

The Mechanicville Zoning/Planning Board held a meeting at the Mechanicville Public Works Building, 4 Industrial Park Road, Mechanicville, New York on May 31, 2016. Frank Scirocco opened the meeting at 7:00 P.M. The Pledge of Allegiance was led by Keith Johnson.

Roll Call:	Frank Scirocco	- present
	Robert Chase	- present
	Richard Delaney	- present
	Anthony Fiacco	- absent
	Keith Johnson	- present
	Ed Morcone	- will be late
	Adelynn Waldie	- present
	Sam Carabis	- present

Frank Scirocco: Has everyone had a chance to read the minutes from the last meeting? Is there a motion to approve?

Motion made by: Sam Carabis

Seconded by: Robert Chase

All in Favor: Ayes: 6

Frank Scirocco: First application is from Marc Salvatore wants to put a mortgage office at 311 Park Avenue. Is he here? Would you like to come up? This is a commercial building, it needs no special permit, and it just needs a site plan review. Tell us what you want to do.

Marc Salvatore: I have a bank from Chicago, Illinois that I am bringing to Mechanicville. Right now I currently have 3 to 4 people that are working for me with the ability for possible another 3 or 4 so 5 to 6 people total. Nothing has to be re-built, no restructures just cleaning. For the next year or so I will have 3 or 4 people working out of it. I have had my own branch and office in Clifton Park for the last 12 years and it has been very successful.

Frank Scirocco: People are going to park on the street?

Marc Salvatore: Yes

Frank Scirocco: No problem, all downtown businesses need to park on the street. What will your hours be?

Marc Salvatore: From 9:00 to between 5:00 and 6:00.

Frank Scirocco: Trash removal?

Marc Salvatore: I haven't talked to Art yet but I believe he has the cans for us to use.

Frank Scirocco: We went through this before with the Tattoo parlor, so it is pretty much the same. That is all the questions I have. Bob?

Bob Chase: I am all set

Sam Carabis: No, basically there are 2 exits out of the facility?

Marc Salvatore: Yes

Sam Carabis: There are exit signs there?

Marc Salvatore: Yes and warning signs.

Keith Johnson: Nothing

Addy Waldie: Nothing

Richard Delaney: What kind of signage will you have?

Marc Salvatore: I am going to have the name of my bank (Allied First Bank) and there might be a sign outside the building over to the left right next to Stewarts. There are hooks over there already that would be nice for a sign. I am not going to do anything in the front I will do it from the side.

Richard Delaney: The snow removal in the winter, you have (2) two streets there and that can get pretty messy. Is that going to be taken care of by you?

Marc Salvatore: I haven't talked to Art about the whole thing yet but I will have someone taking care of it. I will have all snow and ice all taken care of. I will be responsible.

Frank Scirocco: Any other questions. I will close this part of the hearing, and open it up to the floor. Is there anyone here who would like to speak in favor for or against the application? With that be said I will close it. Is there any further

questions? I would like to make a motion that we approve the application with one stipulation. That the tenant move in within six months and if not you have to come back in front of the board.

Marc Salvatore: I will be in on Thursday.

Frank Scirocco: Motion by: Bob Chase

Second by: Addy Waldie

Frank Scirocco - yes

Richard Delaney - yes

Keith Johnson - yes

Sam Carabis - yes

Approved Thank you and welcome to Mechanicville.

Frank Scirocco: Next application is from Keystone Novelties Distributors. This is another commercial property cars and already going in and out onto Central Avenue. They are looking into putting up a tent for how long?

Keystone Rep: it go up around June 25th and they are going to stop selling on July 5th so the tent would come down the 6th or 7th.

Frank Scirocco: So roughly two weeks. Want to tell us a little about what you want to do.

Keystone Rep: It is all safe and sane New York legal fireworks. There isn't anything that flies up in the air they don't let us have that much fun yet. It is just a lot of sparklers and fountains. It is stuff that people can buy and take home and have a little display in their yard.

Frank Scirocco: What will the hours of operation be?

Keystone Rep: 9 to 9.

Frank Scirocco: Clean up?

Keystone Rep: That is all handled by us. What happens is the tent company comes in puts up the tent and then the product is delivered by Keystone and someone local is hired to run it. They keep it clean and not make a big pile and save it for the last day.

Frank Scirocco: What about the lighting at night?

Keystone Rep: There is 24 hour security so there would be (even though the place is closed) they will have some lighting inside.

Frank Scirocco: I don't see any residential properties nearby that would be affected by this.

Keystone Rep: They don't put the signs out near the road they are right against the tent.

Frank Scirocco: That is all the questions I have. Bob?

Bob Chase: What type of fire protection do you have?

Keystone Rep: There are 3 fire extinguishers there. What happens is once each individual town gives us the go ahead, we have to file for the permit for the county fire department, which we pay them \$250.00 and they come down and do their own inspection. They are right on top of it. They ask for 2 extinguishers but we always have 3.

Frank Scirocco: Have there been any other fires or explosions in any other towns?

Keystone Rep: Not once.

Sam Carabis: The fire extinguishers, what size are they? Are they the small ones?

Keystone Rep: They stand like you see in a regular store? They are about 2 feet tall, there are 2 reds ones and they are for like an anything fire and 1 big silver one and that is a special order one.

Frank Scirocco: Is our building inspector here? John, question for you, since the law was enacted to sell fireworks was there a certain size or type of extinguisher that needs to be used?

John Holland: Not that I know of.

Frank Scirocco: Ok, so there is no specification.

Keystone Rep: Each individual City is required to do their own inspections.

Frank Scirocco: So that will be our fire department they would be the ones to say yes or no.

Sam Carabis: Will there be cars parked up against the tent? What is the distance?

Keystone Rep: No, the county flag people don't want cars up against the tent. Usually, 4 cars there and we try to have spots there for them and there are not usually more than that there at any one time. Where this tent is it is probably 25 feet the closest. It is mapped out parking.

Sam Carabis: Will the stakes be into the macadam?

Keystone Rep: This is blacktop so there probably won't be stakes in the ground; they use 55 gallon white drums whenever possible so they don't damage the parking lot. They always work that out with the owner of the property.

Addy Waldie: How many locations do you have throughout a calendar year?

Keystone Rep: Halfmoon, East Greenbush, North Greenbush, so 4 or 5.

Richard Delaney: The tent looks like it is located right on Central Avenue; I assume it will be set back in the parking lot? How far back will it be set?

Keystone Rep: As far as you guys want it basically.

Richard Delaney: On the site photo, where is the location of the main entrance/exit and the second exit?

Keystone Rep: The main entrance would be the one not facing the street. It is facing the parking lot. There are actually no flaps down on the side there is an official entrance here and an exit down at the other end. Well an emergency exit cause you enter and exit at the same spot.

Richard Delaney: So the tent is not totally enclosed? There is a roof.

Keystone Rep: Correct there are sides they put down at night. And there are signs on the side. It is all open on the sides.

Richard Delaney: So you want the signs to be visible from the street with traffic going by?

Keystone Rep: It is a pretty nice looking set up.

Richard Delaney: There are several types of fireworks but you said your permit entitles you to sell sparklers and fountains?

Keystone Rep: Yes, they call them different names but they are all basically fountains and sparklers which are the hand held ones. But all the other ones in containers, they go from 2 ½ inches up to 10 or 11 inches but they are fountains.

Richard Delaney: Are they all under the legal framework?

Keystone Rep: Yes they are

Frank Scirocco: Is there any inspection done when you open to make sure you are selling legal fireworks as opposed to non-legal.

Keystone Rep: I am pretty sure, I run a store in Rhode Island, and the policemen come in.

Richard Delaney: You say you have no smoking sign at the entrance.

