

ACPB Meeting Minutes - March 18, 2021

NOTE: Due to issues related to Covid-19, the March 18, 2021 meeting of the ACPB was held via Skype. The public was able to call into the meeting to listen, but was not able to make comments during the meeting. There was a designated period of time prior to the meeting for written comments to be submitted.

Board Members Present: Dominic Rigosu, Enzo Sofia, Brian Crawford, Travon Jackson & Gerry Engstrom

Albany County Public Works Office – Gopika Muddappa, Interim Senior Planner; William Anslow, Civil Engineer; Lynn Delaney, Secretary; James Mearkle, Traffic Engineer; Robert Gunther, Stormwater Program Technician; Sameer Modasra, Ex-Officio and Ransom Moore, Ex-Officio.

Guest: John Raphael Pichardo Esq. – City of Albany Common Council

Minutes: Lynn Delaney, Secretary

Call to Order: Dominic Rigosu called the meeting to order at 3:37PM.

Travon Jackson made a motion to approve the meeting minutes from the February 18, 2021 meeting. The motion was seconded by Gerry Engstrom and unanimously approved by the Board.

A motion was made by Brian Crawford to group the 11 Referrals with a Staff Opinion of Defer to Local Consideration, and vote on them as a group. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Case #: 01-210303659

Project Name: 832 Manning Boulevard

Applicant: Habitat for Humanity - Capital District

Project Location: 832 Manning Boulevard

Municipality: City of Albany

Parcel Size: 0.46 acres

Zoning: Mixed-Use, Community Urban(MU-CU)

Tax Map Number: 65.19-1-2.4

Referring Agency: City of Albany Planning Board

Considerations: Subdivision of 832 Manning Boulevard into 6 parcels and the construction of six +/-1,620 sq.ft single-family townhouses.

Action Type: Subdivision Review, Site Plan Review

Juris. Determinant: City Road

Potential Impacts: 32 N.Pearl Street

Staff Notes: The applicant, Habitat for Human Capital District, proposes to construct six(6) single family residential homes on the previously developed urban in-fill site. Municipal water and sewage will be connected and utilized by all units. The total acreage of land to be physically disturbed is less than one acre (0.15 acres). Currently, the property is vacant and the land is zoned as MU-CU. The permitted use under this zoning includes Townhouse and Dwelling. Habitat for Humanity along with the Affordable Housing Partnership will build 3 pairs of townhouses (6 total) to be sold to income qualified homeowners. The homes will be approximately 1600 sqft with four bedrooms and 1.5 baths. Each home will have a basement exit which leads to the yard space that faces the IDA Yarborough apartment complex owned by the Albany Housing Authority.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Case #: 17-210303645

Project Name: 114 15th St Subdivision

Applicant: Saqib Choudry

Project Location: 114 15th Street

Municipality: City of Watervliet

Parcel Size: 0.30 acres

Zoning: Mixed Use 1 (MU 1)

Tax Map Number: 32.75-1-32

Referring Agency: City of Watervliet Planning Board

Considerations: Two lot subdivision of the property that currently consist of existing three-family home.

Action Type: Subdivision Review

Juris. Determinant: Town Road

Potential Impacts: Main St 156, Altamont Blvd 156, FEMA Floodzones, Historic Districts

Staff Notes: This is an application for subdivision review to divide the lot that consists of existing three-family home into two (2) lots. Total area of disturbance is less than one acre (0.30 acres). The proposed actions are compatible with the neighborhood it is zoned for two to three family homes. Proposed Lot #1 will be +/- 7,819 Sf and proposed Lot #2 will be +/- 4,449 Sf.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Case #: 17-210303656

Project Name: Jean Maloney Subdivision

Applicant: Jean Maloney

Project Location: 317 21st Street

Municipality: City of Watervliet

Parcel Size: 0.20 acre

Zoning: Two Family Residential (R2)

Tax Map Number: 32.59-2-12

Referring Agency: City of Watervliet Planning Board

Considerations: Subdivision review to subdivide two units from four units.

Action Type: Subdivision Review

Juris. Determinant: State Road

Potential Impacts: NY 2 19th Street

Staff Notes: This is an application for subdivision review to subdivide two(2) units from four(4)units and the neighborhood is primarily residential and the purpose of this application is also for residential uses.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Case #: 04-210303653

Project Name: Glenmont Ventures 1 LLC

Applicant: Town of Bethlehem

Project Location: Route 9W

Municipality: Town of Bethlehem

Parcel Size: 9.55 acres

Zoning: General Commercial

Tax Map Number: 86.00-2-22.3

Referring Agency: Town of Bethlehem Zoning Board of Appeals

Considerations: Area variance for commercial structures to include medical business, restaurant with drive-thru and retail building with remote ATM not meeting minimum setback to side property.

Action Type: Area Variance

Juris. Determinant: State Highway, Interstate highway

Potential Impacts: Route 9W, I87 New York State Thruway, Agricultural district

Staff Notes: This is an application to obtain an area variance to propose commercial structures with a medical business, restaurants with a drive-thru and a retail building with remote ATM. The applicant is requesting the following variances for the construction of a 15,700+/- Sf four tenant commercial project: 19.42'+/- side yard setback, three parking spaces relief from the required 148 total spaces and 2.85'+/- relief from the minimum 10% parking lot landscaping. Total acreage of physical disturbance is 4.5 acres. As mentioned on the SEAF, NY SHPO issued a "No-Effect" letter on 11/13/2020.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Case #: 04-210303660

Project Name: Price Chopper Supermarket

Applicant: Thomas Lee, Price Chopper Design Project Manager

Project Location: 1355 New Scotland Road, Slingerlands

Municipality: Town of Bethlehem

Parcel Size: 20.98 acres

Zoning: Commercial Hamlet (PCD4)

Tax Map Number: 74.00-1-29.2/9001

Referring Agency: Town of Bethlehem Zoning Board of Appeals

Considerations: Area variance for new branding of Market 32 signage. Same number of signs will be approved as the previous variance for quality and size. Overall size of the sign will be reduced by 102sf and it will be LED illuminated internally.

