

# TOWN OF EAST GREENBUSH PLANNING BOARD

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

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## MEMORANDUM

### PLANNING BOARD MEETING AGENDA MAY 26, 2021

**\*TO BE HELD AT THE RED BARN ON  
TOWN PARK ROAD\***

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

**PUBLIC HEARINGS:**

7:00 PM Zassowski-125 Mohawk Avenue-Special Use Permit- Home Occupation

**OLD BUSINESS:**

(21-11) Zassowski-125 Mohawk Avenue-Special Use Permit- Home Occupation-Review for Conditional Final Approval

(21-07) Cristo-Old Troy Road-Minor 2-lot Subdivision-Review for SEQR Determination & Conditional Final Approval

**NEW BUSINESS:**

NONE

**REFERRALS-REPORTS & RECOMMENDATIONS:**

NONE

**NEW ZBA REFERRALS:**

NONE

**DISCUSSIONS:**

PZD Update

7:45 PM Jack-Discussion on Site Plan compliance

**REVIEW & APPROVAL OF MEETING MINUTES:**

*May 12, 2021 meeting minutes*

# **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**

### **LEGAL NOTICE ZASSOWSKI SPECIAL USE PERMIT PLANNING BOARD TOWN OF EAST GREENBUSH**

The Town of East Greenbush Planning Board shall conduct a Public Hearing pursuant to New York State Town Law Section 274-b (6) and Section 3.11.1 of the Town's Comprehensive Zoning Law, on an application for a Special Use Permit for the property located at 125 Mohawk Avenue, East Greenbush, NY, Tax Map # 155.13-11-11, which is Zoned R-2. The applicant proposes a Home Occupation in a portion of his basement. The review of the proposed work requires a Special Use Permit per The Town's Comprehensive Zoning Law Section II Table II-A Use Schedule references a Home Occupation requiring a Special Use Permit in the R-2 Zone. Said Public Hearing will be held on Wednesday, May 26, 2021 at 7:00 PM at the East Greenbush Red Barn on Town Park Road. At the above time and place, all interested parties will be given an opportunity to be heard.

By order of the Planning Board

Matt Mastin, Chairman

Town of East Greenbush  
Planning Board

SPECIAL PERMITS

An applicant for a special permit will be afforded a public hearing, at which time the applicant will present his/her case to the Planning Board, a board of seven members who will determine the disposition of the appeal by a majority vote. The following information is offered as a guide to assist you in preparation for your hearing. For additional advice, you are encouraged to contact your personal legal counsel.

The law directs that, in authorizing any special permit use, the Planning Board shall take into consideration the public health, safety, and general welfare, the comfort and convenience of the public in general and that of the residents of the immediate neighborhood in particular. The law directs that the Planning Board shall take into account several general objectives for approval of a Special Use Permit, and the applicant should be prepared to answer questions by the Board relative to these objectives. They are as follows:

1. The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to the use, and the location of the site with respect to the existence of future streets providing access, shall be in harmony with the orderly development of the district.
2. The location, nature, and height of the buildings, walls and fences and the nature and intensity of intended operations, will not discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
3. All proposed traffic access ways shall be adequate but not excessive in number; adequate in width, grade, alignment and visibility; be located not less than twenty-five (25) feet from street corners or other places of public assembly; and meet similar safety considerations.
4. Adequate provision for safe and accessible off-street parking and loading spaces shall be made.
5. All parking and service areas shall be screened at all seasons of the year from the view of adjacent residential lots and streets and the general landscaping of the site shall be in character with that generally prevailing in the neighborhood. Such landscaping shall include the preservation of existing trees over eight (8) inches in diameter to the maximum extent possible.
6. The character and appearance of the proposed use, buildings, structures, and/or outdoor signs shall be in general harmony with the character and appearance of the surrounding neighborhood, shall not be more objectionable to nearby properties by reasons of noise, fumes, vibration, or principal lights, than would be the operations of any permitted use and shall not adversely affect the general welfare of the inhabitants of the Town of East Greenbush.
7. All proposed buildings, structures, equipment and/or material shall be readily accessible for fire and police protection.

