

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
September 28, 2011

Members:

Acting Chairman Matt Polsinello
Lew Dubuque
Jeffrey Spencer
Judy Condo

Also Present:

Tim Nugent, Planning Board Attorney
Alison Lovely, Planning Board Secretary

Alternate Members:

Pete Stenson

CALL TO ORDER / DETERMINATION OF QUORUM

Acting Chairman Polsinello called the meeting to order and determined that a quorum of four (4) members and one (1) alternate were present. Chairman Kennedy, Don Pantan & Joe Kelley were absent. The alternate will be a voting member tonight. Introductions were made

OLD BUSINESS

WITBECK PDD

(11-10)

Steve Hart of Hart Engineering presented the proposal to the Board. Mr. Hart stated that this is the same plan that the Planning Board has seen previously. Mr. Hart stated that they are requesting a public hearing at the Planning Board's next meeting. They want to get public comments as early in the process as possible. Mr. Hart stated that at last week project review team meeting that they met with Joel Bianchi of Chazen to discuss procedures and outlines that needed to be followed. Mr. Bianchi discussed the procedure that the Planning Board follows in sending a recommendation to the Town Board for the proposed PDD. Mr. Bianchi composed an outline on issues that the Planning Board should look at before a recommendation is sent to the Town Board. The Town Board would be lead agency for SEQR and address the zoning issues. Once this is done then the Town Board would send the project back to the Planning Board for subdivision approval. Mr. Nugent stated that the Planning Board is not required to have a public hearing on the PDD, but may choose to. Mr. Hart stated that they are requesting a public hearing at the next meeting. As part of the amenity package of the PDD the applicant is required to give the Town any sort of public improvement. Mr. Bianchi stated that there is one thing that they have asked Mr. Hart to provide and that is to do an updated traffic impact study building upon what the Town had done in 2006. Mr. Hart stated that they are proposing a 40' buffer around the perimeter of the project.

WITBECK PDD CONT.

(11-10)

MOTION: A motion was made by Acting Chairman Polsinello as follows: **The Planning Board hereby schedules a public hearing for the proposed Witbeck Planned Development District at the Town of East Greenbush Town Hall on October 12, 2011 at 7:05 PM.**

Second by Judy Condo & roll called as follows:

Acting Chairman Polsinello-YES; L. Dubuque-YES; J. Spencer-YES; J. Condo-YES; P. Stenson

MOTION CARRIED BY A 5-0 VOTE

MAVIS RETAIL SITE PLAN

(07-01a)

Nick Costas from L. Sipperly and Associates brought the Board up to speed since he was last before the Board in July. Mr. Costas stated that Joel Biachi from Chazen had made some comments which have been addressed. Mr. Costas stated that he has received a second comment letter from Chazen just today. The building proposed consists of 12,480 sq. feet. The building will be accessed thru the existing curb cut by DOT for the tire center. Mr. Costa's showed the Board the elevation plan. There will be a main sign out near the main road listing the tenants and it will conform to zoning. The number of parking spaces provided is 41 which conforms to zoning. Mr. Costa's stated that he will be getting his comments to Chazen's last letter back to them within a few days.

FORREST POINTE II PDD

(03-25a)

Dick Tice of Brewer Engineering presented the proposal to the Board. Mr. Tice stated that the last time the Board saw this proposal was in April of this year. Forty town homes are proposed. The site is located on the easterly side of the existing Forrest Pointe apartments and town homes. The parcel will be serviced by town water and sewer. The lot sizes are similar to the existing project. Mr. Tice stated that a letter requesting a PDD has been submitted to the Town Board. Tim Nugent asked if the applicant is willing to waive the time limit on the PDD and Mr. Tice said that is no problem. Mr. Nugent stated the existing PDD can be amended.

NEW BUSINESS

O'SULLIVAN'S GARAGE

(11-14)

Bill Malone presented the proposal to the Board. Mr. Malone stated that the windowless addition proposed is 45'x14'to the front of the garage. Three of the bays would be extended, but you will know only be able to see one bay door and an entry door in front. Some greenery is to be added. The addition will only change the front appearance. The addition will be stucco with a colonial tin roof and will have raised flower beds in the front. The addition is for inside space only.

O'SULLIVAN'S GARAGE CONT.

