

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 9, 2018

Members:

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

Also Present:

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

CALL TO ORDER / DETERMINATION OF QUORUM

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

REVIEW AND APPROVAL OF MEETING MINUTES:

Motion by Chairman Mastin to approve the April 25, 2018 meeting minutes as is.
Seconded by Matt Polsinello. Motion carried by a 6-0-1 vote. Nancy Kupiec abstained.

PUBLIC HEARINGS:

OSTRANDER-1629 BEST ROAD-MINOR 2-LOT SUBDIVISION

(17-08)

Chairman Mastin read the legal notice: The Town of East Greenbush Planning Board shall conduct a Public Hearing pursuant to Section 276 of the Town Law and the Town's Land Subdivision Regulations on the application of Carol Seastrand for the Ostrander Family for a Minor 2- Lot Subdivision called the "Ostrander Minor 2-lot Subdivision". Lot 1A consists of 84.77 +/- acres, the remaining lands. Lot 1B consists of 4.96 +/- acres and is split between East Greenbush & North Greenbush. Lot 2 consists of 3.40 +/- acres, and has an existing house on it. The property is located at 1629 Best Road in the R-B, Residential Buffer Zoning District, Tax Map # 145.-1-1.1. Said Public Hearing will be held on Wednesday, May 9, 2018 at 7:05 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

Chairman Mastin asked if the applicant was present. Nick Costa from Advance Engineering presented the proposal to the Board. Nick Costa stated that the property has been in the Ostrander family for many years and is located off of Grandview Drive & Best Road. There is an access easement off of Best Road for the future lot #1. Chairman Mastin asked the Board if anyone had any questions.

- Kurt Bergmann asked where the easement would be & how the main parcel is accessed. Nick Costa stated it would run along the existing driveway & Nick Costa stated that the main pain is accessed from both Grandview Drive & Best Road. Chairman Mastin asked if there was anyone present to speak in favor or opposition to the application or if anyone had any general comments.
- Hal Betters asked if the Town line splits the parcel. Nick Costa stated that it splits the large parcel.
- Jim Moore asked if North Greenbush was ok with this. Nick Costa stated that they didn't have to be notified since East Greenbush is the lead agency.

- Matt Polsinello asked about the R-B zone requirements and stated it looks like the smaller lot will no longer have frontage. Carol Seastrand stated that they have access on Grandview Drive.
- Kurt Bergmann asked what the purpose of the easement was. Nick Costa stated that it would be for the larger parcel and the larger parcel would have two means of access.
- Chairman Mastin asked what the length of the easement was. Nick Costa stated 34.61’.
- Ralph Viola asked where Grandview Drive actually stops. Nick Costa stated it ends at the parcel with the existing house on it where there is a gate.
- A discussion ensued that Lot 2 was a flag lot and it had the required frontage under the flag lot standards.

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

Seconded by Matt Polsinello & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: The Town Planning Board has taken a “hard look” at the potential environmental impacts of this project by carefully considering and reviewing the Short Environmental Assessment Form, considering all the Applicant’s proposed mitigation measures as they relate to environmental issues and more particularly to traffic, fire and rescue and MS-4 storm water management and hereby determined that the project would not have any significant adverse impacts on the environment.

Now, therefore be it resolved that a negative declaration under SEQRA has been adopted by the Planning Board.

Seconded by Kurt Bergmann & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: The Town of East Greenbush Planning Board hereby grants conditional approval of the minor 2 lot subdivision subject to the following:

- Satisfying outstanding technical details as determined by the Town Planning Department; and
- All remaining fees are paid to the Town.
- Applicant is compliant with Section 2.51 (G) of the Zoning Code relative to flag lots.

Seconded by Matt Polsinello & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

OLD BUSINESS:

FED EX-253 TROY ROAD-TRAILER PARKING EXPANSION

(09-12C)

Dom Arico from Arico Associates stated that the height of the trees has changed and the SWPPP is complete. Chairman Mastin stated that Joel sent an email that he was satisfied with the landscaping.

