

**CITY OF GLOVERSVILLE PLANNING BOARD  
SEPTEMBER 6, 2016  
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  
TOM GROFF, FIRE CHIEF  
SEAN GERAGHTY, SENIOR PLANNER**

**I. CALL MEETING TO ORDER:**

The meeting was called to order at 7:00 p.m.

**II. APPROVE MINUTES OF LAST REGULAR MEETING:**

MOTION : To approve the minutes to the August 2, 2016 meeting.  
MADE BY : Geoffrey Peck  
SECONDED : Matthew Donde  
VOTE : 5 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. HARRY PHELPS – CONTINUATION OF PUBLIC HEARING ON A SUBDIVISION ALONG WEST ELEVENTH AVENUE:**

A. Background:

Harry Phelps owns a piece of property along the south side of West Eleventh Avenue in the City of Gloversville (Tax Map Parcel No. 134.10-13-1). Mr. Phelps' parcel is approximately 7 acres in size and there is an existing house and garage on the lot. Mr. Phelps would like to create an additional building lot from the parcel by subdividing the property into a 3+/- acre lot to be retained with the existing home and a new 4.2 acre building lot.

B. June 7, July 5, and August 2, 2016 Meetings:

During its June 7, 2016 meeting, the Planning Board began reviewing Harry Phelps' subdivision application for a piece of property along West Eleventh Avenue. At that time, the Planning Board asked that the information identified below be provided on a final subdivision plat prior to the public hearing. As of the Public Hearing date on July 5, 2016, the information was not provided to the Planning Board and consequently, the Public Hearing on the application was left open. During its August 2<sup>nd</sup> meeting, the Planning Board decided to not reconvene Mr. Phelps' public hearing until a revised drawing has been submitted showing the following information:

1. A metes and bounds description of the dividing line separating the two (2) parcels needs to be shown.
2. Percolation and pit tests for the new building lot will need to be provided along with an approximate location of a well and septic system to service the new building lot.
3. The location of public utilities servicing the new building lot should be identified.
4. A construction specification for the proposed driveway should be identified on the subdivision plat along with a driveway profile showing the approximate slope of the driveway. If a culvert pipe needs to be installed along West Eleventh Avenue, its location and size should be shown on the plat.

STATUS: Mr. Phelps has not submitted a revised application.

DISCUSSION: Mr. Phelps explained to Board members that he recently had an operation that caused some delays in his resubmittal of a subdivision application. He indicated that he spoke with his engineer, Charles Ackerbauer, P.E., and was told by Mr. Ackerbauer that he could have his revised subdivision plat prepared for the Planning Board's October meeting. After a brief discussion, the Planning Board agreed to reconvene Mr. Phelps' public hearing at its October meeting and to subsequently issue its final decision at that time.

C. State Environmental Quality Review:

During its June 7, 2016 meeting, the Planning Board authorized the filing of a negative declaration under SEQR for this proposed action. Consequently, unless new additional information has been provided, no further SEQR action is necessary.

D. Planning Board Action:

In accordance with Section 32 of the General City Law of New York State, the Planning Board must approve, with or without modification, or disapprove the subdivision plat within sixty-two (62) days after the public hearing.

MOTION: To table any action on Mr. Phelps' subdivision application pending receipt of a revised subdivision plat.

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

V. **ASHLEY TAUSS – PUBLIC HEARING ON A SITE PLAN FOR BAKERY AND CAFÉ AT 87 WEST FULTON STREET:**

A. Background:

Ashley Tauss would like to open Cravings Bakery & Café at 87 West Fulton Street in the former Choo Choo's Ice Cream Shop. Along with an assortment of baked goods, the applicant will also serve ice cream and made from scratch sweets.

DISCUSSION: Ms. Tauss explained to Board members that she was able to gather together the last of the information that was requested of her and deliver it to Mr. Myers' office earlier in the day.

Mr. Geraghty confirmed that he received a copy of Ms. Tauss' additional information.

B. August 2, 2016 Meeting:

During its August 2, 2016 meeting, the City of Gloversville Planning Board began reviewing Ms. Tauss' Site Plan application for Cravings Bakery & Café. At that time, the Planning Board asked that the following information be provided on a Site Plan drawing prior to the public hearing:

1. The boundaries of the property must be shown on a scaled Site Plan drawing.

STATUS: Orthoimagery of the property has been provided with the property dimensions.

DISCUSSION: The Planning Board was comfortable with the orthoimagery provided by the applicant.

2. All of the available off-street parking spaces should be clearly labeled on the drawing.

STATUS: The location of two (2) off-street employee parking spaces has been shown.

A letter was sent on behalf of Ms. Tauss to City Public Works Director Dale Trumbull regarding a parking recommendation for her proposal. In a letter dated August 15, 2016, Mr. Trumbull indicates to the Planning Board that, in his opinion, there is sufficient parking nearby to serve Ms. Tauss' proposed café and that a waiver of the parking requirements should be granted.

DISCUSSION: The Planning Board had no further questions or comments concerning the off-street parking for the business.

