

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 MAY 13, 2015

Members:

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

Also Present:

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

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Polsinello called the meeting to order and determined that a quorum of seven (7) members were present.

PUBLIC HEARING:

WITBECK-HAMPTON MANOR SUBDIVISION:

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 modification of the application of George & Marjorie Witbeck for a major 36 ó Lot Cluster Subdivision for 36 Single Family Homes called the òWitbeck Major Cluster Subdivisionö. The property is currently located in an R-2 Residential Zoning District, and consists of 10.5 +/- acres, Tax Map # 155.18-4-7.1 and is located in Hampton Manor off of Eastern Avenue & Maryland Avenue East. Said Public Hearing will be held on Wednesday, May 13, 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

Steve Hart of Hart Engineering presented the project to the Board. He stated that also present was Tyler Culberson representing the Witbeck family. The project was originally approved in 2009 for 18 twin homes, a total of 36 units. Witbeck and the builder now wants to make a change from twin homes to 36 single family homes. Approximately 1,450 square feet of road will be constructed between Maryland Avenue East and Eastern Avenue. There will be a side setback of 8 feet from each house for a total of 16 feet between each house. Water will be run from Maryland Avenue East to Eastern Avenue and the sewer will come down Eastern to Summit and then will connect at Spring Avenue East. The sidewalks, curbing and street lights were removed from the plans. The asphalt roadway is now 28 feet wide. Mr. Hart stated that they have received comments from the Board and Hank Labarba and are looking tonight for any public comments. Chairman Polsinello asked if there were any questions from anyone in the audience.

Lee Cookson of Plazaview stated that he has heard that there is a real problem with the drinking water in Hampton Manor and with the sewers and is concerned about it. He stated that he is opposed to the project if no good answer can be provided.

Hal Betters stated that the sewer issue has been corrected with progress. There is an issue with potable water, but it does pass through the Department of Health. He wants to know why the people in Hampton Manor cannot be added to the General Water District. He does feel this is a good project. He stated he thinks the Town is doing an injustice to new residents coming in the Town and potentially paying a significant amount for their home and then having to spend more for a water treatment system within their home. There is an issue with the ISO rating that has to do with insurance services and he's wondering if anyone has looked into that or knows what the insurance rating is. He is not sure if the fire department has it but he will follow up.

Matt Mastin asked what the benefits are of removing sidewalks and widening the asphalt. Mr. Hart stated that the sidewalks would go nowhere and there are no further plans to connect any in the future as well as maintenance issues. Paul DiMascio asked if the new road is the same width as the other streets. Mr. Hart stated that they are actually a little wider and lesser slopes than what exists. Ralph Viola asked how far the general water line is from this development. Mr. Hart stated that the line is approximately 600 feet up Eastern Avenue with easements through some yards. Mr. Hart stated that he would like to have Hank come to next Project Review Team meeting to discuss the water and sewer issues. Mr. Hart stated that the development is providing the Town with approximately \$30,000 for new filtering systems. Matt Mastin stated that he thinks the water line goes all the way to McDonald Lane and that there would be some pressure issues. Ralph Viola stated that was a good point made as he owns a parcel in Hampton Manor is not satisfied with the quality of the water. Judy Condo stated that the Board received a letter from Hank Labarba regarding receiving \$30,000 from the applicant to mitigate any potential problems, is that going to be incorporated into the plan or is that a condition that the Board will have to attach to a resolution. Chairman Polsinello stated that in lieu of the sidewalks and lighting etc, that the applicant has agreed to contribute \$30,000 to the Town in excess of the GEIS fees and the sewer connection fees in an effort to mitigate any problems that could be creating. It would be a condition of subdivision approval. Polsinello asked if there was anyone in favor of or opposition to the revised major 36 lot cluster subdivision. There was no one in favor of or against. Chairman Polsinello asked if there were any general comments. There were none. The public hearing was closed at 7:22pm.

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

Seconded by Matt Mastin & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

OLD BUSINESS:

DEER POND ESTATES-MAJOR 64 LOT MAJOR SUBDIVISION-ELLIOT RD. (14-08)

Dom Arico from Boswell Engineering was present representing the owner. A Traffic Impact Study has been prepared and deemed complete by Chazen Companies. Ralph Viola asked a question about the cultural center. Dom Arico stated that the center is more of a clubhouse to be geared to the residents that live there and will be for yoga and meditation and in the future would like to set up a daycare for the residents only, he's going to market it with that purpose. Ralph Viola stated that he is unsure how the cultural center will be used by the residents only, and that he would like to see that lot as a dotted area, not part of this approval.

