



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES SPECIAL MEETING January 27, 2021

Call to Order 6:00 PM
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present	Absent	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor B. Fritz

Schedule of Meeting:

Special Meeting of the Town Board on Wednesday, January 27, 2021 at 6:00 p.m. by virtual means to conduct a workshop on the draft Comprehensive Plan and attend to any other business that may be brought to the Board's attention.

Open Public Privilege: NOTE – Each speaker may choose to state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

Resident David Terpening comments – Brought up that there is no where he can see in Comprehensive Plan documents or on website where there are any provisions for those who live along commercial zone on Routes 9 & 20, or Route 4. Mentioned that residents that have lived next to commercial properties and currently are having issues with their commercial neighbors. Stressed concern for residential properties that border commercial properties especially with rapid development. Noted a few investors that have purchased property along Columbia Turnpike, and if we don't rein them in to allow some sort of buffer zone which is going to increase the quality of life for residential properties next door to them that we may have some blow back. Other comment is he does not see any land structure that outlines zoning areas. Last comment – stated his disappointment on the number of residents that attend public meetings.

Supervisor Conway – Directed question to Adam Yagelski, Director of Planning and Zoning, the idea of buffering neighborhoods, the land uses in Comprehensive Plan are far too broad.

Adam Yagelski – Stated that’s correct. Mentioned it could start as high level of a statement as make sure adjacent uses are compatible and work from there. Noted we could suggest certain strategies based on our experiences. Stated some uses require special use permits. Actual specifics would be reserved for zoning update.

Town Board Workshop – Discussion of Draft Update of the Comprehensive Plan

Notes provided by Supervisor Conway - We need to update the Comprehensive Plan because the last update was a Land Use study only and it was done in 2006. The current Zoning Map dates from 2008. When Adam Yagelski brought the idea to me that we needed to update the Plan, Zoning Map and GEIS document I knew it was the right way to go. I brought it to the Town Board who agreed that it was time.

The Comprehensive Steering Plan Committee did an excellent job as did the public and our consultants MJ Engineering in creating the draft submitted to the Town Board. This workshop tonight is a chance for the Town Board to begin the process of getting it in its final form so that it can be adopted. Adam is working on a series of edits and additions and I look forward to the product he creates.

There a few issues that I want to raise tonight. One is Regeneron and the limits to growth in our Town. They’re such a successful company and are always looking to expand. They’re close to capacity on Discovery Drive and are making great progress on their Tempel Lane Campus. They’re also expanding in the Tech Park. We need to consider how much expansion on their part, can a Town this size contain.

I also want to raise the issue of Planned Development Districts (PDDs). They have been used all over Town as a way to circumvent the current zoning map. This is one of the real indicators that our Zoning Map is out of date. I believe we need to tighten up the process and radically reduce the number of PDDs. If we do the Zoning Map right there shouldn’t be a need for PDDs.

Another issue is apartment’s vs single family housing. The technical memo in the draft Plan says that multi-family housing was a growing trend until 2015 when the trend was reversed. We are a Town that sees itself primarily as a series of neighborhoods populated with single family, owner-occupied housing. The final Plan needs to encourage the entire range of housing tenure types.

Notes provided by Adam Yagelski -

- Jack stated that Adam is currently reviewing the draft Plan. Among the items being addressed is the relationship of the Plan to the NRI, and Jack said that the initial work Adam has done on the NRI supports integration of the NRI findings into the Plan. Jack asked Adam to discuss his work.
- Adam discussed current review and editing work and what work remains:
 - Adam stated that he is reviewing from several perspectives:
 - One is the “desktop published” document prepared by the CPSC and Town’s consultant team to date to identify minor items relating to usage and document

