

# 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 28, 2015

#### Members:

Matt Polsinello, Chairman  
Judy Condo  
Mike Bottillo  
Ralph Viola  
Paul DiMascio  
Jim Giordano

#### Also Present:

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

#### CALL TO ORDER / DETERMINATION OF QUORUM

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

#### REVIEW AND APPROVAL OF MEETING MINTUES

Motion by Chairman Polsinello to approve the Janaury 14, 2015 meeting minutes.  
Seconded by Judy Condo. Paul DiMascio & Jim Giordano abstain. Motion carried by a 4-0 vote.

#### REFERRALS-REPORTS & RECOMMENDATIONS:

ZBA Appeal #2014-20-Brian Hart-1 Cooper Avenue-Conversion of a garage with open storage on the second floor into a two story office building to operate a business-Use Variance

**MOTION:** A motion was made by Chairman Polsinello as follows: **Since the Planning Board Attorney has stated that more than 45 days has passed to act on this referral and therefore due to operation of law there is no authority for this Planning Board to take action on this Zoning Board application.**

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

**M. Polsinello-YES; M. Bottillo-YES; J. Condo-YES; P. DiMascio-YES; R. Viola-YES;  
J. Giordano-YES.**

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

**PUBLIC HEARING:**

**ABBOTT -MINOR 2-LOT SUBDIVISION**

**(15-01)**

Chairman Polsinello read the legal notice as follows:

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 Mr. Michael Abbott for a Minor 2- Lot Subdivision called the "Abbott 2-lot Subdivision – 45 Carvill Lane". Lot 1 consists of 5.28 +/- acres and has an existing house on it. Lot 2 consists of 37 +/- acres, the remaining lands. The property is located in the R-OS Residential-Open Space Zoning District, Tax Map # 168.-2-14.11 and is located on Carvill Lane. Said Public Hearing will be held on Wednesday, January 28, 2015 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

**OLD BUSINESS:**

**ABBOTT-49 CARVILL LANE-MINOR 2-LOT SUBDIVISION (15-01)**

Mike Abbott presented the proposal to the Board. The location of the property is 49 Carvill Lane. A house currently sits on 42 acres. The proposal is for a two lot subdivision with 5 acres to go with the house. The new lot will be serviced with well and septic and have 400' of frontage. Chairman Polsinello asked if anyone was present in favor of or opposition to the minor 2 lot subdivision. There was no one present in favor of or opposition to the minor 2-lot subdivision. Chairman Polsinello asked if anyone from the Board had any comments. There were no comments from the Board.

**MOTION:** A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby closes the public hearing at 7:16 pm.**

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

**M. Polsinello-YES; M. Bottillo-YES; J. Condo-YES; P. DiMascio-YES; R. Viola-YES; J. Giordano-YES.**

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

**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 management and hereby issues a Negative Declaration under SEQRA.**

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

**M. Polsinello-YES; M. Bottillo-YES; J. Condo-YES; P. DiMascio-YES; R. Viola-YES;  
J. Giordano-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:**

**M. Polsinello-YES; M. Bottillo-YES; J. Condo-YES; P. DiMascio-YES; R. Viola-YES;  
J. Giordano-YES.**

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

**NEW BUSINESS:**

**VISION'S HOTEL-ROUTE 4/TEMPEL LANE-MINOR SITE PLAN MOD (13-20b)**

Eric Redding of Bergmann Associates presented the proposal to the Board. Eric stated that the site really slopes from Route 4 and that a lot of grading was going to be necessary and it has been determined that the cost was not feasible. The new proposal shows that the building has been raised 10 feet in order to lessen the amount of grading. In raising the building, the entrance had to be moved and is now at a higher elevation. A row of parking has now been moved from the north side to the south side of the building. Everything else has remained the same. Chairman Polsinello stated that nothing has changed except for the driveway. Eric stated that is correct.

The following Board members had questions/concerns:

- Ralph Viola stated that he feels there is a lot of congestion with the road going into the hotel. Also wondered where the service entrance was located for trucks/food service/laundry etc. Eric stated that it's at the rear of the hotel.
- Chairman Polsinello asked if the part of the building in the front that pops out is the pool. Eric stated that yes it was.
- Paul stated so that means there is only one way in and out of the site? Eric stated yes.
- Ralph asked about the line of site due to vegetation located to the west of the entrance way.
- Ralph asked if the entrance was the same elevation as before. Eric stated that there is a slight grade difference. Ralph would like to see the new proposed entrance widened to allow direct ingress/egress to the rear access road that was shown in the original plan. This would allow continuous flow to the service road and also any future development that would use this road for its main access.
- Chairman Polsinello stated that the drawing that was shown last time had the connector road showing connections for future development and being that it's a PDD, he wants to make sure that there is more than just the hotel associated with it long term.

