



Jean Loewenstein – Co-Chairperson
John Viola – Co-Chairperson
Ronald Bormann
Stephen Grandeau
Dwight Havens
Kyle Kordich
Frank Mazza
William Smith (alt)
Leejun Taylor (alt)

Town of Malta

Planning Board

2540 Route 9
Malta, NY 12020
(518) 899-2685
Fax: (518) 899-4719

Jaime L. O'Neill – Building & Planning Coordinator
Floria Huizinga – Planner
Adrian M. Cattell – Planner
David E. Jaeger, Jr. – Planning Technician & Board Secretary
Mark Schachner – Legal Counsel
Leah Everhart – Legal Counsel

Meeting Minutes for February 28, 2023

The Town of Malta Planning Board held its regular meeting on Tuesday, February 28, 2023 at 6:30 p.m. at the Malta Town Hall, with Co-Chairperson, Jean Loewenstein presiding:

Present:

Dwight Havens
Stephen Grandeau
Ronald Bormann
William Smith
Jean Loewenstein
Leejun Taylor
Frank Mazza

Absent:

John Viola
Kyle Kordich

Correspondence: All correspondence is on file.

Co-Chairperson Loewenstein read the following agenda into the minutes:

Project #	Project Name	Project Type
23-03	Dooley/Bass Manor	Minor Subdivision
23-02	Sanctuary Salon	Project Plan
22-25	Arnoff Global Logistics Phase #6	Site Plan Amendment
22-20	Retrograde Recon Center	Site Plan

Chairperson Loewenstein appointed William Smith and Leejun Taylor as full members.

23-03, Dooley/Bass Manor, Minor Subdivision

Public Hearing

The applicant is requesting approval for a minor SD to create a total of 2 lots at 30 Route 9P. As it stands, the existing parcel is 7.54± acres. As noted on the proposed subdivision map, the applicant is proposing to split the existing parcel into lots 2A and 2B. Lot 2A would be a buildable 3.005± acre lot with 200ft of road frontage. Lot 2B would be a 4.538± acre lot with 268.41ft of road frontage. Lot 2B would also contain the existing Bass Manor Bed & Breakfast. 30 Route 9P was previously subdivided in 2009. Lot 2B would also include a public water and sewer access from Admiral's Way to the East of the property.

Cassandra Dooley presented her proposal for a two (2) lot Minor Subdivision of her property at 30 NYS Route 9P to the Planning Board.

Cattell spoke for the Planning Department. He noted that the subdivision would change one (1) lot into two (2) lots, one (Lot 2A) would be 3 acres and the second (Lot 2B) would be 4.54 acres. Cattell also noted that Lot 2A would have 200 feet of road frontage and Lot 2B would have 268.41 feet of road frontage.

Cattell stated for the Board that a Letter of No Impact was received from the NYS Office of Parks, Recreation, and Historical Preservation to confirm that nothing of interest was found on the site, despite the site being in a known archeologically sensitive area.

Cattell also stated that at the time of the Planning Board meeting, no building permits had been submitted to the Building Department for new construction on Lot 2B. Cattell stated there should be no issues building a structure on the new lot because the proposed lot was zoning compliant with more than enough acreage to fit a single family home.

Cattell recommended that the Planning Board find the project consistent with the Supplemental Town-wide GEIS and Statement of Findings with regards to SEQRA.

Loewenstein asked Hull if the project had been submitted for Engineering Review.

Hull confirmed that it had not been submitted and stated that since the project was small it would not need to be reviewed by Engineering.

Everhart asked Cattell to confirm the Planning recommendation on SEQRA.

Cattell restated that Planning felt the project was consistent with the Supplemental Town-wide GEIS and Statement of Findings.

BOARD DISCUSSION

Smith asked Dooley if the project would be connected to Public water and sewer.

Dooley said she thought so based on the easement being noted on the Subdivision map.

Taylor asked Dooley if she would be creating noise deadening measures for Lot 2B due to the nearby Albany-Saratoga Speedway.

Dooley noted that she felt the issue would be up to the Town to decide if such measures would be enacted and what they would encompass.

Cattell commented that since the Speedway was a special case with a precedent set and being an active business nearby, the conditions created by the Speedway would be something prospective owners would need to tolerate.

Dooley noted the Speedway issues further, mentioning the environmental impact of the Speedway creating heavy clay dust, how it permeates the air, and its effect on people.

