

# 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 AUGUST 9, 2023 MEETING WILL BE HELD IN THE COMMUNITY ROOM AT TOWN HALL

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

**PUBLIC HEARINGS:**

7:00 PM Golden Grain-118 Troy Road – Special Use Permit

**OLD BUSINESS:**

(23-16) Golden Grain-118 Troy Road-Minor Site Plan/SUP-Parking Lot Addition- SEQRA Classification,  
*Review for conditional approval of SUP & Minor Site Plan-Tentative*

**NEW BUSINESS:**

(23-18) Regeneron-Bldg. 7 Tempel Lane-Site Plan Modification-Golf Cart Charging Station- Accept  
*Sketch Plan, SEQR Classification/Review for Conditional Approval*

**NEW ZBA REPORTS:**

NONE

**NEW ZBA REFERRALS:**

NONE

**REVIEW & APPROVAL OF MEETING MINUTES:**

*July 26, 2023 meeting minutes*

*\*To view application materials use this link:* <https://www.eastgreenbush.org/departments/planning-zoning/apps>

# **TOWN OF EAST GREENBUSH PLANNING BOARD**

TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144 (518)477-2005 FAX (518)477-2386

---

## **MEMORANDUM**

### **LEGAL NOTICE GOLDEN GRAIN SPECIAL USE PERMIT PLANNING BOARD TOWN OF EAST GREENBUSH**

The Town of East Greenbush Planning Board shall conduct a Public Hearing pursuant to New York State Town Law Section 2.7.1 Personal/Professional District (PPB) Subsection C Special Use Permit Uses: “Restaurant; Indoor, fully enclosed” of the Town's Comprehensive Zoning Law, on an application for a Special Use Permit for the property located at 118 Troy Road, East Greenbush, NY, Tax Map # 155.12-1-1, which is Zoned PPB. The applicant is operating a restaurant. The review of the proposed work requires a Special Use Permit per The Town’s Comprehensive Zoning Law Section II-4 Use Schedule. Said Public Hearing will be held on Wednesday, August 9, 2023 at 7:00 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

**GOLDEN GRAIN**  
**MINOR SITE PLAN**  
**118 TROY ROAD**  
**JULY 26, 2023**

**MOTION for CONDITIONAL APPROVAL**  
**(23-16)**

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

- 1. Determines this action to be a Type II SEQRA action in accordance with 6 CRR-NY 617.5(c)(18): Reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part.**
- 2. Grants final approval of the proposed Minor Site Plan as depicted on the site plan labeled as “Option 1” which shows the parking facing the adjacent law office to the West at 1001 Glaz Street prepared by Advance Engineering dated October 28, 2022, subject to the following conditions:**
  - a. Satisfying outstanding technical details as determined by the Town’s Department of Planning and Zoning.**
  - b. All remaining fees are paid to the Town.**

*End of Motion*

Town of East Greenbush  
PLANNING BOARD

In the matter by:  
Golden Grain  
For a **Special Use Permit**

**Resolution and  
Final Decision of  
Planning Board**

**File No. 23-16**

**Whereas**, an application has been filed by Golden Grain/Zafer Ak, operating an existing restaurant; and

**Whereas**, the proposal would constitute a “Restaurant; Indoor, fully enclosed” in the Town’s PPB Zone, requiring a Special Use Permit;

**Whereas**, the applicant has filed an application for a Special Use Permit for a “Restaurant; Indoor, fully enclosed” at the property located on 118 Troy Rd, East Greenbush, NY (Tax Map No. 155.12-1-1); and

**Whereas**, the Planning Board has duly published a notice of public hearing regarding this appeal in The Record on August 3, 2023; and

**Whereas**, notice of the 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, August 9, 2023 to consider this application; 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**, the Planning Board has carefully reviewed the materials submitted in connection with this appeal under SEQRA, including the short environmental assessment form, and hereby classifies the action as a type 2 action under 6 CRR-NY 617.5(c)(18); now, therefore, be it

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

1. The location and size of the use, the nature and intensity of the operation involved, the size of the site in relation to the use, and the location of the site with respect to the existing and any future streets providing access are in harmony with the orderly development of the PBB Zoning District;
2. The nature and intensity of the intended operation will not discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
3. Proposed traffic access ways are adequate;

- 4. Off-street parking is not necessary or required for the proposal;
- 5. The proposal would not be contrary to the general harmony of the neighborhood; and

be it further

**Resolved**, that the application for a Special Use Permit for a Restaurant; Indoor, fully enclosed” in the Town’s PPB Zone, be Granted with the following conditions:

- 1. The applicant must comply with all local, State, and Federal laws.
- 2. The applicant must comply with the accompanying site plan.

This resolution was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting duly held on August 9, 2023.

*(Discussion)*

A vote was taken as follows:

Matt Mastin    \_\_\_  
 Ralph Viola    \_\_\_  
 Kurt Bergmann \_\_\_  
 Don Panton    \_\_\_  
 Chris Horne    \_\_\_  
 John Conway   \_\_\_  
 Robert Jucha   \_\_\_

Motion carried

**TOWN OF EAST GREENBUSH  
PLANNING BOARD**

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

Dated: \_\_\_\_\_, 2023

***\*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:

Golden Grain  
Attn: Zafer Ak  
118 Troy Rd  
East Greenbush, NY 12061

Cc: Rensselaer County Planning (via email)  
Town Clerk (via email)  
Building Inspector (via email)  
Assessor (via email)  
PB File No. 23-16

**REGENERON**  
**350 TEMPEL LANE**  
**SITE PLAN MODIFICATION**  
**AUGUST 9<sup>th</sup>, 2023**

**MOTION FOR CONDITIONAL APPROVAL:**  
**(23-18)**

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 SEQRA action in accordance with 6 CRR-NY 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”, and grants final approval of the proposed Site Plan Modification as depicted on the site plan entitled “ Regeneron Pharmaceuticals Bldg 7 Charging Stations” prepared by Hart Engineering, dated April 2023 subject to the following conditions:**

- **Satisfying outstanding technical details as determined by the Town’s Department of Planning and Zoning.**
- **All remaining fees are paid to the Town.**