

TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENNELAER, NY 12144 (518)477-2005 FAX (518)477-2386

MEMORANDUM

PLANNING BOARD MEETING AGENDA JUNE 10, 2020

**Please note: This meeting will be conducted remotely pursuant to Executive Order No. 202.1, issued by Governor Cuomo on March 12, 2020, and advisories issued by Federal, State and Local officials related to the COVID-19 virus. See the attached Notice for more information, including how to view the proceedings.*

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

PUBLIC HEARINGS:

7:05 PM Pheasant Hollow-Phillips Road -Major 10 lot Cluster Subdivision

OLD BUSINESS:

(19-18) Pheasant Hollow-2670 Phillips Road-10 Lot Cluster Subdivision- Review for SEQR determination & conditional approval of preliminary plat

(19-27) Cellular Sales East Greenbush-597 Columbia Turnpike-Minor Site Plan-Review for conditional final approval

NEW BUSINESS:

(20-07) Forth-282 Hays Road-Minor 2-lot Subdivision- Presentation, review for SEQR classification & schedule public hearing for June 24, 2020 at 7:05 pm-Tentative

(20-08) Templeton-29 Michael Road-Minor 2-lot Subdivision- Presentation, review for SEQR classification & schedule public hearing for June 24, 2020 at 7:15 pm-Tentative

(20-06) Keystone Fireworks-580 Columbia Turnpike-Minor Site Plan Modification- Temporary Fireworks Tent-Presentation, review for SEQR classification & review for conditional approval

(20-06a) Keystone Fireworks-2 Troy Road-Minor Site Plan Modification- Temporary Fireworks Tent- Presentation, review for SEQR classification & review for conditional approval

(20-09) CLDZ LLC./Reed-63 Upper Mannix Road-Lot Line Adjustment- Review for SEQR Classification and Conditional Final Approval

NEW ZBA REFERRALS:

ZBA Appeal #2020-05 Collins Homeland LLC.-44 Troy Road-Area Variance-Parking-report due at the June 24, 2020 meeting

OTHER:

Discuss communication lines and information provided to PB via PZD

REVIEW & APPROVAL OF MEETING MINUTES:

May 27, 2020 meeting minutes

Notice Regarding Planning Board Meeting

Pursuant to Executive Order No. 202.1, issued by Governor Cuomo on March 12, 2020, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Planning Board will convene its June 10, 2020 Board Meeting remotely as follows:

The Board Meeting will commence at 7:00 PM and will be conducted through the use of Zoom, a web-based video conferencing tool with local, desktop client and smartphone applications that will allow the Planning Board members and those with business before the Board to participate electronically and remotely by audio and with or without a video connection.

In order that members of the public can view the proceedings, the meeting will be live-streamed on the Town's YouTube Channel. To view the Live Stream, go to the Town's YouTube Channel at https://www.youtube.com/channel/UCzStopZCsgZKn_GV0i1WalA.

Members of the public with questions and/or comments can send correspondence to info@eastgreenbush.org. Correspondence sent to this email will **not** be answered in real time.

Please note that this meeting will be conducted remotely only and will not be held at Town Hall, which is currently closed.

Pursuant to Executive Order No. 202.1, this meeting will be recorded and transcribed and posted to the Town's website.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the PLANNING BOARD of the Town of East Greenbush will hold a public hearing on June 10, 2020 beginning at 7:05 pm to consider the following matter(s):

The Town of East Greenbush Planning Board shall conduct a Public Hearing pursuant to Section 276 of the Town Law and the Town's Land Subdivision Regulations on the application of Hartland Associates Inc. for a Major 10- Lot Subdivision called the "Pheasant Hollow 10-lot Cluster Subdivision". The property to be developed consists of approximately 10+/- acres and is the location of the proposed 9 lots. The 10th lot is the remaining lands, which consists of approximately 96+/- acres. The property is located off of Phillips Road in the R-B Residential Buffer Zoning District, Tax Map # 177.-5-22. Said Public Hearing will be held on Wednesday, June 10, 2020 at 7:05 PM at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, NY. By order of the Planning Board Matt Mastin, Chairman

Pursuant to Executive Order No. 202.1, issued by Governor Cuomo on March 12, 2020, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the TEST BOARD will convene the public hearing remotely as follows:

The Public Hearing will commence at 7:05 pm and shall be conducted through the use of Zoom, a web-based video conferencing tool with local, desktop client and smartphone applications that will allow Board members and the public to participate electronically and remotely by audio and with or without a video connection. The meeting will also be live streamed on the Town's YouTube Channel.

