

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 July 7, 2010

*Official Minutes
RCD*

7:00PM Workshop Session & Public Comment

CALL TO ORDER/DETERMINATION OF QUORUM/PUBLIC HEARINGS

OLD BUSINESS

- (09-38) Orciuoli Site Plan, Catskill Avenue* – Review for SEQRA Recommendation & Site Plan Approval
(08-30) Fiacco Site Plan, NYS Route 4 – Review for Acceptance of Sketch Plan & Recommendation for SEQRA Lead Agency (Tentative)
(10-09) Spare Time Lot Line Adjustment – Presentation to Planning Board
(09-12) Fed Ex Ground Planned Development District – Review for Planned Development Recommendation

NEW BUSINESS

- (10-10) LaBella Pizzeria, 620 Columbia Turnpike* – Review for Minor Site Plan Modification
(10-11) Regeneron Pharmaceuticals, Laboratory Addition, Discovery Drive – Review for Acceptance of Sketch Plan & Recommendation for SEQRA Lead Agency
Forrest Pointe II Planned Development District – Information Meeting

REFERRALS-REPORTS & RECOMMENDATIONS

- ZBA Appeal #2010-05 – Mr. Charles Bauer, 11 Kriss Crossing* – Application for Use Variance, report by Don Panton
ZBA Appeal #2010-10 – Ms. Dorothy Earing, 22 Moulds Avenue – Application for Area Variance, report by Sue Mangold
ZBA Appeal #2010-11 – W.P. Realty/ Saxton Sign Corp., 501 Columbia Turnpike – Application for Area Variances, report by Lance Ferson
ZBA Appeal #2010-12 – Pinecrest Holdings, LLC/ Saxton Sign Corp., 4 Springhurst Drive – Application for Area Variances, report by Kurt Bergmann

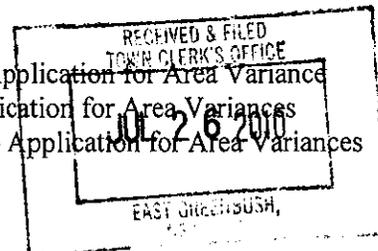
NEW ZBA REFERRALS

- ZBA Appeal # 2010-13 - Hanley Signs, 574 Columbia Turnpike* – Application for Area Variance
ZBA Appeal # 2010-14 – Mr. Matthew Poli, 30 Corliss Ave. – Application for Area Variances
ZBA Appeal #2010-15 – Mr. Scott Hennessey, 3 Betty Anne Drive – Application for Area Variances

REVIEW & APPROVAL OF MEETING MINUTES

June 16, 2010 Minutes

End of Agenda



EAST GREENBUSH PLANNING BOARD

MEETING MINUTES

July 7, 2010

Members

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

Also present:

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

Alternates:

Lance Ferson -Absent
Daniel Fiacco-Absent

CALL TO ORDER/DETERMINATION OF QUORUM/PUBLIC HEARINGS

7:00PM Workshop Session & Public Comment

Chairman Davey called the meeting to order and opened for comment.

Kim Mallore requests site modification on Columbia Turnpike for a sunglass booth (tent) at the Hannaford/ Columbia Plaza location. Mr. Davy states that this isn't the appropriate time to discuss as this is a public comment portion of the Planning Board Meeting. The issue needs to be placed on the Planning Board Agenda in advance, under New Business for review by the Board.

Bill Zinzo, 2 Birch Lane, is frustrated with the Town regarding a parking spot that was taken from them when restrictions were placed on the land by the Town. They have reached an agreement with the other neighbors involved with the land and are waiting for an answer from the Town Board. He spoke with the Town Supervisor and Jim Moore on this issue. Mr. Zinzo demands an answer to this issue now. They are very frustrated because they have not received an answer yet and have a child with special needs and need that space. Mr. Davey asked Mr Zinzo to please provide specifics to location and some background since neither he nor the Board are familiar with his issue. Jim Moore explains that the Prospect Town Home Project (1990) is a PDD development, and as part of the approval there is specific open space requirements. Ted Nugent needs to look into issue further. Mr. Davey indicated that the Town Attorney and Director of Planning will review the issue and provide guidance. Mr. Zinzo is disgusted with the Town Board and threatens to stand in front of Town Hall everyday until he gets an answer. Mr. Zinzo leaves the meeting. No further comments were made.
Mr. Davy closes comment period.

