

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 23, 2021

TO BE HELD AT THE TOWN HALL

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

PUBLIC HEARINGS:

NONE

OLD BUSINESS:

(17-19a) Town Center PDD Phase 1 – Major Site Plan
Presentation/Update

(18-02) Amedore Senior Apartments - Newkirk Road (Heritage Hills) – Site Plan Amendment
Presentation

NEW BUSINESS:

(21-13) D'Ambrosi – 351 Columbia Turnpike - Site Plan Modification
Presentation, Review for Conditional Final Approval

(21-14) Carpinello – 137 Columbia Turnpike – Minor 2 Lot Subdivision
*Sketch Plat Presentation, SEQRA Classification and Referral to Zoning Board of Appeals
as per Town Law Section 277 Sub-section 6*

~~(21-15) Nittinger – 1266 Best Road, Solar –
Presentation, SEQRA review discussion [Tentative]~~

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERRALS:

~~ZBA Appeal #2021-07 – 11 Michigan Avenue – Use Variance [Tentative]~~

REVIEW & APPROVAL OF MEETING MINUTES:

June 9, 2021 meeting minutes

To view application materials use the link below

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



The Town of East Greenbush

PLANNING AND ZONING DEPARTMENT

225 Columbia Turnpike, Rensselaer, New York 12144

Phone: 518.694.4011

Fax: 518.477.2386

MEMORANDUM

TO: Planning Board

FROM: Anna Feltham, Planner

DATE: June 21, 2021

SUBJECT: (17-19a) Town Center PDD – Phase 1 – Preliminary Plan Set meeting, comments

In order to inform the Planning Board of ongoing conversations regarding the Town Center PDD Phase 1 Preliminary Plan Set, the Planning & Zoning Department (Adam Yagelski, Anna Feltham) Public Works (Dan Fiacco, Scott Gallerie) and Town Designated Engineer, Ray Jurkowski, met with the developer and engineer, Tyler Culberson and Steve Hart, Tuesday 6/15/2021 to discuss ongoing comments for Town Center PDD;

- Regarding storage facility – mark as existing conditions where needed and minimize/remove from Site Plan so as not to be construed with Town Center PDD approval
- Signs – discussed including any potential ‘on-building’, wayfinding or other signage on site plans now as a reference for future sign approval upon occupancy, monument sign as per PDD has been discussed previously
- Fencing – previously discussed with Planning Board, Applicant will bring illustrations of fence types (chain link, chain link with privacy slats, vinyl) and clearly mark location and type on Site Plan

Applicant will present on items discussed at the Planning Board meeting this Wednesday June 23rd so as to familiarize the Planning Board with these items and the Site Plan.

Attached is an updated letter of comments.

June 11, 2021

Matt Mastin, Chairman
Town of East Greenbush Planning Board
225 Columbia Turnpike
Rensselaer, NY 12144

**RE: Town Center PDD Major Site Plan (Phase I)
Site Plan Review
CPL #15593.00001**

Dear Chairman Mastin and Planning Board Members:

This office is in receipt of a set of site plan documents consisting of the following :

- Site Plan Drawing Set, 29 drawings, dated 4/13/21.
- Stormwater Pollution Prevention Plan (SWPPP), dated April 2021.
- Landscaping Plans (L100, L101) dated 4/23/21.

This office has reviewed the Site Plan documents and related data for the proposed development of Phase I of a mixed use Planned Development District known as the Town Center PDD. This office has reviewed the site plan for consideration of site plan acceptance by the Planning Board and has previously met with the Town's Commissioner of Public Works to discuss the infrastructure for the proposed project. Based upon our review of the documents provided, we offer the following comments for your consideration regarding Site Plan review:

Drawings:

Dwg. X110 – Existing Conditions and Demo Plan

1. As per this office's previous comment letter, the proposed demolition plan indicates demolition and removal of asphalt pavement that extends beyond the project property at two locations, north and southwest of the project. A temporary easement shall be obtained from the adjoining property owners, allowing the work to be completed. The extents of the easements including a metes and bounds description shall be shown on the plans and submitted for review.
2. As per this office's previous comment letter, a permanent access easement shall be granted to parcel 166.00-7-6.52 over the newly proposed access road for this project.



