

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 MARCH 13, 2019

Members:

Matt Mastin, Chairman
Matt Polsinello
Ralph Viola
Kurt Bergmann
Nancy Kupiec
Jim Moore

Also Present:

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

CALL TO ORDER / DETERMINATION OF QUORUM

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

PUBLIC HEARINGS:

NONE

UPDATE:

TURNPIKE REDEVELOPMENT-164 COLUMBIA TURNPIKE-SITE PLAN MOD. (19-01)

Steve Hart stated that this was in front of the Board for an update only. Steve Hart stated that this is an update regarding property boundaries, lighting & landscaping. Steve Hart stated that the main issue of the last meeting was that a resident brought up the concern of this building being proposed to be built on someone else's property. A neighbor had concerns with property rights and easements. Steve Hart stated that they followed up with Hershberg & Hershberg and asked them to clarify any questions with land ownership and if it was the applicant's property or someone else's property. Steve Hart stated that they confirmed that it's all the applicant's property that they are proposing to build on. National Grid owns the right away that runs in between the applicant's property and the residents to the rear of this parcel and is an access easement. The easements that Turnpike Redevelopment Group owns can't be built on, it's a communication easement and the building is not being proposed on any easements. Steve Hart stated that there was a pole with two tall lights on it what were up for construction for the building next door and that these have been turned off. A resident in the audience confirmed that these lights were removed. Steve Hart stated that there are still some light fixtures on the rear of the building but he believes that the pole light was the biggest contributor of the problem. Steve Hart stated that in regards to the vegetative buffer, they will be utilizing what is there, that some filling in needs to be done and that a couple of bushes will be added to the rear corner of the building. Some of the fence section is down so they will replace that and also add some slates for privacy. The businesses will utilize the parking in the front of the building. There are 14 parking space on the side of the building that will be restriped. Chairman Mastin stated that the only reason for the Special Use Permit is the commercial vehicles cannot be parked outside in that Zoning District.

•Nancy Kupiec asked how old the building was that they're moving into compared to the neighboring houses, and asked if the building older than the neighboring houses. Steve Hart stated that he doesn't know, but is guessing that K-Mart had been there for 50-60 years. Tyler Culberson stated that is was built in approximately 1975. Nancy Kupiec asked if the neighboring houses were then built around the business. Steve Hart stated that he honestly doesn't know. A resident of the area spoke and stated that

the neighbor she lives in probably isn't any older than the K-Mart's but that some of the other residences may be older.

The resident stated that the retired couple that were confused about the easements, she believes that their house is older.

•Nancy Kupiec stated that the older retired couple seemed very upset about the easements & rather confused about the easements and asked if anyone has been able to talk to them or share information. Chairman Mastin stated that Steve Hart provided the information to them. Nancy Kupiec asked Adam if he believes that they understand a little more now. Adam stated that they sent some comments this morning that he hasn't been able to address yet.

•Ralph Viola asked how big the trees along the trailer park and the old Big Lots building will be that are on the plan. Steve Hart stated 6' high and 30' on center. Ralph Viola stated that he's visiting the site twice since the last meeting and he stated that he feels the lights took care of 90% of the problem of the light shed that the residents were concerned with.

•Nancy Kupiec asked what the thoughts were on the fencing suggestion. Steve Hart stated that there is some chain link fence that exists and a decent hedge row. Chairman Mastin and Nancy Kupeic also stated that you can't block an easement with a fence.

Chairman Mastin stated that an email was circulated today for a request that was received that suggested a white fence. Chairman Mastin stated he wanted to keep public comment to a minimum. Tonight is just an update and they will reconvene the meeting at a later date and the public will have another opportunity to speak but please continue to submit comments in writing.

•Ralph Viola stated that overall he feels that this use is going to be a lot more neighborhood friendly than the existing Big Lots with tractor trailers coming in and the stock being brought in, etc.

Steve Hart stated that the roof drainage will run into the existing catch basins.

