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 27, 2015

Members:
Matt Polsinello, Chairman
Judy Condo
Ralph Viola
Paul DiMascio
Matt Mastin
Mike Botillo

Also Present:
Diane Earing, Acting 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. Jim Giordano was absent.

OLD BUSINESS:
637 THIRD AVENUE EXT.-MINOR SITE PLAN MODIFICATION (15-04a)

Chairman Polsinello stated that the applicant is back per the request of the Board to present a different option than what was first presented in regards to the location of the proposed temporary tent for firework sales. Keith Lambert of Keystone Fireworks presented two different options to the Board. First, Mr. Lambert stated that they could cut the size of the tent by half, which would make it a 20' x 20' tent, which he believes would minimize the concern with the parking. Mr. Lambert also showed the tent where it was originally proposed and in a location back by the building. The other thing is that they decided to start the sale on Saturday, June 27, 2015. Mr. Lambert asked if the Board had any questions. Paul DiMascio stated that he liked the option where the tent is back near the building and is out of the way. Chairman Polsinello agreed as did Judy Condo. Matt Mastin asked how far off the road it was. Mr. Lambert stated approximately 17 feet off of Third Avenue. Chairman Polsinello asked about the container storage proposed. Mr. Lambert stated it was to hold the extra product and for storage at night. Chairman Polsinello read the conditions that were part of the approval for Mr. Lamberts other site at 580 Columbia Turnpike. Mr. DiMascio stated that the sale not operating on Friday, June 26, 2015 was a great change. Ralph Violas stated that he feels that the storage container could be placed closer to the building.

1. Tent setup will not occur before June 25, 2015 and shall be removed no later than July 10, 2015.
2. All external signs and advertising will not be displayed prior to June 27, 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 27, 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; M. Bottillo-YES; J. Condo-YES; P. DiMascio-YES; R. Viola-YES.

MOTION CARRIED BY A 6-0 VOTE

Chairman Polsinello stated that Napa was withdrawn from the agenda tonight. He stated that the project consists of a retaining wall on the right side of the existing Napa building; there is one row of parking and then a hill, so they want to move it back to make double parking. The project will be back before the Board when the applicant irons out some issues.

NEW BUSINESS:

570 COLUMBIA TRPK-MINOR SITE PLAN MODIFICATION (15-06)

Vincent Szabo of Phantom Fireworks presented the proposal to the Board. His company is proposing to hold two temporary tent sales of Fireworks in front the Bowling Alley. They are proposing the setup of a 30' x 40' tent, with one container for storage. Setup of the tent would be June 17th and removed either July 9th or 10th. The sale would be from June 23rd to July 10th 2015. Ralph Viola asks if they were going to contract a local tent and why the tent will be up so long after July 4th. Mr. Szabo stated for inventory purposes and due to the fact that there are so many sites. The tent maybe taken down sooner, but the container will remain until it's picked up. The fireworks need to remain secured in a fire proof container. Ralph stated then that at the applicant's sites there won't be security around the clock, everything will just be locked in the containers. Mr. Szabo stated that everything is locked up every night in the containers. Ms. Condo asked how close the tent is to Columbia Turnpike. Mr. Szabo said that there's the sidewalk and then another four feet. Mr. Mastin asked if everything is all in the parking lot. Mr. Szabo said yes it is. Chairman Polsinello stated that for continuity the same conditions should be placed on tonight's two sites and there will be another applicant coming in on June 10th with two more sites. Ms. Condo asked the reason for the earlier dates. Mr. Szabo stated that it's because they have to get trucks around to 130 sites. Mr. DiMascio asked if every tent is marked with what's inside of it, in case there was a fire and the Fire Department had to respond. Mr. Szabo stated that the tents have a list of what's inside the tent and the rating of the tent inside of them. Mr. Viola asked if the Fire Department visits the site prior to the start of the sale just like the Building Dept. does. Mr. Szabo stated that the state Fire Marshall visits the site prior to the start of the sale.

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 will 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 Judy Condo & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

179 TROY ROAD-MINOR SITE PLAN MODIFICATION (15-06a)

Vincent Szabo of Phantom Fireworks presented the proposal to the Board. His company is proposing to hold two temporary tent sales of Fireworks at Hewitt's. They are proposing the setup of a 30' x 40' tent, with one container for storage separate from the parking lot entirely. Chairman Polsinello asked if the Board had any questions regarding this site. Mr. Viola stated that one of the questions the Board hasn't asked is that there will be no on street signage. Mr. Szabo stated that basically all the signs are on the tent. They may put a sign onto the entrance of Hewitt's.

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

MOTION CARRIED BY A 6-0 VOTE

REFERRALS-REPORTS & RECOMMENDATIONS:

ZBA Appeal # 2015-02 – Goldstein-4 Madison Avenue-Use Variance- Two family dwelling-assigned to Jim Giordano. Chairman Polsinello stated that he couldn't make the meeting tonight but forwarded a letter to the Board which he read. *See attached report.

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

Seconded by Judy Condo & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

Chairman Polsinello stated that the following three referrals are all the same project and that Mr. Tice from Brewer Engineering is here for an informational presentation only regarding the following three applications. Mr. Tice stated that E.W. Birch Builders has purchased 9 lots in Prospect Park part of a subdivision that was designed in 1902. The lots do not conform to the current zoning. All the lots are 30' wide but range in depth from 65' to 80'. The applicant is proposing 3 lots; all are 6,300 square feet, which meets the undersized lot requirement, 90' wide and 75' deep. The proposed setbacks are 8' on the sides and 19' to the front and 13' to the rear. Phil Danaher stated that unless the builder is building a deck, the rear variance can't be granted on speculation.

NEW ZBA REFERRALS:

ZBA Appeal # 2015-03-Brozowski - 11 Highland view Ave- 2 Area Variances-Front Setback for house and Rear Setback for Deck-assigned to Judy Condo

ZBA Appeal # 2015-03-Brozowski -13 Highland view Ave- 2 Area Variances-Front Setback for house and Rear Setback for Deck-assigned to Judy Condo

ZBA Appeal # 2015-04-Brozowski – 12 Neptune St. - 2 Area Variances-Front Setback for house and Rear Setback for Deck-assigned to Judy Condo

REVIEW AND APPROVAL OF MEETING MINTUES
Motion by Chairman Polsinello to approve the May 13, 2015 meeting minutes as is. Seconded by Matt Mastin. Motion carried by a 6-0 vote.

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 Mike Bottillo. Carried by a 6-0 vote.

Respectfully Submitted

Alison Lovely, Planning Secretary

James R Giordano
3 Ponderosa Blvd
East Greenbush, NY 12061
May 27, 2015

East Greenbush Planning Board
225 Columbia Turnpike
Rensselaer, NY 12144

Reference: ZBA Appeal # 2015-02 – Goldstein – 4 Madison Avenue-Use Variance-Two family dwelling

Dear Chairman Polsinello & East Greenbush Planning Boards:

On Saturday, May 23rd, I visited the Goldstein property located on 4 Madison Avenue. While I was not able to meet with the home owner, I did speak with a couple of the neighbors, who were all positive with the idea to change this dwelling from an one family dwelling to a two family dwelling. The neighborhood already has several other apartment buildings, so I feel that this change is in line with the character of the surrounding properties.

Therefore I make a motion to recommend to the zoning board of appeals that they grant the variance as requested.

Respectfully yours,

James Giordano

Planning Board Member