- appearance and more significant items like section organization and content. This is complete.
- A second is a thorough review of the Starting with the Community Profile. Adam indicated that this provides the fact base of the plan and it also discusses opportunities and challenges arising from these facts and the community input. This is largely complete, with a few sections requiring further development.
 - Finally, Adam is reviewing each of the 9 Plan Update sections, starting with Placemaking, Economic Development, and Natural Resources and Agriculture. Adam said his work on these section is substantially complete. The section-by-section focus is driven by the vision and goals as well as the actions needed to address these. Some sections may need to be restructured and/or modified. Adam said among the aspects he's focusing on is the specificity of actions in relation to the goals and his and the Town's experience working on the issues the plan identifies. Adam said the final section to be reviewed is the Future Land Use section, which is driven by recommendation in the other sections.
 - Adam also said that the action priorities matrix will be the last item to work on. Priorities will need to reflect the many uses the document will be put to. For example, high priority actions like the zoning and GEIS update for which resources are already committed should be in a separate category from other actions which are high priority but for which funding has not been identified.
- Jack raised several issues for the Board's consideration.
 - Jack asked the Board about his sense that the Plan is conservative in the sense that on a number of issues, especially the future land use map, it presents recommendations not involving major changes and that it can be read as a desire to "slow things down."
 - The future land use map and the uses and areas identified for those uses are similar to the current zoning map, such as that the eastern section of Town remain rural and less developed.
 - The area from the port east to the height of land at Ridge Rd is also very similar to the current zoning.
 - Rick said that water and sewer utilities expansion are important factors to consider when examining current land use and how future land use patterns are shaped. Rick said this is a tool that can be used in this context.
 - Tina summarized the current approach as one oriented toward a "maintain and improve" framework.
 - There was discussion of smart growth and that one function of the plan is to forecast the location and needs of future land uses and development.
 - Tina and Jack also said discussed that the Jack's question about the plan is more philosophical, and there was agreement that this was a topic for this discussion.
 - Bridget agreed with the concept of maintain and improve. Bridge indicated that residents have expressed a desire to "keep East Greenbush Green," and that while development is a desire, it should not be in a way that we lose what we have.

- Tina asked Bridget about whether the Plan should be made more conservative in the sense that the Board was discussing. Bridget said that no, it shouldn't be made more conservative in that sense.
- Rick indicated that a balance between growth on Route 4 and Columbia Turnpike should be struck. That might mean reigning in growth within the northern half of the Route 4 corridor.
- Jack moved to a discussion of the Placemaking Section
 - Jack talked about the key dimensions of this section, such as the focus on the Town's gateways, strengthening historic neighborhoods, and need to establish a Town center or square. In the context of this section's discussion of community, other activity centers could be established in the cluster of services around the Library and YMCA.
 - Jack indicated that Placemaking is a valuable concept in the structure of the Plan.
- Rick began a discussion of Economic Development.
 - Rick discussed some of the history of Columbia Turnpike relating to its widening in the 2000's and that some involved at the time had argued for the implementation of recommendations in the draft Plan, such as center medians and other elements now found along some of the region's other main corridors, such as near the Central Ave and Wolf Rd intersections.
 - Rick asked Adam what it means to implement the recommendation in the Economic Development section to "focus growth within activity centers."
 - Adam said that there are several ways to look at this. One is associated with non-regulatory activities, such as working with the business community to promote these locations. Another is, through tools like form based codes, to allow a greater diversity of uses by focusing on building form instead of segregation of, e.g., different size retailers. A final dimension is the public space. Adam discussed that form based codes also address how buildings relate to the street and it allows for specifying how public space is configured. All of this is intended to promote a sense of activity, and a range of activities throughout the day, as well as that these activities announce that these spaces are destinations.
 - Adam said the current code does include elements that inform a true form based code, such as the two-story height requirement but it also retains the conventional zoning approach to segregation of uses.
 - Rick asked Adam about the role of design standards. Adam said that in fact the current zoning has a placeholder section, which is blank, for inclusion of design standards that were never developed.
 - Rick asked whether an effort to develop standards would be practical and useful. Adam said that building form and design often factor into existing discussions with project sponsors, and that being clear in the code would provide applicants expectations and the Planning Board with more tools to address these issues. In addition transparency of such standards aids prospective sponsors in assessing project viability

and should drive sophisticated conversations about the substance of design because applicants can anticipate requirements earlier.

