

# TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144 (518) 694-4011 FAX (518)477-2386

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## MEMORANDUM

EAST GREENBUSH PLANNING BOARD  
MEETING MINUTES  
January 8, 2014

### Members:

Matt Polsinello, Chairman  
Matt Mastin  
Judy Condo  
Mike Bottillo  
Kelly Sambrook  
Ralph Viola

### Also Present:

Alison Lovely, Planning Board Secretary  
Phil Danaher, Planning Board Attorney

### CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Polsinello called the meeting to order and determined that a quorum of six (6) members were present. Paul DiMascio was absent.

### ORGANIZATIONAL MEETING:

Meetings:

- Meetings will be held two times per month on the second and fourth Wednesday of each month.
- Meetings will commence at 7:00 PM in the Town Court Room.

MOTION: A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby appoints The Chazen Companies, Creighton Manning, LaBarba, and Greenman-Peterson and Behan Planning as Planning Board Engineering consultants.**

Second by Judy Condo & roll called as follows:

Roll Called as follows:

M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.

**MOTION CARRIED BY A 6-0 VOTE**

MOTION: A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby appoints Matt Mastin as the Vice Chairperson in absence of the Planning Board Chairman.**

Second by Mike Bottillo & roll called as follows:

Roll Called as follows:

M. Polsinello-YES; M. Mastin-Abstain; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.

**MOTION CARRIED BY A 5-0-1 VOTE**

**MOTION:** A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby appoints Phil Danaher as the Planning Board Attorney.**

**Second by Judy Condo & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**MOTION:** A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby appoints Alison Lovely as secretary to the Board.**

**Second by Judy Condo & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**MOTION:** A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby approves the proposed 2014 meeting calendar.**

**Second by Matt Mastin & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**PUBLIC HEARING:**

**ELLIOT ROAD MINOR 2 LOT SUBDIVISION**

**(13-25)**

Chairman Polsinello read the Legal Notice:

The Town of East Greenbush Planning Board shall conduct a Public Hearing pursuant to Section 276 of the Town Law and the Town's Land Subdivision Regulations on the application of Hartland Associates for a Minor 2- Lot Subdivision called the "Hartland 2-lot Minor Subdivision". Lot #2A consists of 16,502 square feet. Lot #2B consists of 16,502 square feet. The property is located in the R-3 Residential Zoning District, Tax Map # 166.16-6-7. Said Public Hearing will be held on Wednesday, January 8, 2014 at 7:05 PM at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, NY. At the above time and place, all interested parties will be given an opportunity to be heard. By order of the Planning Board Matt Polsinello, Chairman

Steve Hart of Hart Engineering presented the proposal to the Board. The proposal is for a 2 lot subdivision, the parcel is located in the R-3 zone but the will follow the R-2 guidelines which requires 75' frontage and 7,500 square foot lots. Both lots consist of 16,502 square feet. There is a sanitary sewer line on the same side of the road of the project, but the water line is located across the road. The applicant is meeting with Rensselaer County Highway tomorrow to discuss running the water line under the road for the 2 lots. Chairman Polsinello asked if there was anyone present in favor of or opposition to the proposed subdivision. There was no one present to speak either in favor of or opposition to the subdivision. Chairman Polsinello asked the Board if anyone had a comment. Chairman Polsinello closed the Public Hearing at 7:15pm.

**OLD BUSINESS:**

**ELLIOT ROAD MINOR 2 LOT SUBDIVISION**

(13-25)

**MOTION:** A motion was made by Chairman Polsinello as follows: **The Town Planning Board and Project Review Team have taken a “hard look” at the potential environmental impacts of this project by carefully considering and reviewing the Short Environmental Assessment Form, considering all the Applicant’s proposed mitigation measures as they relate to environmental issues and more particularly to traffic, fire and rescue and MS-4 storm water detention and hereby issues a Negative Declaration under SEQRA.**

**Second by Judy Condo & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**MOTION:** A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby grants conditional approval subject to the following;**

- **Satisfying outstanding technical details as determined by the town planning department; and**
- **All remaining fees are paid to the Town.**

**Second by Mike Bottillo & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**TEMPEL LANE PROPOSED HOTEL-MAJOR SITE PLAN-UPDATE ONLY** (13-20)