3. The location and potential screening of any outdoor storage area must be shown on the drawings.

STATUS: A garbage disposal area has been identified on the orthoimagery. However, there is nothing indicating how the dumpster will be screened.

DISCUSSION: Ms. Tauss explained that the adjacent property owner, Scott Hohenforst, has agreed to allow her to have access to her two (2) off-street parking spaces and the dumpster location from his driveway on Cayadutta Street. She pointed out that Mr. Hohenforst has asked that a vinyl fence be installed around the dumpster for screening purposes.

Mr. Geraghty confirmed that he has a written confirmation signed by Mr. Hohenforst allowing the applicant access to her parking spaces and the dumpster.

The Planning Board had no further questions regarding this issue.

4. A notation should be made on the drawing indicating that the new signage will consist of replacing letters on the former ice cream shop building.

STATUS: Provided.

DISCUSSION: Mr. Geraghty noted that Ms. Tauss will simply be replacing the previous sign on the building with her own business sign reading "Cravings Bakery and Café." Mr. Geraghty noted that the building is not located in the City's Historic District. He asked City Building Inspector Brandon Myers if the property is located in the Historic District Buffer Zone?

Mr. Myers confirmed that the property is located in the Historic District Buffer Zone and that he would be speaking with Historic District Review Board Chairwoman Brenda Leitt concerning Ms. Tauss' signage proposal.

5. A notation should be made on the drawing indicating that a Knox Box will be provided on the building. The approximate location of the Knox Box should also be noted.

STATUS: Provided.

DISCUSSION: Mr. Geraghty confirmed that Ms. Tauss has provided a photograph of the building showing where a Knox Box will be located.

C. State Environmental Quality Review:

During its August 2, 2016 meeting, the Planning Board classified the proposed action as a Type II Action under SEQR, meaning that no further action is necessary.

D. Public Hearing:

1. The public hearing was opened at 7:06 P.M.
2. Speakers:

There was no one to speak regarding Ashley Tauss' Site Plan application.

3. The public hearing was closed at 7:07 P.M.

E. Planning Board Action:

In accordance with Section 300-80 of the City of Gloversville Zoning Ordinance, the Planning Board, within sixty-two (62) days after the public hearing, shall approve, approve with modification or disapprove the application for Site Plan approval. Consequently, does the Planning Board wish to issue its final decision on Ashley Tauss' Site Plan for a bakery and café at 87 West Fulton Street at this time?

MOTION: To approve Ashley Tauss' Site Plan for Cravings Bakery and Café pending confirmation from the City of Gloversville Historic District Review Board that no further approvals are needed for signage.

MADE BY: Geoffrey Peck  
SECONDED: Matthew Donde  
VOTE: 5 in favor, 0 opposed

**VI. CROWN COURT, LLC. – PUBLIC HEARING ON A SITE PLAN FOR RETAIL STORE (SHOE SHOW, INC.) ALONG HALES MILLS ROAD:**

A. Background:

Crown Court LLC., would like to construct a 10,000 square foot retail building along Hales Mills Road, adjacent to the Walmart Super Center in an M-1 Manufacturing District. The new retail building will be occupied by SHOE DEPT. ENCORE. The applicant's property is approximately 1.56+/- acres in size. Along with the new building, forty-nine (49) off-street parking spaces and landscaping improvements will be provided as part of the project.

DISCUSSION: Joe Bianchine, P.E., ABD Engineers, briefly explained to Planning Board members some of the changes that have been proposed for Crown Court, LLC's retail store along Hales Mills Road.

Planning Board Member Geoff Peck noted that, during last month's meeting, the Board was told that the applicant would be reaching out to the neighboring property owner in the Town of Johnstown to see if some type of agreement could be worked out whereby Crown Court, LLC would be able to do some grading on the back side of the property in order to avoid having to construct a very large retaining wall behind the retail store.

Mr. Bianchine explained that an initial meeting has taken place and that William Cranford, representing Crown Court, LLC, will be meeting again with the property owners tomorrow.

B. August 2, 2016 Meeting:

During its August 2, 2016 meeting, the City of Gloversville Planning Board began reviewing Crown Court, LLC's Site Plan application for a 10,000 sq. ft. retail building along Hales Mills Road. At that time, the Planning Board asked that the following information be provided with a revised Site Plan package prior to the public hearing:

1. A notation should be made on the Site Plan drawing indicating that the building will be constructed as a 4-unit retail building with infrastructure stubbed in at various locations to allow for any future reconfiguration of interior space.

STATUS: Provided.

2. In terms of the access driveways for the site, the proposed entrance only access driveway from the traffic circle will need to be researched further to see if there is any prohibition to providing access from the circle. As for the access driveway connecting the new retail store to the Walmart Supercenter parking lot, this issue will need to be resolved before the Planning Board issues its final decision on the application.

STATUS: The County Planning Department has reviewed copies of the approved Site Plan drawings for the Walmart Supercenter Project, as well as the highway plans for the relocated portion of Hales Mills Road. Each of those plans shows the access driveway for the applicant's property being located directly across from the existing Credit Union driveway on Hales Mills Road. The revised drawings for the project now show only one (1) access driveway directly across from the Credit Union driveway on Hales Mills Road.

