

# TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144 (518) 694-4011 FAX (518)477-2386

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## MEMORANDUM

### EAST GREENBUSH PLANNING BOARD MEETING MINUTES MAY 25, 2016

#### **Members:**

Matt Mastin, Chairman  
Mike Bottillo  
Paul DiMascio  
Ralph Viola  
Jim Moore

#### **Also Present:**

Alison Lovely, Planning Board Secretary  
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 five (5) members were present. Jim Giordano & Matt Polisnello were absent.

#### **PUBLIC HEARING:**

NONE

#### **OLD BUSINESS:**

#### **REGENERON-81 COLUMBIA TRPK-MINOR SITE PLAN-STORAGE BLDG. (12-11J)**

Steve Hart of Hart Engineering presented the proposal to the Board. Steve stated that Terrance Blake & Nicole Boutelier of BBL, Dom DeFelice from Regeneron were also present. Steve Hart stated that the proposal is for a 48' x 80', (3,840 square foot) storage building. A water line will be coming out of the west side of the building and will connect to the 71,000 square foot office building. There will be a slop sink and eye wash in the building and there is a potential to have a bathroom in the building. A low pressure sewer with a grinder pump will be installed with the line running across the site to the northwest corner of the building. If there are any floor drains, then there will be a holding tank. The building will have a small amount of block that turns into vertical siding. They are keeping the color gray to match the rest of the buildings. Chairman Mastin stated that this was an update only. He asked the Board if anyone had any questions.

- Ralph Viola asked about the cooling towers and if they had been moved closer to the office building. Steve stated that there is a buffer of trees around the cooling towers but if necessary they can add more.
- Joe Slater asked if there was anything being stored beyond maintenance equipment. Steve Hart stated that no there wasn't.
- Jim Moore asked if there would be landscaping between this building and the office building and if that's an internal roadway. Steve Hart stated that there is approximately 60' – 70' width of trees. The building is approximately 28' high.

Chairman Mastin asked if there were any other questions from the Board. There were none.



**REGENERON-25 DISCOVERY DR.-PARKING LOT/PARKING GARAGE (15-07A)**

Steve Hart of Hart Engineering presented the proposal to the Board. Steve stated that Terrance Blake & Nicole Boutelier from BBL and Brent Gadbois from Regeneron were also present. Steve Hart stated that a 216 spaces parking lot was approved last year and now Regeneron is proposing a four story parking garage with 500 parking spaces on the same foot print as the parking lot. There is 35% less impervious area now. Vertical columns have been added to the front of the garage. There is enhanced site lighting on the building and a canopy above the entrance and exit drive and stairwell has been added. Chairman Mastin asked the Board if there were any questions.

- Jim Moore asked if the linear accents extended around the building. Terrance Blake stated that they are just located on the front of the building. Steve Hart added that the other three sides of the building are wooded.
- Chairman Mastin stated that it's a tall building and asked if it could be seen by the other side. Steve stated that there are 40' trees in the rear of the building so he didn't think it could be seen.
- Ralph Violas asked what the businesses are on either side. Steve Hart stated that Tech Tonic is on one side and Integrated Liner is on the other side.

Steve stated the 4<sup>th</sup> level of the garage is exposed with no roof and the traffic volume has increased and they've made the garage from holding 500 cars to 618 cars.

- Ralph Viola asked if the parapet would cover the cars. Steve Hart stated that the height of the parapet is 47'6". Steve Hart stated that you may be able to see the roof of a larger vehicle. Steve also said that the solar panels that are shown on the plan are not part of the current proposal. An area variance will be needed for the panels.

Steve Hart stated that the pond in the rear of the site has already been constructed. There are two ponds proposed for the front of the garage, underground electric and a water line for fire suppression for the garage.

- Jim Moore asked if the street tree pattern is an extension of what exists on Discovery Drive & if the ponds in front will need to be fenced in. Steve Hart stated that yes it is and that the ponds are small and level and won't hold water. The rear pond will be fenced in and there is a fence proposed for the front of the site more for a security aspect. Jim Moore asked what type of fence is proposed for the front. Steve Hart stated a chain link is proposed. Jim Moore thinks it should be something other than a chain link fence.

- Chairman Mastin stated that the type of fence proposed should be looked at.
- Ralph Viola asked if there will be sidewalk lighting. Steve Hart stated that there are two street lights proposed for the front and along the access drive and the sidewalk will be illuminated.
- Chairman Mastin asked how far the sidewalk extends. Steve Hart stated that that pedestrian bridge isn't shown on the map but it's right off where the entrance to the garage is located.

Chairman Mastin stated that he would like to see a little bit nicer of a fence. Tony asked the board if they wanted to see a roof rendering. The Board stated that they would.

