

# 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 November 28, 2018

#### Members:

Matt Mastin, Chairman  
Matt Polsinello  
Nancy Kupiec  
Ralph Viola  
Kurt Bergmann

#### Also Present:

Joseph Slater, Planning Board Attorney  
Alison Lovely, Planning Board Secretary  
Adam Yagelski, Director of Planning & Zoning

#### CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Mastin called the meeting to order and determined that a quorum of five (5) members were present. Mike Bottillo & Jim Moore were absent.

#### PUBLIC HEARINGS:

NONE

#### OLD BUSINESS:

##### REGENERON-DISCOVERY DRIVE-PARKING GARAGE EXPANSION (15-07C)

Chairman Mastin stated that this project is in front of the Board for an update only tonight. Steve Hart of Hart Engineering stated that Regeneron is proposing a 123'W x 182'L addition to the existing parking garage. The front colors will match the pedestrian bridge and building 85. There will be landscaping as well as a bio retention area in the front of the site. Steve Hart stated that they have been working with the Army Corps of Engineers as .12 acres of jurisdictional wetlands are being disturbed. They are planting 23 trees in the wetland area as part of a mitigation plan to be approved by the Corps. The wetlands at the rear of the garage are being deed restricted so that no future development can be done. Steve Hart stated that there is a 25' buffer requirement from the wetlands in the Town's zoning law, they have 20' and are planting all those trees as a tradeoff. The run off from the building will be directed towards the bio retention area before being discarded into the wetlands.

•Ralph Viola asked if that when people get out of their cars they will be directed towards the main entrance of the garage and what the little gray line on the plan was. Steve Hart stated that is correct, there is a second exit for emergency traffic only. The gray line is for the asphalt.

Chairman Mastin stated that he feels better that they are enhancing the landscaping around the wetlands. Adam talked about a written/verbal approach to addressing the buffer impacts to the wetlands and asked if the current site plan shows all the requirements.

#### NEW BUSINESS:

##### EAST GREENBUSH RIVERFRONT INDUSTRIAL PARK-289 AMERICAN OIL ROAD MAJOR SITE PLAN (18-28)

Dave Ingalls of Ingalls & Associates, Carver & Nick Laraway, the developers and Joe Vanderloo the property owner and Justin Law, property owner's attorney, were all present. Dave Ingalls stated that they met with the Project Review Team and are proposing a minor modification but that it's listed as a major application. Dave Ingalls stated that the property is located on American Oil Road in the coastal industrial zoning district and consists of 42 acres. It's within the 100 year floodplain and the proposal is to raise the site out of the flood plain, applicant wants to go about 20'. Dave Ingalls stated that they have prepared a full SWPPP, pre/post analysis, & an erosion sediment control plan. There will be swales in the rear & front of the property.

The applicant wants to do the site in phases, and will limit land disturbance to less than 5 acres per phase. They have conducted a wetland delineation and there are none. They are working on the Agriculture Data Statement form and on the Archeological Study which they feel is not impacting any adjoining neighbors. Chairman Mastin stated that originally the site consisted of 100 acres, now they are proposing 40 acres, and asked what happened to the other 60 acres. Dave Ingalls stated that the owner controls the other parcels. Chairman Mastin asked if there was any plan to develop those. Dave Ingalls stated that yes, eventually. Chairman Mastin also asked what the building schedule would be. Dave Ingalls stated that it would be in two parts, the first would be the prep of the site and the second would be to look for potential customers for the buildings. There will be four buildings of 100,000 square feet each of light manufacturing.

•Nancy Kupiec asked how far the site is from the river, and would they have access to a river dock. Dave Ingalls stated it is about 500' to 600' and they are talking to National Gypsum about using their dock. Carver Laraway spoke and stated that they will use the river and rail to transport things in and out.

•Ralph Viola asked how they would offload materials and if there would be any trucks & if they will be crushing the materials.

Carver Laraway stated that they plan to use a conveyor to get the materials to their site, no trucks and the materials will come crushed.

Chairman Mastin stated that he thought that the applicant was going to do a cut & fill and major site plan together. Dave Ingalls stated that they must of misunderstood, they want to do the cut & fill first and the apply for major phased site plan after. Joseph Slater stated that any future development on the sitewill be a major site plan so they may be better off ifthe environmental review was on the buildout and then come in for site plan approval..

