

ACPB April 29, 2021 Meeting Minutes

NOTE: Due to issues related to Covid-19, the April 29, 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, Brian Crawford, Enzo Sofia, Travon Jackson & Gerry Engstrom.

Albany County Public Works Office – Gopika Muddappa, Interim Senior Planner; William Anslow, Civil Engineer; Lisa Ramundo, Commissioner; Lynn Delaney, Secretary; Robert Gunther, Stormwater Program Technician; Dave Reilly, Commissioner of Management and Budget; Laura DeGaetano, Senior Natural Resource Specialist; and Ransom Moore, Ex-Officio, Chief of Staff Albany County Comptroller's Office.

Albany County Legislature – Jeff Perlee, Legislator, District 31; Rebekah Kennedy, Majority Counsel; Patrick Collins, Counsel to the Chair; & Brandon Russell, Deputy Majority Counsel.

Minutes: Lynn Delaney, Secretary

Call to Order: Dominic Rigosu called the meeting to order at 3:34PM.

A motion was made by Brian Crawford to move the discussion of Resolution 384 of 2020 (An act pertaining to the Albany County Planning Board and consideration of critical viewsheds of the Helderberg Escarpment) to the front of the Agenda. The motion was seconded by Gerry Engstrom and was unanimously approved by the Board.

Dominic Rigosu stated that this special meeting was arranged to discuss the following specific sections of Resolution 384:

WHEREAS, The Albany County Planning Board is tasked with bringing "pertinent inter-community and county-wide planning, zoning, site plan, and subdivision questions to the attention of neighboring municipalities and agencies having jurisdiction, including protection of community character as regards predominate land uses".

RESOLVED, That the Albany County Department of Economic Development, Conservation and Planning is requested to prepare and provide to the Legislature a Scenic Resources Assessment and Viewshed Inventory for the primary public roadway corridors and priority viewsheds within the Towns of Guilderland, New Scotland and Bethlehem, and be it further.

Albany County Legislator Jeff Perlee, the author of Resolution 384, spoke to the group about the specifics of the law. He stated that the idea is to work towards some sort of inventory or matrix that the Board and local jurisdictions can utilize to guide its decision making. It would be used to help decide whether or not a proposed development would impact an area that is determined to be a significant viewshed. He noted that it is important to have a guide and a

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map to help systemize this as much as possible so that applicants will have the benefit of knowing beforehand whether what they are proposing may be in an area of concern.

Mr. Perlee acknowledged that the Helderberg Assessment Planning Guide is a good resource to use, though he would eventually like to see it updated and expanded. Laura DeGaetano, Senior Natural Resource Specialist, stated that in her opinion this document coupled with a site visit to the area in which a project is proposed, would be sufficient to be able to make an informed decision. She and Mr. Perlee both acknowledged that this document encourages local municipalities to create additional zoning documentation resources for their own communities. To date, she is not aware of any towns that have done so.

The discussion then mentioned the letter from Ken Kovalchik, Town of Guilderland Planner who had sent a letter to the Planning Board calling the Resolution into question as well as the Boards use of this resolution as a tool as one of the reasons a solar project was disapproved by the Albany County Planning Board in March 2021.

Gerry asked Mr. Perlee if Resolution 384 is intended to serve in both directions. Is the intent of the resolution to protect both the view from and the view to the escarpment?

Mr. Perlee stated that in the discussions that were had amongst the legislators who sponsored and co-sponsored Resolution 384, it was limited to the view OF the escarpment, not necessarily the view FROM the escarpment.

He went on to state that he personally would be in favor of an expansion of that language to include both views in the future, but the understanding was that it was primarily to address views of the escarpment.

Gerry Engstrom then asked about the back side of the escarpment, specifically the view from the Berne and Knox side. Mr. Perlee stated that it is still a view of the escarpment so those areas would be also covered by Resolution 384.

Mr. Perlee intends on staying involved with this issue and will advocate when possible to secure resources so that over time the guide can be updated. He is satisfied that what is in place now is sufficient.

Gopika Muddappa will draft a letter to municipalities regarding the intent of Resolution 384 and what the County Planning Board will be looking at during the review process. Jeff Perlee and Laura DeGaetano will review this information before it is sent out to municipalities.

In addition, legislative staff will also look this over to add some specific examples and criteria and run it through as an amendment so that everyone is operating under more specific guidelines.

Case #: 02-210403678

Project Name: Body Arts (Tattoo) Studio

Applicant: Jeff Thomas

Project Location: 187 Main Street, Altamont, NY

Municipality: Village of Altamont

Parcel Size: <10.00 acres

Zoning: Central Business Zoning District (CBD)

Tax Map Number: 48.06-3-1

Referring Agency: Village of Alramont Planning Board

Considerations: Special use permit to replace a 1200 SF martial arts studio with a Body Arts/Tattoo Studio.

Action Type: Special Use Permit

Juris. Determinant: State Road

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

Staff Notes: This is an application for special use permit to use 1200 SF of space in an existing multi-tenant building as a Body Arts Studio. Appointments for the services will be made via zoom and the space will have blinds at the front of the unit for overall privacy from outside foot traffic. All waste items to be disposed of by (Stericycle) licensed contractor by use of designated and approved containers as instructed by Albany County Department of Health. The studio will operate under Covid-19 protocol that includes video consultations, temperature check upon check in, both client and artist must wear mask at all times during appointment and thorough cleaning/sanitization of all surfaces. This personal service business will have up to three employees and conduct business between the hours of 9am to 9pm. All employees will obtain and maintain any required permits and licenses from Albany County Department of Health and NYS Department of Health. No modifications to the space will be made other than painting and flooring. Previously approved on-site parking will accomodate the business needs as all services will be done by appointment.

Staff Opinion: Defer to local consideration

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

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Gerry Engstrom made a motion to accept the Staff Opinion for Referral #02-210403678. The motion was seconded by Enzo Sofia and was unanimously approved by the Board.

New Business:

The next scheduled meeting of the Albany County Planning Board will be on Thursday, May 20, 2021 at 3:30PM.

Adjourn: Gerry Engstrom made a motion to adjourn at 4:10PM.

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