

Regular Village Board Meeting  
January 3, 2023

The regular semi-monthly meeting of the Board of Trustees of the Village of Menands was held on Tuesday, January 3<sup>rd</sup>, 2023, and was called to order by Mayor Megan Grenier at 6:00 P.M.

PRESENT:

Megan Grenier, Mayor  
Seth H. Harris, Trustee  
Timothy Lane, Trustee  
Brian Marsh, Trustee  
Donald Handerhan, Village Clerk  
Stephen Reh fuss, Village Attorney - Attended virtually  
Chief Ryan St. Gelais, Police Dept  
Chief David Ognan, Fire Dept

ABSENT:

Diane Foley, Trustee

Also attending: Bill Garvey, Matt Rogers, LaBella Assoc., Dianne MacFarland, Nicole Ognan, Bill Nevins, Mike Mackay, Kevin Schwebke, Doug Ruther, Kelly Stanton, Mike Hagmann, Michelle Grenier, Bob Dignum, Rick Rogozinski.

The mayor led the Pledge of Allegiance.

Open Forum:

Resident Bill Garvey had questions dealing with Village subjects as follows:

1. He is concerned about the damaged tree at Village One Apts. He reported it to the landlord in October but nothing has been done to resolve the issue. Is there anything else he can do?
2. He is concerned about wild animals roaming around the Village. What can be done to deal with this issue?
3. He wanted to thank the National Grid guys for fixing the metal street light marker.
4. He is glad Broadway & Sage Estates paving has been completed.
5. He supports the Menands Bridge replacement.
6. He reported 8 old fashion street lights on the bridge are out.
7. He advocates having supermarkets, banks, and drug & clothing stores come to Menands.
8. He proposed the use of waste gravel, cement, and waste oil-based products to repair the Village streets, sidewalks, parking lots & short bridge on South Lyons Avenue.

Bill Nevins from Menand School on January 9<sup>th</sup>, 2023, at 5:30 P.M. in the cafeteria there will be a public forum to discuss a partnership between the school and the Menands Police. A discussion followed.

Resident Doug Ruther asked for an update on the High Service Reservoir, Doug believes that the leak is getting worse there is 4" of ice in his backyard and on the street. A discussion followed.

Resident Rick Rogozinski advised the Board that there has been an increase in crows in the Village. A discussion followed.

Resolution Number: 230111

The motion was made by Trustee Marsh to accept the minutes of the December 19<sup>th</sup>, 2022, Board Meeting, seconded by Trustee Harris.

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

Resolution Number: 230112

A motion was made by Trustee Marsh to approve payment for the following, seconded by Trustee Lane.

WARRANT # 15:

GENERAL	totaling	\$ 90,610.19
WATER	totaling	\$ 22,256.51
SEWER	totaling	\$ 28,439.53
	TOTALS	\$141,306.23
<u>PAYROLL # 16:</u> <u>(12/16/22-12/29/22)</u>	totaling	\$110,720.91

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

Mayor Grenier Recognized Diane MacFarland for years of service as the Village Gardener.

Dianne MacFarland thanked the DPW and the Village’s support for the entire time she has been the Village Gardner.

Matt Rogers from LaBella updated the Board on the Draft Zoning Updates and schedule for Public Hearing:

1. Zoning District amendment for the Market site and a review of what will be allowed and prohibited.
2. Removal of Commercial/Paid Parking lots in all districts except Heavy Industrial.
3. In-law apartments and associated requirements to be allowed in all Residential zoning districts.
4. R2 Zoning District:
  - a. Review the number of 2-family dwellings in the R2 District and the potential for new 2 families based on lot sizes.
  - b. Recommendation to continue to allow 2-family through Special Use Permits.
5. Introduction of a residential density calculation method that will not permit rounding up.
6. We will set a Jan. 11 for the Village Board to provide any final comments. If this requires any follow-up discussions with them, I will make myself available.
7. The main goal is to ensure there are no unresolved issues by one or more Village Board members when the final draft is introduced on the 17<sup>th</sup>.

Steve Rehfuss advised Matt Rogers that there must be a definition of the In-Law Apartment. Matt Rogers stated he will include a definition. A discussion followed.