Action Type: Area Variance

Juris. Determinant: State Road, Town Road

Potential Impacts: New Scotland Road

Staff Notes: The applicant is requesting an area variance to increase the number of allowable wall signs from 1 to 7 signs and increase the allowable sign square footage from 125sf to 255.13sf. Currently there are nine (9) exterior building signs, two (2) existing signs (SEFCU and Starbucks) will remain in place. The proposed exterior building signs will consist of seven (7) new Market 32 Brand signs. The style of the proposed signage is a hallmark of the Market 32 brand that provide the community a clear and legible preview of the services provided within the store. The number of signs shown for this renovation is equal to the number of signs currently installed and approved under a previous variance. The overall square footage of the new signs is reduced by 101.97 sf. The proposed building signs will be similar in quantity and size to other retailers that have received variance approval from the Town. The internally illuminated signs use LED lighting which results in lower energy usage. The existing nine(9) building signage is 357.1sf (two of these signs will remain in place) and the seven(7) proposed building signage is 255.13 sf. The proposed building signage has two (2) less signs and is 101.97 sf less than existing signage.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Case #: 10-210303655

Project Name: Dutch Hill Terrace Minor Subdivision

Applicant: Anthony Hazapis

Project Location: 15 Dutch Hill Terrace

Municipality: Town of Guilderland

Parcel Size: 2.10 acres

Zoning: Single Family Residential Districts (R20)

Tax Map Number: 62.00-1-58

Referring Agency: Town of Guilderland Planning Board

Considerations: The applicant is proposing a two lot subdivision and an amendment to a previously approved minor subdivision to remove a Town Planning Board imposed note on the final plat which prohibits further subdivision of property. For the proposed subdivision to be approved, the Planning Board will need to amend the previously approved final plat and removed the note from the plat.

Action Type: Subdivision Review

Juris. Determinant: State Road

Potential Impacts: NY 155 State Farm Road

Staff Notes: The applicant proposes a two lot subdivision of 15 Dutch Hill Road which separates Lot 15 which comprises of 2.10 into two lots as follows: (a) Lot 15 consisting of 1.09 acres and (b) Lot 15A consisting 1.01 acres. The total acreage of physical disturbance is less than one acre (0.5 acres) as per the SEAF. The applicant plans to purchase Lot 15A for the construction of their single-family residence. The application includes Letter of Authorization and Approval from the owners of Lot 1 and Lot 11 (Eugene E. Napierski), Lot 3 (Christine M. Napierski) and Lot 15 (Michelle R. Napierski-Panel and Andrew T. Panel).

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Case #: 13-210303657

Project Name: Lands of Bastasch

Applicant: Jacolyn Bastasch

Project Location: 15 Willow Lane, Feura Bush

Municipality: Town of New Scotland

Parcel Size: 1.81 acres

Zoning: Residential Agricultural (RA)

Tax Map Number: 118.-3-14

Referring Agency: Town of New Scotland Zoning Board of Appeals

Considerations: Area variance request to subdivide one parcel (1.81 acres) into two lots. Lot 1 will be 0.77 acres and Lot 2 will be 1.04 acres. Lot 1 will include improvements including house, well, septic and driveway and Lot 2 is vacant but meets all zoning requirements.

Action Type: Subdivision Review, Area Variance

Juris. Determinant: Farm in a designated Agricultural District

Potential Impacts: Agricultural District, Historical District

Staff Notes: The applicant proposes to subdivide Tax Parcel 118.-3-14 into two lots using Willow Lane (a Town dedicated Road @ 40' wide) as the dividing line. The west lot (Lot 1) will be 0.77+/- acres with all improvements including a small dwelling, well, septic, and driveway. This lot would require an area variance since it is undersized by 0.44+/- acres. The east lot (Lot2) will be 1.04+/-acres and is presently vacant. The purpose of this subdivision is to create a building lot on the east side of the Willow Lane. The total acreage to be physically disturbed is less than one acre (0.50 acres).

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Advisory Note:

1. No Ag data statement required for the area variance but a subdivision note: Subdivision is located within 500' of a farm operation in the County Agricultural District as per Albany County Right to Farm Law 2007.

Case #: 13-210303666

Project Name: Khaligi Religious Institution (SUP #617)

Applicant: Al Zahra Center/ Wahab Khaligi

Project Location: 71 State Farm Road

Municipality: Town of New Scotland

Parcel Size: 4.80 acres

Zoning: Residential/Agricultural (RA)

Tax Map Number: 72.8-4-15

Referring Agency: Town of New Scotland Planning Board

Considerations: Special use permit to reuse the religious facility as the old use has lapsed.

Action Type: Special Use Permit

Juris. Determinant: State Road, Intermunicipal Boundaries

Potential Impacts: NY 155 State Farm Road, Intermunicipality Boundaries, Floodzone

Staff Notes: The applicant is requesting a special use permit to reuse the building as the House of Worship. The existing structure will remain the same except for revision of the front sign to read "Zahra Center" with the address. The maximum number of occupants that can be accommodated is 70. Type of occupants is congregational. Physical disturbance is one acre as per the SEAF application. The former Mountain view Evangelical Free Church had previously been issued a special use permit by the Town, but that church closed in 2019. The applicant is seeking for permission to reuse the building for religious purposes.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Advisory Note: 1. A professional Site Plan is required for all proposed work including but not limited to stormwater management practices.

Case #: 02-210303669

Project Name: Jeff Thomas - Building Addition

Applicant: Jeff Thomas

Project Location: 187 Main St

Municipality: Village of Altamont

Parcel Size: 1.10 acres

Zoning: Commercial Business district

Tax Map Number: 48.06-3-1

Referring Agency: Village of Altamont Planning Board

Considerations: Special use permit for construction of a 1490 sf single story building addition to an existing multi-tenant building.

Action Type: Special Use Permit

Juris. Determinant:

Potential Impacts: 156 Main St, Altamont Blvd, Historic district, FEMA Floodzones

Staff Notes: The applicant is proposing the expansion of the existing Altamont Corners Shopping Plaza to include the construction of a 1,470 Sf single story addition to an existing multi-tenant building. This addition will provide additional seating capacity for the adjacent restaurant space and create an open outdoor deck and patio area with additional seating and service areas. The Village Planning Board determined that the proposed action is a Type II Action exempt from review under SEQRA pursuant to 6 NYCRR 617.5(c)(9). The site has three existing driveway access points to the State Highway and 44 on site parking spaces.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Case #: 14-210303654

Project Name: Alli's Bridal

Applicant: Allison Burns

Project Location: 4 Central Ave

Municipality: Village of Ravenna

Parcel Size: 0.26 acre

Zoning: General Business (B-1)

Tax Map Number: 168.40-1-12

Referring Agency: Village of Ravenna Planning Board

Considerations: Site plan review to renovate an empty store into a Bridal shop.

