

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 OCTOBER 27, 2021

Members:

Matt Mastin, Chairman
Kurt Bergmann
Don Panton
Chris Horne
Ralph Viola
John Conway Jr.

Also Present:

Alison Lovely, Secretary, Planning/Zoning
Adam Yagelski, Director of Planning & Zoning
Joseph Slater, Planning Board Attorney
Anna Feltham, Planner

CALL TO ORDER / DETERMINATION OF QUORUM

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

PUBLIC HEARINGS:

NONE

OLD BUSINESS:

WITBECK-PHILLIPS ROAD-MAJOR SUBDIVISION

(11-10A)

Chairman Mastin stated that this project was in front of the Board two weeks ago & at that time there were some punch list items left in the construction and at that point, it was really wrapped up. Chairman Mastin stated he believes at this point, there is one small item regarding grading. Chairman Mastin stated that the intent is for the Town Board to accept the infrastructure & get this turned over to the Town prior to the winter. Adam Yagelski stated that those items are reflected in the TDE's (GPI's) letter that was attached to proposed resolution. Adam Yagelski stated that the next step is the dedication through the Town Board. Adam Yagelski stated that the TDE recommended that during the next construction season that those remaining items be completed of which includes the top course. Mark John stated that there is currently a letter of credit in place to protect the Town. Adam Yagelski stated that Dan Fiacco, the Commissioner of Public works is comfortable with the TDE's recommendation. Chairman Mastin asked the Board if anyone had any questions. There were no questions from the Board.

RECOMMENDATION TO THE TOWN BOARD THAT THE STREETS AND OTHER REQUIRED IMPROVEMENTS BE ACCEPTED

A motion was made by Chairman Mastin as follows: **WHEREAS, the Town Planning Board did grant conditional final plat approval of the Witbeck Cluster Subdivision on November 14, 2018 for the 54 lots in the Town of East Greenbush prepared by Hart Engineering, dated July 27, 2016 and last revised October 18, 2018 (the "Plans"); and**

WHEREAS, the approved Plans required the installation of certain improvements, including roadway, water supply, sanitary sewer, stormwater drainage, pedestrian, and other infrastructure (the "Required Improvements"); and

WHEREAS, the Town's Designated Engineer, (GPI – Greenman Pedersen Inc.) has conducted regular inspections of the construction of the Required Improvements as required by the Planning

Board, as shown on the Plans, and as specified by Town requirements and in accordance with engineering best practices; and

WHEREAS, the Town's Designated Engineer has certified, in writing, to the Commissioner of Public Works, Planning Board, and Town Board that they have supervised such improvements and that the completed Required Improvements conform to all approved plans and specifications of the Town; and

WHEREAS, the Commissioner of Public Works has approved in writing that all of the Required Improvements have been completed; and

WHEREAS the developer, at the discretion of the Commissioner of Public Works, has provided a Letter of Credit in accordance with the Town of East Greenbush Town Code for the Required Improvements. Said Letter of Credit, in the amount of \$255,650.00 and expiring on July 2, 2022, has been provided in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney; and

WHEREAS the developer has submitted written offers of cession for all improvements and interest in all land areas within the 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

NOW, THEREFORE, BE IT RESOLVED that the East Greenbush Planning Board hereby recommends, in accordance with Section 36-25 of the Town Code, to the Town Board that the streets and other Required Improvements be accepted, subject to the following conditions:

- 1. Prior to the Town Board accepting the proposed dedication, ponding of stormwater at Wyatt Circle north intersection with Phillips Road be addressed and accepted by the Commissioner of Public Works in accordance with the Town's Designated Engineer Certification Letter, which is attached hereto and made a part hereof.**
- 2. That the Developer reimburses the Town for all costs and expenses associated with the Planning Board's consultants and inspections of all Required Improvements.**
- 3. The Developer, as soon as practicable during the 2022 construction season, complete the Required Improvements identified as having been incomplete as specified in and as of the date of the Town's designated engineer certification letter, dated September 23, 2021, which is attached hereto and made a part hereof.**
- 4. The Developer must maintain sufficient financial security with the Town in the form of a Letter of Credit or other acceptable financial security until such time as all Required Improvements are completed, certified, and approved in accordance with the Town's requirements.**
- 5. The final certificate of occupancy for the last of the fifty-four (54) lots to be developed must not be issued until all the Required Improvements are completed, certified, and approved in accordance with the Town's requirements.**

Seconded by Don Panton & roll called as follows:

M. Mastin-YES; R. Viola-YES; K. Bergmann-YES; D. Panton-YES; J. Conway-YES.

MOTION CARRIED BY A 5-0 VOTE

CARVER COURT-UPPER MANNIX ROAD-MAJOR CLUSTER SUBDIVISION (20-11)