Eric Redding of Bergmann Associates was present as well as Steve Boisvert. Eric stated that a full SWPP and FEAF & SEQR compliance document has been submitted to Chazen for their review. The proposed hotel will have an exit out onto Tempel Lane and a right in and right out only on Route 4. Eric stated that NYSDOT has their application for the proposed curb cuts on Route 4 and an application has been sent to NYSDEC for the sanitary sewer connection. Color evaluations and architectural renderings were passed out to the Board members for the proposed Hampton Inn. Matt Mastin asked how the current proposal affects the existing PDD. Eric stated that the original PDD had a 100 room hotel proposed and this is a 101 room hotel. Chairman Polsinello as if NYS DOT had originally approved the right in/right out only on Route 4. Eric stated that it being presented again for their approval. Eric stated this is the initial phase only which is being presented. The Planning Board attorney Phil Danaher stated that the hotel site subdivision was less than five acres as part of the original PDD. Steve Boisvert stated that the original was 3 acres. A question was raised as to whether the subdivision lot was ever filed with the county. Mr. Danaher stated that the proposed subdivision could be done by an administrative action only if it meets what was originally approved. It was suggested to table this project until the matter regarding the subdivision is cleared up.

**TEMPEL LANE PROPOSED HOTEL-MAJOR SUBDIVISION PLAN** (13-20a)

**TABLED**

**NEW BUSINESS:**

**EAST GREENBUSH TECH PARK-BUILDING ADDITION-MAJOR SITE PLAN** (13-26)

Steve Hart represented the owner Tom Hoffman. Also present were Art Dombrowski, Terrance Blake of BBL & Jonathan Coffman. The property is located on Tech Valley Drive. The proposal is for a 42,000 square foot 2 story addition to the existing 96,000 square foot building. The addition would take over an area of parking, green space and a loading dock. The proposed addition will be serviced with existing water and sewer. Forty two parking spaces would be lost but eighteen of them will be picked up along the back of the building. A separate 199 spaces parking lot exists which is separate from the building area. The applicant will submit to NYSDEC some anticipated flows regarding the existing order of consent for the Town on sewer. There is a detention area on the site.

**MOTION:** A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby accepts the proposed sketch plan dated January 6, 2014, prepared by Hart Engineering for the proposed site plan.**

**Second by Ralph Viola & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**MOTION:** A motion was made by Chairman Polsinello as follows **The Planning Board hereby recommends the Town of East Greenbush Town Board declare its intent to seek Lead Agency status in connection with a coordinated review and that they determine the proposed project as a Type I Action under SEQRA.**

**Second by Judy Condo & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES  
R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**REFERRALS-REPORTS & RECOMMENDATIONS:**

**ZBA Appeal #2013-23 – Lento- 2 Woodlawn Avenue-Area Variance-Addition – report by Mike Bottillo**

Mike Bottillo spoke with Mr. Lento of 2 Woodlawn Avenue who wishes to build a 12' x 36' one floor addition. The property is zoned R-2 which requires a 25' front setback. Mr. Lento is proposing a front setback of 18'. Mr. Lento wants to take down the garage in the back of the house and extend the family room and kitchen of his home. The existing part of his home currently has an 18' front setback, so this addition would basically square up the entire house. Mr. Bottillo visited four immediate neighbors and no one had a problem with it. Mr. Bottillo recommends that the Zoning Board of Appeal grant the Area Variance . \*See attached memo.

**MOTION:** A motion was made by **Mike Bottillo** as follows: **The Town of East Greenbush Planning Board hereby recommends that the Zoning Board of Appeals grant the Area Variance.**

**Second by Matt Mastin & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES; R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**ZBA Appeal #2013-24 – DeJohn- 112 Eileen Drive-Special Use Permit – report by Judy Condo**

Judy Condo spoke with Mr. DeJohn. He currently owns Cravings Too, Inc, in Albany NY, which sells candy, popcorn and similar items. Mr. DeJohn wants to semi-retire and sell a homemade specialty item (caramel popcorn) from his home. He currently has a second floor apartment which is vacant that he will use for his business which will be through internet sales only. The only traffic would be UPS. No signage is proposed. Ms. Condo spoke to three neighbors, they were all supportive. There is only seven residences total on the street. Ms. Condo recommends that the Zoning Board of Appeal grant the Special Use Permit.\*See attached memo for further details.

