

RECEIVED

OCT - 1 2020

RENSSELAER CITY CLERK

**RENSSELAER CITY PLANNING COMMISSION  
PUBLIC HEARING AND SPECIAL MEETING  
THURSDAY, MAY 11, 2000 AT 6:00 P.M.**

The Rensselaer City Planning Commission Public Hearing was called to order at 6:02 P.M.

**ATTENDANCE:**

Mr. Michael Merges, Chairman, Kenneth Downes, Daniel Bazinet, and Philip Smith.

**ABSENT:** William McLoughlin, Daniel Sanchez and Richard Buono.

**OTHERS PRESENT,** Dominick Arico, Mark Teliska, Gregory Smith, Bonnie Hahn, Richard Warburton and Daniel Moore.

**NEW BUSINESS**

**PUBLIC HEARING:**

**Albany Yacht Club, 75 Broadway, Site Plan Review for Set Back Variance and Flood Plan Review for Special Use Permit.**

Applicant is requesting to construct a modular building for maintenance and bathroom. The building will be located in a flood plain area and exceeds the footage for set back requirements. The area is zoned Historic Residential. Must conform to all requirements of historic area.

Mr. Warburton, representing the Albany Yacht Club, explained they have purchased a 54X14' Modular building to place on the property as a Dockmaster's Quarters/office. It is larger than the previous by 200-250 square feet - same flood plain - lower than the flood plain. Zoned R3 - filed for permit. Non-conforming use - flood plain - historic district.

Issues – If there is a favorable proposal to the Zoning Board of Appeals, but if ZBA gives variance, it doesn't mean the Yacht Club will not face significant increases in the flood rate with flood insurance. Mr. Warburton has checked into the insurance and is aware of the ramification.

The Board is aware that the building needs to be anchored properly (10 anchors). We need a letter stating the intent, building is on city sewer system.

Engineer needs to look at the plans.

Mr Merges, Chairman, opened the hearing to the public:

Bonnie Hahn stated that the building is tacky, not attractive. Would like to know the difference between a trailer and a modular building.

Judy stated that no more than 50% of the difference in change should fall into non-conforming use – pre-existing.

Albany Yacht Club Public Hearing closed at 6:23 P.M.

**Apex Oil Company, 54 Riverside Avenue, Site Plan Review and Special Use Permit**  
for Tank Removal, Tank Relocation and Berm Modifications in a Flood Zone area –  
Petroleum Fuel & Terminal Company.

Applicant is requesting site plan review in an area zoned Heavy Industrial to remove and relocate a petroleum tank. In addition, modifications will need to be made to the berm. The area is located in the flood plain area.

Opened Public Hearing at 6:24 P.M.

No one from the public spoke either in favor or against.

Closed at 6:26 P.M.

**SPECIAL MEETING:**

**CALL TO ORDER/DETERMINATION OF QUORUM**

**Albany Yacht Club, 75 Broadway, Site Plan Review for Set Back Variance and Flood Plan Review for Special Use Permit.**

Appliant is requesting to construct a modular building for maintenance and bathroom. The building will be located in a flood plain area and exceeds the footage for set back requirements. The area is zoned Historic Residential. Must conform to all requirements of historic area.

Discussion/questions:

Concern for the city's liabilities. Should have calculations – attach to drawing. If granted variance, it should not be a variance on anchoring to prevent the building from floating downstream.

Discussion on Mobile Homes vs. Modular.

Upon the motion made by Kenneth Downes, seconded by Philip Smith the following resolution was made:

*“The Rensselaer City Planning Commission hereby grants a favorable recommendation to the Zoning Board of Appeals conditioned on the applicant providing signed specifications for tie downs, provide landscaping, granting a flood plain in a Historical District Variance”.*

Motion carried.

**Apex Oil Company, 54 Riverside Avenue, Site Plan Review and Special Use Permit for Tank Removal, Tank Relocation and Berm Modifications in a Flood Zone area – Petroleum Fuel & Terminal Company.**

Applicant is requesting site plan review in an area zoned Heavy Industrial to remove and relocate a petroleum tank. In addition, modifications will need to be made to the berm. The area is located in the flood plain area.

The Army Corps of Engineers does not have to be involved if building is on land, only in water or in the byway of the water.

Discussion – Letter received with a revised Short EAF indicating that this project is not a Type 1 action and a Full EAF should not be necessary. The ACOE has been notified and have responded verbally that this project would not be under their jurisdiction and a permit is not needed.

Upon the motion made by Kenneth Downes, seconded by Daniel Bazinet, the following resolution was made:

*“The Rensselaer City Planning Commission hereby gives a positive recommendation to the Zoning Board of Appeals for an area variance with the stipulation that the berm be checked after it is replaced to verify it conforms to standards as per proposal”.*

Motion carried

ADJOURNMENT at 6:58 P.M.

Respectfully submitted,

Judith Breselor  
Director of Planning

Charles Moore  
Assistant Director

JB:rs  
Corrected 6-7-00