Keystone Rep: We have them throughout. There will be one at the entrance but we have them throughout.

Richard Delaney: What about an age restriction sign? Do you have to be a certain age to buy them?

Keystone Rep: We have a sign that says 18 that will be displayed right near the cash register area. At my store in Rhode Island they let 16 year olds buy it but our sign here says 18.

Frank Scirocco: What does the law say in New York?

Keystone Rep: I don't know, I am thinking it is 18.

Richard Delaney: How many employees will you have on staff?

Keystone Rep: There will usually be 2 sometimes 3. On the 3rd and 4th there will probably be 3.

Richard Delaney: Are the employees trained to use the fire extinguishers?

Keystone Rep: Yes

Richard Delaney: Do you have to register with the fire department in Mechanicville?

Keystone Rep: No

Richard Delaney: Do you have a porta potty on site for the employees?

Keystone Rep: At this particular location they will be able to use the store for the time they are open.

Frank Scirocco: Any other questions. I will close this part of the hearing, and open it up to the gallery. Is there anyone here who would like to speak in favor of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant. Is there anyone in opposition of the applicant? Anyone want to say anything.

Dave Hicks: 241 First Avenue. Is there any barriers going to be put up because there seems to be a habit of people driving into buildings in Mechanicville? Does this have anything to do with ATF?

Debbie Sgambati: The product that he has there, does it remain there overnight or is it cleaned out every night? He said there are flaps and stuff. I mean there are kids that are going to light something and throw it under that tent and then boom, a cigarette or anything.

Kim Dunn: 250 South Main Street. My concern is what is the age is it 16 or 18? Let's assume the age is 18 are they going to ask for ID because some kids actually look older than they are.

Frank Scirocco: What did they do at the Price Chopper do you know, they sell them at the Price Chopper do you know what they did there?

Kim Dunn: I don't know I don't work there.

Frank Scirocco: I saw they sold them last year so I was wondering if anyone knew what they did there. I was just curious if they checked ID's.

Kim Dunn: I don't know again I don't work there. They might not try it at a Price Chopper but they might at a place like this.

Frank Scirocco: I will close that part of the hearing and we are going to ask you a couple more questions. As far as barriers going, I don't see that happening. ATF?

Keystone Rep: It doesn't come under that. Everything goes through the county fire laws.

Frank Scirocco: We had a question about our product being compromised at night.

Keystone Rep: We have 24 hour security, they close the flaps and somebody is there.

Frank Scirocco: So there is security there watching. Do you check ID's for under age.

Keystone Rep: Personally I do. If someone looks to young I question them and ask for ID.

Frank Scirocco: Do you sell to someone without identification?

Keystone Rep: I ask for identification and if they don't have it they aren't buying anything.

Sam Carabis: Are the lights left on all night?

Keystone Rep: They have sort of like a nightlight, it wouldn't be lite like here now but there is night.

Sam Carabis: So if someone came in there at night you could see them.

Keystone Rep: Yes.

Frank Scirocco: Let's talk about the setbacks. What do you think is appropriate, 10 feet, 5 feet, or 15 feet? There is no curb there. Would 15 feet be a problem for you?

Keystone Rep: No I am just going to write it down and tell them what they have to do; I am just on spoke on a big wheel.

Frank Scirocco: Everyone comfortable with that? Are we comfortable with the application? I need a motion that we approve the application with a 15 foot setback stipulation.

Frank Scirocco: Motion by: Bob Chase
Second by: Richard Delaney
Addy Waldie - yes
Frank Scirocco - yes
Keith Johnson - yes
Sam Carabis - yes

Passed and thank you very much for coming to Mechanicville.

Frank Scirocco: Just for the record everyone has all of their notifications here. Virginia Daniel are you here?

Robin Curran: I am here for American Promotional events. I am the Eastern manager for Eastern New York and I actually live in Stillwater.

Frank Scirocco: This is on Central Avenue where Fuschino bought and next to KeyMotors. Cleaning it, is it going to be nightly pick-up?

Robin Curran: Yes we make sure they take everything off site as far as the clean-up goes and they actually recycle the cardboard and take that with them as well. We instruct the non-profit that we have running our tent there to leave the site the way they found it. When they get there we have a tent, lights, and tables so when the non-profit leaves they will leave it like that and our tent company will come and take down the tent.

Frank Scirocco: Are you going to leave the fireworks there at night. Do you have security?

Robin Curran: The fireworks will stay there we have 24hour security.

Frank Scirocco: Do you know how far the set back is for your tent?

Robin Curran: New York State law mandates that it is 10 feet from the curb so if you need me to mandate 15 I can do that.

Frank Scirocco: You don't have the room that the other gentleman had to move it back that far so if you are 10 feet. What will you do for bathrooms?

Robin Curran: We actually have a porta potty on site which is noted on the site map as well.

Frank Scirocco: How often is that cleaned? You're there 2 weeks correct?

Robin Curran: Yes 2 weeks. It does get cleaned in between those 2 weeks.

Frank Scirocco: Your Signage are they lit up? Do you ID everyone?

Robin Curran: They are not lit and we actually do ID everyone and the legal age for selling in the State of New York is 18 and we are required to ID for that.

Frank Scirocco: Are your fire extinguishers up to code?

Robin Curran: We will have 2 fire extinguishers and a water barrel. They need to be 20 pounds and that is what ours are.

Richard Delaney: I just want to know about the placement of the entrance to the tent and again it needs to be back off Central Avenue.

Robin Curran: I think you were wondering with the prior gentleman about how far cars are parked up to the tent and that sort of thing. The State of New York actually requires a 10 foot barrier around the tent so it is basically a car length away from it so we actually have buckets with sticks and we mark off an area to give it a barrier and it looks like the Fuschino's will still have room for about 7 designated parking spaces. I actually just went and measured again to make sure. We generally have the exits and entrances on the narrowest ends.

Richard Delaney: Will you have no smoking and age limits signs?

Robin Curran: Yes

Sam Carabis: How many people will be working on the site?

Robin Curran: We have a minimum of 2 people at a time and then when it gets a little bit busier, closer to the 4th, we could have up to 4 or 5 people depending on what is needed for the flow.

Frank Scirocco: I am going to close this part of the meeting and open it to the floor. . Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant.

Craig Jasmine: 148 South Central, I own Key Motors. They are putting the tent in the parking lot next to me.

Robin Curran: Yes would you like to see the map. We are actually quite far away from your building.

Craig Jasmine: Great thank you.

Frank Scirocco: Is there anyone in opposition of the applicant? I will close that part of the hearing.

I need a motion that we approve the application as submitted with a 10 foot setback stipulation.

Frank Scirocco: Motion by: Bob Chase
Second by: Richard Delaney
Addy Waldie - yes
Frank Scirocco - yes
Keith Johnson - yes
Sam Carabis - yes

Motion passed welcome to Mechanicville.

Next is Debra Sgambati. I have a comment or two to make about this application. Prior to applying for this application she was acting as an agent for Bramski, giving out flyers for the garages that are there. They are approved to be there. She

is acting as his agent who needed no site plan approval however, she wants to sell vegetables. In my opinion, she is already legally allowed to be there and I don't believe requires a site plan approval because she is selling vegetables along with handing out flyers. With that being said tell us what you are going to do.

Debbie Sgambati: And pies and Italian bread, and stuff like that. I am only going to be there 3 days a week, Friday, Saturday, and Sunday. Friday will be from 2:00-5:00, Saturday will be 11:00 to 5:00 and Sunday will be 11:00 to 5:00 and that is it. They have the whole parking lot; if it is raining I am going to be inside the back building. If it is not raining there is going to be a small pop up tent in front of the long back building so I am protected from the elements. I don't have a porta potty but I can go across the street to Stewarts. There is no garbage with me everything goes home except my tables and Joe said I could leave them and my scale inside and then go home.