Hull noted for the Board that despite the applicant's concerns about the Speedway on the environment, a SEQRA determination would be based on how the Subdivision would affect the environment, not how outside factors would affect the Subdivision project. Hull also noted that perspective buyers would need to be informed of the Speedway and the conditions created by it.

PUBLIC HEARING

Loewenstein opened the Public Hearing at 6:41

Loewenstein closed the Public Hearing at 6:42

Resolution #2023 – 02 SEQRA

MOTION by Jean Loewenstein **SECONDED** by Stephen Grandeau to resolve that the Malta Planning Board on the 28th day of February, 2023 determines that Project #23-03, Dooley/Bass Manor, Minor Subdivision is consistent with the Supplemental Town Wide GEIS and Statement of Findings and therefore no further SEQRA review is required.

VOTE:

Stephen Grandeau – YES
Ronald Bormann – YES
Dwight Havens – YES
William Smith – YES
Leejun Taylor – YES
Jean Loewenstein - YES

Motion CARRIED 6-0

Prior to the resolution being voted upon to approve/disapprove Project #23-03, Dooley/Bass Manor Minor Subdivision, Board member Smith requested that a condition be placed on the approval stating that at the time of sale, the noise and dust emanating from the Albany-Saratoga Speedway and its effect on the property in question be recorded in the deed.

Dooley stated for the Board that she felt it was unnecessary to include this in her deed at the time of sale.

Smith noted for Dooley that he felt this condition should exist in order to protect the Town due to the dust and noise created by the Speedway being something a future owner may not like.

Dooley asked Smith if other properties nearby were required to include a clause in their deeds at the time of sale about the Speedway being nearby.

Smith stated that he was unable to answer her question.

Dooley restated that she felt it was unnecessary for her to do this and asked why the Board felt she should when according to her knowledge the property across the road from her did not have to inform the buyer of that property at the time of sale.

Grandeau stated for Dooley that the Board felt it was wise given the special case existing because of the Speedway.

Resolution #2023 – 03

MOTION by Stephen Grandeau **SECONDED** by Ronald Bormann to resolve that the Malta Planning Board on the 28th day of February 2023 approves Project #23-03, Dooley/Bass Manor, Minor Subdivision, with the following conditions:

1. At the time of sale, the deed for the new property include that the Albany-Saratoga Speedway neighbors the property and creates dust and noise.

Stephen Grandeau – YES
Ronald Bormann – YES
Frank Mazza - YES
Dwight Havens – YES
William Smith – YES
Leejun Taylor – YES
Jean Loewenstein - YES

Motion CARRIED 7-0

23-02, Sanctuary Salon, Form Based Code Project Plan

Public Hearing

The applicant, Jeffrey Ramirez, is pursuing Form-Based Code Project Plan approval for renovating the former Stewart's convenience store 2505 Route 9. The applicant is proposing minor site improvements consisting of landscaping and restriping the parking lot. Building alterations include structural columns, removing the existing walk in cooler, new windows facing Route 9. The façade will be whitewashed with black accent trim. The interior will be renovated to accommodate the salon with 10 salon station, coloring station, shampoo area, office, and ADA accessible restrooms.

Mike Munter presented on behalf of the applicant and described what the applicant envisioned.

Huizinga spoke for the Planning Department and reminded the Planning Board that this project was a Form Based Code project. Huizinga noted that FBC projects go to the Planning Board for their input, but do not receive a resolution for approval from the Board itself, FBC projects are approved administratively by the Building and Planning Coordinator.

Huizinga noted that the project was located within the Downtown Parade Grounds (DP-2) FBC Zone. Huizinga also noted that the project would encompass an exterior remodel and an interior fit-up to become a hair salon.

Huizinga stated that the applicant was at the Planning Board meeting for a Public Hearing, that they provided Planning staff with a traffic assessment for the site, and asked the applicant to provide a Signage Plan for both the proposed free-standing, double column sign and wall signs.

Hull noted two comments about parking for the project.

1. The striped area designated for handicapped access needed to be widened to allow enough space for ADA requirements.
2. The far left parking space depicted on the Plan would be too difficult to access due to the angling of it.

Hull wanted the applicant to change the angling of the parking spaces to allow for adequate access to the far left parking space.

BOARD DISCUSSION

Grandeau asked the applicant about how many chairs there would be in the salon.

