

# 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 FEBRUARY 26, 2020

#### **Members:**

Jim Moore, Vice Chairman  
Ralph Viola  
Nancy Kupiec  
Don Panton  
Chris Horne  
Kurt Bergmann

#### **Also Present:**

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

#### **CALL TO ORDER / DETERMINATION OF QUORUM**

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

#### **OLD BUSINESS:**

#### **PHEASANT HOLLOW-2670 PHILLIPS ROAD-MAJOR 10 LOT CLUSTER SUBDIVISION (19-18)**

Steve Hart from Hart Engineering was present and showed the Board an aerial of the proposed subdivision. The proposal has changed to a 10 lot subdivision with the 10<sup>th</sup> lot being remaining lands. The 9 lots will be located on approximately 10 acres with the remaining lands being 94 or so acres. The parcel is all one parcel but is partly in East Greenbush with the remaining lands in Schodack. Joe Slater asked if there was an update on the sewer extension. Steve Hart stated that they are still working on it. Steve Hart stated that they are still waiting to see how many homes are going to be involved in it, there are 5 of 6 homes on Hays road and then the 9 lots on Phillips Road and some others on Phillips Road may not want it.

- Kurt Bergmann stated that Steve would know the capacity sometime in the future. Steve Hart stated that is correct.

- Ralph Viola asked if Steve could show him on the map where Lots 10A, B, C & D are. Steve Hart stated that Lots 10A (are the subdivision), Lot's (B, C & D) are located on the opposite side of Phillips Road.

Vice Chairman Jim Moore asked if the straight line that located on the aerial photo is the Town line, or a right of way of some sort. Steve Hart stated no, it's a dirt road that trucks have used in the past.

- Don Panton asked where the Schodack Town line is. Steve Hart stated it's where the golf course building is.

- Ralph Viola asked what the end decision was in regards to the vegetative area at the intersection is. Steve Hart stated they can look at that.

- Nancy Kupiec stated she thinks that's #4 on Nans letter.

Steve Hart stated in regards to the open space, he's looking at how to best handle that. Could possibly be part of lot #5 and would be deed restricted.

Steve Hart stated that the percentage of the area buildable is still being worked on.

Vice Chairman Jim Moore asked if there was anything else from the Board or Adam or Dalia.

Adam Yagelski stated that Nan had a separate comment letter on the landscaping, preservation, reduction of curb width, and planting for rural characteristic.

Steve Hart stated that they're going to do the best they can to save what they can, and to save as many trees as they can. The curb cuts will probably be 12' wide, he stated he will get together with Nan.

Adam Yagelski stated that the other question he had was the County Highway comments on curb cuts along their roadway. Steve Hart stated that in their initial response they didn't have any concerns with it, but told him to submit more detailed plans when they are ready.

Vice Chairman Moore asked if the 200' between driveways is in the subdivision regulations.

Vice Chairman Moore asked if there was anything else. There was nothing else.

**MOTION: A motion was made by Vice Chairman Moore as follows: The Town of East Greenbush Planning Board hereby acknowledges the recommendation of its Town designated engineer, Adirondack Mountain Engineering, that the sketch plat may be accepted subject to certain conditions and hereby accepts the sketch plat dated, September 2019 & revised January 29, 2020 & prepared by Hart Engineering for the proposed 10-lot cluster subdivision, subject to the following:**

- **The proposed plat must be revised to eliminate references to lots numbered 10A, 10B, 10C, and 10D and show all remaining lands as a single lot 10.**

**Seconded by Don Panton & roll called as follows:**

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

**MOTION CARRIED BY A 6-0 VOTE**

**MOTION TO ACKNOWLEDGE INITIATION OF A COORDINATED REVIEW AND RE-  
NOTIFY INVOLVED AND INTERESTED AGENCIES OF CHANGES TO THE ACTION  
UNDER SEQRA**

**MOTION: A motion was made by Vice Chairman Moore as follows The Town of East Greenbush Planning Board on June 26, 2019 declared itself lead agency and classified the proposed subdivision as an unlisted action. The Planning Board further acknowledges that notification to potential involved and interested agencies was distributed by Town staff on October 2, 2019.**