Frank Scirocco: You will be handing out garage flyers correct?

Debbie Sgambati: Yes and Joe's business card too.

Frank Scirocco: I don't know why you are here.

Sam Carabis: That is a pretty busy intersection; there is a lot of traffic. Where is that traffic going to be coming in? I think in the past something came up about Central Avenue going north you could pull in but there was some concern about the cars pulling out.

Frank Scirocco: This goes back to what I said earlier, right now to stand there to hand out flyers is perfectly legal. Cars can come and go as they please.

Sam Carabis: I am talking about exiting the site.

Debbie Sgambati: You don't have to back out.

Sam Carabis: No not back out, it is just a pretty busy intersection and there are a lot of cars there.

Debbie Sgambati: You can go out on the Stewarts side; there is room for 1 car to go out that way if you didn't want to go on Central Avenue.

Frank Scirocco: South Street is out of the question. It is chained off and blocked; it is out of the question. Right now cars can come and go to look at the display that is my point.

Sam Carabis: I understand it, but I am saying when they are coming down Central Avenue going north you can pull in there because you are in the right lane now the thing is if you are in the other lane, if you want to go south you have to go across that lane.

Frank Scirocco: We have to do this with every one of our businesses on Central Avenue.

Sam Carabis: Forget I asked.

Frank Scirocco: Do you have to do that for all the other businesses on Central Avenue?

Sam Carabis: But this one is almost right at the intersection, right on the corner.

Richard Delaney: It is a very busy area.

Frank Scirocco: What do they do know when they pull in to look at those garages?

Sam Carabis: Did you say you can't get in on South Street? It was open there at one time.

Debbie Sgambati: There is room for one car to go behind that building.

Frank Scirocco: There are barriers and a chain. You can't get a car between the buildings.

Richard Delaney: It looks like you indicated you have 2 entrances/exits. You really don't have 2 so you? They can only go in one spot.

Debbie Sgambati: No, there is no curb on Central Avenue. I don't even remember drawing this.

Richard Delaney: Is the tent enclosed on 3 sides?

Debbie Sgambati: It is a pop up tent. It is not going to stay there when I leave at night it goes in the building. It is 10 x 10. It is a shade canopy.

Richard Delaney: Are there other customers on site anytime you will be there? Is this just a display area for him?

Debbie Sgambati: It is just a display for him. They come in, they take pictures, they ask about prices. Joe is not there at all on the weekends.

Richard Delaney: This is just a suggestion; you might want to put some type of barriers for cars that might come to close to your tent.

Frank Scirocco: That was a disaster up on Central Avenue. I went every day to go get vegetables and I can't tell you how many times I ran them over.

Debbie Sgambati: Even with the buildings there. Even at night if you get a 95 year old man that wants to look at a shed, he is going to drive right through the shed if he can't see. Those sheds have been there for 3 years and they are going to get as close as they can, they are made of metal. For my own safety I am going to put something in front of it. I found this weekend when I was there no one parked near me. They parked on the other side and walked over. Some parked in Stewart's lot and came over.

Frank Scirocco: I am going close this part of the meeting and open it to the floor. . Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant.

Julie McBride: 32 Farrell Street and I am in favor of this application.

Frank Scirocco: I will close that part of the hearing. I need a motion that we approve the application.

Frank Scirocco: Motion by: Sam Carabis
 Second by: Richard Delaney
 Addy Waldie - yes
 Frank Scirocco - yes
 Keith Johnson - yes
 Bob Chase - yes

Motion passed welcome to Mechanicville.

Perfect Noodle. This is John and I am his wife Tammy. We have small Italian grocery. You guys all know what it is. They want to move from North Main Street over to Central Avenue. This is right on the corner of Central and Park. Again, this is allowable by code, commercial, parking. Obviously you are governed by the Board of Health.

Tammy Demers: Actually Agricultural Markets.

Frank Scirocco: Are you going to have restrooms in there.

Tammy Demers: Right now we only have 3 tables, we try to encourage take-out, but we do have 3 tables for convenience. We do have a restroom. It is going to be only one restroom but it will meet code.

Frank Scirocco: So it will be sit down for 3 tables. You have plenty of parking. Where are the golf carts and things going to go?

Tammy Demers: If you are looking at the side of the building there are sections of brick that last section is going to be a fence the golf carts will be hidden behind the fence.

Jay Haney: We are going to split the parking lot up so there will be more than enough parking; we are going to be in the other half of the building.

Frank Scirocco: I think this is a great idea! I only live a block away so I am very happy.

Tammy Demers: We needed to get up on Central Avenue and we needed to have parking, there is just not enough parking where we are now.

Frank Scirocco: What are your hours? Do you have any employees?

Tammy Demers: Tuesday – Friday 10-7, Saturday 10-4 and Sunday 10-2. We are closed on Mondays and that may change once we move in there. Right now there is my mother and I so technically we are volunteers and we do have 1 employee who works a couple of hours a week.

Sam Carabis: Excellent 7 page letter that describes what you are going to be doing. I think you covered just about everything.

Addy Waldie: I just have a question on signage? Am I missing it?

Tammy Demers: I didn't put it in there. We are planning on covering where the golf cart signs are. So we will just cover them up.

Jay Haney: I will be taking down my golf cart stuff and be moving mine to the other side. I am just really getting rid of my display area.

Richard Delaney: So you are not going to be the sole occupant of the place?

Tammy Demers: No, we are taking the front and Haney's golf carts is going to continue to stay in the back.

Richard Delaney: Are you going to reconfigure the interior?

Tammy Demers: Actually yes, that is why I gave you the drawing. Next to Park Avenue that entrance door, right next to that is going to be where our kitchen layout is going to be.

Richard Delaney: Isn't there another entrance on the side?

Tammy Demers: There is and we talked about it this weekend and our plan is to section it off and put the tables out there in the summer. So people cannot come in and out of there.

Richard Delaney: The signs again, where are you putting them?

Tammy Demers: Right where Haney's Golf Cart signs are currently. We are also going to have window signage.

Frank Scirocco: I am going close this part of the meeting and open it to the floor. . Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant.

David Hicks: 241 First Avenue. I have a question in regards to food and battery acid or the golf carts under the same roof. The fumes from the batteries being

charged will be going through the building. Remember direct questions to the board.

Frank Scirocco: I will close that part of the hearing. I will go back to questions.

Bob Chase: No questions, I just don't know why you are limiting yourself to 3 tables.

Tammy Demers: It is actually an agriculture and markets regulation. Right now with 3 tables we only have to only deal with agricultural and markets and if we put in more than 5 tables we have to deal with the health department and agricultural and markets. Because we are so new I just don't want to deal with that. It may be something in the future we do.

Frank Scirocco: Let me ask you; does the agriculture department have a problem with you selling food in a place that has battery acid.

Tammy Demers: They do not, we actually called them before we approached Mr. Haney about the space and told them this is currently what this is and this is what it is going to stay. There is going to be a wall separating both spaces and they said that was fine they were okay with it.

Richard Delaney: Are you going to be selling any beverages?

Tammy Demers: We currently have coffee, tea, cappuccino, we sell soda from DeCrescente.

Jay Haney: Just to answer Mr. Hicks question. We never charge golf carts inside. It is a hydrogen gas so that is a total health issue and safety issue. Everything is charged outside and all our batteries are stored properly.

Frank Scirocco: Any other questions? Do I have a motion to accept the application as submitted with the stipulation that they move in within 6 months and if not you need to come back to the board.

Frank Scirocco: Motion by: Addy Waldie
Second by: Sam Carabis
Richard Delaney - yes
Frank Scirocco - yes
Keith Johnson - yes

Bob Chase - yes

Motion passed welcome to your new place.