To access the Board's public hearing, you have several options:

1. Go to www.zoom.us and download the free application. Once downloaded, enter **842 9218 7040** as the "Join Meeting" invitation code.
2. Click on <https://us02web.zoom.us/j/84292187040>
3. With a smartphone, utilize one click id: +16468769923, 84292187040# US (New York).
4. Call +1 646 876 9923 with your phone, and then enter Meeting ID: **842 9218 7040**.

Important notes for voice-only participants: Please note that when dialing in (voice only) you may experience time on hold until being admitted to the meeting. To protect the privacy of your phone number please call in dialing *67 before +1 646 876 9923.

To view the Live Stream, go to the Town's YouTube Channel at https://www.youtube.com/channel/UCzStopZCsgZKn_GV0i1WalA.

Please note that this public hearing will be conducted remotely only and will not be held at Town Hall, which is currently closed. Please be patient upon joining the meeting. You will be provided instructions on how to deliver your comments once in the meeting.

Pursuant to Executive Order No. 202.1, this meeting will be recorded and transcribed and posted to the Town's website.

Written comment may be submitted to the Planning Board by email to aloveley@eastgreenbush.org or to the Planning Board, Town of East Greenbush, 225 Columbia Turnpike, Rensselaer, New York 12144 at any time prior to the hearing.

BY ORDER OF THE PLANNING BOARD
DATED MAY 29, 2020
MATT MASTIN CHAIRMAN
PLANNING BOARD
TOWN OF EAST GREENBUSH

FOR ADDITIONAL INFORMATION REGARDING THIS ACTION CONTACT THE EAST GREENBUSH PLANNING AND ZONING DEPARTMENT BY EMAIL AT [ALOVELY@EASTGREENBUSH.ORG](mailto:aloveley@eastgreenbush.org).

PHEASANT HOLLOW MAJOR 10-LOT CLUSTER SUBDIVISION

CONDITIONAL PRELIMINARY PLAT APPROVAL

WHEREAS, the East Greenbush Town Planning Board is in receipt of an amended application by Hartland Associates, Inc. (the Owner) for preliminary plat approval under Section 276 of the Town Law for a major residential cluster subdivision entitled Pheasant Hollow 10-Lot Subdivision, for nine (9) single-family detached dwelling units and one (1) remaining lot on which a golf course will continue to be operated consisting of 106.78 +/- acres in the R-B Zoning District located off of Phillips Road and Hays Rd (Tax Map I.D. SBL: 177.00-5-22); and

WHEREAS, the Town Planning Board did conduct a public hearing on June 10, 2020 on said subdivision, at which time members of the public were invited to speak either in favor of, or in opposition to this subdivision application; and

WHEREAS, the Planning Board, acting as lead agency, and after reviewing a development proposal and conceptual master plan and a short Environmental Assessment Form for this project, determined, in accordance with Title 8 of the Environmental Conservation Law and 6 NYCRR Part 617, that there will be no significant adverse environmental impacts as a result of the action and has therefore issued a Negative Declaration on June 10, 2020; and

WHEREAS, the Planning Board has received and reviewed the revised proposed preliminary plat dated September 2019 and last revised on March 27, 2020 as prepared by Hart Engineering, and

WHEREAS, the applicant has filed the necessary application with the Planning Board and will pay to the Office of Town Clerk the applicable preliminary plat application fee and final plat application fee, with receipt therefore provided to the Planning Board by the Town Clerk; and

WHEREAS, the owners/developers of the subdivision have filed with the Town Clerk of the Town Board of the Town of East Greenbush a petition to extend the East Greenbush General Sewer District in order to include the Pheasant Hollow Major 10-Lot Cluster Subdivision; and

WHEREAS all nine (9) building lots and one (1) additional lot on which a golf course is situated cannot be serviced by gravity sewers, the developer will install approximately 2,300 lineal feet of 2" and 3" low pressure sanitary forcemain sewer and related appurtenances to be connected to the General Sewer District and dedicated to the Town; and individual sewage grinder pumps shall be installed to convey sewage to the Town system by the developer/builder of each lot; and

WHEREAS the Town will not own or have maintenance responsibilities over the individual sewage grinder pump systems; and

WHEREAS, the proposed subdivision lies within the General Water District and water supply will be provided from an existing 8” water line situated within the Phillips Rd right-of-way; and

WHEREAS, to the extent that little would be gained from the cluster development open space due to the particular aspects of the proposal, the Planning Board has determined that the Applicant’s proposal to extend the Town’s General Sewer District to include the proposed subdivision, as well as install approximately 2,300 lineal feet of 2” and 3” low pressure sanitary forcemain sewer and related appurtenances to be connected to the General Sewer District and dedicated to the Town, shall serve as an acceptable amenity as defined in Section 3.8.1.H of the Town’s Comprehensive Zoning Law.