Action Type: Site Plan Review

Juris. Determinant: State Road

Potential Impacts: 143 Main St, FEMA Floodzone, Wetlands

Staff Notes: This is an application for Site Plan Review for the operation of a Retail Store at 4 Central Ave in the Village's General Business Zoning District (B-1). The applicant does not propose any physical change to the exterior of the building or to the existing site configuration and layout. The application is for the reuse of an existing non-residential structure for a use that is permitted at this location. Upon determining that the application is complete, the ZBA of Village of Ravenna waived the requirement to submit any additional information, including but not limited to the requirement that the site plan be prepared by a licensed architect or engineer pursuant to Village Code 96-16. The ZBA also determined that the proposed use qualifies as a TYPE II action exempt from SEQRA Review pursuant to 6NYCRR617.5 (18) and does not require a public hearing on the application pursuant to Chapter 96-20.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

Advisory Note: 1. A professional Site Plan is required in order to properly locate the proposed action and for review purposes even though the Village of Ravenna has waived off the requirement for the applicant.

Case #: 16-210303644

Project Name: 106 Foundry Road Subdivision

Applicant: Voorheesville Rod & Gun Club

Project Location: 106 Foundry Road

Municipality: Village of Voorheesville

Parcel Size: 77.00 acres

Zoning: Mixed-Use Business Residential (MU-BR)

Tax Map Number: 61.19-2-2

Referring Agency: Village of Voorheesville Planning Board

Considerations: Two lot subdivision for the sale of one lot to the Voorheesville Rod & Gun Club along with lot line adjustment and special use permit application.

Action Type: Subdivision Review, Special Use Permit

Juris. Determinant: County Road, Intermunicipal Boundaries

Potential Impacts: School Road, Intermunicipal Boundaries of Village of Voorheesville and Town of New Scotland

Staff Notes: The applicant proposes to add approximately 0.12+/- acres to an existing house lot on Foundry Road to alleviate a shed and wood fence encroachment and to add 1.6+/- acres to the lands of the Voorheesville Rod & Gun Club located at #52 Foundry Road to encompass the land of their present parking lot and various improvements. Additionally, this map will create approximately 23+/- acre parcel of vacant land that is under contract to the adjoining land-owner. This will leave approximately 53+/- acres with improvements lying at the cul-de-sac of Foundry Road. This remaining parcel also has significant road frontage on School Road, also known as Albany County Route #206. There is no physical disturbance in the area.

Staff Opinion: Defer to local consideration.

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

The Board received several public comments in support of the Glenmont Ventures project in the Town of Bethlehem.

The Board didn't have any questions or comments. Gerry Engstrom made a motion to accept the Staff Opinion for Referral #'s 01-210303659, 17-210303645, 17-210303656, 04-210303653, 04-210303660, 10-210303655, 13-210303657, 13-210303666, 02-210303669, 14-210303654 & 16-210303644. The motion was seconded by Travon Jackson and was unanimously approved by the Board.

Case #: 01-210303661

Project Name: Ordinance 46.122.20: Repeal and Reenactment of Chapter 375 w/new numbering.

Applicant: Common Council of the City of Albany

Project Location: City of Albany

Municipality: City of Albany

Parcel Size: 0.00 N/A

Zoning: N/A

Tax Map Number: N/A

Referring Agency: City of Albany Legislative Board

Considerations: An ordinance repealing Chapter 375 (Unified Sustainable Development Ordinance) of the code of the City of Albany and enacting a new Chapter 375 (Unified Sustainable Development Ordinance) with new numbering.

Action Type: Adoption/Amendment of Zoning Ordinance

Juris. Determinant: N/A

Potential Impacts: N/A

Staff Notes: The applicant signifies that this legislation is necessary to give the USDO consistent numbering, to correct inadvertent typographical, grammatical, and citation errors, to increase user friendliness in terms of layout and readability, and allow the entire USDO, including all subsequent amendments, to be published online along with the rest of the Albany City Code. The changes that could be said to go beyond numbering and technical corrections are: 1. Page 375:II-13: §375-203(d)(iii) (Residential conversions) (in R-T districts), 2. Page 375-II-41: § 375-204(6)(d)(i)G. MU-CI District Standards, 3. Page 375: IV-2: §375-401 (3)(a)(i) Table 375-4-1 Development standards, 4. Page 375: IV-5: §375-401 (3)(b), chart 375-4-2 (Mixed Use Dimensional Standards), 5. Page 375:V-20; §375-504(6)(c)(v). General Procedures - Scheduling and notice of public hearing, Notice format and content, and Posted notices, 6. Page 375: V-26: §375-504(12)(b) Appeal, 7. Page 375: VI- 7: Definitions, and 8. 375:VII-1: §375-701(1)(a) Application Fees and Grading and mining. This ordinance makes no significant or substantive or policy changes to the USDO except as noted above. There will not be any fiscal impacts.

Staff Opinion: Modify local approval to include

1. A notification of the changes to the ordinance should be sent to all adjacent municipalities pursuant to GML §239-nn.

Jon Raphael Pichardo, Esq., City of Albany Common Council was asked by the Board to discuss the reasoning for this referral request in further detail. Once the explanation was clear, Travon Jackson made a motion to accept the Staff Opinion for Referral # 01-210303661. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Case #: 05-210303646

Project Name: Flach 3-lot subdivision

Applicant: Keith Flach

Project Location: 197 Tompkins Road

Municipality: Town of Coeymans

Parcel Size: 33.09 acres

Zoning: Residential/Agricultural (R/A)

Tax Map Number: 155.-1-7.31,155.-1-7.32

Referring Agency: Town of Coeymans Planning Board

Considerations: Subdivision review to divide land parcel:155.-1-7.31 and 155.-1-7.32 into three lots.

