

**CITY OF GLOVERSVILLE PLANNING BOARD
OCTOBER 6, 2015
7:00 P.M.
CITY HALL**

MEETING NOTES

PRESENT:

**JAMES ANDERSON, CHAIRMAN
GEOFFREY PECK, VICE CHAIRMAN
MATTHEW DONDE
BRENDA LEITT
JONATHAN KLUSKA**

**CINDY OSTRANDER, SECRETARY
BRANDON MYERS, CODE ENFORCEMENT OFFICER
SEAN GERAGHTY, SENIOR PLANNER**

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:02 p.m.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

(NOTE: Prior to opening the meeting, Planning Board Chairman James Anderson needed to step out of the meeting.)

MOTION : To approve the minutes to the August 4, 2015 meeting.
MADE BY : John Kluska
SECONDED : Matthew Donde
VOTE : 4 in favor, 0 opposed

III. PUBLIC COMMENT PERIOD:

A. Purpose:

The City of Gloversville Planning Board offers a public comment period at the beginning of each of its meetings in an effort to allow the community an opportunity to comment or provide insight on a particular land use planning and/or zoning issue in the City. This comment period is not a public hearing and the Planning Board asks that you save comments regarding a particular project that is before the Board until the actual public hearing on the specific application itself. The Planning Board also asks that you not use the public comment period as a question and

answer session since Board members will not enter into a dialogue regarding any particular issue.

There was no one to speak during the public comment period.

IV. MONOLITH SOLAR – CONCEPT DISCUSSION FOR A SOLAR GARDEN:

A. Background:

Monolith Solar would like to develop a solar garden project along the north side of West Eleventh Avenue in the City of Gloversville (Tax Map Parcel No. 134.10-4-27.1). The applicant's property is approximately 3+/- acres in size. It is located in an R-1 Residential District. The City Building Inspector's Office has determined that the proposed use is not currently defined in the City's Zoning Law and is not listed as an allowed use or use subject to a Special Permit or Site Plan review in any of the Zoning Districts. Consequently, representatives from Monolith Solar would like to discuss the concept of developing a project along West Eleventh Avenue and to decide if they should approach the City Zoning Board of Appeals with a Use Variance application or approach the City Common Council seeking a change in the Zoning Law.

DISCUSSION: Briget Cuddihy, representing Monolith Solar, explained that her company would like to develop a community solar system along West Eleventh Avenue in the City of Gloversville. She briefly explained the various components of the project.

Andre Rivera, Public Affairs Director, Monolith Solar, talked about some of the State incentives that are available to encourage the development of solar power. He explained that Monolith Solar would like to construct a 200 kw system along West Eleventh Avenue and is looking for municipal approval of that project. He talked briefly about several 600 kw projects the company has pursued on former landfill properties, specifically noting a recent project in Hoosic Falls. He also noted that the company has actually developed projects near airports since there is no glare associated with the development of these types of projects. He indicated that Monolith Solar takes care of maintenance on the solar panel structures and pays taxes on the properties. He pointed out that the company's proposed project in the City of Gloversville would provide electricity for approximately 20-40 homes.

City Building Inspector Brandon Myers asked how many projects the company has completed?

Ms. Cuddihy indicated that the company has completed four (4) projects on landfill properties. She indicated that the company is currently working on 30 other projects at various stages of development.

Planning Board Vice Chairman Geoff Peck asked if all of the other projects were on municipal properties?

The Monolith Solar representatives indicated that they have projects on both municipal and private property.

County Senior Planner Sean Geraghty explained that, under the City's current Zoning Regulations, Monolith Solar's proposed project would not be considered an allowed use anywhere in the community. Mr. Geraghty noted that the Planning Board currently has no authority to review this type of project from Monolith Solar. Mr. Geraghty explained that the company has two (2) options it can look at if it would like to pursue this project. First, the company could file an application for a use variance with the City of Gloversville Zoning Board of Appeals. Under this option, he indicated that the company would have to show there is no other economically feasible use of the property in order to get that use variance. Mr. Geraghty pointed out that the company's other option is to approach the City of Gloversville Common Council and request a specific amendment to the City's Zoning Regulations that would define and identify where this type of use is allowed in the community. Mr. Geraghty noted that the City of Gloversville has hired a consulting firm to rewrite its current Zoning Regulations. He indicated that this would be a good time to approach the Common Council so that this issue can be brought to the consultant's attention and addressed in the new regulations.