DISCUSSION: Mr. Bianchine explained that the owners of the project would like to have a secondary entrance to the property. Mr. Bianchine noted that the entrance directly across from the Credit Union driveway looks directly at the dumpsters that will be located on the north side of the building. Mr. Bianchine asked if the Planning Board would consider allowing a secondary entrance between the Credit Union driveway and the traffic circle?

There was then a lengthy discussion amongst Planning Board members concerning the logistics of having a secondary entrance on Hales Mills Road and whether or not NYSDOT or the City of Gloversville has jurisdiction over the secondary access point.

Mr. Geraghty indicated that he would contact NYSDOT regarding the applicant's desire to have a secondary access along Hales Mills Road. Mr. Geraghty speculated that NYSDOT will not have any further jurisdiction with this application and that the City Department of Public Works will have to issue a driveway cut permit for a second access point.

Mr. Peck indicated that he felt it would be a good idea for DPW Director Dale Trumbull to visit the site in order to gain some perspective on where the driveway locations would be along Hales Mills Road in relation to the traffic circle.

City Building Inspector Brandon Myers indicated that Mr. Trumbull has already visited the site.

Mr. Geraghty added that he would contact Mr. Trumbull, along with NYSDOT, to find out whose jurisdiction a secondary access point would fall under.

3. Sidewalks must be provided along the front property line for pedestrian access. The City's Department of Public Works should be contacted regarding this issue.

STATUS: Sidewalks have been added on the south side of the property which is adjacent to the Walmart Supercenter parking lot.

DISCUSSION: Mr. Geraghty asked why the applicants decided on installing a sidewalk on the Walmart Supercenter side of the property?

Mr. Bianchine stated that he felt it would be easier for the applicants to provide a sidewalk and tie it into the existing sidewalk that was constructed as part of the Walmart Supercenter Project if the sidewalk is constructed on the south side of the property rather than along Hales Mills Road.

After a brief discussion, the Planning Board felt that the proposed location of the sidewalk was acceptable.

Mr. Geraghty pointed out that the proposed sidewalk location crosses the entrance leading into the Walmart Supercenter property, but should run directly through the splitter island in order to offer pedestrians a stopping point half way across the road.

Mr. Bianchine noted that this would be a more expensive alternative than simply running the sidewalk directly across the road.

Mr. Geraghty agreed but pointed out that, from a safety standpoint, running the sidewalk into the splitter island allows pedestrians to only deal with traffic coming in one direction at a time. The island itself serves as a stopping point where pedestrians can then observe traffic coming in the other direction. Mr. Geraghty, once again, indicated that he would speak with NYSDOT and DPW Director Dale Trumbull regarding this issue.

4. Elevation drawings showing the height and size of the proposed retaining wall should be provided.

STATUS: Provided.

DISCUSSION: Once again, Mr. Bianchine pointed out that the applicants will be meeting with the adjacent property owners in order to see if some type of arrangement can be made to grade the back side of the property so that the size of the retention wall can be reduced and/or eliminated.

5. A Stormwater Management Plan for the site needs to be provided.

STATUS: Provided.

DISCUSSION: Mr. Geraghty pointed out that the Stormwater Management Plan for the site indicates that Crown Court will need approximately 7,400 cubic feet of storage space for a 100-year storm. He noted that ABD Engineers has designed an on-site stormwater management system that provides over 13,000 cubic feet of storage area.

Mr. Bianchine indicated that the additional storage area was provided in order to comply with green infrastructure standards. He noted that the additional area will also be used as a snow storage and removal area.

Planning Board Member Jon Kluska asked if the stormwater would be released into the City's stormwater infrastructure slowly?

Mr. Bianchine indicated that the system is designed to hold water on the applicant's property and will probably release water into the City's stormwater infrastructure at a slower rate than it presently escapes the site.

Mr. Geraghty noted that, on page 6 of the Stormwater Pollution Prevention Plan, the receiving waters are identified as the "Morning Kill." He indicated that the receiving waters for this particular project should be noted as a tributary of Hale Creek.

Mr. Bianchine indicated that he would make that amendment before filing the plan with NYSDEC.

6. Specifications for all site improvements need to be included on the detail sheet.

STATUS: Provided.

7. Notations should be made on the Site Plan drawing identifying snow storage areas on the property. A notation should also be included indicating that, if conditions warrant, snow will need to be removed from the property so that parking spaces and drive lanes are not compromised during the winter months.

STATUS: A combination bioretention storm management area and snow storage removal area has been identified on the north side of the site.

DISCUSSION: Mr. Geraghty noted that Mr. Bianchine has already identified where the snow storage area will be located on the site.

8. The location, size and design of all signage on the property needs to be shown.

STATUS: Provided. However, under the City of Gloversville's Zoning Regulations, signage in the Manufacturing District is limited to a maximum of 300 sq. ft. The revised Site Plan drawings show signage in excess of that amount.