Lisa Laurenzo, Family Bakes Cookies and More at 33 North Main Street, Mechanicville. Tell us a little bit about what you want to do.

Lisa Laurenzo: I currently have a home based bakery out of my home in Stillwater and I am looking to move into the old Val's on North Main Street for a store front.

Frank Scirocco: Again, approved by code, however requires site plan approval. What about the parking?

Lisa Laurenzo: The parking will be mainly on the street but on weekends they are able to park in the City Parking lot.

All the businesses across the street use street parking also. Are you going to be baking cookies?

Lisa Laurenzo: Cookies, cakes, pies, Danish, you name it I bake it.

Bob Chase: Do you have written permission for the City to use that parking lot?

Lisa Laurenzo: No but, there is a sign there that says it is usable for the weekends.

Frank Scirocco: Val, is the parking lot accessible to the public on the weekends?

Val Serbalik: I don't know

Gina Kenyon: It is you can't park in there from 9-4 Monday thru Friday. Permit parking only at those times.

Frank Scirocco: Again, not a pre-requisite to opening a business downtown.

Sam Carabis: Initially when the sporting goods store was in there they occupied both parts will you be doing the same?

Lisa Laurenzo: I am taking where Val's Pals was and the main part of the store at the other half they made into apartments.

Sam Carabis: Are there 2 exits out of there? Are the emergency exit signs still there?

Lisa Laurenzo: Yes there are 2 exits. The signs are still there.

Frank Scirocco: Very nice business plan by the way.

Keith Johnson: What do you plan for signs?

Lisa Laurenzo: Window decals.

Frank Scirocco: How many employees?

Lisa Laurenzo: Currently it is just myself but, once I get opened up I plan on hiring one full time and a couple part times.

Frank Scirocco: Are you governed by the Board of Health or Agricultural?

Lisa Laurenzo: Agriculture and markets.

Richard Delaney: We don't have a site plan I expected to see a sketch.

Frank Scirocco: It is a store front.

Richard Delaney: Where are the trash bins located?

Lisa Laurenzo: The trash bins are located on the side of the building where the City parking lot is. That is already set up through the landlord for County Waste.

Richard Delaney: I guess it is alright with me if it is okay with the rest of the board but we should have had something drawn up. Is there a sitting area inside and are you selling beverages?

Lisa Laurenzo: Initially no but eventually I may put a few small café tables in there for people to have danish but it won't be more than a couple of tables it is not a very bug area. We will not be serving beverages.

Frank Scirocco: How wide is your sidewalk, is it 2 squares. I was just curious for future outdoor maybe having a few tables.

Lisa Laurenzo: I don't know if it is big enough for that.

Frank Scirocco: You would need at least 3 foot.

Frank Scirocco: I am going close this part of the meeting and open it to the floor. . Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant. Close that part of the hearing.

Sam Carabis: Some of the businesses up on Park Avenue they have 2 hour parking. I don't know if we may want to consider that people can stop and run in and pick up there stuff. There is not much parking there but you may have to go to the City for that.

Frank Scirocco: Any other questions? Do I have a motion to accept the application as submitted with the stipulation that they move in within 6 months and if not you need to come back to the board.

Frank Scirocco: Motion by: Sam Carabis
Second by: Bob Chase
Richard Delaney - yes
Frank Scirocco - yes
Keith Johnson - yes
Addy Waldie - yes

Motion passed welcome to Mechanicville.

At this point we are going to take a ten minute break.

Frank Scirocco: Next application is Steven Streeter to build a duplex on the corner of Elizabeth and Davenport. We are looking for Site Plan approval. Tell us what you are going to do and do you have a drawing of the plot plan location.

Steven Streeter: This is the survey and there was another one that was drawn in with the driveways coming towards Davenport. There will be one unit there and one unit there and all the setbacks are on there. The building is facing Davenport.

Frank Scirocco: Can you tell us what you would like to do.

Steven Streeter: I would like to construct a duplex and sell each unit separately. It will be a 1400 square living space.

Keith Johnson: So you will be building them and then selling them.

Steven Streeter: Yes I will be selling each unit. Each unit will have a separate deed.

Sam Carabis: How many parking spaces?

Steven Streeter: I think it is 1 and ½ per residence.

Frank Scirocco: There are no zoning issues here. It is just site plan review and approval. There seemed to be a question on ownership of the driveways.

Steven Streeter: Yes 8 feet of it would be on the existing property and then I just spoke with Val Serbalik and this would have to go to council and they would either give me a variance to go across the rest of the distance or sell the property to me.

I spoke with Steve and this is also applicable to Mike McBride. Between these lots and used City Street the city owns a wide parcel beginning where used to be the old Tancredi's right up through Davenport Street and the City was talking about or the Council was talking about selling or giving each property owner adjacent the opportunity to buy it at fair market value and or get an easement. At this point your board can rule on the issue and if you are satisfied with it and there is a question of access or location of the driveway to make it contingent on the City Council granting them the appropriate easement or title to the property.

Any approval will be contingent on the transfer of the property. I am going to allow my colleagues from the planning side to begin the questioning.

Richard Delaney: Could you just show us where the driveways are.

Frank Scirocco: This is where it gets boring for you folks.

Steven Streeter: There will be a sidewalk from the driveway to the front door.

Keith Johnson: You don't need a sidewalk in the front?

Frank Scirocco: I am not sure if they are required? This is general commercial so I am not sure if they are required. My question is are sidewalks required?

: Sidewalks are required in the City if you tell them to put a sidewalk in they have to put one in.

Richard Delaney: But, no other houses on Davenport have sidewalks.

: It doesn't matter if you tell them to put it in they have to put it in.

Steven Streeter: Then I have a question on that. Is the sidewalk on my property or on the city's property?

Frank Scirocco: City property.

Richard Delaney: How many square feet is it?

Steven Streeter: Each unit was 1400 square feet so 2800 square feet total.

Frank Scirocco: Let me ask you this. When you sell B are they responsible for maintaining B?

Steven Streeter: Absolutely it will be deeded to them. Each one will be deeded, they will have separate sewer and separate water. They will have separate gas meters, they are like 2 separate houses just joined together.

Richard Delaney: It is not considered separate houses, they are just duplexes separately owned.

Steven Streeter: Correct.

Richard Delaney: Tell me about the utilities.

Steven Streeter: So here is the water valve, it is an oversized water valve because I am assuming it used to be a restaurant. The water will go to each unit. The sewer on Elizabeth Street is very old, the sewer coming up to this building is actually new so I would propose either cutting the street or boring under the street to connect to the new sewer that is over here for each unit. I believe gas is on Elizabeth Street. Electrical I am probably going to have to have a pole set. Electrical is across the street on Elizabeth so they would probably set a pole.

Sam Carabis: If the City does decide not to sell the property would you consider moving the building or re-positioning the building on the property.

Ed Morcone: I think I am all set we just need to decide on the sidewalks.

Frank Scirocco: I want to get to part of the application. Now this is allowed by special permit, and for us to approve not only the site plan, we have to approve the special permit. You need to tell us why this will not be a detriment to the neighborhood or have an adverse effect on the traffic. This is entirely separate from the site plan.

Steven Streeter: Adversely I don't think there will be 2 or 3 more cars so for traffic purposes there will only be 2 or 3 more cars, possible 4, 2 cars per unit. The neighborhood now consist of all duplex, rental units, brick buildings, all different types of building and I think it will help beautify the area personally and bring some tax money to the city.

Sam Carabis: Do the driveways go out onto Elizabeth Street or Davenport.

Steven Streeter: Davenport

Frank Scirocco : Let's go back to the Site plan any questions?