**Subsequently, the applicant submitted an amended application, dated December 9, 2019, for approval of a 10-lot major cluster subdivision. In addition, through sketch plat review additional involved and/or interested agencies have been identified.**

**Based upon these changes and the sketch plat approval application review process, the Planning Board hereby directs that the following involved agencies be notified of the Planning Board's desire to assume lead agency status in connection with a coordinated review of this action:**

- **Rensselaer County Health Department**
- **Rensselaer County Bureau of Planning**
- **Rensselaer County Highway Department**
- **East Greenbush Central School District**
- **East Greenbush Fire District #3**
- **Bruen Rescue Squad**
- **Town of Schodack Planning Board**
- **Town of East Greenbush Town Board**



- New York State Department of Environmental Conservation
- New York State Office of Parks, Recreation, and Historic Preservation
- US Army Corp of Engineers

The Planning Board hereby acknowledges that this coordinated review process, including the notifications distributed by Town staff, evidence its desire to assume lead agency status. The Planning Board will re-affirm its status as lead agency, if needed, upon conclusion of the required 30-day coordinated review timeframe.

Seconded by Nancy Kupiec & roll called as follows:

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

MOTION CARRIED BY A 6-0 VOTE

**CELLULAR-597 COLUMBIA TURNPIKE-MINOR SITE PLAN-MIXED USE** (19-18)

Guy Donahoe spoke and stated they are proposing to remodel the existing building. Using the existing foundation, slab, utilities and walls it's allowed to remain a single story structure. Guy Donahoe stated that they were requested in the architecture of the building that they should make an attempt to meet the Zoning and to make it appear like it's a two story building. Guy Donahoe presented renderings showing the color of what the building would look like, they raised the building 5' to make it look like it's a two story and reduced the marquee that faces Troy Road. Guy Donahoe stated that another question was regarding signage. Guy Donahoe stated that they have worked with Kevin Hitchcock to be in compliance. The pylon sign will be located 15' back from the property line, which is what's required. Vice Chairman Moore asked if the Board had any questions.

•Chris Horne asked where the monument sign would be going.

•Nancy Kupiec stated that the original structure looked rectangular and the proposed Verizon store does not look like the same footprint. Guy Donahoe stated it's the same.

•Don Panton asked if the rendering is what it will look like with the plants and shrubs. Guy Donahoe stated he will discuss that soon.

•Ralph Viola stated that they did a good job, but he envisioned a peak somewhere. Guy Donahoe stated that where the entrance is there is a false peak across on the tall marquee where the signage is to soften the top.

Luke Fletcher from Verizon spoke regarding Ralph Viola's question.

•Ralph Viola asked about the existing dumpster and sees it as concrete block, he would like to see a split face block or wood. Guy Donahoe stated that would not be an issue.

Vice Chairman Moore stated that he appreciates the revised proposal, it's a significant improvement. He asked how the parapets would help with screening the roof top units. Guy Donahoe stated with how they've raised the roof up, he doesn't think anyone will be able to see the roof.

Guy Donahoe stated that the parking has been reduced to the maximum allowed for retail use which is 11 spaces. He has removed the 3 parking spaces in front of the building along Columbia Turnpike and will turn that into lawn landscaping, he has added a walkway to connect to the front of the road and comes into the building and has narrowed the aisle from 24' to 22 1/2" to accompany the sidewalk and has widened the parking spaces to compensate.

•Don Panton asked how many parking spaces there will be. Guy Donahoe stated 11. Guy Donahoe stated they will be making accommodations for their employees as those 11 spaces will definitely be required by their customers.



Adam asked them to speak on how they are accommodating employees. Luke Fletcher stated that Tom Burke who owns the sub shop next door has made arrangements for employees to park at Mr. Subb.

•Kurt Bergmann asked how many employees they will have. Luke Fletcher stated that a maximum of 8, usually 5 or 6.

Guy Donahoe stated that the site is contaminated by the dry cleaners next store and are awaiting a response from New York State DEC.

•Don Panton asked if it was ground contamination. Guy Donahoe stated that is correct.

Guy Donahoe talked about the trees and provided a landscaping plan to the Board. He stated that Blake Buckner of NYSDOT said that whatever they want to do is fine with him, they can either remove the trees or keep them. Guy Donahoe stated that there are 6 trees existing there today and that they are proposing 6 new trees with new locations.