•Nancy Kupiec asked if they had an architect design the building or if it will be a metal building so therefore there are no renderings. Steve Hart stated no that it's just a typical single story metal building.

Adam asked if the height of the building was 30'. Steve Hart stated that is more like 20'.

Chairman Mastin asked if there was anything else. There were no other comments or questions.

WORKSHOPS:

B-1 ZONING AMENDMENT DISCUSSION WITH THE TOWN BOARD.

Chairman Mastin thanked the Town Board for coming to their meeting. The Town Board and Planning Board had a discussion on each of their thoughts regarding Columbia Turnpike and the proposed B-1 Zoning Amendment which would eliminate the 2-story requirement.

Supervisor Conway expressed that he felt the 2-story requirement in the B-1 Zone was hindering development from his discussions with developers. Councilman Rick Matters stated that he would like to see the current law run its course. It was noted that Town Planner Adam Yagelski had provided an alternative to keep the height requirement in the district but remove the habitability requirement. The workshop ended with Supervisor Conway seeking further comment/recommendations from the Planning Board, but in the event nothing was received in the near future, he would move to eliminate the 2-story requirement.

OLD BUSINESS:

NONE

NEW BUSINESS:

PHANTOM FIREWORKS-570 COLUMBIA TRPK-SITE PLAN MOD. (19-04)

Vincent Szabo of Phantom Fireworks presented the proposal to the Board. Vincent stated that he attended the PRT meeting on Monday. They are proposing a 20' x 40' tent & 8' x4 40' storage container in the parking lot at 570 Columbia Turnpike and presented a diagram to the Board. There is access to power on the sign next to the tent and the employees are allowed to go inside the Bowling Alley to use their restrooms.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board classifies this project as a Type II action under SEQRA and hereby grants final approval of the proposed temporary minor site plan modification subject to the following conditions:**

1. Tent setup will not occur before June 20, 2019 and shall be removed no later than July 7, 2019.
2. All external signs and advertising not be displayed prior to June 20, 2019 and shall be removed no later than July 5, 2019.
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, 2019 to July 5, 2019.
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, 2019.

Seconded by Mike Bottillo & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

COVERED BRIDGE-MICHAEL ROAD-PDD/MAJOR SITE PLAN: (13-09)

Chairman Mastin read into the record the following resolution:

MOTION: A motion was made by Chairman Mastin as follows: **The Planning Board hereby adopts the attached report and negative recommendation on the Covered Bridge PDD and votes to forward the attached report and recommendation to the Town Board. The Planning Board Secretary shall cause the findings and recommendation to be transmitted to the Town Board. *See the attached.**

Seconded by Nancy Kupiec & roll called as follows:

M. Mastin-YES; M. Bottillo-YES; J. Moore-Abstain; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.

MOTION CARRIED BY A 5-0-1 VOTE

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERRALS:

NONE

REVIEW AND APPROVAL OF MEETING MINUTES:

Motion by Chairman Mastin to approve the February 13, 2019 meeting minutes as is.

Seconded by Kurt Bergmann. Motion carried by a 4-0-2 vote. Jim Moore & Ralph Viola abstained.

Motion by Chairman Mastin to approve the February 27, 2019 meeting minutes as is.

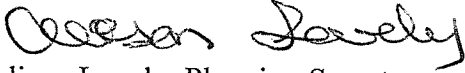
Seconded by Kurt Bergman. Motion carried by a 4-0-2 vote. Mike Bottillo & Jim Moore abstained.

ADJOURMENT:

There being no further business before the Board, the meeting was adjourned by Chairman Mastin.

Seconded by Kurt Bergmann. Carried by a 6-0 vote.

