

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 14, 2014

Members:

Matt Polsinello, Chairman
Judy Condo
Mike Bottillo
Paul DiMascio
Ralph Viola
Matt Mastin
Kelly Sambrook

Also Present:

Alison Lovely, Planning Board Secretary
Phil Danaher, Planning Board Attorney

CALL TO ORDER / DETERMINATION OF QUORUM

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

OLD BUSINESS:

FED EX-TROY ROAD-253 TROY ROAD-MINOR SITE PLAN

(09-12b)

Dominic Arico from Boswell Engineering representing Fed Ex and Mike Anderson from Scannell & Aaron Hall the general contractor from Dacon Construction and Steve Hart were all present. Dom stated that he has been adding corrections & notes to the plans. They have verified the parking counts and the water & sewer counts. The sewer connection has been approved by NYSDEC. The parking still isn't at the full build out of what was originally approved.

MOTION: A motion was made by Chairman Polsinello as follows: **The Town Planning Board, Project Review Team and Planning Board's Designated Engineer have taken a "hard look" at the potential environmental impacts of this project by carefully considering and reviewing the Full 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.**

Second by Mike Bottillo & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

MOTION: A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby grants final site plan approval subject to the following conditions;**

- **Satisfying outstanding technical details as determined by the Town's Consulting Engineer and Town Planning Department; and**
- **All remaining fees be paid and escrow provided to the Town.**

Second by Judy Condo & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

INTEGRATED LINER TECHNOLOGIES-45 DISCOVERY DRIVE-MAJOR SITE PLAN (14-04)

James Crouch from Integrated Liner stated that the final plans have the noted changes on them as requested. There is no change to the front of the building. The addition is in the rear of the building. He asked the Board if there were any questions. There were none.

MOTION: A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board recommends that the Town Board issue a Negative Declaration under SEQRA .**

Second by Matt Mastin & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

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

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

- **Satisfying outstanding technical details as determined by the Town's Consulting Engineer and Town Planning Department; and**
- **All remaining fees and escrow are paid to the Town.**

Second by Matt Mastin & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

GREENBUSH RENEWABLES-298 SUN OIL ROAD-MINOR SITE PLAN

(14-05)

Lauren Browe and Mike Collandra are proposing an asphalt shingle recycling facility. They will be installing a pond to catch the particles so that they settle and can be collected in a sediment stream instead of running off the site. The machine that will be used is mobile and can be moved around the site. Chairman Polsinello stated that the potential sound issue has been discussed and that the applicant is aware of the limit of noise at the property line. Ralph asked if the machine generates a lot of dust and if water is spread with it to keep the dust down. Mike stated that it doesn't generate a lot of dust, but water will be used to keep any potential dust down. Judy asked if they were heating anything. Mike stated that they were not. Paul asked if a swale will be built. Mike stated that yes it would be to collect any sediment. Matt asked how storm water was going to be addressed since this is a 10 acre site. Jim Connors stated that the applicant is only proposing to use 2 acres of the 10 acre site. These 2 acres will need to be marked with jersey barriers and the operation should be contained to that area. Jim stated that it will be the code enforcements responsibility to respond to any complaints/concerns regarding the proposed operation. Chairman Polsinello stated that some housekeeping has to be done on the site left from the previous owner.

MOTION: A motion was made by Chairman Polsinello as follows: The Town Planning Board, Project Review Team and Planning Board's Designated Engineer 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.

Second by Judy Condo & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

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

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

- **Satisfying outstanding technical details as determined by the Town**
- **All remaining fees be paid and escrow provided to the Town.**

Second by Mike Bottillo & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

NEW BUSINESS:

STEWART'S-326 COLUMBIA TURNPIKE-MINOR SITE PLAN

(14-09)

Chris Potter of Stewart's presented the proposal to the Board. The applicant is proposing to build a 3,417 square foot store behind the existing one and then they will tear down the current one. A new gas canopy will also be constructed and it will double the number of gas pumps that are currently there. The current gas tanks were installed in 2005. A new tank will be installed which will contain ½ gas and ½ diesel. The parking spaces will be increased to 26 spaces. After the building is constructed, delivery trucks will be able to drive around the building. The two existing curb cuts will remain. The site will have down facing LED lights. The applicant is proposing two signs which should meet the current zoning. They are proposing a 14 square foot building sign and a 63 square foot free standing sign. Storm water will consist of an underground raised system to discharge into the state system. Chris stated that NYS has approved the storm water report. Matt asked if the canopy issue was resolved. Chris stated that they are grandfathered in, no variance is needed. The proposed canopy is actually going to sit further into the site than the one that exists. Evergreen trees will be planted at the base of the slope in the rear of the site. Ralph likes the access around the entire building that is proposed.

MOTION: A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby declares their intent to seek lead agency and accepts the sketch plan dated January 14, 2014 by L.H. Rutland Jr., P.E. for the proposed minor site plan.**

Second by Matt Mastin & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

PARKRIDGE-LOT LINE ADJUSTMENT-LOT'S 5 & 6

(03-05b)

Steve Hart of Hart Engineering presented the project. There is a proposal to build a house on Lot #6. The property owner wants to acquire Lot #5 which consists of 2 acres for a total of 4.02 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 John J. Dunn L.S., and dated April 25, 2014.**

Second by Judy Condo & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

CANTERBURY CIRCLE

(12-16a)

Steve Hart presented the minor site plan modification. Steve stated that this project was approved last Oct/Nov. for a 16,500 square foot building with 12,000 square feet of retail in the front of the site and a 4,500 square foot restaurant in the rear of the site. The proposal is to now flip the plan so the restaurant is in the front of the site. A 20 square foot patio is proposed to project out from a 60' x 25' covered deck. Ralph asked in relation to the old Teagans restaurant, where will the covered deck start. Steve stated that approximately in the same location.

