

# 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 JANUARY 8, 2020

#### Members:

Matt Mastin, Chairman  
Ralph Viola  
Don Pantan  
Kurt Bergmann  
Nancy Kupiec  
Chris Horne  
Jim Moore

#### Also Present:

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

#### CALL TO ORDER / DETERMINATION OF QUORUM

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

#### OLD BUSINESS:

#### DEER POND-ELLIOT ROAD-MAJOR 62-LOT SUBDIVISION

(14-08)

Andy Brick representing the applicant from Donald Zee's office stated that they received preliminary plat & preconstruction approval back in April of 2018 for a 62 lot subdivision on Elliot Road, with the nearest cross street being Huntswood Lane. Andy Brick stated that they are in front of the Board requesting one final extension to fulfill the conditions in the preliminary approval and file the final plat, as they are waiting for the results of the sewer study which was finished at the end of 2019 and are also addressing Town comments related to water. Andy Brick stated that Adam Yagelski recently stated that there was nothing in the file demonstrating comments from the Rensselaer County Highway Department. Andy Brick stated that he is hoping by the next meeting or the first meeting in February they can seek final subdivision approval. Chairman Mastin asked if there were any questions.

•Chris Horne asked where Elliot Road is and asked if someone was working on the water & drainage issues on Elliot Road in the Huntswood Lane area that are pretty significant. Andy Brick stated that their stormwater plan was reviewed and approved by the Town Designated Engineer but that access point has not been reviewed by County Highway and they're going to rectify it. When they come back for final approval they hope to have all the conditions met by County Highway.

Joe Slater asked if there are any changes to the final plat. Andy Brick stated that it is the same with the possibility of a removal of a pump station. Chairman Mastin asked if there was anything else. There were no more questions by the Board.

**MOTION:** A motion was made by Chairman Mastin as follows: **Whereas the Town of East Greenbush Planning Board granted conditional preliminary plat & preconstruction approval of the above mentioned subdivision on April 11, 2018;**

**And whereas the preliminary plat approval dated April 11, 2018, required the applicant to satisfy several conditions within 180 calendar days of the resolution;**

And whereas in accordance with Article IV, Section 5 of the Town's Subdivision Regulations, the final plat and other supplementary documents shall be filed with the Clerk of the Planning Board, within 180 days after preliminary plat approval;

And whereas on the applicant was granted extensions in accordance with the Town's Subdivision Regulations on September 10, 2018, January 9, 2019, April 10, 2019, July 8, 2019 & October 8, 2019 extending conditional approval until January 8, 2020;

Be it resolved that the Town of East Greenbush Planning Board hereby grants an extension to the applicant to satisfy the conditions within the preliminary plat approval and file the final plat and supplementary documents in accordance with Article IV, Section 5 of the Town's Subdivision Regulations until April 8, 2020.

Seconded by Kurt Bergmann & roll called as follows:

M. Mastin-YES; J. Moore-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES;  
C. Horne-YES; D. Pantan-YES.

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

**REGENERON-81 COLUMBIA TURNPIKE-MAJOR SITE PLAN-BLDG. 81 ADDITION (19-14)**

Steve Hart of Hart Engineering gave a brief update. Steve Hart stated the proposal is for a 7,000 square foot two story addition, approximately 10,500 square feet overall. Steve Hart stated that he received the letter from MJ Engineering that all conditions have been satisfied. A temporary trailer was removed from the parcel. Chairman Mastin asked if there were any questions. There were no questions from the Board.

MOTION: A motion was made by Chairman Mastin as follows: **WHEREAS, Regeneron Pharmaceuticals, Inc. has submitted to the Town an application for major site plan approval for the expansion of Building 81 at Regeneron's Discovery Drive Campus (SBL 155.-1-4.131); and**

**WHEREAS, the Planning Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan prepared by Hart Engineering entitled "Regeneron Pharmaceuticals Building 81 Addition," dated July 1, 2019, and last revised October 7, 2019; and**

**WHEREAS, the Planning Board has also reviewed the comments of the Town's designated engineers, MJ Engineering and Land Surveying, PC.**

**now, therefore, be it**

**RESOLVED, that the Planning Board hereby recommends that the Town Board adopt a negative declaration under SEQRA and approve Regeneron's major site plan application, subject to the following:**

- 1. Regeneron must address any remaining technical comments from the Town's designated engineer and the Town Planning and Zoning Department.**
- 2. The Commissioner of Public Works must sign the final site plan.**
- 3. Prior to issuance of a building permit, Regeneron must pay all remaining fees and escrow to the Town, including land development mitigation fees required in connection with the**