**Village of Menands Zoning Update**  
**Update on Current revisions**

January 3, 2023

1. Rezoning two parcels (Parcels: 55.13-2-11 & 12) on Ward's Lane from R2 to R4.

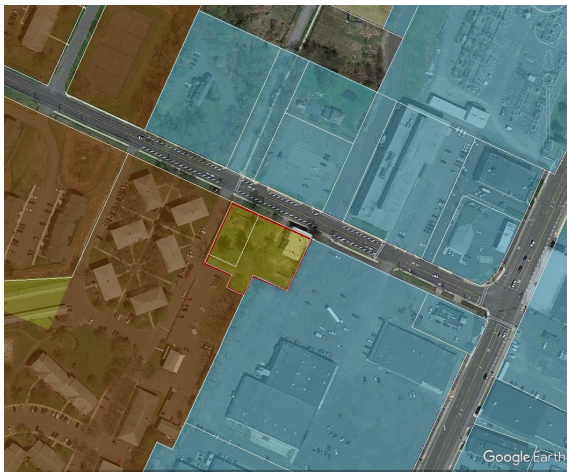


Figure 1: Proposed Rezoning From R2 to R4

2. R2 Zoning District Discussion:
- a. Previous Discussion: Consider prohibiting two-family dwellings in the R2 Zoning District.
  - b. 10 existing two-family dwellings in this District (based on 2022 assessment) – See Figure 2.
  - c. Evaluated the potential for new two-family dwellings:
    - i. 6,000 SF per Dwelling Unit
    - ii. Total number of parcels 12,000 SF or more: 20 parcels – See Figure 3.

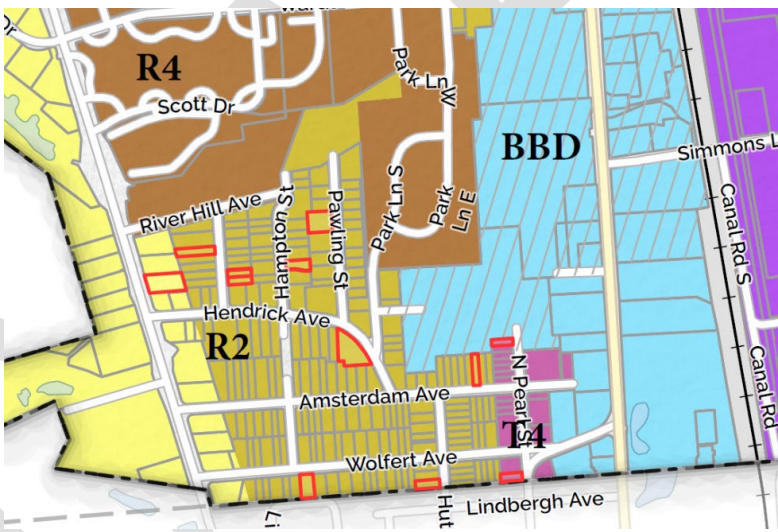


Figure 2: Existing Two-Family Dwellings

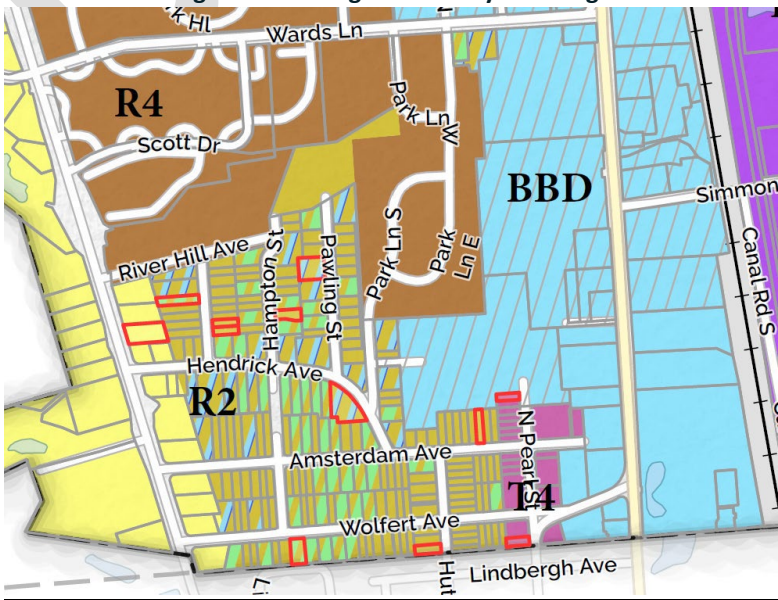


Figure 3: Potential Future Two-Family Dwellings

- d. Proposed Approach:

- i. Continue to allow two-family dwellings on lots of 12,000 SF or larger through a Special Use Permit instead of "by right."
  - ii. Add clarification on calculating residential density as follows:
    1. Residential density shall be calculated by dividing the total lot size by the minimum residential density indicated for the applicable Zoning District.
    2. Density rounding. For purposes of computing the maximum number of residential units allowed on a lot, any fraction shall be rounded down to the nearest whole number.
3. In-Law Apartments.
- a. Proposing to allow them in all Residential Districts through Special Use Permit approval under the following requirements:
    - i. In-law apartments shall be classified as accessory and shall not count towards the number of permitted dwelling units.
    - ii. In-law apartments shall only be permitted within or attached to a single-family dwelling and shall not be located within or attached to an accessory structure.
    - iii. No more than one in-law apartment shall be permitted on any lot.
    - iv. In-law apartments shall not exceed 800 square feet.
    - v. In-law apartments may have a separate entrance located to the side or rear of the structure.
    - vi. In addition to off-street spaces required for the single-family dwelling, a minimum of one additional off-street parking space shall be available to accommodate the in-law apartment.
4. Broadway Business District (BBD) and Heavy Industrial (HI) Zoning Changes:
- a. Rezoning existing BBD to HI (Parcel 55.6-2-5.2) and maintain existing HI Zoning south of E. Elmwood Rd. See Figure 4.
  - b. Rationale: Preference to maintain flexibility for Industrial Uses with sufficient setbacks from Broadway.
  - c. Commercial parking, CDL Schools, and motor vehicle repair facilities will be allowed in HI.
5. Parking:
- a. Accessory Parking Lot – 1.
    - i. To be allowed in all Zoning Districts with Site Plan approval.
    1. ii. Definition: An area designated for the expansion of existing off-street parking of motor vehicles for residents, employees, visitors, and/or patrons of an existing principal use permitted by this Chapter and where no fee is charged to park. The parking lot shall be located on the same parcel occupied by the principal use. An Accessory Parking Lot – 1 shall not be used for the storage of unlicensed/ unregistered vehicles.
  - b. Accessory Parking Lot – 2.
    - a. To be allowed in all Zoning Districts with Special Use Permit approval.





**Figure4: Heavy Industrial and BBD Zoning**

ii. Definition: An area designated for the expansion of existing off-street parking of motor vehicles for residents, employees, visitors, and/or patrons of an existing principal use permitted by this Chapter and located on a parcel contiguous with the parcel occupied by the principal use. A Parking Lot, Accessory-2 shall not be used for the storage of unlicensed/unregistered vehicles.

c. Commercial Parking Lot:

i. To be allowed in Heavy Industrial with a Special Use Permit.

ii. Definition: A parcel of land or portion thereof used for the parking or storage of motor vehicles as a commercial enterprise for which any fee is charged independently of any other use of the premises.

6. Form Based Code Requirements. Proposed Language to provide the Village Board with necessary flexibility in applying the design requirements:

a. Recognizing that the Broadway Corridor Form Based District requirements are being applied to a highly developed area, it is anticipated that strict compliance with every dimensional standard may not always be practical or necessary to meet the purposes of this Chapter. In such cases, the Village Board is therefore authorized to modify the dimensional standards set forth

to the extent necessary and appropriate to accommodate existing limitations with a super-majority vote (majority plus one), provided all of the following findings are made by the Village Board in rendering its decision that such modification: i. Is necessary to reasonably accommodate existing site constraints, development patterns, or development limitations; and

ii. Does not create an undue adverse effect on abutting properties or uses; and

iii. Does not conflict with the intent of the standard(s) being waived or modified; and

iv. Allows for an improvement that will add to the overall vitality of the Zoning District and advances the purposes of this chapter of the Village Code.