DISCUSSION: City Building Inspector Brandon Myers referred the Planning Board to Section 377 of the City's Zoning Regulations. He indicated that his calculations of the signage on the property were actually less than what the applicant's engineers calculated. He indicated that he believed the Planning Board has the ability to vary the maximum square footage requirements during the Site Plan review process.

After a brief discussion, the Planning Board felt that, given the location of the proposed retail store, the additional signage would not have a significant visual impact.

Planning Board Member Brenda Leitt asked what would happen if Shoe Department Encore decides that it doesn't need all 10,000 sq. ft. of space in the retail store and brings in other retailers who will also want signage?

Mr. Myers indicated that those businesses will have to seek a sign permit from his office and may need to be referred to the Planning Board for a Site Plan amendment.

9. The location and design of all exterior lighting must be shown.

STATUS: Provided.

DISCUSSION: The Planning Board had no questions regarding the exterior lighting on the property.

Planning Board Member Matthew Donde asked that the location of a Knox Box be shown on the final Site Plan drawings that are filed with the City of Gloversville.

Mr. Bianchine indicated that he would provide a Knox Box location on the drawings.

C. County Planning Board Review:

Crown Court, LLC's Site Plan application was forwarded to the Fulton County Planning Board for its August 16, 2016 meeting. Unfortunately, the County Planning Board was unable to assemble a quorum for that meeting. In accordance with Section 239-m of the General Municipal Law of New York State, a County Planning Board must respond to a referring agency with a recommendation within thirty (30) calendar days of its receipt of the application.

Since the application was forwarded to the County Planning Board for its August 16, 2016 meeting, the 30-day comment period will expire on September 15, 2016. The County Planning Board is not scheduled to meet until September 20, 2016. In the absence of a recommendation from the County Planning Board, within the 30-day timeframe, General Municipal Law authorizes the referring body, which in this case is the City of Gloversville Planning, to continue with its review and issue its own decision on the application. However, if the Planning Board wishes to offer the County Planning Board additional time to make its recommendation on the application, it must do so, in writing.

DISCUSSION: Mr. Peck indicated that he didn't believe there were any regional implications associated with the retail project. He noted that the County Planning Board is familiar with the site having reviewed the Walmart Supercenter Project.

Mr. Anderson asked Board members if they felt the County Planning Board should be given additional opportunity to comment on the project?

There was a general consensus among Board members that the application should not be referred back to the County Planning Board.

D. State Environmental Quality Review:

During its August 2, 2016 meeting, the City of Gloversville Planning Board proposed that it serve as the Lead Agency for the purpose of issuing a determination of significance under SEQR for this proposed project. Copies of the completed Short Environmental Assessment Form, along with Site Plan drawings for the project, were forwarded to the NYS Department of Environmental Conservation (NYSDEC) and the NYS Department of Transportation (NYSDOT). Each of those agencies was asked to comment, in writing, on the Planning Board's proposal to act as Lead Agency or on the project itself by Friday, September 2, 2016. To date, the Planning Board has received the following comments:

NYSDEC:

In a letter dated August 16, 2016, the NYSDEC has concurred with the City of Gloversville Planning Board's proposal to act as Lead Agency for this project. NYSDEC notes that a SPEDES General Permit for Stormwater Discharges from Construction Activities will be needed. NYSDEC also noted that the project site is located within an archeologically sensitive area and that the NYS Office of Parks, Recreation and Historic Preservation should be contacted regarding this matter.

DISCUSSION: Mr. Geraghty noted that he was able to find a letter from the Office of Parks and Recreation that was generated during the review of the Walmart Supercenter Project, indicating that there would be no impact to cultural resources eligible for the State or National Registers of Historic Places.

NYSDOT:

In an e-mail dated September 2, 2016, the NYSDOT concurred with the City of Gloversville Planning Board's proposal to act as Lead Agency for the SEQR process. NYSDOT indicates that:

1. Driveway connections to roundabouts are typically undesirable.
2. All proposed signage, advertising and parking will need to be located on private property and not on NYSDOT right-of-way.

DISCUSSION: Mr. Geraghty noted that the applicants have removed the proposed driveway connection into the traffic circle and have not proposed any signage on NYSDOT property.

MOTION: Declaring the City of Gloversville Planning Board the Lead Agency for the purpose of issuing a determination of significance under SEQR.

MADE BY: Matthew Donde  
SECONDED: Jonathan Kluska  
VOTE: 5 in favor, 0 opposed

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

1. The applicant's property was originally created as a site for retail development.
2. Public utilities and municipal infrastructure is readily available to service a commercial business on the property.
3. There will be no adverse aesthetic impacts resulting from the proposed project.
4. Traffic impacts resulting from the proposed project will be very limited.

MADE BY: Geoffrey Peck

SECONDED: Jonathan Kluska  
VOTE: 5 in favor, 0 opposed

E. Public Hearing:

1. The public hearing was opened at 7:30 P.M.

2. Speakers:

There was no one to speak regarding Crown Court, LLC's Site Plan for a retail store along Hales Mills Road.