•Nancy Kupiec asked how quickly they would be able to move. Adam stated for the cut & fill about a month, month and a half.

•Ralph Viola asked what the existing environmental condition is. Dave Ingalls stated that it's an open field.

Joseph Slater stated that he recommends talking to the Town Board's special counsel to see how they want to handle the environmental review as major site plans require town board approval. Adam spoke about what he would like to see added to the site plan as far as how materials will get to the site, he would like to see a narrative of that. Chairman Mastin stated that the Board is just accepting the sketch plan tonight and recommend that the Town Board declare their intent to seek lead agency under SEQRA.

**MOTION: A motion was made by Chairman Mastin as follows: The Town of East Greenbush Planning Board hereby accepts the proposed sketch plan dated November 8, 2018, prepared by Ingalls & Associates for the proposed major site plan.**

**Seconded by Matt Polsinello & roll called as follows:**

**M. Mastin-YES; M. Polsinello-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.**

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

**MOTION: A motion was made by Chairman Mastin as follows: The Planning Board hereby recommends the Town of East Greenbush Town Board declare its intent to seek Lead Agency status in connection with a coordinated review and that the determine the proposed project as a Type 1 Action under SEQRA.**

**Seconded by Nancy Kupiec & roll called as follows:**

**M. Mastin-YES; M. Polsinello-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.**

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

**PINECREST COMMERCIAL-1 SPRINGHURST DRIVE-MAJOR SITE PLAN** (18-29)

Steve Hart of Hart Engineering presented the proposal on behalf of the applicant George Shannon. The site is an existing PDD which was developed in the 1980s and amended a couple of times. The site is on Springhurst Drive at Columbia Turnpike and consists of 2 ½ acres. An FEIS was completed on the original proposal which consisted of 106 townhomes that ultimately was developed as 51 single family homes and also approval of 70,000 square feet of commercial. Steve Hart stated that the current proposal consists of 59,000 square feet of commercial. The remaining proposal consists of two buildings, the first would consist of 10,500 square feet and the second would consist of 11,400 square feet. There is water and sewer available both on Columbia Turnpike and on Springhurst Drive. The plan shows a right turn out and a right turn in. Steve Hart stated that a dance studio is currently proposed for 6,000 square feet.

- Nancy Kupiec asked why they wouldn't want to have the back building closer to the front and have parking in the rear which is more in what the current zoning asks for. Steve Hart stated that due to a grading issue and a previously approved front setback of 50'.

- Ralph Viola stated he doesn't like the visibility of the dumpster enclosure by Columbia Turnpike and that the applicant will probably need a second one for the other building and also asked why the plan shows a foundation. Steve Hart stated that they will work on a different location for the dumpsters and that the surveyor picked up on the foundation.

Adam stated that the addition of a curb cut on US 9 & 20 will require NYSDOT approval and that the Town should be provided with a traffic study evaluating traffic with access only from Springhurst and with access from Springhurst and the proposed curb cut on 9 & 20.

Chairman Mastin asked Adam what the process is. Adam stated that it's a major site plan requiring Town Board approval, there is still a question regarding the approved uses in the PDD..

**MOTION:** A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby accepts the proposed sketch plan dated November 20, 2018, prepared by Hart Engineering for the proposed major site plan.**

**Seconded by Nancy Kupiec & roll called as follows:**

**M. Mastin-YES; M. Polsinello-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.**

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

**MOTION:** A motion was made by Chairman Mastin as follows: **The Planning Board hereby recommends the Town of East Greenbush Town Board declare its intent to seek Lead Agency status in connection with a coordinated review and that the determine the proposed project as a Type 1 Action under SEQRA.**

**Seconded by Kurt Bergmann & roll called as follows:**

**M. Mastin-YES; M. Polsinello-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.**

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

**EAST GREENBUSH SOCCER-100 PHILLIPS ROAD-SITE PLAN MODIFICATION** (18-25)

Steve Hart of Hart Engineering stated that they have been working on putting together a grading plan & SWPPP. There are four existing fields and their proposing a fifth which consists of approximately 140'W x 340'L.

