

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 AUGUST 24, 2016

7:00PM CALL TO ORDER/DETERMINATION OF QUORUM/STAFF COMMENTS

PUBLIC HEARINGS:

NONE

OLD BUSINESS:

(16-04) NYISO-6 Krey Boulevard-Site Plan Modification & Lot Line Adjustment-Review for SEQOR Declaration & Conditional Approval

NEW BUSINESS:

NONE

REFERRALS-REPORTS & RECOMMENDATIONS:

ZBA Appeal #2016-16-LeFebvre-215 Hampton Avenue-4 Area Variances- Deck & Shed-report by Mike Bottillo

NEW ZBA REFERRALS:

ZBA Appeal #2016-17-Rensselaer County Bureau of Public Safety-Ridge Road-Special Use Permit- Cell Tower

OTHER:

Resolution regarding notice for major subdivision public hearings

REVIEW & APPROVAL OF MEETING MINUTES:

August 10, 2016 meeting minutes

MOTION (16-04)
NYISO
6 KREY BOULEVARD
SITE PLAN MODIFICATION/LOT LINE ADJUSTMENT
AUGUST 24, 2016

MOTION for NEGATIVE DECLARATION (16-04)

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 Short 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 storm water management and declares the project an Unlisted Action and hereby issues a Negative Declaration under SEQRA. * See attached notice of determination of non-significance.

MOTION for CONDITIONAL APPROVAL OF LOT LINE ADJUSTMENT AND MINOR SITE PLAN MODIFICATION
(16-04)

The Town of East Greenbush Planning Board hereby grants conditional final approval of the proposed minor site plan modification & lot line adjustment with the following conditions:

1. Payment of all outstanding fees including GEIS.
2. Establishment of construction inspection escrow for Hank LaBarba to serve as Town Engineer.
3. Applicant shall cause to inspect pre-existing storm sewer line on site and replace said line at their cost if required.
4. Town Board approval of revised easement language required prior to issuance of final CO, such approval shall not be a requirement for the issuance of a building permit.
5. Satisfaction of all outstanding technical comments.

End of Motion

Town of East Greenbush Planning Board

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: August 24, 2016

This notice is issued pursuant to the State Environmental Quality Review Act, Article 8 of the NYS Environmental Conservation Law and its implementing regulations found in Volume 6, Part 617 of the New York Code of Rules and Regulations (collectively referred to as “SEQRA”).

The Planning Board of the Town of East Greenbush (“Planning Board”) has determined that the proposed action described below will not have a significant adverse environmental impact and a draft Environmental Impact Statement will not be prepared.

Name of Action: New York Independent System Operator (“NYISO”) Mail Receiving Facility

SEQR Status: Unlisted Action – Coordinated Review

Description of Action:

NYISO operates the bulk-power grid and electricity markets throughout New York State. NYISO controls the grid from a power-control center and its corporate offices located at 10 Krey Boulevard in the Town of East Greenbush. The proposed project entails: (i) a lot line merger to consolidate five lots¹ that NYISO recently purchased and to include them as part of NYISO’s primary lot located at 10 Krey Boulevard; and (ii) the construction of two small additions (totaling approximately 1044 square feet) and other minor site improvements to an existing commercial building that NYISO recently acquired at 6 Krey Boulevard (the “Project”). NYISO plans to use this existing building as the mail receiving facility for its corporate offices located at 10 Krey Blvd. The mail facility would improve security at NYISO’s office building by eliminating mail and package deliveries near the power-control center and moving this function approximately 200 yards away to the 6 Krey Blvd site. In the new facility, incoming mail and other packages can be screened and inspected in a secure and safe location. The mail facility is located in an existing industrial/commercial park.

Location:

The NYISO’s corporate offices are located at 10 Krey Boulevard, Rensselaer, New York, southeast of the intersection between U.S. Route 90 and NYS Route 43. The proposed mail receiving facility will be located at 6 Krey Boulevard in the Town of East Greenbush.

¹ Four lots currently contain vacant land. The fifth lot contains a small commercial building which NYISO intends to use as a mail receiving building for its existing office building located at 10 Krey Blvd. All of the lots were acquired by NYISO for security purposes to provide additional buffer land around the State’s power control center located at 10 Krey Blvd.

Reasons Supporting this Determination:

The Planning Board has thoroughly reviewed whether the Project may have a potentially significant adverse impact on the environment. For the reasons set forth below, a SEQRA Negative Declaration is appropriate and an environmental impact statement will not be prepared.

