

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 26, 2018

Members:

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

Also Present:

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

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Mastin called the meeting to order and determined that a quorum of six (6) members were present. Mike Bottillo was absent.

PUBLIC HEARINGS:

TOWN CENTER-COL. TRPK.-PDD

(17-19)

Chairman Mastin stated that the Board received a letter from a resident – Daniel Kennedy from 33 Jefferson Avenue. Chairman Mastin made the following motion.

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

Seconded by Kurt Bergmann & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

OLD BUSINESS:

GLAZ/AMEDORE- NEWKIRK ROAD-MAJOR SITE PLAN-SENIOR APTS. (18-02)

John Bossolini & Brett Steenburgh were both present for the project which has been named “Heritage Hills”. Brett Steenburgh stated that there are currently two issues with the project before the sketch plan can be accepted. One is the termination of a portion of Newkirk Road which the Town requested; there will be further review on who ends up owning that parcel of land, either the applicant or the Town. Brett Steenburgh stated they don’t care either way, a T-turn around is shown at the end of it. Brett Steenburgh stated that the other issue is that the Town Code requires a 25’ vegetative buffer from any Army Corp wetlands boundaries. They are not disturbing any wetlands as they have maintained any development outside of any Army Corp. wetland boundaries. Although there are some disturbances within the buffer areas. At the Town’s request, they have aligned the entrance opposite with Michael Road; therefore the road is close to the wetlands. They have entertained the possibility of rotating the site and moving the buildings closer to the residences on Glaz Road but that will greatly reduce the proposed buffer.

That would cause more grading and the inability to meet the grade for the sidewalks for handicapped accessibility. They are proposing a dry swale & a bio-retention basin to divert the runoff around the buildings and reroute it into the wetland area. Chairman Mastin asked what the smallest buffer was that their proposing. Brett stated between 5' to 10' from disturbance area to actual paved area. Chairman Mastin asked Adam what MJ's comments were. Adam stated that MJ is ok with the applicant's proposal and description of the balancing that they are proposing. Jackie Hakes from MJ was present and added that this is a Town requirement and would not impact the state and federal regulations associated with any wetlands.

- Jim Moore asked if the storm water measures proposed mitigate some of the encroachment on the buffer. Jackie Hakes stated that they believe so.
- Ralph Viola asked that with the pavement being so close to the wetlands, what happens in the winter when the roads are treated with salt & chemicals, how will that be prevented from leeching into the wetlands. Brett stated that the swale between the pavement and the wetlands diverts all the water to the four bays which will filter out and of the heavier sediments and then the four bay overflows into the bio-retention area where it is treated. Brett stated that they are treating 100% of the storm water in the bio-retention area. Ralph doesn't understand with pavement so close how that will be managed.
- Chairman Mastin asked if there was a certain standard or certain amount of rain per hour. Brett stated that it's designed for the 100 year storm.
- Kurt Bergmann stated that in regards to the grading/cutting in, especially on the 3rd building, are there technical reasons why you don't want to do that. Brett stated that his reasoning for not wanting to swing the building towards the west is due to the grades on the site. They would end up having to grade and clear more.
- Chairman Mastin asked why they couldn't push the buildings south to meet the buffer. They could slide the one building over a bit, but they are trying to minimize the view of the side of the building by minimizing the cutting of the treed areas around the buildings as was brought up by the Zoning & Planning Board.
- Nancy Kupiec asked what the % is non-compliant with regards to the buffer requirement. Brett stated about 50% of the buffer.
- Ralph Viola stated that he doesn't have an issue with the project but had an issue with the waiver of the buffer.
- Nancy Kupiec asked how old the 25' buffer requirement is. Adam stated about 10 years old (last Code was passed in 2008).
- Matt Polsinello asked where the dry swale is located and if they could be put on both side of the roads. Brett stated on the west side of the road.
Adam asked how much pavement they were removing as part of Newkirk Road. Brett stated that he's not sure. Chairman Mastin asked if they could buffer the encroachment, possibly with landscaping boulders. He would like to see a more detailed landscaping plan.
- Ralph Viola asked if they could provide something to scale so that they could see things better. Brett stated that he will.
- Kurt Bergmann stated that there is also a trout stream nearby. Wanted to know also what the variances are again. Brett stated that's for height and more than one principal dwelling per lot.
Joe Slater asked where the Town Board was with SEQR. Adam stated that the Town Board declared their intent to seek lead agency and has begun a coordinated review.
Chairman Mastin asked if they ever nailed down the age for senior apartments & how do the sidewalks connect with the sidewalks on Luther Road. John Bossolini stated 62 and older. Brett stated that they are trying to keep the sidewalks on the west side of the Michael Road but there is an issue with the property on that side extending out into the roadway.
- Matt Polsinello stated that isn't it a highway by use scenario. Brett stated it's something they need to discuss.
- Kurt Bergmann asked if the ownership of that house is clear. Brett stated that the taxes have been paid on it.

