

**MINUTES OF THE MEETING OF THE COHOES PLANNING BOARD HELD AT 97 MOHAWK STREET  
COMMON COUNCIL CHAMBERS  
OCTOBER 3, 2022 at 6:30PM**

**MEMBERS PRESENT:**        **Mr. John Carroll, Vice Chair**  
                                      **Mr. Robert Bucher**  
                                      **Mr. Joe Nadeau**  
                                      **Ms. Stephanie Couture**  
                                      **Ms. Kizzy Williams**

**ABSENT:**                        **Mr. Mark DeFruscio**

**ALSO PRESENT:**            **Joseph Seman-Graves, City Planner**  
                                      **Sharon Butler, Administrative Assistant**  
                                      **Tess Drauschak, Assistant Planner**

Vice Chair Carroll called the October Planning Board meeting to order at 6:30 pm and asked for roll call.  
Roll Call; Chairperson DeFruscio was absent

**CONSIDERATION OF MINUTES FROM THE SEPTEMBER 9, 2022 MEETING**

Vice Chair Carroll; first on the agenda is the meeting minutes from the September 9<sup>th</sup> meeting, are there any questions, concerns, or changes.

Joe Seman-Graves; we do not have enough members here that were present at that meeting to approve them  
Vice Chair Carroll; then we will table them until next month.

**CONSIDERATION OF A CHANGE OF USE/NEW TENANT APPLICATION FOR 159 REMSEN STREET**

Vice Chair Carroll next on the agenda is 159 Remsen Street is the applicant here?

Glory Anne Jones; I am looking to open a Tea Studio at 159 Remsen Street, I plan on using it as the home base for my manufacturing of my loose-leaf tea which is the main business that I have. I do online sales, I have shelves and sell at Cross Gates, I'm up in Saratoga, Colonie Center, and I have products in Ballston Spa. In addition to that I would like to open for the public on hours that I posted for tea, afternoon tea and cake and I would source the cakes from either Nelly's or Cake Street and I have a meeting with Nelly's this Thursday. Fridays are very exciting, I'm opening, I'm going to switch from hot tea to what the kids love and young adults as well, to boba tea or bubble tea and that would draw kids from high school and adults, and students from RPI.

Member Williams will you be offering tea parties, will there be a menu, how will it be presented

Ms. Jones; Saturday is party day; I would be open to scheduling parties. This is what I'm going to work out with Nelly's on Thursday, a menu that she would bring down. That would be by reservation just so we can figure it out

Member Williams; it is just cake or will there be sandwiches as well

Ms. Jones; we are going to go over that on Thursday, but she indicated that she could do tea sandwiches

Member Williams; what is your pricing

Ms. Jones; we don't have a pricing at this time, because we need to work out what her cost is and what my cost is but we will have it online and you can call and when you decide what you want then pricing can be set

Member Williams; will the customers be provided a service

Ms. Jones; that would be me. We have limited seating so that I can take care of that

Member Williams; what is your seating

Ms. Jones; I have 2 tables of 2, and a long table that can seat up to 10

Member Couture; are there 3 tables of 2 or 2 tables of 2

Ms. Jones; there is 2 tables of 2. There is an updated one, it's a little bit different than what you have—but it's 2 tables of 2

Member Williams; I'm asking because I am going to show up, I'm excited to have something like this in Cohoes

Ms. Jones; I have been talking to passersby and they have given me different idea like me having people coming in with their clients to have tea. I'm going to keep it small for now

Vice Chair Carroll; you can come in have a cup of tea and read your paper

Ms. Jones; yes exactly, that is what they are asking for. My thing is I want to make sure I have space and time for the community but also the larger area to come in, so I think a reservation system would be good for that, I would have morning hours for the community

Vice Chair Carroll; I think if you want to do a reservation system you will want to build your clientele up a little bit so you have a line waiting to be reserved

Ms. Jones; right. I am new to the restaurant idea of this, this for me is a bit of a case study so I can open up a larger tea house down the line

Member Nadeau; this is home base for you?