Robert Jassowski  
Signature

Robert Zassowski  
Print Name

4-20-21  
Date

\*In 2017 the Town Board passed changes in the Town's Zoning Code which places applications for Special Use Permits under the jurisdiction of the Planning Board

## Application for Special Use Permit

Town of East Greenbush 225 Columbia Turnpike  
Rensselaer, New York 12144

All applications must be submitted to the Planning Department with:

1. Determination by Zoning Enforcement Officer (given to applicant by Building Department) and
2. Survey Map or Plot Plan, Site Plan, Sketch, and/or Other Descriptive Detail

The property owner must complete Sections A, B, and C.

### A. Property Owner Data Please print or type neatly.

1. Name: Robert Zassowski
2. Address: 125 Mohawk Ave
3. City: Rensselaer State: NY Zip: 12144
4. Telephone Number: 518-506-1309
5. Location of Property: 125 Mohawk Ave
6. Tax Map No. 155-13-11-11  
(Can be obtained at Assessors Office)
7. Email Address: bobski1977@nycap.fl.com

### 8. Representative:

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

(If other than property owner) (Authorization form must be filled out and submitted)

Reason for Appeal (Please include brief but detailed description of the proposed action which require variance(s) or special permit. Attach additional pages as necessary).

I am proposing to open an ebay store reselling items  
such as cosmetics, personal care, and general merchandise.  
No signage or additional parking will be necessary.  
The work area will be a small portion of my basement. sketch included.

C. Signature of Property Owner: Robert Zassowski

Date: 4-20-21

### D. For Official Use

PZD Number:  
21-11

Tax Map Number:  
155.13-11-11

Zoning District:  
R-2

Appeal Type:  
Special Use Permit

Fee(s): \$330.96

Received: 5/10/21

Hearing Date: 5/26/21



Robert Zassowski  
125 Mohawk Ave  
Rensselaer, NY 12144  
518-506-1309  
[bobski1977@nycap.rr.com](mailto:bobski1977@nycap.rr.com)

To whom it may concern,

The reason for my submission of an application for a special use permit is because I will be operating a home occupation. This occupation will consist of running an eBay store in my spare time, from a small area in my basement with a working area of approximately 120 sq ft. The goods that I will be selling will be items like cosmetics, personal care, and general merchandise products. This will be an online only operation with no reason for customers, or anyone not living in the house, to enter the home due to this business operation. I will also be operating this business by myself with no employees.

The operation of this eBay store will not:

- Require any alteration to any indoor or outdoor structure at the premises
- Require any additional parking
- Require signage to be displayed
- Affect the neighborhood or environment in any negative way
- Increase pedestrian or vehicular traffic in the area

The products that I will be selling will be delivered by a standard delivery truck, such as FedEx or UPS, at a rate of one delivery every one or two months. There will be no freight, or palletized deliveries, and no need for any special unloading zone.

After reviewing the Comprehensive Zoning Law, in particular section 3.9 Home Occupations, and section 3.11 Special Permits, I believe I have briefly touched upon all of the relevant topics from the document that apply to my situation. In addition to the permit application paperwork, I have also included a sketch of the dimensions of the basement work area if needed.

Thank you for your time, and I look forward to answering any other questions you may have.

# *Short Environmental Assessment Form* *Part 1 - Project Information*

## Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

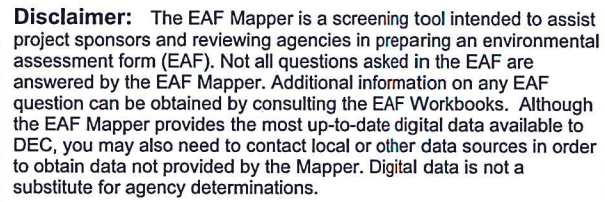
<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: <i>I am proposing to open an ebay store reselling items from my home. No signage or additional parking is necessary. The work area will be a small portion of my basement.</i>			
Name of Applicant or Sponsor:		Telephone: <i>518-506-1309</i>	
<i>Robert Zassowski</i>		E-Mail: <i>bobski7977@nycap.rr.com</i>	
Address: <i>125 Mohawk Ave</i>			
City/PO: <i>Rensselaer</i>		State: <i>NY</i>	Zip Code: <i>12144</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			<input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



