

The Mechanicville Zoning/Planning Board held a meeting at the Mechanicville Public Works Building, 4 Industrial Park Road, Mechanicville, New York on July 24, 2018. Frank Scirocco opened the meeting at 7:00 P.M. The Pledge of Allegiance was led by Ed Morcone.

Roll Call:	Frank Scirocco	- present
	Robert Chase	- present
	Richard Delaney	- present
	Keith Johnson	- present
	Ed Morcone	- present
	Raymond Martin	- present
	Sam Carabis	- present

Frank Scirocco: Do we have the notices that were sent out?

Gina Kenyon: I do have them they are back at the office.

Frank Scirocco: So everyone was notified? Let the record show all the neighbors were notified according to our code.

Raymond Martin: I did talk to one neighbor who said they didn't get any notification. The lady passed away and the daughter owns the house.

Gina Kenyon: The mail probably got delayed because of the forwarding.

Raymond Martin: But she passed away nine (9) months ago.

Gina Kenyon: If her name is still on it that is what is going to happen unfortunately.

Frank Scirocco: Tonight we are going to hear, this is a change in tenancy so before we listen to the applicant, the SEQRA application I believe is a type 2 that requires no further review or any declarations. Is there any discussion on that, do we all agree? Melinda and William Pouch, Red Brick Realty for site plan review for change in tenancy, there is no area variance. We inspected the property and we see no encroachment anywhere, I believe it was possibly because of parking at one point, even that according to your drawing wouldn't require that so it is off the table.

Norman Levitz: It was in the definition of light industrial zoning there was an issue about objectionable odors so we wanted to make sure there were not any issues.

Frank Scirocco: That would not have been an area variance, which would have been part of the special permit that would be granted for that.

Melinda Pouch: There is a section in the back we have to move out so we weren't sure whether that was required.

Frank Scirocco: From what I have seen you are moving it equal to the stairway so there is no encroachment on the properties. So, we won't be talking about an area variance we will just be discussing the site plan for change of tenancy. Tell us what you would like to do.

Norman Levitz: Our desire is to build a commercial bakery at 55 Viall Avenue; by commercial we mean we are going to be manufacturing baked goods for sale to other businesses, not a retail bakery. We are going to be employing local folks and one of the reasons we chose Mechanicville and this property is that it gives us the opportunity to be a part of a community versus an industrial site and any number of other places we could be, community is very important to us both for employment and being good neighbors and being involved. That is the short answer.

Frank Scirocco: What will your hours be?

Norman Levitz: Our hours will be generally 7:30 a.m. until 5:00 p.m. will be the standard business hours. We are a USDA inspected facility which means we can only operate during the hours in which the USDA operates which is from 7:30 a.m. to 3:30 p.m. but 5:00 p.m. would give us enough time for clean-up and things of that nature. Monday thru Friday but we are hoping to actually do a Tuesday thru Friday.

Frank Scirocco: No weekends?

Norman Levitz: No weekends at this point, there may be occasion for that if there is a major order to get out but as a regular course of business, no.

Frank Scirocco: Your deliveries, do you see any impact on the neighborhood with your trucks coming in or out?

Norman Levitz: I don't, certainly not any more than was pre-existing with Fascia Floors. We get deliveries in once a week for our ingredients, packaging would be probably every three (3) or four (4) months and outgoing, our orders are fairly big so it is not like there is going to be a lot of road traffic in and out all day. We don't anticipate any impact or anything beyond what was there before.

Frank Scirocco: When you are finished with construction will there be any exterior lighting shining into the surrounding neighbors.

Norman Levitz: There is no plan for anything different than what is there now, we may replace bulbs but that is about it.

Frank Scirocco: Your garbage pick-up is going to be?

Norman Levitz: Same thing, dumpster in the back where it exists now. Most of our garbage is actually paper and cardboard and things of that nature, there is not a lot of food.

Frank Scirocco: I don't want to ask all of the questions so we will start with Keith.

Keith Johnson: There will be no retail sale out of there?

Norman Levitz: We are not intending to do that, we would like to have the opportunity at some point to maybe do maybe a little factory store counter but it not a restaurant or anything of that nature.