MOTION: A motion was made by Chairman Mastin as follows: **The Town Planning Board has taken a “hard look” at the potential environmental impacts of this project by carefully considering and reviewing the Environmental Assessment Form, considering all the Applicant’s proposed mitigation measures as they relate to environmental issues and more particularly to traffic, fire and rescue and MS-4 storm water management and hereby issues the attached Findings in support of a Negative Declaration under SEQRA.**

Seconded by Matt Polsinello & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: **The Code Enforcement Officer has determined the project to be a Minor Amendment under Section 2.9.11 of the Town of East Greenbush Comprehensive Zoning Law, and a public hearing was held on April 25, 2018. The Town of East Greenbush Planning Board hereby grants conditional approval of the Minor PDD Amendment and Site Plan Modification as depicted on the plans prepared by Arico Associates and dated 1/22/18 and last revised on 5/2/18, subject to the following:**

- Satisfying outstanding technical details as determined by the Town Designated Engineers and Town Planning Department;
- The developer shall fund an escrow account for construction phase and one (1) year post-construction inspection services to insure conformance with the approved landscape plan and the health and viability of the installed plantings;
- The developer shall warranty the installed plantings for one (1) year, to commence from the date of certificate of occupancy; and
- All remaining fees are paid to the Town.

Seconded by Matt Polsinello & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

RYSEDORPH-OLCOTT LANE-MAJOR 27-LOT SUBDIVISION

(14-11A)

Jim Moore & Matt Polsinello both recused themselves from this project as Matt has ownership stake in the parcel and Jim Moore has done some architectural design work regarding the project. Melissa Currier from CT Male presented the proposal to the Board. Melissa Currier stated that this subdivision as previously approved as 27 lots and is now being reduced to 26 lots. Melissa Currier stated that the road to enter the subdivision has been moved further up Olcott Lane and the grading has been changed and has reduced the number of lots and the storm water areas have been revised. Melissa Currier stated that the road is now 24' with 3' of subbase on each side and road side swales.

- Kurt Bergmann asked if there were any issues with water sheeting across the road. Melissa Currier stated that the lowest part of the road has been relocated.
- Chairman Mastin asked how the pond to the right is accessed. Melissa Currier stated that there is an access drive with an easement.
- Kurt Bergmann asked if the storm water areas will be fenced in. Melissa Currier stated that both will have fencing.
- Chairman Mastin asked Hank if there was anything as a major show stopper tonight. Hank LaBarba stated that the new design eliminates six catch basins; all drainage will now be utilized with culverts and swales. Hank LaBarba stated that the Town will have to maintain the culverts. There will be two catch basins in the cul de sac that will then run to the detention pond. Also, Olcott Lane will be resurfaced.
- Kurt Bergmann asked what the site looks like. Melissa Currier stated that they have started clearing it for the roadway.
- Nancy Kupiec asked if there would be anything in the cul de sac. Melissa Currier stated that there would be grass and low lying shrubs.
- Kurt Bergmann asked if both lots 11 & 12 will have access easements to the storm water areas. There was then some discussion by the Board and Melissa Currier regarding this.
- Ralph Viola asked if there are any plantings/screenings for the retention areas. Melissa Currier stated that is already in the resolution.

MOTION: A motion was made by Chairman Mastin as follows: *See the attached Modified Preliminary Plat & Preconstruction Resolution.

Seconded by Mike Bottillo & roll called as follows:

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

MOTION CARRIED BY A 5-0 VOTE

NEW BUSINESS:

REGENERON-CANOPY-DISCOVERY DRIVE

(15-07B)

Steve Hart from Hart Engineering, Gerry Underwood & Kyle Cherry from Regeneron were present. Steve Hart stated that the proposal is for a canopy over the existing sidewalk that extends from the parking garage to the pedestrian bridge consisting of approximately 220' long and 10' wide with the potential for a windscreen.

- Jim Moore asked what the fence was that was shown on the site plan. Steve Hart stated that is the chain link fence that borders the storm water area and then there is a decorated fence that runs along the front of the property.
- Matt Polsinello asked if the windscreen is fabric. Steve Hart stated that it's like a mesh.
- Adam Yagelski asked if the windscreen would be seasonal. Gerry Underwood stated that they weren't sure. Would there be lighting under the canopy. Steve Hart stated that there would be. Chairman Mastin asked if there was anything else. There was nothing else at this time.

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 under SEQRA and classifies this action as a Type II action requiring no further review under SEQRA.**

The Planning Board hereby accepts the sketch plan dated May 1, 2018 by Hart Engineering for the proposed minor site plan modification.

Seconded by Ralph Viola & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

REGENERON-TEMPEL LANE-LOT LINE ADJUSTMENT

(15-20A)

Steve Hart from Hart Engineering presented the proposal to the Board. Steve Hart stated that Regeneron purchased 11 acres and recently got approval for a 3 lot subdivision. Now the proposal is to merge approximately 21 acres to the main parcel which makes the parcel approximately 130 acres total. Chairman Mastin asked if there were any questions. There was nothing else at this time.

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

The Town of East Greenbush Planning Board hereby declares itself Lead Agency and classifies the proposal as an unlisted action under SEQRA. After taking a hard look at the potential environmental impacts of this project, determines the project will not have any adverse impacts on the environment and adopts a Negative Declaration.