1. The Planning Board has designated itself as the lead agency under SEQRA for the Project and conducted a coordinated review.
2. The Planning Board has given due consideration to the action as defined in 6 NYCRR §§ 617.2(b)(1) and 617.3(g).
3. The Planning Board has given due consideration to the written comments from the Town Engineer provided to the Board on or before August 24, 2016.
4. The Planning Board has completed Parts 1 and 2 of the short Environmental Assessment Form, and has concluded that environmental effects of the proposed action will not exceed any of the criteria for Determining Significance found in 6 NYCRR § 617.7(c), as more fully described below:
 - a. No substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; no substantial increase in solid waste production; and no substantial increase in potential for erosion, flooding, leaching or drainage problems will result from the Project.

Air

Potential adverse air quality impacts are not anticipated from the mail receiving facility. The existing building does not contain any significant air emission sources and the minor additions do not entail any new emission sources. Rensselaer County is located in an "attainment" area for criteria air pollutants monitored and considered important by NYSDEC and the USEPA. The minor addition will not generate any large quantity of vehicle emissions.

During construction, construction vehicles will be equipped with factory installed muffler and emission control devices. Dust will be suppressed as necessary. Construction will be short in duration.

Traffic

NYISO will be moving 2 or 3 existing employees from its offices at 10 Krey Blvd to 6 Krey Blvd to work in the mail facility. Thus, no new employee vehicle trips are expected from the Project. In fact, traffic will be reduced on Krey Boulevard because the former commercial use of the building will no longer exist and therefore there will no longer be any traffic associated with that former use. Moreover, all mail and delivery vehicles currently traveling to 10 Krey Blvd would simply be directed to the mail facility at 6 Krey Blvd. As a result, no new vehicle trips or traffic would be created by the mail facility.

Noise

The Project will not generate off-premises noise, waste, lights, glare or any other intrusive condition. The proposed mail receiving facility will not change the ambient noise levels in the area of the facility, which are predominantly characterized by vehicles traveling along NYS Route 43 and U.S Interstate 90 and its Exit 8 On/Off Ramp (which are both located in close proximity to the site), as well as noise generated by other surrounding industrial and commercial land uses, in any material way. While construction of the mail receiving facility may result in noise levels exceeding background conditions, any such impacts will be temporary in duration and generally limited to day-time hours.

Stormwater

A detailed Stormwater Pollution Prevention Plan (“SWPPP”) and storm water control practices have been engineered for the 10 Krey Blvd site as required by the NYSDEC’s storm water regulations. A new SWPPP has been prepared to incorporate storm water control practices for the mail receiving facility. Erosion and sedimentation control measures will be employed during construction of the minor addition and improvements to avoid potentially adverse impacts from storm water runoff. They include, among other things, vegetative stabilization of disturbed areas, limits of clearing and grading, use of sedimentation fencing and hay-bales, and protection of stockpiled materials. Existing storm water management facilities will be improved and stormwater will be directed to these facilities. Also, as required by the Town’s Zoning Law, NYISO will enter into an amended storm water maintenance agreement and easement with the Town to ensure that the existing and new storm water control measures are maintained properly. The Town’s Engineer has reviewed the SWPPP and found it to be acceptable.

Because potential adverse impacts from storm water runoff will be avoided through the proper design and implementation of a SWPPP and storm water control measures, no significant adverse impacts are expected.

- b. No removal or destruction of large quantities of vegetation or fauna; no substantial interference with the movement of any resident or migratory fish or wildlife species; no impacts on a significant habitat area; no substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; and no other significant adverse impacts to natural resources will result from the Project. There is little to no wildlife habitat on or around the existing building that will be disturbed by the mail facility project. The site contains an existing commercial building, parking lots, access drives and other accessory structures. There is no unique ecosystem affected by the Project. Most mature trees will remain undisturbed. Other trees will be relocated or replanted to accommodate new paved areas for vehicle access. No trees or other vegetation will be removed to allow for the addition to the existing building. New landscaping will be added to the site and will provide some additional wildlife habitat.

