

# TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENNELAER, NY 12144 (518)477-2005 FAX (518)477-2386

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## MEMORANDUM

### PLANNING BOARD MEETING AGENDA FEBRUARY 10, 2016 REVISED 2/8/16

**7:00PM CALL TO ORDER/DETERMINATION OF QUORUM**

**PUBLIC HEARINGS:**

NONE

**OLD BUSINESS:**

(14-11a) Rysedorph-Olcott Lane-Major 27 Lot Subdivision-Amend previous resolution for Final Plat and Preconstruction Approval which was approved on December 9, 2015

**NEW BUSINESS:**

NONE

**REFERRALS-REPORTS & RECOMMENDATIONS:**

NONE

**NEW ZBA REFERRALS**

ZBA Appeal #2016-01-Hilton-9 New York Avenue-Use Variance-Single family to Two Family

ZBA Appeal #2016-02-Hilton-11 New York Avenue-Use Variance-Single family to Two Family

ZBA Appeal #2016-03-Almy-1 Eileen Drive-Special Use Permit-In Law Area

**REVIEW & APPROVAL OF MEETING MINUTES:**

January 27, 2016 meeting minutes

**RYSEDORPH CLUSTER SUBDIVISION**

**FINAL PLAT AND PRE-CONSTRUCTION APPROVAL**

WHEREAS, the East Greenbush Town Planning Board is in receipt of an application by Rysedorph, LLC. (the owner) for final plat and pre-construction approval under Section 276 of the Town Law for a residential subdivision entitled Rysedorph Cluster Subdivision, for 27 single-family detached dwelling units consisting of 31.24 +/- acres in the R-B Zoning District located off of Olcott Lane; and

WHEREAS, the Town Planning Board did conduct a public hearing on December 10, 2014 on said subdivision, at which time members of the public were invited to speak either in favor of, or in opposition to this subdivision application; and

WHEREAS, the Planning Board did submit the preliminary plat and the various supporting data, to the Town Project Review Team; and

WHEREAS, comments received by the Planning Board from the Project Review Team, related principally to engineering and site development details, and confirmed the Planning Board's view that the proposed subdivision of this site would be consistent with the Town's land use, zoning and service requirements. And through the subdivision review process at the Town and County levels result in lots that, if granted final approval, were in fact readily buildable; and

WHEREAS, the Planning Board did review a development proposal and conceptual master plan for this project consisting of 27 lots and determined, in accordance with Title 8 ECL and Part 617 NYCRR, that the intended action and the associated conceptual development plan shall not have environmental impacts of the project after a full environmental impact statement was prepared and given and has, therefore, issued a Negative Declaration on December 9, 2015; and

WHEREAS, mitigation measures, as appropriate to this subdivision proposal, have either been incorporated into the design of this subdivision and/ or the conditions of this resolution; and

WHEREAS, the Planning Board and the Project Review Team have received and reviewed the revised proposed preliminary plat last revised on December 4, 2015 as prepared by Hart Engineering; and

WHEREAS, the applicant has filed the necessary application with the Planning Board and will pay to the Office of Town Clerk the applicable preliminary plat application fee and final plat application fee, with receipt therefore provided to the Planning Board by the Town Clerk; and

Whereas, the owners/developers of the subdivision are required to make improvements to the Town's existing water distribution system to be able to provide adequate water supply for fire flow and pressure to new and existing residences located on Olcott Lane and proposed roadway; and

Whereas, as to be shown on the final approved plans, the improvements are to consist of two (2) new pressure reducing facilities, connections and all necessary appurtenances to be located on Town right of way along Rt. 151 and on Roberts Lane; and

WHEREAS, the cost of furnishing and installing the two (2) new pressure reducing facilities shall be borne by the owners/developers of the subdivision; and

WHEREAS, upon successful installation and testing, the new pressure reducing facilities shall be dedicated to the Town of East Greenbush, who will own and operate same; and

WHEREAS, sixteen lots within the subdivision cannot be serviced by a new gravity sewer system, individual sewage grinder pumps shall be installed by the developer/builder on said lots; and

