

TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENNELAER, NY 12144 (518)477-2005 FAX (518)477-2386

MEMORANDUM

PLANNING BOARD MEETING AGENDA March 3, 2010

*Official Minutes
EOP*

7:00PM Workshop Session & Public Comment

CALL TO ORDER/DETERMINATION OF QUORUM/PUBLIC HEARINGS

NONE

OLD BUSINESS

(10-01) ABT Builders – Lot Line Adjustment

(09-44) NYISO Site Plan – Update to Planning Board

(05-65a) Elliot-Michael Road Planned Development District – Update to the Planning Board

(05-50b) Thompson Way Subdivision – Review of Revised Cluster Subdivision Layout

(09-39a) Brad Rose Landscaping, NYS Route 9J – Review for Recommendation for SEQRA Determination & Recommendation for Site Plan Approval

NEW BUSINESS

(10-03) Witbeck 2-Lot Subdivision – Review for Sketch Plat Acceptance, Declaration of SEQRA Lead Agency & Schedule Public Hearing

(10-04) Fiacco Site Plan Modification – Review of Proposed Modification

(10-05) Taft Minor 2-Lot Subdivision – Review for Sketch Plat Acceptance, Declaration of SEQRA Lead Agency & Schedule Public Hearing (Tentative)

REFERRALS-REPORTS & RECOMMENDATIONS

(2010-01) – Van Zandt Multi-Family Use Variance – Castleton Avenue – report by Don Pantone

NEW ZBA REFERRALS

NONE

REVIEW & APPROVAL OF MEETING MINUTES

February 3, 2010 Minutes

End of Agenda



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MEMORANDUM

EAST GREENBUSH PLANNING BOARD
MEETING MINUTES

March 3, 2010

Members

Chairman Davey
Kurt Bergmann
Sue Mangold
Joe Kelley
Matt Polsinello
Donald Panton

Also Present:

Jim Moore, Planning Director
Tim Nugent, Planning Board Attorney
Angelina Cadena, Planning Board Secretary
Amy Konisky, Planning Board Secretary

Alternate Members

Lance Ferson
Daniel Fiacco

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Davey called the meeting to order and determined a quorum of seven (7) members were present. Introductions were made.

PUBLIC COMMENT PERIOD

Chairman Davey opened the Public Comment Period. There were no comments from the public. Therefore the comment period was closed.

BOARD WORKSHOP PERIOD

Chairman Davey opened the Board Workshop Period and began to speak about Project Review Team ("PRT") meetings and various possible projects.

- Chairman Davey encourages board members to attend PRT meetings; a calendar was passed around to sign up for meetings. Alternate members are also invited to the PRT meetings.
- Sue Mangold, Joe Kelley, and Don Panton will not be attending the March 17, 2010 meeting.
- The Town has asked Chazen to give a presentation on GEIS to the zoning and planning board members.
- The Regeneron guard shack and expansion of the building were briefly discussed.
- There was a DOT meeting about the two roundabouts scheduled for construction on Rt4 (at the intersections of RT151 and at Mannix Road); an updated design was presented with a single lane entry (easier for people to use and understand), Target to break ground is the Spring of 2011.
- Maybe's will be moving the trailers to the approved parking area.
- Ms. Mangold states that banks are really tightening up on small business lending and she would like the board to take that into consideration.
- Lance Ferson will be the alternate member voting this meeting.

Chairman Davey then closed the Board Workshop Period.

OLD BUSINESS:

LANDS OF ABT BUILDERS, LLC – Lot Line Adjustment (10-01)

Presented by Dick Tice from Brewer Engineering. The proposed property is a 108 acre parcel of land off of Best Road. ABT builders would like a lot line adjustment deeding two acres of land to the adjacent Slippery's property.

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

The Town of East Greenbush Planning Board hereby declares itself Lead Agency under SEQRA and issues a Negative Declaration and grants final approval to the proposed lot line adjustment prepared by Brewer Engineering dated January 5, 2010.

