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Minutes of the Regular Meeting of the City of Rensselaer Planning Commission
First Floor Conference Room, Rensselaer Community Center, 62 Washington Street
June 14, 2010

Members Present:

Charles Moore – Vice-Chair (acting Chair), Frank Adams, James Ahlemeyer, Tom Cardamone, Bob Campano, George Farrell, Christine Van Vorst.

Members Not Present:

NONE.

Staff Present:

Marybeth Pettit – Director of Planning, Kevin McLoughlin – Assistant Director, Jack Spath – Deputy Corporation Counsel

Others Present

David Gardner, Lou Lourinia, Stephen LeFevre, Autumn Ambrozik, Andrew Schiochetti, Ben Zimmerman, Michael N'Dolo, Than Than Win, Nyunt Win.

Call to Order:

Acting chair Moore called the regular meeting of the City of Rensselaer Planning Commission to order at 6:33 PM. Roll call was taken, and it was determined there was a quorum.

Adoption of Past Meeting Minutes

The regular meeting minutes of May 10, 2010 and special meeting of May 20, 2010 were approved as submitted and without amendment.

Communications

NONE.

Old Business

- 1. Cottage Hill Landings, 96 Partition Street** – discussion & consideration of Barton & Loguidice proposed billing agreement amendment; discussion and consideration of Barton & Loguidice technical review of SDEIS.

After a brief discussion, Mrs. Van Vorst moved to amend the consulting agreement with Barton & Loguidice and add \$5,000 to the contract per the submitted letter deny the requested Special Use Permit and Site Plan approvals. Mr. Campano seconded. The motion was unanimously approved.

- 2. DeLaet's Landing / Marx Properties Redevelopment, 555-575 Broadway**
 - a) Review / approve invoice #0072386 (Chazen)**

Mr. Moore asked if the Escrow account had sufficient funds to pay the invoice. Mr. McLoughlin confirmed that the deposits to the escrow account lagged significantly behind approved invoices. Mrs. Van Vorst stated that she thought the Planning Commission had passed a resolution requiring a minimum \$5,000 positive balance be maintained while the project was active. Mr. McLoughlin confirmed that this resolution had been adopted, but that Marx Properties had not maintained the balance despite regular communications relaying recently approved bills and the account status.

Mr. Ahlemeyer moved to approve the invoice for payment. Mr. Adams seconded. The motion was unanimously approved.

New Business

- 1. Than Than Win, 40 Partition Street** – request for recommendation to the Zoning Board of Appeals for amendment to an existing Use Variance to allow installation of a business sign in a residential (R2) zoning district.

Than Than Win, showed the board pictures of his current business signage, which he acknowledged was not allowed because they were too large and temporary banners. He also presented pictures of a proposed sign and its desired location on the building.

Mr. Ahlemeyer asked what material the new sign would be made from and what kind of lights and the applicant responded that it would be made from a hard plastic board and there would be no lights at this time.

Mr. Ahlemeyer asked about all the other signage in the windows of this business and whether it was compatible with the existing signage laws. Ms. Pettit responded that the Building Department was

working to increase signage compliance from businesses throughout the city to ensure that illegal signage, particularly that preventing customers or the police from seeing into a business establishment was removed.

Ms. Pettit noted that if this property was to be treated as part of a local business district, it would be allowed 12.5 square feet and that the proposed zoning update currently recommended this parcel be part of such a mixed use district.

Ms. Pettit suggested to the applicant that he might want to consider an external light to increase his business' visibility. She also suggested he and the board consider a perpendicular sign as an option, though orienting the sign to be seen from Third Street may be of greater value.

Mrs Van Vorst moved to make a positive recommendation to the ZBA to grant a Use Variance for a sign with the suggested consideration of allowance for gooseneck external lighting and elimination of other signs (other than a lit 'open' sign) from the exterior and windows in compliance with the current signage code. Mr. Farrell seconded. The motion was unanimously approved.

