



Marybeth Pettit, AICP
Planning Director

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 Regular Meeting of the City of Rensselaer Planning Commission
First Floor Conference Room, Rensselaer Community Center, 62 Washington Street
May 10, 2010

Members Present:

Charles Moore – Vice-Chair (acting Chair), Frank Adams, Tom Cardamone, Bob Campano, George Farrell.

Members Not Present:

James Ahlemeyer, Christine Van Vorst

Staff Present:

Marybeth Pettit – Director of Planning, Kevin McLoughlin – Assistant Director

Others Present

David Gardner, James Johnson, Vaughn Thompson, Carlos Lima, John Hofelich, Lou Lourinia.

Call to Order:

Acting chair Moore called the regular meeting of the City of Rensselaer Planning Commission to order at 6:30 PM. Roll call was taken, and it was determined there was a quorum.

Adoption of Past Meeting Minutes

The regular meeting minutes of April 12, 2010 were approved as submitted and without amendment.

Communications

NONE.

Old Business

1. **Carlos Lima, 8 2nd Avenue** – request for consideration under SEQRA, Site Plan approval, and grant of Special Use Permit to operate an automobile detailing shop and auto dealership in a local business (LB) zoning district.

- a) **SEQRA review & Public Hearing**

Carlos Lima stated that his intention remained storing a few of his ‘personal’ vehicles on the site to conduct detailing work when he was unable to travel to his primary location near Schenectady.

Ms. Pettit stated that NYS DMV staff confirmed to her that any auto dealer’s registration sign would have to be displayed on the outside of an approved location. She stated that this type of use was more suitable along Columbia Turnpike and South Street.

Acting Chair Moore opened the public hearing at 7:04 PM.

Hearing no one to speak for or against the matter, Chair Moore closed the public hearing at 7:06 PM.

Mr. McLoughlin noted that there was a potential concern about a floor drain at the property, which could contribute automobile fluids to the municipal stormwater system if vehicle work and washing took place in the garage and that if the board decided to approve they should consider requiring this floor drain to be blocked as a condition.

Mrs. VanVorst expressed concern about the suitability of the garage as a location for this type of work given that it was attached to a Church and that on-street parking was limited in this location.

Mr. Farrell moved to deny the requested Special Use Permit and Site Plan approvals. Mr. Adams seconded. The motion was unanimously approved.

2. **Cottage Hill Landings, 96 Partition Street**

- a) Review / approve invoice #52064 (Barton & Loguidice)

Mr. Campano moved to approve the invoice for payment. Mr. Farrell seconded. The motion was unanimously approved.

3. **DeLaet’s Landing / Marx Properties Redevelopment, 555-575 Broadway**

- a) Review / approve invoice #0071961 (Chazen), #340359 (Whiteman Osterman & Hanna), and # 184312 (Fraser)

Mr. Farrell moved to approve the invoices for payment. Mr. Campano seconded. The motion was unanimously approved.

New Business

1. Common Council Zoning Law Referral

Ms. Pettit described the proposed amendment forwarded from the Common Council as stating that for property zoned or re-zoned to multi-family residential (R3), the council may restrict the principal permitted uses in the use regulation table to only “condominiums & other cluster development that are owner occupied”.

Mr. Farrell moved to acknowledge the Common Council as Lead Agency and make a positive recommendation regarding the Common Council’s proposed amendment to the Zoning Code based upon a review and discussion of the criteria in Article XII, Section A-1. Mr. Adams seconded. The motion was unanimously approved.

1. Donald Cook, 1006 Mann Avenue – request for recommendation to the Zoning Board of Appeals for Area Variance to build a covered front porch in a single-family residential (R1) zoning district.

Donald Cook described the planned work to create a front porch, noting that the porch style, dimension, and distance from the roadway would match several other homes in the neighborhood.

John Hofelich spoke in support of the proposed improvement to the neighborhood.