Second by Kurt Bergmann & roll called as follows:

R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; D. Panton -YES; S. Mangold-YES; M. Polsinello-YES; L. Ferson-YES;

MOTION CARRIED BY A 7-0 VOTE

NEW YORK INDEPENDENT SYSTEM OPERATOR ("ISO") SITE PLAN –Update
(09-44)

Presented by Keith Gillies from Gillies Engineering and Counsel Dave Edbert. The NY ISO's entire project consists of two components or segments: (1) Renovations and expansion to their Krey Blvd. site and (2) renovations to its Carman Road facility in Guilderland. Based on SEQRA the lead agency is required to consider the potential environmental effects of both segments of the ISO's project together unless the lead agency believes that circumstances warrant a segmented review. Based on the distance between these two projects (approximately 15 miles) the Board concluded that neither of these components is related environmentally. The East Greenbush Town board is lead agency for the Krey Blvd. project. The project is in front of the board tonight to answer any questions and is looking for a negative declaration. Counsel Dave Edbert provided documentation for a negative declaration. There is no significant impact on traffic and no impact on agriculture, environmental, lighting, noise, wetlands, water bodies or wild life. A 1500 kw generator will be added but only used in an emergency. A stormwater prevention plan was submitted. North Greenbush planning board did not have any issues with the project.

The board is recommending a negative declaration under SEQRA.

MOTION: A motion was made by Chairman Davey 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 all environmental issues and more particularly to traffic, fire and rescue and MS-4 storm water detention and hereby recommends the Town Board issue a Negative Declaration under SEQRA.**

NEW YORK INDEPENDENT SYSTEM OPERATOR (“ISO”) SITE PLAN –continued

Second by Don Panton & roll called as follows:

**R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; D. Panton -YES; S. Mangold-YES;
M. Polsinello-YES; L. Ferson-YES;**

MOTION CARRIED BY A 7-0 VOTE

ELLIOT-MICHAEL ROAD - Planned Development District –update to planning board

Presented by Daniel Hershberg from Hershberg Engineering who represents Gordon Residential. The project consists of 34 single family homes and 96 condominiums.

There are some changes with the project from the last meeting; all traffic will be using Michael Road with Elliot Road being used for emergencies only and the condominium end units will have 2 car garages with the middle units still having 1 car garages. The PDD providing a public benefit is still an issue. Mr. Hershberg explains that the developer cannot make any improvements on Michael Road because it is a user road. The developer could make improvement to I&I or a recreation benefit. At the public hearing there were many issues from the residents. Mr. Hershberg stated he would address each one with a transcript from the public hearing.

**THOMPSON WAY SUBDIVISION – Review of Revised Cluster Subdivision
Layout (05-50b)**

Presented by Don Bosewell from Bosewell Engineering. The 26 unit conventional design has been approved. The design consists of twin homes with a common property line and 3 single family homes. The parcel has over 5 acres of green space with 26 buildable lots the applicant is proposing 24 lots. There is a recommendation to make the green space a public viewing area and to move the cul-de-sac to the south end of the property with a connection road with the adjacent property.

**BRAD ROSE LANDSCAPING - SITE PLAN, NYS ROUTE 9J - Review for
Recommendation for SEQRA Determination & Recommendation for Site Plan
Approval (09-39a)**

Presented by Steve Hart from Hart Engineering. The proposed property will be used for a landscaping business. The department of transportation recommendation is to make the second access area green and to have a traffic protection plan during construction. A motion is made with the following conditions.

BRAD ROSE LANDSCAPING – continued

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

The Town of East Greenbush Planning Board hereby recommends the Town Board grant site plan approval subject to the following conditions;

