

VILLAGE OF SCOTIA PLANNING BOARD
Meeting Minutes
December 4, 2023 7:00 p.m.
Village Hall & ZOOM

Call to Order:

Chair Eric Buskirk called the meeting to order at 7:01 p.m.

Attendance: Planning Board Members – Chair Eric Buskirk, Gregg Zeman, Jesus Santiago, Attorney Lydia Marola, Building Inspector Luis Aguero, Board of Trustees Liaison George Solotruk

Voting members: Eric Buskirk, Gregg Zeman, Jesus Santiago

Excused: Tim Goyette, Jeff Parry

Minutes of the Planning Board meeting held June 5, 2023:
Tabled

Minutes of the Planning Board meeting held November 6, 2023:
Tabled

33 Sacandaga Road – Tye Smith

Representative Tye Smith was in attendance to present the site plan and application for the property located at 33 Sacandaga Road. The applicant came before the Planning Board in February 2023 with a pre-liminary plan to convert the existing building into a 4-unit apartment building. The Planning Board discussed the details of the plan and the concluded that three units would more effective as it would not require a variance. The new site plan reflects three, two-bedroom apartments of approximately 710 – 760 sq.ft. There are six parking spaces on site. It is unclear at this time whether a handicap parking space is required under NYS Building Code. Building Inspector Luis Aguero will follow up with the applicant to confirm. Planters have been added for landscaping. There will be no changes to the siding. New windows will be installed. The Planning Board has no concerns with the applications

SEQR Motion: By Eric Buskirk; Seconded by Gregg Zeman;

That this project will result in no significant adverse impacts on the environment, and, therefore an environmental statement need not be prepared, and to issue a negative declaration under SEQR.

All in favor

Motion: By Eric Buskirk; Seconded by Gregg Zeman;

That the Planning Board hereby approves the application and site plan dated January 9, 2023 for the property located at 33 Sacandaga Road, as prepared with the following contingency: Determination of ADA parking requirements as per NYS Building Code to be reviewed and verified by the Building Inspector.

All in favor

Agenda Items 5 and 6 are for two properties owned by the same individual. Chair Eric Buskirk moved Item 6 to be discussed prior to Item 5, as it is a simpler plan and is also more time sensitive.

100 (AKA 102) Mohawk Avenue - Scotia Development Co. (Jacob Koehler) for “Montana’s Service Station”

Representative Jacob Koehler attended the meeting via Zoom to present his Site Plan and Application for 100 Mohawk Avenue. Past plans included continuing to utilize the parking area in front of building and to provide for general purpose rehab on the building to be suitable for

most any variety of business. The plans being presented tonight include updates to create a food and drink establishment with outdoor seating in the former front parking area as well as interior modifications to include kitchen. Chair Eric Buskirk feels that the parking lot has always been problematic and supports the removal of it to instead house seating. He asked the applicant if there is alternate parking on the site, towards the rear (north) side. The plans do not reflect the parking along the rear grassy area and the large parking lot on the parcel behind the building that are utilized and owned by the applicant. Concerns with this are; creating a dependency on the rear lot in order for the front lot to meet parking requirements, and; if ever in the event of a change of ownership of one of the lots, this could create a compliance violation. Village Zoning Code defines parking requirement as “1 parking spot for every 4 seats”. The Chair would like to confirm exactly how many parking spots exist on the lot, vs. exactly how many are required by NYS Building Code. This shall include one (1) ADA accessible parking space with access aisle.

The legal property address is also unclear. The application states “100 Mohawk Avenue” however, the property tax roll as well as the Schenectady County Internet Mapping System refer to the parcel 38.44-1-10 as 102 Mohawk Avenue. The application will be amended to state 102 Mohawk Avenue and shall include a signature by the owner on record, Vincent Koehler.

Chair Eric Buskirk complimented the work that has already begun in the site, including sidewalk replacement and pavers installed in sections of the front parking lot area. The sidewalk along Mohawk Avenue will remain unchanged, as well as the existing curb cut to allow for limited vehicular access. Per the Building Inspector, Luis Aguero typically the curb cuts would be removed, however the applicant does wish to keep the area accessible in order to allow potential food trucks to enter and serve from the site. The applicant also states that DOT did impose requirements related to the side replacement on NYS Route 50 and did approve leaving the curb cut on Mohawk Avenue as is. The Planning Board has concerns with vehicles potentially entering the site when there are pedestrians in the area. The applicant suggested putting up temporary bollards when vehicle access should be prohibited. The Planning Board agrees that temporary bollards would be sufficient to deter parking and provide pedestrian safety solution and Chair Eric Buskirk will follow up with DOT as to whether the placement of the bollards should be within the property line or in the ROW.

There is no signage related to this application at this time.

