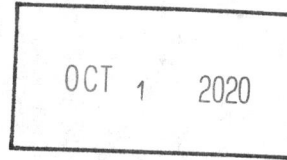


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RENSSELAER CITY CLERK

**MINUTES OF THE SPECIAL MEETING OF THE RENSSELAER CITY
PLANNING COMMISSION HELD ON OCTOBER 17, 2002 IN THE
SECOND FLOOR CONFERENCE ROOM AT 7:00 P.M.**

SPECIAL MEETING:

Chairman Merges opened the meeting at 7:38 P.M. with a quorum present..

MEMBERS PRESENT:

Chairperson Michael Merges, Kenneth Downes, Philip Smith and Kathleen Dunn-Ramon.

MEMBERS EXCUSED:

Louis Lourinia, Philip Erlich and Paula Riley.

OTHERS PRESENT: Marybeth Pettit - Planning Director, Alderpersons Patricia Jackson – 9th Ward, Deborah Girgenti – 8th Ward, Michael Roland – Fraser Associates, Gary Isles – Organichem, Maureen Bayly, Sharon Butler, Dominick Tagliento, John Hicks – Corporation Counsel and Kevin McLoughlin – Acting Secretary

Organichem, 33 Riverside Avenue, special use permit

The applicant proposes to build an employee center. The applicant has requested a special use permit and site plan approval.

RPDA Recommendation

The City Engineer is reviewing the plans and will have recommendations by the special meeting.

The chair recognized that the public hearing portion of the proposal had been conducted at the meeting of October 1, 2002. There was no public comment.

There was a general discussion of the project proposal. It was noted that the city Engineer had reviewed the proposal extensively. A member commented that it would be more helpful to evaluate a long-term plan for the full series of planned facilities expansions in order to evaluate impacts. The cumulative flood impact of several new buildings was raised as a possible issue to evaluate. Overall the proposal was viewed as generally acceptable.

Philip Smith moved to grant a special use permit, seconded by Mr. Kenneth Downes. The motion carried unanimously.

Philip Smith moved to approve the site plan, seconded by Ms. Kathleen Dunn-Ramon. The motion carried unanimously.

Lot 1 of Partridge Run Subdivision

The proposal is to rezone Lot 1 from PBD #1 to a multi-family residential zoning district, to allow 56 additional condominium units.

The proposal does not conform to existing zoning law. In addition, the action is considered an Unlisted Action under SEQRA. Therefore the SEQR process must be initiated if the applicant intends to continue.

RPDA Recommendation:

The burden of proof is on the applicant to show the adjacent parcel can be legally included with Lot 1. Corporation Counsel has advised Mr. Mawad to complete a Title Search and inform the Commission of the status of the parcel, including exact acreage. The RPDA recommends the undevelopable lot across the street from Lot 1 to be used for a properly landscaped park.

If the Commission is satisfied with the rezoning proposal, as with the St. Anthony's project, the Planning Commission must make a recommendation to the City Council.

The Commission should review the plans and ask questions. Remember, the decision is discretionary. Therefore, the city is not required to issue the zone change. The applicant is obligated to present the plan in a light where it will benefit the city as compared to the existing open space or at build out allowed under the current zoning. Please review Article XI of the City Zoning Law, Amendment Procedure.

If the applicant can convince the Commission that rezoning is a positive idea, the Commission should then review the application and Short Environmental Assessment Form at the next meeting. The RPDA feels the impacts associated with a project of this magnitude are less than those under the current zoning.

Neither the developer, nor a representative was present.

Kenneth Downs moved to table the item until the next meeting, seconded by Ms. Dunn-Ramon.

The motion carried unanimously.

St. Anthony on the Hudson Proposed Senior Assisted Living Community

The RPDA filed a Notice of Completion of the FEIS. The Notice and FEIS was sent to all involved agencies, and published in the Environmental Notice Bulletin.

RPDA Recommendation:

The October 17, 2002 meeting was scheduled to review the findings. Enclosed, please find the draft Findings. Please review and add comments and/or suggestions. When the Findings are finalized, the RPDA will then file the Findings with the appropriate Involved and Interested Agencies.

The RPDA filed a Notice of Completion of the FEIS. The Notice and FEIS was sent to all involved agencies, and published in the Environmental Notice Bulletin.

Planning Director, Pettit noted that the Rensselaer Planning and Development Agency (RPDA) had completed its notice of completion and filed as required. Director Pettit advised that the findings statement had been completed with input from the applicant, the RPDA, and the Rensselaer County water & sewer district.

A typo was noted on page 2: "80 assisted living units for 80 people" should replace the words "60 assisted living units for 60 people."

Philip Smith raised a question of whether the suggestion to use a private ambulance service to lessen demand on community services. He wanted to clarify whether the suggestion would apply to emergency or non-emergency responses. He stressed that local ambulance services should be relied upon in an emergency due to their proximity and reliable response times. Private ambulances could be used for purposes of transport to regularly scheduled health appointments.

Representatives for the applicant raised several points:

- Counsel for the applicant asserted this recommendation had no basis in the EIS (or SEQR law?). A representative for the applicant did not feel the use of a private ambulance service for emergency response was practical. The planning commission was assured that the applicant would address regularly scheduled health visits with its own transportation plan.
- The applicants wanted clarification of the recommendation for a Payment in Lieu of Taxes arrangement. They argued that other senior units in the community

(which did have such programs) were not comparable to St. Anthony's status as a non-profit religious institution.

- The applicants clarified that the project was a ministry and that there would be no residual funds flowing to any outside entity. He emphasized that state grant funding allowed the facility to keep its proposed rents low through a lower debt service. In exchange, the facility would be required to maintain a certain percentage of units for low and moderate-income tenants.
- Counsel for the applicant wished to replace the words "municipal revenue" with "property tax revenue on p. 5 of the draft findings statement as a clarification of terms.

The Commission discussed the sewer district review on page 4 of the draft findings statement:

- Commission members wished to see final site plans for the proposed sewage treatment alternatives prior to their approval
- Member Smith raised the issue of relief of the Eastland Park sewer problem as part of the project.
- It was noted that the project would save the City of Rensselaer substantial funds by including a fix of the ongoing capacity problem.
- Member Smith felt the potential issue with storm sewers rather than sanitary sewers. He stressed that the PILOT issue was important, because of the provision of significant city emergency services to mostly outside residents.

Kenneth Downes moved to adopt the findings statement with amendments, and comments, seconded by Kathleen Dunn-Ramon.

The motion carried unanimously.

Kenneth Downes moved to request the corporation counsel draft a resolution for the acceptance of the findings with amendments and comments, seconded by Philip Smith.

The motion carried unanimously.

MINUTES OF OCTOBER 1, 2002

Philip Smith moved to accept the minutes without correction, seconded by Kathleen Dunn-Ramon.

The motion carried unanimously.

DOWNTOWN REVITALIZATION

A meeting between the Planning Commission and the City's consultants for the downtown revitalization study, Clark Patterson Associates was scheduled for October 28, 2002 at 6:30pm.

ADJOURNMENT

Kathleen Dunn-Ramon moved to adjourn, seconded by Philip Smith.

The motion carried unanimously and the meeting adjourned at 8:20 P.M.

Respectfully submitted,

Marybeth Pettit
Director