**Western East Greenbush Generic Environmental Impact Statement (GEIS), as detailed in the GEIS fee statement provided by the Town.**

4. **Prior to issuance of a building permit, Regeneron must establish an escrow account to cover the costs of any necessary third party inspection services as determined by the Town Planning and Zoning Department prior to issuance of building permit;**
5. **Prior to commencing site work, all storm water pollution prevention permits must be obtained and regularly scheduled required inspections must be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law.**
6. **Regeneron must submit to the Town an approved Stormwater Pollution Prevention Plan (SWPPP);**

**PHEASANT HOLLOW-2670 PHILLIPS ROAD-7 LOT CLUSTER SUBDIVISION: (19-18)**

Steve Hart gave an update to the Board. Nan Stolzenburg from Adirondack Mountain Engineering was present as well. She is reviewing the project on behalf of the Town. The site is located on Phillips/Hayes Road and the proposal has changed from 7 lots to 10 lots. The proposal is for 9 buildings lots with 8 lots having 80' of frontage and 1 lot having 50' of frontage on 1 acre. Steve Hart stated that there has been discussion on the open space area and possible connection to lot #5 being deed restricted. The site has access to Town water and has asked for a sewer district extension, proposing a low pressure sewer system into Kriss Crossing, some properties want it and some don't. Steve Hart stated that there are 2 ponds existing for stormwater. Chairman Mastin asked the Board if there were any questions.

- Ralph Viola asked if the sewer is going to run all the way to the Golf Course pro shop. Steve Hart stated that is correct.

- Don Pantan asked what the size of the two larger lots were. Steve Hart stated 1 acre & 4 acres.

- Kurt Bergmann asked who will be responsible for the maintenance of the several grinder pumps that were mentioned. Steve Hart stated that the home owners will be.

- Kurt Bergmann asked what the colored area on the map are. Steve Hart stated they represent lawn, brush and wooded areas.

- Chris Horne asked where the soccer fields are in relation. Steve Hart stated they are about 1 mile down Phillips Road.

- Nancy Kupiec asked that it's so small, why are you doing a cluster subdivision. Steve Hart stated that when you go into the incentive zoning in the R-B zone, if you don't have water or sewer you need 200' of frontage with 1 ½ acreage lots, they have water existing there & sewer isn't too far away and with the incentive zoning it says 1/2 acre lots with 100' of frontage, once you hit the incentive zoning it pushes you into a cluster.

- Nancy Kupiec stated that a point in the report from the engineer mentions cluster design with respect to open space & conservation subdivision design, she went to a seminar on it and she likes it because it forces to keep the wild area intact by limiting driveways and with animals moving around this design kind of does that anyway especially the big lot. She asked if there was going to be fences put up. Steve Hart stated vegetative fencing only.

Chairman Mastin stated they talked about requirements for use of the open space for residents & also a trade-off which is giving sewer to a lot of residents.

- Ralph Viola asked about the driveway on Hayes Road, he thinks it's in a reasonable spot, if you move it back to Phillips Road there may be a site distance issue.

- Jim Moore asked about the houses on Hayes Road and how they compare to setback of existing houses. Steve Hart stated that he thinks they are probably closer then what's required, which is 25',

they may build them back further. Jim Moore thinks that will be safer since they are two new collector roads.

- Jim Moore asked if there was any sense on how much of the site will be disturbed. Steve Hart stated about 4 acres.

- Nancy Kupiec asked about discussion on sidewalks, but she doesn't think it's a big issue for her.

- Jim Moore asked if the neighbors across Phillips Road who are not interested in the sewer short term, is there anything that needs to happen, is there something that will provide for future hookups. Steve Hart stated there will be a T in the line with a stub @ the curb for every lot.

- Chris Horne asked what the size range is for the homes. Steve Hart stated 2,000 to 2,500 square feet.

- Don Panton asked if any parts of the golf course will stay open during construction. Steve Hart stated that probably all 9 holes will remain open, they will just be rearranging holes.

- Kurt Bergmann asked what the speed limit was on roads. Steve Hart stated he thinks 30 mph.

- Nancy Kupiec asked if the discussion on easements has been settled. Steve Hart stated that they have been resolved.

Steve Hart stated he will meet with the Fire Department to see if there are adequate fire hydrants.

Chairman Mastin asked the Board if there were any other questions. The Board didn't have any more & he stated that the Board isn't taking any action on this tonight, this was an update only.