Respectfully Submitted


Alison Lovely, Planning Secretary

Motion (13-09)
Covered Bridge Planned Development District Recommendation to the Town Board

Motion: A motion was made by Chairman Mastin as follow: **The Town Planning Board in its review of the Covered Bridge Planned Development District (hereinafter "PDD") application, held a public hearing on the proposed PDD on February 13, 2019, and considered, among other factors, the following as stated in 2.9.7 of the Comprehensive Zoning Law of the Town of East Greenbush:**

1. The need for the proposed land use at the proposed project locations.
2. The existing character of the neighborhood in which the PDD will be located.
3. The location of the principal and accessory buildings on the site in relation to one another.
4. The pedestrian circulation and open space in relation to structures.
5. The traffic circulation features within the site, and the amount, location and access to automobile parking areas.

In the Planning Board's review, the following comments have been offered for the Town Board's consideration:

1. The Need for the Proposed Land Use at the Proposed Project Locations

The proposed project consists of 286 apartment units, which the applicant seeks to develop in two phases: 168 units in Phase 1 and an additional 118 units in Phase 2. The applicant has submitted a market study as part of its application. The Market Study indicates that the initial phase of the project should total 160 units/apartments. The Study also notes that there is a future potential in the market for 126 units once the initial phase is occupied, for a total of 286 units.

While the market study provided does show that there is a market for apartments within the Town of East Greenbush, the study does not show an immediate market for the 286 units which would constitute final build out. Furthermore, the market study provided did not specify the need for the project at the proposed location as opposed to other locations within the Town.

2. The Existing Character of the Neighborhood in which the PDD will be located

According to the 2006 Land Use Study (hereinafter "Study"), the easterly portion of the parcel where the principal buildings would be located is in the Rural East Greenbush Character Area. According to the Study: "The eastern area of the Town of East Greenbush, primarily due east of I-90 in the south and Route 4 in the north, may best be described as primarily rural, scenic landscape character with low density of people and housing. The rural character includes active and former farm fields and agricultural heritage, older farm houses and barns, rolling hills and topography, and woodlands. The area is primarily settled with single-family houses dispersed intermittently along rural roads, yet some newer suburban-type developments have been taking shape in more recent years. The Study indicates

that "The public input received for the rural portion of town was essentially to maintain the existing landscape patterns and try to 'keep it as it is.'"

The Study provides the following Land Use Vision for the Rural East Greenbush character area: "The vision for the rural East Greenbush area is to conserve the scenic, agricultural character and key natural resources and develop at a low intensity in this existing residential area of town. The historic and agricultural heritage of this area, including the settlement areas and patterns of Best and Luther, should be conserved for their contribution to the unique, rural character. Scenic views and landscapes along the area's roadways are also important to the overall character of the area." The Study states that "Within the rural East Greenbush character area, the major recommendations are focused on obtaining a balance between growth and protection of rural character."

The westerly portion of the proposed project is in the Route 4 South character area. According to the Study: "The Route 4 south area is predominantly characterized by residential settlement on both sides of Route 4 between Mill Creek and its tributary. Major community features include the hamlet of Couse Corners at the intersection of Route 4 and Route 151." The Study indicates that "Community input on the character of this area focuses on the need to improve traffic congestion on Route 4 and concerns about growth pressures and impacts as this area continues to build out, especially in the area between Route 4 and Michael Road. Specifically, there are concerns that the density allowed under current zoning may be too intense for the character of the area. There are also concerns about the traffic pressures on Michael Road, which is now being used as a short-cut to reach the public facilities such as the library and YMCA off of Route 151. There is a general desire to see residential and commercial growth pressures from Route 4 to be transferred to infill and redevelop the 9 & 20 corridor, where the infrastructure already exists."

The Study provides the following Land Use Vision for the Route 4 South character area, "The overall emphasis of new growth in this area should be to retain the existing residential character and strengthen it as a walkable area featuring civic buildings (town library, YMCA, firehouse, rescue squad) and institutions (Columbia High School, Genet School). These buildings should serve as key focal sites that are integrated into the residential fabric of well-designed, quality neighborhoods. This area enjoys scenic, natural features that should be conserved to the extent practicable, and designed with as a programmatic feature -- as part of future growth patterns." Guiding principles are: "Maintain and connect to the traditional settlement patterns of neighborhoods as a model for new residential street patterns. Enhance walkability to the Columbia High School, Library, YMCA, and existing commercial buildings and properties, uses of the Fire Station and Rescue Squad. Enhance and buffer the adjoining residential neighborhood from new growth and changes to the landscape. Conserve and feature the scenic, natural character of this area in existing and new development. Providing for useable open space or park lands as part of any new development in this area would be a desirable community amenity."

