

# 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 May 5, 2010

*PPP  
Official Minutes*

7:00PM Workshop Session & Public Comment

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

NONE

#### OLD BUSINESS

*(09-12) Fed Ex Ground Planned Development District* – Update to Planning Board & Schedule Public Hearing

#### NEW BUSINESS

*(10-08) East Greenbush Community Library* – Minor Site Plan Modification

*Falcon Ridge Subdivision* – Informational Presentation

#### REFERRALS-REPORTS & RECOMMENDATIONS

*ZBA Appeal # 2010-06 – Michael Tierney – 5 Oakwood Drive* – Area Variance

#### NEW ZBA REFERRALS

*ZBA Appeal #2010-07 – David Flood – 20 Chestnut Court* – Area Variance

#### REVIEW & APPROVAL OF MEETING MINUTES

April 21, 2010 Minutes

*End of Agenda*



# TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENNELAER, NY 12144 (518) 477-2005 EXT. 226 FAX (518)477-2386

---

## MEMORANDUM

### EAST GREENBUSH PLANNING BOARD MEETING MINUTES

May 5, 2010

#### Members

Chairman Davey  
Kurt Bergmann  
Sue Mangold  
Joe Kelley  
Bill Ritz  
Don Panton  
Matt Polsinello

#### Also Present:

Jim Moore, Planning Director  
Tim Nugent, Planning Board Attorney  
Angelina Cadena, Acting PB Secretary

#### Alternate Members

Dan 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 asked the members if there were any topics/questions to be discussed by any member of the Board.

- FedEx has been postponed until a future meeting. The town is waiting for some fiscal questions to be answered by FedEx.

There were no other comments or questions. Chairman Davey then closed the Board Workshop Period.

#### NEW BUSINESS

##### East Greenbush Community Library – Minor Site Plan Modification (10-08)

East Greenbush community library president Michael Post and board member Kevin McKane were present. The library is proposing to construct a small building behind the library to store books. Mr. Post explains that the library's current book sales have surpassed anyone's expectations and now generate 30 to 40 thousand dollars yearly in revenue. To accommodate the growth the library is requesting to construct a small building to store books. The board was provided 3 views of sketch plans of the proposed project. The proposed building is metal with no windows, heat or water. There will be sky light windows and electric for lighting. The location of the building will be as far behind the library as possible but gas & electric utilities are restricting how far back the building can be built.

A motion will be made at the next meeting.



**Falcon Ridge Subdivision – Informational Presentation**

Presented by Dice Tice from Brewer Engineering; representing APB Builders. The proposed 106 acre site is located on Best road in the R-OS district, residential open space. This meeting was strictly a pre-application presentation for the board; to identify options for the project. The idea is to resolve any issues as early as possible. Meeting all zoning requirements the applicant is proposing 32 lots with a well and septic on each lot. The applicant would like to develop in phases, building only 6 lots at a time. This site is challenging because of soil constraints, 17 acres of wetlands, and some or complete fill will be required.

**REFERRALS-REPORTS & RECOMMENDATIONS**

**ZBA Appeal #2010-06 Robert Michael Tierney– 5 Oakwood Drive – Area variances**

Michael Tierney is proposing to construct a 16’x16’ deck attached to an existing dwelling located on 5 Oakwood Drive. The property is 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) where a minimum of 35 feet from the property line is required to build. The property owner only has reported 23 feet from the property line. Therefore, the applicant is requesting an Area Variance.

Sue Mangold reported Mr. Tierney’s setback measured at 25 feet. Ms. Mangold spoke to neighbors who all had positive input. Sue Mangold recommends a positive recommendation based on local input.

**MOTION: A motion was made by Sue Mangold as follows: The Town of East Greenbush Planning Board recommends to the Zoning Board of Appeals a positive 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; B. Ritz-YES;**

**MOTION CARRIED BY A 7-0 VOTE**

**NEW ZBA REFERRALS**

**ZBA Appeal #2010-07 – David Flood – 20 Chestnut Court – Area Variance**

Assigned to Joe Kelley.

**BOARD WORKSHOP PERIOD**

Member Bergmann shared the attached document with the Board and offered some comments relating to the document. A brief discussion followed.



**REVIEW AND APPROVAL OF THE APRIL 21, 2010 MINTUES**

Approval of the April 21, 2010 meeting minutes. Motion by Bob Davey. Seconded by Kurt Bergman, with a 6-0-1 vote. Don Panton abstained.

**ADJOURMENT**

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

**Respectfully Submitted**

**Angelina Cadena, Acting Planning Board Secretary**



## Workshop attachment from member Kurt Bergman

### **Evaluation of Proposed Rt. 4 Trucking Terminal (FedEx) with Route 4 Corridor Study, 2006**

Kurt O. Bergmann  
May 7, 2010

#### Proposal and Area:

The Board is considering an application to replace the current Albany International facility with a 253,524 sq ft truck terminal with full expansion of the facility to 305,075 sq ft. Truck deliveries in year the first year estimated to be 368 per day increasing to 771 after the expansion. The hours of truck operation will primarily be between 8 p.m. and 2 a.m. and 6 and 8 a.m., 24 hours a day 7 days a week. On site support of 392 and 622 personnel after expansion will be required.