- c. The Project will not create the impairment of the environmental characteristics of a Critical Environmental Area (“CEA”) as designated pursuant to subdivision 6 NYCRR § 617.14(g). No CEAs are located on or near the Project site.
- d. The Project will not create a material conflict with the community's current plans or goals as officially approved or adopted. The portion of the site in East Greenbush is located in the Town’s OC-Corporation Office/Regional Commercial Zoning District. The OC Zoning District was designed to permit and encourage a grouping of office and commercial uses, including corporate office centers and large scale campus-type developments. Thus, the proposed mail receiving facility is consistent with office uses in this zone. Additionally, the Project was reviewed in accordance with the Western East Greenbush Generic Environmental Impact Statement (“GEIS”) study area. For the reasons set forth herein, particularly in the Traffic section (above), no increased density, traffic or other impacts will result from the Project.
- e. The Project will not create the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character. No such resources exist on or near the Project site.

Cultural and Archeological Resources

The proposed mail receiving building is located in an existing industrial and commercial park. It is located next to NYISO’s four-story corporate headquarters building containing over 500 parking spaces and circulation roadways and walkways. The proposed Project entails two minor additions to an existing commercial building. Given this prior site disturbance, no further study of the site was warranted for potential impacts to cultural resources. As a result, no impacts to archeological resources are expected from the project.

Historic Resources

Regarding historic resources, the proposed mail receiving facility is not located immediately adjacent to or in close proximity to any historic sites listed on the State or National Registers of Historic Places. The Project is located in an active industrial/commercial park surrounded by other commercial buildings and interstate highways. As a result, the facility will not have any impacts on historic resources.

Community Character

Current land uses in proximity to the site are a mixture of industrial, warehousing and commercial uses. The mail facility is located in an existing industrial/commercial park. The mail facility is consistent with these land uses and will not have an adverse impact on them. The proposed mail building and NYISO’s adjacent office building have existed for over 10 years and are a part of the community character in Greenbush Commercial Park. The architectural style of the proposed mail receiving facility will be the same or similar to the existing building and will not change its character in any material way.

- f. The Project will not create a major change in the use of either the quantity or type of energy. The proposed mail facility building was formerly used by a playground equipment manufacturer. That former use will be replaced with the proposed mail receiving facility. The same heating/cooling system will be used and updated energy efficient lighting will be installed.
- g. The Project will not create a hazard to human health. The facility is a secure, monitored building with outdoor lighting during the evening hours. In addition, the facility will not entail: (1) the storage of large quantities of hazardous material or flammable or explosive materials; (2) the burial of hazardous wastes; (3) excavation or disturbance near a site used for the disposal of solid or hazardous waste; or (4) a chronic low-level discharge or emission of hazardous materials. The proposed facility uses municipal sewer and water. As a mail receiving facility, it will not create any adverse noise impacts on any neighboring commercial properties. As a result, the project will not create any significant adverse impacts on public health.
- h. The Project will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses. The Project entails only two small additions to the existing commercial office use, does not propose any residential uses and is not increasing density.
- i. The Project will not encourage or attract a large number of people to the Town of East Greenbush or the surrounding area such that there would be any increased use of the Town's recreational and other facilities. The facility will employ 2 or 3 people who will be relocated from NYISO's office on 10 Krey Boulevard.
- j. The Project will not create a material demand for other actions that would result in one of the above consequences. For example, no extension of the public water or sewer lines or additional uses of such services are proposed. However, an upgrade to the water supply line for a future fire suppression sprinkler system installation is planned to ensure compliance with the NYS Uniform Building and Fire Code. The sprinkler system would only be used in the event of an emergency.
- k. No cumulative adverse impacts on the environment will result from the Project. The mail receiving facility will not induce growth in the Town or otherwise change the commercial / office character of the property. The action is also not part of a larger plan of development beyond the limited facility additions being proposed. Therefore, there will be no cumulative impacts resulting from the Project.

For Further Information:

Contact:

Town of East Greenbush Planning Board (SEQRA Lead Agency)
East Greenbush Town Hall
225 Columbia Turnpike
Rensselaer, New York 12144

Filing and Publication:

A copy of this Determination of Non-Significance shall be filed, distributed and published as required by 6 NYCRR Part 617.12.

AUGUST 24, 2016

**RESOLUTION REGARDING NOTICE FOR MAJOR
SUBDIVISION PUBLIC HEARINGS**

"The Secretary of the Planning Board shall provide notice of any public hearing regarding a major subdivision, including data regarding the substance of the application, to the owners of all property within five hundred (500) feet of the land involved in such application. Notice shall be provided by either certified or registered mail at least seven (7) calendar days prior to the hearing. The applicant shall bear the expenses incurred as a result of this provision."

End of Motion