Vice Chairman Moore asked if the green pine trees were staying. Guy Donahoe stated they are staying.

•Nancy Kupiec stated that the site across the street is losing trees across the street for a bus shelter and asked how many on their site will survive. Nancy also stated that she would love to see the sidewalk connect to the businesses along Troy Road.

•Ralph Viola asked about the view from Photo C or D. He feels with the signage on the sign that you will have ample visibility with the trees on Photo C and you will be able to see the monument sign from Photo D.

•Chris Horne on the view from E, agrees with Ralph that the view from Columbia Turnpike is totally unobstructed. Guy Donahoe stated that view E shot is right out in front of the intersection.

•Ralph Viola stated that the monument side is going to give great visibility of the business.

•Don Panton asked how many arches there would be. Guy Donahoe stated probably 3.

Nancy Kupiec asked what the planning staff thought about the trees especially in regards to what's going on with the Comp Plan. Adam stated from a Natural Resources perspective, there are a known set of resources that should be prioritized for protecting, but they need to figure out what those priorities are. There was a long discussion regarding the trees.

•Kurt Bergmann asked if there could be a compromise between keeping some trees and the use of lighting, finding a balance.

Joe Slater stated that the Board is not approving anything by accepting the sketch plan.

Vice Chairman Moore asked if there were any other questions from the Board.

**MOTION:** A motion was made by Vice Chairman Moore as follows: **The Town of East Greenbush Planning Board hereby accepts the sketch plan dated, September 10, 2018 & last revised February 5, 2020 & prepared by the Donahoe Group for the proposed minor site plan.**

**Seconded by Don Panton & roll called as follows:**

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

**MOTION CARRIED BY A 6-0 VOTE**

**NEW BUSINESS:**

**HARTLAND ASSOCIATES-875/879 RIDGE ROAD.-LOT LINE ADJ. (20-02)**

Steve Hart stated that the property is located at 875/879 Ridge Road. Steve Hart stated that back in 2018, a four lot subdivision was approved. The proposal is to know merge lots 2 and 3 as someone wants to purchase them. One is a 3.69 acres lot and the other is a 3.91 acre lot for a total of 7.6 acres. Vice Chairman Moore asked if the Board had any questions.



**MOTION:** A motion was made by Vice Chairman Moore as follows: The Town of East Greenbush Planning Board hereby declares this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5 (16) and grants final approval of the proposed lot line adjustment prepared by Creighton Manning Engineering and dated February 10, 2020, subject to the following:

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

Seconded by Kurt Bergmann & roll called as follows:

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

**MOTION CARRIED BY A 6-0 VOTE**

**BONAQUISTI BROS. 40 IROQUOIS PLACE MAJOR SITE PLAN-MIXED USE (20-03)**

Chris Boyea from Bohler Engineering was present as well as Tim Freitag of Bohler and Paul Bonaquisti. Chris Boyea stated that several people have looked at this site which is at the corner of Troy Road & Iroquois Place. It's a 2 ½ acre site which currently has a home on it and it is zoned B-1 which allows for mixed use retail. The applicant is proposing an 8,500 square foot commercial building and two 7,800 square foot apartment buildings consisting of 16 one bedroom units in each building. Chris Boyea stated that there are some challenges, (1) there is a two story building requirement & (2) there are incredible GEIS impact fees. There were two scenarios they were proposing (1) that the apartments are built close to the street and a single story up front or (2) if the commercial building was pushed back further 50' from the road then the 2<sup>nd</sup> story requirement would go away. Vice Chairman Moore asked if there were any questions from the Board.

Joe Slater stated that from a legal standpoint the Zoning Board of Appeals has denied a false 2<sup>nd</sup> floor façade on that property in the past.

•Nancy Kupiec stated that the variances granted were attached to the 7,500 square feet & the applicant is looking at an 8,500 square foot building and she's not sure if that makes a difference.

Vice Chairman Moore stated if he remembers the O'Reilly project proposed was a single story building.

Joe Slater stated that there is also a requirement with the mixed use in the district that the commercial space be comprised of 30% of the gross floor area. Chris Boyea stated that with the current proposal, they could make the 30% work.

Don Panton asked if the apartment buildings were identical. Chris Boyea stated that's to be determined.