CALL TO ORDER/DETERMINATION OF QUORUM/PUBLIC HEARINGS

OLD BUSINESS

(09-38) Orciuoli Site Plan, Catskill Avenue – Review for SEQRA Recommendation & Site Plan Approval Steven Hart, Hart Engineering representing. Update on site plan. The three main issues were the location of the dumpster, the landscaping, and the sidewalk. Parking lot was made in the back side of building, connected with sidewalk, 6ft high sided stockade fence around the dumpster, extensive landscaping plan submitted to board. No further comments or questions from the board. Mr. Davey makes a motion to issue a SEQRA Negative Declaration. Mr. Davey reads 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 stormwater detention and hereby recommends the Town Board issue a Negative Declaration under SEQRA. Motion made by Mr. Davey, seconded by Mr. Pantan. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz-abstained; Kelly-yes; Pantan- yes; Mangold-abstained; Polsinello-yes. Motion carried by 5-0-2 vote.

Mr. Davey makes a motion to recommend Conditional Site Plan Approval. Mr. Davey reads as follows: 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; and
- 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
- That prior to Final Approval a Light distribution Plan is provided to confirm zero lumens extend beyond the project's property boundary lines; and
- All remaining fees to be paid and escrow provided to the Town.

Motion for approval made by Mr. Davey, seconded by Mr. Bergmann. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz-abstained; Kelly-yes; Pantan- yes; Mangold-abstained; Polsinello-yes. Motion carried by 5-0-2 vote.

(08-30) Fiacco Site Plan, NYS Route 4 – Review for Acceptance of Sketch Plan & Recommendation for SEQRA . Lead Agency (Tentative)
Postponed

(10-09) Spare Time Lot Line Adjustment – Presentation to Planning Board
Jim Moore spoke to Mr. Lipinski, he is unable to get information for today and asked to postpone presentation.

(09-12) Fed Ex Ground Planned Development District – Review for Planned Development Recommendation. Please refer to Draft motion Recommendation handout.
Joel Bianci, Chazen, discusses handout. Mr. Bergmann asks the Board to consider how this project fit E. Greenbush, and RT 4 (identified as key commercial corridor) Plan. Does Truck Terminal meet these requirements? Sue Mangold comments that Fed Ex has cooperated and thinks Fed Ex is a high quality corporation with good reputation its going to be a good thing for the town, believes Fed Ex will have less traffic than retail places. Mr. Davey states that there are 3 issues that need to be balanced out, First, it is a great piece, second, re-development will eventually occur on that parcel and third the financial impact of the proposed project on the Town. Mr. Davey believes it will be difficult to come up with another use of

the property that will be less impactful than the Fed Ex Project. In addition, Fed Ex will financially support the traffic circle proposed at Mannix Road and RT 4, Fed Ex taking financial responsibility of Town's portion of the circle, sidewalks on Luther Road going to high school, GEIS fees paid and some other smaller projects discussed. Other financial impacts include direct employment at the Fed Ex site and indirect financial impacts to the Town and region. Mr. Davey believes retail is currently challenged now as there are currently projects in other towns and East Greenbush that are at a stand still. Mr. Ritz states that Fed Ex is a good opportunity for the Town better than retail.

Joel Bianchi reads verbatim from the **Draft Motion Report**. Please refer to report.

1). Land use:

Mr. Davey questions a) under Land Use. Fed Ex is tearing down existing building and building new. They are just using site not reusing place. This needs to be clarified. Mr. Davey questions c). The interconnectivity of office and commercial buildings. Mr. Nugent suggest that it should read; in part by creating an easement for the Town. Mr. Ritz asks if this will help Thompson Hill development if a traffic light is part of the RT4 mitigation. Mr. Davey believes it may. Comments for d). Mr. Bergmann feels that truck terminal isn't a high quality place wasn't meant for RT 4 plan.