Action Type: Subdivision Review

Juris. Determinant: County Road, Wetlands

Potential Impacts: CR 106 Tompkins Road

Staff Notes: The applicant requests a subdivision review to divide the Land Parcels: 155.-1-7.31 (22.44 acres) and 155.-1-7.32 (10.65 acres) into three lots; Lot#1 to be 9.41 acres, Lot#2 to be 7.9 acres and Lot#3 to be 16.5 acres.

Staff Opinion: Modify local approval to include

1. A highway work permit from the Albany County Department of Public Works for any driveway construction, drainage and public utility connections within the county right of way.

A motion was made by Brian Crawford to accept the Staff Opinion for Referral # **05-210303646**. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Case #: 05-210303647

Project Name: Minor two-Lot Subdivision

Applicant: Coeymans Recycling Center, LLC office building

Project Location: 3 Stone House Hill Road

Municipality: Town of Coeymans

Parcel Size: 2.71 acres

Zoning: Single and Two Family Residents (R-2)

Tax Map Number: 168.-2-6

Referring Agency: Town of Coeymans Planning Board

Considerations: Subdivision review of 2.71 acres of land into two lots: Lot#1 to be +/- 1.63 acres and Lot#2 to be +/- 1.08 acres

Action Type: Subdivision Review

Juris. Determinant: State Road

Potential Impacts: NY 144 River Road, Historic Site, Floodzone

Staff Notes: A two-lot subdivision that intersects a land locked, 0.21 acre parcel. The intersected parcel will have a section to be merged with each newly created parcels. Parcel #1 to be +/-1.63 acres and lot #2 to be +/- 1.08 acres. There will be no physical disturbance on the site.

Staff Opinion: Modify local approval to include

1. Review by the New York State Department of Transportation for design of highway access, drainage and assessment of road capacity.

A motion was made by Gerry Engstrom to accept the Staff Opinion for Referral # **05-210303647**. The motion was seconded by Enzo Sofia and was unanimously approved by the Board.

Case #: 05-210303648

Project Name: Coeymans Recycling Center, LLC Office Building

Applicant: Coeymans Recycling Center, LLC

Project Location: 50-194 Coeymans Industrial park Lane

Municipality: Town of Coeymans

Parcel Size: 88.00 acres

Zoning: Industrial (I)

Tax Map Number: 156.-4-6.11

Referring Agency: Town of Coeymans Planning Board

Considerations: Site plan review for construction of a three-story (43,452 sq.ft) office building in the Coeymans Industrial Park.

Action Type: Site Plan Review

Juris. Determinant: Interstate Highway, Intermunicipal boundaries

Potential Impacts: I87 New York State Thruway, Intermunicipality boundaries of Town of Coeymans and Village of Ravena, FEMA Floodzones.

Staff Notes: This is an application for a site plan review for construction of a three (3) story office building (44,421 sf) with a solar carport (8,160 sf) and parking lot with one parking space per 100 sf of occupied floor space. The parking space shall be 10'x20'. A total of 180 parking spaces is proposed. The proposed use will have vegetative swales, green roof for stormwater management and porous pavement for stormwater management (88,142 sf).

Staff Opinion: Modify local approval to include

1. Notification of the application should be sent to the Village of Ravena, including all required notices pursuant to GML §239-nn.
2. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-003, May 1, 2015) for construction activities that disturb more than one acre of land.
3. A maintenance requirement for all stormwater practices must be included in the Deed for the parcel upon its completion since the applicant is proposing the use of porous pavement, green roof, and vegetative swales for stormwater retention and treatment.

- Advisory Note:** 1. It is unclear on the site plan what road the drive way is accessed.
2. If the proposed structure is greater than 30'-0" the applicant should provide at least two means of fire apparatus access as per Appendix D104 of the New York State Fire Code.

A motion was made by Enzo Sofia to accept the Staff Opinion for Referral #05-210303648. The motion was seconded by Travon Jackson and was unanimously approved by the Board.

Case #: 05-210303649

Project Name: Local Law #1 of 2021 - Six Months Zoning Moratorium

Applicant: Town of Coeymans

Project Location: Town of Coeymans

Municipality: Town of Coeymans

Parcel Size: 0.00 N/A

Zoning: N/A

Tax Map Number: N/A

Referring Agency: Town of Coeymans Legislative Board

Considerations: For a period of six months from the effective date of the local law, there shall be a moratorium upon any Town action that would result in any change or alteration to the official zoning map of the Town of Coeymans in effect as of the date of this local law.

Action Type: Adoption/Amendment of Local Law

Juris. Determinant: N/A

Potential Impacts: N/A

Staff Notes: Upon determining the collective interest of the public to update the Town's Comprehensive Plan through data collection and analysis, obtaining public input, and preparing a draft Comprehensive Plan for consideration, the Town plans the enactment of Temporary Moratorium for a period of six (6) months from the effective date of this Local Law. There shall be a Moratorium upon any Town action that would result in any change or alteration to the official Town of Coeymans Zoning Map in effect as of the date of this Local Law. The draft Comprehensive Plan has been created based upon the current existing zoning conditions in effect within the Town and a Public Hearing has been scheduled to obtain public input on the Draft Comprehensive Plan. Changes to the Town's Zoning Map or changes to zoning classifications for properties within the Town while the Draft Comprehensive Plan is being reviewed could impact the validity and effectiveness of recommendations contained within the

Draft Comprehensive Plan. This Moratorium shall apply to any and all pending or future applications submitted to the Building Department, the Planning/ Zoning Board of Appeals, or the Town Board. No final action upon any application that would result in a change or alteration to the official Zoning Map shall be taken by the Building Inspector, Planning Board/Zoning Board of Appeals, or the Town Board during the pendency of this Moratorium. This Moratorium shall not apply to any change or alteration to the official Zoning Map ordered by any court of competent jurisdiction. This proposed action is a Type II SEQRA action pursuant to 6 NYCRR 617.5(c)(36) and no further SEQRA review is required according to purpose and justifications letter. This Local Law shall be effective upon filing with the NYS Secretary of State.