**NEW BUSINESS:**

**KEYSTONE FIREWORKS: 637 THIRD AVE EXT.-MINOR SITE PLAN MOD. (16-05)**

**KEYSTONE FIREWORKS-580 COLUMBIA TRPK-MINOR SITE PLAN MOD. (16-05A)**

Chairman Mastin stated that they were going to discuss both of these sites together. There was an individual from Keystone Fireworks who didn't state his name.

After some discussion the Board stated that they have some issues with this site. The following questions were raised by the Board.

- Paul DiMascio asked if the tents will be in the same location as last year. The representative stated that yes they are, that everything is the same as last year.
- Chairman Mastin asked if there were any traffic issues last year. The representative stated that there were none. Matt stated that he would like to see what the Police Dept. had to say about the site.



-Ralph Viola asked what day the Third Ave site would open as he knows that's a busy site. The representative stated that the tent would go up on Saturday, June 19<sup>th</sup>. Friday the 18<sup>th</sup> is a busy day for fish at the site. Also, what date do they start selling the fireworks. Firework sales would start on Saturday, June 25<sup>th</sup>.

Tony Manfredi stated that the Columbia Turnpike site is in question as the building is being demolished at that site.

Chairman Mastin stated asked if the Board wanted to table these two applications for two weeks in order to get more information on both the sites.

**MOTION:** A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby tables the above two applications for two weeks.**

**Seconded by Mike Bottillo & roll called as follows:**

**M. Mastin-YES; M. Bottillo-YES; J. Moore-YES; P.DiMascio-YES; R. Viola-YES.**

**MOTION CARRIED BY A 5-0 VOTE**

### **EAST GREENBUSH TECH PARK PHASE 2/SECTION 2**

Art Dombrowski, Bill Mafrichi from Hershberg & Hershberg & Terrance Blake from BBL were all present. The site consists of 54 acres. The proposal is for an extension of the existing PDD. Originally this Phase was as close as having a draft resolution drawn up for approval. But they due to the Route 4 traffic study the project went on hold until the roundabout was constructed. The underlying zone is OC. Their wetland crossing permit expires in March of 2017. They want to construct a road with a cul de sac and currently 270,000 square feet of building is proposed. They would like to construct a 37,000 square foot building and roadway prior to March of 2017.

●Ralph Viola asked why there is only one access road proposed for the site. Art Dombrowski stated that basically they are trying to control the access point into the park.

Tony Manfredi stated that the design went into the direction of one access point due to resident's concerns on Mannix Road.

●Jim Moore asked if the reason the access roadway in was so close to Mannix Road due the wetlands. Art Dombrowski stated that yes it is and that he has agreed to a tree line buffer for screening. Art stated that the closest point of the roadway is 22' from Mannix Road.

Chairman Mastin asked what their timeframe is. Art Dombrowski stated that they want to get on the pre-board agenda for June 8th and then the Town Board Agenda for June 15<sup>th</sup> for the Town Board to accept the PDD application and then refer it to the Planning Board for their recommendation.

### **REFERRALS-REPORTS & RECOMMENDATIONS:**

**ZBA Appeal #2016-10 Tibbits-Moulds/Linden Avenue-Use Variance-Construction of a two family dwelling- report by Ralph Viola**

The Planning Board's advisory opinion is as follows:

1. It is a self-created hardship which would defeat a use variance.
2. However, given the number of two family structures in the neighborhood, it will not alter the essential character of the neighborhood.
3. The Board does not have the information with regard if the applicant can realize a reasonable return on the property.
4. Furthermore, as the entire neighborhood is located in an R-2 Zoning District, the alleged hardship relating to the property is not unique. \*See attached report for further details.

Seconded by Chairman Mastin & roll called as follows:

M. Mastin-YES; M. Bottillo-YES; J. Moore-YES; P. DiMascio-YES; R. Viola-YES.

**MOTION CARRIED BY A 5-0 VOTE**

**ZBA Appeal #2016-11 Rapp-2 Hillview Avenue-Use Variance-Operation of a storage/wholesale granite business report by Mike Bottillo**

The Planning Board's advisory opinion is as follows:

1. Granting the Use Variance would not alter the essential character of the neighborhood.\*See attached report for further details.
2. The applicant could not realize a reasonable return on the property.
3. The Planning Board does not have the information to determine if it is a self-created hardship.  
\*See attached report for further details.

Seconded by Chairman Mastin & roll called as follows:

M. Mastin-YES; M. Bottillo-YES; J. Moore-YES; P. DiMascio-YES; R. Viola-YES.

**MOTION CARRIED BY A 5-0 VOTE**

**NEW ZBA REFERRALS:**

ZBA Appeal #2016-12 Bogucki-24 Cedarcrest Drive-Area Variance-Construction of an 18' x 12' pavilion in the rear yard-assigned to Mike Bottillo

**REVIEW AND APPROVAL OF MEETING MINUTES:**

Motion by Chairman Mastin to approve the April 13, 2016 meeting minutes as is.