●Nancy Kupiec asked if a retaining wall is needed. Brett stated that it is not needed unless they move the buildings. Chairman Mastin asked if there was anything else. There was not.

MOTION: A motion was made by Chairman Mastin as follows: The Town of East Greenbush Planning Board hereby accepts the proposed sketch plan dated April 20, 2018, and last revised September 11, 2018, prepared by Brett Steenburgh, PE, PLLC for the proposed major site plan.

Seconded by Matt Polsinello & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

MICHAEL ROAD TIMBER HARVEST- SITE PLAN MODIFICATION (18-21)

Chairman Mastin stated that this is an update on the harvesting plan that was approved at the last meeting. Adam stated that during the last meeting there was a discrepancy on the information that was received previously on the number of trees to be harvested. Joel Constantine was present and stated that a scope of work was submitted in January and that he misspoke at the last meeting and that the proposal is to remove approximately 1,300 trees, which would generate approximately 25-35 loads. Joel Constantine stated that he met with Department of Public Works and Kevin Hitchcock and marked out locations for the signage for safety. The Town was concerned with the curb they'd be creating on Michael Road as that road was just recently repaved so a road bond was put in place.

●Nancy Kupiec asked how many acres is the project. Joel Constantine stated 62 acres.

Adam stated that the trees were marked by a professional forester. NYSDEC was ok with the plan submitted.

Chairman Mastin stated that this project is back in front of the Board for clarity reasons.

●Kurt Bergmann asked what the hours and days of operation will be.

Joel Constantine stated that they will be 7am to 5pm Monday – Friday, 8am to 5pm on Saturday's and no work on Sundays. Trucking will be conducted from dawn to dusk only.

●Ralph Viola asked what the duration will be. Joel Constantine stated approximately 2 months.

Chairman Mastin asked if there is a road bond. Joel Constantine stated that there is.

**REGENERON-TEMPEL LANE-MIDDLE BRIDGE-SITE PLAN MODIFICATION
(15-20)**

Kyle Cherry presented the proposal on behalf of Regeneron. Kyle Cherry stated that this access was created for construction activity and possible future employee access. Kyle Cherry stated that they received the letter from GPI with comments. There are two other bridges but the middle bridge was longer and they needed it for the next phase. The utilities run through this corridor, water/sewer and natural gas.

The major topic of discussion was the fact that the bridge is supposed to be privately owned, and thus Regeneron is not required to build it and inspect it in accordance with NYS DOT standards. The Town Designated Engineer, GPI, noted that Regeneron did not need to meet these DOT standards, but recommended them anyway. Kyle Cherry disagreed with GPI's recommendation in this regard.

●Jim Moore asked if the bridge was going to be private and if Kyle could describe the construction of the bridge. Kyle Cherry stated that at some point the bridge may become public. and that Temple Lane at some point will be extended all the way through. Kyle said he could not speak with expertise on the construction of the bridge. At that point, Steve Hart joined the discussion.

●Matt Polsinello stated that the bridge is like built at your own risk if you don't follow GPI's comments.

