

# 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 SEPTEMBER 22, 2021 TOWN HALL, COURT ROOM

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

**PUBLIC HEARINGS:**

NONE

**OLD BUSINESS:**

(21-16) Target-625 Third Ave Ext.-Site Plan Modification – *Review for conditional final approval*

(21-22) Kasselmann Solar (Lashway) 12 Lashway Lane-SUP/Site Plan Modification-Ground Mounted Solar-Review for SEQOR Determination & conditional final approval

**NEW BUSINESS:**

(21-24) Silverstein/Desch-64 Worthman Lane-Lot Line Adjustment-Review for conditional approval

(21-25) Regeneron-Discovery Drive-Site Plan Modification-Temporary Trailers- Presentation

**NEW ZBA REFERRALS:**

ZBA Appeal #2021-12-Kline-596 Columbia Turnpike – Area Variance – Sign-Report due at the October 13, 2021 meeting

**NEW REPORTS:**

NONE

**REVIEW & APPROVAL OF MEETING MINUTES:**

*September 8, 2021 meeting minutes*

*\*To view application materials use the link below\**

<https://www.eastgreenbush.org/departments/planning-zoning/apps>

**TARGET**  
**Site Plan Modification**  
**625 Third Ave Extension**  
**SEPTEMBER 22, 2021**

**MOTION to APPROVE (21-16)**

On April 3, 2002 the Town of East Greenbush Planning Board, as SEQRA lead agency, issued a Negative Declaration for the project, Target. This current minor Site Plan Modification as proposed would not pose any significant adverse environmental impacts not addressed or, inadequately addressed, in the environmental record developed by the Planning Board previously.

The Town of East Greenbush Planning Board hereby grants conditional approval of the Site Plan Modification as depicted on the Site Plan prepared by Kimley Horn Engineering, dated \_\_\_\_\_, 2021, subject to the following:

- **Satisfying outstanding technical details as determined by the Town Planning and Zoning Department;**
- **Prior to issuance of a building permit, Applicant shall obtain all necessary approval and/or permits required for the project;**
- **All remaining fees are paid to the Town.**

*End of Motion*

**KASSELMAN (LASHWAY)  
SITE PLAN MODIFICATION &  
SPECIAL USE PERMIT  
12 LASHWAY LANE  
SEPTEMBER 22, 2021**

**MOTION FOR SEQR NEGATIVE DECLARATION (21-22):**

MOTION: A motion was made by \_\_\_\_\_ as follows: **The Town Planning Board has taken a “hard look” at the potential environmental impacts of this project by carefully considering and reviewing the Environmental Assessment Form(s), considering all the Applicant’s proposed mitigation measures as they relate to environmental issues, finds that the proposal will not have a significant adverse environmental impact and hereby issues a Negative Declaration under SEQRA.**

Town of East Greenbush  
PLANNING BOARD

In the matter by:  
KASSELMAN/LASHWAY  
For a **Special Use Permit**

**Resolution and  
Final Decision of  
Planning Board**

**File No. 21-22**

**Whereas**, an application has been filed by Kasselmann Solar on behalf of Bryan Lashway at 12 Lashway Lane, East Greenbush NY (R-OS), proposing the installation of a 13.35 kW ground-mounted PV array; and

**Whereas**, The review of the proposed work requires a Special Use Permit as stated in Local Law #1 of 2017, Ground-mounted solar energy systems that use the electricity primarily onsite and are larger than 160 square feet require a special use permit in all districts;

**Whereas**, the applicant has filed an application for a Special Use Permit for a 13.35 kW ground-mounted PV array at the property located on 12 Lashway Lane, East Greenbush, NY (Tax Map No. 145.-2-20.12); and

**Whereas**, the Planning Board has duly published a notice of public hearing regarding this appeal in The Record on August 29, 2021; and

**Whereas**, notice of the initial Public Hearing was provided by Certified Mail to the owners of all property within 200 feet of the land involved in the application, to the Town Planning Board, and to the Rensselaer County Bureau of Economic Development and Planning; and

**Whereas**, a Public Hearing was held by the Planning Board on Wednesday, September 8, 2021 to consider this appeal; and

**Whereas**, at this hearing, the applicant as well as any and all persons interested in this appeal were heard, their statements recorded, and various written material including exhibits, if any, were entered into the record; and

**Whereas**, all statements, written material and exhibits submitted in connection with said appeal have been carefully considered; and

**Whereas**, at its meeting on August 25, 2021, the Planning Board classified the project as an unlisted action and declared itself lead agency under SEQRA and, at its meeting on September 8, 2021, issued a negative declaration for Project; now, therefore, be it

