

# TOWN OF EAST GREENBUSH PLANNING BOARD

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

## MEMORANDUM

### PLANNING BOARD MEETING AGENDA October 20, 2010

*Official Minutes  
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7:00PM Workshop Session & Public Comment

#### CALL TO ORDER/DETERMINATION OF QUORUM/PUBLIC HEARINGS

7:15 PM (10-24) Kelly/ Fieldcrest Estates, Phase 3, 2-Lot Subdivision

7:35 PM (10-20) Roth 2-Lot Subdivision, 4 Linden Avenue

#### OLD BUSINESS

(10-24) Kelly/ Fieldcrest Estates, Phase 3, 2-Lot Subdivision – Review for SEQRA Determination & Approval

(10-20) Roth 2-Lot Subdivision, 4 Linden Avenue - Review for SEQRA Determination & Approval

(10-04) Fiacco Site Plan, North Greenbush Road – Update to Planning Board

#### NEW BUSINESS

(09-39a) Brad Rose Landscaping, Minor Site Plan Modification – Presentation to the Planning Board

#### REFERRALS-REPORTS & RECOMMENDATIONS

(10-29) HKM Properties, LLC, 563 Columbia Turnpike – Application for Use Variance and Area Variances, report by Planning Board

(10-30) Mr. Douglas Frenyea, 18 Moulds Avenue – Application for Area Variances, report by Don Pantan

(10-31) Mr. Warren Kretschamar, 20 St. Clair Avenue - Application for Area Variance, report by Dan Fiacco

#### NEW ZBA REFERRALS

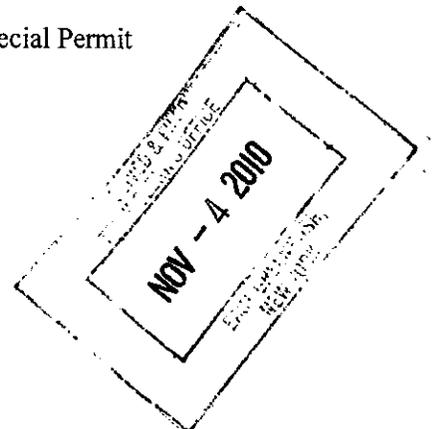
ZBA Appeal # 2010-32, North Greenbush Associates, LLC, (Aspen Dental), 307 Troy Road – Request for Area Variance

ZBA Appeal # 2010-33, Mr. Charles Bauer, 11 Kriss Crossing – Request for Special Permit

#### REVIEW & APPROVAL OF MEETING MINUTES

October 6, 2010

*End of Agenda*



# **EAST GREENBUSH PLANNING BOARD MEETING MINUTES October 20, 2010**

## **Members**

**Chairman Bob Davey  
Don Panton  
Kurt Bergmann  
Bill Ritz  
Joe Kelley  
Suzanne Mangold  
Matt Polsinello**

## **Also Present:**

**Jim Moore, Planning Director  
Amy Konisky, Planning Board Secretary  
Tim Nugent, Attorney  
Donna Moran, Stenographer**

## **Alternates:**

**Lance Ferson-absent  
Daniel Fiacco**

## **7:00PM Workshop Session & Public Comment**

Mr. Davey opens the public comment period.  
No Comments. Mr. Davey closes the public comment period.

## **CALL TO ORDER/DETERMINATION OF QUORUM/PUBLIC HEARINGS**

**7:15 PM (10-24) Kelly/ Fieldcrest Estates, Phase 3, 2-Lot Subdivision**  
Mr. Moore states Phase 3 should be crossed out because the current application is separate from the 6 lot subdivision which was previously approved. The Planning Board did not approve this project in phases. No one has spoken in favor or against the project. Hearing closed at 7:25.

**7:35 PM (10-20) Roth 2-Lot Subdivision, 4 Linden Avenue**  
Mrs. Roth is not present. Mr. Davey adjourns the Public Hearing at 8:14 pm until the next meeting.

## **OLD BUSINESS**

**(10-24) Kelly/ Fieldcrest Estates, 2-Lot Subdivision** – Review for SEQRA Determination & Approval  
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 detention and hereby issues a Negative Declaration under SEQRA.

Motion made by Mr. Davey, seconded by Mr. Polsinello. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz;- yes; Kelley-yes; Pantan- yes; Mangold-abstained; Polsinello-yes; Motion carried by 6-0-1 vote.

Conditional Approval Motion was tabled until Mr. Moore and Mr. Nugent do some research in regards to previous approvals of this project. They will discuss their findings at the next Board Meeting.

**(10-20) Roth 2-Lot Subdivision, 4 Linden Avenue** - Review for SEQRA Determination & Approval

Mrs. Roth is not present. Review postponed until further notice.

**(10-04) Fiacco Site Plan, North Greenbush Road** – Update to Planning Board  
Steve Hart, Hart Engineering, is representing the applicant. Mr. Hart gives an update to the Planning Board. He states that he has received a letter from Chazen this morning regarding the project but he has not had a chance to fully review it. Mr. Hart request any feedback from the Board regarding the current design in front of the Board tonight. There has been some discussion about the landscaping buffers are thin. The amount of room between the existing buildings is currently 2 feet, 3 parking spaces available. Mr. Hart states that they could possibly trim the buildings to increase the buffer size. There will be three different store fronts, maybe 2 depending on who will rent space. Mr. Hart states that they will make the front look symmetrical if it is only split into two spaces. Mr. Davey asks if Mr. Hart reviewed Chazen's letter, specifically point #3. Mr. Hart states that he needs to take a closer look at the letter. Mr. Ritz asks if water will all drain out on Route 4. Mr. Hart states that it will drain into swale in a southern direction for drainage. He states that they will need approval from DOT on this. Mr. Davey asks about snow removal. Mr. Hart states that there are small stock piles for snow but they will most likely have to have a truck remove the snow and place it elsewhere. No further questions from the Board.

