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
NOVEMBER 30, 2016

Members:
Matt Mastin, Chairman
Matt Polsinello
Jim Moore
Mike Bottillo
Ralph Viola
Jim Giordano

Also Present:

Joseph Slater, Planning Board Attorney
Tony Manfredi, Director of Planning

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Mastin called the meeting to order and determined that a quorum of six (6) members were present. Paul DiMascio was absent.

PUBLIC HEARING:

NONE

NEW BUSINESS:

ABELE/BALDWIN-ANNABELLE LANE-LOT LINE ADJUSTMENT (16-15)

Rod Abele presented the proposal to the Board. The location of the property is on Annabelle Lane. The proposal is to exchange an equal amount of land from one owner to another consisting of approximately .12 acres +/-. Chairman Mastin asked if Tony had reviewed the proposal to make sure it meets all of the requirements. Tony Manfredi stated that he had and that it's an even swap of land. Chairman Mastin asked if anyone on the Board had any questions.

- Jim Giordano asked if the area to be conveyed consisted of just grass and no structures. Rod Abele stated that the area is just grass.
- Ralph Viola asked if their just swapping a diagonal area and that there is no changes to the area. Rod Abele stated that was correct.
- Matt Polsinello asked if there were any relative structures on the site. Rod Abele stated that there were not.

MOTION: A motion was made by Matt Mastin 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 McGrath Land Surveyors, and dated June 7, 2010 and last revised November 17, 2016.**

REGENERON-BULK CHEMICAL STORAGE-MINOR SITE PLAN-BLDG 81 (12-11M)

Steve Hart from Hart Engineering, Eric Rose from Regeneron and Chris Werner from the Design Group were all present. The proposal is for the configuration of truck delivery areas and canopies for storage and distribution of bulk chemicals between building 81 and building 12 within a courtyard area surrounded on all four sides by buildings. Steve Hart stated that there aren't actual structures, they are canopies. Steve Hart stated that no new chemicals will be stored on site. The chemicals for this area are currently already located on site, just in different areas. This change is for a lot less handling and for safety.

•Chairman Mastin asked where the chemicals were previously stored. Eric Rose stated that currently the chemicals are stored throughout the campus.
•Ralph Viola asked if a fire suppression was needed and if the storage tanks have to be registered with NYSDEC. Chris Werner said that no there is not, they are considered non-flammable chemicals and that the tanks will be registered with NYSDEC.
•Chairman Mastin asked if there would be a containment structure. Steve Hart stated yes both in the unloading area and pavement area.
Tony Manfredi stated that the Town will hire an engineer to do a chemical codes review.
•Matt Poslinello asked if there were potential underground utility constraints and maneuverability issues. Steve Hart stated that there are some electrical lines that may need to be relocated but there were more issues in the previously proposed location. The trucks are either pulling in and unloading or then backing out.
•Chairman Mastin asked if there will be underground piping and if there is a leak detection system. Steve Hart stated that the piping will be overhead.
•Jim Giordano asked what buildings are next to the area. Chris Werner stated that there are generators and existing chillers.
•Ralph Viola asked if the chemical is caustic. Chris Werner stated that yes they are.
•Matt Polsinello asked if they are using truck pumps or existing pumps as well as horsepower and noise. Chris Werner stated that they will be using small diameter air pumps, there is no big noise but they will have mufflers on them.
Tony Manfredi stated that these are pre-existing chemicals. The current ways the chemicals are handled are problematic and this proposal is a safety upgrade which is the reason for the change.
Chairman Mastin asked if there were any further questions from the Board.
Tony Manfredi stated that digital plans should be available soon and should have some technical comments from the codes review as well.

MOTION: A motion was made by Matt Mastin as follows: **The Town of East Greenbush Planning Board hereby declares their intent to seek lead agency and accepts the sketch plan by Hart Engineering dated November 23, 2016 for the proposed minor site plan.**

Seconded by Ralph Viola & roll called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; J. Moore-YES; R. Viola-YES; J. Giordano-YES.

MOTION CARRIED BY A 6-0 VOTE

OLD BUSINESS:
MICHAELS AUTO PLAZA-601 COLUMBIA TURNPIKE-UPDATE ONLY (12-02B)

Steve Hart of Hart Engineering presented the proposal to the Board and stated that also present was the owner, Mike Rubincheck and his attorney Don Zee. Steve Hart stated that it's been a couple of years since this project has been before the Board. The proposal is to close in the existing lifts at the rear of a 1,344 square foot building. The darker green areas on the map were previous asphalt areas that the Board and PRT wanted for greenspace and also to better define on the site where the display vehicles would be parked in the front. The plan shows a display area of five vehicles in the front of the building, two the side near the landscaped area closer to True Value and six on the Planet Fitness side of the building, these areas would be properly outlined. Steve Hart stated that they have been working with the Building Department for a number of months trying to get some issues squared away, such as flashing lights and window coverings which he believes that the applicant has satisfied the issues.

