

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

September 27, 2017

Members:

Matt Mastin, Chairman
Matt Polsinello
Mike Bottillo
Ralph Viola

Also Present:

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

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Mastin called the meeting to order and determined that a quorum of four (4) members were present. Jim Moore, Jim Giordano and Paul DiMascio were absent.

PUBLIC HEARINGS:

NONE

OLD BUSINESS:

GREENBUSH REFORMED CHURCH-680/682 COL. TRPK-MINOR 3-LOT SUBDIVISION (17-15)

Frank Palumbo of CT Male presented the Board with the scenario of what the applicant would like to do. Frank stated that there are a total of 8 waivers on 3 parcels; this is an unusual circumstance due to the shape of the lot with 3 principal buildings on it. Chairman Mastin stated that he really doesn't see any changes from this plan from the last plan and asked the Board if anyone had any questions.

- Ralph Viola stated that he has given this site a lot of thought and that he doesn't feel the applicant has made much effort to give up things on their end even though the applicant wants the Town to grant some huge waivers.

- Mike Bottillo asked if they have ever had water/flood issues to the one house due to piles of snow. Frank Palumbo stated that they have not.

- Matt Polsinello asked what the square footage of the church was and what the parking requirement for the church is & also stated that their hasn't been much flexibility from the applicant to mitigate the parking lot. Frank Palumbo stated that he was not sure about the size. Pastor David Jones stated that there aren't enough parking spaces in the lot for the church now. After some discussion between the Board and Frank Palumbo and the applicant, an agreement was made.

- After continued discussion, members of the Planning Board suggested that they would be willing to grant the necessary waivers if the Applicant would be willing to merge the lot lines of lots 2 and 3 as they front Columbia Turnpike. The Lot lines of lots 2 and 3 would extend to the end of the unused driveway. This would increase the size of both lots 2 and 3 making them closer to conformance, as well as increasing the frontage to near conformance on Columbia Turnpike.

MOTION: A motion was made by Chairman Mastin as follows:

GREENBUSH REFORMED CHURCH, INC.

MINOR 3-LOT SUBDIVISION

PLANNING BOARD

TOWN OF EAST GREENBUSH

September 27, 2017

**MOTION FOR WAIVER OF SPECIFIC REQUIREMENTS AND REFERRAL TO
TOWN BOARD FOR CONCURRENCE**

Whereas, the Applicant, Greenbush Reformed Church, Inc. (GRC) has proposed the subdivision of their property at Hays Road and Columbia Turnpike (9&20) for the purpose of creating two (2) new residential lots around two (2) existing residential buildings on the property.

Whereas, GRC owns a total of 2.26 +/- acres of land on the north side of Hays Road and the West side of U.S. Route 9&20, aka Columbia Turnpike which is proposed to be subdivided into three (3) lots.

Whereas, the property includes six (6) existing structures including a one story concrete block and stone building known as the "Christian Education Building", two (2), two-story single family residential buildings, each with a detached garage, and one metal storage shed.

Whereas, the GRC no longer utilizes the residential buildings known as, the Parsonage (Proposed Lot 2) and the Werking House (Proposed Lot 3), and proposes the subdivision for the purpose of sale of said lots.

Whereas, the property includes lands within two (2) zoning districts R1-A, (41,839 SF) and PPB (56,432 SF) acres.

Whereas, proposed Lot #1 is split between the two (2) zoning districts and Lot#2 and Lot#3 are entirely within the PPB zone.

Whereas, proposed Lot #1, Christian Education Building, will require the following waivers: A waiver for rear yard setback. (25 ft. required). This is a pre-existing condition.

Whereas, proposed Lot #2, the Parsonage, is an existing residential structure. This lot requires the following waivers: A waiver for lot size (43,560 SF required). A waiver for rear yard setback (25 ft. required). A waiver for side yard setback (12 ft. required). This is a pre-existing condition.

Whereas, proposed Lot #3, the Werking House, is an existing residential structure. This proposed lot requires the following waivers: A waiver for lot size (43,560 required) and a waiver for lot Width (100 ft. required). Additionally, a waiver for side yard setback is required (12 ft. required). This is a pre-existing condition.

Whereas, it is the intention of the GRC to sell Lot #2 and Lot#3 (under contract) for the purpose of a Residential use and habitation. It is also GRC intention to retain Lot #1 to continue their current use for church uses and existing day care.

Whereas, the requirements for the two requested waivers for lot size within the PPB zone cannot be met under any condition given the existing locations of all physical buildings, parking lot, and because the land area within the PPB zone is less than 2 acres in size.

Whereas, the requirements for the two requested waivers for lot width within the PPB zone cannot be met under any condition given the existing 198.34 would not be sufficient to meet even the division of two lots.

