

TOWN OF EAST GREENBUSH PLANNING BOARD

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MEMORANDUM

EAST GREENBUSH PLANNING BOARD MEETING MINUTES January 9, 2019

Members:

Matt Mastin, Chairman
Matt Polsinello
Jim Moore
Mike Bottillo
Ralph Viola
Kurt Bergmann

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. Nancy Kupiec was absent.

PUBLIC HEARINGS:

NONE

OLD BUSINESS:

DEER POND-ELLIOT ROAD-MAJOR 62-LOT SUBDIVISION

(14-08)

Chairman Mastin stated that the project has received one 90 day extension.

Rejean DeVaux from Boswell Engineering was presented and stated that due to the applicant not being able to get the infrastructure installed that they are requesting an extension to complete the conditions contained within the preliminary plat approval and file the Final Plat. They have gotten the Army Corp permit and the remainder of the archeological permit. Chairman Mastin asked when they wanted to start work. Rejean DeVaux stated that he is not sure. Joe Slater stated that both parties can mutually agree to more time if needed.

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 the applicant has requested an extension to satisfy the conditions contained within the preliminary plat approval and submit the final plat and supplementary documents;

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 9, 2019.

Seconded by Kurt Bergmann & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

ORGANIZATIONAL MEETING 2019:

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 Greenman-Pederson Inc., Delaware Engineering, D.P.C., Behan Planning and Design, CT Male Associates, D.P.C., Barton & Loguidice, MJ Engineering and Land Surveying, P.C., Creighton Manning, Laberge Group, and H. V. LaBarba & Associates Engineering as Planning Board Engineering consultants.**

Second by Mike Bottillo & roll called as follows:

Roll Called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; J. Moore-YES; R. Viola-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 appoints Matt Polsinello as the Vice Chairperson in absence of the Planning Board Chairman.**

Second by Ralph Viola & roll called as follows:

Roll Called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; J. Moore-YES; R. Viola-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 appoints Joseph Slater as the Planning Board Attorney.**

Second by Matt Polsinello & roll called as follows:

Roll Called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; J. Moore-YES; R. Viola-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 appoints Alison Lovely as secretary to the Board.**

Second by Mike Bottillo & roll called as follows:

Roll Called as follows:

M. Mastin-YES; M. Polsinello-YES; M. Bottillo-YES; J. Moore-YES; R. Viola-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 approves the proposed 2019 meeting calendar.**

Second by Kurt Bergmann & roll called as follows:

Roll Called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

NEW BUSINESS:

NONE

UPDATES:

NONE

REFERRALS-REPORTS & RECOMMENDATIONS:

ZBA Appeal #2018-14-Hall-45 Phillips Road-2 Area Variances-Shed-report by Matt Polsinello

Matt Polsinello stated that he visited the above site which is a 75' x 150' lot surrounded on three sides by road. Matt Polsinello stated that the applicant is calling it a shed but it's a 16' x 24' garage for an antique car to be stored in.

After some discussion, the following motion was made:

MOTION: A motion was made by Matt Polsinello as follows: **The Town of East Greenbush Planning Board hereby accepts Matt Polsinello's report and recommends denial of the 2 Area Variances based on the encroachment & overall lot coverage strictly from a Planning perspective. *See attached report for further detail.**

Seconded by Kurt Bergmann & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

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NEW ZBA REFERRALS:

NONE

REVIEW AND APPROVAL OF MEETING MINUTES:

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


Seconded by Matt Polsinello. Motion carried by a 5-0-1 vote. Matt Mastin abstained.

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

**Town of East Greenbush
Zoning Board of Appeals Referral**

45 Phillips Rd. Area Variances

1. whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

The lot is 150' x 75' with a recently constructed (@2017) ranch style home with attached garage. The lot is located on the corner of Phillips Rd. and Garfield Pl. Garfield Pl. ends in a cul-de-sac and wraps around the lot in question. Essentially, the lot is surrounded by roadway on 3 sides. The 4th side of the home/lot is set back about 18' from the adjoining property line. It is an usual configuration and very tight on open space compared to the homes on Garfield but it is in line with many of the lots on Phillips Rd. The garage will have an impact on the character of the neighborhood and should not be classified as a shed.

2. whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

The applicant could have constructed a larger garage at the time of initial construction or add onto the existing garage and eliminate 1 if not both of the area variances. Additionally, the applicant could reduce the size of the garage and eliminate 1 if not both of the area variances.

3. whether the requested area variance is substantial;

The variance is substantial in regards to the level of encroachment to the adjoining property and overall size and coverage of the lot. The request to place the garage closer to the home is not as substantial of a request as it reduces the impact of the other variance and given the constricted nature of the lot and the limited options.

4. whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district; and

I was unable to make contact with the adjoining property owner on Phillips Rd. however they maintain a nice backyard with limited buffering between themselves and 45 Phillips Rd. They would be the most impacted by the garage. Additionally, the homes located around the cul-de-sac would face the garage although the setback from their road is not in question. Overall the size of the additional garage could have an adverse effect on the neighborhood.