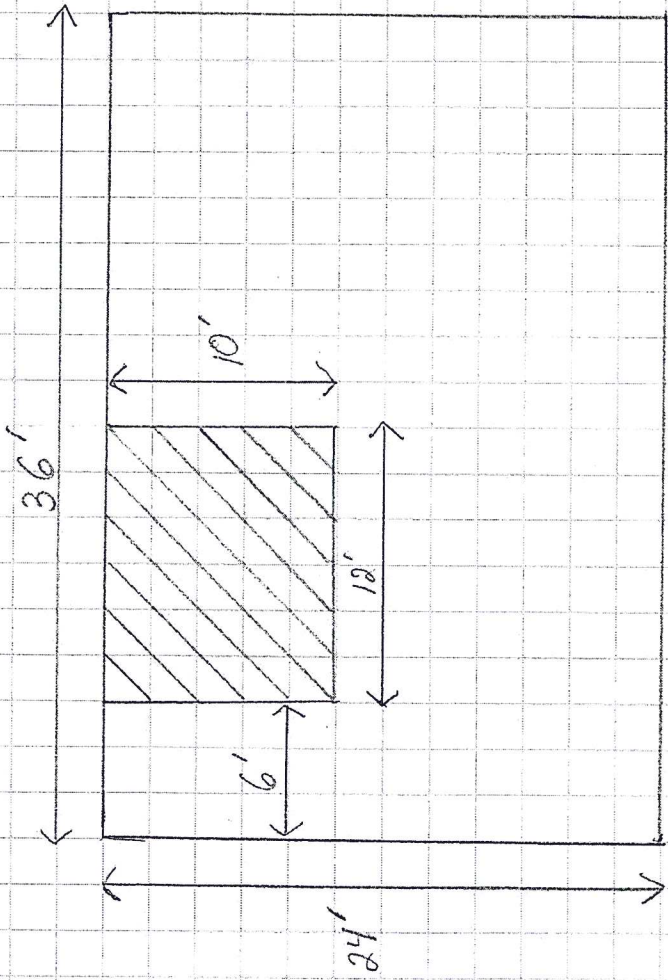
5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/> <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES	YES <input type="checkbox"/> <input type="checkbox"/> YES <input type="checkbox"/> YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Robert Zassowski</u>		Date: <u>4-20-21</u>
Signature: <u>Robert Zassowski</u>		





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes



Each square = 2 feet

Sketch of basement and

proposed work area in basement

requiring special permit.

Work area shaded. 10'x12'

120 sq ft

Robert Zassowski

125 Mohawk Ave

Rensselaer, NY 12144







RCBP # 21-89

Returned by Municipality \_\_\_\_\_

NOTIFICATION OF ZONING REVIEW ACTION

TO: Adam Yagelski MUNICIPALITY: East Greenbush

APPLICANT: Robert Zassowski

SUBJECT: Special Permit

LOCATION: 125 Mohawk Avenue

Project Description: Applicant proposes operating an E-bay store as a home occupation.

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Please be advised that the Rensselaer County Bureau of Economic Development and Planning has acted on the above subject as follows:

After having carefully reviewed the information submitted as part of the subject referral, the Bureau of Economic Development and Planning has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail.

Depending on the type of chemicals in the personal care items or other merchandise and the quantity of the chemicals, the applicant may need to report chemicals in storage to the Fire District. A the applicant should have a conversation with the local Fire Chief on what and how much is proposed to be stored.

Please return a report of the final action you have taken to the Bureau of Economic Development and Planning, This report is due within seven days after the final action. If your action is contrary to the recommendation of the County Bureau of Economic Development and Planning, Section 239-m of Article 12-B requires the adoption of a resolution fully setting forth the reasons for such contrary action.

Date 5/17/21



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ROBERT L. PASINELLA, JR, DIRECTOR  
Economic Development and Planning  
1600 Seventh Avenue  
Troy, New York 12180  
(518) 270-2914

Town of East Greenbush  
PLANNING BOARD

In the matter by:  
Robert Zassowski  
For a **Special Use Permit**

**Resolution and  
Final Decision of  
Planning Board**

**File No. 21-11**

**Whereas**, An application has been filed by Robert Zassowski, of 125 Mohawk Avenue, Rensselaer, NY, proposing the operation of a home occupation involving an online business (ebay store). The property is located in the Residential Zoning District (R-2). This application has been examined for compliance with the applicable provisions of the Comprehensive Zoning Laws and the Town Code of East Greenbush; New York State Town Law Section 274-b and Section 3.11 of the Town's Comprehensive Zoning Law, on an application for a Special Use Permit to conduct an online business (ebay store), which is required Per Section II Table II-A Section 2.4 Use Schedule of the Town's Comprehensive Zoning Law (Home Occupation); and

