

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 14, 2022

Members:

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

Also Present:

Anna Feltham, Director of Planning
Joseph Slater, Planning Board Attorney
Mike Brown, Planning Engineer
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:

CART & CAFE-593 COLUMBIA TURNPIKE - SITE PLAN MOD. (21-27)

Raghuvar Srigrambuduri, one of the owners of Cart & Café & Tony D'Adamo from Capital Architecture were both present. Tony D'Adamo stated that he believes the uses of a convenience store, grocery store and restaurant have all been approved. Tony D'Adamo stated that they need to do some outside work, the site need to be cleaned up. There is an area in the back which has an addition that they want to square off to prevent further water issues and give the applicant more room for storage. Tony D'Adamo stated that they are not adding any new paving but that the parking lot does need to be striped. Tony D'Adamo stated that there is a grass area that exists on the site now and they will be adding grass areas between the two front entrances.

Chairman Mastin asked Anna Feltham to remind him what action has been taken on this project & where the Board is in this process. Anna Feltham stated that back in October of 2021, there was just a presentation & discussion because the Planning Department had only received a google image of the site. Anna Feltham stated that the only action at that time was that the project was classified as a Type II action & the Planning Board didn't accept the sketch plan, it was just acknowledged that site plan review was required. Chairman Mastin asked that on this site the uses are allowed through Zoning. Anna Feltham stated that is correct. Chairman Mastin stated then that this would just be a site plan modification. Both Anna Feltham & Joe Slater agreed.

Tony D'Adamo stated that the sign permit will be applied for separately but that there showing the sign and are only changing the facing of the monument sign and adding two walls signs which is within the limit of what's allowed.

•John Conway Jr. asked if they are keeping the monument sign & if it would be the same thing, internally lit & in addition they would have signage on the wall. Tony D'Adamo stated it would be the same thing with new facing & they are cutting out the closest parking spot to make it a grass area & there would be two wall signs.

- Ralph Viola if the potted plants would be going in the ground or staying in pots. Tony D’Adamo stated that they would be staying in the pots as there is a water issue now. The pavement goes right up to the building and is higher than the existing floor.
- Robert Jucha asked if they were removing the greenspace that is already there. Tony D’Adamo stated underneath that there is more asphalt. Someone in the past put dirt and grass over existing asphalt. Tony stated that they are going to make elevated landscape islands, near the entrance and exit. Chairman Mastin they may make that as a condition that those islands are no higher than 2’
- Ralph Viola stated that he understands the issue in front of the building but there has been a lot of asphalt in the past with some shrubbery, he would like to see some low lying shrubbery in the front of the building where the pots are going to go.
- Chris Horne asked if they could build permanent planters for along the front of the building. Tony D’Adamo stated that they could do that, they could water proof the foundation to keep the water away from the building.
- Don Panton asked how they are breaking up the 3 areas inside the building. Tony D’Adamo stated that the grocery store will take up most of the space, with some dining & the convenience store would take up like 1/3 of the building.

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

1. **Grants conditional final approval of the proposed Site Plan Modification as depicted on the site plan prepared by Capital Architecture, dated February 1, 2022, most recently revised September 2022, subject to the following conditions:**
 - **Satisfying outstanding technical details as determined by the Town Planning and Zoning Department**
 - **All remaining fees are paid to the Town.**
 - **The elevated landscape islands be limited to a maximum of two feet in height, not including the plants.**
 - **That permanent landscaping be provided on the south side along the building between the two entrance doors.**

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

CHEEMA PETRO LLC.-360-362 COL. TRPK – MINOR SITE PLAN, LLA & SUP. (21-27)

Jason Singer from Nolan Engineering, Jim Morrissey, realtor & the owner Surinder Cheema were all present. Jason Singer stated that their proposing a gas station, convenience store with canopy and drive thru on 360/362 Columbia Turnpike, these two properties will be combined. Jason Singer stated that they are proposing a retention pond behind the building.