- Kurt Bergmann asked how parking and access is being managed. Steve Hart stated that the road into the site is 60' and that they have ample parking and access.

- Matt Polsinello asked if anything is being done on the existing fields for drainage. Steve Hart stated that they are looking at plans for it.

Chairman Mastin stated that one of the conditions is a maintenance log for materials. Steve Hart stated that the 5,000 yards of materials are either coming from Tempel Lane or the Witbeck subdivision across the street.

•Ralph Viola asked the reason is for not extending the road to the fifth field. Steve Hart stated that the area near that field drops off and that there is ample parking close enough to that field.

•Matt Polsinello asked if crusher run is considered impervious. Steve Hart stated that it is.

**MOTION:** A motion was made by Chairman Mastin as follows: **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 hereby issues a Negative Declaration under SEQRA.**

**Seconded by Ralph Viola & roll called as follows:**

**M. Mastin-YES; M. Polsinello-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.**

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

**MOTION:** A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby grants final site plan approval subject to the following conditions;**

- **Satisfying outstanding technical details as determined by the Town Planning and Zoning Department & Town's designated Engineer, MJ Engineering.**
- **The applicant/engineer of record shall keep a log of all material received and make such log available to Town representatives upon request.**
- **Any fill material to be placed shall be clean fill from capital region sources.**
- **Prior to issuance of a building permit, the applicant shall obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity and comply with the Town's MS4 requirements.**
- **The operation shall comply with Part 360 of the New York State Solid Waste Management Regulations.**
- **Compliance with all Town, County, State and Federal laws.**
- **All remaining fees are paid to the Town.**

**Seconded by Kurt Bergmann & roll called as follows:**

**M. Mastin-YES; M. Polsinello-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.**

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

**UPDATES:**

**COVERED BRIDGE-MICHAEL ROAD-PDD/MAJOR SITE PLAN**

**(13-09)**

Dom Arico presented an update to the Board. Dom Arico stated that water/sewer & traffic have all been addressed. The building layout, density and access all haven't changed. Dom Arico did say that the road into the site has been realigned due to site distance issues and that the only traffic mitigation was a right turn lane. A sewer study was completed to analyze the Luther Road pump station, there is still an outstanding issue as to with do with it, either upgrade the Town pump stations or reduce peak flows on the site.

- Chairman Mastin asked how close to capacity they are. Dom Arico stated that all flow tests are adequate and that they will be able to control the times of the flows has the project has its own pump station but that the Luther Road pump station is not working properly.
  - Chairman Mastin asked if they included the proposed senior housing project in their proposal. Dom Arico stated that they did not. Adam stated that the Town's reviewing engineer is analyzing proposed flows to the Luther Rd and downstream wastewater conveyance system comprehensively.
  - Chairman Mastin asked if they own the land where the road into the site is located. Dom Arico stated that they are under a contract to purchase it.
  - Hank Labarba wants to know if there is adequate flows up to the proposed buildings.
  - Chairman Mastin stated that GPI issued a review letter. Fred Mastroianni went over his review letter.
  - Chairman Mastin asked what the proposed amenity is. Dom Arico stated cash.
- Mary Beth Slavin spoke and stated that there is a purchase agreement on the property where the road will enter into the site.
- Chairman Mastin asked how many units their proposing. Dom Arico stated 286.
- Joseph Slater stated that the Town Board should make the SEQR recommendation before the Planning Board makes their Planning Board recommendation to the Town Board on the PDD.
- Mary Beth Slavin stated that they have provided draft legislation for the PDD & SEQRA finding's recommendation.
- Matt Polsinello wants to make sure that GPI & Dom Arico get together & address the outstanding issues.
  - Ralph Viola asked if Interstate 90 is really the NYS Thruway.

**REFERRALS-REPORTS & RECOMMENDATIONS:**

NONE

**NEW ZBA REFERRALS:**

ZBA Appeal #2018-14-Hall-45 Phillips Road-2 Area Variances –Shed –assigned to Matt Polisinello


**REVIEW AND APPROVAL OF MEETING MINUTES:**

Approval of the November 8<sup>th</sup> & November 14<sup>th</sup> meeting minutes postponed.

**ADJOURNMENT:**

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

Respectfully Submitted



Alison Lovely, Planning Secretary