**Resolved,** That the Planning Board makes the following findings of fact:

1. The site is zoned Residential Open Space (R-OS), which is partly intended to “permit a low density of residential use (1 unit per 2 acres), designed to retain the open space and rural character of the District.” The proposal is to install a ground-mounted solar array with onsite consumption at the existing single-family residence. The location and size of the use, solar array, and the nature and intensity of the operations involved are in harmony with the existing low density single-family use of the district;
2. The proposed ground-mounted solar array complies with the Town of East Greenbush Local Law 1 of 2017, Solar Energy Law, Section C. Ground-Mounted Solar Energy Systems regulations regarding the location, height and intensity of the use. The proposed ground-mounted solar array is located 130’ from the Mannix Road, 118’ from Lashway Lane and has a maximum vertical tilt of 6.13’, the proposed intensity is 13.35kW. Therefore, the proposal will not discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
3. There is no internal traffic circulation system needed or proposed. Existing driveway access will stay the same;
4. There are no change to off-street parking and loading needed or proposed. Existing driveway and off-street parking will stay the same;
5. There will be no change to parking and service requiring screening;
6. The proposed use is in harmony with surrounding neighborhood and in keeping with Town of East Greenbush Local Law 1 of 2017, Solar Energy Law. No exterior lighting is proposed. The use will not be more objectionable than nearby properties and will not adversely affect the general welfare of the inhabitants of the Town of East Greenbush;
7. There will be no change to existing accessibility of the side and rear yard of this property. As indicated Applicant’s provided materials, the ground-mounted solar array includes module-level voltage shutdown for firefighter safety. Fire and police protection access will therefore remain unchanged and appear appropriate for the nature of the site

be it further

**Resolved,** that the application for a Special Use Permit for the installation of a 13.35 kW ground-mounted PV array be Granted with the following conditions:

1. Proposed vegetative screening as shown on the Site Plan will consist of \_\_\_\_\_ providing year-round screening to shield the installation from view of Mannix Road.

This resolution was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting duly held on September 22, 2021.

*(Discussion)*

A vote was taken as follows:

Matt Mastin    \_\_\_  
Ralph Viola    \_\_\_  
Kurt Bergmann \_\_\_  
Don Panton    \_\_\_  
Chris Horne   \_\_\_  
John Conway   \_\_\_  
Noreen Gill    \_\_\_

Motion carried 7-0

**TOWN OF EAST GREENBUSH  
PLANNING BOARD**

By: \_\_\_\_\_  
Matt Mastin, Chairperson

Dated: \_\_\_\_\_, 2021

***\*Granting of this Special Use Permit does not constitute a building permit. The applicant is still required to obtain a building permit from the Town's Building Department prior to commencing any construction activities.***

Copy To:

Kasselman Solar  
279 Broadway  
Bldg. 2  
Menands, NY 122204

Cc: Rensselaer County Planning (via email)  
Town Clerk (via email)  
PB File No. 21-22  
Building Inspector (via email)  
Assessor (via email)  
Bryan Lashway (via email)

**KASSELMAN (LASHWAY)  
SITE PLAN MODIFICATION &  
SPECIAL USE PERMIT  
12 LASHWAY LANE  
SEPTEMBER 22, 2021**

**MOTION FOR CONDITIONAL APPROVAL (21-22):**

**MOTION:** A motion was made by \_\_\_\_\_ as follows: **The Planning Board hereby approves the Site Plan Modification subject to the following conditions:**

- **Compliance with the Town's Solar Energy Law and Town's Comprehensive Zoning Law;**
- **General landscaping plan and planting schedule as deemed appropriate by the Planning Board and in accordance with Comprehensive Zoning Law Table 4.3 A Site Plan Checklist;**
- **Satisfying outstanding technical details as determined by the Town Designated Engineers and Town Planning Department.**



**SILVERSTEIN-DESCH**  
**LOT LINE ADJUSTMENT**  
**64 WORTHMAN LANE**  
**SEPTEMBER 22, 2021**

**MOTION FOR CONDITIONAL APPROVAL (21-24)**

MOTION: A motion was made by \_\_\_\_\_ as follows:  
The Town of East Greenbush Planning Board hereby:

1. Classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5 (16) “granting of individual setback and lot line variances and adjustments”;
2. Grants final approval of the proposed Lot Line Adjustment prepared by Cornerstone Surveying & Mapping, and dated \_\_\_\_\_, subject to the following:
  - Satisfying outstanding technical details as determined by the Town Planning and Zoning Department; and
  - All remaining fees are paid to the Town.

*End of Motion*