Richard Delaney: What about landscaping.

Steven Streeter: Just grass it will be seeded and have grass.

Richard Delaney: The one question I had about the green space that borders the roadway, that is a busy road if there were children living in the house I am just concerned about fencing you wouldn't want them playing in the street. Did you think of any kind of barrier?

Steven Streeter: I tried to position it to give them as much side and back yard as possible for each unit. Other than that there is not a lot I can do.

Frank Scirocco: Is there any other fencing anywhere in the neighborhood?

Richard Delaney: Not that I know of.

Frank Scirocco: As far as sidewalks go they are required by code, not something that we have to stipulate. It is just required by code. I am just putting that out there.

Addy Waldie: Do you have any plans for trees?

Steven Streeter: No, that would be up to the purchaser.

Frank Scirocco: I am going close this part of the meeting and open it to the floor. . Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant. Close that part of the hearing.

Nancy McCormack: 416 North Fifth Avenue, my thing is the parking, if you go down Davenport Road on a Sunday it is packed because the Rooster has no parking. How is that going to interfere with the people that live there?

Frank Scirocco: Well, his parking meets the code. That is not problematic to him that is the Rooster's problem.

Jerry Geoghegan: 414 North Fifth Street, the same thing. On the weekends that intersection is amazing.

Frank Scirocco: They are not required to have a parking variance because the parking fits the code.

Ed Morcone: They would be off the road anyway because they have their own parking spots.

Jerry Geoghegan: They are parking all over the grass now.

Frank Scirocco: I commiserate with you because I see what goes on there. This is what happens when you start to become a busy City you have some pains you have to work through.

Richard Delaney: This might be one of the reasons for one of the owners to put up fencing then they won't park on the lawn.

Steven Streeter: Well from what I am hearing there will have to be a sidewalk there.

Frank Scirocco: Okay I am going to close that part of the public part and back to questions.

Addy Waldie: I would like to see some trees, I am concerned with the City's decrease in trees but I will not be a stickler. If you look what happened on Park Avenue, 15 years ago it used to be a pretty street and in the 15 years trees have been taken down and they have not been replaced. You are losing curb appeal.

Bob Chase: Can we mandate they put trees in?

Frank Scirocco: Yeah I don't want to do that, I am not there to tell someone they have to plant trees. I mean that could hinder the sale or it could help it but I don't want to do that.

Is there a motion to approve this application as submitted with the stipulation that City either transfer the property by sale or by easement.

Motion by: Frank Scirocco

Sam Carabis: I have a question, when you say sell the property are you talking about that strip or just the driveway?

Val Serbalik: The City owns the property and the council was talking about selling that property but what also could be done is (and it would be up to the council) if the applicant only wanted to utilize the driveway they could go to the City Council and ask for an easement over that property. That is called runs with the land meaning whoever owns the property would have the right forever to use that driveway for driveway purposes.

Sam Carabis: I was under the impression the City was considering selling that whole strip, all the way from Clement Street down Davenport, or give it to the homeowners of the adjacent properties.

Val Serbalik: By law they (The City Council) can't give municipal property away but, the Council has been talking about selling it to the adjacent homeowners.

Dennis Baker: I want to add to that, the lawyer can't say it but I will say it, people over the years have built on that property, put pools on that property, put fences on

that property so we are trying to solve that problem by having the homeowner directly behind that property buy or whatever we have to do, easement or whatever. We are trying to fix a problem we have been stuck with.

Frank Scirocco: Do we have a motion to accept the site plan with the stipulation that the property owned by the City has to be transferred by either easement or by sale.

Motion by: Sam Carabis

Second by: Richard Delaney

Bob Chase - yes

Frank Scirocco - yes

Keith Johnson - yes

Addy Waldie - yes

Ed Morcone - yes

Val Serbalik: One other thing here Frank; Steve I talked with you about this earlier there is a Council meeting on the 8th can go to it and express your concerns.

Frank Scirocco: Special Permit and Site Plan has been approved.

The next application is Michael McBride, 3 lot sub division, 401 Elizabeth Street.

Fred Metzger: Mr. McBride has the land located over at 401 Elizabeth Street with an existing 3 story brick apartment building and the land stretches all the way to Davenport Street. It is currently in a general commercial zone, he has applied for the Special Use Permit to have multi-family home. We have all existing infrastructure at the site. He is looking to do a 3 lot sub-division; Lot 1 to be the existing 3 story brick on Elizabeth Street just under 15,000 square feet, then 2 and 3 just a little over 5,000 Square feet each. Each of them to be improved to be a 33 x 30 duplex which each of the two new lots will be fronted on Davenport Street. They will have their own access, proposed driveway, and sewer lines to come from Davenport and the proposed water will come from Elizabeth Street alongside the 3 story brick to feed both of the new duplexes. The existing parking area that services the 3 story brick will be moved to the west side of the brick building so that way they will have the adequate parking for the existing and the proposed new duplexes. As you can see with the Site Plan in the general commercial area all the proposed improvements with the lots meet these zone requirements. That sums it up.

Richard Delaney: Lot 1 is not part of your plan ?

Fred Metzger: Yes it is.

Richard Delaney: I thought it started at 401 Elizabeth Street. So you are proposing, there is a 2 and 3 here.

Fred Metzger: Lot1 is this one, Lot 2 is this one it is the dark blue lines.

Richard Delaney: Are you planning on improving the 401?

Fred Metzger: No, we are leaving that one as is. Other than the parking that is back here that will be moved to the side.

Richard Delaney: I noticed there was a roadway, little driveway coming in there.

Fred Metzger: Yes that feeds to the parking in the rear.

Richard Delaney: That will be made into a formal parking area on the side?

Fred Metzger: Yes, absolutely.

Richard Delaney: You said there is 6 units in that building?

Fred Metzger: Yes.

Richard Delaney: How many cars can be accommodated for the residents in 401?

Fred Metzger: I believe we have 8. 8 yes.

Richard Delaney: Is that sufficient?

Keith Johnson: It has to be 9.

I wasn't sure since it is an existing structure.

Frank Scirocco: There was no parking variance in the application, does it need one for the six units? There is enough parking for the existing.

Richard Delaney: Will the duplexes be identical?

Fred Metzger: Yes.

Richard Delaney: How many entrances and exits?

Fred Metzger: I know we have the front ones. The plans are not yet 100% and then the rear will have the patio and dining area so it will be a front and rear.

Frank Scirocco: Is the parking supposed to service these two buildings as well?

Fred Metzger: No that is just for the six units. This area the 10 x 30 along the side of the duplex will be for each one of these. The state code says 9 x 18 so it more than ample for 2 parking spots along the side of each one.

Frank Scirocco: Parking is not an issue.

Richard Delaney: Do they have a garage?

Fred Metzger: No.

Richard Delaney: Do the setbacks meet the code?

Fred Metzger: Yes everything meets code.

Frank Scirocco: There are no zoning issues at all.

Richard Delaney: You are proposing lighting here I see.

Fred Metzger: Yes, lighting at the corners and obviously with the normal duplexes all the entrances will have lighting on them as well.

Frank Scirocco: We have the same issue with the driveway. So if the approval is granted it will be contingent on transferring city property by either sale or easement.

Robert Chase: I was concerned that if they don't acquire the property from the city then they don't have the setback from the property line.

Frank Scirocco: There is a setback, there is no variance issues here at all. It is a general commercial area. Setback is zero. There are no setbacks for the front.

Keith Johnson: You said the parking for the existing house has nothing to do with this?

Frank Scirocco: No, there is adequate parking. There is not a parking issue according to the building department.

Keith Johnson: Well there is code right now but once they...

Frank Scirocco: This parking is for this 3 story building and this parking is adequate enough for...

