

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 May 23, 2018

Members:

Matt Mastin, Chairman
Ralph Viola
Jim Moore
Mike Bottillo
Matt Polsinello
Nancy Kupiec

Also Present:

Alison Lovely, Planning Board Secretary
Joseph Slater, Planning Board Attorney
Adam Yagelski, Director of Planning & Zoning

CALL TO ORDER / DETERMINATION OF QUORUM

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

REVIEW AND APPROVAL OF MEETING MINUTES:

Motion by Chairman Mastin to approve the May 9, 2018 meeting minutes as is.
Seconded by Jim Moore. Motion carried by a 6-0 vote.

NEW ZBA REFERRALS:

ZBA Appeal #2018-08-Rich-3396 River Road- Use Variance-Proposal to operate vehicle repair-
assigned to Nancy Kupiec

PUBLIC HEARINGS:

Keller-110 Springhurst Drive North-Special Use Permit

(17-26)

Chairman Mastin read the legal notice: The Town of East Greenbush Planning Board shall conduct a Public Hearing pursuant to New York State Town Law Section 274-b (6) and Section 3.11.02 of the Town's Comprehensive Zoning Law, for the review of a previously approved Special Use Permit for the property located at 110 Springhurst Drive North, East Greenbush, NY, Tax Map # 177.8-4-56, which is Zoned PDD. The applicant has a Special Use Permit to conduct a massage therapy business, which is required Per Section II Table II-A Section 2.4 Use Schedule of the Town's Comprehensive Zoning Law (Health/Medical; offices or clinic, outpatient). Said Public Hearing will be held on Wednesday, May 23, 2017 at 7:05 PM at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, NY. At the above time and place, all interested parties will be given an opportunity to be heard.
By order of the Planning Board Matt Mastin, Chairman

Chairman Mastin stated that this was the review of a previously approved Special Use Permit and asked if the applicant was present. Sara Keller stated that she has had no more than 4 clients a day between 9am and 7pm. Chairman Mastin stated that the Building Department has stated that there have been no complaints to their department. Chairman Mastin asked the Board if anyone had any questions.

● Nancy Kupiec asked if any of her clients have been parking in the street. Sara Keller stated that they have but she tells them the next time they come to park in her driveway.

Chairman Mastin asked if there was anyone present to speak in favor or opposition to the application. There was no one. Chairman Mastin asked if there were any general comments. There were none. Chairman Mastin asked the Board if they were favorable to letting the applicant open her business to seven days a week. The Board was all in favor.

MOTION: A motion was made by Chairman Mastin as follows: **The Town Planning Board hereby closes the public hearing.**

Seconded by Nancy Kupiec & roll called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES; N. Kupiec-YES.

MOTION CARRIED BY A 6-0 VOTE

OLD BUSINESS:

Keller-110 Springhurst Drive North-Special Use Permit (17-26)

MOTION: A motion was made by Chairman Mastin as follows: **Resolved**, That the Planning Board makes the following findings of fact:

1. That the application has been reviewed and a second public hearing was held on May 23, 2018. Furthermore, the applicant has demonstrated compliance with the 7 criteria as defined in Section 3.11.01 of the Town's Comprehensive Zoning Law; and the requirements of a Home Occupation as defined in Section 3.9 of the Town's Comprehensive Zoning Law; therefore be it

Resolved, that the application for a Special Use Permit for the operation of a home occupation for a massage therapy business, be allowed to continue with the following conditions:

- That the applicant shall submit a copy of her NYS Massage Therapy license to the Town Planning Department.
- The home shall not have signage to promote the business.
- The home occupation shall continue to conform to the regulations set forth in Section 3.9 of the Town's Comprehensive Zoning Law.
- The applicant shall comply with all NYS licensing requirements applicable to massage therapists.
- There shall be no on-street parking by patients.
- The amount of patients to be treated per day is limited to 4.
- The hours of operation shall be limited to 9 am to 8 pm, Monday through Sunday.
- Should the applicant's massage therapy license expire or be revoked, the Special Use Permit is extinguished.

Seconded by Mike Bottillo & roll called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES; N. Kupiec-YES.

MOTION CARRIED BY A 6-0 VOTE

REGENERON-DISCOVERY DRIVE-CANOPY-MINOR SITE PLAN MOD.