Staff Opinion: Modify local approval to include

1. A notification of the changes to the local law should be sent to all adjacent municipalities.

A motion was made by Brian Crawford to accept the Staff Opinion for Referral #05-210303649. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Case #: 05-210303650

Project Name: Albany County Water Board Site Plan

Applicant: Town of Coeymans

Project Location: 156 CR 111

Municipality: Town of Coeymans

Parcel Size: 2662.00 acres

Zoning: Residential Agricultural (RA)

Tax Map Number: 153.-3-1.1

Referring Agency: Town of Coeymans Planning Board

Considerations: Site plan review for the construction of an office building and maintenance garage with future additional buildings for equipment storage.

Action Type: Site Plan Review

Juris. Determinant: County Road, State Road, Intermunicipal Boundaries, Town Road

Potential Impacts: CR 111, 143 Indian Fields Road, Water Board Road, Intermunicipal Boundaries of Town of Coeymans and Town of Westerlo, FEMA Floodzone

Staff Notes: The Albany Water Board (AWB) owns and operates the Alcove Reservoir, located in the Town of Coeymans, Albany County, New York. At the reservoir, the AWB currently utilizes a

historic property located at 17 Water Board Road as part of their on-going operation of the water supply, which serves the City of Albany. In order to improve operation efficiency and work safety, the AWB is proposing to demolish the currently used AWB office, which is located within NRHP-listed Historic District. Also, the AWB proposes to construct new facilities north of the district boundaries as shown in the site location map. The AWB is considering retaining the existing four barns, or a portion thereof, for overflow storage of equipment. The proposed location of the new facilities is just east of the Alcove Dam and west of Water Board along an existing service road. The proposed new facility will include a one-story office building (approximately 2,100 to 2,500 Sf) for seven or eight security and watershed staff employees. In addition, AWB desires to build five individual four-bay garage structures (approximately 1,730 sf each) for workspace and storage. one workspace bay of each garage will be temperature controlled with heating, while the other bays for vehicles and equipment storage will not.

Staff Opinion: Modify local approval to include

1. Notification of the application should be sent to the Town of Westerlo, including all required notices pursuant to GML §239-nn.
2. The Town must ensure that the applicant is aware that any additional disturbance over the proposed 0.9 acres will result in a disturbance over 1 acre, which would trigger the requirements for Construction Activity Permit coverage for the project. If greater than one acre is disturbed, a full SWPPP with erosion sediment controls are also required.

Advisory Note: 1. It is unclear from the site plan how many sets of buildings are proposed in the area as the site plan does not match.

2. A demolition review is required for the currently used AWB office building to ensure no hazardous materials are present in the site.

A motion was made by Gerry Engstrom to accept the Staff Opinion for Referral #05-210303650. The motion was seconded by Travon Jackson and was unanimously approved by the Board.

Case #: 07-210303663

Project Name: Stewart's Shop

Applicant: Stewart's Shop Corp.

Project Location: 2005 Central Avenue

Municipality: Town of Colonie

Parcel Size: 1.16 acres

Zoning: Commercial Office Residential District (COR)

Tax Map Number: 17.17-4-46

Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the construction of a new convenience store (3,996 sf) with a self service gas canopy.

Action Type: Site Plan Review

Juris. Determinant: State Road

Potential Impacts: NY5 Central Avenue

Staff Notes: The proposed project will be a Mini-Mart with a fueling facility. All the existing structures will be razed to allow for the construction of the 4,120 sf. Mini-Mart. With one store (24' +/- height) and 2000 sf fueling canopy with eight (8) fueling positions. The project has a driveway located on Central Avenue that will be restricted to right-in and right-out movement and has a full access driveway on Waterman Avenue. The site will provide 44 parking spaces which meets the parking requirement. The proposed use is consistent with land uses permitted in the Town of Colonie Zoning Code. There will be no visual and noise impact on the adjoining properties. This project proposes to utilize an underground collection & detention system and discharge in accordance with the historical drainage that occurs from the site. Erosion and Sediment Control Systems will be installed prior to the start of any construction and will be maintained throughout the construction period.

Staff Opinion: Modify local approval to include

1. A highway work permit from the New York State Department of Transportation (NYSDOT) will be required prior to any work in the Right-Of-Way.
2. Review by the Albany County Department of Health for food service is required.
3. Review by the New York State Department of Environmental Conservation to determine potential jurisdiction under bulk petroleum storage regulations is required.
4. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-003, May 1, 2015) for construction activities that disturb more than one acre of land.
5. Applicant proposing underground stormwater retention- depth to groundwater is important, test pits will verify if this is possible. If underground stormwater retention is not possible, applicant will have to design other measures for treatment and retention.

6. Right turns onto State Route 5 to be channelized to discourage any left turns from this exit. No left turn sign should be posted at this location.
7. The Town should be aware Stewarts has a similar application in the Village of Colonie with similar exiting onto State Route 5. The ACPB encourages the Town and Village coordinate and provide consistent curb cut design.
8. The lighted intersection at Waterman and Central Avenue serves the adjacent neighborhood and Lishakill Middle School. The entrance might be blocked. If multiple cars are stopped on Waterman Ave not allowing customers to enter the site thus backing up on to Route 5. The applicant should perform a traffic analysis at this intersection.

The Board members clarified the location and the fact that this will be a new Stewarts not a renovation of an existing Stewarts. Brian Crawford made a motion to accept the Staff Opinion for Referral # **07-210303663**. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Case #: 13-210303664

Project Name: SUP #618 MYR Energy Services

Applicant: Josh Allen of MYR

Project Location: 129 School Road

Municipality: Town of New Scotland

Parcel Size: 14.50 acres

Zoning: Industrial (IND)

Tax Map Number: 61.-3-16.1

Referring Agency: Town of New Scotland Planning Board

Considerations: MYR Energy Services is requesting special use permit approval to lease 2.7 acres with improvements for use as a construction office, vehicle storage and equipment, storage and maintenance during transmission line project.

Action Type: Special Use Permit

Juris. Determinant: County Road, Intermunicipal Boundaries

Potential Impacts: CR 208 School Road, Intermunicipal Boundaries of Town of New Scotland, Village of Voorheesville and Town of Guilderland

Staff Notes: The applicant proposes to use the main facility for office space, small material laydown, equipment storage and maintenance. The space will also be used for installation of

mobile office trailer for use of additional office space. The equipment to be typically on site includes: pickup trucks, bucket trucks, forklift and bucket loaders. The site will not be open to the public. Initially there will be a small amount of materials stored outside but this will be transferred off site within the first 30 days.