Remaining Schedule:

- Jan. 11: Seeking final input from all Village Board Members
- Jan. 13: Revised summary of above changes provided to Village Board members
- Jan. 17: Revised Zoning Law introduced to the Village Board to schedule the public hearing and forward to Albany County Planning Board
- Feb. 6: Public hearing
- Feb. 21: End public comment
- March 6: Village Board to consider adoption of the revised Zoning Law

Resolution Number 230113

Trustee Harris read the following Resolution:

The following Resolution pursuant to Election Law § 15-104 1b "The General Election for the Village of Menands will be held on Tuesday, June 20, 2023, at which time the Village Mayor and two Trustees are to be elected for a four-year term to commence pursuant to law upon their qualifications and no earlier than July 3, 2023.

Second By Trustee Marsh.

Regular Village Board Meeting  
January 3, 2023

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

Resolution Number: 230114

Trustee Harris read the following Resolution:

The following resolution That the register of those qualified to vote in the forthcoming Village Election in the Village of Menands to be held at the Municipal Firehouse in the Village between the hours of 12:00 noon and 9:00 P.M. in the afternoon on June 20, 2023, shall be prepared by the duly appointed inspectors of the Election of this Village on Registration Day, June 10, 2023, and be it further

RESOLVED, that the Inspectors of Election shall meet for this purpose between the hours of 12:00 noon and 5:00 P.M. in the afternoon in the Firehouse adjoining this Municipal Building in this Village on said date, at which time and place all persons qualified to vote at such forthcoming Village Election and are not otherwise registered, may attend and register their names for such Election.

Second By Trustee Lane

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The Clerk advised the Board that he will send a letter to the Board of Elections advising them of the following:

- 1 Village Election will be held on Tuesday, June 20, 2023, from 12 PM to 9 PM at the Menands Firehouse.
- 2 Registration Day will be Saturday, June 10<sup>th</sup>, 2023, from 12 PM to 5 PM.
- 3 Positions up for vote 2 Trustees and Mayor.
- 4 The need for Voter Registration List.
- 5 The need for 1 voting machine on the day of the Election.
- 6 The Ballot will be forwarded by May 25, 2023.

The Clerk led a discussion regarding moving September 18, 2023, Board Meeting to another date.

Resolution Number: 230115

Trustee Marsh made a motion to move September 18<sup>th</sup>, 2023, to September 27<sup>th</sup>, 2023, second By Trustee Lane.

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The Clerk led a discussion regarding offering both a percentage and flat rate for Deferred Comp. A discussion followed.

Resolution Number: 230116

Trustee Lane made a motion to offer both a percentage and flat rate for Deferred Comp, second By Trustee Harris.

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The Clerk advised the Board that as of January 1<sup>st</sup>, 2023, the minimum wage will be increased to \$14.20 per hour. This will affect the Summer Help.

The Clerk advised the Board that the IRS has increased the mileage rate to \$.655 per mile.

Mayor Grenier advised the Board that the Village has received an invoice from Albany County Stormwater Coalition in the amount of \$6,000.00 for the Stormwater Coalition Membership Fee for 2023.

Resolution Number: 230117

Trustee Marsh made a motion to approve the 2023 Stormwater Coalition Membership Fee in the amount of \$6,000.00, seconded by Trustee Lane.

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

Trustee Lane asked the Clerk if he could contact Cornell Co Op to see if they have anyone that could look at the pine trees in Polk Switzer Park.

At 7:05 P.M. Trustee Marsh made a motion to enter into Executive Session to discuss legal and personnel matters, seconded by Trustee Harris.

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The regular meeting reconvened at 8:02 P.M.

A motion was made by Trustee Harris to adjourn, seconded by Trustee Lane.

ADOPTED:

Trustee Harris	voting	AYE
Trustee Lane	voting	AYE
Trustee Marsh	voting	AYE
Mayor Grenier	voting	AYE

The meeting was duly adjourned at 8:02 P.M.

---

Donald Handerhan  
Village Clerk

DRAFT