- Rick asked Adam about whether some of these tools would lead to a more predictable review process, and Adam agreed that they should do just that.
- The Board then discussed how much development is desirable or possible, especially relating to expanding businesses like Regeneron.
 - Jack began by asking where in the Town can they expand, and whether or not Regeneron should be invited to review a draft of the plan.
 - Tina questioned how can the Town address a business that is growing so quickly.
 - The Board discussed where in Town land might be available for any future expansion, given that Regeneron already occupies three separate locations in Town, and that the Tech Valley Drive area has a finite amount of future development potential.
 - Rick indicated that as long as Regeneron fits into the land use framework set forth in the plan, they should be able to continue to grow.
- The Board discussed Planned Development Districts (PDDs).
 - Jack began by discussing the history of PDDs relative to the zoning, and that many PDD proposals have been situated in the R-B zone. This suggests that there may be a need to tighten up and potentially eliminate PDDs from any future zoning.
 - Jack related that he and Adam discussed PDDs should be limited to unique projects that add something special to the community – that they should be “unicorns” and not a matter of practice. The history of PDD use in the Town has not always resulted in the Town receiving what it otherwise might in terms of amenity packages, designs, etc.
 - There was discussion about how better zoning should reduce PDD applications, and that an option is to actively discourage use of PDDs.
 - Rick and Jack discussed that the valuation component of the PDD is essential in terms of understanding what the value of the Town’s action approving a PDD is and what, in turn, the developer should be prepared to provide to the Town.
- The Board next discussed Housing.
 - Jack began by discussing that the technical memo revealed that the trend, which the Town has seen, toward more multi-family in the region started to reverse in 2015. Still, the Town continues to see many proposals and much interest in multi-family developments.
 - The prior experience with apartment development in Town suggests a challenge in terms of quality and, on the other hand, affordability. There has been less opposition to more recent senior housing proposals, such as the Kensey and the Amedore project.
 - Jack discussed that federal legislation, like the Fair Housing Act, addresses potential discrimination in housing-related activities. More housing options, e.g., rental vs. owner-occupied, is related socio-economic diversity in Town.

- Jack said that housing as a concept and set of strategies should be viewed more liberally, and designed to encourage a broad array of housing options.
- Bridget discussed the concept of workforce housing and the need to provide housing options for workers in certain roles at employers like Regeneron who may not have the means to afford house prices in Town. Bridget said that she'd like to see more smaller, one-story homes that would appeal to both working people and retirees. The Board agreed that there is a need to keep an open mind on the concept of workforce housing.
- The Board discussed the cost of apartment housing in Town, and that the success of pending projects, like Town Center, would be important to how these options are viewed in the future.
- Jack next opened the floor to the Department Heads at the meeting.
 - Chief Rudzinski explained that she had reviewed the draft and forwarded some items that should be included relating to Department activities, like the communications center.
 - Adam indicated he'd received the Chief's suggestions and will be incorporating into the revised Plan.
 - Commissioner Fiacco stated that building one-story homes is expensive, and that the surge in multi-family interest is traceable to the decisions of developers seeking return on investment. The Commissioner also indicated that there are local examples, like the Spinney, which might serve as a frame of reference, and that a challenge is integrating different housing types into existing neighborhoods.
- Jack wrapped up the meeting by outlining next steps. He and Adam will work to get a revised draft to the Board with a summary document distilling changes. One item the Board will need to address is whether further community input will be needed. There was discussion of community input related to public facilities, like a pool, which Jack said was not desirable and Tina indicated had been thoroughly analyzed as too costly, and a teen center, which the Board discussed as desirable. Hollie indicated that she's seen splash pads in other locations and that this might be an option. The Board discussed prior work on installing a splash pad in Town, and the need for water supply will drive this.

34-2021 A Resolution Authorizing the Town Supervisor to Sign Contract Amendment No. 2 with H2M Architects and Engineers to Provide Additional Professional Services in Connection with the Construction of Upgrades to the Third Avenue and Barracks Road Pump Stations and Authorizing use of GEIS Funds

WHEREAS, in connection with growth and development along the Tempel Lane corridor, including the construction of Regeneron's Tempel Lane Campus, the Town has identified the public need for the construction of certain improvements to the sanitary sewer collection and conveyance system; and

WHEREAS, Resolution 75-2020 was adopted on March 20, 2020 authorizing the Town Supervisor to sign an agreement with H2M Architects and Engineers ("H2M") to provide

detailed design consulting services to design the necessary improvements to the subject pump stations to accommodate the projected increased flow resulting from the Regeneron's Tempel Lane Campus; and