WHEREAS, a Storm water Pollution Prevention Plan (SWPPP) dated December 6, 2019, last revised February 7, 2020, has been prepared in accordance with NYSDEC and Town of East Greenbush MS4 requirements and includes the required construction phase erosion and sediment controls and permanent erosion and sediment control measures, such as vegetative controls, rock outlet protection, and permanent turf reinforcement, which will be owned and maintained solely by the owners of lands within the subdivision; and

WHEREAS, the Town’s Designated Engineer, Adirondack Mountain Engineering, PC, has reviewed the amended application, plans, short EAF, and related reports and materials for the proposed Pheasant Hollow Major 10-Lot Cluster Subdivision, as prepared by Hart Engineering, dated September 2019, and recently revised March 27, 2020, and can recommend to the Planning Board consideration of preliminary plat approval subject to all conditions and requirements by the Town; and

NOW, THEREFORE, BE IT RESOLVED that the East Greenbush Planning Board hereby grants preliminary plat approval for the 10 lots in the Town of East Greenbush of Pheasant Hollow Major 10-Lot Cluster Subdivision, prepared by Hart Engineering, dated September 2019, and recently revised March 27, 2020, and in strict compliance with each of the following conditions which must be satisfied by the applicant within 180 calendar days of this resolution, unless extended upon written request of the applicant by mutual consent for two (2) periods not to exceed ninety (90) days each:

1. That the applicant addresses all remaining technical comments of the Town’s Designated Engineer and Town Planning and Zoning Department and submit a final plan set which addresses all remaining technical comments and which conforms to Art. VII.4 of the Subdivision Regulations;
2. That the applicant reimburses the Town for all costs and expenses associated with the review and evaluation of the plans and associated reports by the Planning Board’s consultants;

3. That the final plat submission be in strict accordance with the requirements of Article VII, Section 4 of the Town's Land Subdivision Regulations as well as Section 3.8 of the Town's Comprehensive Zoning Law, and that the requisite fees be paid in accordance with the fee schedule established by the Town Board;
4. That the East Greenbush General Sewer District be extended per the requirements of New York State Town Law Article 12-A to incorporate the project;
5. That the Commissioner of Public Works sign off on the plans prior to final plat approval;
6. That copies of agreements or other documents relating to the long-term ownership and maintenance of designated open space areas shall be provided, in compliance with the Town's Comprehensive Zoning Law Sections 3.8.G and 3.8.J;
7. That the Final Engineers Report must be submitted to the Town's Planning and Zoning Department;
8. That the final plat show the location and type of monuments, subject to Planning and Zoning Department approval, to be installed in accordance with Art. VII.4.B.1.F.2.
9. That the location of electric, telephone, cable TV, gas, and other energy-related lines and utilities be depicted on the plat;
10. That the following certifications be forwarded to the Town Planning and Zoning Department:
 - a. Certification showing that the applicant is the owner;
 - b. Written offers of cession for all rights-of-way and copies of agreements showing the manner in which open spaces, title of which is reserved by the subdivider, are to be maintained, subject to Town Attorney approval;
 - c. Certification by the Town Designated Engineer in accordance with Art. VII.4.B.2.C of the Town Subdivision Regulations;
 - d. All protective covenants must be submitted in a form for recording;
 - e. Letter from National Grid approving the design and indicating that adequate service will be provided;
 - f. Letter from school district stating acknowledging the number of lots and the district's ability to service the subdivision;
 - g. A letter indicating that the plan for required work within the County Right of Way has been reviewed and approved by the Rensselaer County Highway Department;
 - h. A letter indicating that the plan for required work within the Town Right of Way has been reviewed and approved by the Commissioner of Public Works;

- i. That the subdivision plans be reviewed and approved by the Rensselaer County Health Department in accordance with applicable provisions of the Public Health Law, and such documentation submitted to the Town for their records.

NOW, THEREFORE, BE IT ALSO RESOLVED that prior to issuance of onsite grading permit and/or building permit the following conditions must be satisfied by the applicant.

