored siding on the east and west exterior walls, and paint the north side to match. Christine Van Vorst seconded the motion. The approval was unanimous.

Adjournment:

A motion was made to adjourn by Charles Moore, seconded by George Farrell, and all agreed. The meeting was adjourned at 7:30 PM.

Next Meeting:

The next regular meeting is scheduled for July 9th 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,

Daniel W. Berheide, Secretary