



TOWN OF NORTH GREENBUSH
PLANNING BOARD

MEMO

TO: Supervisor Joe Bott
cc: Mike Miner, Eric Westfall
FROM: Mark Lacivita, Planning Board
DATE June 28 2022

SUBJECT: Rezone Request 634 Bloomingrove Drive Zone BN to BZ

I am writing in response to the Town Board's request for the Planning Board to comment on a request to rezone the property located at 634 Bloomingrove Drive from Neighborhood Business (BN) to General Business (BG) for the purpose of constructing an Automotive Repair Facility. The Town Board further requested the Planning Board to review the potential to change all of the BN parcels on Bloomingrove Drive from Washington Avenue, south to North Greenbush Road, and Washington Avenue west to Route 43, to a BG classification. The applicant's request was limited to the single parcel at 634 Bloomingrove Drive.

The Planning Board reviewed and discussed these proposed changes, as well as the allowed uses in each zoning classification. The applicant was represented by Planner Edward Kleinke. There is no provision for a public hearing in this review, however numerous written public comments were accepted on the agenda item and are attached.

The parcels in the immediate vicinity; Washington Avenue from Route 43 to Bloomingrove Drive and Bloomingrove Drive from North Greenbush Road to the dead end at the Community Resource Credit Union; consist primarily of older residential dwellings, limited business and the newer credit union. There are multiple historical sites of official and unofficial nature. Municipal water and sewer are nearby but serve only limited parcels. Bloomingrove Drive and Washington Avenue are Rensselaer County roadways with limited capacity. The ongoing review of the proposed Quackenderry PDD will also affect this area.

Written public comments expressed concerns of the possible zoning change as noted below:

- Dwelling units of older stock and primary residential use
- General safety
- Traffic impact
- Historical and hamlet nature of the area
- Potential for noise pollution
- Concerns with possible run off and contamination of private wells

Private septic system function impacted by storm water

The Planning Board's review focused on the differences between the zoning classifications and the current property use in the immediate vicinity. The Planning Board's finding is in 2 parts as follows:

CHANGE ONLY TO 634 BLOOMINGROVE DRIVE

1. This addresses the applicant's direct and specific request for a BN to BG zoning change.
2. The impact on the immediately adjacent residences and apartment house needs to be carefully considered with further technical review.
3. Some of the uses permitted in a BN district could have similar or more impact than the use requested in a BG district.
4. The location at the Northwest corner of Washington Avenue and Bloomingrove Drive is a well travelled route between 1-90 and North Greenbush Road. The intersection provides access to a Credit Union branch office, and a single residence. The zoning change would have traffic impact and would need to be further evaluated.
5. There are specific guidelines applicable to Automotive Repair Facilities under New York State Department of Motor Vehicles and Department of Environmental Conservation regulations. These would need to be identified.
- 6 Further review required with zoning change:
 - a. With a change to BG, the applicant would be required to obtain a Special Use Permit from the Zoning Board of Appeals and Site Plan Approval from the Planning Board.
 - b. A Use Permit is very specific and limits changes without further review/approval by the ZBA. The ZBA may also place conditions on the parcel. A Site Plan is also site specific and places limits and conditions on the site. Examples of such limits and conditions are:
 - i. Site layout
 - ii. Building design and placement
 - iii. Building Facade design
 - iv. Fencing/Screening
 - v. Parking
 1. Limits to vehicles under repair
 2. Towed in vehicle locations
 3. Drop off vehicle parking
 4. Customer/Employee parking
 5. Vehicle Storage limitations
 - vi. Other similar limitations
7. The Building Department would be responsible for ongoing and careful review for initial compliance with all requirements and continue enforcement.

Changing the single parcel (1.79 acres) from BN to BG would not have broad impact, noting that some uses allowed in BG and BN are similar. Allowed uses in a BN zone could have more impact than the proposed use. However, it is critical to note that the Planning Board's technical review is limited. Furthermore, a change to BG zone would not restrict the parcel solely to the proposed use.

CHANGE ALL PARCELS VICINITY FROM BN TO BG

Noting the same issues with the allowed uses in BN and BG Zones, the following items are identified for consideration with any broad zoning change

1. The character of the parcels on Bloomingrove Drive and Washington Avenue are different. All of Washington Avenue and the West side of Bloomingrove Drive, south to North Greenbush Road include the Van Alen Home, older homes on very small parcels, the Bloomingrove Church and Old School House used as a professional office. Town Historian Jim Greenfield has specific information regarding additional historical importance of these properties. A change would not serve any practical purpose and may have a negative impact on historical sites. A change may also encourage more expansive development.
2. Change to the east side of Bloomingrove Drive would have minimal impact as the Credit Union Branch, Cigar Store, Hair Salon and Stewarts Shoppes are present, with only a few small parcels remaining BN.

RECONNMENDATIONS

The Planning Board makes the following recommendations based on the findings outlined in this memo:

The Planning Board does not recommend any zoning changes to parcels along Washington Avenue or the west side of Bloomingrove Drive south from Washington Avenue to North Greenbush Road.

The Planning Board finds that a change in zoning to the parcels on the east side of Bloomingrove Drive from Washington Avenue to North Greenbush Road would not be inconsistent with the general area.

The Planning Board views the rezoning of the specific parcel in question; northwest corner of Bloomingrove Drive and Washington Avenue in need of further technical review. The concerns identified in the written public comments raise valid points which require further analysis that is beyond the scope of this report. Detailed technical review regarding traffic and environmental issues can be obtained by the Town Board as part of the SEQRA process which specifically calls for such in depth review. There are also issues to be addressed regarding municipal utility access and stormwater management that have not been evaluated in depth.

These recommendations were approved by the Planning Board on June 28, 2022 by a vote of 5-0.