Shannon Ramirez, the applicant, informed Grandeau that there would be 14 chairs in the salon.

Grandeau felt that there was not enough parking proposed on the plan.

The applicant noted that there were 14 parking spots in the front and that there would be additional parking provided behind the building not noted on the Plan to accommodate employees.

Grandeau noted he wanted to make sure there was enough parking due to the history of accidents on the corner.

Havens concurred with Grandeau and noted that he felt the parking was tight on the East side of the building and wanted the applicant to make sure there was enough space for customers to back out of those parking spots without hitting cars parked at neighboring businesses within the same plaza.

Mazza noted that it might be a good idea to keep the angling of the parking the same as it was when the building was a Stewart's Shops instead of changing it.

Loewenstein agreed with Hull about changing the far West parking spot because of it being difficult to access and wanted the applicant to include the parking behind the building on the plans.

PUBLIC HEARING

Loewenstein opened the Public Hearing at 7:03PM.

Loewenstein closed the Public Hearing at 7:04PM.

Loewenstein noted that final approval of the project would be made by the Planning Department before the applicant left.

22-25. Arnoff Global Logistics Phase #6. Site Plan Amendment

The applicant, Arnoff Moving-Storage-Rigging has submitted a Site Plan amendment for the expansion of their existing Arnoff Global Logistics campus located at 10 Stonebreak Road. The applicant is proposing to construct a 110,164 SF light industry/commercial/warehouse building with associated parking east of existing Building #3. The most eastern access would be moved approximately 150 feet further east on Stonebreak Road. The new building would be Building #4.

Lansing presented on behalf of the applicant and requested final project approval.

Lansing highlighted the number of parking spots associated with the building, stating that there would be 117 parking spaces for cars in the front and along the sides of the building, and 53 associated parking spaces for tractor trailers and box trucks around the building.

Lansing noted that stormwater would be managed on-site, and that the building would be serviced by public water and sewer.

Lansing also noted comments received from Planning and Engineering relating to the architectural drawings not matching on plans and stated that they would update them to match, and about the applicant needing to receive a "Will Serve" letter from the Water and Sewer departments, stating that he would make sure those letters were received.

Lansing also spoke about the concern from the Town about the berm along Stonebreak road, stating that the applicant would not be disturbing the berm and would leave as much vegetation on the site as possible, supplementing cutting with plantings elsewhere on-site.

Huizinga spoke for the Planning Department. Huizinga described the site to the Planning Board, noting that the project was an approved use for the site and that she felt a SEQRA determination could be reached at the meeting. Huizinga noted that the applicant needed to correct the inconsistencies with the architecture of the building on plans and needed submit final renderings for the design prior to project approval and before the final plans were submitted for building permits.

Huizinga also noted that she wanted the number of proposed parking spaces to match up on the cover sheet and on the plans, and that she wanted a landscaping and a lighting plan submitted by the applicant.

Huizinga closed with stating that she recommended conditional approval based on her comments and Engineering comments if the Board were to grant final project approval at the meeting.

Hull noted comments from the 2.23.2023 LaBella comment letter on file with the Planning Department.

BOARD DISCUSSION

Loewenstein noted her concern about multiple pieces missing from the plans, and wanted the applicant to satisfy all requirements before a decision was rendered for the project.

Grandeau asked Lansing if an apparatus access plan had been submitted.

Lansing stated that a plan was submitted.

Lansing also noted that landscaping would be a basic plan given that the project was industrial in nature, as opposed to a residential project. Lansing also stated that lighting would be designed to be as limited as possible within the requirements to ensure there would not be spillage onto neighboring properties.

Bormann asked what would be stored in the building, and if they would be combustibles.

Arnoff noted that the majority of stored materials would be furniture and retail goods. Arnoff also noted that the building would be heavily sprinkled.

Mazza asked Lansing what the width of the road around the building would be.

Lansing noted that the minimum width of the building would meet fire code (26 feet).

Havens asked Lansing if they looked into how much more water would be needed to suppress fires.

Lansing noted that his fire suppression engineers looked into this and the water supply available would be sufficient.

Smith noted that plans seemed to only allow for ladder fire truck access on one side of the building.

Lansing noted that the design met fire code and that there was enough room on multiple sides of the building for a ladder truck to provide fire suppression.

Hull noted for Grandeau that the building met fire code access.

Loewenstein asked Hull to confirm if water and wastewater reports had been provided yet or not.