The site is located in the middle of the existing main East Greenbush retail corridor from I 90 Exit 9 north to Grandview Drive. The site is to the west by I 90. The existing and proposed building are highly visible from I 90 east and west bound, Rt. 4, and Thompson Hill. The site is west and below Route 4 and Thompson Hill Road. Upper Thompson Hill Road is currently populated with mid 50's and 60 single family style homes. Thompson Hill Road it also the site of three separately proposed large upscale residential developments with approximately 230 homes proposed. All three are ongoing active projects.

#### Relevant Planning Strategy for Route 4:

The following discussion is based on the study commission by the Town of East Greenbush for planning along Rt. 4. The document; Route 4 Corridor Study, 2006 and prepared by Capital Transportation Committee with Erdman & Anthony and Behan Planning Associates, LLC. The document was accepted by the Boards of East Greenbush and is a guide with specific recommendations to consider when evaluating new projects. It is also creates a unified vision for the future of the Route 4 Corridor.

- **“(Route 4) is a key commercial corridor the northern portion of Route 4 has been the location of new large format retail development...”**. The northern portion is a mix of retail and office/technology park development.
  - Promotion of Rt. 4 retail development needs to be supported through deliberate planning of like and complimentary projects.
  - The proposed truck terminal is located between the retail and office/hotel establishments and will result in a disjointed retail corridor eliminating between existing retail spaces along this section of the corridor.
  - Acceptance of a truck terminal on Rt. 4 will set precedencies and may attract additional truck terminals on 3<sup>rd</sup> Avenue Extension and Rt.151 because of the easy I 90 accesses.
  
- One of the East Greenbush town wide vision concepts from the study is; **“Focus and enhance high-quality commercial development along the northern portion of Route 4 while protecting the existing surrounding neighborhoods.”**
  - A trucking terminal does not meet the **“high-quality commercial development”** criteria recommended in the study.



- The impact of a trucking terminal across Route 4 from existing and high quality residential development does not protect the surrounding residents and will increase the risk of noise complaints.
  - The current retail neighbors and retail environment will not be enhanced or improved by a truck terminal in the near or long term.
  - The acceleration of fully loaded trucks up the inclines will create additional noise towards the residents at the level of the truck exhaust pipes in the middle of the night and early morning. The applicant stated that no engineering changes can reduce or minimize this problem.
  - Fully loaded tandem trucks reducing their speed down the Route 4 incline and on the 4% grade of the terminal entrance will create significant noise from braking and down shifting or "jake braking". The applicant stated that no engineering changes can reduce or minimize this problem.
    - A poorly designed test was performed by the applicant to measure sound levels from truck acceleration and deceleration. The truck was not loaded, it was not a tandem trailer, and the operator was an employee of the applicant and knew the desired expected outcome which impacted how the truck was operated and the final results. The study showed poor engineering design and evaluation and is not acceptable as a technical evaluation.
  - All trucks have auditable back up warning alarms. This third shift operation will result in a significant increase in noise. This applicant stated they can install flashing lights instead of audible alarms on most local trucks. However future trucking tenants with long trip haulers and independent owners will not be able to control the noise.
- **"Enhance and create walk able places..."** The Study recommends that any development along Route 4 should require space for walking and/or bicycles.
    - The Albany International site is specifically identified and recommending bike lanes along Route 4.
    - All future Route 4 development should consider walking and bike travel spaces.
  - The study recommends that development; **"Support desired economic devolvement within the corridor"**.
    - There will be little or no economic impact benefiting the retail and then sales tax to the town since most of the workers, truck drives are third shift when the retail establishments are closed.
    - The applicant will apply for a tax pilot program that will significantly reduce or eliminate any economic benefit from the project.
    - There is no net initial gain in East Greenbush employment. The jobs at this facility will be relocated positions from an existing facility.
    - Most of the positions do not require highly skilled or trained personnel and are not highly compensated individuals that will invest in the Town.
    - The tax advantage to the town appears negligible and does not keep pace with inflation. (Full economic evaluation was performed by another board member)

The Route 4 Corridor Study and the Town's Planning Board consider project impacts and benefits to East Greenbush as a whole and the immediate individual communities over the near and long term. The following questions require closure before progressing.

1. Does this project benefit the current retail and residential communities in the near term?



2. Does this project in the long term, enhance, improve and support the future direction of East Greenbush?

Recommendations:

- The Boards of east Greenbush evaluate and answer these and other long term planning questions prior to any further progress on this project.
- The noise level test presented by the applicant should be rejected due to its poor engineering design and inaccurate results. A second test simulating actual operating conditions should be performed by an independent organization.