2). Transportation: No Comments

3). Economic impact: Mr. Davey questions the "standard -485-b" tax-measures increase in accessed value, starts with 50% abatement from increased accessed value over 10 years, maintains tax base. Mr. Davey states that this is different than what was initially proposed. Changes the financial impact of the Project. Davey requests financial break down regarding tax revenue for Board in 2 weeks. Mr. Bianchi wants to remove e). from this portion and put under Land Use.

4). Ambient Noise: Mr. Davey questions audible back up alarms VS strobe in sound study. The audible was studied, did not go over decibel requirement. Fed Ex states that it is a safety issue, the alarms are preferred. Any violations in Codes will be directed to the Corporation. They will be responsible to reinforce.

Mr. Bergmann has concern that the testing was not adequate, the foundation of data was not adequate, no load on trucks etc. Using computer simulator for Data. Sensors obscured, not near high impact housing Project. Mr. Bergmann asks that the Board consider long term effects of Project, does it enhance high impact housing, do we want trucking terminal in middle of thriving retail in EG? Mr. Ritz clarifies that Fed Ex is not a Trucking Terminal, it's a processing center. Fed Ex responds that it is not a trucking terminal.

5). Building Architecture: No Comments.

6). Landscaping: No Comments.

7). Utilities: Improvements to accommodate, stormwater.

8). Lighting: No Comments.

9). Pedestrian Circulation and Open Space: Mr. Davey questions a). Mr. Jim Moore states it relates back to easement discussed previously.

10). Project Amenities/Benefits: No Comments.

The Board will review what the major points of draft are, review final documents, financial package (re:changes), safety issue, back up alarm VS strobe, changes to post pilot. The Board hopes to have a decision in 2 weeks. Fed Ex is concerned with the 2 week delay on construction.

NEW BUSINESS

(10-10) LaBella Pizzeria, 620 Columbia Turnpike – Review for Minor Site Plan Modification
Mr. Altunia, Engineer, representing. This site at corner Gilligan and Columbia Turnpike (LaBella Pizzeria, which is now closed). The new tenants of La Bella want to do modifications to the building to improve its appearance. The proposal is to do landscaping, connect existing area, and then build a deck or outdoor area for dining (11x 21). The only change to building will be stucco on outside to match other

building, canopy similar to existing building, and a roll off canopy for shade. Sign will stay if the name of restaurant is the same. The proposal will lose 1 parking space for deck, and gain 2. The only structural change is to open a door instead of window for access to the deck. Mr. Davey asks about change in seating. There will be changes in seating 1-2 tables where the deck entrance will be. They will also replace steel piece that is rusted on roof, will replace siding on pizza place and match it to the existing building near it. So everything ties in together esthetically.

(10-11) Regeneron Pharmaceuticals, Laboratory Addition, Discovery Drive – Review for Acceptance of Sketch Plan & Recommendation for SEQRA Lead Agency
Steven Hart, Hart Engineering representing. Location on 9 and 20, Redmill Road, building 81, 75 ft addition, Discovery Drive(will be taken over by E.G.) will connect 9/20 with Red Mill Road . Proposing an addition (17600 sq ft) out of the front of the building. They will lose approximately 20 parking spaces, building access road around westerly side of addition. They are anticipating 30 new employees, 50-60 parking spaces opened up, that are currently not being used. There is an overflow parking area (closest to Catskill area) which will open up 50-100 parking spaces for future use. Mr. Bergmann brings up the issue of snow removal. Mr. Hart does not believe that there will be a problem. There will be an underground detention system to capture the rainwater. New sidewalks proposed. Mr. Davey discusses landscaping for noise screening near Catskill Ave. area. They received a complaint by neighbor on Catskill Ave. Mr. Hart states they are going to move the noise screen, closer to Catskill Ave. Complaint may have been generated from construction equipment. Mr. Hart states that the Board is welcome to tour the site at anytime. Joe Toomey with HTP Architects- design to give building modern, high tech look. They tried to incorporate the look of the existing building with the new entryway. The building ht. is 17 ft. approx (as existing), exterior metal veneer over-building, allowing for daylight into building. Air handler unit on roof, quiet, will be painted to match building.
Steve Hart states that the intent is to break ground in October.