3. The public hearing was closed at 7:31 P.M.

F. Planning Board Action:

In accordance with Section 300-80 of the City of Gloversville Zoning Ordinance, the Planning Board, within sixty-two (62) days after the public hearing, shall approve, approve with modification or disapprove the application for Site Plan approval. Consequently, does the Planning Board wish to issue its final decision on Crown Court, LLC's Site Plan for a retail store (Shoe Show, Inc.) along Hales Mills Road at this time?

MOTION: To conditionally approve Crown Court, LLC's Site Plan for a 10,000 sq. ft. retail store along Hales Mills Road with the following stipulations:

1. The City of Gloversville Department of Public Works and/or the NYSDOT must approve the location of the second driveway access point along Hales Mills Road near the traffic circle.
2. The City of Gloversville Department of Public Works and/or the NYSDOT must approve of the proposed sidewalk crossing location near the traffic circle.

MADE BY: Geoffrey Peck  
SECONDED: Matthew Donde  
VOTE: 5 in favor, 0 opposed

The Planning Board then held a brief discussion concerning the discussions between Crown Court, LLC and the neighboring property owners regarding the potential changes to site work that would allow the applicant to either eliminate or significantly reduce the size of the retaining wall.

Mr. Geraghty pointed out that, if Crown Court, LLC is able to negotiate an arrangement with the neighboring property owner, then a site map amendment will need to be pursued.

## **VII. GLOVERSVILLE PUBLIC LIBRARY – SITE PLAN FOR ADDITIONS AND RENOVATIONS:**

### **A. Background:**

The Gloversville Public Library would like to undertake some extensive renovations on its property at 58 East Fulton Street (Tax Map Parcel No. 149.6-14-1.5). The project will include replacing heating, plumbing and electrical infrastructure within the building and other renovations to bring the building up to code. In terms of the Site Plan review, the Planning Board is being asked to look at two (2) additions to the building. The larger addition will be constructed on the east side of the building where the existing handicap entrance is located. It will be three (3) levels high and include an elevator. The smaller addition will take place on the south side of the building. New stormwater infrastructure will be installed as part of the project and a new egress point constructed along Fremont Street. Extensive landscaping improvements are also part of the project.

### **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. Sheet SP-102 should specifically identify the size of the proposed Library additions.

DISCUSSION: Lisa Hayes, RA, Butler, Rowland Mays Architects, LLP, indicated that the larger addition that replaces the handicap entrance will have a footprint of approximately 1,000 sq. ft., while the smaller addition will have a footprint of approximately 500 sq. ft.

2. Pedestrian access around the Library building will be changed with an access sidewalk connecting directly to the public sidewalk along East Fulton Street.

DISCUSSION: The Planning Board had no comments concerning the Library's plans for pedestrian access to the building.

3. Where does the 8" invert in for the existing catchbasin along East Fulton Street come from?

DISCUSSION: Scott Lansing, Lansing Engineering, indicated that the 8" invert into the existing catchbasin is from foundation drains.

Mr. Myers talked about the slope of the catchbasins along the access driveway leading to Fremont Street. He asked the architects to reexamine the invert elevation to see if the slope could be reduced. He then talked

about the erosion control measures on the property. He also noted that the drawings will need to provide further clarification on the drop curb along Fremont Street. Mr. Myers asked if there would be a utility connection between the Library and the shed located on the east side of the adjacent County Probation building?

Barbara Mondonna indicated that the distance between the Library and the shed is too far for the utility connection.

4. The photometrics plans for the site shows a maximum illumination at the property line near the northeast corner of the property along East Fulton Street.

DISCUSSION: The Planning Board had no comments concerning the photometrics plan.

5. A new egress driveway will be developed along the south side of the property to provide vehicles an opportunity to exit onto Fremont Street. The exit driveway will have a grade of approximately 6½+/- percent.

DISCUSSION: Lisa Hayes indicated that she would examine the slope on the driveway to see if it could be flattened closer to Fremont Street.

Mr. Peck asked if the Library has spoken with the County about constructing an access driveway behind the Probation Building to connect the shed property to the Library property?

Barbara Mondonna indicated that she has not yet approached the County. She indicated that she feels that the County Probation Department may have some concerns with vehicles traveling behind the Probation Building where County staff will be parked.

Mr. Peck then asked if a Stop Sign or some type of speed control measure can be installed on the proposed access driveway along Fremont Street?

After a brief discussion, it was agreed that a speed bump should be provided on the access driveway in order to slow vehicles down before reaching Fremont Street.

6. An extensive landscaping plan and planting schedule has been provided for the property.

DISCUSSION: The Planning Board had no questions or comments regarding the landscaping plan.

Planning Board Member Jon Kluska asked if there would be any type of irrigation system for the landscaping plan?

Barbara Mondonna indicated that the Library did not intend to have an irrigation system.