Chairman Mastin stated that this is for an update. The Conservation Advisory Council & the applicant had a meeting & the CAC sent an advisory opinion regarding the project to the Board. Chairman Mastin stated that a public hearing will also tentatively be scheduled for the first meeting in November. Don Zee, Brett Steenburgh & Nick Laraway were all present. Brett Steenburgh stated just a brief updated since the last time they were in front of the Board, they had a site walk with the CAC and a couple of Board meetings and then met at the Town Hall last week. Brett Steenburgh stated that the CAC issued comments and that they have issued a response back to the CAC. Brett Steenburgh stated that what they propose in regards to those comments is to create a ½ mile walking trail in the open space area, the orange area on the plan is the sidewalks their proposing consisting of approximately 3,600 square feet. One of the other concerns the CAC had was the proximity of the residences to the wetland area B, located off of road 2. Brett Steenburgh stated that through some of the discussions that they will provide some wetland buffer plantings in that area, the other concern was the limits of grading on the rear of these lots to wetland E, so a swale will be placed along the rear of those lots and direct it to the stormwater management area to the south of those lots. Brett Steenburgh stated that there was another discussion about preserving some trees on some individual lots to limit some of the clearing as well as a discussion regarding the proximity of the Class C streams that run through the site to the proposed homes & the last thing was the embedment of the culverts to provide a natural stream bottom for all stream crossings. Brett Steenburgh stated that they'd like to request a public hearing at the Board's next meeting.

Adam Yagelski stated that they had a meeting with the Dept. of Public Works & the Ren Cty Health Dept. last week and Brett Steenburgh stated what came out of that meeting was that they will need a water district extension, and a sewer district extension is in the works as well.

Joe Slater stated that they can't hold the public hearing until SEQR is closed.

Chairman Mastin asked if the Board had any further questions.

•Kurt Bergmann asked if an engineered solution for the drive thru traffic on Thompson Hill Road has been proposed. Don Zee stated that there are some preliminaries ideas that will be sent to DPW soon.

MOTION TO SCHEDULE PUBLIC HEARING (20-11)

A motion was made by Chairman Mastin as follows: **A Public Hearing is hereby scheduled for November 10, 2021 @ the East Greenbush Town Hall @ 7:10 PM, in order to receive public comment on the proposed preliminary plat for the Carver Court major cluster subdivision in accordance with the Article IV Section 4 (E) of the Town's Subdivision Regulations and Section 276 of the NYS Town Law.**

Seconded by Don Panton & roll called as follows:

M. Mastin-YES; R. Viola-YES; K. Bergmann-YES; C. Horne-YES; D. Panton-YES; J. Conway-YES.

MOTION CARRIED BY A 6-0 VOTE

NEW BUSINESS:

REGENERON—DISCOVERY DRIVE COVERED PEDESTRIAN WALKWAYS-SITE PLAN MODIFICATION (21-29)

Steve Hart stated that for the past couple of years Regeneron has been promoting covered walkways for their employees to keep them out of the weather. They are approximately 10' high. This section would be from the Bldg. 85(20) addition to connect to the pedestrian walkway going from that building to the existing covered walkway that exists prior to crossing over the pedestrian bridge to the parking garage. The area these would cover the existing paved walkways and would be internally lit.

Chairman Mastin asked if anyone had any questions. There were none.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”, and grants final approval of the proposed Site Plan Modification as depicted on the site plan entitled “Covered Pedestrian Walkway, Regeneron Pharmaceuticals” prepared by Hart Engineering, dated October 2021, subject to the following conditions:**

- **Satisfying outstanding technical details as determined by the Town’s Designated Engineers and Town Planning Department; and**
- **All remaining fees are paid to the Town.**

Seconded by Kurt Bergmann & roll called as follows:

M. Mastin-YES; R. Viola-YES; K. Bergmann-YES; C. Horne-YES; D. Panton-YES; J. Conway-YES.

MOTION CARRIED BY A 6-0 VOTE

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERALLS:

NONE

OTHER:

MS4 Training: There was a discussion of training in the future for the Planning Board by Wayne Bonesteel of Collier Engineering within the next couple of months during a regular scheduled Planning Board meeting of approximately 1 to 1 ½ hours. Adam Yagelski stated that he would also integrate some information about MS4 here at the Town.

REVIEW AND APPROVAL OF MEETING MINUTES:

Motion by Chairman Mastin to approve the October 13, 2021 meeting minutes with corrections by John Conway Jr. Seconded by John Conway Jr. Motion carried by a 6-0 vote.

CLOSING:

There being no further business before the Board, the meeting was closed by Chairman Mastin. Seconded by Don Panton. Motion carried by a 6-0 vote.

Respectfully Submitted

Alison Lovely

Alison Lovely, Planning Secretary