Staff Opinion: Modify local approval to include

1. Notification of the application should be sent to the Town of Guilderland, including all required notices pursuant to GML §239-nn.
2. Notification of the application should be sent to the Village of Voorheesville, including all required notices pursuant to GML §239-nn.
3. If the wastewater system as mentioned in the SEAF is the existing septic system then an approval from Albany County Health Department will be required for the proposed Office trailer.

Advisory Note: The county road must be kept clean and other construction entry may have to be built.

Brian Crawford made a motion to accept the Staff Opinion for Referral #13-210303664. The motion was seconded by Enzo Sofia and was unanimously approved by the Board.

Case #: 02-210303667

Project Name: Troy Miller Subdivision Review

Applicant: Troy Miller

Project Location: 130 Main Street

Municipality: Village of Altamont

Parcel Size: 1.01 acres

Zoning: Residential Minimum lot of 10,000 sf (R-10)

Tax Map Number: 37.19-1-11

Referring Agency: Town of Altamont Planning Board

Considerations: The proposed action is to split the existing two (2) family parcel and subdividing it for a single family building.

Action Type: Subdivision Review

Juris. Determinant: State Road

Potential Impacts: NY 146 Main Street, Historic District, FEMA Floodzones

Staff Notes: This is an application proposed for two-lot subdivision in the Village's R-10 Zoning District. The applicant has represented that the proposed single-family home on the newly created parcel (lot1) will be constructed in a location that accords with the setback requirements for the R-10 Zoning Districts, including but not limited to the maximum front yard setback. The proposed subdivision would not create a keyhole lot since the strip of land with frontage on Main Street is buildable and can be developed. Lot 1 will be 15,000 Sq.ft and Lot 2 31,282 sq.ft.

Staff Opinion: Modify local approval to include

1. Review by the New York State Department of Transportation for design of highway access, drainage and assessment of road capacity.

Gerry Engstrom made a motion to accept the Staff Opinion for Referral # 02-210303667. The motion was seconded by Travon Jackson and was unanimously approved by the Board.

Case #: 08-210303662

Project Name: Stewart's Shop

Applicant: Stewart's Shop Corp.

Project Location: 1560 Central Ave/1 Lincoln Ave

Municipality: Village of Colonie

Parcel Size: 0.96 acres

Zoning: Commercial A

Tax Map Number: 41.12-1-17

Referring Agency: Village of Colonie Planning Board

Considerations: Site plan review for replacing the existing gas station and vacant commercial building with a new 3975 sf Stewart's shop with self service gasoline.

Action Type: Site Plan Review

Juris. Determinant: State Road

Potential Impacts: NY5 Central Avenue

Staff Notes: The applicant proposes a new Stewart's Shop with self-service gasoline at the corner of Central and Lincoln Avenue. This replaces an existing gas station that operates on site currently as well as a vacant commercial office building. The proposed gross floor area is 3975 sf. To mitigate any potential noise spill over to the rear of the property, the parcel will be adequately landscaped with trees and fencing. All drainage will be directed to established storm drains. The petroleum is stored underground with double wall fiber glass monitored storage tanks.

Staff Opinion: Modify local approval to include

1. A highway work permit from the New York State Department of Transportation (NYSDOT) will be required prior to any work in the Right-Of-Way.
2. Review by the Albany County Department of Health for food service is required.
3. Review by the New York State Department of Environmental Conservation to determine potential jurisdiction under bulk petroleum storage regulations is required.
4. Applicant must be aware that any additional disturbance to the proposed 0.96 acre may result in a disturbance greater than 1 acre, which triggers the requirement for construction activity permit coverage through the NYSDEC.
5. Test pits are crucial in determining whether depth to groundwater and soil classifications would be adequate for underground stormwater retention.
6. Alternative stormwater retention measures may be required should depth to groundwater be too low for underground stormwater retention structures.
7. Right turns onto State Route 5 to be channelized to discourage any left turns from this exit. No left turn sign should be posted at this location.
8. The Village should be aware Stewarts has a similar application into the Town of Colonie with similar exiting onto State Route 5. The ACPB encourages the Town and Village coordinate and provide consistent curb cut design.
9. The ACPB encourages the applicant to provide a deeded connection with the neighboring parcel to allow access to the lighted intersection at Lincoln Avenue.
10. The applicant in the Village of Colonie should review the proposed site plan to include ADA accessibility from all public sidewalks to their proposed store.

Advisory Note:

The applicant in the Village of Colonie should revisit the site to change the orientation of the proposed action to put the gas pumps and parking behind the building to reduce traffic.

Jim Mearkle, Traffic Engineer, commented that it appears there is not an ADA accessible path noted on the plan. The Board determined that it should be added (noted above #10). The Board agreed to let someone from the public (Christine Duffy) speak specifically about ADA accessibility. Ms. Duffy explained that she is disabled and is an Albany County resident. She

encouraged the Planning Board to consider adding wording about the ADA accessibility for this case.

Gerry Engstrom suggested that the applicant should consider putting the gas pumps behind the building as it would make this much more pedestrian friendly (noted in the Advisory note above). Board members also discussed the fact that the Town of Colonie has a similar application on the same road. The Board wants to ensure that Village and Town will be able to provide a consistent curb cut design (noted above - #8). Enzo Sofia made a motion to accept the Staff Opinion for Referral #08-210303662. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Case #: 16-210303651

Project Name: Adoption of Design Guidelines

Applicant: Village of Voorheesville

Project Location: Village of Voorheesville

Municipality: Village of Voorheesville

Parcel Size: 0.00 N/A

Zoning: N/A

Tax Map Number: N/A

Referring Agency: Village of Voorheesville Legislative Board

Considerations: Adoption of design guidelines for the Village of Voorheesville.