- Chairman Polsinello asked how the proposed new grade will affect future development. Eric stated that it will be graded out to 2% all the way to the detention pond. Eric stated that the connector road can still be built.

Jim stated that if Eric recalls that at the Project Review Team meetings it was discussed showing connectivity with future pad sites so the Board can see how it coordinates with future development.

- Judy asked if the project is going to be delayed to see what else is coming in. Eric stated that the hotel is going to be built no matter what. They are not sure what else is going to come in that is why they are delaying the construction of the connector road.
- Chairman Polsinello asked the Planning Board if they were comfortable with the current situation as it services the hotel. Eric stated that an option is to put the service road back and have the plan back to the way it was before. The Board was in agreement that they would like to see that.
- Judy stated that the original proposal showed other pad sites. She stated that if the Board saw this again that it might help to answer some of their questions. She asked what the height of the hotel is. Eric stated that it is four stories high. Route 4 will be level with the top of the hotel.
- Chairman Polsinello stated that he would like to see plans that show the elevation from Route 4.
- Ralph asked what the time table for construction was. Eric stated that the applicant wants to start construction on April 1, 2015.

Chairman Polsinello stated that there would be no action tonight and that Eric should come back on February 11<sup>th</sup> showing the elevation from Route 4, modify the roadway, future pads and grading. Judy asked what was the difference/setback is between the entrance and the hill. Eric stated that setback is 68.8 from the corner of the building to the new proposed right away. The parking setback is 23.1 feet.

**REFERRALS-REPORTS & RECOMMENDATIONS:**

ZBA Appeal #2014-21-Matt Janowski-2 Prospect Heights Avenue-5 Area Variances-Construction of a 12' x 30' addition to existing single family dwelling-report by Mike Bottillo

Mike stated that the house is in a unique spot as it's the only house on the end of a dead end road. The applicant tried to sell their house but with no luck and a growing family, this was the only option. There is only one neighbor on the road and he is not in opposition of the proposal. Mike left letters in the immediate neighbor's mailboxes instructing them to reach out to Mike if anyone had any questions/concerns. He only heard back from one neighbor who didn't have a problem with it. Mike's recommendation is to make a positive recommendation to the Zoning Board of Appeals. \*See attached report for further details.

**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 two Area Variances.**

Second by Jim Giordano

**M. Polsinello-YES; M. Bottillo-YES; J. Condo-YES; P. DiMascio-YES; R. Viola-YES;  
J. Giordano-YES.**

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

**NEW ZBA REFERRALS:**

None

**ADJOURMENT**

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

Respectfully Submitted

A handwritten signature in cursive script that reads "Alison Lovely".

Alison Lovely, Planning Secretary

1/27/2015

Zoning Board referral for 2 Prospect Heights Ave– Area Variance.

On January 26, 2015 I visited 2 Prospect Heights Ave, property belonging to Mathew Janowski represented by that day by Steve Hart of Hart Engineering, Mr. Janowski was also present. The property is located in a R-2 , Residential zone and Mr. Janowski is looking to put a 12 x 30 addition on his property. The addition consist of add on to the kitchen and family room downstairs, along with a half bath. The second story would include a bedroom and full bath. The property itself sits on a dead end road, with a neighbor across the street and no structures to either side. The west side of the property has power line the run parallel to the property. Mr. Janowski currently has the property for sale and has not had any success, so with his family growing need the addition and stated that he loves where the house is and would rather stay.

5 Area Variances are need.

1) Distance separation from existing detached garage requires 12, shown 3ft 8in.

and 5) Increasing Existing Non-Conforming structure(garage).

There is already a structure there with the existing deck, maybe require double sheet rock on the exterior wall that will be next to the garage, for fire purposes.

2) Minimum front setback: Requires 25 shown 10 feet.  
Current structure only 10 feet from road.

3) Minimum back setback: Requires 25 shown 7ft 7in

Current structure only 7ft 7in feet from rear

4) Minimum lot coverage allowed 25% shown 35%

Since the house resides by itself on the street with one other across and Mr. Laier is in favor of the addition I do not believe it will affect the characteristics of the neighborhood.

The house is in a unique spot since it is on an only house on the end of the road After an intersection, with only Mr. Laier across the street, who again has no problem with any of the variances.

The neighbor behind him answered the door, but was busy, I described the variance that would affect him and told him to call me with any issues him might have. I did not receive a call from this individual.

I also tried to reach out to all the neighbors behind Mr. Janowski, as well as left letters in mailboxes requesting they call with any concerns.

I received only 1 phone call from Robert Laranjo and he is in favor of the variances, stating what a great neighbor the Janowski are, they reside at 1 Prospect Hills Rd.

I am going to make a positive recommendation on the Matthew Janowski property, at this time for the 5 Variance, mainly because of where the structure is located and asks the Zoning Board to approve the "5 Area VARIANCE" for 2 Prospect Heights Ave

Michael Bottillo