

# TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENNELAER, NY 12144 (518)477-2005 FAX (518)477-2386

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## MEMORANDUM

### PLANNING BOARD MEETING AGENDA OCTOBER 13, 2021 TOWN HALL, COMMUNITY ROOM

**7:00PM CALL TO ORDER/DETERMINATION OF QUORUM:**

**PUBLIC HEARINGS:**

NONE

**OLD BUSINESS:**

- (11-10A) Witbeck-Phillips Road (Wyatt Circle)-Major Subdivision – *Project Update & status of infrastructure improvements & process for dedication to Town*
- (14-08) Deer Pond – Elliot Road-Major Subdivision-*Request for 90 day extension*
- (20-11) Carver Court-Upper Mannix Road – Major Cluster Subdivision-*Project Update*

**NEW BUSINESS:**

- (21-23) Benoit-416/418 Hays Road-Minor 2-lot Subdivision- *Sketch Plat Presentation, SEQRA Classification*
- (21-25) Regeneron- Bldg 81-Discovery Drive-Site Plan Modification-Temporary Trailers-*Presentation, Review for Conditional Final Approval*
- (21-26) Regeneron-Discovery Drive-Site Plan Modification-Temporary Trailers- *Presentation, Review for Conditional Final Approval*
- (21-27) 593 Columbia Turnpike, Cart & Café – *Site Plan Modification – Sketch Plat Presentation*

**NEW ZBA REFERRALS:**

NONE

**NEW REPORTS:**

ZBA Appeal #2021-12-Kline-596 Columbia Turnpike – Area Variance – Sign-Report by Ralph Viola

**REVIEW & APPROVAL OF MEETING MINUTES:**

*September 22, 2021 meeting minutes*

*\*To view application materials use the link below\**

<https://www.eastgreenbush.org/departments/planning-zoning/apps>

**DEER POND**  
**MAJOR 62-LOT CLUSTER SUBDIVISION**  
**MOTION TO GRANT EXTENSION**  
**TO SATISFY CONDITIONS WITHIN THE FINAL APPROVAL**  
**OCTOBER 13, 2021**  
**(14-08)**

WHEREAS, the Town of East Greenbush Planning Board granted conditional final approval and pre-construction approval for the 65 lots in the Town of East Greenbush of Deer Pond Subdivision prepared by Boswell Engineering, dated December 3, 2015 and last revised April 8, 2021; and

WHEREAS, the conditional final plat approval dated April 14, 2021, required the applicant to satisfy conditions within 180 calendar days of the resolution; and

WHEREAS, in accordance with Article IV, Section 5 (E)(2) of the Town's Subdivision Regulations, conditions described in the aforementioned conditional final plat and pre-construction approval resolution must be satisfied by the applicant within one hundred eighty (180) days after the date of the resolution, April 14, 2021; and

WHEREAS, 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, January 8, 2020, September 23, 2020 and December 9, 2020 extending conditional approval until February 10, 2021; and

NOW, THEREFORE, BE IT RESOLVED that the Town of East Greenbush Planning Board hereby grants an extension to the applicant to satisfy the conditions within the final plat approval in accordance with Article IV, Section 5 (E)(2) of the Town's Subdivision Regulations which allows for the Planning Board to extend the time within which a conditionally approved plat may be submitted for signature, if in its opinion such extension is warranted, for a period not to exceed two (2) additional periods of ninety (90) days each; and

Be it further

RESOLVED that the Planning Board hereby grants an extension of conditional approval in accordance with Article IV, Section 5 (E)(2) of the Town's Subdivision Regulations commencing on October 13, 2021 until January 11, 2022.

**BENOIT**  
**MAJOR 2-LOT SUBDIVISION**  
**416-418 HAYS ROAD**  
**OCTOBER 13, 2021**

**MOTION to ACCEPT (21-23)**

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

1. Accepts the sketch plat dated, October , 2021, prepared by Santo Associates for the proposed major subdivision.

**MOTION for PLANNING BOARD TO DECLARE ITS INTENT**  
**TO SEEK LEAD AGENCY AND INITIATE A COORDINATED**  
**REVIEW UNDER SEQR (21-23)**

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

1. Declares its intent to seek lead agency status in connection with a coordinated review of the project under SEQR. 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:

Town of East Greenbush Department of Public Works  
East Greenbush Fire District  
NYSDOT  
NYSDEC  
Rensselaer County Department of Public Health  
Town of East Greenbush Zoning Board of Appeals

2. Declares this action as an Unlisted SEQR action in accordance with 6 CRR-NY 617;

*End of Motion*

**REGENERON**  
**DISCOVERY DRIVE**  
**MINOR SITE PLAN MODIFICATION**  
**OCTOBER 13, 2021**

**MOTION FOR CONDITIONAL APPROVAL (21-25)**

A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”, and grants final approval of the proposed minor site plan modification subject to the following conditions:**

- **Satisfying outstanding technical details as determined by the Town’s Consulting Engineer and Town Planning Department;**
- **The applicant shall comply with all setbacks contained within the Town’s Comprehensive Zoning Law;**
- **This site plan approval for the temporary trailers shall expire three years from date of approval. Should the applicant require additional time for the use of the approved trailers, the applicant shall return to the Planning Board for further approvals.**

*End of Motion*

**REGENERON**  
**DISCOVERY DRIVE**  
**MINOR SITE PLAN MODIFICATION**  
**OCTOBER 13, 2021**

**MOTION FOR CONDITIONAL APPROVAL (21-26)**

A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5 (9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”, and grants final approval of the proposed minor site plan modification subject to the following conditions:**

- **Satisfying outstanding technical details as determined by the Town’s Consulting Engineer and Town Planning Department;**
- **This site plan approval for the temporary trailers shall expire three years from date of approval. Should the applicant require additional time for the use of the approved trailers, the applicant shall return to the Planning Board for further approvals.**

*End of Motion*

**CART & CAFÉ**  
**SITE PLAN MODIFICATION**  
**593 COLUMBIA TURNPIKE**  
**OCTOBER 13, 2021**

**MOTION for CONDITONAL APPROVAL (21-27)**

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

1. Declares this action as a Type II SEQR action in accordance with 6 CRR-NY 617.5 Type II Actions (C)(18) “reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance [...]”;
2. Approves the Site Plan Modification subject to the following conditions;
  - Satisfying outstanding technical details as determined by the Town Planning and Zoning Department; and
  - Prior to issuance of a building permit, the Applicant submit to the Building and Codes Department an application for approval of proposed signage;
  - All remaining fees are paid to the Town.

*End of Motion*