Mr. Campano moved to make a positive recommendation to the ZBA for an Area Variance of 12 feet in a single-family residential (R1) zoning district. Mr. Adams seconded. The motion was unanimously approved.

2. Vaughn Thompson, 25 South Street – request for Special Use Permit to construct an accessory structure larger than 400 square feet in a two-family residential (R2) zoning district.

a) SEQRA review & Public Hearing

Vaughn Thompson described his intent to expand an existing garage in a neighborhood that already had several large commercial type garages. He stated it was for personal use and storage and there was no plan for commercial activity.

Acting Chair Moore opened the public hearing at 7:20 PM.

Hearing no one to speak for or against the matter, Chair Moore closed the public hearing at 7:23 PM.

Acting Chair Moore led the board through the completion of a Short Form EAF.

Mr. Campano moved to declare as lead agency under SEQRA / CEQR and issue a negative declaration based on board review and completion of a short EAF. Mr. Adams seconded. The motion was unanimously approved.

Mr. Campano moved to approve the Special Use Permit to allow expansion of a garage over 400 square feet (20'x30') in a two-family (R2) residential district. Mr. Farrell seconded. The motion was unanimously approved.

3. Albany Yacht Club, 63-67 Broadway – request for Site Plan approval, grant of Certificate of Appropriateness, and recommendation to the Zoning Board of Appeals for Use Variance to demolish a dilapidated garage, operate a boat storage area, and renovate a business office in a historic residential (HR) zoning district.

Jim Johnson presented and described the proposed plans of the Yacht Club. The plans included complete removal of a deteriorated garage, elimination of two bays in the garage adjacent to the Yacht Club property to allow an access, planting of 10' cedar trees (4'-5' on center) as screening for neighbors along the perimeter of the property, and renovation of the office building exterior near Broadway with cement fiberboard siding and possible conversion of the building to residential use. The yard would be occupied by Yacht Club boats in the winter months and overflow parking of vehicles during club events in warm weather. The remaining existing concrete block garages would be used for equipment and non-hazardous materials storage. The owner would remove the liquid propane tanks on site. The existing pervious surface of the site would not be paved.

Will O'Leary noted that the club generated significant sales tax for the City of Rensselaer from their retail boat fuel sales.

Ms. Pettit asked about the boat heights. Jim Johnson stated that the boats ranged from 14' to 20' in height off the ground. He stated that the cedar trees would provide adequate screening for the neighbors.

Mr. McLoughlin asked about the shape of the trees and was told they were roughly shaped like Arbor Vitae.

Mr. Johnson stated that the proposed landscaping treatment with chain link fence and white cedars was common practice with other marinas.

Mr. Campano asked if maintenance of the pervious surface was important to the city. Mr. McLoughlin confirmed that it was for MS4 stormwater concerns and that the site plan indicated the surface would remain unpaved. Mr. McLoughlin inquired about the status of the connection of the two catch basins at the end of the old end of Columbia Street.

Mr. McLoughlin related that the previously approved Use Variance for 'Bills Repairs Unlimited' boat service allowed for up to 5 boats on site with no more than 2 boats over 10'.

Mr. Farrell moved to make a Positive Recommendation to the ZBA to grant the requested Use Variance and, conditional on the ZBA granting the variance, Approve the Site Plan and Grant a Certificate of Appropriateness for demolition of an existing garage, boat storage, overflow parking and renovation of an existing office/residence. Mr. Adams seconded. The motion was unanimously approved.

Lou Lourinia asked why a flood plain permit was not part of the considerations. Ms. Pettit stated that renovations over 50% of the value could trigger that requirement and it would be examined during the building permit process for such things as moving electric service and mechanicals above flood hazard.

Other Business

NONE.

Adjournment:

Hearing no objections, Mr. Moore adjourned the meeting at 7:50 PM.

Next Meeting:

The next regular meeting is scheduled for June 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,

Marybeth Pettit
Secretary