Brandon Myers asked the Monolith Solar representatives to identify the most important element for locating this type of solar project?

Mr. Rivera indicated that access to 3-phase power is the most important component of the project siting.

Planning Board Member John Kluska asked how long the panels will last?

Mr. Rivera indicated that the panels are supposedly built to last 20 years. He pointed out, however, that Monolith Solar does not have a project that is 20 years old yet so there is no way to confirm exactly how long each of the panels will eventually last.

Monolith Solar's representatives indicated that they would be in contact with the City of Gloversville Common Council and thanked the Planning Board for its time.

V. SW SKIN CARE AND COSMETICS – SITE PLAN FOR DAY SPA:

A. Background:

SW Skin Care and Cosmetics would like to open a day spa at 23 Fremont Street in the City of Gloversville. The building to be renovated is the former St. Mary's Rectory (Tax Map Parcel No. 149.6-8-17). The project

will involve significant interior renovations to the 2,800 sq. ft. structure that will eventually create six (6) to seven (7) treatment rooms, locker rooms, a tranquility room, a small retail area and space for two (2) hair stations, two (2) manicure and two (2) pedicure stations.

DISCUSSION: Mike Wiszchowski, SW Skin Care and Cosmetics, indicated that his business is currently located on Briggs Street in Johnstown. He explained that he recently bought the building at 23 Fremont Street in the City of Gloversville in order to move his business to larger quarters. He noted that the building was recently used by the Community Maternity Services Agency. He noted that the property is in the City's Historic District and that he will be approaching the City's Historic District Review Board regarding a few exterior changes to the building. He indicated that the building currently has no ADA accessibility and that he intends to add a ramp to the outside of the structure , along with a new door. He indicated that his business will have two (2) signs, one that will be a small freestanding sign near the street and another that is attached to the building. He pointed out that he has seven (7) off-street parking spaces available on the back side of the building and that there are plenty of public parking spaces across the street from his property. He indicated that he also intended to approach the Methodist Church about using its parking lot during weekdays.

Mr. Kluska asked if material would be filled in underneath the handicap access ramp?

Mr. Wiszchowski indicated that mulch will be filled in underneath the ramp and new plantings will be provided around the ramp.

Mr. Kluska asked about a patio area identified on the Site Plan drawings?

Mr. Wiszchowski indicated that the patio area is an existing landing that will not be changed. He also noted that the sign along the street advertising his business will be similar to the sign that advertises the Foothills United Methodist Church.

(Planning Board Chairman James Anderson reentered the meeting.)

B. Planning Department Review:

The Fulton County Planning Department has reviewed the application in accordance with the City's Site Plan Regulations and would like to offer the following comments:

1. The "Map reference #1, relating to the property boundary, needs to be clarified.

DISCUSSION: Mr. Wiszchowski indicated that he did not intend to assume ownership of the additional property on the back side of his

building through a Quit Claim Deed. He indicated that he would have the notations alluding to that fact removed from the revised Site Plan drawing.

2. The number of individuals who will be working in the day spa should be identified.

DISCUSSION: Mr. Wiszchowski indicated that he will have approximately 7-8 employees working at the spa.

3. The hours of operation for the business should be identified.

DISCUSSION: Mr. Wiszchowski and his wife indicated that the hours of operation will be Monday through Saturday, approximately 9 a.m. to 7 p.m. each day.

4. The specific location of all off-street parking spaces should be noted on the drawings.

DISCUSSION: Mr. Geraghty indicated that the specific location of all off-street parking spaces should be noted on the Site Plan drawing. He indicated that he would write a letter to City DPW Director Kevin Jones seeking a parking waiver for the project.

5. The location of any outdoor storage areas on the property should be noted along with any screening that is needed.

DISCUSSION: Mr. Wiszchowski pointed out that there is currently a dumpster on the property. He indicated that he would like to have a dumpster in the back corner of the property in the parking lot.