Keith Johnson: How many employees?

Norman Levitz: Approximately ten (10).

Bob Chase: Full time employees?

Norman Levitz: Mostly but there will be some part-time, but the number is still going to be around ten (10).

Sam Carabis: Do you plan on putting up any signs? There is a sign ordinance here in the City.

Norman Levitz: We would like to have a sign in the existing space where the Fascia sign is now that just identifies our business of course we would follow whatever ordinances there are.

Frank Scirocco: He asked if you would have to come back for a sign. You would if it was beyond the scope of our code, larger or if you needed a variance.

Norman Levitz: We would like to use what is there because it is a nice look.

Sam Carabis: I looked at the site back there, the driveway in the back where I assume pick up materials and bring them in and so forth is narrow and there is a fence there about eight (8) foot high, I think you have to be very careful pulling out of there backing up into Round Lake Avenue. It is no violation but I noticed it.

Norman Levitz: I will say that all of our products; because we are a USDA facility there is a certain path of entry and exit we have to follow so everything will be coming in through the loading dock. The back is really is where we will be taking out the trash and that type of activity.

Sam Carabis: Thank you for coming to Mechanicville, it is good to have your business here.

Norman Levitz: We look forward to a very long and usefully beneficial experience.

Richard Delaney: I was looking at the construction type (paved area) you have total paved area 5400 square feet, is that the existing paved area?

Norman Levitz: Yes.

Richard Delaney: So you are just maintaining that same area.

Norman Levitz: The only thing that we are doing to changing the building at all is on the back side there is an indentation and we are just going to level that off. Basically make the whole building flat across the back. That indent will now be even across the back, it is about a 4 ½ foot indent.

Richard Delaney: What is the length of it?

Norman Levitz: It is the length of the building and it is 5 feet wide.

Richard Delaney: It looks like there are numbers here but they are not readable.

Norman Levitz: This is 5 feet wide and it is 42 x 8.

Richard Delaney: Did you get any feedback from any of the neighbors?

Melinda Pouch: When you mean feedback, what do you mean?

Richard Delaney: Did you happen to be in the area and did anyone come over to talk about the property.

Melinda Pouch: I haven't seen anyone but we are excited to do that actually, we want to bump into people, we thought about knocking on doors but did not want to seem intrusive.

William Pouch: I spoke with a lady who was waiting for the bus and she seemed nice enough and she didn't seem concerned I just asked her where she lived.

Richard Delaney: You said your primary product is the dough boy I am not familiar with it.

Norman Levitz: It is a piece of dough that is wrapped around a cheese and chicken filling.

Richard Delaney: You stated you will be doing an exterior facelift, what would that consists of.

Norman Levitz: Fresh paint, there is some broken moldings on the building, landscaping, and we are going to re-do the boxes around the sign and the front of the building.

Richard Delaney: You say the bulk of our water usage is by ingredient there by not over taxing sewage. What do you mean about that?

Norman Levitz: Roughly 40% of the weight of the product is water, so the water is being used as an ingredient; it is only going one way.

Richard Delaney: So there is more coming in than going out.

Norman Levitz: Exactly.

Richard Delaney: I saw one (1) dumpster on the property which isn't too big, will that remain or will there be a need for more than one (1) dumpster?

Norman Levitz: I only think there would be a need for a second dumpster if there is an option for a recycling dumpster and a trash dumpster, otherwise it would just be the one (1) dumpster.

Richard Delaney: You talk about no generation of any substantial amounts of grease which means there will be non- use grease oil containment, but will there be some grease and oil?

Norman Levitz: Just in any cooking process there is some grease generated, we don't fry anything so there is none of that type of grease but chicken has fat in it and when you cook it some of the fat comes off but we will have an inside grease trap to deal with that which will be professionally emptied on regular intervals.

Richard Delaney: Where will the trucks be parked?

Norman Levitz: We will have our own truck which will be parked in the back, but most of our stuff goes out by tractor trailer or by a frozen pick-up like a Stewart's truck. We don't have trucks that are going to be doing regular delivery. We get regular deliveries in and then the product will get shipped out for our orders.