### **NEW BUSINESS:**

#### **CELLULAR SALES-597 COLUMBIA TRPK.-MINOR SITE PLAN**

**(19-18)**

Guy Donahoe was present representing the owners of 597 Columbia Turnpike. Guy Donahoe stated that the proposal is to remodel/rehab the existing building into a Verizon store, the parcel is approximately 11,000 square feet and the building consists of a brick frame with a low roof. They propose to remove the roof and interior walls, they will be adding up the wall to add height. Guy Donahoe stated that the footprint will not change as well as any of the underground utilities, the curb cut will also remain as well as most of the parking. Guy Donahoe stated that the parcel is non-conforming in size as well as the building, instead of 12' off the side property line, its 3'.8". There are sheds that are 1.5' from the property line that will be removed. Chairman Mastin asked if the Board had any questions.

- Ralph Viola commented that it's a two story requirement as it's in the B-1 zoning district in the center of Town and would like the look enhanced, he doesn't want to see a box there.

- Nancy Kupiec stated that maybe they could do parapet walls. Guy Donahoe stated that they are parapet and are much higher.

- Don Panton asked what the height of the building is now. Guy Donahoe stated maybe 17'-18' at most.

- Nancy Kupiec stated that she likes the trees around the property. Guy Donahoe stated that the state owns the land and they would like to see the trees removed. The state has stated that they could landscape.

- Chris Horne asked if all nine of the trees would be removed. Guy Donahoe stated yes.

- Ralph Viola asked if there was a dumpster on the property. Guy Donahoe stated that there is.

Chairman Mastin asked them for a rendering prior to the next meeting. Guy Donahoe stated that he would.

- Kurt Bergmann stated that he has a concern about the trees being removed.

- Don Panton asked who owned the property and asked if it will just be leased. Guy Donahoe stated it will be a long term lease.

- Chris Horne asked if the signage will just be on the building. Guy Donahoe stated yes and possibly a free standing sign.

- Jim Moore stated that he doesn't want to see the site undeveloped as it will usually stay a certain way for 30 years or so.

- Jim Moore stated that more work needs to be done before a concept is developed. Adam stated yes.

- Jim Moore asked if it was a permitted use. Joe Slater stated that it is: A single retail tenant in the B-1 zone.
  - Nancy Kupiec stated it would be helpful to see a rendering.
  - Jim Moore understands the two story requirement but also thinking it won't look right on a small parcel.
  - Ralph Viola doesn't feel the Board will allow "Verizon" signs on all 4 sides of the building, and wants to see signs on the rendering. Joe Slater read the section in the code on signs: one sign attached to the building is allowed on each street side.
- Adam Yagelski stated that the applicant needs to provide a Phase 1 assessment for the SEQR record on the contamination from the site next store as it's designated as a superfund site by NYSDEC.
- Jim Moore read section F 06 for Existing Buildings Specific District Standards for B-1 and asked how far off of the property line is the building on the Columbia Turnpike side. Guy Donahoe stated 38.4' with paving area in front. Jim Moore asked if they were going to mitigate that. Guy Donahoe stated that area counts towards the overall parking for the site.
  - Jim Moore stated he isn't fond of the 3 spaces in the front of the building.
- Chairman Mastin asked if this will replace the Verizon store in the Home Depot Plaza. Guy Donahoe stated that it would not.
- Chairman Mastin asked if the Board had anything further. They did not. This was a presentation only.

**WORKSHOPS:**

NONE

**ORGANIZATIONAL MEETING 2020:**

Meetings:

- Meetings will be held two times per month on the second and fourth Wednesday of each month.
- Meetings will commence at 7:00 PM in the Town Court Room or Community Room.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby appoints Jim Moore as the Vice Chairperson in absence of the Planning Board Chairman.**

**Seconded by Ralph Viola & roll called as follows:**

**M. Mastin-YES; J. Moore-YES; R. Viola-YES; N. Kupiec-YES; K. Bergmann-YES;  
C. Horne-YES; D. Panton-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 approves the proposed 2020 meeting calendar.**

**Seconded by Kurt Bergmann & roll called as follows:**

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

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

**REFERRALS-REPORTS & RECOMMENDATIONS:**

NONE

**NEW ZBA REFERRALS:**

NONE

**REVIEW AND APPROVAL OF MEETING MINUTES:**

Motion by Chairman Mastin to approve the December 11, 2019 meeting minutes as is.

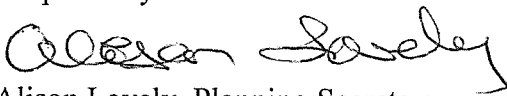
Seconded by Don Pantan. Motion carried by a 4-0-3 vote.

**CLOSING:**

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

Seconded by Kurt Burgmann. Motion carried by a 7-0 vote.

Respectfully Submitted

  
Alison Lovely, Planning Secretary