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: Mr. Geraghty noted that, given the fact that the Library building is listed on the National Register of Historic Places, a Full Environmental Assessment Form will need to be provided. Mr. Geraghty asked if the Planning Board was comfortable with him reviewing any Full Environmental Assessment Form before it is sent to other Involved Agencies?

There was a general consensus among Planning Board members that the County Planning Department should be allowed to review the Full Environmental Assessment Form for completeness before sending it to the other Involved Agencies.

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) (3) of 6 NYCRR states that, when an agency proposes to directly undertake, fund or approve a Type 1 or Unlisted Action undergoing a coordinated review with other agencies, it must, as soon as possible, transmit Part 1 of the Environmental Assessment Form completed by the project sponsor or a Draft Environmental Impact Statement (DEIS) and a copy of any application that has been received to all involved agencies and notify them that a Lead Agency must be agreed upon within thirty (30) calendar days of the date the Environmental Assessment Form was transmitted to them.

MOTION: To classify the proposed project as a Type 1 Action and to propose that the City of Gloversville Planning Board act as the Lead Agency for the purpose of issuing a determination

of significance under SEQR and to offer the other agencies twenty-five (25) calendar days to comment on the proposed action or the City Planning Board's proposal to act as lead Agency.

MADE BY: Matthew Donde  
SECONDED: Geoffrey Peck  
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 sixty-two (62) 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 the Gloversville Public Library's Site Plan for building renovations and additions at this time?

MOTION: To schedule a public hearing on the Gloversville Public Library's Site Plan for additions and renovations for 7:00 p.m., Tuesday, October 4, 2016.

MADE BY: Jonathan Kluska  
SECONDED: Brenda Leitt  
VOTE: 5 in favor, 0 opposed

**VIII. MONOLITH SOLAR ASSOCIATES – SITE PLAN FOR UTILITY SCALE SOLAR COLLECTION SYSTEM ALONG HARRISON STREET:**

A. Background:

Monolith Solar Associates would like to install a .576 megawatt utility scale solar collection system along the west side of Harrison Street near the County Highway Complex (Tax Map Parcel Nos. 163.1-3-2 and 163.9-9-3). The existing properties combined are approximately 21.17 acres in size. The solar facility will include the installation of approximately 1,800 solar modules.

Tom Howson, representing Monolith Solar Associates, introduced himself to the Planning Board.

B. County Planning Department Review:

The 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. A survey description of the properties should be provided as part of the Site Plan package.

DISCUSSION: Mr. Geraghty asked if Monolith Solar Associates will be leasing the property or purchasing it outright?

Mr. Howson indicated that he believed Monolith Solar intends to buy the property.

2. The topography of the properties has not been identified on the Site Plan drawings.

DISCUSSION: The Planning Board agreed that topographic conditions for the site will need to be shown.

3. The Site Plan drawings indicate that the footprint of the facility will cover approximately .26 acres of the project site. The footprint will clearly cover a much greater area than .26 acres.

DISCUSSION: Mr. Howson indicated that he believed the .26 acres noted on the drawings is simply the area occupied by the panels themselves.

Mr. Geraghty pointed out that the footprint of a solar facility is not only the panel dimensions but also all of the area between the arrays and the adjacent buffer area.

4. The location of existing structures on adjacent properties should be identified.

DISCUSSION: Mr. Peck noted that the fact that there are no buildings shown on adjacent properties makes it difficult for the Planning Board to determine what type of visual impact the proposed solar array will have.

After some additional discussion, the Planning Board agreed that buildings on adjacent properties will need to be shown on the revised Site Plan submittal.

5. The boundary of NYSDEC wetland GL-54 has not been shown on the Site Plan drawings.

DISCUSSION: Mr. Geraghty noted that a NYSDEC wetland takes up a significant portion of the property.

Mr. Howson indicated that he would do some further research into the wetland issue and would have the wetland shown on the revised drawings.

6. The size and design of the proposed sign along Harrison Street needs to be shown on the Site Plan drawing.

DISCUSSION: The Planning Board agreed that the size and design of the sign along Harrison Street will need to be shown.

7. The proposed screening for the meter pedestal along Harrison Street should be noted on the drawing.

DISCUSSION: Mr. Howson indicated that he believed the meter pedestal will be inside an enclosure.

Mr. Geraghty indicated that the design of that enclosure will need to be shown on the revised drawings.

8. The proposed size and design of the access gate along Harrison Street should be identified.

DISCUSSION: The Planning Board agreed that the size and design of the access gate will need to be identified.

9. The width and proposed construction of the gravel accessway to the site should be identified.

DISCUSSION: The Planning Board agreed that the width and the proposed construction specifications for the gravel access driveway will need to be identified.

Mr. Geraghty noted that, during installation of the solar panels, heavy vehicles will need to use this access driveway.

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

DISCUSSION: Mr. Howson indicated that he didn't believe a significant amount of additional lighting will need to be provided on the property.

Mr. Geraghty noted that these types of facilities typically have some security lighting.

The Planning Board indicated that it would like to see any additional lighting shown on the revised drawing.

11. A written confirmation must be provided from National Grid that the proposed solar facility can be tied into the existing National Grid network.

