

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 February 22, 2023

Members:

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

Also Present:

Anna Feltham, Director of Planning (via phone)
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:

ISLAND PARK, LLC. -AMERICAN OIL ROAD-2-LOT SUBDIVISION (22-08)

Steve Hart was present on behalf of the applicant. Steve Hart stated that they received a letter from Stantec dated February 17, 2023 with a list of comments. Steve Hart stated that they have been working with NYSDEC in regards to the project & the surveyor Brian Holbriiter as well. One minor revision has been made on the subdivision plat in regards to a comment from Stantec. Steve Hart stated that lot #2 had 10 acres of land as well as a landlocked area of about 12 acres. Steve Hart stated that they eliminated a lot line and now Lot #2 consists of 22.77 acres and nothing has changed on Lot #1, it still consists of 10 acres.

•Chris Horne asked if there was still a little strip that goes around & a lot that goes around the other side. Steve Hart stated there still is a strip and then that other lot is like a horseshoe, which is the remaining lands of the existing owner.

•Don Panton asked if of the parcel is still contained the entirety of the asphalt plant. Steve Hart stated that the 10 acres is the asphalt plant.

Chairman Mastin stated there are two items on the agenda that are the same project. There is a total of three actions, subdivision, which would have a public hearing, site plan and a special use permit, which would also require a public hearing. Steve Hart asked if the two public hearings would be held on the same night. Chairman Mastin stated that could be yes, just scheduled at two different times.

Chairman Mastin asked if there were any questions from the Board.

•John Conway stated that he was good but asked when could the Board expect a response to the comment letter. Steve Hart stated he hopes by the end of the week. Steve Hart stated that there are still things they're they are waiting on from DEC and there is a 6-7 month wait time right now.

•John Conway stated that maybe his question is a procedural question, but how many actions can they take prior to that being resolved. Chairman Mastin stated that tonight, all they're they are doing is accepting the sketch plan and initiating SEQR.

Steve Hart asked if the subdivision can happen or is it contingent on the site plan & special use permit as well. Joe Slater stated that its terms of SEQR you can't hold a public hearing for a subdivision until SEQR has been closed out.

Chairman Mastin stated that he received a text from Anna that all actions are tied together.

•Ralph Viola asked if they're they are waiting for DEC in regards to the possibility of a violation being corrected. Steve Hart stated that's correct. Steve Hart asked if a motion needs to be made first of if he can go into the site plan. Chairman Mastin stated he could go into site plan and the Board can make all the motions afterwards.

BUONO-180-200 AMERICAN OIL ROAD-SITE PLAN & SUP (22-08B)

Steve Hart started to address Ralph's question, that there is a DEC wetland in the area of the site plan. Steve Hart stated that DEC usually likes a 100' buffer from a wetland. Steve Hart stated that DEC stated they get it, the operation has been there for approximately 15 years so they will accept a 25' buffer, DEC is not going to send out a violation but they do want the applicant to put up some form of a barrier a minimum of 25' off the wetland, it could be an earthen berm or concrete jersey barriers which would be lined up along the property line. Steve Hart stated that they are just waiting on the official letter from DEC. Steve Hart stated that there is a port a john on the site and an existing swing gate and there is one big light stand with a diesel generator that they use when they need it at night.

•Ralph Viola asked if the owner has to go over the wetlands to get to his other parcel. Steve Hart stated that there are other areas that Joe Buono can access his lot. Chairman Mastin stated that with the special use permit, there could be a condition in regards to installing permanent lighting.

•Ralph Viola asked if they have power down there. Steve Hart believes there are some power poles down there that they could tap into.

Chairman Mastin asked if there was anything else. There was nothing else from the Board.

MOTION: A motion was made by Chairman Mastin as follows: The Town of East Greenbush Planning Board hereby accepts the sketch plat and classifies the Sketch Plat prepared by Brian R. Holbriiter P.L.S. dated March 15, 2022 and last revised April 5, 2022 as a Minor 2-Lot Subdivision.

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

A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby accepts the sketch plan dated, August 2022, last revised, February 3, 2023 prepared by Hart Engineering for the proposed site plan modification.**

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; R. Jucha-YES.

MOTION CARRIED BY A 7-0 VOTE

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

- 1. Declares its intent to see lead agency status in connection with a coordinated review of the project under SEQRA. The Planning Board hereby directs that notices to all involved/interested agencies requesting their consent to designation of the Planning Board as lead agency for SEQRA of the project. The following involved and/or interested agencies under SEQRA have been identified:**

**NYS DOT
NYS DEC
NYS Office of Parks, Recreation & Historic Preservation
Rensselaer County Department of Public Health
Town of East Greenbush Department of Public Works
East Greenbush Fire District**

- 2. Classifies this action as an Unlisted SEQRA action in accordance with 6 CRR-NY 617**

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; R. Jucha-YES.**

MOTION CARRIED BY A 7-0 VOTE

NEW BUSINESS:

TEMPLETON-29 MICHAEL ROAD-LOT LINE ADJUSTMENT (23-04)

Steve Hart was present on behalf of the applicants, Hugh & Margaret Templeton. Steve Hart stated that the parcel is located at 29 Michael Road which consists of about 44 acres, next to their parcel there is a company called Michael's Road LLC. They want to add 34 acres from the Templeton's and do a lot line adjustment and add it on to their existing piece. Chairman Mastin asked Steve Hart to point to the existing lot line and the proposed lot line. Chairman Mastin asked the Board if anyone had any questions.

•John Conway asked what the acreage was again. Steve Hart stated that there are 44 acres total, 34 acres will go to Michael's Road LLC. giving them about 77 acres and the Templeton's would be retain about 10 acres.

•John Conway asked if the rest is undeveloped. Steve Hart stated that is correct.

Chairman Mastin stated that Anna just confirmed that the parcel outlined in yellow had a logging permit through the Building Department.

Chairman Mastin asked if there were any comments. There were none.

Chairman Mastin stated that there are some minor conditions that will be addressed under technical details in the resolution. Anna confirmed that the outstanding issues are not substantial.

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

The Town of East Greenbush Planning Board hereby:

- 1. Classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5 (16) "granting of individual setback and lot line variances and adjustments";**
- 2. Grants final approval of the proposed Lot Line Adjustment prepared by Hershberg & Hershberg and dated February 6, 2023, subject to the following:**

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

Seconded by Ralph Viola & 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 ZBA REFERRALS:

NONE

NEW ZBA REPORTS:

NONE

REVIEW AND APPROVAL OF MEETING MINUTES:

Motion by Chairman Mastin to approve the February 8, 2023 meeting minutes with some minor edits by John Conway. Seconded by Don Panton. Motion carried by a 6-0-1 vote. Kurt Bergmann abstained.

Chairman Mastin stated that the Route 4 Corridor Study in conjunction with East Greenbush and North Greenbush is going to hold a public meeting on February 28, 2023 at 6pm at the Defreestville Fire Department and there is also a survey to fill out.

CLOSING:

There being no further business before the Board, the meeting was closed by Chairman Mastin. Seconded by Don Panton. Motion carried by a 6-0 vote.

Respectfully Submitted

Alison Lovely

Alison Lovely, Planning Secretary