**Whereas**, The applicant has filed an application requesting a Special Use Permit at the property located on 125 Mohawk Avenue, East Greenbush, NY (Tax Map No. 155.13-11-11); and

**Whereas**, The Planning Board has duly published a notice of public hearing regarding this appeal in The Record on May 19, 2021 and

**Whereas**, Notice of the initial Public Hearing was provided by Certified Mail to the owners of all property within 200 feet of the land involved in the application, to the Town Planning Board, and to the Rensselaer County Bureau of Economic Development and Planning; and

**Whereas**, A Public Hearing was held by the Planning Board on Wednesday, May 26, 2021 at the Red Barn on Town Park Road of the Town of East Greenbush to consider this appeal; and

**Whereas**, At this hearing, the applicant as well as any and all persons interested in this appeal were heard, their statements recorded, and various written material including exhibits, if any, were entered into the record; and

**Whereas**, All statements, written material and exhibits submitted in connection with said appeal have been carefully considered; and

**Whereas**, This appeal is a type II action under **SEQR**; now, therefore, be it

**Resolved,** That the Planning Board makes the following findings of fact:

1. The application has been reviewed and determined to be compliant with the 7 criteria as defined in Section 3.11.01 of the Town's Comprehensive Zoning Law; and the requirements of a Home Occupation as defined in Section 3.9 of the Town's Comprehensive Zoning Law; therefore be it

**Resolved,** that the application for a Special Use Permit for the operation of a home occupation for an online business (ebay store), be Granted with the following conditions:

- The home shall not have signage to promote the business.
- The home occupation shall continue to conform to the regulations set forth in Section 3.9 of the Town's Comprehensive Zoning Law.
- No sale of merchandise shall occur on the premises in compliance with Section 3.9.1.D of the Comprehensive Zoning Law.
- There shall be no displaying of merchandise in compliance with Section 3.9.1.D. of the Comprehensive Zoning Law.
- 

This resolution was moved by Matt Mastin and seconded by \_\_\_\_\_ at a meeting duly held on May 26, 2021.

*(Discussion)*

A vote was taken as follows:

Matt Mastin	_____
Kurt Bergman	_____
John Conway III	_____
Noreen Gill	_____
Chris Horne	_____
Don Panton	_____
Ralph Viola	_____

Motion carried

**TOWN OF EAST GREENBUSH  
PLANNING BOARD**

By: \_\_\_\_\_  
Matt Mastin, Chairperson

Dated: \_\_\_\_\_, 2021



Copy To:

Robert Zassowski (via email)  
125 Mohawk Avenue  
Rensselaer, NY 12144

Cc: Rensselaer County Planning (via email)  
Town Clerk (via email)  
Building Inspector (via email)  
Assessor (via email)

**CRISTO  
MINOR 2-LOT SUBDIVISION  
24 OLD TROY ROAD  
MAY 12, 2021**

**RESOLUTION TO ISSUE A NEGATIVE DECLARATION  
UNDER SEQRA  
(21-07)**

**WHEREAS**, the East Greenbush Town Planning Board is in receipt of an application by Michael Cristo Jr. (the Owner) for approval under Section 276 of the Town Law of a minor subdivision plat entitled “Old Troy Road Minor 2-lot Subdivision” consisting of two proposed building lots, lot 1 (1.54 +/- acres) and lot 2 (0.88 +/- acres), on property located in the R-2, Residential Zoning District, Tax Map #'s 166.11-1-1.12 & 166.7-7-7.11; and

**WHEREAS**, the Town Planning Board did conduct a public hearing on April 14, 2021 on said action, at which time members of the public were invited to speak either in favor of, or in opposition to this subdivision application; and

**WHEREAS**, on March 30, 2021 the Planning Board initiated a coordinated review in accordance with SEQRA and in view of the changes proposed according to the amended application; and

**WHEREAS**, the Planning Board, has carefully reviewed the development proposal, including a land development application form, proposed minor subdivision plat, a Short Environmental Assessment Form (SEAF) Part 1, and related reports and studies for this project in accordance with Title 8 of the Environmental Conservation Law and 6NYCRR Part 617 for potential significant adverse environmental impacts as a result of the action; and

**WHEREAS**, mitigation measures, as appropriate to this subdivision proposal, have either been incorporated into the design of this subdivision and/ or the conditions of this resolution; and