3. The plan contains a square cross hatch pattern along a portion demolition plan north of the proposed roadway and along a small area along the northerly property line. It appears that the crosshatch pattern is related to tree removal, however it is not identified in the legend. The hatch patten and shall be added to the legend for clarity.

Dwgs. C100, C101

1. The type of proposed fencing onto the new access drive for parcel 11.00-7-6.52 shall be identified. This office also recommends that additional landscaping along the edge of the existing gravel surface be added to provide screening.
2. The gravel area located on parcel 11.00-7-6.52 shall be labels as "Existing gravel area, no parking of vehicles or outdoor storage".
3. The locate of any ground mounted Air conditioning or refrigeration equipment shall be shown on the site plan.
4. The PDD called to a future vehicular connection to the adjacent parcel to the south. A proposed located along with an easement shall be shown on the site plan. As with all proposed easements a metes and bounds description shall be provided for review.
5. The applicant's engineer has added an additional drawing illustrating the truck turning movements within the site. It is recommended that the turning movements for emergency vehicles be reviewed with the Fire Department.

Dwg. C110, C111

1. A note shall be added to the plan on Parcel C stating, " No grading or earth disturbances shall take place on Parcel C until final Site plan Approval has been granted for Parcel C".
2. As per this office previous comment, The plan includes a hammerhead turn around that extends into parcel C. A temporary easement shall be provided for the construction and use of this turn around onto parcel C until such time as the remainder of the new roadway is completed. Although Parcel C is currently owned by the same entity there is no guarantee that this will remain the case moving forward. Therefore, an easement shall be provided.
3. It is recommended that the Planning Board review the proposed building elevation for both proposed buildings along Columbia Turnpike. Both Buildings include the construction of stairways and handicapped ramps to the main building entrance. This will result in approximately a three (3) foot high retaining wall. The Planning Board may wish to consider the type of required exposed finish along these stairs and ramp area, or for the applicant to provide additional landscaping of shrubs in these areas.



Dwg. C501

1. There is a discrepancy in the trash enclosure details. The details shall be revised to indicate the use of split face masonry units.

Dwg. C502.

1. A note shall be added to the plan stating that prior to construction the contractor shall submit shop drawings and material cut sheets of all proposed water distribution and sewer collection components for review and approval by the Town of East Greenbush.

Dwg. C504

1. Prefabricated spool pieces shall be provided for both the Water meter and Backflow Preventor in case these units are required to be temporarily removed. The spool pieces shall remain within the meter vault structure.
2. Based on this office's review it does not appear that the proposed Watts model 774 double check valve backflow preventor is an approved unit in New York State. Please confirm and if required replace the proposed model with an NYS approved model.
3. The proposed meter pit discharge point shall be labeled on the utility plan and the invert elevations shall be confirmed to ensure there is adequate grade for draining. A check valve unit shall be placed on this sump drain line.

SWPPP Plan

1. It is recommended that a draft of the Town's MS4 Stormwater Drainage maintenance agreement be included within the SWPPP. It is recommended that the agreement include information regarding the extent of maintenance responsibility for the Town as well developer included the identification of structures and practices.

Landscaping Plan

1. It is recommended that additional shrubs be placed along the between the proposed bioretention area and the sidewalk along Columbia Turnpike.



2. It is recommended that additional shrubs be placed along the front of the building since the finished floor is approximately three (3) feet higher than the adjacent sidewalk along Columbia Turnpike.
3. The landscaping plans shall be revised to remove the stormwater planter that was previously proposed but has been removed from the project.