The proposed project is located within the R-B (Residential-Buffer) Zone. According to Section 2.6.3.A of the Town's Comprehensive Zoning Law, "The purpose of the R-B district is to support low-density residential, agricultural, rural and open space uses and serve as a transition from the medium-density neighborhoods of East Greenbush to the more rural areas of town."

Under the R-B Zoning Requirements, the applicant has stated (6-28-18 response letter) that 34 single family homes could be constructed on this proposed parcel. The proposal is for 286 apartment units, representing an 741% increase (approximately 7-1/2 times the allowed density) in the base

developable area density and a 294% increase over the allowed density by-right of 2.0 units/acre if constrained lands are not subtracted from the density calculation.

The applicant has made the argument that there are existing Planned Development Districts and commercial uses in the surrounding neighborhood. In the surrounding neighborhood there exists the YMCA and East Greenbush Community Library, as well as a residential senior living facility (The Eddy). There are currently no high-density market-rate residential units in this location. A review of tax parcel data shows that within 2,500 feet of the center of the subject tax parcel there are 205 parcels representing roughly 970.3 acres. Approximately 79% of parcels are single family residential; another 8% are classified as rural vacant and residential vacant land, for a total of 87%. Approximately 60% of the land area is residential or agricultural land (Rural Residential, Rural Vacant, and Field Crops codes) and 8% is one family residential; however, only 4% of land area combined is apartments (Mill Creek Apartments), senior housing, and 2-family residential. The Amedore Senior Housing project has been proposed just north of this location; however that project is an as of right land use.

The Planning Board finds that the project location is inconsistent with the goals and visions of the area as discussed within the 2006 Land Use Study and the R-B Zone as defined in the Town's Comprehensive Zoning Law. The Planning Board has major concerns that the proposed project is out of character of the existing neighborhood, which is overwhelmingly defined by single family residential, vacant land, and agricultural land use classifications, and that the extremely high increase in density will negatively affect the rural character and walkability of the area as it currently exists, and intensity traffic issues identified in the Study.

3. The location of the principal and accessory buildings on the site in relation to one another

The PDD proposal consists of seven (7) apartment buildings. Six (6) units will contain 28 units per building and the seventh building would contain 118 units. Accessory buildings include: a clubhouse and a horse stable. The buildings are situated atop an area of high elevation relative to the Mill Creek corridor. Mill Creek flows north to south through the easterly portion of the site. Mill Creek is classified as a C(TS) stream, capable of supporting a trout population, and NYSDEC records confirm presence of native brook trout in Mill Creek. A National Grid electric transmission corridor bisects the property in a northeast-southwest alignment and divides the main body of the property into two areas; southerly by undeveloped lands; and northerly by lands containing a garage and storm water detention basin for an adjacent property to the west of Michael Road.

The location of the buildings on the site requires construction of a bridge across Mill Creek and approximately 2,600 feet of paved emergency access road. Considering that the overall project proposes to disturb approximately 25 acres during construction, the applicant has indicated that a waiver from the 5-acre maximum allowed disturbance under NYSDEC stormwater rules (i.e., Permit GP-0-15-002) will be required. Post-construction, the project would create approximately 6.9 acres of impervious area (buildings and pavement), or 14.2% of the entire project parcel area of 48.7 acres.