Ms. Jones; yes

Member Nadeau; but you are already established, you already have other locations that you are providing this, where is home base now?

Ms. Jones; so I actually have been making tea out of my apartment

Member Nadeau; so this is not a commercial shop, this is your first commercial step

Ms. Jones; yes, that is correct

Vice Chair Carroll; is your tea going to be outsourced all over the world

Ms. Jones; currently I partnered with a great wholesaler they are very conscious about sourcing tea, making sure fair wages are being paid, one of the other things I should mention is I want to make sure the things I choose now, like compostable cups and straws and all that stuff is something that I need to keep and talk about and maybe get people interested in the fact that I do this for the community, for the world.

Member Couture; the restroom in the layout is that going to be a public restroom?

Ms. Jones; yes, it has to be a public restroom

Vice Chair Carroll; for your customers not for the public to use

Ms. Jones; yes, correct

Member Couture; as far as parking goes, it says you are going to have up to 5 employees, in the winter and 3 in the summer, is there identifiable parking besides the municipal lot?

Ms. Jones; no, one of the other things, I would really like to employee people that could walk to work. That is another thing that is important to me, to put money back into the pockets of the community members. Our summer employees would be on location; we do farmer's markets

Member Couture; ok my last comment is it sounds like you might do outdoor seating, would that be something she would have to come back for?

Joe Seman-Graves; there is a café permit and we also have that little grassy patch across the street from you that will be a park by next July that will have seating

Ms. Jones; that is exciting

Vice Chair Carroll; we will open for public comment—being none closed the public comment period. Looking for a motion to approve the change of use permit

Member Nadeau made the motion to approve the application 2<sup>nd</sup> by Member Couture motion carried unanimously

	YES	NO
Robert Bucher	X	
Joseph Nadeau	X	
Mark DeFruscio	ABSENT	
John Carroll	X	
Stephanie Couture	X	

Kizzy Williams	X	
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**CONSIDERATION OF A CHANGE OF USE/NEW TENANT APPLICATION FOR 20 WHITE STREET**

Vice Chair Carroll next on the agenda Great Vibes LLC who do we have here?

Ms. Shoniqua Parker; I'm a party planner and I have party rentals, for weddings, birthday, and baby showers. I have chairs and lots of equipment that I now keep in my garage. Right now when people want to hire me I have to meet with them at my house or meet for lunch somewhere to go over what they want. With this space I'm looking to bring in one of the chairs I have, I have a double seater, I have kid sized chairs. I would like to have a live showing or book showing, where they come in watch a slide of what I do and what I've done. Right now I have a lot of people on Facebook and they inbox me and they really can't see anything, so this way they can come in and actually see what I do.

Vice Chair Carroll; any questions?

Member Nadeau; out of curiosity what is the capacity, if I'm having a party for 100 people can you accommodate that?

Ms. Parker; yes

Member Nadeau; what is the largest event you've had

Ms. Parker; so far the largest I've had is 75 for a baby shower

Member Nadeau; the idea of this is strictly a showroom for showing people what you do, what you provide

Ms. Parker; yes, it's so people can actually see the quality of my work

Vice Chair Carroll; is this going to be your office as well?

Ms. Parker; yes

Vice Chair Carroll; so this your place of business with storage for your equipment

Ms. Parker; yes, I won't have everything there because I have a lot of stuff, definitely chairs because everybody wants the chairs and I have several colors.

Member Nadeau; will you work primarily by appointment? Would there be any walk-ins?

Ms. Parker; yes, people can come in for consultation

Vice Chair Carroll; do you also book venues?

Ms. Parker; no, right now people have their own venues

Vice Chair Carroll; ok.

Member Williams; how long have you been doing this

Ms. Parker; 2 years but I've had my rental stuff for 3 1/2 years

Member Williams; is this all your property?

Ms. Parker; yes all paid for

Member Bucher; Shoniqua can I just ask since it's a store front will there be thought given to the display? In other words not everything just crammed in there but more like street side presentation

Ms. Parker; yes, I have a table that I'll put in there with center pieces on it, balloons on the walls, it will be elegant looking. I don't want it messy looking because if people come in and see that they will think if it looks like this, what will she do with my party?