DISCUSSION: Mr. Howson indicated that he would provide the Planning Board with a copy of anything that is received from National Grid concerning the proposed solar project.

12. Is any new landscaping or screening to be provided as part of the project?

DISCUSSION: Mr. Geraghty noted that the project is located in a heavily-wooded area and may not involve additional landscaping. However, he noted that the applicant will need to show how much of the property will be clear cut in order to provide an adequate buffer for the solar panels so that shadows are not cast on the units.

13. An operation and maintenance plan for the site should be included with the Site Plan package.

DISCUSSION: Mr. Peck asked what the lifespan of the solar panels will be?

Mr. Howson indicated that he believed the lifespan is at least 20 years.

Mr. Geraghty noted that the proposed operation and maintenance plan for the site may not involve mowing beneath the solar panel arrays, but it will most likely include a periodic clearing of brush or trimming of trees that could cast shadows on the solar panels.

14. A Decommissioning Plan for the facility must be provided. The Plan must include an estimate prepared by a qualified engineer setting forth the estimated cost to decommission the proposed solar facility along with the type of surety to be provided to the City of Gloversville.

DISCUSSION: Mr. Geraghty explained that once a Decommissioning Plan for the site has been prepared, the Planning Board will share it with the City Attorney to see what type of financial surety he is comfortable with for the project.

Planning Board Chairman Jim Anderson asked if the property will be taxed?

Mr. Howland seemed to indicate that Monolith Solar will have to pay taxes on the property.

Mr. Geraghty noted that, under Section 487 of the Real Property Tax Law of New York State, these types of facilities are exempt from local property taxes unless the community opts out of that exemption. He noted that the City of Gloversville has the ability to tax the property, but cannot tax the property based on the increased value that is created through the installation of the solar facility. Mr. Geraghty suggested that this information be shared with the City Council and the City Attorney's office.

Mr. Peck noted that the Planning Board previously discussed potential locations for solar facilities in the community. He questioned whether or not this type of facility was even allowed along Harrison Street?

Mr. Geraghty pointed out that the recent zoning changes that were adopted by the Common Council identified “utility-scale solar collection systems” as an allowed use in the Manufacturing District.

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 has been completed adequately?

DISCUSSION: Mr. Geraghty suggested that the Planning Board hold off on initiating the SEQR process pending receipt of additional information from the applicant.

The Planning Board agreed.

Mr. Howson asked if the Planning Board will require a Full Environmental Assessment Form instead of the Short Environmental Assessment Form that was provided as part of this initial package?

Mr. Geraghty indicated that, based on the magnitude of the project, it is likely that 10 acres of the property will be disturbed. He also noted that there are also likely to be impacts to the adjacent NYSDEC wetland. Therefore, he suggested that a Full Environmental Assessment Form be provided.

The Planning Board agreed that, given the potential magnitude of the project, a Full Environmental Assessment Form should be provided.

No further Planning Board action took place.

**IX. LARRY MCGILLIS – SUBDIVISION ALONG BROAD STREET:**

A. Background:

Larry McGillis owns a piece of property at the intersection of Broad Street and Second Street in the City of Gloversville (Tax Map Parcel No. 149.6-10-61.5). Mr. McGillis' existing parcel is approximately .65 acres in size. There is an existing building on the Second Street side of the property. Mr. McGillis would like to create two (2) new building lots along the Broad Street side of the property that are 4,704 sq. ft. and 4,700 sq. ft. in size respectively.

B. Planning Department Review:

The Fulton County Planning Department has reviewed Mr. McGillis' subdivision application in accordance with the City's Subdivision Regulations and would like to offer the following comments:

1. A list of the variances that Mr. McGillis has already received from the City of Gloversville Zoning Board of Appeals should be provided as part of the subdivision application submittal.

DISCUSSION: Mr. Anderson noted that, when the Planning Board conceptually endorsed Mr. McGillis' subdivision proposal along Broad Street, the proposed location of homes and driveways on the property were shown. Mr. Anderson stated that he would like to have seen that information included on the subdivision plat.

Mr. Geraghty asked City Building Inspector Brandon Myers to identify the variances that Mr. McGillis was granted by the City of Gloversville Zoning Board of Appeals?

Mr. Myers indicated that Mr. McGillis received three (3) area variances from the City of Gloversville Zoning Board of Appeals including:

1. A 1,200 sq. ft. reduction in the minimum lot size for the District which is 6,000 sq. ft.
2. A 4' front yard setback variance from the required 20' setback.
3. A 15' reduction in the 35' rear yard setback requirement.

Mr. Geraghty pointed out that if the minimum lot size for a residential building lot in this district is 6,000 sq. ft. and Mr. McGillis was specifically granted a 1,200 sq. ft. reduction in that lot size requirement, then each of his building lots will need to be 4,800 sq. ft. in size. He noted that the subdivision plat submitted by Mr. McGillis has lots at 4,704 sq. ft. and 4,700 sq. ft. respectively. Mr. Geraghty noted that the Planning Board has no legal authority to approve building lots that do not meet the minimum lot size requirements in the City's Zoning Regulations, nor does the Planning Board have any ability to approve building lots that are below the size of the area variance that was granted by the City ZBA.