WHEREAS, the Town will not own or have maintenance responsibilities over the individual sewage grinder pump systems, it shall be stated on the plans in notes or diagrams, as well as in the deeds conveying each lot, that the individual homeowner will own the pump units and shall be responsible for the future operation and maintenance; and

WHEREAS, sewage laterals located between the Town sewers in the road right of way to a shut off located at the property line will be maintained by the Town, and common force mains used by the sewage grinder pumps which are located in the Town right of way will also be owned and maintained by the Town; and

WHEREAS, the Towns Designated Engineer, (The Chazen Companies) has reviewed the plans for Rysedorph Cluster Residential Subdivision as prepared by Hart Engineering consulting engineers and surveyors dated November 2015 and recently revised November 11, 2015 and can recommend to the Planning Board consideration of final approval subject to all conditions and requirements by the Town final plat approval; and

Resolution  
to be  
modified  
Paragraph  
to be  
removed at  
2/11/16 PB  
mtg

NOW, THEREFORE, BE IT RESOLVED that the East Greenbush Planning Board hereby grants final plat and pre-construction approval for the 27 lots in the Town of East Greenbush of Rysedorph Cluster Subdivision, prepared by Hart Engineering, dated November 2015 and last revised November 11, 2015, and in strict compliance with each of the following conditions which must be satisfied by the applicant within 180 calendar days of this resolution, unless extended upon written request of the applicant by mutual consent for two (2) periods not to exceed ninety (90) days each:

1. That the applicant addresses all remaining technical comments of the Towns Designated Engineer.
2. That the applicant reimburses the Town for all costs and expenses associated with the review and evaluation of the plans and associated reports by the Planning Board's consultants.
3. That the final plat submission be in strict accordance with the requirements of Article VII, Section 4 of the Town's Land Subdivision Regulations, and that the requisite fees be paid in accordance with the fee schedule established by the Town Board.
4. That the Commissioner of Public Works and the Building Inspector sign off on the plans prior to final plat approval.
5. Prior to signature on the final plat, all fees due are paid as required by the Town of East Greenbush in accordance with the GEIS fee schedule, a letter for which will be provided from the Building Inspector, and it is further recommended by the Planning Board to the Town Board that all Traffic GEIS fees generated through this subdivision be held in escrow or a separate account for purposes of roadway development of Olcott Lane roadway improvements to reduce the slope of the roadway to the maximum extent practical, and otherwise make such roadway safe for public use.

NOW, THEREFORE, BE IT ALSO RESOLVED that prior to issuance of onsite grading permit and/or building permit the following conditions must be satisfied by the applicant.

6. That the subdivision plans be reviewed and approved by the Rensselaer County Health Department in accordance with applicable provisions of the Public Health Law, and such documentation submitted to the Town for their records.
7. That the subdivision plans be reviewed and approved by the NYSDEC in accordance with Uniform Procedures Act and such documentation submitted to the Town for their records.
8. That the plan for required work within the State Right of Way be reviewed and approved by the NYSDOT, and such documentation submitted to the Town for their records.

9. An escrow account will be established and funded by the developer, prior to the commencement of any site work or permit issuance to cover the expenses associated with the Town's Designated Engineer's full time inspection of improvements to be dedicated to the Town.
10. That for each building lot, a detailed plot plan; grading plan and utility service plan shall be submitted and approved by the Commissioner of Public Works and the Building Inspector prior to the issuance of a Building Permit for that building lot.
11. That the developer, at the discretion of the Commissioner of Public Works, shall provide a Cash Bond in accordance with the Town of East Greenbush Street Ordinance. Such bond, if required by the Commissioner of Public Works, shall be in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney. Said Cash Bond will be released upon the completion of roadway and related infrastructure, up to and including the binder course of pavement, to the satisfaction of the Commissioner of Public Works; and frames, grates and covers of all utilities within the pavement shall be set flush at binder surface.
12. That the developer shall provide a Cash Bond for top course of pavement in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney. Said Cash Bond will be released upon the completion of roadway, which must be completed within two years of placing binder for dedication to the Town.
13. All storm water pollution prevention permits will be obtained prior to site work and regularly schedule required inspections will be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002 and the approved Storm Water Pollution Prevention Plan.