Member Bucher; the display will be effective for passersby

Vice Chair Carroll; open it up to public comment—being none closed public comment. Looking for a motion to approve the application

Member Bucher made the motion to approve 2<sup>nd</sup> by Member Nadeau motion carried unanimously

	YES	NO
Robert Bucher	X	
Joseph Nadeau	X	
Mark DeFruscio	ABSENT	
John Carroll	X	
Stephanie Couture	X	
Kizzy Williams	X	

## **CONSIDERATION OF A SITE PLAN APPLICATION FOR 640 SARATOGA STREET**

Vice Chair Carroll; next on our agenda is review of a repair shop at 640 Saratoga Street

Joe Seman-Graves; gave a recap of last month's meeting and stated that the board was provided an opinion from City Council Brian Kremer—he then asked if the Board wanted him to read the opinion that was submitted-- letter of legal opinion was read

Vice Chair Carroll; ok so what we're here for today is basically yea or nay on the site plan approval. Do we have any questions from board members first?

Member Bucher; yes in reviewing this Joe, the applicant has followed all of our suggestions on noise control, storm water retention, and our other concerns based on the July meeting

Joe Seman-Graves; you are correct in that he addressed all of those concerns, however some of the concerns were addressed verbally and can only be enforced onsite. For instance the overhead doors being kept closed during working hours.

Member Nadeau; asked if that was something Code Enforcement can enforce or would they not be involved in something like that?

Joe Seman-Graves; it's challenging to enforce especially with keeping the doors closed. A complaint comes in that the doors are open they show up and the doors are closed. Especially on the weekend or after work hours, 4PM

Member Bucher; right, Mr. Sipperly noted in here specifically that garage doors would be closed during repairs and would sustain from making loud noises.

Vice Chair Carroll; any other comments from Board Members? Let's open it up to the public, are there any questions or concerns.

Mr. Matt Jones; approached on behalf of his clients Mr. & Mrs. Sterling. They are the neighbors of the applicant; they have 3 concerns which I want to review with the commission. We will be able to take a look, Joe is that the determination, have you adopted the determination of the council?

Joe Seman-Graves; if the board chooses to do so

Mr. Jones; ok, he then asked about the zoning officer determination

Joe Seman-Graves; explained that he is the zoning officer and he put the application in the wrong category according to council. He stated that he agrees with council but it is up to the board to adopt that

Mr. Jones; I do have slides which were passed around and I will try to identify the 3 areas where the concern is. He then explained the slides to the board and what they represented. He then went on regarding the zoning considerations which occurred on August 8<sup>th</sup>, the comments come from what the applicant told the board for which we will highlight in the concerns, the one with the circle on it, #9 I blew that one up. So if you go to page 7, what the applicant asked you to consider is that the protection of adjacent and neighboring properties against noise, glare, unsightliness, and other similar nuances. Here the applicant is proposing a 5-foot solid wood fence around the perimeter, the next line is that the special use permit application of April 7, 2022 that comes directly from their presentation in August, they indicated in the proposal narrative, the proposed auto repair garage is consistent with other commercial land uses on the southerly portion of Saratoga Street, that the proposed garage will not add increased traffic to Saratoga Street and it will not create noise or odor to the surrounding area. So they're representing to the planning commission that they won't create noise, there is going to be noise, I think what they are saying is the noise will not go off their property, if you're working on a car it's going to create some noise. The next thing is they say they have mitigation for that, part of the mitigation is that we will close the garage doors, that sounds like a fair solution to me, provided we get to the end, which it's a residential neighborhood so let's make sure they do what they say their going to do. #1 has a condition that's what we're looking for is that the garage doors be closed when there is work is being done, when there is preparation of work to be done. They said they would do it; I would ask that it is incorporated into the resolution. And then in regards to the swamp water, where I showed you there is a swale, a drainage ditch, and that is where the water drains over my clients property, onto this parcel which is subject to this application and then makes a turn onto Saratoga Street, it floods because if that channel is not kept clean it floods, the water dams up and backup onto my client's property and as a result of that, as a condition of approval we would ask that he be required to remove the debris etc. from that area

