

TOWN OF EAST GREENBUSH PLANNING BOARD

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

MEMORANDUM

PLANNING BOARD MEETING AGENDA April 7, 2010

*Official Copy
KWD*

7:00PM Workshop Session & Public Comment

CALL TO ORDER/DETERMINATION OF QUORUM/PUBLIC HEARINGS

Taft Minor 2-Lot Subdivision

OLD BUSINESS

(10-05) Taft Minor 2-Lot Subdivision – Review for SEQRA Determination & Conditional Approval

(08-12) Van Vorst – Lot Line Adjustment

(10-03/ 97-01a) Witbeck Major Subdivision – Proposed Phasing Plan

(10-07) Leavitt – Lot Line Adjustment

(10-06) Regeneron – Minor Site Plan Modification, Guard Shack & Pedestrian Turnstile

(09-11) Village @ Thompson Hill – Declaration for SEQRA Lead Agency

(09-44) NYISO – Review for Recommendation for Site Plan Approval

NEW BUSINESS

NONE

REFERRALS-REPORTS & RECOMMENDATIONS

ZBA Appeal # 2010-03 Robert Jucha –193 Hays Road –Area Variances – report by Kurt Bergmann

NEW ZBA REFERRALS

NONE

REVIEW & APPROVAL OF MEETING MINUTES

March 3, 2010 Minutes

March 24, 2010 Minutes

End of Agenda

TOWN OF EAST GREENBUSH PLANNING BOARD

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MEMORANDUM EAST GREENBUSH PLANNING BOARD MEETING MINUTES April 7, 2010

Members

Chairman Davey
Kurt Bergmann
Sue Mangold
Joe Kelley
Bill Ritz
Don Pantan

Alternate Members

Lance Ferson

Also Present:

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

Stenographer– Donna Moran

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

PUBLIC HEARING:

Taft Minor 2 Lot Subdivision

Dave Taft of Best-Luther road is proposing a 5 acre subdivision out of an 80 acre parcel. The property owner also owns 120 acres across the street. The property is located in the ROS district. The 5 acre lot will be used for building a home for Mr. Taft. Tim Nugent explains to the board that a proposed driveway is not necessary for the subdivision. Mr. Taft explains that nothing will be cleared or taken down on the property. Where the house is being built is all open space.

No one spoke in favor or against the subdivision.

The public hearing was closed.

OLD BUSINESS:

Taft Minor 2-lot subdivision – Review for SEQRA Determination & Conditional Approval (10-05)

The planning board has agreed to make the following motions and at the next meeting make the motion for a negative declaration.

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

The Town of East Greenbush Planning Board hereby accepts the sketch plat prepared by R. Scott Land Surveying for the proposed 2-lot minor subdivision.

Second by Don Panton & roll called as follows:

**R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; S. Mangold-YES;
D. Panton-YES; L. Ferson-YES; B. Ritz-YES.**

MOTION CARRIED BY A 7-0 VOTE

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

The Planning Board has determined the project an Unlisted Action and hereby declares itself Lead Agency in connection with an uncoordinated review under SEQRA.

Second by Sue Mangold & roll called as follows:

**R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; S. Mangold-YES;
D. Panton-YES; L. Ferson-YES; B. Ritz-YES.**

MOTION CARRIED BY A 7-0 VOTE

Van Vorst – Lot Line Adjustment

(08-12)

Mr. Herkenham is before the board on the behalf of the applicant. Mr. Herkenham is asking the board to re-sign and re-date the plans for a lot line adjustment for Mr. Van Vorst's property located on Stock lane approved in 2008. Currently Mr. Van Vorst's lot is .82 acres. The applicant is proposing a lot line adjustment to increase Mr. Van Vorst's lot to .9 acres. The requirement in the RB district is 1.6 acres. Mr. Nugent explains that the nonconforming lot is being made into a better situation and if you are enlarging a lot you don't have to be concerned with setbacks.

MOTION: A motion was made by Chairman Davey 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 Cynthia K. Elliott, conditioned upon authorization from the neighboring property owner, labeled on the map as Lands of Richard A. and Tonya M. Speckhardt.

Second by Sue Mangold & roll called as follows:

R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; S. Mangold-YES;

**D. Panton-YES; L. Ferson-YES; B. Ritz-ABSTAIN.
MOTION CARRIED BY A 6-0-1 VOTE**

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Witbeck Major Subdivision – Proposed Phasing Plan (10-03/ 91-01a)

Bob Witbeck explains that an existing house has been moved to another portion of the 10 plus acre parcel. Mr. Witbeck is proposing to subdivide the house off and develop the remaining parcel. The property is located in the R2 district.

MOTION: A motion was made by Chairman Davey as follows
The Town of East Greenbush Planning Board hereby approves the proposed Phasing Plan prepared by Hart Engineering, dated 3/31/2010, indicating the limits of Phase 1 shown as Lot# 2, and Phase 2(lots 1-36) as the remaining lands.

Second by Panton & roll called as follows:

**R. Davey-YES; K. Bergmann-ABSTAIN; J. Kelley-YES; S. ABSTAIN-YES;
D. Panton-YES; L. Ferson-YES; B. Ritz-ABSTAIN.**

MOTION CARRIED BY A 5-0-2 VOTE

Leavitt – Lot line Adjustment (10-07)

Mr. Leavitt is proposing to deed small piece of property (45 feet by 200 ft) on Morgan road to Robert Faas on Luther Road. The Board has reviewed the sketch plan.

