

TOWN OF EAST GREENBUSH PLANNING BOARD

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

MEMORANDUM

EAST GREENBUSH PLANNING BOARD MEETING MINUTES SEPTEMBER 10, 2014

Members:

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

Also Present:

Alison Lovely, Planning Board Secretary
Phil Danaher, Planning Board Attorney
James Connors, P.E, Consulting
Engineer/Planning Board

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.

PUBLIC HEARINGS:

NONE

REVIEW AND APPROVAL OF MEETING MINTUES

Motion by Chairman Polsinello to approve the August 27, 2014 meeting minutes.
Seconded by Matt Mastin. Motion carried by a 6-0

NEW ZBA REFERRALS:

ZBA Appeal # 2014-14-Meracle-3396 River Road-Use Variance-Roll Off Dumpsters-assigned to Mike Bottillo

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW BUSINESS:

GLAZ STREET-MINOR 2-LOT SUBDIVISION (14-15)

Dick Tice of Brewer Engineering presented the proposal to the Board. He stated that the proposal is to subdivide the parcel into two lots. Lot #1 would consist of approximately 12, 000 square feet and the remaining lands would consist of approximately 17 acres. The parcel would have frontage on Glaz Road but if there was ever any future development that would only be used as an emergency access. The parcel has approximately seven hundred feet of frontage on Newkirk Road. Water and Sewer are available for the site.

Chairman Polsinello stated if there is frontage proposed on two roads; Mr. Viola had the same concern. Mr. Tice stated that the access would only be off of Newkirk and that there would only be a fifty foot emergency access off of Glaz Street. It would not be used as a flag lot.

MOTION: A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby accepts the sketch plat dated, July 14, 2014, prepared by Brewer Engineering for the proposed 2-lot minor subdivision.**

Second by Judy Condo & 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 has determined the project an Unlisted Action and hereby declares itself Lead Agency in connection with an uncoordinated review under SEQRA.**

Second by Matt Mastin & 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: **A Public Hearing is hereby scheduled for September 24, 2014 @ the East Greenbush Town Hall @ 7:05 PM.**

Second by Matt Mastin & 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

TWIN COUNTY MEDICAL GROUP-583 COLUMBIA TRPK-UPDATE (14-09)

Chairman Polsinello asked the Board if they wanted Mr. Culberson to present this project again. He stated it has been in front of the Board several times. They declined. Jim Connors stated that there are only minor technical comments left for review. He recommends that the Board approve the project. Mr. Viola asked if there was a landscaping plan. Mr. Culberson stated that the landscaping plan is being reviewed as part of the remaining technical comments. Mr. Viola expressed concern that the existing landscaping was not adequate and requested that the applicant provide a comprehensive landscaping and vegetation plan that should be approved and installed to the satisfaction of the Building Department and the Planning Board's designated Engineer.

MOTION: A motion was made by Chairman Polsinello as follows: **The Town Planning Board, Project Review Team and Planning Board’s Designated Engineer 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 management and hereby issues a Negative Declaration under SEQRA.**

Second by Judy Condo & 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 final site plan approval subject to the following conditions;**

- **Satisfying outstanding technical details as determined by the Town Planning Department & Town’s Consulting Engineer**
- **Prior to the issuance of a Certificate of Occupancy from the Building Department of East Greenbush, the applicant is to provide a comprehensive landscaping & vegetation plan to be approved and installed to the satisfaction of the Building Department and the Planning Board’s designated Engineer.**
- **All remaining fees are paid to the Town.**

Second by Matt Mastin & 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

OLD BUSINESS:

Mike Bottillo recused himself in regards to the Capital View Casino & Resort project due to a conflict of interest and left the meeting.

CAPITAL VIEW CASINO & RESORT

(14-16)

Anthony Stellato from CHA represented Capital View Casino & Resort stated that they are following up on the PDD and SEQR application. They are asking that the Board declare itself Lead Agency under SEQR. Matt Mastin stated that he had a number of questions.

- He would like to see what effect this proposal has on existing hotels, bars & restaurants in Town and would like to see an analysis regarding the proposed vs. existing.
- He would like an analysis regarding the paying of wages.
- Has a community outreach analysis been done and if so the result.
- What was the licensing fee.
- In regards to the Route 4 Corridor study, why are signalized intersections being considered as opposed to roundabouts.
- Are you considering golf in the future.
- You mentioned in lieu of two parking garages, significant parking lots, have they considered any green infrastructure.
- He would like page 12 spelled out a little better, which is regarding the uses in a PDD as they relate to the R-B zone.
- The applicant stated that a PDD has limited commercial use. But you are constructing 21,000 square feet of restaurant and 82,000 square feet of hotel. The PDD would be in the middle of the R-B district.
- Wants to see the applicant address the amenities package, mitigation fees.
- Concerned about the 8 inch gravity sewer pipe, what are the gallons per day of water flow use, also any irrigation systems, fountains.
- Is a full Traffic Impact Study being conducted.

Ralph Viola asked if the traffic study is available now, have they considered direct access ways to the casino to help with traffic issues now.

Matt had more questions:

- The effects of existing roundabouts.
- Wants to see sidewalks installed.
- The applicant stated that landscaping has be increased to a minimum of 15%, Matt feels it should be above and beyond what is required by zoning.
- Would like to see pictures of the view you would see from I-90 and different areas around Town.
- Sound testing should be completed.
- As far as lighting has the applicant considering LED's and green building.
- Chairman Polsinello asked if they will get lead certified.
- Application says no one under 18 going is to be allowed inside the casino & is there going to be drinking at the tables and is smoking going to be allowed.
- What is the number of people anticipated to be in the casino, maybe consider any impacts on gaming maybe within an hour.