Joe Slater asked what the gross floor area on that project is now. Chris Boyea stated that both apartment buildings are at 32,000 each for both floors and then the 8,500 square feet up front.

Paul Bonaquisti stated that the proposal before the Board is what they'd like to do.

•Don Panton asked if all 32 apartments would be one bedroom. Chris Boyea stated that is correct.

Vice Chairman Moore asked if there were any wetlands cutting across the property. Chris Boyea stated he thinks there is 1/10 of an acre.

Joe Slater asked if there was any thought on putting a second story over the retail. Chris Boyea stated that they can't find someone to make the deal viable.

Vice Chairman Moore asked if there was going to be a single tenant in the commercial building or multiple. Chris Boyea stated probably a single tenant.

Dalia Szarowicz spoke to the Code Enforcement Officer and stated that all he needs is a kitchen, bathroom etc. with no one actually living up there in the second story.

Nancy Kupiec asked if there was any way to work the footprint of the current building to meet the second story requirement. Paul Bonaquisti stated that he wasn't sure if they could make it work.



Vice Chairman Moore asked if they've looked at what the elevations look like. Chris Boyea stated that they could work with the Board on those.

Dalia added that they may need a variance for the setbacks.

Vice Chairman Moore asked if they could move the apartments back a bit.

•Nancy Kupiec asked if there would be a sidewalk on the Route 4 side of the property towards the school.

Adam Yagelski stated that NYSDOT is going to do that.

Vice Chairman Moore read the intent of the B-1 District.

The applicant was looking for the Board to give them an ok that this was a good project and would be able to move forward.

The path would be for the applicant to either construct a second story or to go in front of the Zoning Board for a variance for relief of the second story on the commercial building.

**WORKSHOPS:**

NONE

**REFERRALS-REPORTS & RECOMMENDATIONS:**

ZBA Appeal # 2020-02-JMA Properties, LLC.-4 Middle Mannix Road-2 Area Variances-2  
Building Signs-report by Don Panton

After some discussion from the Board, the following motion was made.

MOTION: A motion was made by Vice Chairman Moore as follows: The Planning Board adopts Don Panton's report & recommendation as its own and shall submit the report to the Zoning Board of Appeals \* See attached report for further details

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

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

**MOTION CARRIED BY A 6-0 VOTE**

**NEW ZBA REFERRALS:**

NONE

**REVIEW AND APPROVAL OF MEETING MINUTES:**

Motion by Vice Chairman Moore to approve the February 12, 2020 meeting minutes as is.


Seconded by Don Panton. Motion carried by a 6-0 vote.

Nancy Kupiec spoke in regards to the Natural Resources Inventory draft resolution to have an advisory Board. Nancy was asking where the legislation was. Adam stated that it's been presented to the Town Board and that the Town Board is going to address it with the Comp Plan Update. Nancy would like to see the Planning Board as a whole follow up on the matter.

**CLOSING:**

There being no further business before the Board, the meeting was closed by Vice Chairman Moore. Seconded by Kurt Bergmann. Motion carried by a 6-0 vote.

Respectfully Submitted

  
Alison Lovely, Planning Secretary

Appeal Number 2020-02

For your information:

Tax Map Number: 155-4-3

Address: 4 Middle Mannix Road

Emma Van Vorst from AJ Signs is proposing to install two (2) wall signs on an existing windscreen situated on the building roof at 4 Middle Mannix Road. She is representing JMA Properties LLC. Our Town Zoning Law states that signs which are mounted on the vertical, horizontal or sloped surfaces of the building roof are not permitted. The proposed action requires (2) area variances.

1. After talking with Emma on February 21, 2020, she explained the layout of the two new wall signs that will result in no detriment to nearby properties.
2. Her two clients (Adirondack Orthodontics and All Kids Smile) currently have only small box signs hung below the Holiday Inn Express sign situated on Rte. 4. These two signs are hard to see.
3. Since the involved building (the former Sports Bar) sits well below the Rte 4 pavement level, the proposed new wall signs will make it easier for patients to locate the involved businesses. Note: The signs will also be lit to help patients see them during the fall and winter months.
4. After careful review of this area variances request, based upon sound planning and zoning considerations, I give a positive recommendation to the Zoning Board of Appeals.