Seconded by Mike Bottillo. Motion carried by a 4-0-1 vote. Ralph Viola abstained.

Approval of the May 11, 2016 meeting minutes tabled due to a quorum issue.

**ADJOURNMENT**

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

Seconded by Ralph Viola. Carried by a 5-0 vote.

Respectfully Submitted

  
Alison Lovely, Planning Secretary



May 25, 2016

East Greenbush Planning Board  
225 Columbia Turnpike  
East Greenbush, NY 12061

Attn: Chairman Matt Mastin

RE: Use Variance Review

Trent Tibbitts Appeal # 2016-10  
24 Linden Avenue  
Rensselaer, NY 12144

I met with the applicant Trent Tibbitts on May 23th, 2016 to discuss the use variance request. Mr. Tibbitts currently lives at 22 Linden Avenue next to the lot in which he is proposing to construct a two-family dwelling. His current home is a two-family unit.

This parcel is located in a Residential District R-2 Zone which allows for only single family dwellings. The applicant proposes to construct a two story, two family residence with units adjacent to each other. Each unit would 920 square feet and encompass two levels.

In accordance with section 2.6.6 E of the EG Comprehensive Zoning Law the minimum lot width dimension is 75 ft., however this parcel falls into a pre-existing condition therefore a 60 ft. lot width is acceptable.