The bisection of the development by a National Grid transmission corridor is not ideal, however measures would be taken to ensure the developer/landowner has an easement to cross that corridor. The Town of East Greenbush is a regulated MS4 and would be required to grant the applicant a waiver from the 5-acre maximum disturbance, and the project as proposed requires disturbance of more than 5-acres of land at a time. Land disturbances of significant size are often difficult to properly manage, and

mass grading operations have a high potential to discharge turbid and sediment-laden runoff into receiving waters. Therefore, the Planning Board finds that the proposal has an increased potential to result in water quality impacts to Mill Creek, a stream supporting native brook trout, and the adjacent federally regulated wetlands during construction. Post-construction stormwater management practices would be required and are proposed. The Planning Board also has concerns about the feasibility of constructing the proposed bridge as well as the long-term maintenance and operation of the bridge and the emergency access drive.

4. The pedestrian circulation and open space in relation to structures

The plans call for proposed walking and horse riding trails within the development and include ADA-compliant sidewalks. Connectivity to the neighborhood sidewalk network could be made in the future. Approximately 23 acres of the project would not be disturbed during construction and continue to remain as open space. The project would concentrate development in the higher elevation portion of the site to the east, where there would be comparatively less open space integrated into the project. However, open space would be maintained and available in the non-developed areas.

According to the Town's designated engineer, adequate sight distance needs to be provided to improve safety. A high visibility crosswalk marking should be provided for pedestrians to cross to/from Community Way and Covered Bridge Way. In addition, the designer needs to consider other elements to provide for a safe crossing that includes signage, ADA accessibility and any other elements to improve safety. The applicant has stated that a portion of the right-of-way needed from the adjacent property owner has not been obtained to extend the sidewalk to the intersection but that funding could be provided to the Town to construct pedestrian infrastructure in the future.

It is unclear if there will be future pedestrian circulation in the form of walking trails in the undeveloped areas of the site. Due to the gradients, much of this land is undevelopable.

There is currently no plan to connect sidewalks from the proposed project to the existing sidewalks at the intersection of Michael Road and Community Way. The Planning Board is concerned that this project will increase pedestrian traffic on Michael Road where sidewalks do not exist, posing an increase of danger to those pedestrians and drivers navigating Michael Road. Traffic safety concerns at the intersection of Michael Rd and the proposed primary access drive were raised by the Town's designated engineer, and the applicant has stated that pedestrian infrastructure will be addressed. The Planning Board finds that the proposal must address pedestrian safety, subject to review by DPW and the Town's designated engineer. Pedestrian and traffic safety were among the biggest concerns expressed by the residents living in the neighborhood at the Public Hearing held on February 13, 2019.

5. The Traffic Circulation features within the Site, and the amount, location and access to automobile parking areas

Access to the proposed development will be from Michael Road. A private drive will exit from Michael Road, cross Mill Creek, and provide access to seven (7) apartment buildings. The 24' wide paved portion of Covered Bridge Way would terminate approximately 2,200' into the site. A gravel roadway is

proposed to extend for approximately 1,100' and terminate at Michael Road immediately south of the existing Michael Road/Mill Creek crossing. Covered Bridge Way would be privately owned and maintained by the development and would contain a "New England" style covered bridge as a development identify feature.

The bridge would have a span of approximately 50 feet. The Planning Board has requested soil borings needed for bridge feasibility analysis and design. The location on the site also requires construction of approximately 2,600 feet of paved emergency access road with maximum grade of approximately 10%.

The East Greenbush Fire Department (EGFD) was consulted as part of the review. The EGFD expressed the following concerns: The site plan must have adequate turning radius for the fire truck. The Town's engineer has requested that the applicant provide a turning table to demonstrate that EGFD fire apparatus can successfully negotiate the site. This includes both the main access driveway and the emergency access road; the emergency access road must be maintained and be structurally sound to handle the weight of the fire truck; The fire department would like to be able to access all sides of the proposed buildings, main concern is having adequate access to proposed building number 7; The buildings need to be designed so that center stairs are provided for access into the units; Snow pile buildup on site is a concern. The proposed design must address how and where the snow will be stored on site so that it will not be an obstacle for the fire trucks; Elevation view of the proposed buildings should be provided.

The development would provide access to garaged parking under each building. The project requires 536 spaces and 536 are provided. The project further requires 156 garage spaces and 191 garage spaces are provided.