(15-07B)

Steve Hart of Hart Engineering and Kyle Cherry from Regeneron were both present. Steve Hart stated that there have been no changes to the plan. The proposal is for a 200' covered walkway between the parking garage and the pedestrian bridge, which will have screens with images on them. Chairman Mastin asked if the Board had any questions.

●Matt Polsinello asked about the existing fencing and whether it will be moved out closer to the wetlands. Steve Hart stated that he has emailed the architect about it.

●Nancy Kupiec asked if the garage had solar panels on top of it and what does it run and if there are any charging stations in the garage and if there will be solar panels on top of the canopy. Kyle Cherry stated that yes it does and that Regeneron owns them, they just run the drop alarms and lights for security, there are no charging stations and that there would be no solar panels on the roof of the canopy as it wouldn't be cost effective to put them on top of there.

●Ralph Viola asked if there are emergency call stations in the garage and would they be installing any in the walkway area under the canopy for safety. Kyle Cherry stated that there are calling stations in the garage and that he will look into it and if the Board wanted him to, he would install one on the walkway under the canopy.

Chairman Mastin asked if there were any other questions. There were none. Kyle Cherry stated that he'd like to see security cameras in the walkway and he will add a phone to that area.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby grants conditional approval of the Site Plan Modification as depicted on the plans prepared by Hart Engineering and dated 5/1/18, subject to the following:**

- **Satisfying outstanding technical details as determined by the Town Designated Engineers and Town Planning Department; and**
- **All remaining fees are paid to the Town; and**
- **That the applicant adds one emergency phone within the canopy area.**

Seconded by Ralph Viola & roll called as follows:

**M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES;
N. Kupiec-YES.**

MOTION CARRIED BY A 6-0 VOTE

NEW BUSINESS:

REGENERON-DISCOVERY DRIVE-PARKING GARAGE EXPANSION-MAJOR SITE PLAN
(15-07C)

Steve Hart from Hart Engineering was present as well as Kyle Cherry from Regeneron. Steve Hart stated that the proposal is for the construction of a 123' x 182' parking garage expansion which will add an additional 300-320 parking spaces and will mimic what is out there today on the existing garage in regards to visual, stairwells, etc. as well as solar panels on the roof and they will need a permit from the Army Corp of Engineers as there are some wetlands that will be disturbed. Steve Hart showed a rendering on the expansion will match the existing garage. Steve Hart stated that there will be aluminum fencing along the front the same height as the existing fence, 48" and a parapet added for lights from the cars just like the existing garage. Chairman Mastin asked where the solar panels are if they're not on the canopy. Kyle Cherry stated that they are over top of the switchback ramp in the garage. Chairman Mastin asked if the Board had any questions.

- Jim Moore asked if there is a reason that the vertical design doesn't match the existing garage. Steve Hart stated that it will match; the architect is still working on it.
- Matt Polsinello asked if people will have to walk through the garage to get to the canopy. Steve Hart stated that is correct, they will stay internal in the garage.
- Chairman Mastin asked if there will be new pedestrian accommodations if there is another access to cross Discovery Drive. Steve Hart stated that for safety reasons they won't have another pedestrian access to cross the street.
- Matt Polsinello asked if they will have another sidewalk to attach to the existing sidewalk. Steve Hart stated that they would have the answer at the next meeting.
- Jim Moore asked about the storm water management plantings and the purpose of them. Steve Hart stated more for esthetics, it's a shallow area, not more than 6" to 12", so no fence is needed. Joseph Slater asked Adam if he's had any discussions with Phil Dixon regarding SEQR. Adam stated not yet. Adam asked Steve Hart if the addition will be connected to the existing garage. Steve Hart stated that they will, the only vehicle access is through the main garage.
- Nancy Kupiec asked for confirmation that there won't be a ramp in the new structure. Steve Hart stated that is correct; there is no ramp, all flat surfaces.

MOTION: A motion was made by Chairman Mastin as follows: The Town of East Greenbush Planning Board hereby accepts the proposed sketch plan dated April 12, 2018, prepared by Hart Engineering for the proposed major site plan.

Seconded by Matt Polsinello & roll called as follows:

**M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES;
N. Kupiec-YES.**

MOTION CARRIED BY A 6-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: The Planning Board hereby recommends the Town of East Greenbush Town Board declare its intent to seek Lead Agency status in connection with a coordinated review under SEQRA.