Tony stated that everything that is being asked tonight will be addressed in the EIS.

- Will NYSDOT give a permit without PDD approval.
- Exhibit 4 is wrong, it doesn't show the PDD's on Mannix.

Chairman Polsinello stated that for clarification purposes, the applicant is asking for the Board to declare lead agency, having sent out requests to all involved/issuing agencies. The applicant believes that they have received everything they need to proceed. Jim Connor's stated that the Town has received all the concurrences that there are no objections for the Planning Board to declare lead agency. Jim explained the process regarding the draft scoping document. An email address has been created for all public comments and comments will be posted weekly and become part of the record. The email address is leadagency@eastgreenbush.org. Tony stated that the draft scoping document is a foundation to start and that it initiates the DEIS, at which point another comment period/public input to make changes prior to the content to the FEIS. Chairman Polsinello just wanted to make sure that the Board is comfortable with the draft scoping document. Roger Murmon asked if the draft scoping document was completed, he stated he couldn't hear. The Board discussed a date for the Public Hearing for the Draft EIS. It was decided that the public hearing would be conducted on October 8, 2014.

MOTION: A motion was made by Chairman Polsinello as follows:

WHEREAS, the Planning Board of the Town of East Greenbush ("Planning Board") received referral from the Town Board of a Planned Development District application and related matters filed by Churchill Downs Incorporated and Saratoga Harness Racing, Inc. ("Applicant") relative to certain real property comprising approximately 152 acres located off of Thompson Hill Road designated on the Town Tax Map as parcels 145.-1-4.1, 144.-4-41.1, 144.-4-41.2, 144.-4-34 and 144.-4-41.21 ("Property"), seeking to change the zoning of the Property from R-B to a PDD in order to construct a Casino and Resort facility ("Proposed Action"); and

WHEREAS, by resolution adopted August 27, 2014, the Planning Board determined that the Proposed Action is subject to the State Environmental Quality Review Act under the N.Y.S. Environmental Conservation Law, Article 8 ("SEQRA"), preliminarily classified the Proposed Action as a Type 1 action under SEQRA, and declared its intention to act as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQRA ("Lead Agency"), and then served the required written Notice of Intent on all necessary Involved Agencies; and

WHEREAS, none of the other Involved Agencies or Applicant, as sponsor of the Proposed Action, requested Lead Agency status from the New York State Commissioner of Environmental Conservation, and all such Involved Agencies have filed written consent to the Planning Board serving herein as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQRA; and

WHEREAS, the Planning Board has reviewed the attached Full Environmental Assessment Form, prepared on the Proposed Action on behalf of Applicant; and

WHEREAS, the Planning Board has concluded that the Proposed Action may have a significant impact on the environment if it is approved and built; and

WHEREAS, the Planning Board has reviewed the attached draft Positive Declaration prepared on the Proposed Action on behalf of the Planning Board;

NOW THEREFORE, be it

RESOLVED, that the Planning Board adopts the contents of the Full Environmental Assessment Form and deem same complete, and, pursuant to 6 N.Y.C.R.R. Section 617.4, hereby accepts and assumes the responsibility to act as Lead Agency for the Environmental Review of this project; and be it

FURTHER RESOLVED, that the Planning Board Chairman is authorized to complete and sign the Determination of Significance on the Full Environmental Assessment Form declaring as set forth therein that the Proposed Action “may result in one or more large impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared”; and be it

FURTHER RESOLVED, that the Planning Board adopts the contents and conclusions set forth in the attached draft Positive Declaration regarding the potential environmental impacts if the Proposed Action is approved and built; and be it

FURTHER RESOLVED, that the Planning Board Chairman is authorized to file the Positive Declaration as adopted aforesaid with the agencies named in the Positive Declaration and otherwise in accordance with applicable law; and be it

FURTHER RESOLVED, that scoping shall be conducted in accordance with N.Y.S. Department of Environmental Conservation Rule 617.8 (6 NYCRR §617.8) based on the draft Scoping Document for preparation of a Draft Environmental Impact Statement for the Proposed Action, as previously filed by Applicant with the Planning Board (“Draft Scoping Document”) and available for review by the public as Attachment 2 to the “Capital View Casino PDD Application” link located at the Town of East Greenbush website home page (<http://eastgreenbush.org/>); and be it

FURTHER RESOLVED, that a duly noticed and advertised scoping session will be held by the Planning Board on the 8th day of October, 2014 at 7:15 PM at a facility to be designated by the Clerk of the Planning Board in the required public notice, so as to consider the Draft Scoping Document, and the public shall thereafter have until 5:00 P.M. on October 20, 2014, to file any and all written comments to the Planning Board Clerk at Town Hall, 225 Columbia Turnpike, Rensselaer, New York 12144 or the designated e-mail account of the Planning Board at Leadagency@EastGreenbush.org; and be it

FURTHER RESOLVED, that the Clerk of the Planning Board shall distribute the Draft Scoping Document and provide notification of the scoping session and comment period to the Applicant, Involved Agencies and any individual or interested agency that has expressed an interest in writing; and be it

FURTHER RESOLVED, that the Chairman of the Planning Board and other appropriate Town Officers are authorized to take such other and further action as might be necessary to meet the Planning Board’s obligations as Lead Agency or as otherwise might be appropriate in its role as Lead Agency and as an Involved Agency.

Second by Matt Mastin & roll called as follows:

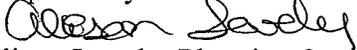
M. Polsinello-YES; M. Mastin-YES; J. Condo-YES; K. Sambrook-YES; R. Viola-YES.

MOTION CARRIED BY A 5-0 VOTE

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 Secretary