Whereas, the requirements for the two waivers for Lot #1 cannot be met due to pre-existing use and physical features of the site including building and pavement locations.

Whereas, the requirements for the waivers requested on lots #2 and #3 cannot be met due to pre-existing use and physical features of the site including building and pavement locations.

Whereas, a Waiver of at this time is appropriate as the proposed subdivision is not in conflict with the interests of public health, safety and general welfare of the Town.

Whereas, compliance with the Specific Requirements of the current zoning and subdivision regulations would cause the applicant extraordinary difficulties given the exceptional and unique conditions contained within proposed Lots #1, #2 and #3. Modification of such is consistent with the general spirit and intent of the Land Subdivision Regulations and the Comprehensive Zoning Code in general as it will encourage the development of the PPB Zone in a manner consistent with its intentions.

Therefore, the Town of East Greenbush Planning Board hereby recommends that the Applicant be granted a Waiver of Specific Requirements in accordance with Article IX of the Town's Land Subdivision Regulations at this time and approving the proposed subdivision, and refers this matter to the East Greenbush Town Board for Concurrence, together with the following conditions:

- **All remaining fees associated with a minor subdivision are paid to the Town.**
- **The applicant update the site plan connecting proposed Lots #2 and #3 at the rear of the unused curb cut.**
- **The applicant provide an updated site plan containing the conditions herein to the Planning Department by October 6, 2017.**

Seconded by Mike Bottillo & roll called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola –YES.

MOTION CARRIED BY A 4-0 VOTE

NEW BUSINESS:

REGENERON-81 COLUMBIA TURNPIKE-BLDG. 12 MINOR SITE PLAN MOD. (12-110)

Steve Hart of Hart Engineering presented the proposal to the Board. Kyle Cherry from Regeneron was also present. The proposal is for an approximately 7,000 square foot addition to building #12. A double row of evergreens will be added as a buffer. An existing retaining wall will be extended in the area of the addition. Chairman Mastin asked if there were any questions from the Board.

●Ralph Viola asked what the height of the building would be. Steve Hart stated that there shouldn't be any issues.

Steve Hart stated that water and sewer will be made available through the existing building.

●Ralph Viola also asked if there would be any noise. Steve Hart stated that there would be an air handler on the roof.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby declares their intent to seek lead agency and accepts the sketch plan dated August 2017 by Hart Engineering for the proposed site plan modification.**

Seconded by Matt Polsinello & roll called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola –YES.

MOTION CARRIED BY A 4-0 VOTE

GILLIGAN ROAD/HOOSIC ENTERPRISES-LOT LINE ADJUSTMENT (17-17)

Bill Mafrici from Hershberg & Hershberg presented the project to the Board on behalf of Hoosic Enterprises LLC. The proposal is to add approximately 1.3 acres, a 100' x 500' piece of property to an existing 11.3 acre piece. Chairman Mastin asked if there were any questions from the Board.

●Matt Polsinello asked if it's all vacant land. Bill Mafrici stated that is correct.

The Town of East Greenbush Planning Board hereby declares itself Lead Agency and issues a Negative Declaration under SEQRA and grants final approval of the proposed lot line adjustment prepared by Hershberg & Hershberg, and dated August 3, 2017.

Seconded by Ralph Viola & roll called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; R. Viola –YES.

MOTION CARRIED BY A 4-0 VOTE

UPDATE:

TOWN CENTER PDD/MAJOR SITE PLAN-COLUMBIA TURNPIKE (17-19)

Steve Hart of Hart Engineering and Tyler Culberson of the Witbeck family were both present. Steve Hart stated that they had a meeting with the neighbors and the concerns were traffic on Jefferson Avenue, sewer/drainage problems, wetlands and archeological concerns and speeding on the roadways. Tyler Culberson stated that at this time they would prefer that Jefferson Avenue only be used for emergency access with a breakdown gate only. Access off of Ehmann Place is not possible due to steep slopes. The Board voiced interest in opening Jefferson Avenue for through traffic. Tyler Culberson is waiting on the topography to come back. Tyler Culberson stated that they are working on the PDD language. Chairman Mastin asked if there was anything else and stated that this was an update only. There were no more comments.

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERRALS:

NONE

REVIEW AND APPROVAL OF MEETING MINUTES:

Approval of the July 26, 2017 meeting minutes tabled due to quorum issue.

Motion by Chairman Mastin to approve the August 23, 2017 meeting minutes as is.
Seconded by Mike Bottillo. Motion carried by a 4-0 vote.

ADJOURMENT:

There being no further business before the Board, the meeting was adjourned by Chairman Mastin.
Seconded by Matt Posinello. Carried by a 4-0 vote.

Respectfully Submitted


Alison Lovely, Planning Secretary