Overall, the Planning Board finds that crossing Mill Creek is not ideal due to the potential for pollution; The Planning Board has concerns about feasibility of bridge construction in the location proposed. The Planning Board also has concerns about the long-term maintenance of the proposed bridge and emergency access drive. The applicant has stated that the EGFD's concerns have been addressed. The Planning Board recommends that the applicant provide a turning table as requested by the Town's engineer and that a letter from the EGFD be obtained upon their review of the most current plans. Provided the EGFD's concerns are addressed, the traffic circulation within the site and the automobile parking areas do not appear to be problematic.

6. Traffic concerns in the Areas Adjacent to the Project and the Town as a Whole

This project would generate 132 AM and 161 Peak PM trips onto Michael Road. The Traffic Study supplied by the applicant finds that Red Mill Road/Luther Road/Troy Road (Rt 4), Community Way/Michael Road, and Elliot Road/Michael Way will operate at acceptable levels of service and experience no additional delay. At the Luther Road/Michael Road intersection, the northbound and eastbound approaches will experience moderate increases in delay. The Traffic Study recommends changes to the signal timings and northbound lane assignments are recommended. The Traffic Study included a sensitivity analysis which shows that the eastbound approach to the Red Mill Road/Luther Road/Troy Road intersection will experience an increase in delay during the PM peak hour, suggesting that drivers will use other routes if the delay is excessive.

Michael Road is functionally classified as a local road (FC 19). The roadway does not meet the Town's current roadway geometric or pavement section standards. Although the current Michael Road/Covered Bridge Way intersection appears to meet the intersection sight distance requirements based upon the operating speed of 35 MPH, there are several sharp horizontal curves south of the intersection that are a concern with respect to traffic safety. An earlier iteration of the proposal involved realigning Michael Road to improve intersection stopping sight distance would also have improved the roadway geometry. This re-alignment is not part of the current iteration, in which the access drive has been changed. In addition, the area does generate pedestrian traffic from and to areas such as Columbia High School, YMCA and the Public Library, and this project would generate more pedestrian travel. Since Michael Road is a user road, providing a pedestrian connection from Covered Bridge Way to Community Way to connect with the existing sidewalk is not possible unless the developer purchases the right of way from the private property owner. To date there is no indication that the property owner is amenable to sell a strip of land for the sidewalk.

Crash data provided by the New York State Department of Transportation show that between June 1, 2015 and May 31, 2018, there were twelve (12) crashes at the Michael Road/Luther Road (NY Route 151) intersection. Two (2) crashes involved injuries, and one (1) crash involved a pedestrian. The data show no crashes at the Michael Road/Elliot Road intersection in this period. The crash data also show that five (5) crashes occurred along Michael Road during this period.

The Planning Board finds that although the intersections analyzed in the Traffic Study should generally not be impacted by the project, when combined with expected traffic to be generated by approved developments (i.e. EG Tech Park and Regeneron's Tempel Lane Campus) the Couse Corners Roundabout will operate in at LOS E (i.e., at or near capacity levels with poor levels of comfort and convenience). During the February 13, 2019 public hearing, the overwhelming majority of those in attendance expressed traffic-related concerns, including pedestrian safety, vehicle safety, and delays. Moreover, traffic safety impacts may occur due to the additional trips generated by the project. There is also a concern regarding the project providing safe pedestrian travel on Michael Road to the pedestrian generators in the project area. The developer is not proposing to fix Michael Road but is proposing a cash payment as part of the amenity package; however, the funds proposed may not be sufficient to address safety concerns on Michael Road.

7. Utilities

The utility infrastructure development of the site will consist of the construction of utility extensions for water, sanitary, electric, gas, telephone, and cable. The costs of the extension of utility infrastructure system, including upgrades to existing infrastructure, would be the responsibility of the Developer and conveyed to the Town of East Greenbush upon completion. The project would require approximately 31,460 gpd and using a peak factor four (4) is 125,840 gpd or 87.4 GPM and generate approximately 31,460 gpd of wastewater with a total maximum peak flow using a factor of four (4) of 125,840 gpd or 87.4 GPM or 0.19 cfs. Analysis of the sanitary system concludes that some peak flow mitigation be employed by use of on-site flow equalization. This system would reduce peak flows to an average of 25 gallons per minute and a discharge during off peak hours.

