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
NOVEMBER 19, 2015

Members:
Matt Polsinello, Chairman
Matt Mastin
Mike Bottillo
Judy Condo
Jim Giordano
Ralph Viola
Paul DiMascio

Also Present:
Alison Lovely, Planning Board Secretary
Phil Danaher, Planning Board Attorney
Hank Labarba, Consulting Planning Board Engineer

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Polsinello called the meeting to order and determined that a quorum of seven (7) members were present. Chairman Polsinello stated that this was a special meeting due to not having a meeting at the beginning of the month as it fell on Veteran's Day and the second meeting falling the day before Thanksgiving. There was going to be quorum issues.

PUBLIC HEARING:

NONE

OLD BUSINESS:

WITBECK HAMPTON MANOR CLUSTER SUBDIVISION-UPDATE ONLY (97-01a)

Steve Hart stated that this is an update to the Board only and that Tyler Culberson who represents the Witbeck family. The project consists of 36 single family homes and approximately 1400 feet of road. Twenty-five percent of land is set aside. Offsite sanitary work to hook to Spring Avenue. Water loop from Maryland to Eastern. Steve stated that review comments have been received from Hank Labarba who is the Town Engineer for the project. They are awaiting comments from Rensselaer County & NYSDEC. Steve stated that they are hoping to obtain approval on December 9, 2015. Chairman Polsinello asked the Board if they had any questions. Matt Mastin asked what the orange shaded area on the subdivision map was. Steve stated that it's a drainage easement. Ralph asked if there is landscaping around the storm water management area as requested by the Board. Steve stated that it's shown on a separate sheet that will be submitted for approval. Judy asked about the existing neighbor issues with water quality and pressure. Steve stated that the water concerns have been addressed and that it's not going to be an issue. Hank stated that a contribution of $30,000 will be made by the owner to upgrade the pump system. Ralph asked if Piglento was still the builder for the project and if the light poles will still be provide in front of each lot. Tyler Culberson stated that they are not sure at this point who the builder will be. Steve stated that yes; the light poles are still incorporated into the proposal. Chairman Polsinello stated that this is an update only.

REGENERON-25 DISCOVERY DR.-PARKING LOT/PEDESTRIAN BRIDGE (15-07)

Steve Hart of Hart Engineering stated that Kyle Cherry was present as well from Regeneron. Currently there is a temporary crosswalk for the parking lot. Regeneron wants to construct a fully enclosed bridge for the safety of their employees. Steve stated that the Town Board seems to be in favor of it and the Town Attorney is currently working on the easement details. The bridge will be 94' long and 17' high. It will be secured for Regeneron employees only. Chairman Polsinello asked if the crosswalk was going to remain once the bridge was built. Kyle stated that the thought is to just remove it. Judy asked if the sense was the people will just cross the road. Kyle stated that a fence will stop the people from crossing the road on the crosswalk, once people get into the parking lot they have to go up and over the bridge. The plan is to remove the crosswalk. Judy asked if the bridge will be handicapped accessible. Kyle stated that handicapped parking spots are located closer to the building. Chairman Polsinello asked if they are looking for a formal approval. Steve stated that they are just looking for a positive recommendation to the Town Board. Chairman Polsinello stated that this was an update only.

REGENERON-BLDG 85 WASTE NEUTRALIZATION BLDG. (12-11I)

Steve Hart of Hart Engineering presented the update to the Board. Russ Baily the project engineer from SMT Architects was also present. Steve stated that the proposal is located in front of building 85. The project consists of a ¼ of an acre and consists of a 2,600 square foot building approximately 40' x 65', consisting of a single story. There will be 2 8,000 gallon chemical storage tanks. A canopy will be constructed for the tanks and trucks for coverage. Steve stated that they are currently addressed Chazen's comments. Steve stated that he will provide sheets regarding the chemicals to the Building Department for their records. No new chemicals are being used, just existing, this new area will be for a lot less handling and it's being moved out of the building for the safety of the employees. Deliveries will be about once every two weeks. Chairman Polsinello stated that this is an update only.