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.**

Second by Matt Mastin & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

TWIN MEDICAL GROUP LLC.

(14-10)

Steve Hart presented the proposal to the Board. The proposal is to build a 1,944 square foot addition to the existing building. There will be more green space than there is now when the site is completed. Visitors will enter on the right side of the building, which is where the main entrance will be located. The patio will remain in front of the building. Ralph doesn't like that the pedestrian cross walkway is set up the way it is and feels there should be directional signage coming into the site to show which way to drop of the patients.

MOTION: A motion was made by Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby declares their intent to seek lead agency and accepts the sketch plan dated April , 2014 by Hart Engineering for the proposed minor site plan.**

Second by Matt Mastin & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

REFERRALS-REPORTS & RECOMMENDATIONS:

ZBA Appeal #2014-07-Starbucks-600 Columbia Turnpike-4 Area Variances- 4 Signs-assigned to Judy Condo

Judy Condo stated that the property is located where the Kentucky Fried Chicken was and is in the B-1 zoning district. A window logo and 3 Drive Thru wall signs are the subject of the four variances. The applicant claims that the mounted illuminated Drive Thru signs are for the safety of the customers and are easier to see than ground level signs, particularly from the roadways. Judy feels that the variances would not cause an undesirable change in the Judy makes a positive recommendation to the Zoning Board of Appeals that they grant the 4 Area Variances. * See attached report for further details.

MOTION: A motion was made by Judy Condo as follows: **The Town of East Greenbush Planning Board hereby recommends that the Zoning Board of Appeals grant the 4 Area Variances.**

Second by Mike Bottillo & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

NEW ZBA REFERRALS:

ZBA Appeal #2014-08-Rickert-29 Connecticut Avenue-2 Area Variances- Front Porch-assigned to Mike Bottillo

REVIEW AND APPROVAL OF THE APRIL 23, 2014 MEETING MINTUES

Motion by Chairman Polsinello to approve the April 23, 2014 meeting minutes. Seconded by Matt Mastin. Motion carried by a 7-0.

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 Board Secretary

On May 13, 2014 Judith Condo met with Pat Bonni of Saxton Sign Corp, who is the sub-contractor hired to install multiple signs manufactured by Hilton Displays in Greenville, South Carolina for a Starbucks to be located at 598 Columbia Turnpike. She visited the property on May 13, 2014 and was given a complete set of the sign specifications for the entire project, which includes multiple mounted façade signs on each face of the building, including four directional, one window and three wall logos as well as two 10 inch channel letter signs on the entrance and Drive Thru window sides of the building. It should be noted for description sake that there are errors on the specifications pertaining to North, South, East and West elevations, where north and south are listed as perpendicular to Columbia Turnpike, but the depicted south elevation, or building entrance, actually faces the East. The property is owned by Hoosick Enterprises and is in the B-1 Zoning District.

Six signs were approved by the Planning Department while a window logo facing Columbia Turnpike and seven square foot Drive Thru wall signs on three faces of the building remain the subject of the four variances. The property was formerly a Kentucky Fried Chicken and Taco Bell with a Drive Thru. The driving pattern is the same as previously used by the prior tenants. There are additional approved ground signs that say Drive Thru, Thank You and Exit Only.

Under Zoning Law Section 3.3 for signs the building is allowed two channel signs (ten inch letters) as the property faces a Town Road and a common right of way into a shopping center. In addition, for channel lettering and wall signs in a B-1 district the total area of signage cannot exceed 24 square feet calculated at one square foot per lineal foot of building front. This calculation is to exclude "on-site directional signs." Window signs are to be in lieu of façade mounted signs and may not exceed 15% of the window area. The approved signage for the Columbia Turnpike side elevation (west) includes a round wall mounted façade logo of sixty inches or 19.32 square feet, The variance is for an additional large window sign.. Zoning also allows for "off-premises directional signs for the convenience of the general public for directing the person to a business or activity... not in excess of ten square feet or two signs per establishment."

The issue is that Starbucks is requesting more mounted, oversized directional signs than are allowed on a facade and an extra window sign logo that is closer to 50% of the window area than 15%. They claim that the mounted illuminated Drive Thru signs are for the safety of the customers and are easier to see than ground level signs, particularly from the roadways. The extra logo sign is on the wall directly visible from Columbia Turnpike (west elevation) without channel letters. The Drive Thru side with channel letters and no logo (north elevation) is currently obscured by trees lining the adjacent property and barely visible from Columbia Turnpike. The illuminated Drive Thru signs would be placed under the Starbucks Coffee channel signs and under the large logo facing Columbia Turnpike.

The variances would not cause an undesirable change in the neighborhood as the property is commercial and set-off from the other businesses in the Hannaford Plaza. The additional requested mounted signage is directional and could be considered exempt

although larger and more numerous than allowed. The benefit sought by the owner is the use of the recognizable logo and the words Drive Thru for both safety and advertising. It is probably an effective marketing strategy that is not unattractive or available in any other form that would not violate Zoning. The size of the variance signs are not substantially out of conformity with the acceptable sizes.