(11-14)

MOTION: A motion was made by Acting Chairman Polsinello as follows: **The Town of East Greenbush Planning Board hereby issues a Negative Declaration under SEQRA and approves the sketch plan for the proposed minor site plan modification.**

Second by Pete Stenson & roll called as follows:

Acting Chairman Polsinello-YES; L. Dubuque-YES; J. Spencer-YES; J. Condo-YES; P. Stenson

MOTION CARRIED BY A 5-0 VOTE

REFERRALS-REPORTS & RECOMMENDATIONS

ZBA Appeal #2011-18-Thomas Mahar-47 High Street-Area Variance-In-ground
Swimming Pool-report by Judy Condo

Ms. Condo stated that she visited the applicant and spoke to the neighbors surrounding the property. The applicant is proposing to build a 40' x 16' in ground swimming pool behind his house which will protrude into what is technically his front yard. Ms. Condo recommends that the Zoning Board of Appeals grant the requested Area Variance. *See attached report for further information.

MOTION: A motion was made by Judy Condo as follows: **The Town of East Greenbush Planning Board recommended that the Zoning Board of Appeals grant the requested Area Variance.**

Second by Lew Dubuque & roll called as follows:

Acting Chairman Polsinello-YES; L. Dubuque-YES; J. Spencer-YES; J. Condo-YES; P. Stenson

MOTION CARRIED BY A 5-0 VOTE

NEW ZBA REFERRALS

ZBA Appeal #2011-19-Doug Frenyea-18 Moulds Avenue-2 Area Variances-Front deck to support a sunroom. 2 Front Setbacks – assigned to Pete Stenson-report due at 10/12/11 meeting

ZBA Appeal #2011-20-Daniel Jarvis-44 New York Avenue-Area Variance-Front Porch with Overhang-Front Setback – assigned to Jeffrey Spencer-report due at 10/12/11 meeting

ZBA Appeal #2011-21-John/Constance Alexander-Lot#5 King Louis Estates-Area Variance - Access to remaining lands creating a flag lot condition.-assigned to Acting Chairman Polsinello-report due at 10/12/11 meeting

NEW ZBA REFERRALS

ZBA Appeal #2011-22-Ray Signs, Inc. (Malek) – 304 Troy Road-Area Variance-Sign-assigned to Lew Dubuque-report due at 10/12/11 meeting

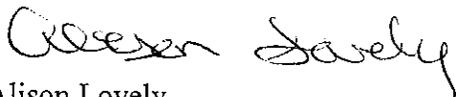
REVIEW AND APPROVAL OF THE SEPTEMBER 14, 2011 MINTUES

Postponed September 14, 2011 meeting minutes due to lack of quorum.

ADJOURMENT

There being no further business before the Board, the meeting was adjourned by Acting Chairman Polsinello. Seconded by Pete Stenson. Carried by a 5-0 vote.

Respectfully Submitted



Alison Lovely
Planning Board Secretary

On September 18, 2011 Judith Condo visited the property located at 47 High Street, Rensselaer, NY and the neighbors surrounding the property. It is the subject of ZBA Appeal #2011-18 for an Area Variance. The applicant is proposing to build a 40' x 16' inground swimming pool behind his house which will protrude into what is technically his front yard. High Street is a short connector road which converges with Red Mill Road in front of the applicant's property. Much of the surrounding land was originally owned by Thomas Mahar's parents who now live across Red Mill Road near his brother's home. Three children, including the applicant, face their houses on the elongated horseshoe driveway that comes from High Street. Mr. Mahar's house is situated some 300 feet from High Street which is technically his front yard because of its 140' frontage on High Street and depth of 380'. The rear door of the house would overlook most of the proposed pool with only ten to fifteen feet in the front yard. Also in the front yard is a tennis court which he considers his side yard. The pool and fence would be located to the rear of the tennis court. The property is 1.246 acres in an R-2 Zone.

The residence is for practical purposes part of a family compound with the double driveway serving as the continuous roadway for the three siblings' homes. The front doors of the three homes face the curve of the driveway. The pool would run parallel to the applicant's house set back some fifteen feet from the back door. The applicant indicated that he believes a gas line runs near the rear edge of the house that could interfere with moving the pool further back on his property to avoid the variance. Five neighbors, including one non-family member, were visited on both sides and to the front of the property. None objected to the placement of the pool.

With regard to the Area Variance, the proposed pool will not detract from the neighborhood which is residential and set back from High Street and Red Mill Road. Neighboring properties to the three where the pool is proposed are distant to the pool location. The recreational appearance of the applicant's front yard would be enhanced by a pool behind the tennis court. The size of the variance is relatively small as most of the pool would be within the required setbacks. From a planning perspective, the proposal seems reasonable. The distance of the pool from adjacent property lines had no impact on their properties.