- Don Panton asked how many gas islands will there be. Jason Singer stated 6-12 pumps total.
- Ralph Viola stated that he thinks this will be traffic nightmare, he thinks the pumps are going in the wrong direction as far as traffic flow. Ralph Viola also stated that the Zoning doesn’t allow any gas station within 1,200 feet of an existing gas station without a waiver and if the Planning Board is going to vote on that he doesn’t feel comfortable granting a waiver on a project that’s going to interfere with an existing customer & he believes it was put in the zoning so that it’s not gasoline alley. Anna Feltham asked the applicant if they knew what the distance was from Stewarts. Ralph Viola said he thought the report said they within the 1,200 feet. Jason Singer stated that he has to confirm that.

Jason Singer asked how the waiver achieved. Joe Slater thinks that waiver would go through the Planning Board but he would have to take a closer look into it.

Chairman Mastin asked what zone it is, B-1 or B-2. Jason Singer stated it's B-2

•Don Panton asked what brand of gas it will be. Jason Singer stated Valero.

•John Conway Jr. asked what the square footage of the building is & how it would compare to the Stewart's. Jason Singer stated its 2,800 sq. ft. and he is not sure. Surinder Cheema stated that the Stewart's is 4,000 sq. ft.

Chairman Mastin stated he is a bit confused on the roof, as the google earth image they provided looked like a flat roof and then another picture taken straight on looked like the roof was gabled. Jason Singer stated that the one proposed is a gable roof.

Jason Singer stated that there is an easement for sanitary that they are in the process of confirming.

Jason Singer stated that the next steps are to verify the easement, work on landscaping, traffic impact study and gather more information.

Chairman Mastin stated that it's important to figure out the distance to the Stewart's. Jason Singer asked what the process is, if the distance is 1,000 ft. or 1,100 ft. Chairman Mastin stated that they would need to explain why they need the waiver and why it should be approved. Joe Slater stated that the Zoning Law doesn't describe a process if it doesn't meet the distance of 1,200 feet. Joe Slater's opinion would be that it would have to be an area variance.

Chairman Mastin recommends no action tonight. Chairman Mastin stated that the next steps are to verify the distance to the Stewart's gas station & then identify the path forward from there. Chairman Mastin asked the Board if they had any other comments.

•Robert Jucha stated that the applicant should look at the traffic flow to the gas islands and throughout the site.

Anna Feltham stated that the Board could make a SEQR classification.

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

- 1. Declares itself Lead Agency under SEQRA and classifies this action as an Unlisted Action for the lot line adjustment, minor site plan & special use permit.**

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

NEW BUSINESS:

NONE

NEW ZBA REFERRALS:

ZBA Appeal #2022-08-Regeneron-81 Columbia Turnpike-Area Variance-Elevator Height assigned to Matt Mastin with a report due at the September 28, 2022 meeting

ZBA Appeal #2022-09-Gregware-10 Kitty Court-2 Area Variances-Rear setbacks for deck & garage assigned to John Conway Jr. with a report due at the September 28, 2022 meeting

NEW ZBA REPORTS:

NONE

REVIEW AND APPROVAL OF MEETING MINUTES:

Motion by Chairman Mastin to approve the August 24, 2022 meeting minutes. Seconded by Don Pantan. Motion carried by a 5-0-2 vote. Ralph Viola & John Conway Jr. abstained.

Chairman Mastin stated that there was a Zoning update meeting last Wednesday and they went through the specific zones in different areas in Town. Anna Feltham stated that the next Zoning Update Committee will meet again on October 3, 2022 at 6:30 pm.

CLOSING:

There being no further business before the Board, the meeting was closed by Chairman Mastin. Seconded by Don Pantan. Motion carried by a 7-0 vote.

Respectfully Submitted

Alison Lovely
Alison Lovely, Planning Secretary