RECOVERY ROOM SPORTS GRILL WALMART PLAZA (14-07)

Greg Ursprung of Bergmann Associates presented the proposal to the Board. Also present was Steve Powers of Nigro Companies and Ken Waldi from BBL. The proposal is to construct a restaurant adjacent to the movie theatre. The building has been moved closer to the theatre. The building has increased in size to 7,900 square feet, which is an increase in 500 square feet. The restaurant will consist of 200 seats and have a patio consisting of approximately 600 square feet (25-30 seats). There has been a reduction in parking of approximately 50 spaces, but the range of spaces is still within what is required by code. The applicant feels that more parking will be utilized behind the theatre. The proposed landscaping should enhance what currently exists. Less than 400 square feet will be utilized for drainage and will be directed into the pond behind the Walmart building. There is less than one acre of disturbance. The utilities will connect to what's existing. The proposed dumpster will be located back behind the theatre. There will only be a minor increase in traffic. Elevations have been provided to the Board. Chairman Polsinello asked if the Board had any questions. Paul asked if the fire department will be able to get all the way around the building. Greg stated that they will not. Matt Mastin asked if an alley was created between the buildings as that's how it looks on the plan. Greg stated that yes there is. Greg stated that he knew there was a concern by the Board regarding rooftop equipment and that there will be screening. Ralph asked if any parking will be shared with Walmart. Greg stated that there will still be access to the parking around the rear of the theatre and that there is adequate lighting back there. Jim asked if the dumpster will be enclosed. Steve Powers stated that it will be enclosed with a fence. Ralph stated that he would like to see some type of stone attached to the dumpster enclosure. Judy asked if there is space between the restaurant and the theatre. Greg stated that there was. Matt Mastin asked if the sidewalk was ever constructed between the Fed Ex site and the Theatre site. Greg stated that yes it was constructed. Chairman Polsinello stated that this was an update only.

NEW BUSINESS:

HANNAFORD PLAZA-598 COLUMBIA TRPK-LOT LINE ADJUSTMENT (15-19)

Bill Mafrici of Hershberg and Hershberg presented the proposal to the Board. The applicant wishes to do a lot line adjustment to two existing lots. There is a vacant lot adjacent to the Hannaford parcel which is owned by the same company. The proposal is for approximately 1.48 acres to be added from the vacant parcel to the Hannaford Plaza parcel. This is being done due to a sunset clause in the lease. Bill stated that both lots remain conforming. Matt Mastin asked if the Gordon's own both lots. Bill stated that yes they do.

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 Hershberg & Hershberg, and dated October 19, 2015 and revised on November 11, 2105.**

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

REFERRALS-REPORTS & RECOMMENDATIONS:

ZBA Appeal # 2015-13-Barie-307 Washington Avenue East-Area Variance for front deck-assigned to Judy Condo

Judy met with the applicant who is requesting an area variance in order to construct a front porch extending from the sides of an entrance foyer and over a front staircase to benefit her mobility impaired husband. The size of the proposed porch is 8' x 10' with a four foot wide staircase extending four feet further into the setback. The additional space and railings would allow for the current manipulation of a walker and future ramp for a wheelchair. The existing landing and stairs already extend eight feet into the required 25 foot front setback. Judy spoke to three neighbors across the street and to the rear of the property and no one had any objection. I recommend a favorable recommendation to the Zoning Board.* 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 Area Variance.**

Seconded by Paul DiMascio & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

NEW ZBA REFERRALS:
NONE

REVIEW AND APPROVAL OF MEETING MINTUES

Motion by Chairman Polsinello to approve the October 28, 2015 meeting minutes as is. Seconded by Jim Giordano. Motion carried by a 7-0 vote.

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

Respectfully Submitted

Alison Lovely, Planning Secretary

On November 11, 2015 and Judith Condo visited the property located at 307 Washington Avenue East, Rensselaer, NY and the neighbors surrounding the property, including to the rear on Hudson Avenue. On a subsequent visit on November 14, 2015 and on that day she was unable to contact the next door neighbors. One nearby at 313 Washington Avenue East was too busy to speak to her. The property is the subject of ZBA Appeal #2015-13 for an Area Variance. The applicant is proposing to build a front porch extending from the sides of an entrance foyer and over a front staircase to benefit her mobility impaired husband. The dimensions of the porch are 8 feet by 10 feet with a four foot wide staircase extending four feet further into the setback. The additional space and railings would allow for current manipulation of a walker and future ramping for a wheelchair. The property is in the R-2 Zone. The existing landing and stairs already extend eight feet into the required 25 foot front setback. The variance is to reduce the set-back to 12 feet.

The residence is in Hampton Manor where the properties tend to be long and narrow. The existing setbacks would not comply with current zoning for front property lines. The residence is a ranch home with side driveway. A fence surrounds the back yard impairing the view of the rear neighbor. Three neighbors were visited across the street and to the rear of the property. None objected to the variance and some noted the long term tenancy of the applicant and knowledge of the disability for which the variance is requested.

With regard to the Area Variance, the proposed porch will not detract from the neighborhood which is residential with other small ranch homes with front landings, ramps and staircases extending into the 25 foot setback. The size of the porch is reasonable for its planned use and appears to be the only option for wheelchair accessibility from the street. The over 50% variance is substantial but justified. There does not appear to be an adverse impact on the neighborhood. The hardship was not self-created.