

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 24, 2023

Members:

Matt Mastin, Chairman
Don Panton
John Conway Jr.
Robert Jucha
Kurt Bergmann
Chris Horne
Ralph Viola

Also Present:

Joseph Slater, Planning Board Attorney
Alison Lovely, Secretary, Planning/Zoning

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Mastin called the meeting to order and determined that a quorum of seven (7) members were present.

PUBLIC HEARINGS:

NONE

OLD BUSINESS:

MABEY'S-486 THIRD AVE EXT.-PHASE 2 -MAJOR SITE PLAN & SUP

(19-02A)

Chairman Mastin that the Board has seen this project several times & tonight's it's in front of the Board for conditional final approval of the Special Use Permit & asked Steve Hart to give a quick update. Steve Hart from Hart Engineering stated that nothing on the renderings or plan has changed since the last meeting. Steve Hart stated that the project was in front of the Town Board on May 17, 2023 and received conditional approval for the major site plan. Steve Hart stated that originally, they thought they might need a NYS DOT Highway permit, but now it's not needed & asked if the resolution needs to be modified or something. Joe Slater stated that Special Use Permit resolution has a condition in it that all site plan conditions have to be met as well, but as far as Steve's comment, Joe stated that there is always a comment about satisfying any outstanding technical details and stated that if it's not outstanding than it doesn't need to be done & it could fall under that.

- Kurt Bergmann asked if Mabey's is going to be offended by the guy across the street that has all of the stuff in his front yard. Steve Hart stated he didn't think so.
- Don Panton asked how far the building is in off the road. Steve Hart stated that it's about 80' off the blacktop.
- Chris Horne asked if there was a flag pole on the plan. Steve Hart stated there is and pointed it out on the site plan.
- Kurt Bergmann asked if that will be lit continuously at night. Steve Hart stated that he thought so, he knows there are guidelines.
- Robert Jucha commented that if the flag is left out at night, then it has to be lit.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby approves the special use permit for Mabey's. *See attached resolution.**

Seconded by Kurt Bergmann & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

NEW BUSINESS:

NONE

NEW ZBA REPORTS:

NONE

NEW ZBA REFERRALS:

ZBA Appeal #2023-04-Francis-8 Lake Shore Drive-Area Variance-Rear Setback-Addition-assigned to John Conway-report due June 14, 2023

REVIEW AND APPROVAL OF MEETING MINUTES:

Motion by Chairman Mastin to approve the May 10, 2023 meeting minutes. Seconded by Don Panton. Motion carried by a 7-0 vote.

OTHER:

Chairman Mastin stated that as many of you probably saw in the the email, Anna Feltham has taken a new position and her last day is June 8th. She has been great to work with, when she took over her current position, she never missed a beat. She did a great job, especially supporting the Planning Board & we're very sorry to see her go.

CLOSING:

There being no further business before the Board, the meeting was closed by Chairman Mastin. Seconded by Kurt Bergmann. Motion carried by a 7-0 vote.

Respectfully Submitted

Alison Lovely

Alison Lovely, Planning Secretary

Copy To:

Mabey's Realty Inc.
486 Third Avenue Extension
Rensselaer, NY 12144

Cc: PB File No. 19-02a

Via Email: Building Inspector
Assessor
Rensselaer County Planning

Town of East Greenbush
PLANNING BOARD

In the matter by:
Mabey's Realty Inc. For a
Special Use Permit

**Resolution and
Final Decision of
Planning Board**

File No. 19-02A-Phase 2

Whereas, An application has been filed by Mabey's Realty Inc. of 486 Third Avenue Extension, Rensselaer, NY, proposing the construction of an approximately 30,566 square feet, 1-story warehouse storage building and related improvements. The property is located in the Corporate Office/Regional Commercial Zoning District (OC) zone. This application has been examined for compliance with the applicable provisions of the Comprehensive Zoning Laws and the Town Code of East Greenbush; New York State Town Law Section 274-b and Section 3.11 of the Town's Comprehensive Zoning Law, on an application for a Special Use Permit to construct a storage facility, which is required Per Section 2.7.5 C of the Town's Comprehensive Zoning Law (Storage; self-storage rental facility & Storage; wholesaling/warehousing, off site); and

Whereas, The applicant has filed an application requesting a Special Use Permit at the property located at 486 Third Avenue Extension, East Greenbush, NY (Tax Map No. 144.-3-6.2); and

Whereas, The Planning Board has duly published a notice of public hearing regarding this appeal in The Record on April 15, 2023; and

Whereas, Notice of the initial Public Hearing was provided by Certified Mail to the owners of all property within 200 feet of the land involved in the application, and to the Rensselaer County Bureau of Economic Development and Planning; and

Whereas, A Public Hearing was held by the Planning Board on Wednesday, April 26, 2023 in the Town Hall of the Town of East Greenbush to consider this appeal; 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, This appeal has met all the requirements of SEQR, with the Town Board issuing a Negative Declaration on the subject application and accompanying site plan on May 17, 2023 now, therefore, be it

Resolved, That the Planning Board makes the following findings of fact:

- 1. The application has been reviewed and determined to be compliant with the 7 criteria as defined in Section 3.11.01 of the Town's Comprehensive Zoning Law. Specifically, the location and size of the use, and the intensity of the operations involved are in harmony with the district;
- 2. The location, nature, and height of the buildings will not discourage appropriate development and use of adjacent land and buildings; The building renderings, consisting of a windowed façade, will make the building more attractive than the current buildings on the site.
- 3. No additional traffic access is needed for Phase II of the development and off-street parking is adequate.
- 4. There is minimal change to off-street parking;
- 5. As a result of the construction of the warehouse storage building existing off-street parking may be less visible from residential lots;
- 6. The proposed use is in keeping with the existing development on site. The use will not be more objectionable than existing or nearby uses and will not adversely affect the general welfare of the inhabitants of the Town of East Greenbush;
- 7. The proposed buildings are readily accessible for fire and police protection.

Resolved, that the application for a Special Use Permit for the proposed 30,566 square feet warehouse storage building at the property located at 486 Third Avenue Extension, be Granted with the following conditions:

- 1. That the applicant be compliant with the corresponding site plan approval conditions: Lighting & hours of operation as indicated on the site plan; and
- 2. The plans must include a note stating the date of Planning Board Special Use Permit approval.
- 3. Conditions included in the final Town Board major site plan approval dated May 17, 2023 are applicable.
- 4. Subject to renewal 60 days after the issuance of a Certificate of Occupancy by the Planning Board to ensure compliance within the aforementioned conditions.

This resolution was moved by Chairman Mastin and seconded by Kurt Bergmann at a meeting duly held on May 24, 2023.

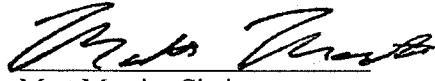
(Discussion)

A vote was taken as follows:

- Matt Mastin Yes
- Robert Jucha Yes
- Ralph Viola Yes
- John Conway Jr. Yes
- Kurt Bergmann Yes
- Chris Horne Yes
- Don Panton Yes

Motion carried 7-0

TOWN OF EAST GREENBUSH
PLANNING BOARD

By: 
Matt Mastin, Chairperson

Dated: 5/24, 2023

**Granting of this Special Use Permit, does not preclude the applicant from obtaining a building permit.*