In general, the Covered Bridge project will be making one (1) connection to the existing 8-inch water main along the west side of Michael Road. Presently, a Low-Pressure Sewer (LPS) system is proposed and to connect into the existing system at the intersection of Michael Road and Community Way that is

presently directed to the Couse/Luther Road Pump Station. Sanitary sewer located within the project's limits will be owned and maintained by Covered Bridge Partners. Sanitary sewer located off site will be located within utility easements where necessary and offered for dedication to the Town of East Greenbush. Stormwater management will consist of a collection system(s) and management area(s).

The Planning Board finds that there will be some flow impacts to the Luther Road pumping station but the applicant has agreed to work with the Town to mitigate these impacts. The Planning Board recommends confirmation of the precise approach needed to mitigate flow impacts. The Town's water supply system appears to be capable of supplying water needed for the project including, necessary fire flows. The Planning Board acknowledges that the application will be required to sign a stormwater operation and maintenance agreement with the Town for the proposed stormwater management areas.

8. Amenities

In accordance with Section 2.9.5 of the Town's Comprehensive Zoning Law, where a PDD occurs by a rezoning of a prior residential district, the density shall not exceed the base density otherwise permitted per developable area in the "District Area and Bulk Schedule" for that district. However, a project amenity package will be considered for potential incentive to allow an increased density.

Where the Town Board determines that a suitable community benefit or amenity is not immediately feasible, or otherwise not practicable, the Board may require a payment to the town of a sum to be determined by the Town Board. An increase or bonus in density and/or change in permitted land use provided by the town in the PDD shall be commensurate with the amenity or benefit provided. As a general guideline, the amenity package proposed must be commensurate with any density increase or use change proposed, based on each additional unit beyond the base or allowed residential density.

Under the R-B Zoning Requirements, the applicant has stated (6-28-18 response letter) that 34 single family homes could be constructed on this proposed parcel. The proposal is for 286 apartment units, representing a 741% increase in the base developable area density and a 294% increase over the allowed density by-right of 2.0 units/acre.

To offset this increase in density, the applicant has proposed a \$500,000 cash payment to the Town for improvements or acquisition of public/community facilities such as parks, trails, water, sewer, etc. in accordance with Section 2.9.5 (c)(05) of the Town's Comprehensive Zoning Code. As the applicant's proposal consists of 286 units at full buildout, this would be an increase of 252 units over the allowable 34 single family homes. As such, applicant's proposal of \$500,000 cash benefit to the town would equate to approximately \$1,985.00 in cash benefit per unit over the allowed density.

While it is ultimately within the Town Board's discretion as to whether the proposed cash amenity is commensurate with the significant increase in density, the Planning Board has doubts that such one-time payment is worth the potential change of character to the existing neighborhood, especially for a project which appears devoid of providing any other benefit to the community as a whole.

Conclusions and Recommendations

The Planning Board concludes that the development at the proposed location is not consistent with the intent of the R-B Zone, the 2006 Land Use Study, or the existing character of the neighborhood. The proposal will substantially increase density and has the potential to cause significant negative

impacts in the surrounding areas, including a detrimental effect on the rural character of the neighborhood, an increase in traffic along Michael Road, Luther Road, and Elliot Road, and an increase in danger to pedestrian traffic in the surrounding areas, many of whom are students and senior citizens.

The Planning Board thus recommends that the Town Board disapprove the proposed Covered Bridge Planned Development District.

Seconded by Nancy Kupiec & roll called as follows:

M. Mastin-YES; M. Bottillo-YES; J. Moore-Abstain; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES.

MOTION CARRIED BY A 5-0-1 VOTE