Mr. Geraghty asked if the chain link fence around the perimeter of the property included slats?

Mr. Wiszchowski indicated that it was an open chain link fence.

Mr. Geraghty indicated that the dumpster may need to be screened from adjacent property owners.

6. The location and design of any new outdoor lighting on the property should be identified.

DISCUSSION: Mr. Wiszchowski indicated that he would be providing some additional lighting on the property and could note those specifications on the revised Site Plan drawing.

7. A planting schedule for the new landscaping should be included with the Site Plan drawings.

DISCUSSION: The Planning Board indicated that it would like to see a planting schedule for all of the new landscaping to take place on the property.

8. The design of the new sign advertising the business should be included on the Site Plan drawings.

DISCUSSION: The Planning Board indicated that it would like to see the design of the new signage on the property shown.

9. The amount of building area that will be used for retail sales should be specifically noted on the drawings.

DISCUSSION: Mr. Wiszchowski indicated that there will be approximately 300-400' of retail space in the new facility.

Mr. Peck asked if the retail area will include an area where scheduling of appointments?

Mr. Wiszchowski indicated that, at his current location, he has to operate his retail space and schedule appointments in the same location, but he hopes to have a separate reception area in the new spa location.

10. Any other specific exterior renovations to be made to the building must be identified on the Site Plan drawings.

DISCUSSION: Mr. Geraghty noted that the exterior changes involving the handicap access ramp and the replacement of a door have already been discussed by the applicant.

11. Planning Board Member Jim Anderson asked that a Knox Box be provided on the building. He explained to Mr. Wiszchowski that he could visit the City Fire Department for more information.

C. State Environmental Quality Review:

Section 617.1 of 6 NYCRR states that, the basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision making processes of State, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant effect on the environment, and if it is determined that the actions may have a significant effect, prepare or request an environmental impact statement. Under these terms, the review of a Site Plan application is subject to SEQR. Therefore, the following issues must be addressed:

1. Does the Planning Board feel that the Short Environmental Assessment Form, provided by the applicant, has been completed adequately?

DISCUSSION: The Planning Board felt that the Short Environmental Assessment Form had been completed adequately.

2. Does the Planning Board feel that any additional information should be provided as part of the SEQR process?

DISCUSSION: The Planning Board did not ask for any additional information.

3. Section 617.6 (b) of 6 NYCRR states that, when a single agency is involved, the agency will be the lead agency when it proposes to undertake, fund or approve a Type 1 or Unlisted Action that does not involve another agency. If the agency has received an application for funding or approval of the action, it must determine the significance of the action, within twenty (20) calendar days of its receipt of the application, an Environmental Assessment Form or any additional information reasonably necessary to make that determination, whichever is later. Therefore, does the Planning Board wish to issue a Determination of Significance under SEQR at this time?

MOTION: To authorize the filing of a negative declaration under SEQR for this proposed action since:

1. The proposal involves the reuse of an existing building in the Central Business District.
2. There will be limited traffic implications resulting from the proposed action.
3. Public utilities and infrastructure is already servicing the site.

MADE BY: James Anderson
SECONDED: Matthew Donde
VOTE: 5 in favor, 0 opposed

D. Planning Board Action:

In accordance with Section 300-79 of the City of Gloversville Zoning Ordinance, the Planning Board must fix a time within forty-five (45) days from the day the Planning Board determines an application for Site Plan review to be complete for a public hearing on the application for Site Plan approval. Consequently, does the Planning Board feel that a public hearing should be scheduled on SW Skin Care and Cosmetics' Site Plan application at this time?

MOTION: To schedule a public hearing on SW Skin Care and Cosmetics' Site Plan application for a day spa for 7:00 p.m., Tuesday, November 3, 2015.