Richard Delaney: Where will they park when they deliver the ingredients?

Norman Levitz: They will be backing into the loading dock.

Richard Delaney: So you will use the loading dock for all of your truck use?

Norman Levitz: That is where everything goes in and out and that is the only place we are allowed to do that according to the USDA.

Richard Delaney: So there won't be any trucks in back of the building.

Norman Levitz: Correct.

Richard Delaney: Will there be any overnight parking?

Norman Levitz: No, there is no reason for that.

Richard Delaney: Is there enough room for tractor trailers to back into the loading dock?

Norman Levitz: There is, that is a use that has been there and will remain. Most of our stuff is not tractor trailer sized loads we use more of the small boxed trucks.

Richard Delaney: You said there would be about ten (10) employees so I it sounds like you have enough parking.

Norman Levitz: We do, and those two (2) are married so it is one (1) car.

Richard Delaney: So your employees won't have to use street parking?

Norman Levitz: No.

Richard Delaney: Any other off-site people have occasion to visit the site, resulting in more of a need of parking.

Norman Levitz: There will be an occasional sales person that may come by or an inspector or that type of thing but we are not open to the public so I don't see that as an issue.

Richard Delaney: Signage, you said you will have pretty much what is equivalent to what is there?

Norman Levitz: Correct.

Richard Delaney: No additional lighting? No security lighting?

Norman Levitz: I am not sure exactly what is on the building now because we have never been there at night but we are not planning on having anything additional, certainly not anything that is going to shine in anyone's windows.

Richard Delaney: Have you talked to the fire department about other safety regulations?

Norman Levitz: We did have a conversation with the Fire Marshall and based on his knowledge of the project he didn't seem to think there were any issues.

Richard Delaney: What about snow removal of the sidewalks there?

Norman Levitz: That is something we would take care of.

Richard Delaney: You say in the existing showroom you are going to have kitchens, and support areas will there be anything else? Is it a series of kitchens?

Norman Levitz: The showroom will be one large project space and on the back wall there is going to be a breakroom, locker room, and bathroom. That is pretty much it but there is the two (2) floor part in the middle which is office space and then the entire warehouse that exist now will be our warehouse for frozen and dry goods.

Richard Delaney: Will you need to re-configure that area?

Norman Levitz: We won't need to do anything externally just inside. The only thing we would like to do is the loading dock that currently exists is open and we want to enclose that so the weather doesn't harm the products.

Richard Delaney: I noticed the two (2) rear exists; will they remain the same in the same location?

Norman Levitz: They are going to be, one (1) of them is in the same location, the other one (1) is close to where it is now.

Ed Morcone: Are you closing a business and moving to Mechanicville or is this number two (2).

Norman Levitz: No, we are not closing anything; we are building a production facility for a product we have been selling for twenty-two (22) years.

Ed Morcone: Will you be fixing up the macadam broken up in front of the place.

Norman Levitz: Do you mean on the road?

Ed Morcone: No, right in front where your parking lot is.

Norman Levitz: Whatever repairs we have to do will be taken care of.

Raymond Martin: Welcome to Mechanicville we are really pleased that a business like yours is coming here. Can you tell us a little bit about the history of Foodsmiths?

Norman Levitz: Sure, I am a lifelong chef, I have been a culinary educator, and I taught at Johnson Wells University, I have had my own business in Newport, Rhode Island for a number of years. It was a commercial bakery and a restaurant, I then moved to Vermont and worked for several food manufacturing companies, one was Putney Pasta (frozen pasta manufacturer) I was their corporate chef. I also built and am part owner of an organic dog biscuit company which is in Manchester Vermont and we sell nationally and internationally which we have been doing for ten (10) years, so I do have a lot of food manufacturing experience which is why Will and Melinda hired me to get this project going.

Raymond Martin: They are related to Esperanto?

Norman Levitz: Correct.

Raymond Martin: One of the things that you mentioned in the proposal that you are planning on purchasing the building, is that dependent on this approval or is it something that is in process? How would you characterize that?