Hull stated that they had not been provided and that he felt it would be better for them to be provided sooner rather than later to ensure that no issues would arise with water or sewer concerns in the future

Resolution #2023 – 04
SEQRA

MOTION by Jean Loewenstein **SECONDED** by Stephen Grandeau to resolve that the Malta Planning Board on the 28th day of February, 2023 determines that Project #22-25, Arnoff Global Logistics Phase #6, Site Plan Amendment, is consistent with the Supplemental Town Wide GEIS and Statement of Findings and therefore no further SEQRA review is required.

VOTE:

Stephen Grandeau – YES
Ronald Bormann – YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Leejun Taylor – YES
Jean Loewenstein - YES

Motion CARRIED 7-0

Once a SEQRA Resolution had been decided, Loewenstein asked if anyone on the Board wished to make a recommendation for project approval, and noted that she felt the project was not ready for approval at that time until the concerns of the Board, Engineering, and Planning had been addressed.

No motion was made and the project was tabled until a future Planning Board meeting.

22-20, Retrograde Recon Center, Site Plan

The owner and applicant Shooting Star Properties, LLC, is proposing a site plan to construct an 18,927 SF automotive recon center facility, associated parking, and vehicle inventory storage. Two full access curb cuts are proposed along State Farm Place, a private road. The site plan includes 174 parking stalls for customer, employee, and vehicle inventory storage. The site is located adjacent to the existing Mohawk Chevrolet Dealership located at 633 Route 67.

Lansing presented on behalf of the applicant and asked for preliminary final review.

Lansing noted that the name of the project had been changed to “Retrograde Reconditioning Center” from “Mohawk Chevrolet Recon Center” due to a change in ownership and the business being separate from Mohawk Chevrolet.

Lansing also noted that the project would be serviced by public sewer and public water, and that additional plans such as landscaping and lighting would be provided at a later date.

Huizinga spoke for the Planning Department and noted that the applicant needed to address minor issues and felt that the project met SEQRA requirements for there to be no further review necessary. Huizinga also wanted Engineering comments answered and a wetland disturbance letter received from ACOE.

Hull noted comment 11A from the 2/23/23 LaBella Engineering Comment Letter due to inconsistencies in calculations. Hull also noted that a water/sewer will serve letter had been received and forwarded to Planning.

Hull noted that the lighting on the property would spill over onto the street and to the onsite wetlands but would not be an issue for neighbors. Hull also noted that he had no issues with traffic.

BOARD DISCUSSION

Havens asked Lansing if the building would be sprinkled or not.

Lansing stated that it would be.

Resolution #2023 – 06 SEQRA

MOTION by Jean Loewenstein **SECONDED** by Stephen Grandeau to resolve that the Malta Planning Board on the 28th day of February, 2023 determines that Project #22-20, Retrograde Recon Center, Site Plan, is consistent with the Supplemental Town Wide GEIS and Statement of Findings and therefore no further SEQRA review is required.

VOTE:

Stephen Grandeau – YES
Ronald Bormann – YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Leejun Taylor – YES
Jean Loewenstein - YES

Motion CARRIED 7-0

Resolution #2023 – 07

MOTION by Jean Loewenstein **SECONDED** by Stephen Grandeau to resolve that the Malta Planning Board on the 28th day of February 2023 approves Project #22-20, Retrograde Recon Center, Site Plan, with the following conditions:

1. All comments in the LaBella 2/23/2023 Engineering Comment Letter be addressed.
2. A copy of the ACOE Wetland Disturbance Letter be provided to the Planning Department.

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VOTE:

Stephen Grandeau – YES
Ronald Bormann – YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Leejun Taylor – YES
Jean Loewenstein - YES

Motion CARRIED 7-0

Planning Board Business

MOTION by Stephen Grandeau **SECONDED** by William Smith to accept the January 24, 2023 minutes.

VOTE:

Stephen Grandeau – YES
Ronald Bormann – YES
Frank Mazza – ABSTAIN
Dwight Havens – YES
William Smith – YES
Leejun Taylor – YES
Jean Loewenstein - YES

Motion CARRIED with one ABSTENSION

Stephen Grandeau **MOTIONED** to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of the Planning Board, **SECONDED** by Jean Loewenstein, motion carried unanimously at 7:40 p.m.

Respectfully submitted by,

David E. Jaeger, Jr.
Planning Board Secretary
Planning Technician