Vice Chair Carroll; Joe didn't we discuss this at that meeting

Member Bucher; yes we asked him to increase the capacity of the storm water retention area, which they did. I think, my opinion with the increased size, in my opinion will mitigate a lot of that ponding. Secondly my understanding is that is National Grid property, so I'm not sure how the applicant can maintain that

Mr. Jones; we know he can't, we are only asking that he maintain that portion that is on his property.

Member Bucher; that is fair and think by increasing the retention basin, which Mr. Sipperly did will significantly aid in that

Mr. Jones; and the third and final thing is, the fencing looks like it's there in preparation for something to happen on the site itself.

Vice Chair Carroll; I think there is something we can do with that. Didn't he agree to put a 6-foot vinyl fence along the property line? So that solves that issue.

Mr. Jones; the last page here number 13, where the recommendation for conditions for approval are, because it looks like a couple of them are covered, we are just saying that the recommendation that we are taking the applicant at his word that he will not create noise, glare, or odor in the surrounding area, and more specifically during the repair work and preparation of work all doors, windows, openings, and garage doors will be closed. On the exterior of the building because there may be a turnover in workforce or ownership, the importance of this with the proximity of the neighbors, we are suggesting the board base the approval on the applicant to permanently install a 2'x2' sign stating during work and all preparation of work, all windows, doors, garage doors and openings will be closed. If this is on the outside of the building then we don't have the issue of trying to reach the building inspector on weekends.

Joe Seman-Graves; my only concern is 2-fold, with the first one the applicant will not create noise, it was their words, but that is subjective to a degree. I think there are conditions on here that would reduce the noise and odor and then the 2<sup>nd</sup> to last one the fence on the southerly side, I think the whole fence should be redone just so it's uniform

Member Bucher; I would stipulate a solid vinyl fence.

Vice Chair Carroll; normally a 6-foot-high fence would be standard in a situation like this

Joe Seman-Graves; he can do a 6-foot-high fence, if he wants to go any higher it will have to get a variance

Vice Chair Carroll; I have a question about the sign you want, 2x2 sign on the front of the building advising that all windows and doors will be closed is that necessary?

Member Bucher; to the council's point the building inspectors or code officials realize that, correct me if I'm wrong, if they drive by and potentially get a complaint after hours they would see the property and they would know that was part of stipulation of the operation. I think that is reasonable

Mr. Jones; the 4<sup>th</sup> and last point we have here is what do you do with noise complaints. I work mostly in Saratoga County and we say just get acoustical tiles, just insulate the inside with acoustical tiles which are efficient and will reduce the noise

Vice Chair Carroll; what you are saying is they have options to reduce the noise

Mr. Jones acoustical tiles and if you condition it that way it will help in reducing the noise

Member Bucher; they have to be code compliant and fire rated

Mr. Jones; that is all we have

Vice Chair Carroll; board members any more questions

Member Bucher I agree with Joe's point, first one is a bit nebulous I am comfortable with the rest of the stipulations.

Vice Chair Carroll; is there anybody else speaking for or against, hearing none do we have a proposal

Member Bucher; I will make a motion to approve but with the conditions; strike the first one, during repair work verbatim the sign on the exterior of the building 2x2 define during the repair work windows, door openings, garage will be closed provided there is proper ventilation, fire rated, actually code approved acoustical tiles or other similar to the garage to eliminate noise the building STC rating to be determined by Code official and the fencing I think we are in agreement with 6 foot high solid vinyl fencing along the entire property -replacing the existing fencing, same fence along both sides of the property, and definitely the applicant will maintain the drainage ditches, swales and depressions on his property.

Sharon; do we have a 2<sup>nd</sup> to that motion?

