

# 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

March 8, 2023

#### **Members:**

Ralph Viola, Vice Chairman  
Chris Horne  
Don Panton  
Robert Jucha  
John Conway Jr.

#### **Also Present:**

Anna Feltham, Director of Planning  
Joseph Slater, Planning Board Attorney  
Alison Lovely, Secretary, Planning/Zoning  
Corneil Smith, Planner

#### **CALL TO ORDER / DETERMINATION OF QUORUM**

Vice Chairman Viola called the meeting to order and determined that a quorum of five (5) members were present. Matt Mastin & Kurt Bergmann were both absent.

#### **PUBLIC HEARINGS:**

NONE

#### **OLD BUSINESS:**

NONE

#### **NEW BUSINESS:**

#### **PHANTOM FIREWORKS-570 COLUMBIA TRPK-SITE PLAN MODIFICATION** (23-05)

Vice Chairman Viola stated that this applicant has been in Town now for 5 or 6 years. Vincent Szabo the applicant stated that it's been 7 years. Vice Chairman Viola stated that the site has been in front of the Bowling Alley. Vice Chairman Viola read the guidelines that the Planning Board has been following that they want the firework stands to abide by. Vice Chairman Viola stated that he thinks this particular applicant has done an excellent job abiding by them, which are as follows:

- Tent setup will not occur before June 20, 2023 and shall be removed no later than July 6, 2023.
- All external signs and advertising not be displayed prior to June 20, 2023 and shall be removed no later than July 5, 2023.
- The business must be run in full compliance with New York State and Rensselaer County Laws.
- That the above-mentioned modification will be limited to a one-time use for the period of June 20, 2023 to July 5, 2023.
- That the applicant must consult with the Building Department and complete all applicable permits, including but not limited to signage. All signage must be connected to the tent. Absolutely no signage shall be placed along Columbia Turnpike. Vice Chairman Viola stated that the applicant has submitted his lease agreement, insurances & NYS office of Fire Control Certificate.
- Hours of Operation limited to 9am to 9pm.
- Adequate lighting shall be provided on site.
- Shipment of products not to arrive prior to June 16, 2023.

Vincent Szabo requested that the shipment of products not to arrive prior to be changed from June 16<sup>th</sup> to June 15<sup>th</sup>, 2023. The Board agreed, the resolution was voted on as amended.

Anna Feltham brought up bullet points 1, 2 & 4 because the ending dates don't all match and she wondered if that was an error on her part or if that's something the Board did last year.

Joe Slater stated that legally they can sell the product until the 5<sup>th</sup>, no changes to need to be made.

Vice Chairman Viola asked the Board members if anyone had any questions.

•John Conway asked about storage of product. Vincent Szabo stated that they have a conex box. John Conway asked if all the product would be in there all night and that it will be locked up. Vincent Szabo stated that's correct, the box has a wooden floor with steel sides.

•Robert Jucha asked if it's enough to contain any type of ignition. Vincent Szabo stated that it should yes.

•Chris Horne asked if they used to be set up at the True Value. Vincent Szabo stated that was a different company.

Vice Chairman Viola asked if this was the only one set up on this side of the river.

Vincent Szabo stated that on this side of the river yes, the other 60 are on the other side of the river.

•Don Pantan asked if they sold fire crackers. Vincent Szabo stated that they are illegal in NY.

Vice Chairman Viola asked if the Board had any further questions. There were none.

**MOTION:** A motion was made by Vice Chairman Viola as follows: **The Town of East Greenbush Planning Board classifies this project as a Type II action under SEQRA; 6 CRR-NY 617.5 (c) (21) "minor temporary uses of land having negligible or no permanent impact to the environment" and hereby grants final approval of the proposed temporary minor site plan modification subject to the following conditions; (Pursuant to the motion that was posted on the website with only one change to June 15<sup>th</sup> from June 16<sup>th</sup>):**

1. Tent setup will not occur before June 20, 2023 and shall be removed no later than July 6, 2023.
2. All external signs and advertising not be displayed prior to June 20, 2023 and shall be removed no later than July 5, 2023.
3. The business must be run in full compliance with New York State and Rensselaer County Laws.
4. That the above-mentioned modification will be limited to a one-time use for the period of June 20, 2023 to July 5, 2023.
5. That the applicant must consult with the Building Department and complete all applicable permits, including but not limited to signage. All signage must be connected to the tent. Absolutely no signage shall be placed along Columbia Turnpike.
6. Hours of Operation limited to 9am to 9pm.
7. Adequate lighting shall be provided on site.
8. Shipment of products not to arrive prior to June 15, 2023.

Seconded by Don Pantan & roll called as follows:

M. Mastin-ABSENT; R. Viola-YES; K. Bergmann-ABSENT; C. Horne-YES; D. Pantan-YES; J. Conway-YES; R. Jucha-YES.

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

**NEW ZBA REFERRALS:**

ZBA Appeal #2023-03-Calamaras-45 Point View Drive-Area Variance-Enlarge Deck-Side Setback- assigned to Don Pantan

ZBA Appeal #2023-05-Terry-429 Tempel Lane-Area Variance-Garage-North elevation building setback- assigned to Robert Jucha

**NEW ZBA REPORTS:**

NONE

**REVIEW AND APPROVAL OF MEETING MINUTES:**

Motion by Vice Chairman Viola to approve the February 22, 2023 meeting minutes. Seconded by John Conway. Motion carried by a 5-0 vote.

Vice Chairman Viola mentioned that the Route 4 Corridor public hearing was rescheduled due to previous weather conditions to March 27, 2023 at 6:30 pm at the Defreestville Fire House.

Vice Chairman Viola mentioned that the Ethics Training is on March 21, 2023 from 6pm – 8pm at the East Greenbush Red Barn at the East Greenbush Town Park for all the Board members. Anna Feltham stated that all Board members are required to attend. Colleen Lallier, Finance Director stated that she's keeping a list of those who cannot attend and they will make arrangements for those who cannot make it.

Anna Feltham stated that there is a Zoning Update Committee meeting on March 29, 2023 at 6:30 pm.

Joe Slater stated that all the financial disclosure statements are due to the Town Clerk by April 15, 2023.

Anna Feltham introduced Corneil Smith, the new Planner for the Town. The Board all welcomed him aboard.

**CLOSING:**

There being no further business before the Board, the meeting was closed by Don Panton. Seconded by Vice Chairman Viola. Motion carried by a 5-0 vote.

Respectfully Submitted

*Alison Lovely*  
Alison Lovely, Planning Secretary