Melinda Pouch: It is one of our contingencies, obviously if you determine we are not code for a commercial bakery then we can't proceed.

Raymond Martin: Another thing that is mentioned was the IDA possibility can you explain where you are in that process.

Marty Vanags: I am with the Saratoga Prosperity Partnership we will be working with Esperanto's to carry the IDA application to the IDA but that hasn't occurred yet either it is also subject to your approval, it doesn't make sense to move forward until we have that in place.

Frank Scirocco: I am not sure how relevant that is.

Raymond Martin: They mentioned it in their dialogue here that is why I asked about that. One of the things you mentioned is the UDSA code is references, are there other codes that we should be aware of?

Norman Levitz: The USDA codes as they pertain to food manufacturing have a much higher threshold than the State of New York does. So, if we met the USDA requirements we far exceed the requirements for the New York State Department of Health.

Raymond Martin: When you said local codes are there county codes that we should be aware of?

Norman Levitz: Not that I am aware of but there is New York State Agriculture and Markets that we also have to answer to but again our threshold with the USDA exceeds there requirements and I was unaware if there were any local codes that may pertain to what we are doing but I am confident because of our level of accountability that we would far exceed whatever local requirements that there may be.

Frank Scirocco: There application has been reviewed by our code department.

Raymond Martin: For part of that review, did you submit engineering drawings already to our building/code department?

Norman Levitz: Not yet that is pending, we are actually in the process of getting that piece finished up and that should be ready by the end of the first week in August.

Frank Scirocco: We are talking about the expansion in the rear.

Raymond Martin: I think it probably addresses your engineering internally as well.

Norman Levitz: It deals with all the electric, plumbing, HVAC, gas, etc.

Raymond Martin: The dumpster that is currently back there was absolutely for non-food material, would you consider fencing in a dumpster that you had back there.

Norman Levitz: Would I consider it, I would have to have a real reason to do that. We would be using a dumpster that is adequate for what we were doing. I don't even know if we will be using the same trash company. Whatever we do will be certainly health compliant.

Raymond Martin: It is bordering a residential area and if that was fenced in it would probably be more attractive. One of the things is that several people in town are concerned about the landscaping there and you stated you would be improving that with seasonal things in the boxes. The sidewalks that are there are relatively new and in good condition and in Mechanicville it is the property owners responsibility to maintain during the winter time making sure they are shoveled, cleared, and plowed and you mentioned people go out there and wait for a bus and so I would like to make sure that it taken care of.

Norman Levitz: That will be taken care of.

Raymond Martin: Have you checked with the Department of Public Works about the grease traps that you are going to be using and if they are going to be sufficient for DPW purposes?

Norman Levitz: We have not yet but we will be doing that before we proceed. Like I said earlier there is very little grease that we generate.

Raymond Martin: The area that you have for backing your trucks into the loading dock is probably not long enough for a 52 foot box we have problems with a couple businesses in town that the cabs stick out into the road when they are loading and unloading. Can you assure us that your cabs will not be protruding into the road when you are loading and unloading?

Norman Levitz: I can't because I don't control over what is incoming, I don't own those trucks, but I do know it is infrequent and I think it is certainly manageable and not really different than what has been there in the past.

Raymond Martin: I think in the past they probably had short box trucks like you will be using most of the time.

Norman Levitz: There will be some occasion for them to be different; I know a lot of the floor covering comes in the big 52 foot.

Ed Morcone: I have seen trucks in there hundreds of times and they put eight-teen (18) wheelers in there. It doesn't go into the street that I have seen.

Raymond Martin: The other thing you mentioned is you have a lot of water usage and have you checked with the City and tried to estimate the amount of water you are going to be using.

Norman Levitz: We have not done that yet but it our water usage is an ingredient mostly and it is certainly is under what most restaurant type places would be using. I will certainly check with the local municipality.

Raymond Martin: If and when you open it up to a factory store, I'd like to walk over there and buy one once in a while, if you do that will you need handicapped parking places in front to replace some of the employee parking?

Norman Levitz: If we do that we would come before the town and discuss the whole situation.

Frank Scirocco: That would be a new application.