Member Couture I'll 2<sup>nd</sup> the motion, motion carried unanimously

	YES	NO
Robert Bucher	X	
Joseph Nadeau	X	
Mark DeFruscio	ABSENT	
John Carroll	X	
Stephanie Couture	X	
Kizzy Williams	X	

**CONSIDERATION OF A SITE PLAN APPLICATION FOR 155 VLIET BOULEVARD**

Vice Chair Carroll; next on the agenda is 155 Vliet Boulevard,

Ms. Elizabeth Helsel introduced herself stating she has been working with Joe on Floating Solar. She addressed the questions that the board had at their last meeting. She explained the construction platform, how the panels would be installed and connected and she explained the anchor system. Ms. Helsel explained that if there was an issue that needed to be addressed with the panels they would be accessed by walking out on the installed walkway, the repairs could be done or replacements would take place. She showed the board slides of the system that is in Sayreville NJ. And she showed the board slides of what the system would look like on the water and stated that the arrays would be designed for the snow load in the area. Ms. Helsel also explained the anchoring system to the board.

Vice Chair Carroll; what percentage of the reservoir area is going to be covered

Ms. Helsel; responded probably about 70% that is a conversation that they are having with the Department of Health right now also. One of the benefits of solar is reducing the algae growth, which is something they are looking at in the engineering reports

Vice Chair Carroll; ok, do any board members have any questions?

Joe Seman-Graves; asked Ms. Helsel to explain to the board about any changes in water quality because that was a question at the previous meeting.

Ms. Helsel; explained to the board that the system in Sayreville showed no change in the quality of the water. The conversation they are having with DOH is to make sure they are comfortable with the materials they are using and it won't have any effect on the quality of the water.

Member Couture; asked about the winter whether or not there would be any heat generated that will affect the water and once they're installed are they easily replaceable

Ms. Helsel; responded that there is a walk way that will make any maintenance or repairs easy to do.

Vice Chair Carroll; any more questions? Looking for a motion to approve....

Sharon; need to do public comments

Vice Chair Carroll; right, is there anybody here in the public that has any concerns, considerations, or comments? Being none, public comment period was closed. Now we're looking for a motion to approve

Member Bucher; I will make a motion to approve 2<sup>nd</sup> by Member Nadeau motion carried unanimously

	YES	NO
Bob Bucher	X	
Joseph Nadeau	X	
Mark DeFruscio	ABSENT	
Jack Carroll	X	
Stephanie Couture	X	
Kizzy Williams	X	

**CONSIDERATION OF SUBDIVISION FOR 89 ST. AGNES HIGHWAY—LEXINGTON HILLS**

Vice Chair Carroll invited the applicant up to address the board regarding their project at 89 St. Agnes Highway—  
Lexington Hills

Mr. William Hoblock; approached introduced himself and stated he was here in July to give an update on the residence at Lexington Hills Phase II, it is underway. We are here tonight to strictly subdivide land, remember Phase I is built, we are building Phase II and then there is a 3<sup>rd</sup> Phase. Phase III will follow Phase II hopefully simultaneously, we are here strictly to subdivide the lands of Phase II from Phase III, it's done for financing reasons, we had to subdivide Phase I from Phase II, the lenders always require one specific construction loan and one specific piece of property. There are no intentional adverse environmental impacts associated with this subdivision request. We do understand that you guys can't act until the County Planning Board makes a decision at their October 20<sup>th</sup> meeting, but we just wanted to introduce this and then we will come back and ask for your approval on the subdivision once the County makes their decision.

Vice Chair Carroll; ok, any questions?

Member Bucher; we will wait for the County to submit their decision

Member Couture made the motion to TABLE the application until comments/decisions are received from Albany County  
2<sup>nd</sup> by Member Bucher

	YES	NO
Bob Bucher	X	
Joseph Nadeau	X	
Mark DeFruscio	ABSENT	
Jack Carroll	X	
Stephanie Couture	X	
Kizzy Williams	X	

Member Nadeau made a motion to adjourn at 7:29 PM 2<sup>nd</sup> by Member Bucher

Submitted by:

*Sharon Butler*

Secretary