**WHEREAS**, the Planning Board has compared the proposed action (minor subdivision approval) against the criteria listed in 617.7 (c) (i – xii) and has considered the potential long-term, short-term, direct, indirect and cumulative impacts as per 617.7 (2) and has also assessed the likely consequence of the action in connection with the criteria of 617.7 (3) (i-vii).  
Now, therefore, be it

**RESOLVED**, that the Planning Board, upon completion of the coordinated review as required by 6 NYCRR Part 617, hereby declares itself lead agency under SEQRA and re-affirms the classification of the action as an unlisted action in accordance with 6NYCRR Part 617; and  
be it further

**RESOLVED**, that, based on the environmental assessment and review, the Planning Board has determined that the project will not have any significant adverse effects on the environment and that a negative declaration, pursuant to Part 3 of the SEAF, which attached hereto and made a part hereof, is hereby adopted; and

be it further

**RESOLVED**, that the Planning Board authorizes the Chair to endorse the SEQRA determination and supporting rationale contained therein.

DRAFT



**PLANNING BOARD RESOLUTION GRANTING CONDITIONAL  
APPROVAL PLAT APPROVAL FOR THE CRISTO MINOR 2-LOT  
MAY 12, 2021  
SUBDIVISION (21-07)**

**WHEREAS**, the East Greenbush Town Planning Board is in receipt of an application by Michael Cristo Jr. (the Owner) for approval under Section 276 of the Town Law of a minor subdivision plat entitled “Old Troy Road Minor 2-lot Subdivision” consisting of two proposed building lots, lot 1 (1.54 +/- acres) and lot 2 (0.88 +/- acres), on property located in the R-2, Residential Zoning District, Tax Map #'s 166.11-1-1.12 & 166.7-7-7.11; and

**WHEREAS**, the Town Planning Board did conduct a public hearing on April 14, 2021 on said subdivision, at which time members of the public were invited to speak either in favor of, or in opposition to this subdivision application; and

**WHEREAS**, the Planning Board, acting as lead agency as part of a coordinated review under SEQRA, and after carefully reviewing the development proposal, including land development application form, proposed minor subdivision plat, and a short Environmental Assessment Form (SEAF) for this project, determined, in accordance with Title 8 of the Environmental Conservation Law and 6 NYCRR Part 617, that there will be no significant adverse environmental impacts as a result of the action and has therefore issued a negative declaration on May 12, 2021; and

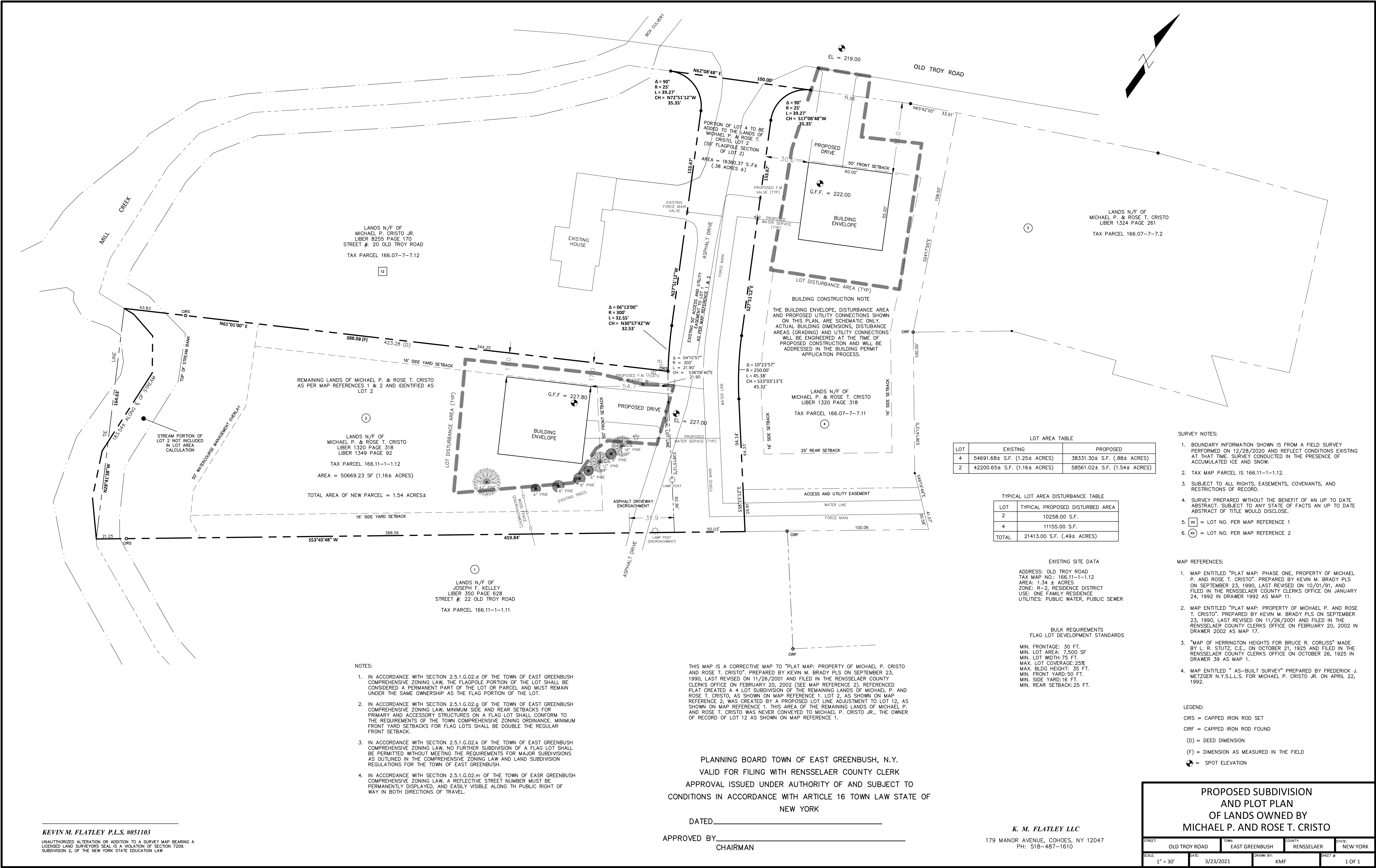
**WHEREAS**, the Planning Board has received and reviewed the revised proposed preliminary plat dated January 4, 2021 as prepared by K. M. FLATLEY LLC, including review comments from the Town Planning and Zoning Department; and  
now therefore be it