Action Type: Adoption of Local Law

Juris. Determinant: N/A

Potential Impacts: N/A

Staff Notes: The Board of Trustees proposes to adopt design guidelines for the local law. The document clearly indicates the zoning topic, subject of zoning code, location of the zoning code, direct quotes from the zoning code showing lot layout, dimensions and building design standards. The proposed action is to adopt Design Guidelines for the Village of Voorheesville in furtherance of its Comprehensive Plan. The design guidelines correspond to the new Zoning Code, enacted in May of 2019. The Village Board of Trustees previously determined that the Zoning Code was not likely to result in any significant adverse environmental impacts. Rather, it is more protective of the Village's environmental resources than the prior zoning ordinance that had been in effect.

Staff Opinion: Modify local approval to include

1. A notification of the changes to the ordinance should be sent to all adjacent municipalities pursuant to GML §239-nn.

Brian Crawford made a motion to accept the Staff Opinion for Referral #16-210303651. The motion was seconded by Travon Jackson and was unanimously approved by the Board.

Case #: 16-210303668

Project Name: Village Animal Clinic Parking Lot Expansion

Applicant: Vac Real Estate Holdings LLC

Project Location: 70 School Road

Municipality: Village of Voorheesville

Parcel Size: 1.10 acre

Zoning: Industrial

Tax Map Number: 61.18-2-7

Referring Agency: Village of Voorheesville Planning Board

Considerations: Site plan review for expansion of the parking lot and the addition of one new LED light in the parking area.

Action Type: Site Plan Review

Juris. Determinant: County Road

Potential Impacts: CR 208 School Road, Intermunicipal Boundaries between Village of Voorheesville and Town of New Scotland

Staff Notes: The applicant proposes to expand the existing asphalt parking lot to add an additional seven (7) parking spaces for the future growth of the Veterinary Animal Clinic. One new LED light in the parking area will also be added. It's location is yet to be determined. No new building construction is planned. The existing 12x10 wood shed will be moved to the Northwest corner of the lot. Total acreage of physical disturbance is less than one acre (0.05).

Staff Opinion: Modify local approval to include

1. Notification of the application should be sent to the Town of New Scotland, including all required notices pursuant to GML §239-nn.

2. The Village should ensure that there are adequate number of handicap parking spaces for the proposed use. The site plan submitted does not accurately depict the existing number of spaces in the parking lot.
3. The applicant should be required to delineate any potential wetlands in the proposed parking area prior of any site plan approvals.

Gerry Engstrom made a motion to accept the Staff Opinion for Referral # 16-210303668. The motion was seconded by Travon Jackson and was unanimously approved by the Board.

Case #: 10-210303658

Project Name: NEIP Solar

Applicant: Yellow 5 LLC c/o Chris Stroud

Project Location: 2 Van Buren Blvd

Municipality: Town of Guilderland

Parcel Size: 289.00 acres

Zoning: Industrial (IN)

Tax Map Number: 50.00-1-14.11

Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Special use permit for 15.0+/- acres of 2.375MW ground mounted photovoltaic panels as well as the associated access road, electric utility upgrades, and perimeter fencing for the solar farm.

Action Type: Special Use Permit

Juris. Determinant: County Road, State Road

Potential Impacts: CR201 Depot Road, State Route 146, FEMA Floodzone, Agricultural District, Historical District, NWI Wetlands

Staff Notes: The proposed Guilderland Solar Project consists of a 15.0+/- acre solar farm which will generate a total of approximately 2.375 Megawatt AC of energy when complete. The project will involve the installation of ground mounted photovoltaic panels as well as associated access road, electric utility upgrades, and perimeter fencing for the solar farm. The project will utilize a fix tilt system to accommodate the constrained nature of the site. The modules will be

mounted on a steel racking system, which will be anchored into the ground using driven steel piers. The overall height of the array will be no more than 10 feet tall. The proposed project shares the property with the existing Northeastern Industrial Park. The project area consists of mainly grass field with some wooded area and Army Corps of Engineers wetlands located along the eastern most property line. Construction of this project is anticipated to take five months with approximately 10 to 30 workers during construction activities. Once in operation the Guilderland Solar Project will require minimal servicing and will be operated remotely.

Staff Opinion: Disapprove

1. The Albany County Planning Board found the review materials to be unacceptable and incomplete for review purposes. 2. The location of the proposed action is within the sight of Helderberg Escarpment, Visual Impact Assessment is required as per Resolution No. 384 for 2020 of Albany County.

Advisory Note: 1. A decommissioning plan or established conditions requiring abandoned solar systems to be removed by the owner is also generally included as part of an approval for this size project. 2. The Town Planner should be aware that the Short Environmental Assessment Form should be complete before submitting it to the Board to provide better insight on how the proposed action might be affected by the existing wetlands on the site. 3. The County Planning Board recommends placement of Solar panels be within the established setbacks in the industrial zone and discourage building to the property lines. The proposed action must include a vegetative buffer along the County highway.

Brian Crawford made a motion to accept the Staff Opinion of Disapprove for Referral # 10-210303658. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Case #: 10-210303665

Project Name: Albany Country Club Rezone

Applicant: Albany Country Club

Project Location: 300 Wormer Road (Northeast corner of Relyea Road and Grant Hill Road)

Municipality: Town of Guilderland

Parcel Size: 89.00 acres

Zoning: Single family Residential Districts (R20)

Tax Map Number: 50.00-3-10.1

Referring Agency: Town of Guilderland Planning Board

Considerations: Rezoning for approximately 89 acres of Albany Country Club vacant lands from existing R20 (Single Family Residential Districts) to proposed RA3 zone (Rural Agricultural-3 district).

Action Type: Rezoning

Juris. Determinant: County Road, Municipal boundaries,

Potential Impacts: CR 201 Grant Hill Road, Intermunicipality Boundaries of Town of Guilderland and Town of New Scotland, Floodzone

Staff Notes: The Albany Country Club is requesting a rezone of 89 acres +/- from R20 (Single Family Residential District) to RA3 (Rural Agricultural-3 District). This zoning change will establish RA3 zone over the entire Tax Parcel #50.00-3-10.1. The site was formerly part of the Weatherfield Phase 4 Planned Unit Development. In 2005 the developer of Phase 4 withdrew their subdivision and site plan approvals. In October 2019 the Albany Country Club submitted a request to the Town Board to remove the PUD zoning from Phase 4, which reverted the zoning back to the original R20 District.