MOTION: A motion was made by Chairman Davey 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 Brian R. Holbritter, Land Surveying and Site Development.

Second by Don Panton & roll called as follows:

**R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; S. ABSTAIN-YES;
D. Panton-YES; L. Ferson-YES; B. Ritz-YES.**

MOTION CARRIED BY A 7-0 VOTE

Regeneron – Minor Site Plan Modification (10-06)

Rob Bevenue from Regeneron Pharmaceuticals presented the project. The project entails the installation of 4'x6' guard shack and an 18'- 20' long barrier arm to restrict incoming vehicles to the property at the building's Red Mill Road entrance and pedestrian turnstile located in the existing fence at the Discovery Drive entrance. The applicant will need to widen the pavement in the area of the proposed guard shack. The desired changes are intended to improve security for the facility. The barrier arm will only be attended during Regeneron's normal business hours.

MOTION: A motion was made by Chairman Davey as follows

The Town of East Greenbush Planning Board hereby issues a Negative Declaration under SEQRA and grants final approval the proposed minor site plan modification.

Second by Bill Ritz & roll called as follows:

R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; S. ABSTAIN-YES;
D. Panton-YES; L. Ferson-YES; B. Ritz-YES.

MOTION CARRIED BY A 7-0 VOTE

Village @ Thompson Hill – Declaration for SEQRA Lead Agency (09-11)

Chairman Davey read aloud minutes on this project from November of 2009. Jim Moore would like the board to declare type one action and seek to be lead agency.

MOTION: A motion was made by Chairman Davey as follows

The Planning Board has determined the project a Type 1 Action and hereby declares its intent to seek Lead Agency status in connection with a coordinated review under SEQRA.

Second by Sue Mangold & roll called as follows:

R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; S. ABSTAIN-YES;
D. Panton-YES; L. Ferson-YES; B. Ritz-YES.

MOTION CARRIED BY A 7-0 VOTE

New York Independent System Operator (“ISO”) – Review for Recommendation for Site Plan Approval (09-44)

Pete Gillies (Gillies) and Joel Bianchi (Chazen Engineering) are present to speak about the project. North Greenbush planning board has provided conditional approval for parking requirements variance. The project will be building 610 out of the 910 parking spots.

Chazen’s and DOT’s technical and stormwater issues have been satisfied. The segmentation issue has been resolved. Chazen feels the project has met all outstanding issues.

Based on SEQRA the lead agency is required to consider the potential environmental effects of both segments of the ISO’s project together unless the lead agency believes that circumstances warrant a segmented review. Based on the distance between these two projects (approximately 15 miles) the Board concluded that neither of these components is related environmentally. The Board was further advised by Jim Moore and Tim Nugent that if the Board did not pass a motion to segment, its in-action would automatically lead to segmenting of these two projects. After discussion the Board agreed to hear the following motion:

New York Independent System Operator (“ISO”) SITE PLAN - continued

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

The Town of East Greenbush Town Board as SEQRA Lead Agency for the project issued a Negative Declaration under SEQRA at its meeting of March 10, 2010. 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
- The applicant execute a Storm water Maintenance Agreement in a form acceptable to the Town Attorney; and
- All remaining fees be paid and escrow provided to the Town prior to the issuance of a building permit.

MOTION CARRIED BY A 7-0 VOTE

Second by Sue Bill Ritz & roll called as follows:

R. Davey-YES; K. Bergmann-YES; J. Kelley-YES; S. ABSTAIN-YES;
D. Panton-YES; L. Ferson-YES; B. Ritz-YES.

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NEW BUSINESS

NONE

REFFERALS-REPORTS & RECOMMENDATIONS

ZBA Appeal #2010-03 Robert Jucha – 193 Hays Road – Area variances

Mr. Bergmann states Robert Jucha purchased two existing houses on one parcel of land at 193 Hays Road. The applicant is proposing to make the parcel into 3 lots, resulting in 6 variances. Two lots will not meet the 6500 sq. foot requirement and there will be 2 width and 2 side lot variances needed. The neighboring road Kriss Crossing is a Town road; there is public water but no public sewer. Mr. Bergmann proposes to defer making a decision until getting all the facts and talking to Steve Hart from Hart Engineering. The project will be on the agenda for the next meeting so Steve Hart can be present.

NEW ZBA REFERRALS

NONE

REVIEW AND APPROVAL OF THE MARCH 3, 2010 MINTUES

Approval of the March 3, 2010 meeting minutes. Motion by Bob Davey. Seconded by Sue Mangold, with a 6-0-1 vote. Bill Ritz abstained.

REVIEW AND APPROVAL OF THE MARCH 24, 2010 MINTUES

Approval of the March 24th, 2010 meeting minutes. Motion by Bob Davey. Seconded by Bill Ritz, with a 5-0-2 vote. Don Panton and Lance Ferson abstained.

ADJOURMENT

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

Respectfully Submitted

Angelina Cadena, Acting Planning Board Secretary