MOTION: A motion was made by **Matt Mastin** as follows: **The Town of East Greenbush Planning Board hereby recommends that the Zoning Board of Appeals grant the Special Use Permit.**

**Second by Judy Condo & roll called as follows:**

**Roll Called as follows:**

**M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; M. Bottillo-YES; K. Sambrook-YES; R. Viola-YES.**

**MOTION CARRIED BY A 6-0 VOTE**

**NEW ZBA REFERRALS**

**NONE**

**REVIEW AND APPROVAL OF THE DECEMBER 11, 2013 MEETING MINTUES**

Motion by Matt Mastin to approve the December 11, 2013 meeting minutes. Seconded by Judy Condo. Motion carried by a 4-0-2. Chairman Polsinello and Ralph Viola abstain.

**ADJOURMENT**

There being no further business before the Board, the meeting was adjourned by Chairman Polsinello. Seconded by Matt Mastin. Carried by a 6-0 vote.

Respectfully Submitted



Alison Lovely  
Planning Board Secretary

1/7/2014

Zoning Board referral for 2 Woodlawn Ave

On January 4<sup>th</sup>, 2014 I visited 2 Woodlawn Ave , home to Anthony Lento, who wants to build a 1 floor addition, 12 x 36, at his home residents. Mr Lento home is a R-2 zoned property which requires a 25 foot set back from the road and the addition will only have 18. Mr Lento wants to take down the garage in the back of the house and extend the family room and kitchen of his home. The existing part of the home is already standing on only 18 foot for frontage from Woodlawn Ave and Mr Lento new addition would come out to the existing part of the home, basically squaring up the whole house.

I visited the neighbors at both 3 and 4 Woodlawn Ave to find if they had any issues with Mr Lento's addition. Joanne Culligan, who lives at 3 Woodlawn Ave, across the street from where the addition is planned has no issue with the construction.

I also talk to Kathleen Gould who lives behind the Lento's at 4 Woodlawn Ave and she also has no issues with the Lento's addition.

I am going to make a positive recommendation on the Lento's addition and ask the Zoning Board to approve the addition.

Michael Bottillo

A handwritten signature in black ink that reads "Michael A. Bottillo". The signature is written in a cursive style with a large initial "M".

On December 27, 2013 Judith Condo visited the property located at 12 Eileen Drive, Rensselaer, NY and two neighbors across and adjacent to the property at 15 and 18 Eileen Drive. On January 6, 2014 she visited the next door neighbor at 6 Eileen Drive. It is the subject of ZBA Appeal #2013-24 for a Special Use Permit. Eileen Drive is a two lane street off Old Red Mill Road. There are only seven residences on the street.

The owner proposes to use a second floor unoccupied rental apartment in his residence to cook and prepare for distribution a specialty caramel popcorn for sale on the Internet and at craft fairs, farmers' markets and festivals. He and his wife reside in the house on the first floor. There is no plan to have direct customer sales from the property. Delivery of food supplies and packaging materials would be by UPS. This is the only anticipated business related traffic. Product delivery would be by drop-off to UPS or in person at fairs, etc.

The property owner also owns Cravings Too, Inc. in Albany, NY, This store currently sells candy, popcorn and similar items. The owner plans to semi-retire to the homemade specialty item. The store will close in February 2014. Should sales grow beyond the capacity of the home, he will open a business in another location and convert the production area to a residential rental property. A home occupation is an acceptable Use in the R-2 Zone Requiring a Special Use Permit with possible conditions.

The apartment kitchen will include commercial stoves and a large popper. He will secure appropriate food licenses for the operation. Another room in the apartment will be used for product packaging. No more than three family members will work in the business. There are no particular hours of operation as all production activities are in the home in preparation to be taken elsewhere for sale or by the Internet. Family vehicles will transport the product to sales sites. No customer parking will be required. There will be no external advertising or change in the current appearance of the property or grounds.

The comments of the neighbors were all supportive. It was noted that UPS is seen regularly on the street now. The only concern expressed was that of increased traffic, which is inconsistent with the expressed business plan of the property owner.

With regard to the Special Use Permit and conditions, the proposed business seems appropriate and acceptable for the R-2 Zone. Increased traffic does not appear to be a necessary concern requiring conditions.