Staff Opinion: Disapprove

1. After carefully reviewing the Referral Application and the supporting materials, the Albany County Planning Board finds that the proposed action of Rezoning for the part of the Tax Parcel 50.00-3-10.1 has several major countywide impacts. Although the Town has fulfilled the requirements to refer the case to the County under GML-239, the Planning Board has expressed several environmental concerns as part of the section 239-m and 239-n reviews. As outlined in the Department of State SEQRA Handbook it states:

"When a zoning change is a direct action and no physical changes or projects are proposed, what should be considered in the SEQRA review?"

The SEQRA review should consider the relative impacts based on the proposed changes. In other words, the analysis should compare the relative impacts of land use and development (based on the existing zoning) and the proposed zoning. For example, the rezoning of agricultural land to a commercial or residential use might significantly affect community character, aesthetics, traffic and stormwater runoff. A municipality should consider the most intensive uses allowable under the proposed zoning to judge potential impacts. Keep in mind that rezoning itself may be more significant from the standpoint of SEQRA than the individual permitting of projects since a zoning change triggers a change in the allowable use of land and ostensibly individual projects consistent with that change will be considered in the future in the rezoned area. The use of a generic EIS is the best SEQRA-tool to analyze the rezoning actions for large-scale or significant changes."

2. There are other potential impacts to this proposed action. There can be major Stormwater Management issues given that there are significant FEMA Flood zones and NWI Wetlands present in this area.

3. Considering the location of the parcel which is within 500 feet of the Inter-municipal Boundaries of Town of Guilderland and Town of New Scotland, there can be potential impacts

to community characters and all the public comments ACPB have received are referring to the lack of disclosure of the final intended use of this action.

4. Although the supporting materials include a narrative on the timeline of the change in zoning of the property from PUD to R20, it does not include the intended purpose. The Board is aware that the Town is proposing a segmented review and will refer this case back to us when there is any forthcoming development proposal but traffic and stormwater management on Grant Hill Road could have significant impact if and when there are any potential developments set for the future. In addition, the Department of State SEQRA Handbook also supports the County's recommendations that a segmented review should be avoided. It states:

"When a zoning change is a direct action and no physical changes or projects are proposed, what should be considered in the SEQRA review?"

The SEQRA review should consider the relative impacts based on the proposed changes. In other words, the analysis should compare the relative impacts of land use and development (based on the existing zoning) and the proposed zoning. For example, the rezoning of agricultural land to a commercial or residential use might significantly affect community character, aesthetics, traffic and stormwater runoff. A municipality should consider the most intensive uses allowable under the proposed zoning to judge potential impacts. Keep in mind that rezoning itself may be more significant from the standpoint of SEQRA than the individual permitting of projects since a zoning change triggers a change in the allowable use of land and ostensibly individual projects consistent with that change will be considered in the future in the rezoned area. The use of a generic EIS is the best SEQRA-tool to analyze the rezoning actions for large-scale or significant changes."

5. The Albany County Planning Board requests the Town to resubmit the SEQRA review that includes the maximum possible build out and that analyzes the impacts of the zoning change as mentioned above. This can be a countywide impact as the proposed action of rezoning itself is more significant from the SEQRA perspective as the rezoning from R20 to RA3 can change the allowable use of the parcel.

This was a continuation from last month's meeting. In addition to the Public Comments received last month regarding this case, the ACPB did receive additional comments prior to this meeting as well.

Dominic Rigosu recused himself from this vote. Gerry Engstrom made a motion to accept the Staff Opinion of Disapprove for Referral #10-210303665. Travon Jackson seconded the motion and by a vote of 3 to 1 the motion carried.

Vote to accept the Staff Opinion of Disapprove:

Gerry Engstrom – Yes

Travon Jackson – Yes

Brian Crawford – Yes

Enzo Sofia – No

Case #: 04-210303652

Project Name: Eamon Murphy Ground Mounted Solar System

Applicant: Kasselmann Solar, LLC

Project Location: 28 Halter Road

Municipality: Town of Bethlehem

Parcel Size: 0.60 acre

Zoning: Residential Agricultural (RA)

Tax Map Number: 98.01-1-24

Referring Agency: Town of Bethlehem Planning Board

Considerations: Site plan review for construction of 42-17.4kw ground mounted solar system for an area of 46'8" x 18'8 1/4". The height of the solar system will be 2' at front to 11'9" at rear.

Action Type: Site Plan Review

Juris. Determinant: State Road

Potential Impacts: NY144 River Road, FEMA Floodzones

Staff Notes: This is an application for a special use permit to install 42 ground mounted solar modules and associated electrical work by Kasselmann Solar. Total acreage involved in this project is less than 0.02 acres the total acreage owned by the applicant is 0.60 acres. The installation includes 42 LG Neon 415 watt mono black solar panels, 42 solar edge P485 DC optimizers, one solar edge 7.6 kw HD wave inverter, one solar edge 6 kw HD wave inverter and solar foundations ground screws. The proposed system size is 17.4 kw.

Staff Opinion: Disapprove.

1. The Albany County Planning Board determines that the precedent nature of the proposed action will allow additional neighbors to install similar solar configuration along the property line and it would be unsightly. Any proposed ground mounted solar should be screened from neighbors.

Gerry Engstrom made a motion to accept the Staff Opinion of Disapprove for Referral **#04-210303652**. The motion was seconded by Brian Crawford and was unanimously approved by the Board.

Unfinished Business: none

New Business: The Board discussed the difficulty in reading the public comments that arrive on the same day or the day prior to the Board meeting. The Board would like to encourage the Public to submit comments however, they want to establish some guidelines pertaining to the amount of time needed to read and investigate the comments related to the materials submitted by the applicant, when necessary. The Board asked that a wording be placed on the webpage that indicated that all comments received 48 hours prior to the meeting will be read by the Board. Comments submitted closer to the meeting day/time, MAY be read by the Board members, but they cannot guarantee they will be able to get to all of them. The Board Secretary will still make them available to all Board members and they will still be recorded into the Master File.

The next meeting of the Albany County Planning Board will be held on April 15, 2021 at 3:30PM. The meetings will continue to be held via Skype until the Governor's office states otherwise.

Adjourn: Gerry Engstrom made a motion to adjourn at 4:48PM.

A transcription and/or video recording of this meeting will be made available upon receipt of a FOIL request.