Seconded by Nancy Kupiec & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby grants conditional approval of the proposed lot line adjustment subject to the following:**

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

Seconded by Matt Polsinello & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

PHANTOM FIREWORKS-570 COLUMBIA TRPK-SITE PLAN MOD. (18-14)

Vincent Szabo of Phantom Fireworks presented the proposal to the Board. They are proposing a 40' x 40' tent 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 hereby declares the action an Unlisted Action under SEQRA and determines the project will not have any significant adverse impacts on the environment and hereby adopts a Negative Declaration under SEQRA.**

Seconded by Kurt Bergmann & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: **MOTION: A motion was made by Chairman Mastin as follows: The Planning Board hereby grants final approval of the proposed minor site plan modification subject to the following conditions:**

- 1. Tent setup will not occur before June 22, 2018 and shall be removed no later than July 7, 2018.**
- 2. All external signs and advertising not be displayed prior to June 25, 2018 and shall be removed no later than July 5, 2018.**
- 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 22, 2018 to July 5, 2018.**
- 5. That the applicant must consult with the Building Department and complete all applicable permits, including but not limited to signage with no signage along the roadway (Columbia Turnpike) and all signage must be connected to the tent.**
- 6. Hours of Operation limited to 9am to 9pm.**
- 7. Adequate lighting shall be provided on site.**

Seconded by Jim Moore & roll called as follows:

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

MOTION CARRIED BY A 7-0 VOTE

UPDATES:

NONE

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERRALS:

NONE

ADJOURNMENT:

There being no further business before the Board, the meeting was adjourned by Chairman Mastin. Seconded by Matt Polsinello. Carried by a 7-0 vote.

Respectfully Submitted



Alison Lovely, Planning Secretary

RYSEDORPH CLUSTER SUBDIVISION

MODIFIED PRELIMINARY PLAT AND PRE-CONSTRUCTION APPROVAL

WHEREAS, the East Greenbush Town Planning Board is in receipt of a request by Rysedorph, LLC. (the owner) for modified preliminary plat and pre-construction approval under Section 276 of the Town Law for a residential subdivision entitled Rysedorph Cluster Subdivision, for 26 single-family detached dwelling units consisting of 31.24 +/- acres in the R-B Zoning District located off of Olcott Lane; Tax Map # 155.-2-28.1; and

WHEREAS, the Town Planning Board did grant preliminary plat and preconstruction approval of the Rysedorph Cluster Subdivision on February 10, 2016 for the 27 lots in the Town of East Greenbush of Rysedorph Cluster Subdivision prepared by Hart Engineering, dated November 2015 and last revised November 11, 2015; and

WHEREAS, the Town Planning Board did conduct a public hearing on December 10, 2014 on said subdivision, at which time members of the public were invited to speak either in favor of, or in opposition to this subdivision application; and

WHEREAS, the Planning Board did submit the preliminary plat and the various supporting data, to the Town Project Review Team; and

WHEREAS, comments received by the Planning Board from the Project Review Team, related principally to engineering and site development details, and confirmed the Planning Board's view that the proposed subdivision of this site would be consistent with the Town's land use, zoning and service requirements. And through the subdivision review process at the Town and County levels result in lots that, if granted final approval, were in fact readily buildable; and

WHEREAS, the Planning Board did review a development proposal and conceptual master plan for this project consisting of 27 lots and determined, in accordance with Title 8 ECL and Part 617 NYCRR, that the intended action and the associated conceptual development plan shall not have environmental impacts of the project after a full environmental impact statement was prepared and given and has, therefore, issued a Negative Declaration on December 9, 2015; and

WHEREAS, mitigation measures, as appropriate to this subdivision proposal, have either been incorporated into the design of this subdivision and/ or the conditions of this resolution; and

WHEREAS, the Planning Board and the Project Review Team have received and reviewed the revised proposed preliminary plat last revised on December 4, 2015 as prepared by Hart Engineering; and

PROJECT NAME: RYSEDORPH CLUSTER SUBDIVISION
FINAL DATE: May 9, 2018

WHEREAS, the Planning Board has received a modified preliminary plat dated May 3, 2018 as prepared by C.T. Male Associates; and

WHEREAS, the intent of the modified preliminary plat and plans is for lot line adjustments to accommodate a re-alignment of the proposed road and adjusted grading due to the cut and fill and topography on site, the need to revise the storm water treatment area and SWPPP to change from the previous design, and to reduce the number of proposed lots to twenty-six (27); and