- Jim Moore asked if basically the issues that they disagreed with. Kyle said that no, they needed a maintenance plans/inspection reports.
- Ralph Viola stated that he thinks the reasons these questions are coming up is that the plan says temporary bridge in 2 or 3 places.

MOTION: A motion was made by Chairman Mastin as follows: **Whereas on June 14, 2017, the Town Board adopted a Findings Statement pursuant to the State Environmental Quality Review Act that encompassed the activities proposed in the instant site plan modification, and The Town of East Greenbush Planning Board hereby grants conditional approval of the Site Plan Modification as depicted on the plans prepared by Stantec Inc. and dated January 12, 2018 and last revised Sept. 11, 2018, subject to the following:**

- **Satisfying outstanding technical details as determined by the Town Designated Engineers and Town Planning Department;**
- **An escrow established qualified inspector be on site during construction of critical components of the bridge that includes the substructure, superstructure, bridge and approach railing, medium stone filling at both abutments, and installation of the temporary erosion control measures;**
- **Submission to the Town of an Inspection and Maintenance Plan, subject to Town approval;**
- **All cost associated with the inspection, maintenance, repair and replacement of the bridge shall be at the expense of the owner; and**
- **All remaining fees are paid to the Town.**
- **That the applicant provides inspection reports at the Town's request.**

Seconded by Matt Polsinello & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

REGENERON-DISCOVERY DRIVE- SITE PLAN MODIFICATION-CANOPIES (18-21)

Kyle Cherry from Regeneron presented the proposal. Kyle Cherry stated that these canopies are proposed around the campus to protect the employees/pedestrians from the elements. All the canopies are of similar design. Chairman Mastin stated that the canopies are identical to the one approved from the parking garage. Steve Hart stated that these will not have the wind screenings.

● Matt Polsinello stated that hes concerned with the one within the parking lot & asked how tall they are. Chairman Mastin asked if that is an existing sidewalk within the parking lot. Steve Hart stated that yes it is and that they're 10' with lighting up underneath. Chairman Mastin asked if there were any further comments or concerns. There were none.

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 a Negative Declaration under SEQRA.**

Seconded by Ralph Viola & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby grants conditional approval of the Site Plan Modification as depicted on the plans prepared by Hart Engineering and dated August 28, 2018 subject to the following:**

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

Seconded by Jim Moore & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

NEW BUSINESS:

NONE

WORKSHOPS:

TOWN CENTER-COL. TRPK.-PDD/MAJOR SITE PLAN

(17-19)

Chairman Mastin asked if anyone had any comments about the project.

●Kurt Bergmann stated that he wanted clarification of the amenities being proposed. Tyler Culberson stated that they are proposing a centralized clubhouse as park of the PDD and a walking trail from Hannaford to Eckmann Place located over the existing sewer easement.

The Board had a discussion on additional sidewalks. The Board also had a discussion on the concern of sewer on Ternan Avenue and that the Board feels an easement should be granted for those residents to connect.

●Kurt Bergmann asked if there is anything for residents in Woodland Park for the neighbors who complained that the playground is in bad shape. Tyler stated that he was meeting Adam to discuss the amenities next week. Joe Slater stated that the Town Board has the authority to make an amenity schedule, and that a cash amenity is an option.

●Nancy Kupiec talked about affordable housing.

●Ralph Viola stated that he still has concerns with a second access and would like to see one. Tyler Culberson addressed Jim Moores concerns that he submitted in a letter.

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERRALS:

NONE

REVIEW AND APPROVAL OF MEETING MINUTES:

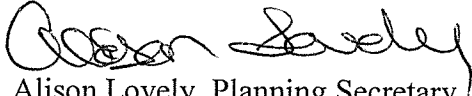
Motion by Chairman Mastin to approve the September 12, 2018 meeting minutes as is.

Seconded by Kurt Bergmann. Motion carried by a 4-0-2 vote.

ADJOURNMENT:

There being no further business before the Board, the meeting was adjourned by Chairman Mastin. Seconded by Matt Polsinello. Carried by a 6-0 vote.

Respectfully Submitted



Alison Lovely, Planning Secretary