**RESOLVED** that the Town of East Greenbush Planning Board hereby grants conditional approval of the Cristo Minor 2-Lot Subdivision for the 2 lots in the Town of East Greenbush. prepared by K. M. FLATLEY LLC, dated March 23, 2021, and in strict compliance with each of the following conditions which must be satisfied by the applicant within 180 calendar days of this resolution, unless extended upon written request of the applicant by mutual consent for two (2) periods not to exceed ninety (90) days each:

1. Outstanding technical details as determined by the Town Planning and Zoning Department must be satisfied.
2. The Commissioner of Public Works must sign the final plat.
3. The following notes must be added to the final plat:
  - a. “Prior to issuance of a building permit for any lot or lots in the proposed subdivision, a professional engineer licensed to practice in the State of New York must certify in writing to the Town Building Inspector and Commissioner of Public Works that the proposed water supply and wastewater disposal facilities have sufficient capacity to serve any lot to be developed in the proposed subdivision.”
  - b. “Prior to issuance of a building permit for any lot or lots in the proposed subdivision, an engineering report prepared by a professional engineer

licensed to practice in the State of New York for the design of the proposed water supply and wastewater disposal facilities to serve any lot in the proposed subdivision be submitted to the Town for approval.”

- c. “Prior to issuance of a building permit for any lot or lots in the proposed development, a grading and drainage plan prepared by a professional licensed to practice in the State of New York must be submitted to the Town.”
  - d. “Land disturbance equal to or greater than one acre must conform to the requirements of the Town of East Greenbush Comprehensive Zoning Law and NYS Department of Environmental Conservation (SPDES) General Permit for Construction Activities GP-0-20-001 or as amended or revised, including preparation of an approved stormwater pollution prevention plan.”
  - e. "In accordance with Article IV Section 1(G) of the Town’s Subdivision Regulations, no topsoil shall be removed from any land in the Town, except that in areas over which heavy equipment will be operated. The topsoil shall be stripped and piled on the property. When final grades have been established and construction activities have been completed, the entire property shall be suitably graded and recovered with topsoil to a depth of at least four (4) inches after rolling, except that portion covered by buildings or included in the roads."
- 4. A copy of the proposed utility easement serving proposed Lot 4 must be provided to the Town’s Planning and Zoning Department, subject to Planning Board Attorney review and approval.
  - 5. Prior to commencement of construction, all fees due are paid as required by the Town of East Greenbush in accordance with the Western Generic Environmental Impact Statement (GEIS) fee schedule and Local Law 5-2018 of the Town of East Greenbush, a letter for which will be provided from the Director of Planning and Zoning.
  - 6. All remaining fees must be paid to the Town