Keith Johnson: I was just wondering it says 8 spaces and I thought it was a space and a half per unit. It is adequate now but they are going to subdivide it. I am just asking if it makes it inadequate.

Frank Scirocco: Not according to the drawing.

John Holland: The 8 takes care of that and whatever they have up here takes care of that.

Keith Johnson: How many do you need per unit?

John Holland: Back when the 6 unit was done it was only 1 per unit. So right now they have 2 more than what is required. It is adequate parking for the unit and what he has proposed is adequate for what he has proposed.

Addy Waldie: I see trees on the side.

Fred Metzger: Those are the existing trees.

Addy Waldie: You are leaving those?

Fred Metzger: Yes the way it is set up will remain.

Frank Scirocco: I am going close this part of the meeting and open it to the general public. Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant.

Jerry Geoghegan: We were here I believe 5 years ago. The question is the same as back then, there is a Paper Street there, who is going to maintain that the City or the applicant.

Jordan McBride: I am in favor of the application.

Michael Rhonda: 618 Elizabeth Street. I was just wondering if Mr. McBride has built any building before and if he stayed within the code of putting in sidewalks and curbs? Is he going to put curbs and sidewalks in?

Frank Scirocco: Anyone else? I am going to close that part of the hearing. We will go back to questions.

Sam Carabis: That Paper Street if I am not mistaking Pepe's bought that years ago, you could check the City records.

Fred Metzger: It went deed wise to Mike back in 2001. Deed book 1537167.

Sam Carabis: I don't think the Paper Street exist anymore.

Fred Metzger: No. It is something he purchased or he didn't originally purchase it someone else did and they he did it 15 years ago.

Frank Scirocco: Ok where is this Paper Street?

Fred Metzger: It is this one

Frank Scirocco: It is the parking lot

Fred Metzger: Yes it is tax parcel A on the tax rolls, which was once the extension of North Fourth Street. But it is no longer.

Richard Delaney: I see you have 69% green space and 72% green space I am surprised it is that much because it doesn't look like that big of an area.

Fred Metzger: When you do 33 x 30 and 10 x 30 there is 330 and 330 and whatever the other one is, again you have over 5000 square foot so I ran a calculation through.

Frank Scirocco: The question came up and I will direct this to our Building Inspector, new dwellings, curbs, sidewalks?

John Holland: On the street side they will have to put them. They all have to meet code.

Frank Scirocco: Do we have a motion to accept the site plan with the stipulation that the street in question needs to be transferred by either easement or sale by the City.

Fred Metzger: A portion of it right?

Frank Scirocco: How much of it Val?

Val Serbalik: It will be up to the Council but I assume it is going to be the parcel and the portion abutting the residents.

Frank Scirocco: Yeah, whatever the council decides.

Fred Metzger: I didn't understand the whole selling of it because if you don't sell it to the edge of pavement then technically he has to buy a strip and get an easement on top of it because it will still be a small strip the City owns because the City is not obviously going to sell right to the edge of the pavement. Again, I am questioning the whole thing about that but ... If that is the way it has to be we will work with it.

Frank Scirocco: That is the best we can do.

Val Serbalik: That is part of the right away. It is what they are going to classify as public right away. They were talking about selling that area that is not used as a City street but that is something you will have to take up with them. I would go to the Council on the 8th.

Frank Scirocco:

Motion by: Bob Chase

Second by: Richard Delaney

Sam Carabis - yes

Frank Scirocco - yes

Keith Johnson - yes

Addy Waldie - yes

Ed Morcone - yes

Site Plan Review and Special Permit approved.

Okay, Barbara McGuire sorry to make you wait so long. Single family home at 324 North Sixth Avenue and you just need Site Plan Approval. Doesn't need a variance, doesn't need a special permit it just needs a Site Plan Approval.

Richard Delaney: Looks like there is a covered porch is that right? Is it the entire length of the house?

Barb McGuire: Yes, covered front porch. Yes.

Richard Delaney: Do you have a garage?

Barb McGuire: No.

Richard Delaney: I noticed there wasn't any sidewalk.

Barb McGuire: No one over there has sidewalks.

Frank Scirocco: That is a City code. It is up to the Building Department to request.

Frank Scirocco: What is here now.

Barb McGuire: Nothing, it is a vacant lot.

Richard Delaney: I noticed the edge of your property must be where there is a mowed area and then there is taller grass. Is there 10 feet in between them?

Barb McGuire: Yes. There is a duplex on one side and on the other side is a modular.

Frank Scirocco: She only needs 15 feet.

Richard Delaney: So she meets all the requirements.

Barb McGuire: I will have trees and shrubs. I agree with Addy about Park Avenue, I live there now.

Sam Carabis: Is there a basement in the house?

Barb McGuire: No, it is a slab.

Frank Scirocco: I am going close this part of the meeting and open it to the general public. Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant.

Dan O'Connor: I am in favor.

Johnathan Timbari: 328 North Sixth. Is it a stick frame house or a modular? If it is a modular where are they going to set up a crane?

Frank Scirocco: If there are no other questions I am going to close that part of the hearing and is this a modular?

Barb McGuire: It is stick built.

Keith Johnson: Is there are driveway?

Barb McGuire: No, street parking.

Frank Scirocco: Can I get a motion to approve the application as submitted?

Motion by: Bob Chase

Second by: Sam Carabis

Richard Delaney - yes

Frank Scirocco - yes

Keith Johnson - yes

Addy Waldie - yes

Ed Morcone - yes

We met once before. Tell us where we have been and where we are going.

Stephanie Bitter: I am local counsel for Cumberland Farms I am here this evening with Jim Gillespie for Buhler Engineering and Wendy Holsberger from Creighton Manning. The last time we were here in April we took in a lot of information and concerns that were raised by not only by the board but by the public. We went back and re-evaluated some of the concerns so that we could come back and obtain a Site Plan Approval. Just to start we are proposing to rebuild the existing Cumberland Farms. Cumberland is under contract with purchasing the adjacent lands which is Baker Electric and Palmieri Auto which

would give them the entire corner which is 1.09 acres to construct a 4786 square foot Cumberland Farms Convenient Store with (4) four pumps. Since the last time we were here the amendments that we have made is that we have removed that parking space that was on South Central Avenue. We have enclosed a truck turning plan that Jim can show to you when requested. Bohler is working on the script with the understanding of the flooding concerns that were discussed at the last meeting. The lighting that is proposed with this project will be shielded so there will not be spillage onto the adjacent lands. The landscaping has been revised to incorporate a tree line along First Avenue as well as landscaping on that tip of the corner. The site will be irrigated and a note has been placed on the plans. The HLM easement along South Central will not be anyway approached. There will be new curbs and sidewalks along South Central and new curbs on First Avenue. There is a list of any spills that occurred on this site from the DEC as requested but all of them have been closed or immediately addressed. The curbing will be 6 inches in height. The existing trees on the Cumberland Farms sited unfortunately cannot remain do to the design of the project. The snow storage will be place on the tip of the property in the grass area. Cumberland Farms will follow the City Code and only construct during the hours of 7:00 A.M. and 6:00 P.M. The fuel delivery schedule was evaluated and there was a specific complaint by the neighbor which was identified as being correct unfortunately, the fuel delivery will be modified so it only occurs between the hours of 5:00 A.M. and 12:00 A.M and no deliveries from midnight to 5:00 A.M. More importantly the exit only that was on First Avenue has been relocated to South Central so that the truck traffic will all be on South Central Avenue with that modification. The store will be open 24 hours a day. We bring Wendy with us this evening because we submitted a traffic assessment which was part of our latest demonstrate that the curb that we have incorporated with this plan work with the traffic and the concerns that were raised at the last meeting. The County did review this and came back with no County impact. I am going to turn it over to Jim and Wendy to add some additional materials before I turn it over for questions.