SEQR Motion: By Eric Buskirk; Seconded by Gregg Zeman;

That the address indicated on the SEQR document should be amended to “102 Mohawk Avenue” and shall be consistent with the Site Plan Application; And that this project will result in no significant adverse impacts on the environment, and, therefore an environmental statement need not be prepared, and to issue a negative declaration under SEQR; And that it be noted that this application is among the few to take away a paved surface, and to also increase green space. All in favor

Motion: By Eric Buskirk; Seconded by Jesus Santiago;

That the Planning Board hereby approves the application and site plan dated November 14, 2023 and for the property located at 102 Mohawk Ave, as prepared by Studio Ground Up with the following contingencies: The addition of removable bollards to allow vehicle access for owner purpose at the curb cut along Mohawk Avenue; And clarification of how parking spaces and ADA parking spaces are on the lot and that those be in accordance with the Village requirement of four (4) parking spaces per seat including ADA space.

All in favor

112 (AKA 110) Mohawk Avenue - Scotia Development Co. (Jacob Koehler) for “Scotia Flower”

Representative Jacob Koehler attended the meeting via Zoom to present his Site Plan and Application for 112 Mohawk Avenue. The physical address for this parcel also does not match

the tax map, which states 110 Mohawk Avenue. Jacob Koehler will confirm what he believes to be the correct address with the Village Clerk's Office. The Building Inspector noted to the Board that this property is unique because it includes two distinct self-standing buildings that serve as the "primary" structure on the lot. This also contributes to the address discrepancy.

Jacob Koehler presented the site plan application for a retail cannabis dispensary. NYS has recently opened the application process and the Mr. Koehler has submitted the required documents for an Operator's License for a "Microbusiness". No determination has been made by NYS to date and there are still pending legislative details to be released. The applicant is seeking a site plan review in advance of receiving his license approval, as the State's timeframe is unknown. This is consistent with applications currently being made in other local jurisdictions. The Village Attorney and the Board of Trustees are following NYS legislation on the subject as it becomes available.

Chair Eric Buskirk continued on to review the proposes site plan and inquired with the applicant what the plan was for site parking and managing customer traffic. The applicant presented two possible parking scenarios, one being the adjacent parking lot on the site and in front of the Scotia Diner, as this property is also owned by the applicant. However, the applicant does want to avoid large volume of customer presence in the front of the site and proposed rear access into the facility while utilizing the parking lot located behind the property on the corner of John and Rt. 50 (also owned by the applicant). Chair Eric Buskirk sees either of those options as viable. The two buildings on the lot share a wall that does have cross access. This access door is intended for Owner use only and would be locked and inaccessible by the public. A grow facility is indicated on the proposal however this does depend on the States's requirements. The Chair inquired about plans for odor mitigation. The applicant has discussed ventilation with his architect and those systems shall be incorporated. The site plan also indicates an "Event Area" which is intended to be a future outdoor greenspace and is not subject to review with this proposal.

Chair Eric Buskirk mentioned that the Village is currently in the process of considering limiting traffic on John Street to One-Way from Rt. 50 Westward. The applicant agrees that John Street is problematic for traffic.

The Planning Board take any action on the application at this time and agrees that further guidance from the State would be necessary for an approval. Chair Eric Buskirk suggested that the applicant add the following details to his future application:

- Parking and Building Access and Layout
- Odor mitigation and ventilation system specifications
- Separation of the two businesses within the buildings
- Clarifying the property address in comparison to the Tax Roll

The Village has yet to reply for comment to the State on the applicants License application and can now do so upon receiving a Site Plan Review. Once the applicant addresses the noted items on the site plan and has received NYS guidelines, he will return for approval.

Motion: By Eric Buskirk; Seconded by Gregg Zeman;
To close the discussion on the Site Plan Application for 112 Mohawk Avenue.
All in favor.

Training Status Report:

Current Training Hours:	Eric Buskrik: -6
	Jesus Santiago: -1
	Gregg Zeman: 0
	Tim Goyette: 1.5
	Jeff Parry: -9.5
	Alternate Bryan Reed: -2

Chair Eric Buskirk is up for term re-appointment and has therefore only been re-appointed for a term of 3 months until the training requirements are satisfied.

New Business: None

Old Business: 153 Mohawk Avenue is expected to submit an application in the near future relating to renovations that have taken place. Chair Eric Buskirk noted that there is a Lighted Sign on their property that displays the business logo. This is the first of this kind that he has seen.

Adjournment:

Motion: By Eric Buskirk; seconded by Jesus Santiago;
To adjourn meeting at 8:34 pm.
All in favor.

Respectively submitted,

Newe Haile
Village of Scotia Planning Board Clerk

APPROVED September 9, 2024