

Village of Schoharie Planning Board

December 12, 2024

Meeting Minutes

In Attendance:

Board members: Tom Hitter, Steve Babbitt, Dave Knoop, Tim Repicky
Board Consultants: Dave Brennan, Mike Harrington
Applicants: Schoharie Dental: Dr. Hazem Elbially, with Rob Stout, Chris Knox
Public: Da-Lai Wu

The chair called the meeting to order at 7:02. No corrections were suggested; Dave made a motion to approve the draft meeting minutes from Nov. 20, which Tom seconded, and the vote was 3 – 0 in favor. (Tim arrived just moments after this vote.)

Mainbridge Commons is New Name for the Schoharie Dental Development at 218 Main St.

Dr. Elbially has named the proposed development “Mainbridge Commons” (so referring to the site as “the former Great American grocery store lot” will now cease).

The Schoharie Dental team had submitted a revised application packet by Nov. 27, as agreed to at the Nov. 20 meeting. In addition, a new version of the Part 1 EAF was distributed for tonight’s meeting. The narrative in the EAF describes a change in plans for how the build-out of the development will proceed:

- Phase 1 will be demolition of the Gr. American shell and construction of the new dental/healthcare facility building.
- Phase 2 will be the construction of two 2-storey multifamily residential buildings.
- Phase 3 will be construction of the remaining two 3-storey multifamily residential buildings.

All phases are included in the current approval process, so segmentation (incremental development with repeated approval applications to the Planning Board) does not occur.

To establish where we stand in the approval process, we consulted the list of steps in the ‘Village of Schoharie Site Plan Review/Special Use Approval Procedure’. We are at Step 9: Planning Board initiates SEQR Process. The Planning Board had decided at the last meeting to be the Lead Agency for the SEQR process, so we need to notify the ‘interested agencies’ and wait 30 days for them to respond. Mike Harrington from Lamont Engineers, the Planning Board’s engineering consultant, presented a draft notification letter to be sent out as soon as possible. The list of potential ‘interested agencies’ was quite extensive, well over a dozen. Mike suggested we add the Schoharie IDA to the list, in case some kind of PILOT ensues.

We also checked the ‘Summary of Special Use Permit Process’ and ‘Summary of Site Plan Process’ document for any time limits, but the timing clock won’t start until we declare the application packet to be ‘complete’.

Why A Type 1 Classification for SEQR?

The SEQR process requires the Lead Agency to classify the action as Type 1, unclassified, or Type 2. A Type 1 requires the Full EAF form, not the short form. The state statute for SEQR sets a general threshold for Type 1 classification at > 10 acres for a non-residential development, and the Mainbridge Commons parcel is far below this at 4.43 acres. But the statute (ref. NYCRR 617.4 b (6)(i) and b (9)) also lists some conditions which significantly reduce the threshold, such as being in or adjacent to historic structures listed in the National or State Historic Registers. This reduces the threshold to just 25% of the 10-acre value, or 2.5 acres. The Mainbridge building currently housing Schoharie Dental is the historic Marshall Bice home, the Johannes Lawyer Jr. home is on the hillside behind The Birches, and the entire village is included in historic district.

Status of Variances

Rob S stated that they had held off on submitting variance applications and were still not totally certain regarding the number of variances and which dimensional requirements to request relief from. The thinking from the last meeting was 2 area-type variances,

one for height and one for dwelling unit density. The dimensional standards listed in Table 2-7.2 of the LUL for building height are *Maximum 2.5 storeys or 40 feet*. The proposed height is 45 feet. The LUL empowers the Zoning Board to authorize height variances for *up to 10% of minimum* dimensional requirements, but could this be applied to a maximum? $10\% \times 40 \text{ feet} = 4 \text{ feet}$. $40 + 4 = 44$. Adjusting the design height from 45 ft to 44 ft might be possible. (For reference and comparison, the roof peak height at The Birches = 32'4".)

LUL Table 2-7.1 lists a density requirement of *1 dwelling unit per 10,000 square ft*, or just over 4 dwelling units per acre. At first glance, this seems to be a standard for detached housing units. But, no, in LUL section 3-5.1 B. it specifically addresses multi-family dwellings:

The Planning Board shall determine the maximum density for multi-family dwellings in each case based upon relevant special use permit and site plan review criteria and the standards in this section. In no case shall the density exceed 4 dwelling units per area of buildable land.