Raymond Martin: I noticed currently there are five (5) parking places in front of the building but this scheme calls for six (6) parking places and I don't know how you stretch that area more than the five (5) parking places that used to be there and there is parking on Viall Avenue across the street but there would not be reasonable parking on Round Lake Avenue because to the parking for the apartment house across the street and if parking is on both sides it would no longer be a two-way street.

Norman Levitz: Understood

Melinda Pouch: I think that might have also been our drawing because we were not increasing the number of parking spaces we probably just drew it wrong.

Norman Levitz: We were not increasing the number of spaces.

Raymond Martin: Thank you very much.

Frank Scirocco: Regarding the fenced dumpster, I believe that in the near future that a measure is going to be brought before the Council that all dumpsters have fencing. I do not believe that has happened yet but there will be, just so you are prepared, if the Council does go ahead and pass that resolution all dumpsters will have to be fenced and out of the public eye.

Norman Levitz: Should that be the case we will certainly comply.

Frank Scirocco: It will be a City law.

Sam Carabis: You mentioned that you talked to the Fire Department.

Norman Levitz: I spoke with the Fire Marshall.

Sam Carabis: Fire Marshall?

Gina Kenyon: He spoke with Jeff the Fire Inspector.

Sam Carabis: He is very knowledgeable. Did he come and look at hate facility and make any recommendations?

Norman Levitz: Not with me but he was familiar with the site.

Sam Carabis: I was just going to say because he is always concerned about fires and the thing you can ask him to come up and look at it to see if he has any suggestions about fire alarms or that sort of thing.

Norman Levitz: I would actually really like to do that because we want to be a good steward of the property and of the town and make sure our building is safe for our employees.

Melinda Pouch: With our restaurant we are very pro -active and always bring in the Fire Inspector and Health inspector and say what we should be doing.

Frank Scirocco: I am going to close this part of the hearing and open it up to public hearing I'd ask anyone here that would like to speak either in favor or in opposition, state your name, where you live and state your peace.

David Hicks: 241 First Avenue , my only thing is you mentioned the water on the water usage, he said 40% of the water is going out, if that indicates they are going to get hammered on the sewer end of it because 40% of the water is going out and it is not going into the sewer. Is there going to be some adjustment for those people somehow to help them?

Frank Scirocco: That is way out of our jurisdiction and we have nothing to do with that. He was more concerned about the usage because he wasn't sure how much they were going to use and whether it would be a stress on the City's water supply.

David Hicks: I doubt it ever would be.

Frank Scirocco: I know considering that we had enough water for three-hundred (300) apartments. That is way beyond our authority.

Raymond Martin: And yet we were not allowed to water our lawns for the last four (4) summers except this week.

: I just want to clarify what was the 40% figure again?

William Pouch: That is how much water is in the dough, it is an ingredient.

Jim Thompson: 354 South Main Street, I think it is beneficial to the community to have a business opposed to another vacant building. They are supplying Stewart's and a lot of kids are looking to see what Stewart's have the dough-boys These guys have been in business twenty-five (25) years they know what they are doing and it is a benefit to the City.

Frank Scirocco: Before I close this part of the hearing I would like to read a letter that was given to me by our City Supervisor Tom Richardson. (I have attached a copy of the letter). I am going to close the public part of the hearing and one last chance to the Board.

Keith Johnson: When would it be up and running?

Norman Levitz: Sometime mid fourth quarter, November – December.

Raymond Martin: I would like to make a motion that we accept this plan pending approval of the engineering plans that are going to be submitted to the Building Inspector.

Frank Scirocco: There is a motion on the floor, is there any discussion. The acceptance will definitely be determined on if everything passes. The motion was made by Ray to accept the change in tenancy provided that all the engineering reports meet code, seconded by Bob Chase.

Motion by: Raymond Martin

Seconded by: Bob Chase

Keith Johnson yes

Raymond Martin yes

Ed Morcone yes

Sam Carabis	yes
Bob Chase	yes
Frank Scirocco	yes

Frank Scirocco: Change in tenancy has been granted, Welcome to Mechanicville.