After a lengthy discussion, the Planning Board agreed to continue with its review and to forward the application back to the City of Gloversville ZBA to see if it would consider an area variance for a 1,300 sq. ft. reduction in the minimum lot size for the District.

2. Building setbacks for each of the building lots should be shown on the subdivision plat.

DISCUSSION: Mr. Geraghty suggested that the setback areas for the properties be noted taking into consideration the area variances that have been granted by the City of Gloversville Zoning Board of Appeals.

3. Are there any easements or covenants to go along with either of the new building lots?

DISCUSSION: Mr. Geraghty noted that an easement will probably need to be granted for the electric service that extends from Broad Street to the existing building on Mr. McGillis' property.

Mr. Anderson pointed out that the electric service may need to be moved in order to provide the required separation distance from a residential structure.

Mr. McGillis indicated that the service is brand new and he did not wish to replace it if he didn't have to.

Mr. Geraghty pointed out that the buildable area of Lot #1 will be significantly reduced if the overhead electric service is not repositioned.

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 subdivision 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: Mr. Geraghty noted that a Short Environmental Assessment Form for the proposed action has not been provided. He indicated that the Planning Board will not be coordinating the environmental review of this

proposed action and, therefore, could take care of that process at its next meeting.

D. Planning Board Action:

In accordance with Section 32 of the General City Law of New York State, when the Planning Board determines that an Environmental Impact Statement (EIS) on a preliminary plat is not required, the public hearing on the plat must be held within sixty-two (62) days after receipt of the complete preliminary plat. Consequently, does the Planning Board wish to schedule a public hearing on Mr. McGillis' subdivision plat at this point in time?

MOTION: To tentatively schedule a public hearing on Larry McGillis' subdivision application for 7:00 p.m., Tuesday, October 4, 2016.

MADE BY: Matthew Donde  
SECONDED: Geoffrey Peck  
VOTE: 5 in favor, 0 opposed

**X. IKO PLUS, INC. – SPECIAL PERMIT FOR ADDITIONAL RESIDENCE AT 63 EAST STATE STREET:**

A. Background:

IKO Plus, Inc. would like to expand an existing 2-family residence at 63 East State Street (Tax Map Parcel No. 134.11-2-21) into a 3-family residence. The project involves the addition of 500+/- sq. ft. of space on two (2) floors along the back side of the existing structure.

Mr. Anderson noted that there was a City Council moratorium on the creation of any additional apartments in R-1 Residential Zoning Districts. He asked if that moratorium has expired?

Planning Board Secretary Cindy Ostrander and Fire Chief Tom Groff noted that, according to the Council's records, the moratorium was put in place in 2012 but has since expired and been removed.

Mr. Anderson asked if work on the additional residence has already been completed?

Joe Kavetas (IKO Plus, Inc.) indicated to Board members that the work has already concluded. He indicated that space was already available and he simply created an additional efficiency apartment in that space.

B. County Planning Department Review:

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

1. A scaled drawing showing the property boundaries must be provided.

DISCUSSION: Mr. Geraghty indicated that the Planning Board will need to have a scaled drawing provided before it can act on any Special Permit application.

Mr. Kavetas showed Planning Board members a scaled drawing that he put together.

Mr. Anderson pointed out that the Planning Board never received this drawing and has not had the opportunity to review the drawing.

2. The location and dimensions of all off-street parking spaces must be shown on a Site Plan drawing.

DISCUSSION: There was a lengthy discussion concerning Mr. Kavetas' ability to provide off-street parking spaces for the additional residence.

Mr. Myers pointed out that, in accordance with the City's Zoning Regulations, Mr. Kavetas will need to show five (5) off-street parking spaces.

Mr. Kavetas indicated that he could probably provide four (4) off-street spaces, but did not think he could provide a fifth.

Mr. Anderson, again, indicated that the Planning Board will need to see a scaled Site Plan drawing showing how many off-street parking spaces can be provided.

3. The location and design of any exterior changes or new outdoor lighting on the property must be provided.

DISCUSSION: Mr. Peck suggested that Mr. Kavetas walk his property with City Building Inspector Brandon Myers in order to get some feedback on the type of information that will need to be provided on a Site Plan drawing of the property.

The Planning Board recognized that, in the absence of a scaled Site Plan drawing, there was no formal Planning Board action that could be taken.

**XI. OTHER BUSINESS:**

A. Code Enforcement Update:

Mr. Myers noted that on Thursday, September 22<sup>nd</sup>, Greenman Pederson will be providing a training session at 6:00 p.m. in the Council Chambers for the updated Zoning Regulations. He encouraged Planning Board members to attend if at all possible.

**XII. CLOSE OF THE MEETING;**

MOTION: To close the meeting at 8:30 p.m.

MADE BY: Jonathan Kluska

SECONDED: Brenda Leitt

VOTE: 5 in favor, 0 opposed