- Chairman Mastin stated that it seems as if all the parking spots in the front of the building are used for cars that are for sale, so what will prevent the applicant from still doing that. Mike Rubincheck stated that employees do not part there, that it's for customers only.
- Jim Moore asked if there has been any discussion about closing off one of the existing curb cuts along 9 & 20 to eliminate any possible traffic conflicts. Steve Hart stated that there was not. Michael Rubincheck stated that there has never been a problem. Steve Hart also stated that as part of this project there was a 7,513 square foot building that has been taken down.
- Ralph Viola stated the hatched area is nice but he feels it would be more organized if it was each stall was striped. Steve Hart stated that originally that was their goal. Don Zee stated that due to the size of certain vehicles, oversized vehicles and motorcycles that it might not be better if it was striped. Don Zee stated that the building department wanted the areas defined where the vehicles for sale would go, not necessarily the number of vehicles.
- Chairman Mastin stated that he would like to see a landscaped area in the front area close to 9 & 20.
- Matt Polsinello asked if the applicant and Planet Fitness have come to terms with the drainage issues. Tony Manfredi stated that the Town has been trying to contact them to clean up the outstanding issues that they were supposed to address.
- Chairman Mastin asked if the new structure is an expansion of a pre-existing non-conforming use. Tony Manfredi stated that he has been in contact with Jeff Pangburn and the Zoning Board Attorney and that their looking at it as, since the other building has been removed; there is no increase in square footage.
- Jim Moore asked Steve Hart to finish explain the history with NYSDOT regarding the curb cuts and feels that one curb cut should be closed off to clean up the site. Jim said he believes there are some grade issues with the site near the one curb cut. Steve Hart stated that there haven't been any discussions with NYSDOT about closing off one of the curb cuts, and stated that the one curb cut has a 4 foot grade difference and has a retaining wall there with stairs and landscaping. Don Zee spoke and stated that basically this project is on two parcels. Even though they are showing the two parcels as part of this project, since they are owned by the same owner. The parcel with the lifts is separate from the original parcel which has been approved.
- Tony Manfredi stated that the Planning Board is the authority on landscaping and if they want to give flexibility or have certain landscaping they want to see, the Board is the authority on that.
- Matt Polsinello asked if the lifts are currently being used. Don Zee stated that yes they are, they just want to enclose them.
- Jim Giordano asked if there are thoughts of expanding the landscaping along the side of the building along the Planet Fitness side. Steve Hart stated that the whole area going down is brush.

Don Zee stated that Planet Fitness actually expanded their black top beyond where they were supposed to and took out some existing landscaping along the applicants side of the building, which has caused some of the drainage issues that were raised.

•Chairman Mastin asked when the lifts were installed. Don Zee stated about 2 ½ years ago at that time they were temporary in nature, the structures make them permanent.

Tony Manfredi stated that prior to the Board accepting any sketch plan that they want to work through the plantings within the green areas, designating parking and also formalizing something between Michaels Auto Plaza and Planet Fitness.

•Jim Moore read the section on Type 3 landscaping and stated that seeing a plan regarding this would be nice. Steve Hart asked Don Zee if this was addressed as part of the initial approval back in 2012. Don Zee stated that the project predated him as well. Steve Hart stated it would be looked at.

•Chairman Mastin asked if any landscaping was considered for northwest of the lot along 9 & 20. Steve Hart stated that it's all asphalt and vehicle storage currently.

•Matt Polsinello stated that there are many challenges to this site. There are standards to uphold as Fucillo Ford is coming in for changes to their site and we need adhere to certain standards and make sure that Type 3 landscaping is applied as a minimum, so we need to do the same thing with this site. Don Zee stated that if you put landscaping to close to 9 & 20 that it's going to get destroyed. Chairman Mastin stated that the Board made Subway do it and it's held up fine.

Tony Manfredi stated it would be good to see a landscaping plan prior to the next meeting, so that the Board can look at it.

•Matt Polsinello stated that he remembers there was an issue with the fence at the rear of the site. He's not sure if it was ever addressed. Don Zee stated that he feels all issues were addressed.

Chairman Mastin asked if there were any other questions or concerns from the Board.

Steve Hart stated that he would come up with an enhanced landscaping plan.

•Jim Giordano stated that it looks like the back of the parcel that fronts Iroquois Place needs to be cleaned up.

Tony Manfredi stated that he would do a site visit.

WITBECK CLUSTER 54-LOT SUBDIVISION-PHILLIPS ROAD-UPDATE (11-10B)

Steve Hart of Hart Engineering presented the update to the Board. The site is located on Phillips Road across from the East Greenbush Soccer Field. The project consists of 54 single family homes on a horse shoe shaped road. The previous proposal was for a PDD, which the applicant is now letting expire. The subdivision consists of approximately 42 acres out of approximately 100 acres that the Witbeck family owns, with 22 acres that will remain undeveloped. The applicant is proposing an easement in order to extend road through if they ever decide to into the Hannford Plaza area. Each lot is approximately 10,500 square feet. They will connect to water on Phillips Road and there is an existing sanitary sewer that they will connect to which cuts through the Witbeck lands. Steve Hart stated that storm drainage would be utilized between the homes and also in a couple of other areas.