Jim Connor stated that a note should be put on the plan stating that the lot for the cultural center is subject to site plan review and approval. They are reviewing that parcel as part of SEQR review. Jim Connor stated that the water/sewer would need to be built to accommodate the excess capacity from the proposed cultural center. Chairman Polsinello stated that the cultural center isn't part of the subdivision approval, just the lot it would be built on as part of a later site plan approval. The applicant would have to come back for a major site plan for that and it ultimately would have Town Board final approval. Judy Condo asked Dom Arico to elaborate on marketing strategies. Dom Arico stated that the owner is going to market towards people of a specific religious community. The applicant needs to know that he's going to get enough buyers to fill up the subdivision or else it will not happen. Chairman Polsinello stated that a couple of good points came out of tonight's discussion, first he'd like to see the area for the cultural center shadowed out and put it as proposed and also note on the map that the area for the cultural center would require future site plan approval. Chairman Polsinello wanted to get back to talking about the traffic study, which is why they were here tonight. The applicant is looking for some type of acknowledgement that the traffic study in its current state is acceptable to the Board. Jim Connors stated that the traffic study that was prepared is complete and that there are no adverse impacts on the road system network because of this development. Chairman Polsinello stated that Jim Connors considers the traffic study complete with Ralph Viola asked if both intersections for the project will be full access points as he read that in the beginning of the traffic study and then read that the west entrance is a right in and right out only, he wants to know which one it's going to be. Dom Arico stated that the initial analysis was for a full intersection but that there will be restrictions for right in and right out only with signs and a raised median to restrict traffic. Jim Connors stated that the conclusions drawn at the end of the study was that the west entrance should be right in, right out only and that the primary entrance will be the east entrance. Matt Mastin asked if sidewalks were proposed with in the development. Dom Arico stated that no sidewalks are proposed. Chairman Polsinello stated that he has visited the site and is happy with the relocation of the two entry points and with the right in and right out only. Judy Condo asked for a point of clarification if the traffic study took into consideration the proposed Covered Bridge project. Jim Connors stated that the Covered Bridge project was taken into consideration and that the two projects together don't create a combined problem. Chairman Polsinello asked the Board members if they were all in agreement of the traffic study. They all nodded their heads in agreement. Chairman Polsinello stated that there was a positive reception of the traffic study by the Board.

NEW BUSINESS:

LEAVITT LUTHER ROAD-LOT LINE ADJUSTMENT

(15-03)

Bob Leavitt stated that he lives on Luther Road and wants to combine the parcel with his house on it to the adjoining parcel making it a combined parcel of approximately 4.95 +/- acres.

MOTION: A motion was made by Chairman Polsinello as follows: The Town of East Greenbush Planning Board hereby declares itself Lead Agency and issues a Negative Declaration under SEQRA and grants final approval of the proposed lot line adjustment prepared by Brian Holbriiter, and dated April 8, 2015.

Seconded by Matt Mastin & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

580 COLUMBIA TRPK-MINOR SITE PLAN MODIFICATION

(15-04)

Keith Lambert of Keystone Fireworks presented the proposal to the Board. His company is proposing to hold two temporary tent sales of Fireworks (Only sparklers and fountains) at two different locations in Town; this location is the Bowling Alley. The sale would be from June 24th to July 5th 2015. He has secured permission from the property owner via a lease agreement and has all the proper insurance etc. and following all the rules and regulations by the State of New York. Ralph Viola asked if there will be an age limit for purchasing the fireworks. Keith Lambert stated that the individual will have to be 18 years old. Chairman Polsinello stated that he thinks this site will be fine. Phil Danaher stated that the State of New York may decide to allow this type of sale year round.

MOTION: A motion was made by Chairman Polsinello as follows: The Town of East Greenbush Planning Board hereby issues a Negative Declaration under SEQRA and grants final approval of the proposed minor site plan modification subject to the following conditions:

1. Tent setup will not occur before June 20, 2015 and shall be removed no later than July 10, 2015.
2. All external signs and advertising not be displayed prior to June 23, 2015 and shall be removed no later than July 6, 2015.
3. The business must be run in full compliance with New York State and Rensselaer County Laws.
4. That the above mentioned modification will be limited to a one-time use for the period of June 20, 2015 to July 10, 2015.
5. That the applicant must consult with the Building Department and complete all applicable permits, including but not limited to signage.

Seconded by Mike Bottillo & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

637 THIRD AVENUE EXT.-MINOR SITE PLAN MODIFICATION

(15-04a)

Keith Lambert of Keystone Fireworks presented the proposal to the Board. His company is proposing to hold two temporary tent sales of Fireworks (Only sparkles and fountains) at two different locations in Town; this location is the Off Shore Pier. The sale would be from June 24th to July 5th 2015. He has secured permission from the property owner via a lease agreement and has all the proper insurance etc. and following all the rules and regulations by the State of New York. Matt Mastin is concerned with this site. Jim Giordano asked how many parking spots would be taken up. Keith Lambert stated that 5 spots would be used. Chairman Polsinello asked how tall the tent is. Keith Lambert stated that it's approximately 10 feet high. Chairman Polsinello doesn't like the Off Shore Pier site and doesn't think it will work well and suggested moving the tent back to be closer to the building. After some discussion by the Board it was decided to table this project. The applicant was asked to come back before the Board at the May 27, 2015 meeting with a better location for the tent.

REFERRALS-REPORTS & RECOMMENDATIONS:

ZBA Appeal # 2015-02 ó Goldstein-4 Madison Avenue-Use Variance- Two family dwelling-assigned to Jim Giordano

NEW ZBA REFERRALS:

NONE

REVIEW AND APPROVAL OF MEETING MINTUES

Motion by Chairman Polsinello to approve the April 22, 2015 meeting minutes as is. Seconded by Judy Condo. Motion carried by a 6-0-1 vote. Mike Bottillo abstained.

Chairman Polsinello discussed projects from Project Review Team this am.

ADJOURMENT

There being no further business before the Board, the meeting was adjourned by Chairman Polsinello. Seconded by Matt Mastin. Carried by a 7-0 vote.

Respectfully Submitted

Alison Lovely, Planning Secretary

DRAFT