WHEREAS, on January 20, 2021 (Resolution 16-2021) the Town Board authorized the Supervisor to sign a contract amendment with H2M Architects and Engineers to provide additional professional services in connection with the construction of upgrades to the Third Avenue and Barracks Road pump stations to address design features which need to be included with the Third Avenue and Barracks Road pump station upgrades ("Amendment No. 1"); and

WHEREAS, in order to complete the structural engineering of the pump station upgrades, geotechnical services are required, and H2M proposes to provide these services, using subcontractor MFS Engineering and Surveying, according to optional Task 5 included in H2M's proposal and existing agreement with the Town, and as summarized in H2M's January 18, 2021 letter proposal; and

WHEREAS, in accordance with a recommendation from the Town's GEIS Policy Committee, the Town Board previously authorized the use of a portion of the SEQRA mitigation fees paid to the Town by Regeneron for these mitigation projects (Resolution 132-2019), including replacement of the pump stations, as set forth in the Regeneron Development Agreement; and

WHEREAS, the cost of the Task 5 geotechnical services is estimated to be \$12,000, which will be processed as a second amendment to the existing agreement between the Town and H2M ("Amendment No. 2"); and

WHEREAS, the total amount of the contract with H2M Architects and Engineers, as amended, will exceed \$800,000, the amount of SEQRA mitigation fees budgeted for this phase of the project as set forth in Town Board resolution 132-2019 and the Regeneron Development Agreement; and

WHEREAS, in accordance with Town Board resolution 132-2019 and the Regeneron Development Agreement, Regeneron will fund the balance of project costs that exceed the \$800,000 committed by the Town, and Regeneron has established and funded an escrow account with the Town in accordance with the Regeneron Development Agreement, which account presently carries a balance sufficient to fund the contract with H2M as amended; and

WHEREAS, the Town Comptroller confirms that this resolution will have a \$12,000 material impact on the Town finances charged to account 51124.03.04.104 and funded by Regeneron's escrow;

now, therefore be it

RESOLVED, that the Town Board of the Town of East Greenbush hereby authorizes the Supervisor to enter into contract Amendment No. 2 with H2M Architects and Engineers to provide the Task 5 geotechnical services to advance the pump station replacement, following approval of said contract amendment as to form by the Town Attorney; and

and be it further

RESOLVED, that the Town Board of the Town of East Greenbush affirms that contract Amendment No. 2 is an eligible use of GEIS funds in accordance with Town Board resolution 132-2019 and the Regeneron Development Agreement, hereby authorizes use of such funds therefore, and stipulates that any contract Amendment No. 2 costs exceeding the approved \$800,000 of GEIS Water/Sewer funds be funded from the escrow account established pursuant to the Regeneron Development Agreement.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Supervisor Conway – Noted that resolution 16-2021 which was passed (January 20th) was Amendment No. 1. This is Amendment No. 2, which is slightly different.

35-2021 A Resolution Authorizing the Finance Office to Solicit Request for Proposals for Building Department Software

WHEREAS, the Building Department has expressed the need to implement a comprehensive software package that will allow for all department operations; and

WHEREAS, the 2021 Final Budget includes funding for software for the Building Department; and

WHEREAS, the Building Inspector has worked with the Finance Office to develop specifications for software to solicit proposals from companies; and

WHEREAS, the solicitation of proposals from software companies will allow for the Building Department to review and analyze features and options presented in order to make the best determination for the Town; and

WHEREAS, the Town Comptroller confirms that there is no material impact in the solicitation of proposals;
now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the Finance Office to solicit proposals for Building Department Software.

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Fritz and brought to a vote resulting as follows:

Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

Supervisor Conway – Stated this was budgeted for, and the goal is to find an integrated software program to work with other departments within Town Hall.

Supervisor Conway – Closing comment – noted he had a meeting with Superintendent, Jeff Simons, to talk about shared services. They talked about putting together a work group and how we can save money. Shared events were also discussed.

ADJOURNMENT

Motion to adjourn by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Executive Session – 7:30 p.m. Ended at 8:34 p.m. Supervisor Conway moved it; Councilor Kennedy seconded; 5-0 votes.

Adjourned – 8:34 p.m. Supervisor Conway moved it; Councilor Fritz seconded; 5-0 votes.

Respectfully,

Ellen Pangburn
East Greenbush Town Clerk