Town Planning and Zoning Department Comments:

In an effort to consolidate all comments related to the site plan documents listed above, comments from the Town Planning and Zoning Department (PZD) are provided here.

Prior Comments

PZD has additional follow up comments related to previous comments and responses found in the letter from Steve Hart, Hart Engineering dated April 21, 2021. PZDs enumerated comments in this section follow the same sequence as that letter;

2. The requested lighting details do not appear to fully address our comments relative to color temperature or the potential for use of mitigation, like auto-on/off. Attached for your reference is the IDSA guidance on LED lighting.
3. Please provide a copy of the access easement and any other easements encumbering the lands shown on the site plan. Please send a copy of the mine reclamation plan and, if not included with the reclamation plan, a schedule for completing the required reclamation.
5. The buffer area to be left undisturbed appears to be included. However it is not labeled, and it is not clear from the map legends on the sheets on which it appears what the hatching represents (i.e., presumably the buffer). Add the following Special Note on each sheet showing the buffer "Undisturbed Buffer area: In accordance with Local Law 1 of 2020, said Buffer must not be disturbed during construction and the Buffer shall be preserved and maintained. To the extent existing trees or shrubs die, the buffer shall be replanted with new trees and shrubs in accordance with Local Law 1 of 2020." Also, provide a draft deed restriction covering the buffer areas and any open space for Town Board review and approval.
6. The enhanced landscaping detail has been provided on the March 2021 landscaping plan (sheet L-101). Show on the overall site plan this area, and add a note or label stating "The buffer along the southerly PDD boundary with 37 Jefferson Ave shall be completed prior to the issuance of the building-related building permit for Area 1." It is suggested that a cross reference to the landscaping plan sheet also be included.
10. It is not clear on which sheet the suggested note and detail have been included. It should be included at a minimum on the Demolition Plan (sheet 2 of 29).
26. Response acknowledged. Add the following note to the landscaping plan: "In



accordance with Section 7.A.1.iii of local law 1 of 2020, Developer shall ensure the Buffer is not disturbed during construction and shall preserve and maintain the Buffer. To the extent existing trees or shrubs die, the buffer shall be replanted with new trees and shrubs to create a visual separate between uses and Land Use District.”

New Comments

1. It is suggested that an existing conditions sheet be provided showing the entire PDD boundary, existing site conditions, and the Phase 1 boundary.
2. Add map references to all prior filed maps shown on the site plan. Add a reference to the PDD local law 1 of 2020 which approved the rezoning of the site.
3. What provisions are being taken to preserve the “Future Cross Lot Connection” to 594 Columbia Turnpike shown on the Exhibit D Concept Plan included in Local Law 1 of 2020?
4. Details for all proposed signage must be provided to the Planning Board for review and included on the site plan. Any non-conforming signage will require a variance from the Zoning Board of Appeals.
5. The Sewer Engineers report must be updated with the most recent Engineers Report for the branch of the system through which this project will discharge. The Town has engaged an engineer to develop an Engineers Report, which is currently in draft form. Once approved by the Town and NYSDEC, the report will be forwarded to you.
6. Water Report:
 - a. Please update the report with the information from the enclosed Water Capacity Analysis dated.
 - b. Include in the report all information delineated in Appendix B: Review Checklist.
 - c. Local Law 1 of 2020 allows a maximum of 275 multi-family units and, as amended by the Planning Board, a maximum of 25,000 sf of commercial space. The report appears to analyze more apartments than allowed for the entire PDD area (283 vs 275) and less commercial space than allowed and proposed in phase 1 (19,000 sf vs 25,000 sf). Please clarify and update the report as necessary. (Note that this comment applies to the Sanitary Sewer Engineers Report as well.)