- NOTES:
- IN ACCORDANCE WITH SECTION 2.5.1.G.02.d OF THE TOWN OF EAST GREENBUSH COMPREHENSIVE ZONING LAW, THE FLAGPOLE PORTION OF THE LOT SHALL BE CONSIDERED A PERMANENT PART OF THE LOT OR PARCEL AND MUST REMAIN UNDER THE SAME OWNERSHIP AS THE FLAG PORTION OF THE LOT.
  - IN ACCORDANCE WITH SECTION 2.5.1.G.02.g OF THE TOWN OF EAST GREENBUSH COMPREHENSIVE ZONING LAW, MINIMUM SIDE AND REAR SETBACKS FOR PRIMARY AND ACCESSORY STRUCTURES ON A FLAG LOT SHALL CONFORM TO THE REQUIREMENTS OF THE TOWN COMPREHENSIVE ZONING ORDINANCE. MINIMUM FRONT YARD SETBACKS FOR FLAG LOTS SHALL BE DOUBLE THE REGULAR FRONT SETBACK.
  - IN ACCORDANCE WITH SECTION 2.5.1.G.02.k OF THE TOWN OF EAST GREENBUSH COMPREHENSIVE ZONING LAW, NO FURTHER SUBDIVISION OF A FLAG LOT SHALL BE PERMITTED WITHOUT MEETING THE REQUIREMENTS FOR MAJOR SUBDIVISIONS AS OUTLINED IN THE COMPREHENSIVE ZONING LAW AND LAND SUBDIVISION REGULATIONS FOR THE TOWN OF EAST GREENBUSH.
  - IN ACCORDANCE WITH SECTION 2.5.1.G.02.m OF THE TOWN OF EAST GREENBUSH COMPREHENSIVE ZONING LAW, A REFLECTIVE STREET NUMBER MUST BE PERMANENTLY DISPLAYED, AND EASILY VISIBLE ALONG TH PUBLIC RIGHT OF WAY IN BOTH DIRECTIONS OF TRAVEL.

THIS MAP IS A CORRECTIVE MAP TO "PLAT MAP: PROPERTY OF MICHAEL P. CRISTO AND ROSE T. CRISTO", PREPARED BY KEVIN M. BRADY PLS ON SEPTEMBER 23, 1990, LAST REVISED ON 11/26/2001 AND FILED IN THE RENSSELAER COUNTY CLERKS OFFICE ON FEBRUARY 20, 2002 (SEE MAP REFERENCE 2). REFERENCED PLAT CREATED A 4 LOT SUBDIVISION OF THE REMAINING LANDS OF MICHAEL P. AND ROSE T. CRISTO, AS SHOWN ON MAP REFERENCE 1. LOT 2, AS SHOWN ON MAP REFERENCE 2, WAS CREATED BY A PROPOSED LOT LINE ADJUSTMENT TO LOT 12, AS SHOWN ON MAP REFERENCE 1. THIS AREA OF THE REMAINING LANDS OF MICHAEL P. AND ROSE T. CRISTO WAS NEVER CONVEYED TO MICHAEL P. CRISTO JR., THE OWNER OF RECORD OF LOT 12 AS SHOWN ON MAP REFERENCE 1.

PLANNING BOARD TOWN OF EAST GREENBUSH, N.Y.  
VALID FOR FILING WITH RENSSELAER COUNTY CLERK  
APPROVAL ISSUED UNDER AUTHORITY OF AND SUBJECT TO  
CONDITIONS IN ACCORDANCE WITH ARTICLE 16 TOWN LAW STATE OF  
NEW YORK

DATED \_\_\_\_\_

APPROVED BY \_\_\_\_\_  
CHAIRMAN

K. M. FLATLEY LLC  
179 MANOR AVENUE, COHOES, NY 12047  
PH: 518-487-1610

LOT AREA TABLE		
LOT	EXISTING	PROPOSED
4	54691.68± S.F. (1.25± ACRES)	38331.30± S.F. (.88± ACRES)
2	42200.65± S.F. (1.16± ACRES)	58561.02± S.F. (1.54± ACRES)