Seconded by Mike Bottillo & roll called as follows:

**M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES;
N. Kupiec-YES.**

MOTION CARRIED BY A 6-0 VOTE

TEMPLETON-MICHAEL/ELLIOT ROAD-MINOR 2-LOT SUBDIVISION (18-15)

Steve Hart of Hart Engineering presented the proposal to the Board. Margaret Templeton who is the applicant was also present. Steve Hart stated that the parcel is on the corner of Michael & Elliot Road and consist of 47.5 acres with an existing house on it. Steve Hart stated that the proposal is to subdivide .8 acres (140' x 180') piece for the applicant's daughter, the parcel is in the R-B zoning district and has access to public water and sewer and meets all the other criteria. Joseph Slater stated that for any subdivision in the R-B zone there is a requirement for a minimum of 30% to be kept as a natural area. Steve Hart stated that won't be a problem.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby accepts the sketch plat dated, May 8, 2018, prepared by Hart Engineering for the proposed 2-lot minor subdivision.**

Seconded by Ralph Viola & roll called as follows:

**M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES;
N. Kupiec-YES.**

MOTION CARRIED BY A 6-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: **The Planning Board has determined the project an Unlisted Action and hereby declares itself Lead Agency in connection with a coordinated review under SEQRA.**

Seconded by Mike Bottillo & roll called as follows:

**M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES;
N. Kupiec-YES.**

MOTION CARRIED BY A 6-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: **A Public Hearing is hereby scheduled for June 13, 2018 @ the East Greenbush Town Hall @ 7:05 PM.**

Seconded by Matt Polsinello & roll called as follows:

**M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES;
N. Kupiec-YES.**

MOTION CARRIED BY A 6-0 VOTE

BUONO-180-200 AMERICAN OIL ROAD-MINOR SITE PLAN MOD. (18-16)

Steve Hart of Hart Engineering was present as well as the applicant Joe Buono. Steve Hart stated that the parcel consists of 10 acres in the port of Rensselaer in the CI zone. Steve Hart stated that the applicant runs a farm operation and wants to provide for a sand stock pile of approximately 8,000 yards for approximately a years' time. Steve Hart stated that the roadway into the site is approximately 12' to 15' wide. Joe Buono stated that the sand will be clean sand from the Dunn pit. Joseph Slater asked if they can touch on the comments. Steve Hart stated that the automated mapper on the EAF picked it up as a DEC archeological area. Joe Buono stated that there is currently 5' to 6' of fill on the site now. Adam asked how many truck trips. Joe Buono stated approximately 500 +/- truck trips. Chairman Mastin stated that the Building Dept. could do a review after 3 months after the start of operations.

● Nancy Kupiec stated that the applicant farms and that this is just another source of income. Joe Buono stated that he will continue the farm operation on the fill area; he has approximately 120 acres of corn and soybeans. Chairman Mastin stated that the Planning Board could do a review after one year. Steve Hart stated that there will be a silt fence for approximately 9 acres.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby issues a Negative Declaration under SEQRA and grants final approval of the proposed minor site plan modification subject to the following conditions:**

- **The proposed activities shall be in accordance with the following schedule: 1 year from the issuance of a Building Permit that the applicant returns to the Planning Board for review if they want to continue the operation.**
- **Satisfying outstanding technical details as determined by the Town's Planning & Building Departments.**
- **That the Building Department will review the traffic after 3 months post permit.**

Seconded by Nancy Kupiec & roll called as follows:

**M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola-YES; J. Moore-YES;
N. Kupiec-YES.**

MOTION CARRIED BY A 6-0 VOTE

UPDATES:

NONE

REFERRALS-REPORTS & RECOMMENDATIONS:

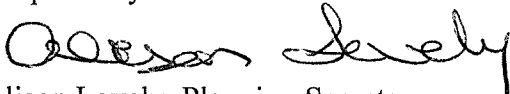
NONE

Nancy Kupiec had a discussion with Board regarding a possible handout of information to give to developers prior to them coming in to present a project to the Board. She also stated that maybe a bio on each member could be made listing each member's skill sets.

ADJOURNMENT:

There being no further business before the Board, the meeting was adjourned by Chairman Mastin. Seconded by Matt Polsinello. Carried by a 6-0 vote.

Respectfully Submitted


Alison Lovely, Planning Secretary