Respectfully,  
Donald H. Panton  
Planning Board Member



# Channel Letters

Qty: (1) Set

- Colors: ☐ White Acrylic  
☐ 3630 Azure  
☐ Trim Caps & Returns  
7125 Light Navy

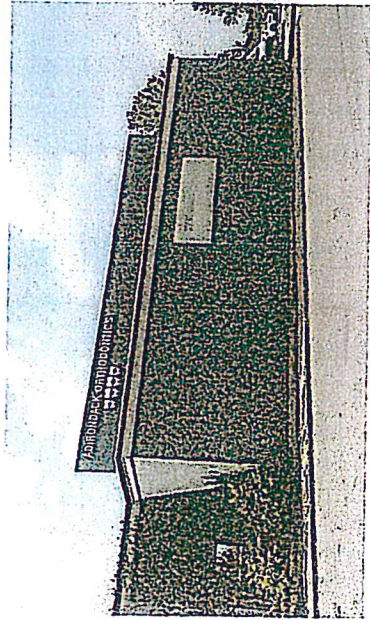


Photo Representation of Approximate Sizing



Night View

240 in

# ADIRONDACK ORTHODONTICS

13 in



842 Saratoga Road  
Burnt Hills, NY 12027  
(518) 309-9291  
AJSigns.com

Client: Adirondack Orthodontics  
Project: Exterior Signage  
Location: Middle Mannix Road, E Greenbush

Customer Approval: \_\_\_\_\_  
Landlord Approval (if Required): \_\_\_\_\_

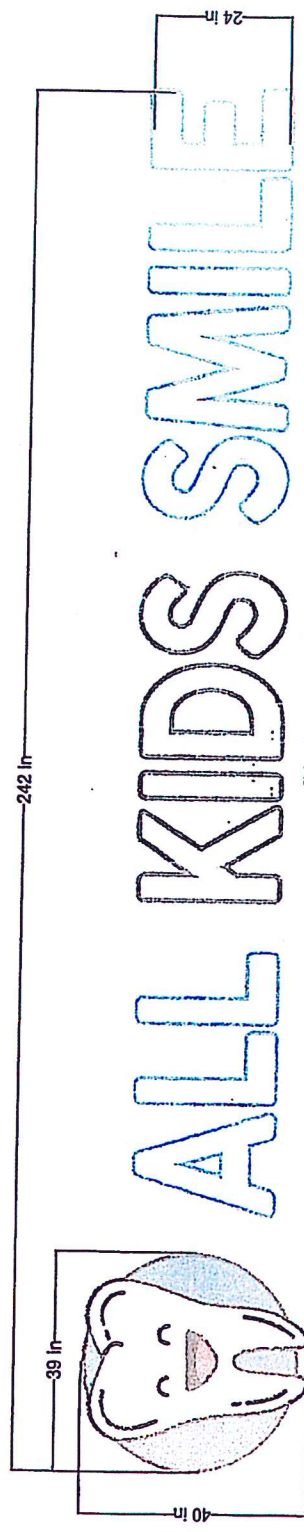
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

File Name: e27071  
Salesperson: Emma Van Vorst  
Designer: Liesel Soccolski  
Date: 10/18/19

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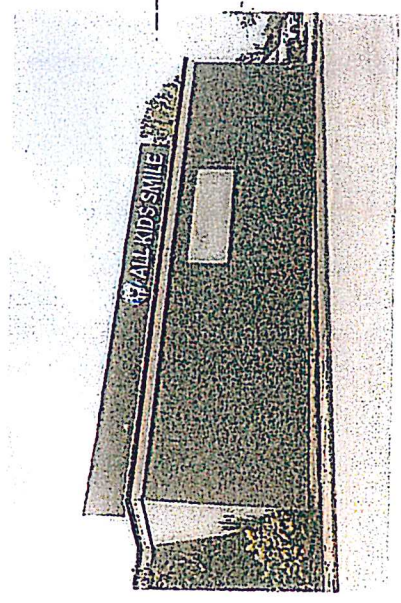







TRANSLUCENT VINYL: 3630 SERIES

- ☐ ASURE BLUE 227
- ☐ INTENSE BLUE 127
- ☐ MAGENTA



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