NOW, THEREFORE, BE IT ALSO RESOLVED that prior to issuance of a Certificate of Occupancy for any unit the following conditions must be satisfied by the developer:

14. The applicant shall prepare suitable offers of cession for all improvements and interest in all land areas within Public Right-of-Way to be dedicated to the Town of East Greenbush, including, but not limited to roadways, drainage ways and easements, and that all such offers of cession shall be submitted to the Commissioner of Public Works and Town Attorney, who shall review the sufficiency for the purpose intended, which determination shall not commit the Town Board in any way to acceptance of the improvements, once installed.
15. That all public and/or required improvements within the Development as shown on the subdivision plans be completed by the developer and be approved in writing by both The Towns Designated Engineer and the Town's Commissioner of Public Works.

16. That all street signs and regulatory signs shall be furnished and installed.
17. That the developer provide and install a black vinyl clad chain link fence acceptable to the Commissioner of Public Works around the perimeter of the storm water detention area, and a landscaping plan shall be submitted to the Town for approval for evergreen shrubs and trees to be placed in the right away along the frontage of the storm water management facility; and
18. That an as-built plan be submitted to the Town for review/approval. This plan shall show an accurate and complete record and description of the final "as-built" conditions of improvements to be dedicated to the Town; an

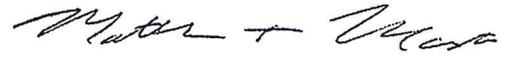
In effect, this final plat and pre-construction approval by the Planning Board authorizes the applicant to initiate necessary site work and the installation of public and/ or other required improvements with the rights-of-way, easements and drainage ways and other public improvements, as needed. The installation of such public improvements shall be subject to: (1) the Planning Board's final review and approval of engineering and construction details; (2) the conduct of a project initiation conference, including the applicant, the applicant's consultant engineer, appropriate contractors, the Planning Board's designated engineer and the Town's Commissioner of Public Works, Building Inspector and Director of Planning; and (3) a detailed itemized cost estimate and construction schedule for construction of all improvements for the project shall be provided to the Planning Board's designated engineer, which estimate and schedule shall be provided by and satisfactory to the Planning Board's designated engineer, and a copy of which shall be transmitted concurrently to the Planning Board Office and the Commissioner of Public Works.

This approval shall be required as limited in its authorization in that no sale of a lot or an offer of sale within the intended subdivision may be undertaken until the stamping of the plans by the Planning Board's designated representative. Subsequent filing of the approved final plat in the Office of the Rensselaer County Clerk must occur within 60 days of the final plan approval/signature.

FURTHERMORE, the Planning Board advises that all work undertaken and all expenses incurred by the applicant, pursuant to this resolution, are at the risk of the applicant. It is the applicant's exclusive responsibility to insure that all conditions and requirements are met in a timely manner prescribed within the Town's Land Subdivision Regulations and referenced earlier in this resolution. Failure of the applicant to meet this timetable shall result, without the requirements of any further action by the Planning Board, in the expiration of this final plat approval and the requirement that a new application, with associated application fees, be filed with the Planning Board should it still be the applicant's desire at that time to pursue approval of the subdivision.

RESOLUTION APPROVED BY THE EAST GREENBUSH PLANNING BOARD

ON 12/23, 2015



MATT MASTIN, ACTING CHAIRMAN

## **RYSEDORPH CLUSTER SUBDIVISION**

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WHEREAS, comments received by the Planning Board from the Project Review Team, related principally to engineering and site development details, and confirmed the Planning Board's view that the proposed subdivision of this site would be consistent with the Town's land use, zoning and service requirements. And through the subdivision review process at the Town and County levels result in lots that, if granted final approval, were in fact readily buildable; and

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RESOLUTION APPROVED BY THE EAST GREENBUSH PLANNING BOARD

ON \_\_\_\_\_, 2016

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MATT MASTIN, ACTING CHAIRMAN

**PROJECT NAME:** RYSEDOPH CLUSTER SUBDIVISION  
**FINAL DATE:** February 10, 2016