- **Satisfying outstanding technical details as determined by the Town Planning Department and the Planning Board’s Designated Engineer.**
- **All exterior light fixtures are cut-off type fixtures and site lighting conforms to Section 3.2.6 in the Town’s Comprehensive Zoning Law; and**
- **Identify within the recommendation that East Greenbush approval is contingent upon the applicant attaining water & sewer service through the City of Rensselaer; and**
- **That the applicant provides additional landscape screening between the street and the proposed material storage bins, which at a minimum, complies to Type IV landscaping requirements in the Comprehensive Zoning Law; and**
- **That the applicant receives written approval from the NYSDOT, which includes, but is not necessarily limited to paving the existing driveway cut, and for the proposed storm water drainage design; and**
- **Address the possible reconfiguration of the existing easement to the adjacent property N/F owned by Stilsing Electric; and**
- **That the building elevations are articulated in manner similar to Exhibit ‘A’, as provided by the applicant; and**
- **All remaining fees be paid and escrow provided to the Town.**

Second by Pantan & roll called as follows:

**R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; D. Pantan -YES; S. Mangold-ABSTAIN;
M. Polsinello-YES; L. Ferson-YES;**

MOTION CARRIED BY A 6-0-1 VOTE

NEW BUSINESS

WITBECK 2-LOT SUBDIVISION – Review for Sketch Plat Acceptance, Declaration of SEQRA Lead Agency& Schedule Public Hearing (10-03)

Presented by Steve Hart from Hart Engineering. This project consists of two phases; phase one is one acre being subdivided for Witbeck's house and garage, phase 2 is 10 acres for 36 units. This project was approved in 2009 but the fees have not been paid. The project is in front of the Board tonight because Witbeck's house has been moved from the approved drawings. The Board is questioning if the project is a subdivision or modification. Two parcels of land are being created but Tim Nugent believes it's a modification. The project has been submitted as a two lot subdivision.

FIACCO SITE PLAN MODIFICATION.– Review of Proposed Modification (10-04)

Presented by Steve Hart from Hart Engineering. Located on Route 4 across the street from Apple Bees. Originally the applicant was removing the existing building and constructing a 6600 sq. foot building with a single row of parking. Now the applicant is proposing to keep the existing building as is and construct a 3900 sq. foot building with double parking.

The Board is questioning if the project is a major or minor sit plan modification.

TAFT MINOR 2-LOT SUBDIVISION – Review for Sketch Plat Acceptance, Declaration of SEQRA Lead Agency& Schedule Public Hearing (Tentative) (10-05)

Mr. Traft was not present.

REFERRALS-REPORTS & RECOMMENDATIONS

(2010-01) – VanZandt Multi-Family Use variance – Castleton Ave – report by Don Panton

The applicant is proposing to maintain an existing, non-conforming multi-family residence in the R-1A Zoning District. This is in violation of the Town's Comprehensive Zoning Law, Section II, Sub-Section 2.6.5 Residential District (R-1A) which does not allow Residential; multi-family residence. Therefore, the applicant is requesting a Use Variance.

Mr. Panton reported that the site does not fit into the character of the neighborhood and feels that the hardship was self-created. Mr. Panton hereby recommends an unfavorable recommendation to the zoning board of appeals.

Tim Nugent pointed out that a Use Variance is to be granted when the land owner cannot use the land. The planning board is recommending a negative recommendation.

(2010-01) – VANZANDT MULTI-FAMILY USE VARIANCE –continued

MOTION: A motion was made by Don Panton as follows: **The Town of East Greenbush Planning Board recommends to the Zoning Board of Appeals an unfavorable recommendation for the Use Variance.**

Second by Bob Davey & roll called as follows:

**R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; D. Panton -YES; S. Mangold-YES;
M. Polsinello-YES; L. Ferson-YES;**

MOTION CARRIED BY A 7-0 VOTE

NEW ZBA REFERRALS

NONE

REVIEW AND APPROVAL OF THE FEBRUARY 3, 2010 MINTUES

Approval of the February 3, 2010 meeting minutes. Motion by Sue Mangold. Seconded by Matt Polsinello, with a 7-0 vote.

Chairman Davey also asked the minutes reflect for the record that the January 20, 2010 Planning Board meeting was cancelled and that no business was conducted at the February 17, 2010 meeting due to a lack of a quorum. Therefore no minutes were taken for those meeting dates.

ADJOURMENT

There being no further business before the Board, the meeting was adjourned.

Respectfully Submitted

Angelina Cadena, Acting Planning Board Secretary