REFERRALS-REPORTS & RECOMMENDATIONS

ZBA Appeal #2010-05 – Mr. Charles Bauer, 11 Kriss Crossing – Application for Use Variance, report by Don Panton. Mr. Panton met with Mr. Bauer on 6/24/10. The attached garage was converted into a living space for his mother about 3 years ago. There is no separate shower or toilet in the living space so it is not considered an apartment. Mr. Bauer states that he does not collect rent and has no intentions of renting the space out. Mr. Bauer claims he will turn the space back into a garage eventually. All the neighbors disapprove of this. Motion for denial of Use Variance made by Mr. Panton, seconded by Mr. Davey. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz-yes; Kelly-yes; Panton- yes; Mangold-yes; Polsinello-yes. Motion to deny carried by 7-0 vote.

ZBA Appeal #2010-10 – Ms. Dorothy Earing, 22 Moulds Avenue – Application for Area Variance, report by Sue Mangold. Applicant wishes to construct a 6' x16' porch. Motion for approval made by Ms. Mangold seconded by Mr. Davey. Roll Call as follows: Davey- yes; Bergmann-yes; Ritz-yes; Kelly-yes; Panton- yes; Mangold-yes; Polsinello-yes. Motion to approve carried by 7-0 vote.

ZBA Appeal #2010-11 – W.P. Realty/ Saxton Sign Corp., 501 Columbia Turnpike – Application for Area Variance, report by Lance Ferson. The applicant is requesting to replace an existing sign in the B-2 zoning District. The request was denied due to non-compliance with the signage regulation 3.3.2 B01 (a) &3.3.2 B01 (b). The sign is not suppose to list multiple tenants and the

77 sq ft. sign is larger than the maximum (64 sq ft per side) allowed. Based on Mr. Person's observations and findings he recommends to the Planning Board not to approve the Area Variance. Motion for denial made by Mr. Davey, seconded by Mr. Kelly. Roll Call as follows: Davey- yes; Bergmann-abstained; Ritz-abstained; Kelly-abstained; Panton- yes; Mangold-no; Polsinello-abstained. Motion to deny carried by 2-1-4 vote.

ZBA Appeal #2010-12 – Pinecrest Holdings, LLC/ Saxton Sign Corp., 4 Springhurst Drive – Application for Area Variances, report by Kurt Bergmann. Based on Mr. Bergmann's observations and findings he recommends that the board make a positive recommendation to approve the Area Variances. Motion for approval made by Mr. Bergmann, seconded by Mr. Ritz. Roll Call as follows: Davey- no; Bergmann-yes; Ritz-yes; Kelly-abstained; Panton- yes; Mangold-yes; Polsinello-yes. Motion to approve carried by 5-1-1 vote.

NEW ZBA REFERRALS

ZBA Appeal # 2010-13 – Hanley Signs, 574 Columbia Turnpike – Application for Area Variance assigned to Donald Panton.

ZBA Appeal # 2010-14 – Mr. Matthew Poli, 30 Corliss Ave. – Application for Area Variance assigned to Joe Kelley.

ZBA Appeal #2010-15 – Mr. Scott Hennessey, 3 Betty Anne Drive – Application for Area Variance assigned to Kurt Bergmann.

REVIEW & APPROVAL OF MEETING MINUTES

June 16, 2010 Minutes. Date needs to be corrected from 6/13 to 6/16/10. Motion for approval made by Mr. Davey seconded by Ms. Mangold. Roll Call as follows: Davey- yes; Bergmann-abstained; Ritz-yes; Kelly-abstained; Panton- yes; Mangold-yes; Polsinello-yes. Motion to approve minutes carried by a 5-0-2 vote.

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

Respectfully submitted,
Amy Konisky
Planning Board Secretary