Jim Gillespie: Well I think she covered everything so I don't have anything but, I will reiterate that it is a great building and this in now a 100% brand new site. There are just some wonderful improvements here, all brand new sidewalk and curbs along the front entrance on South Central, all brand new curb along First Avenue and so it will be all new 100%. There will be new irrigated lawn, landscaping all along First Avenue. One of the biggest changes here, I think we made all the changes that were requested, but this is huge and a big benefit here is to get that egress off First Avenue. Now if this ever were to become one way in the wrong direction we have a truck and delivery access you can easily make a right

out to South Central. It is just a great project all together. We have pedestrian access off of here, beautiful outdoor seating area and we are happy to be a part of it. Hopefully the City feels the same way.

Wendy Holsberger: As Stephanie pointed out we did do a detailed traffic impact evaluation. I can answer specific questions if you want but in general from a transportation stand point the site has at least 5 curb cuts on each of the roads, they are wide and open and I know there were some questions and concerns that were raised about having 4 general public access points to the site but, in general we closing a lot of curb cuts and even the ones for Cumberland Farms they are going to be better defined and have the full access. We looked at not only the level of service capacity analysis, we looked at accident analysis. We verified the site lines for all 4 of the driveways and including for the trucks as well meet the AASTHO (American Association of State and Transportation of Highway Officials), those industry guidelines for the appropriate speeds on each of the roadways. I know there were concerns about accidents and we did obtain 3 years of accident and data from New York State Department of Transportation on both roadways and really evaluated any accidents along the frontage on both roadways and there was in that 3 year period only 3 accidents on South Central and there were 2 on First Avenue and only 1 of those was directly related to a vehicle exiting the site on both of the roads and it was on First Avenue that a car was taking a right hand turn and hit into a car that was traveling North bound as well. So in general we looked at simulations of the operation and with the full access here what this allows for is for right now with the enter only here and the exit here anyone that is coming from this direction from the South actually passes the first driveway so the lefts coming out and the lefts going in are kind of crossing each other. What happens when you have the flaxes points is that the pattern will be the people coming from the south go in here and coming from the north go in here so you lose some of those crossing maneuvers with having those flaxes points instead of having the one way pairs. That is a quick over view I can give you more detail on any of it I just don't want to overdo it.

Frank Scirocco: One of the concerns we had at the last meeting was traffic on First Avenue so I asked our Chief Waldron to take a look at that and see what type of impact this would have in the neighborhood .

Chief Waldron: After the review of the plans here I also took the accident data that we have though we don't see eye to eye on the data we have between us she has some consistencies as far as it is concerned. That stretch leading up between there and Stewarts there were 14 accidents last year in that stretch alone. It is not

all Cumberland Farms we can only attribute 4specific from last year but, one of the things we discovered was that what was happening was people were coming out from the railroad underpass and having to immediately take a right. By what they are doing they are building an additional 100 feet of stoppage and site distance which is awesome. So we like the additional space because now you are going to come around and see a car taking a right hand turn, so we support that. We also support the third exit where it is southbound only, when you exit out of the place. That is very well thought out I enjoy that. Only question that I had was First Street I don't know why we need 2 entrances and exits off of First Street, why not make one bigger one? I don't understand why we would want two on not so busy of a street.

Wendy Holsberger: It is more for an internal circulation stand point because you have the aisle instead of having vehicles having to cross internally to the site. Like we said the First Avenue we don't anticipate that to be a high volume of in and out of the site. I think we had 10% going north and 5% to the south. In general this isn't used as much. The perception is that this is a highly used street, there is like 500 cars a day compared to 17,000 on the side is a busy street.

Chief Waldron: It will get used more with the entrances because it is being used now with the illegal entrance if you call it that. Once it is defined it is going to be better off.

Wendy Holsberger: In general this isn't used as much as Central Avenue. The perception is that this is a highly used street. I set there for a while tonight and we have been sitting there watching looking for ques and people exiting.

Chief Waldron: The pump on the far end is that diesel? The one on the right hand side?

Jim Gillespie: This pump is probably it.

Stephanie Bitter: What you are looking at are the underground storage tanks.

Jim Gillespie: We would designate one of these for diesel.

Chief Waldron: As far as traffic safety chairman we are actually happy that they are building a better site. By adding the additional 100 feet it is actually going to cut down on the accidents.

Frank Scirocco: Thank you Chief.

Bob Chase: I think you submitted a very good report, the designs and plans are excellent, I see no reason why not to proceed.

Sam Carabis: The windows on the second floor are they going to be used for anything up there?

Jim Gillespie: No it is just for esthetics.

Keith Johnson: How long is the project going to take?

Jim Gillespie: The construction 3 months.

Keith Johnson: Tear down and put up a new, 3 months?

Jim Gillespie: Yes they move quickly. That is the ideal world but you know how that goes.

Addy Waldie: I am just trying to find the specks on the trees that you did.

Jim Gillespie: The First Avenue are red maples.

Addy Waldie: What maturity are they being put in and what is their age when they mature.

Jim Gillespie: It will just be a caliber and I don't know how long it would take them to mature.

Addy Waldie: I am just concerned there isn't enough coverage.

Jim Gillespie: It is a good size for initial planting. Sometimes if you plant them too big they will actually struggle to establish themselves and a smaller tree would actually mature quicker than if you planted a bigger caliber. It is a good size.

Addy Waldie: My concern is that the headlights that are going in now in the current location shine directly on the building behind it. With the design and the entrances in off central the headlights go straight into residential homes, where now they are being bounced off a metal warehouse building.

Frank Scirocco: I don't see that, I mean with the houses they are back there and the cars are down here going that way and the houses are that way. Oh you are talking about the cars pulling in.

Addy Waldie: The cars pulling in. With the way it is now when they pull in the headlights hit Cumberland Farms or this building that is currently here. With design of the tree with the higher canopy not being an evergreen you have a gap where the headlights are, they are not actually helping block the headlights.

Frank Scirocco: I don't think I am following you, I know what you are saying. Here is the building now.... Right now when you pull in and you go right there is nothing blocking the headlights.

Jim Gillespie: We have to maintain site distance for people coming in and out of here and evergreens would block that. These give it a nice street tree appearance along there to soften it. The entrances kind of have to be where they are to get circulation to and from the canopy and the parking spaces.

Frank Scirocco: We are not going to be able to solve every problem.

Ed Morcone: Between the last time and this time they have covered everything I want to know.

Richard Delaney: I was looking at the items you have in your letter. First of all I really appreciated the traffic study. I like the idea of the two (2) entrances and exits on First Avenue, it enhances the flow. One question I do have is when traffic goes south on First Avenue towards South Street, that is a very sharp turn to get into the South Street lane and getting onto Central Avenue.

Chief Waldron: Now that they took away that entrance way on the right hand side by Dave Hicks property that they had last time. I don't like that intersection down there on the end of First; it is not good at all. So I am glad you got rid of it and put it back on Central Avenue where it belongs.

Richard Delaney: So you don't see a problem with this

Chief Waldron: I do not see a problem with this it was a good move.

Richard Delaney: What type of irrigation is it?

Jim Gillespie: It is a sprinkler system.

Frank Scirocco: I am going close this part of the meeting and open it to the general public. Is there anyone here who would like to speak in favor or in opposition of the application? Please stand up, tell us where you live, who you are and be as brief as possible. Please direct your questions to the board and not the applicant.