1. That the subdivision plans be reviewed and approved by the NYSDEC in accordance with Uniform Procedures Act and such documentation submitted to the Town for their records; and
2. That the Army Corps of Engineers be consulted relative to the presence of wetlands within the Pheasant Hollow Major 10-lot Cluster Subdivision, the avoidance of impacts to such wetlands, and a determination relating to the need for federal permit coverage, and that such determination be forwarded to the Town; and
3. That an approved Utility Permit for Work in the Town Right of Way be submitted to the Town for their records; and
4. That an approved Utility Permit for Work in the County Right of Way be submitted to the Town for their records; and
5. An escrow account must be established and funded by the developer, prior to the commencement of any site work or permit issuance to cover the expenses associated with the Town's Designated Engineer's full time inspection of improvements to be dedicated to the Town and as shown on the landscaping plan as set forth herein. The Town Designated Engineer field reports shall be provided to the Town and developer in an electronic format to be approved by the Town; and
6. That for each building lot, a detailed plot plan; grading plan and utility service plan shall be submitted and approved by the Commissioner of Public Works and the Building Inspector prior to the issuance of a Building Permit for that building lot. The plot plan must also show the extent of land clearing, a proposed building envelope, and a landscaping plan with planting schedule consistent with the approved Final Subdivision Plat, subject to Building Inspector and Planning and Zoning Department approval. Proposed landscaping must be in accordance with the Landscaping Plan (Sheet 14) included with the subdivision plans. Any proposed modifications for any building lot must be approved by the Planning Board Chairperson; and
7. That it must be stated on the plans in notes or diagrams, as well as in the deeds conveying each, that the individual homeowner will own the individual sewage grinder pump systems units and shall be responsible for future operation and

maintenance as required, and that a copy of the deed covenants be reviewed by the Town Planning and Zoning Department; and

8. That the developer, at the discretion of the Commissioner of Public Works, shall provide financial security in accordance with the Town of East Greenbush Street Ordinance. Such security or bond, if required by the Commissioner of Public Works, must be in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney. Said security will be released upon the completion of sanitary sewer and related infrastructure, up to and including site restoration, to the satisfaction of the Commissioner of Public Works; and
9. All storm water pollution prevention permits will be obtained prior to any land disturbance as defined in the Comprehensive Zoning Law and as required in accordance with applicable SPDES MS4 and Construction general permits, which includes tree cutting, clearing, grading, grubbing, and/or site work, and regularly scheduled required inspections must be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002 and the approved SWPPP; and
10. Prior to commencement of construction, all fees due are paid as required by the Town of East Greenbush in accordance with the Western Generic Environmental Impact Statement (GEIS) fee schedule and Local Law 5-2018 of the Town of East Greenbush, a letter for which will be provided from the Director of Planning and Zoning.

NOW, THEREFORE, BE IT ALSO RESOLVED that prior to issuance of a Certificate of Occupancy for any unit the following conditions must be satisfied by the developer:

11. That all fees due are paid as required by the Town of East Greenbush in accordance with the Western Generic Environmental Impact Statement (GEIS) fee schedule and Local Law 5-2018 of the Town of East Greenbush, a letter for which will be provided from the Director of Planning and Zoning.
12. The applicant shall prepare suitable offers of cession for all improvements and interest in all land areas within Public Right-of-Way to be dedicated to the Town of East Greenbush, including, but not limited to roadways, water and sewer systems, drainage ways and easements, and that all such offers of cession shall be submitted to the Commissioner of Public Works and Town Attorney, who shall review the sufficiency for the purpose intended, which determination shall not commit the Town Board in any way to acceptance of the improvements, once installed; and
13. The owner/developer shall install sanitary sewer facilities within existing Town and County right-of-way or within lands with utility easement rights to be approved as to form by the Commissioner of Public Works and Town Attorney and accepted by the Town of East Greenbush Town Board, and all facilities once installed and approved for operation become the property of the Town whom

will operate and maintain said system installed in public rights-of-way and easements; and

14. That all public and/or required improvements within the Development as shown on the subdivision plans be completed by the developer and be approved in writing by both The Town's Designated Engineer and the Town's Commissioner of Public Works; and
15. All landscaping as shown on the approved plot plan and/or the Landscaping Plan (Sheet 14) must be installed and inspected to the satisfaction of the Town Designated Engineer; and
16. That a mechanism for the long-term protection, operation and maintenance of the required open space area, subject to the approval of the Planning Board and Town Attorney, be in place and that evidence of its filing in the Rensselaer County Clerk's Office, if required, be submitted to the Town; and
17. That an as-built plan in approved electronic (e.g., PDF, DWG, and TIFF file formats) and paper copy formats shall be submitted to the Town by the owners/developers based upon marked up plans provided by the Planning Board's designated engineer for review/approval at the completion of construction. This plan shall show an accurate and complete record and description of the final "as-built" conditions of improvements to be dedicated to the Town; and
18. That monuments required to be installed in accordance with Art. VII.4.B.1.F.2 and as shown on the final plat be installed.

RESOLUTION APPROVED BY THE EAST GREENBUSH PLANNING BOARD

ON _____, 2020

MATT MASTIN, PLANNING BOARD CHAIRMAN

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