WHEREAS, the Planning Board has determined that the proposed modifications and modified plans do not warrant a change in SEQRA determinations or findings; and

WHEREAS, the applicant has filed the necessary application with the Planning Board and will pay to the Office of Town Clerk the applicable preliminary plat application fee and final plat application fee, with receipt therefore provided to the Planning Board by the Town Clerk; and

Whereas, the owners/developers of the subdivision are required to make improvements to the Town's existing water distribution system to be able to provide adequate water supply for fire flow and pressure to new and existing residences located on Olcott Lane and proposed roadway; and

Whereas, as to be shown on the final approved plans, the improvements are to consist of two (2) new pressure reducing facilities, connections and all necessary appurtenances to be located on Town right of way along Rt. 151 and on Roberts Lane; and

WHEREAS, the cost of furnishing and installing the two (2) new pressure reducing facilities shall be borne by the owners/developers of the subdivision; and

WHEREAS, upon successful installation and testing, the new pressure reducing facilities shall be dedicated to the Town of East Greenbush, who will own and operate same; and

WHEREAS, twelve lots within the subdivision cannot be serviced by a new gravity sewer system, individual sewage grinder pumps shall be installed by the developer/builder on said lots; and

WHEREAS, the Town will not own or have maintenance responsibilities over the individual sewage grinder pump systems, it shall be stated on the plans in notes or diagrams, as well as in the deeds conveying each lot, that the individual homeowner will own the pump units and shall be responsible for the future operation and maintenance; and

WHEREAS, upon completion of construction in accordance the approved SWPPP, subject to Town approval, and conveyance of two (2) storm water management lots to the Town, the Town will assume ownership of the two (2) storm water management lots and post-construction storm water management practices constructed thereon; and

PROJECT NAME: RYSEDOPH CLUSTER SUBDIVISION
FINAL DATE: May 9, 2018

WHEREAS, the roadway will be constructed in accordance with specifications and a road cross section detail to be approved by the Commissioner of Public Works; and

WHEREAS, the Towns Designated Engineer, (HV LaBarba and Associates) has reviewed the modified plans for Rysedorph Cluster Residential Subdivision as prepared by C.T. Male Associates dated May 3, 2018 and can recommend to the Planning Board consideration of final approval subject to all conditions and requirements by the Town final plat approval; and

NOW, THEREFORE, BE IT RESOLVED that the East Greenbush Planning Board hereby grants preliminary plat and pre-construction approval for the 27 lots in the Town of East Greenbush of Rysedorph Cluster Subdivision, prepared by C.T. Male, dated May 3, 2018, and in strict compliance with each of the following conditions which must be satisfied by the applicant within 180 calendar days of this resolution, unless extended upon written request of the applicant by mutual consent for two (2) periods not to exceed ninety (90) days each:

1. That the applicant addresses all remaining technical comments of the Towns Designated Engineer and Planning and Zoning Department.
2. That the applicant reimburses the Town for all costs and expenses associated with the review and evaluation of the plans and associated reports by the Planning Board's consultants.
3. That the final plat submission be in strict accordance with the requirements of Article VII, Section 4 of the Town's Land Subdivision Regulations, and that the requisite fees be paid in accordance with the fee schedule established by the Town Board.
4. That the Commissioner of Public Works and the Building Inspector sign off on the plans prior to final plat approval.
5. Prior to signature on the final plat, all fees due are paid as required by the Town of East Greenbush in accordance with the GEIS fee schedule, a letter for which will be provided from the Director of Planning and Zoning, and it is further recommended by the Planning Board to the Town Board that all Traffic GEIS fees generated through this subdivision be held in escrow or a separate account for purposes of roadway development of Olcott Lane roadway improvements to reduce the slope of the roadway to the maximum extent practical, and otherwise make such roadway safe for public use.

NOW, THEREFORE, BE IT ALSO RESOLVED that prior to issuance of onsite grading permit and/or building permit the following conditions must be satisfied by the applicant.

6. That the subdivision plans be reviewed and approved by the Rensselaer County Health Department in accordance with applicable provisions of the Public Health Law, and such documentation submitted to the Town for their records.