Referrals

1. Rensselaer County Department of Health for approval of the proposed Extension of the Water distribution and Wastewater collection systems.
2. NYS Department of Transportation regarding the construction of a new commercial entrance onto US Route 9 & 20 (aka Columbia Turnpike) and connection to the NYS-owned drainage facilities located therein.
3. NYS Department of Environmental Conservation regarding the Stormwater Pollution Prevention Plan (SWPPP) and also NYS Part 750-2.10 regarding a sewer service extension for the connection of a residential project conveying more than 2,500 gallons per day to an existing sewage collection system.
4. Rensselaer County Department of Planning for review and comment in accordance with Municipal Law 239-m.
5. Local Fire Department for review of the fire hydrant locations, building fire connections, and emergency vehicle turning movements.
6. Town Attorney regarding easements and roadway maintenance agreements.

This correspondence shall be utilized in conjunction with additional comments from the Planning Board, Fire Department, Planning Department and the Town Attorney. If you have any questions or concerns, please feel free to contact this office at 518-828-2300.

Very truly yours,

CPL

Raymond Jurkowski, P.E.
Principal

RJJ/sg

CC: Adam Yagelski, Director of Planning and Zoning



The Town of East Greenbush

PLANNING AND ZONING DEPARTMENT

225 Columbia Turnpike, Rensselaer, New York 12144
Phone: 518.694.4011 Fax: 518.477.2386

MEMORANDUM

TO: Planning Board
FROM: Anna Feltham, Planner
DATE: June 21, 2021
SUBJECT: 21-13 D'Ambrosi– 351 Columbia Turnpike – Site Plan Modification

[Background](#)

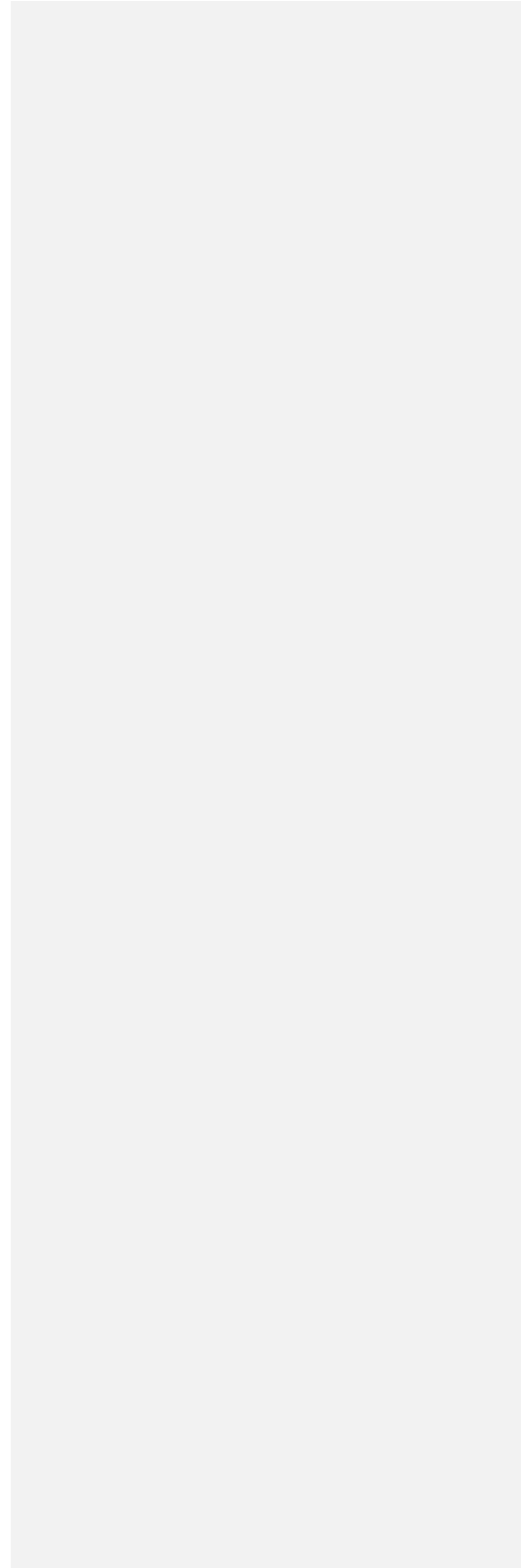
The Site is located at 351 Columbia Turnpike, tax parcel 166-3-9 and is zoned General Business Mixed Use District (B-1). The intent of the B-1 district is to promote redevelopment with high-density, mixed use structure which help define a coherent village atmosphere, providing local goods and services and linking nearby residential neighborhoods with a pedestrian-friendly environment.

