

# TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144 (518) 694-4011 FAX (518)477-2386

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## MEMORANDUM

### EAST GREENBUSH PLANNING BOARD MEETING MINUTES SEPTEMBER 8, 2021

#### **Members:**

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

#### **Also Present:**

Alison Lovely, Secretary, Planning/Zoning  
Adam Yagelski, Director of Planning & Zoning  
Joseph Slater, Planning Board Attorney  
Anna Feltham, Planner

#### **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:**

**7:00 PM KASSELMAN SOLAR-12 LASHWAY LANE-SPECIAL USE PERMIT** (21-22)

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 3.11.1 of the Town's Comprehensive Zoning Law, on an application for a Special Use Permit for the property located at 12 Lashway Lane, East Greenbush, NY, Tax Map # 145.-2-20.12, which is Zoned R-OS. The applicant proposes the installation of a 13.35 kW ground-mounted PV array. The review of the proposed work requires a Special Use Permit as stated in Local Law #1 of 2017, Ground-mounted solar energy systems that use the electricity primarily onsite and are larger than 160 square feet require a special use permit in all districts. Said Public Hearing will be held on Wednesday, September 8, 2021 at 7:00 PM at the East Greenbush Town Hall. 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

Loreen Harvey of Kasselmann Solar was present. Chairman Mastin stated that the proposal is for a 13.35 kW ground mounted solar array in the middle of the applicant's yard. Loreen Harvey handed out a packet for all the Board members. Chairman Mastin stated that it looks they are proposing vegetation along Upper Mannix Road & also there was a question whether this proposal was in the front or side yard. Anna Feltham stated it was determined to be in the rear yard.

Chairman Mastin asked if there was anyone from the public who wanted to speak.

- Chris Horne asked if that was the house in the last pic. Loreen Harvey stated yes, looking towards the house.
- John Conway Jr. asked if Loreen Harvey could take him through the pics. Loreen Harvey had a conversation with John regarding the pictures.
- Ralph Viola stated that at the last meeting the Board asked for a topography map to show the elevation of other homes in the area. Loreen Harvey pointed out the one page in the packet that had topography on it.

•Ralph Viola asked given the proposed vegetation along Upper Mannix Road, if she had the minimum heights of them, as he's concerned with the heights from Upper Mannix Road. Loreen Harvey stated that no, she tried to asked the homeowner & didn't get a direct answer & he thought it would be best if the Board told them what to plant. Ralph Viola stated that they would want something deer resistant and that would be there year round.

Chairman Mastin stated that the Board doesn't want to recommend what to plant, in case it dies, or isn't maintained by the homeowner and would've preferred that the applicant proposed something.

•Ralph Viola pointed out that the height is very important and he feels like that should be a condition, and that they will need screening at least a minimum of 8' high which is how high the packet states the solar array is.

•John Conway Jr. stated he also feels they should add screening on Lashway Lane due to the size of the property & that it's wide open.

•Chris Horne stated she agreed with John.

•Kurt Bergmann stated that he would like to see the photo's labeled with directional descriptions.

•Don Panton asked if they would be feeding into the Grid. Loreen Harvey stated that they were but it's not metered.

Chairman Mastin asked if there was anyone in the public that wanted to speak. He also asked if there was anyone in favor of or opposition to the application. No one in the public spoke in favor, opposition or commented.

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

**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; N. Gill-YES.**

**MOTION CARRIED BY A 7-0 VOTE**

Chairman Mastin stated that the Board would like to see additional screening to screen on the Northeast side blocking Lashway Lane. He would like Loreen Harvey to come back to the next meeting to orient the pictures for the Board & also the proposed vegetation on Lashway Lane.

•Kurt Bergmann asked to specifically see the vegetation along Upper Mannix Road & Lashway Lane.

•Ralph Viola stated it would be good to know if neighbors have any issues with it.

Chairman Mastin asked if there was anything else. There was nothing else.

**\*The above motion was amended to the following\*:**

**MOTION:** A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby amends the previous motion and keeps the written comment period open for two weeks for any additional public comment.**

**Seconded by Chris Horne & roll called as follows:**

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

**MOTION CARRIED BY A 7-0 VOTE**

**OLD BUSINESS:**

**KASSELMAN SOLAR-12 LASHWAY LANE-SUP/MINOR SITE PLAN-SOLAR ARRAY**

**(21-22)**

Nothing discussed further

**HERRON -16 WORTHMAN LANE-3 LOT SUBDIVISION REVISED TO A LOT LINE**

**ADJUSTMENT**

**(21-18)**

Daniel Persing, attorney for the applicant & Tamara Herron were both present. Daniel Persing stated that originally they proposed a three lot subdivision containing lots A/B & C, the proposal has changed to a lot line adjustment. Daniel Persing stated that what was proposed lots C & B are now all one lot and will go with Tamara & Michael Herron's & proposed Lot A is still Lot A, which is the house that used to be her father's that's now part of the living trust. Chairman Mastin asked if there were any comments from the Board.

• John Conway Jr. asked if the one small parcel on the corner & taxed as a separate parcel & the one parcel existing on the larger parcel (B & C) will belong to the Herron property. Daniel Persing stated that is correct.

• John Conway also asked if there was any issue with the road as it looks like it cuts through Parcel A a little bit. Daniel Persing stated that there isn't an issue and that the roadway will be moved back.

• Ralph Viola stated that each lot has public water & sewer. Tamara Herron stated that they have public water, but not public sewer, she stated that the town is redoing the sewer districts & is hoping by December that they can get public sewer.

• Ralph Viola asked for parcel A, is its septic system located on its own lot or does it extend into one of the other parcels. Tamara Herron stated it's approximately 5 feet outside the house & well within the property line.

• Chris Horne asked for confirmation that parcel B is now incorporated with the house. Daniel Persing stated that is correct.

Chairman Mastin asked if there were any other questions. There were no other questions.

**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. Grants final approval of the proposed Lot Line Adjustment prepared by S.Y. Kim Land Surveyor, P.C. and dated September 2<sup>nd</sup>, 2021, subject to the following:**
  - **Satisfying outstanding technical details as determined by the Town Planning and Zoning Department; and**
  - **All necessary applications are to be submitted to the Planning & Zoning Department.**
  - **All remaining fees are paid to the Town.**

**Seconded by Don Panton & roll called as follows:**

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

**MOTION CARRIED BY A 7-0 VOTE**

**NEW BUSINESS:**

**NONE**

**REFERRALS-REPORTS & RECOMMENDATIONS:**

NONE

**NEW ZBA REFERALLS:**

NONE

**OTHER:**

Anna Feltham gave a discussion on the proposed MS4 Training. Anna Feltham stated that a mini bid would be sought for a consultant to develop a 1 or 2 hour training which would be specific to the Town of East Greenbush & the Planning Board members. Adam Yagelski stated that they could always do a presentation about our activities.

**REVIEW AND APPROVAL OF MEETING MINUTES:**

Motion by Chairman Mastin to approve the August 25, 2021 meeting minutes as is.

Seconded by Don Panton. Motion carried by a 7-0 vote.

**CLOSING:**

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

Seconded by Don Panton. Motion carried by a 7-0 vote.

Respectfully Submitted

*Alison Lovely*

Alison Lovely, Planning Secretary