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7. That the subdivision plans be reviewed and approved by the NYSDEC in accordance with Uniform Procedures Act and such documentation submitted to the Town for their records.
8. That the plan for required work within the State Right of Way be reviewed and approved by the NYSDOT, and such documentation submitted to the Town for their records.
9. An escrow account will be established and funded by the developer, prior to the commencement of any site work or permit issuance to cover the expenses associated with the Town's Designated Engineer's full time inspection of improvements to be dedicated to the Town.
10. That for each building lot, a detailed plot plan; grading plan and utility service plan shall be submitted and approved by the Commissioner of Public Works and the Building Inspector prior to the issuance of a Building Permit for that building lot.
11. That the developer, at the discretion of the Commissioner of Public Works, shall provide a Cash Bond in accordance with the Town of East Greenbush Street Ordinance. Such bond, if required by the Commissioner of Public Works, shall be in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney. Said Cash Bond will be released upon the completion of roadway and related infrastructure, up to and including the binder course of pavement, to the satisfaction of the Commissioner of Public Works; and frames, grates and covers of all utilities within the pavement shall be set flush at binder surface.
12. That the developer shall provide a Cash Bond for top course of pavement in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney. Said Cash Bond will be released upon the completion of roadway, which must be completed within two years of placing binder for dedication to the Town.
13. All storm water pollution prevention permits will be obtained prior to site work and regularly schedule required inspections will be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002 and the approved Storm Water Pollution Prevention Plan.

NOW, THEREFORE, BE IT ALSO RESOLVED that prior to issuance of a Certificate of Occupancy for any unit the following conditions must be satisfied by the developer:

14. A mechanism shall be provided by the applicant for the long term ownership and maintenance of the open space areas.

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15. Final acceptance of the road as a town highway will be contingent upon the approval of the road cross section detail by the Commissioner of Public Works.
16. The applicant shall prepare suitable offers of cession for all improvements and interest in all land areas within Public Right-of-Way to be dedicated to the Town of East Greenbush, including, but not limited to roadways, drainage ways and easements, and that all such offers of cession shall be submitted to the Commissioner of Public Works and Town Attorney, who shall review the sufficiency for the purpose intended, which determination shall not commit the Town Board in any way to acceptance of the improvements, once installed. Instead of an easement which is currently depicted on the plat through proposed Lots 11 & 12, there instead shall be a proposed Lot 27 adjoining lots 11 & 12 with the lot line of lot 27 enclosing the drainage basin.
17. That all public and/or required improvements within the Development as shown on the subdivision plans be completed by the developer and be approved in writing by both The Towns Designated Engineer and the Town's Commissioner of Public Works.
18. That all street signs and regulatory signs shall be furnished and installed.
19. That the developer provide and install a black vinyl clad chain link fence acceptable to the Commissioner of Public Works around the perimeter of the storm water detention area, and a landscaping plan shall be submitted to the Town for approval for evergreen shrubs and trees to be placed in the right away along the frontage of the storm water management facility; and
18. That an as-built plan be submitted to the Town for review/approval. This plan shall show an accurate and complete record and description of the final "as-built" conditions of improvements to be dedicated to the Town; an


In effect, this preliminary plat and pre-construction approval by the Planning Board authorizes the applicant to initiate necessary site work and the installation of public and/or other required improvements with the rights-of-way, easements and drainage ways and other public improvements, as needed. The installation of such public improvements shall be subject to: (1) the Planning Board's final review and approval of engineering and construction details; (2) the conduct of a project initiation conference, including the applicant, the applicant's consultant engineer, appropriate contractors, the Planning Board's designated engineer and the Town's Commissioner of Public Works, Building Inspector and Director of Planning & Zoning; and (3) a detailed itemized cost estimate and construction schedule for construction of all improvements for the project shall be provided to the Planning Board's designated engineer, which estimate and schedule shall be provided by and satisfactory to the Planning Board's designated engineer, and a copy of which shall be transmitted concurrently to the Planning Board Office and the Commissioner of Public Works.

This approval shall be required as limited in its authorization in that no sale of a lot or an offer of sale within the intended subdivision may be undertaken until the stamping of the plans by the Planning Board's designated representative. Subsequent filing of the approved final plat in the Office of the Rensselaer County Clerk must occur within 60 days of the final plan approval/signature.

FURTHERMORE, the Planning Board advises that all work undertaken and all expenses incurred by the applicant, pursuant to this resolution, are at the risk of the applicant. It is the applicant's exclusive responsibility to insure that all conditions and requirements are met in a timely manner prescribed within the Town's Land Subdivision Regulations and referenced earlier in this resolution. Failure of the applicant to meet this timetable shall result, without the requirements of any further action by the Planning Board, in the expiration of this final plat approval and the requirement that a new application, with associated application fees, be filed with the Planning Board should it still be the applicant's desire at that time to pursue approval of the subdivision.

RESOLUTION APPROVED BY THE EAST GREENBUSH PLANNING BOARD

ON May 15, 2018



MATT MASTIN, PLANNING BOARD CHAIRMAN