All new uses, with some exceptions and all changes of use require site plan review and approval.

[Proposed Action](#)

Proposed Site Plan, Minor Modification at 351 Columbia Turnpike brought by Applicant, Anthony D'Ambrosi, in which the Applicant is seeking a certificate of occupancy to house a tattoo shop, Mystic Moth Tattoo. No structural changes are proposed. The Applicant would seek allowable signage.

Commented [AF1]: County 239 referral language needs to be added



**MYSTIC MOTH TATTOO
351 COLUMBIA TPKE
SITE PLAN MODIFICATION
JUNE 23, 2021**

MOTION for CONDITIONAL APPROVAL (21-13)

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 action, which involves reuse of a commercial structure under SEQRA and Chapter 6 Part 617.5(C)(18) of the Codes, Rules, and Regulations of the State of New York, and approves the Site Plan Modification subject to the following conditions**

- **Satisfying outstanding technical details as determined by the Town Planning and Zoning Department; and**
- **Prior to issuance of a building permit, the Applicant submit to the Building and Codes Department an application for approval of proposed signage and, if necessary, obtain a variance from the ZBA for proposed signage if the proposed signage does not conform to the Town code;**
- **All remaining fees are paid to the Town**

CARPINELLO
Minor 2-Lot Subdivision
137 COLUMBIA TURNPIKE
JUNE 23, 2021

MOTION to ACCEPT (21-14)

The Town of East Greenbush Planning Board hereby

1. Accepts the sketch plat dated, March 25, 2021, prepared by Creighton Manning Engineering for the proposed minor subdivision; and

MOTION TO REFER TO ZONING BOARD (21-14)

The Town of East Greenbush Planning Board hereby finds that the plat as proposed would violate Section 2.6.6 E of the Town's Comprehensive Zoning Law and hereby refers this project to the Zoning Board of Appeals in accordance with Town Law Section 277 Sub-section 6.

MOTION for PLANNING BOARD TO DECLARE ITS INTENT TO SEEK LEAD AGENCY AND INITIATE A COORDINATE REVIEW UNDER SEQRA (21-14)

The Planning Board hereby declares its intent to seek lead agency status in connection with a coordinated review of the project under SEQRA. The Planning Board hereby directs that notices to all involved/interested agencies requesting their consent to designation of the Planning Board as lead agency for SEQRA of the project. **The following involved and/or interested agencies under SEQRA have been identified:**

Town of East Greenbush Department of Public Works
[RESPONDING FIRE DISTRICT]
NYS DOT
NYS DEC
Rensselaer County Department of Public Health

MOTION TO SCHEDULE PUBLIC HEARING (21-14)

A Public Hearing is hereby scheduled for **July 14, 2021** @ the
East Greenbush **Town Hall** @ 7:00 PM.

DRAFT

CARPINELLO
MINOR 2-LOT SUBDIVISION
137 COLUMBIA TURNPIKE
JUNE 23, 2021

MOTION FOR CONDITIONAL APPROVAL (21-14)

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

1. Declares this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5 (16);
2. Approves the proposed less than minimum lot frontage in accordance with Section 2.6.6 E; and
3. Grants final approval of the proposed minor 2 lot subdivision prepared by Creighton Manning Engineering and dated March 25, 2021, 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