The rationale for this criterion is not known; but the apartment complex type of multifamily housing does exist in the village -- Driftwood Apartments, Parsonage Pines, and The Birches. For apartment complex developments that the consultants have experienced in Capital District suburban areas, dwelling unit densities of 10 – 12 units/acre seem common. The Mainbridge Commons plan is for 46 dwelling units, so the present residential density = $46/4.43 \text{ acres} = 10.4 \text{ units/acre}$.

Development in a FEMA Floodplain

We discussed what extra measures are required for new development in a FEMA Special Flood Hazard Area. Most of the site is in the AE zone. State statute (NYS Residential Code) requires flood protection to a level 2 feet above the Base Flood Elevation (BFE) and assigns most administrative tasks to the local Floodplain Administrator. The Floodplain Administrator for a Schoharie County municipality is the municipality's Code Enforcement Officer/Building Inspector. We need to confer with Doug Stinson and request a briefing.

Mike H. mentioned that a HEC-RAS flood damage computer simulation performed for The Birches development about 10 years ago showed minimal increase in downstream flood damage from the fill brought in to raise it above BFE. He speculated that the situation should be similar for Mainbridge Commons-- Main St is a distance from the Schoharie Creek channel and the developments are at the fringe of the AE floodplain zone, at the foot of the valley wall.

Mike also mentioned just as food for thought: that the developer of The Birches had chosen to elevate with fill to a height higher than the minimum requirement standard of BFE+2 ft: he filled to the 'Flood of Record' (the 2011 flood) + 2 ft.

Traffic Engineering Issues

What data, and how extensive an analysis, will be needed to satisfy DOT? Mike said that for The Birches, a simple trip calculation was sufficient and that a more intensive analysis or study had not been required. A rule-of-thumb used by traffic engineers is for a traffic engineering analysis when the development generates >100 trips per hour onto the adjoining roadway at the time of peak traffic on that roadway. At this point, we can only speculate what DOT will say.

Alignment of Driveways onto Main St and Furman Dr

Will headlight beams from vehicles on the driveways be shining directly into homes across Main St or Furman Drive?

- If possible, try to minimize headlights shining directly into windows of homes across the street, either at Furman Dr or onto Main St

Intentionally Channeling Most Exiting Traffic to One of the Two Main St Access Points

Would directing exiting traffic, primarily from the dental office/healthcare facility, to one of the Main St access points be preferred to cause less disruption to oncoming Main St or vehicles waiting at Bridge St to turn onto Main St?

SEQR Part 2 Preliminary Look

We took a cursory glance at the 18 listed topics to winnow out the ones with no impact and identify those with potential to show impacts or require scrutiny. The items identified for further attention were:

1	Land	
5	Flooding	Start conversation with Doug Stinson, the Floodplain Administrator
10	Historical & Archeological	
13	Transportation	See Traffic Engineering paragraph above
14	Energy	Contact National Grid to determine if they have adequate capacity. Would a new substation be needed?
15	Noise, Odor, and Light	
17	Community Plans	
18	Community Character	

Coordinating with the Zoning Board

While both the Planning Board and Zoning Board can begin their tasks, each needs a decision to be made by the other before they can fully proceed. To minimize time delays, we need to coordinate our activities. The Zoning Board can receive the variance applications and prepare to make a ruling, but they can't issue the decision and grant the variance until the Planning Board has first been approved as Lead Agency, completed the SEQR and issued the Determination of Significance.

The Planning Board can process the Special Use Permit and Site Plan Review applications but can't complete the task until it receives the variances just issued by the Zoning Board. Then it can issue a written decision.

Dave B & Mike H suggested they schedule an introductory meeting with the Zoning Board, or perhaps schedule a joint meeting with both boards.

Escrow

Tom had researched the escrow amount that had been used for The Birches development, which had been \$20,000, and suggested this amount for Mainbridge Commons. Dr. Elbialy agreed to this.

This concluded our dealings for the night pertaining to Mainbridge Commons.

A Planning Board Member Resigns

The chair received a resignation letter from Russ Shaw, effective immediately. Thank you, Russ, for your service to the community.

This drops our numbers from being fully staffed (5) to 4. We are still functional, since a quorum for votes is 3. Based on recent attempts to recruit new members, few villagers are interested in serving. The mayor and Village Board will need to begin a new search.

Tom made a motion to adjourn at 9:03. Dave seconded the motion, and the vote was approved 4-0 in favor.

Future Meetings

To Be Determined, but probably mid-January when the 30-day Lead Agency notification period ends. Planning Board and Zoning Board activities will need to be coordinated to minimize delays.

Respectfully,

Steve Babbitt

SB 02/03/2025