TYPICAL LOT AREA DISTURBANCE TABLE	
LOT	TYPICAL PROPOSED DISTURBED AREA
2	10258.00 S.F.
4	11155.00 S.F.
TOTAL	21413.00 S.F. (.49± ACRES)

EXISTING SITE DATA  
ADDRESS: OLD TROY ROAD  
TAX MAP NO.: 166.11-1-1.12  
AREA: 1.34 ± ACRES  
ZONE: R-2, RESIDENCE DISTRICT  
USE: ONE FAMILY RESIDENCE  
UTILITIES: PUBLIC WATER, PUBLIC SEWER

BULK REQUIREMENTS  
FLAG LOT DEVELOPMENT STANDARDS  
MIN. FRONTAGE: 30 FT.  
MIN. LOT AREA: 7,500 SF  
MIN. LOT WIDTH: 75 FT.  
MAX. LOT COVERAGE: 25%  
MAX. BLDG HEIGHT: 35 FT.  
MIN. FRONT YARD: 50 FT.  
MIN. SIDE YARD: 16 FT.  
MIN. REAR SETBACK: 25 FT.

- SURVEY NOTES:
- BOUNDARY INFORMATION SHOWN IS FROM A FIELD SURVEY PERFORMED ON 12/28/2020 AND REFLECT CONDITIONS EXISTING AT THAT TIME. SURVEY CONDUCTED IN THE PRESENCE OF ACCUMULATED ICE AND SNOW.
  - TAX MAP PARCEL IS 166.11-1-1.12.
  - SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD.
  - SURVEY PREPARED WITHOUT THE BENEFIT OF AN UP TO DATE ABSTRACT. SUBJECT TO ANY STATE OF FACTS AN UP TO DATE ABSTRACT OF TITLE WOULD DISCLOSE.
  - [X] = LOT NO. PER MAP REFERENCE 1
  - [XX] = LOT NO. PER MAP REFERENCE 2

- MAP REFERENCES:
- MAP ENTITLED "PLAT MAP: PHASE ONE, PROPERTY OF MICHAEL P. AND ROSE T. CRISTO". PREPARED BY KEVIN M. BRADY PLS ON SEPTEMBER 23, 1990, LAST REVISED ON 10/01/91, AND FILED IN THE RENSSELAER COUNTY CLERKS OFFICE ON JANUARY 24, 1992 IN DRAWER 1992 AS MAP 11.
  - MAP ENTITLED "PLAT MAP: PROPERTY OF MICHAEL P. AND ROSE T. CRISTO". PREPARED BY KEVIN M. BRADY PLS ON SEPTEMBER 23, 1990, LAST REVISED ON 11/26/2001 AND FILED IN THE RENSSELAER COUNTY CLERKS OFFICE ON FEBRUARY 20, 2002 IN DRAWER 2002 AS MAP 17.
  - "MAP OF HERRINGTON HEIGHTS FOR BRUCE R. CORLISS" MADE BY L. R. STUTZ, C.E., ON OCTOBER 21, 1925 AND FILED IN THE RENSSELAER COUNTY CLERKS OFFICE ON OCTOBER 26, 1925 IN DRAWER 39 AS MAP 1.
  - MAP ENTITLED "AS-BUILT SURVEY" PREPARED BY FREDERICK J. WETZGER N.Y.S.L.L.S. FOR MICHAEL P. CRISTO JR. ON APRIL 22, 1992.

LEGEND:  
CIRS = CAPPED IRON ROD SET  
CIRF = CAPPED IRON ROD FOUND  
(D) = DEED DIMENSION  
(F) = DIMENSION AS MEASURED IN THE FIELD  
SPOT ELEVATION

PROPOSED SUBDIVISION  
AND PLOT PLAN  
OF LANDS OWNED BY  
MICHAEL P. AND ROSE T. CRISTO

SHEET:	OLD TROY ROAD	TOWN:	EAST GREENBUSH	COUNTY:	RENSSELAER	STATE:	NEW YORK
SCALE:	1" = 30'	DATE:	3/23/2021	DRAWN BY:	KMF	SHEET #:	1 OF 1



Project:

Date:

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

## ***Short Environmental Assessment Form***

### ***Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

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Name of Lead Agency

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Date

---

Print or Type Name of Responsible Officer in Lead Agency

---

Title of Responsible Officer

---

Signature of Responsible Officer in Lead Agency

---

Signature of Preparer (if different from Responsible Officer)