MADE BY: Brenda Leitt
SECONDED: James Anderson
VOTE: 5 in favor, 0 opposed

VI. MORRIS SHAPIRO – SITE PLAN FOR AGAPE CHRISTIAN FELLOWSHIP:

A. Background:

Morris Shapiro, the pastor of Agape Christian Fellowship, would like to lease space in the building at 33 North Main Street for his Church congregation. Currently, the Agape Christian Fellowship shares space with A Change of One Ministry at 60 North Main Street and is looking to have its own space in the Central Business District. The Church has approximately 20 members and would like to rent approximately 1,200 sq. ft. of first floor space from Louise Precopio.

DISCUSSION: Morris Shapiro explained that his congregation used to be located at the YWCA in the City of Gloversville and has recently been sharing space with the Change of One Ministry on North Main Street. He indicated that his Church needs space for its own counseling services. He pointed out that the building at 33 North Main Street was previously used as a retail store and more recently as an antique shop. He indicated that the Fire Department has been through the building and pointed out a few of the renovations that need to take place. He indicated that there are four (4) off-street parking spaces available on the back side of the building and that there is a public parking lot adjacent to the property.

Mr. Geraghty indicated that he would send a letter to DPW Director Kevin Jones requesting a parking waiver for the Church's proposal.

Mr. Peck asked if the Church would be using both floors of the building?

Mr. Shapiro indicated that there is no second floor to the building, but the bathrooms are located in the basement of the building so his Church will be using two (2) floors.

B. Planning Department Review:

The Fulton County Planning Department has reviewed the application in accordance with the City's Site Plan Regulations and would like to offer the following comments:

1. When are Church services held for the Agape Christian Fellowship?

DISCUSSION: Mr. Shapiro indicated that his Church services are held on Sundays.

2. Are there any other Church-related events that are conducted on a regular weekly or monthly basis?

DISCUSSION: Mr. Shapiro indicated that he conducts bible study on Tuesday evenings. He indicated that the Church also occasionally has special events during weeknights.

3. The Planning Board asked that a Knox Box be provided for the building.

C. State Environmental Quality Review:

The reuse of an existing building for a similar type of use is considered a Type II Action under the State Environmental Quality Review Act and is not subject to any further review.

D. Planning Board Action:

In accordance with Section 300-79 of the City of Gloversville Zoning Ordinance, the Planning Board must fix a time within forty-five (45) days from the day the Planning Board determines an application for Site Plan review to be complete for a public hearing on the application for Site Plan approval. Consequently, does the Planning Board feel that a public hearing should be scheduled on Morris Shapiro's Site Plan application at this time?

DISCUSSION: The Planning Board determined that a public hearing on the Agape Christian Fellowship Church's Site Plan application would not be necessary.

MOTION: To conditionally approve the Agape Christian Fellowship's Site Plan application pending receipt of a letter from DPW Director Kevin Jones waiving the off-street parking requirements for this proposal.

MADE BY: Geoffrey Peck
SECONDED: Jonathan Kluska
VOTE: 5 in favor, 0 opposed

VII. OTHER BUSINESS:

A. Code Enforcement Update:

Mr. Myers explained to Board members that Chad Taback and Marae Tesi's proposed parking lot project at the corner of East Fulton Street and Littauer Place is on hold. He indicated that the applicants have requested a change in the type of block they intend to use on the property. He indicated that he has pointed out to the applicants that the wall to be constructed on the property still has to be engineered.

Mr. Myers explained that there will be a meeting on the Estee Senior Apartments Project and the proposed demolition of a building on the property. He indicated that representatives from the Center for Regional Growth (CRG) and Liberty Affordable Housing will be meeting with City officials to discuss the demolition project.

Mr. Peck pointed out that the CRG has a \$400,000 grant for the demolition of the building but the cost estimates for its demolition are now coming in at between \$700,000 and \$800,000. He pointed out that Liberty Affordable Housing has filed an application again to develop the Senior Housing Project on the property. He indicated that the existing building will need to come down regardless of whether Liberty is able to develop the property for the Senior Apartments Complex. He indicated that the building may actually need to be imploded in an effort to save on the costs associated with asbestos removal.

VIII. CLOSE OF THE MEETING;

MOTION: To close the meeting at 7:58 p.m.

MADE BY: James Anderson

SECONDED: Matthew Donde

VOTE: 5 in favor, 0 opposed