•Chairman Mastin asked if detention basins count toward developable land. Tony Manfredi stated that it is his understanding that they don't.

•Jim Moore asked if density was driven by calculation and if the location of the sanitary sewer was following the path of a future roadway. Steve Hart stated it's based on how much road network they could get. Steve stated that the sanitary line follows a sidewalk.

•Ralph Viola asked if the parcel within the horseshoe would remain the lands of the Witbeck family & if there were maintenance issues, would it fall on the Town of East Greenbush. Steve Hart stated that would probably become a form of homeowners association.

Tony Manfredi stated that it's more favorable to be private maintenance. Could request a bond or letter of escrow in case the developer stops the maintenance.

•Joe Slater asked how much of the land could be considered developable in the remaining lands. Steve Hart stated that he's not exactly sure.
•Jim Moore asked if there were generic house footprints and asked if the sidewalk could be extended street to street and will the road be public. Steve Hart stated that yes there is and that he will look into the sidewalk question and the roads will be public.

L. BROWE ASPHALT PLANT-SUN OIL ROAD-PDD/MAJOR SITE PLAN (16-16)

Tony Manfredi stated that the Planning Board will give the Town Board an advisory opinion on the requested PDD. The requested PDD is to establish an asphalt batch plant down off of Route 9J. Scott Collins of St. Germain Collins and Lorne Browe were both present. Scott Collins said the project consists of three lots on Sun Oil Road consisting of approximately 10.75 acres total with a building. There is a warehouse that is leased out to a trucking company and an asphalt shingle recycling facility was stated there a couple of years ago by Lorne Browe. There was an old asphalt batch plant that existed there years ago, that will all be removed and a new one constructed. Scott Collins provided photos of the existing area, which is heavily industrial. The plant would consist of 3 seventy-five foot silos, scale, storage bins, hoppers, control building, conveyors and parking. Scott Collins showed pictures of the existing company in Massachusetts which will be the same on this site.
•Jim Giordano asked if that facility would be the same size, height as the proposed. Lorne Browe stated it would be the same exact plant.
•Matt Polsinello asked how many tons is it. Scott Collins stated 300 tons of asphalt per hour.
Tony Manfredi stated that there is a pre-existing plant (New Castle) in Rensselaer which would be a good benchmark.
•Ralph Viola stated that he visited the site today and its nice clean site. He asked if air quality monitoring is required. Scott Collins stated that they have to work with NYSDEC to register the facility. There is an approval process for air quality. Emissions are collected; there are no odors or emission issues like there was 50 years ago.
Tony Manfredi stated that odor will be part of the environmental review and is part of one of the biggest concerns as well as visual impacts.
•Ralph Viola asked if Lorne planned on eliminating his existing shingle recycling plant. Lorne stated that he is continuing it.
•Matt Polsinello asked if all the existing structures on site will remain. Lorne stated that yes they are.
•Jim Moore asked if all the existing structures and what's highlighted on the plans are part of the proposed PDD. Scott Collins stated that is correct.
•Matt Polsinello asked if there will be lot consolidation of the three lots. Tony Manfredi stated that he doesn't believe it's required, but that he will get a legal opinion on it.
•Ralph Viola asked about how many trucks a day would come out of this production. Lorne Browe stated that he believes a daily number would be 20 trucks to just several trucks; he is mostly using this business for himself.
•Jim Giordano asked how the trucks come in and out of the site. Lorne Browe stated that there is only one way out of the port.
Tony Manfredi stated that Lorne Browe has proposed to fund the paving of a significant portion of the road into the site, since the roads are in rough shape down there.

MOTION: A motion was made by Matt Mastin as follows: **The Town of East Greenbush Planning Board hereby recommends that the Town of East Greenbush Town Board accept the proposed sketch plan dated 8/26/16 & last revised 11/21/16 by St. Germain Collins & declare its intent to seek Lead Agency status in connection with a coordinated review and that they determine the proposed project as an Unlisted Action under SEQR.**

Seconded by Matt Polsinello & roll called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; J. Moore-YES; R. Viola-YES; J. Giordano-YES.

MOTION CARRIED BY A 6-0 VOTE

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERRALS:

NONE

OTHER:

Tony Manfredi gave the Board an update on the Regeneron Mill Creek Project.

REVIEW AND APPROVAL OF MEETING MINUTES:
Motion by Chairman Mastin to approve the October 26, 2016 meeting minutes as is. Seconded by Ralph Viola. Motion carried by a 4-0-1 vote. Mike Bottillo abstained.

Motion by Chairman Mastin to approve the November 9, 2016 meeting minutes as is. Seconded by Matt Polsinello. Motion carried by a 4-0-2 vote. Matt Mastin & Jim Giordano abstained.

ADJOURMENT:
There being no further business before the Board, the meeting was adjourned by Chairman Mastin. Seconded by Matt Polsinello. Carried by a 6-0 vote.

Respectfully Submitted

Alison Lovely

Alison Lovely, Planning Secretary