2. Autumn Ambrozik, 2 Riverside – request for Certificate of Appropriateness and recommendation to the Zoning Board of Appeals for Area Variance(s) to install a backyard deck and replace a rear door and windows in a historic residential (HR) zoning district.

Autumn Ambrozik described her proposed work as installing a deck 3' from the property line, which is the state code minimum before fire-rated materials are required.

Ms. Pettit stated that since the work would be in the backyard and not visible in the street she did not see a problem with the Certificate of Appropriateness.

Mr. Moore asked if the rear window would be replaced as well and Autumn Ambrozik confirmed that this was the case, though she did not know the exact dimensions of the window, it would closely fit the existing window opening.

Mr. Ahlemeyer asked if the materials were possibly a concern. Autumn Ambrozik confirmed that she would use pressure-treated lumber with a stain chosen from an historic palette in the planning office for the deck and planned to use a vinyl window and door. Ms. Pettit commented that these materials were considered acceptable for a backyard location where they would not be visible from the street.

Mr. Farrell moved to make a positive recommendation to the ZBA for a 2' side yard Area Variance and to grant a Certificate of Appropriateness to install a deck, and replace a window and door on the rear of the building with the stipulation that the deck will be stained chestnut or a color chosen from an historic palette. Mrs. Van Vorst seconded. The motion was unanimously approved.

- 3. CLC Scale Services, 344-352 South Street** – request for a Minor Re-Subdivision to combine 3 parcels by eliminating two lot lines and Site Plan approval to build a steel sheet sided commercial building in a commercial industrial (CI) zoning district.

a) Public Hearing – Re-Subdivision

Charlie Twiss presented a large format site plan showing details of his proposed subdivision and new general steel building. He described the business as in place in Rensselaer for 40 years and under his ownership for the past 20 years. Charlie Twiss stated that the business had expanded to where he needed more storage space for parts and equipment.

Ms. Pettit asked what would be stored in the building. Charlie Twiss responded that the building would house trailers, parts, and scale equipment.

Ms. Pettit asked about the colors and it would be tan with an aluminum roof. Ms. Pettit noted that the site plan needed one additional space in order to meet the required number.

Mr. Moore asked about previous board decisions on this site. Mr. McLoughlin related that the applicant had requested an interpretation from the Zoning Board of Appeals that the parcels were located in the Commercial Industrial Zoning District and this review had included public notice and a public hearing.

Mr. McLoughlin stated that due to the increased scrutiny of municipal stormwater practices by the EPA and NYS DEC that it was important to look at all new development with an eye to improving runoff quality and reducing volume. He stated that the City Engineer had advised adding an oil & grit separator to the sanitary outlet and NYS DEC spec Dry Swales instead of standard drainage ditches to capture surface drainage.

Acting Chair Moore opened a public hearing for the subdivision request at 6:55 PM.

Hearing no one to speak for or against the matter, Acting Chair Moore closed the public hearing at 6:56 PM.

Ms. Pettit asked if the test truck would be parked inside the building and Charlie Twiss replied this was unlikely.

Mr. Ahlemeyer asked about the minimum required parking spaces based on the square footage of the building. Ms. Pettit responded that the site plan lacked one space per the zoning requirements.

Mrs Van Vorst moved to Approve the Re-Subdivision to combine three lots and Conditionally Approve the Site Plan contingent upon re-submission of a site plan for signature that includes the following elements: 1 added parking space next to shown disabled space; oil and grit separator tied to internal floor and shop drains with outlet to sanitary sewer line; replacement of simple drainage swale with NYS DEC Stormwater Design Manual spec Dry Swale and inclusion of practice specifications on site plan and attached sheets as needed. Mr. Ahlemeyer seconded. The motion was unanimously approved.

Other Business

NONE.

Adjournment:

Hearing no objections, Mr. Moore adjourned the meeting at 7:10 PM.

Next Meeting:

The next regular meeting is scheduled for July 12, 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