**NEW BUSINESS**

**(09-39a) Brad Rose Landscaping, Minor Site Plan Modification** – Presentation to the Planning Board.

Presentation postponed until further notice.

**REFERRALS-REPORTS & RECOMMENDATIONS**

**(10-29) HKM Properties, LLC, 563 Columbia Turnpike** – Application for Use Variance and Area Variances, report by Planning Board. Ms. Mangold recused herself from this portion of the meeting.

Victor A Caponera Jr., Attorney, and Chris Boyea from Boulder Engineering Firm representing the Dunkin Donuts store (2200 sq. feet). It is a 1.67 acre parcel that was rezoned B-2 to B-1 which now does not allow drive thrus. The green space is over 50% . This is not a standard Dunkin Donuts, it will be a work in progress. It will be a mix of a two story building with special architecture that will blend with the rest of the surrounding buildings. The front yard setback is supposed to be 0-15 ft. from the road. The other buildings are set further back. They are trying to limit curb cuts. This building will replace another Dunkin Donuts on 9&20. They are seeking input for the esthetic look for the building etc. There is 23 ft in height to the ridge (1 ½ story), they will not be occupying the second story. There will be no parking in front yard. Mr. Davey inquired about a traffic study. What will the impact be on the morning traffic? Mr. Boyea states that no formal study was completed but that the morning traffic

doesn't coincide with the other properties on 9 & 20. The bank etc all open at a later time. Most of Dunkin Donuts traffic is very early in the a.m. before most businesses on 9 & 20 open. The building will be set back 69 ft from road. They will not have any habitable space on second story. This is an issue with the second story requirement. A second story is not conducive to a Dunkin Donuts. Mr. Bergmann asks what the objectives are for routes 9&20, B-1 District, as far as the pedestrian walk ways and bike ways. Mr. Boyea states that these current plans are a work in progress and are open to the Boards comments and suggestions.

The Board decides to make three separate recommendations.

1). The Board makes a motion to make a positive recommendation to approve the Use Variance for the Drive Thru.

Motion made by Mr. Davey, seconded by Mr. Ritz.

Roll Call as follows: Davey- yes; Bergmann-yes; Ritz;-yes; Kelley-yes; Panton- yes; Mangold-recused; Polsinello-yes;

Motion carried by a 6-0 vote.

2). The Board makes a positive recommendation for an Area Variance requiring that the maximum front setback be 69 square feet as noted on the 7/6/2010 set of drawings.

Motion made by Mr. Davey, seconded by Mr. Panton.

Roll Call as follows: Davey- yes; Bergmann-no; Ritz;-yes; Kelley-yes; Panton- yes; Mangold-recused; Polsinello-yes;

Motion carried by a 5-1 vote.

3). The Board makes a positive recommendation for approval of an Area Variance with the conditions of a one story use with a minimum of 23 sq. feet in height.

Motion made by Mr. Davey, seconded by Mr. Polsinello.

Roll Call as follows: Davey- yes; Bergmann-no; Ritz;-yes; Kelley-yes; Panton- yes; Mangold-recused; Polsinello-yes;

Motion carried by a 6-0 vote

**(10-30) Mr. Douglas Frenyea, 18 Moulds Avenue** – Application for Area Variances, report by Don Panton.

Mr. Frenyea wants to put a 12 x 25' cedar shed in his front yard. This property is on a corner lot; therefore it requires two Area Variances. He now has an unsightly trailer in that spot which he will be getting rid of. The neighbors are all pleased with this project as it will be an improvement to neighborhood.

Motion to make a positive recommendation to approve these Area Variances made by Mr.

Panton, seconded by Ms. Mangold. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz;-yes; Kelley-yes; Panton- yes; Mangold-yes; Polsinello-yes;

Motion carried by a 7-0 vote.

**(10-31) Mr. Warren Kretzschamar, 20 St. Clair Avenue** - Application for Area Variance, report by Dan Fiacco

Mr. Kretzschmar and his brother wish to construct a single family dwelling on their property. There is a sewer line that runs across the property line and in order to build they need to adjust the location and size of the dwelling. The B-1 Zoning district requires 25' feet from the rear property line and because they need to adjust the location due to the sewer line they only have 15' feet. The house will improve the neighborhood.

Motion to make a positive recommendation for approval made by Mr. Polsinello, seconded by Mr. Bergmann. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz;- yes; Kelley-yes; Panton- yes; Mangold-abstained; Polsinello-yes;  
Motion carried by a 6-0-1 vote.

### **NEW ZBA REFERRALS**

ZBA Appeal # 2010-32, North Greenbush Associates, LLC, (Aspen Dental), 307 Troy Road – Request for Area Variance. Assigned to Mr. Bergmann.

ZBA Appeal # 2010-33, Mr. Charles Bauer, 11 Kriss Crossing – Request for Special Permit. Assigned to Mr. Panton.

### **REVIEW & APPROVAL OF MEETING MINUTES**

October 6, 2010

Minor spelling corrections.

Motion to approve minutes with corrections made by Mr. Davey, seconded by Mr. Kelley. Roll Call as follows: Davey- yes; Bergmann-abstained; Ritz;- abstained; Kelley-yes; Panton- yes; Mangold-abstained; Polsinello-yes; Mr. Fiacco-yes.  
Motion carried by a 6-0-2 vote.

Motion to adjourn meeting made by Mr. Davey, seconded by Mr. Panton. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz;- yes; Kelley-yes; Panton- yes; Mangold-yes; Polsinello-yes;  
Motion carried by a 7-0 vote.

*Respectfully submitted,  
Amy Konisky*