David Hicks: 241 First Avenue, I would like to know how the flooding issue is going to be resolved if there is a plan in place to avoid the problem? What avenues have been set for the drainage and how? They are talking about raising a curb around there but there are no sidewalks on the east side of First Avenue from Spring Street south and if they put a curbing up and raise it through there it is going to raise that up and we are going to have flooding in our cellar because there is no relief right now. The City is oblivious to this and has never done anything.

Frank Scirocco: Are we still talking about the flooding?

David Hicks: Yes, still the flooding, we the residents are going to have to suffer for this because there is no place for the water to go except for in our cellars. The green space will not substitute for storm drain, if that was the case we wouldn't have any storm drains we would just let the water run out on the grass. The additional truck traffic I see has been corrected and I appreciate and applaud that. Timely snow removal as it is right now, where are you going to put all the snow and how is it going to be taken care of?

Frank Scirocco: I am assuming the same way it is being done now.

David Hicks: Well they pile it up out back and it gets horrendous and eventually when it gets too high they take it away.

Michelle Eidens: 214 South Second. I actually live across from the entrance and there are lights all the time coming in my property. I don't think this is going to change it at all. My question is: those two (2) entrances on First are they both two (2) way entrances in and out? Why do you need two (2) on First if you are saying there isn't a lot of traffic? The other issue I have is the traffic report that you did the count near Baker's was from Cumberland Farms south no one put anything to look at the traffic from Cumberland entrance north. You have traffic coming north and south on that street so no one took a true reading of what the traffic is.

Frank Scirocco: The Chief took a good look at both Central and First Avenue.

Michelle Eidens: In what respect, just watching? How did you count the traffic that travels that road?

Chief Waldron: We didn't do it but the firm that Creighton Manning had here did do a traffic count and it is standardized. They have a standardized way they do traffic counts across not just Mechanicville but anywhere and it is just a proven number. I believe both northbound and southbound were done.

Kim Dunn: South Main Street. Just a quick question they said 3 months from start to finish I was just wondering when possibly that might be started?

Frank Scirocco: This has to get approved first.

Dan O'Connor: Why aren't they putting sidewalks on the First Avenue side?

Frank Scirocco: I am going to close the public hearing and we will get back to some more questions. Let's get to the flooding, can you address that. Do we have anyone from DPW here?

Jim Gillespie: What I can say is that our site will not contribute to the flooding in fact it will improve the storm water condition on the site. Can I come in and tell you that Cumberland Farms is going to fix all the drainage if there is a lot of drainage problems in Mechanicville, I can't come in and tell you that but I can tell you this is going to improve it significantly. Our storm water report will show that there is a decrease in pervious cover and this does not act as some type of magical basin that takes care of the flooding on First Ave. So putting curbs up here right now it grades off the site so were increasing and adding DEC compliance storm water management system which will include water quality treatment following her DEC rules we are addressing the 1, 10, and 100 year storm events. That is our requirements, and we are going above and beyond what is required by the DEC you will see significant reductions in storm water from the site.

Frank Scirocco: So, it is going to reduce the flooding. Snow removal?

Jim Gillespie: There is a lot of snow storage, we got mountable curb right here, certainly they are going to take advantage of whatever snow storage they can and if it gets to a point where it is unmanageable or becomes a problem they will remove it.

Frank Scirocco: Why do we need the two (2) entrances on First Ave? I thought we addressed that.

Stephanie Bitter: Yes it is for the internal circulation.

Frank Scirocco: There is a neighbor right across the street how will that interfere with her accessing First Avenue.

Wendy Holsberger: The question was why there are two (2) access driveway and what I had referred to before is it is more of an internal circulation not really a function of the volume on First Avenue it is more just having the circulation for the vehicles exiting the pumps here or exiting the store so the cars aren't crossing one another. By having the two it creates better queuing area for vehicles exiting and they stay out of the way of the car entering.

Frank Scirocco: I think we got everyone's concerns.

Michelle Eidens: I want to know how they determined the amount of traffic on First Avenue. The counter that they had was at Baker's; it was north of the driveway at the entrance of Baker's. So you are counting the traffic from south to Cumberland and out of Cumberland going south. There was no counter going north to Spring Street. You have traffic coming down from Spring to Cumberland and going back out that way that go south.

Frank Scirocco: You think there would be an increase in traffic because they are moving the building?

Michelle Eidens: I am not saying there is going to be an increase in traffic I don't think they got a true understanding of how much traffic is on First because of the fact they didn't have a counter north of the entrance and south of the entrance.

Frank Scirocco: Well we asked the Chief to do his own study as to how much of a detriment the traffic would be to First Avenue and I think that is what you guys looked at correct?

Chief Waldron: I think Creighton Manning did a better job than we did.

Wendy Holsberger: Essentially we put a counter down on the roadway, your saying north of the driveway there may have been a little more traffic but essentially between a block the change in traffic isn't going to be substantial if you

put it on one side of the driveway verses the other. The reason why it was there is we have to attach it to something, it needs to be where we need it for speed measurements, and for site distance. It does measure northbound traffic; it is a smart little machine. It knows where the wheels hit first, it knows if the car is going northbound or southbound, it actually measures the gaps between cars, and it measures actually what type of vehicle it is, whether it is a motorcycle or passenger car, the classification, it speeds, it does all of those things. It did all of those things and we have all of the data. The information we did was from that point but we didn't feel we would need Spring and South because there wouldn't be a substantial difference. In general if you look at the capacity analysis that we did, which is that level of service that talks about a grading based on delay, there is not a capacity issue out here. Again, it is not a measure of that capacity issue so if we added 50 more cars it really wouldn't change the results.

Sam Carabis: I looked at the other gas stations in town and this is the only one set up like this, where the cars come into the pumps, the other ones are 90 degrees. What happens is if you pull into park to Cumberland Farms and if you get in your car and back out the cars that are at the pumps occasionally they could meet.

Richard Delaney: In your revised landscaping plan you said that there was new or different vegetation on the corner?

Jim Gillespie: Right by our sign we put a landscaped area.

Richard Delaney: Is that newly added? What type of vegetation is it?

Jim Gillespie: It is new it wasn't there. It is a mixture; it would be low to the ground, just a variety.

Richard Delaney: Don't we need to have a report from the City Engineer?

Frank Scirocco: No we don't, we are going to act on this tonight.

Richard Delaney: Has he seen this?

Frank Scirocco: Yes, the City Engineer has seen it, the Counties Planning Board has reviewed it with no negative impact, and I find no evident impact with the evidence presented tonight so I am going to ask for a vote.

Stephanie Bitter: We need to do a seeker.

Frank Scirocco: Didn't we do that the first time?

Frank Scirocco: Motion to approve the seeker contingent on our Engineer signing off on it:
by Richard Delaney.
Second by Sam Carabis
All favor: Ayes

Val Serbalik: I just have a question on the time period. I assume you haven't closed on the property contingent on your approval what is the time frame on the closing I know you said 3 months from demolition. Closing and whatever what is the general time period on this?

It is usually about 30-60 days upon approval based on the title work that is being done; I don't know the details on that part because I am not involved, the attorney for the seller is here but I would anticipate it would be over the summer. I know that this project is anticipated for 2017.

Frank Scirocco: We have the seller's attorney here maybe she can answer it.

Andrea DiDomenico: I am not answering anything, hahaha.

Frank Scirocco: Do we have a motion to approve the application as submitted

Bob Chase: I make a motion to approve the application for the Cumberland Farms as it is submitted.

Second by: Richard Delaney contingent upon Engineers signing off.

Sam Carabis	-	yes
Frank Scirocco	-	yes
Keith Johnson	-	yes
Addy Waldie	-	yes
Ed Morcone	-	yes

Dan O'Connor: you never answered the questions about the sidewalk.

Frank Scirocco: I knew there was something else. Again that is the City Code the building inspector can answer that.

John Holland: They are required for the front of the property.