Trent Tibbitts Existing  
Home

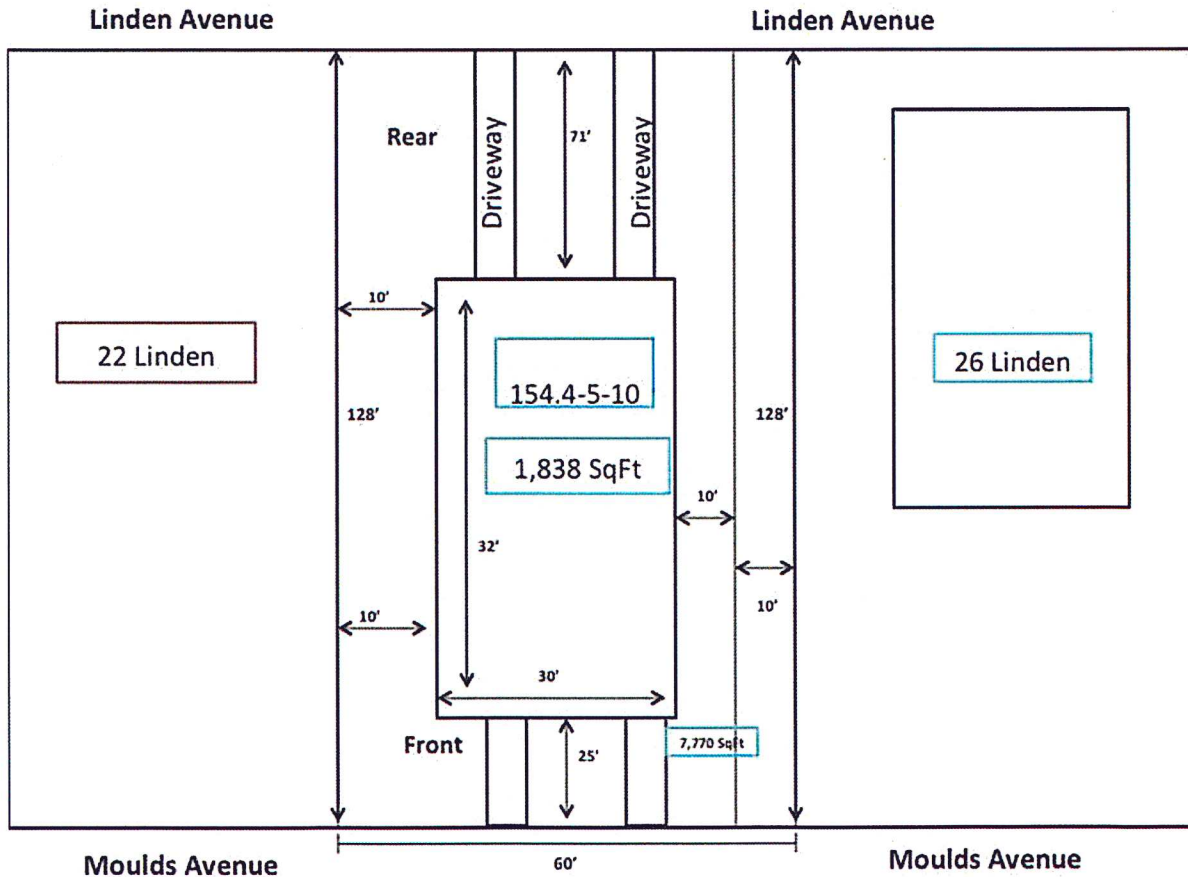
**Lot # 24 Linden Avenue**

10' Drainage Easement

Use Variance Review  
Trent Tibbitts Appeal# 2016-10 Pg. 2

The applicant has proposed the two-family residence **FRONT** Moulds Avenue. The applicant feels this would mitigate any issues with the height of the two story residence and the neighbors views from Linden. The lot slopes considerably downhill to Moulds Avenue, so the first floor would be somewhat buried into the bank.

The two driveways that would service these units would be located at the rear and would enter and exit onto Linden Avenue. The building would be offset from Linden Avenue 71', so the visual impact along Linden would be reduced.



**The applicant cannot realize a reasonable return on the property.**

The applicant purchased this parcel as vacant land with the intent to build a home for himself and his fiancé. After review of the financial burden to construct a home along with the taxes, insurance and maintenance cost, he feels he needs the additional income to help absorb the construction and continual maintenance cost.

**The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the neighborhood.**

The hardship relating to the property is not unique and is evident throughout the neighborhood. Property owners have been allowed to construct or convert single family homes into multi-family units. In order to own a home today, a lot of people rely on the additional rental income they derive from owning a two-family home.

**The requested use variance, if granted, will not alter the essential character of the neighborhood.**

The applicant provided me with a plot plan of the neighborhood that already has multi-family units within close proximity to 22 Linden Avenue. It is evident that there are numerous homes that are two-family in the surrounding neighborhood. I do not know if they have obtained use variances or if they were constructed prior to the R-2 Zoning.



**Green** represents  
**Two-Family dwelling**



**The requested use variance, if granted, will not alter the essential character of the neighborhood.**

I spoke to several neighbors regarding the Use Variance request. Linda LaRocco lives next door to the lot. She is concerned about increased traffic around the intersection of Linden and Cliff Avenue and the on-street parking that is evident now. She also voiced her concerns over the two-story height and her view out her side windows. She is happy that the applicant has decided to move the building 71 feet from Linden, therefore lessening the sight issue.

I spoke to Mrs. Racine at 18 Cliff Avenue, which is directly in front of 24 Linden Avenue. She commented on the fact that there were already numerous two-family residences around her, and did not think one more would create a problem. She also was happy with the fact that the proposed dwelling would face Moulds Avenue.

I spoke to Mr. Hennessy at 11 Linden Avenue, his home is diagonal from lot 24 Linden. He has lived there since 1970 +/- and is not happy with the increase in two-family units that have cropped up around him since he first moved in. He also expressed concern with increase traffic and on-street parking.

I visited several homes on Moulds Avenue that the proposed two-family would face. One home is for sale; the other no one was home.

**The alleged hardship has not been self-created.**

The applicant recently purchased this parcel with the understanding that the property in question was located in an R-2 Zone. His original thought was to construct a single family home, but due to the financial undertaking he soon realized that he could not afford to construct the home without additional income from another unit.

**Given the above findings I still recommend to the East Greenbush Planning Board a favorable recommendation to the E.G. Zoning Board of Appeals.**

Respectfully,

*Ralph J. Viola*

Ralph J. Viola  
E.G. Planning Board Member



05/24/2016

Zoning Board referral 2 Hillview Ave

USE VARIANCE – Storage/wholesale granite business

On May 24<sup>th</sup> 2016 I visited the business of Bill Rapp at 2 Hillview Ave, where he runs Granite wholesale business. The business is in a B-1 District which does not allow this type of business to operate. On the property there is a multiply family house and an larger structure/garage behind it. Mr. Rapp previously ran a construction business from this address from the mid 90's, roughly 8 years ago when he started the Granite business.

The current business has a few employees on site where they cut granite tops for business, hotels or any other company the might require these tops. The property itself is totally tree lined on all side, it is not visible from the road. During hours of operation the doors are all closed, this prevents any noise and dust from disturbing the surrounding neighbors. There is also very little traffic in and out of the property, only employees and when a product is delivered. There is no show room, so there is no public traffic in and out. Since the business has been there for a while nothing is going to change the character of the neighborhood and to not grant the variance could create a great hardship on both Mr. Rapp and his employees.

I am going to make a positive recommendation to Zoning Board for the 2 Hillview Ave property at this time for a Use Variance, to operate a storage/wholesale granite business.

Thanks

Michael A Bottillo