

TOWN OF EAST GREENBUSH PLANNING BOARD

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

MEMORANDUM

PLANNING BOARD MEETING AGENDA

MARCH 9, 2022

REVISED 3/9/2022

MEETING WILL BE HELD IN THE
COMMUNITY ROOM AT TOWN HALL

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

PUBLIC HEARINGS:

NONE

ORGANIZATIONAL MEETING ITEM:

Appointment of Vice Chairperson

OLD BUSINESS:

(14-11a) Rysedorph-Olcott Lane-Major 27 Lot Cluster Subdivision- *Recommendation to Town Board regarding proposed offer of infrastructure*

(21-31) DeJulio – 40-44 Tanners Lane – Minor Subdivision – *Review for Conditional Approval*

(22-05) Hart – 1 Huntswood Lane – Lot Line Adjustment – *Classify sketch plan, SEQOR Classification and Review for Conditional Approval*

NEW BUSINESS:

NONE

REFERRALS-REPORTS & RECOMMENDATIONS:

NONE

NEW ZBA REFERRALS:

NONE

REVIEW & APPROVAL OF MEETING MINUTES:

February 9, 2022 & February 23, 2022 meeting minutes

ORGANIZATIONAL MEETING 2022:

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby appoints _____ as the Vice Chairperson in absence of the Planning Board Chairman.**

Roll Called as follows:

MOTION CARRIED BY A - VOTE.

Chairman Mastin	_____
Mr. Panton	_____
Mr. Viola	_____
Mr. Bergmann	_____
Ms. Horne	_____
Mr. Conway	_____
Ms. Gill	_____

RYSEDORPH CLUSTER SUBDIVISION

RECOMMENDATION TO THE TOWN BOARD THAT THE STREETS AND OTHER REQUIRED IMPROVEMENTS BE ACCEPTED

WHEREAS, the Town Planning Board did grant conditional final plat approval of the Rysedorph Cluster Subdivision on June 13, 2018 for the 27 lots in the Town of East Greenbush prepared by C.T. Male Associates, dated May 24, 2018 (the “Plans”); and

WHEREAS, the approved Plans required the installation of certain improvements, including roadway, water supply, sanitary sewer, stormwater drainage, pedestrian, and other infrastructure (the “Required Improvements”); and

WHEREAS, the Town’s Designated Engineer, (GPI – Greenman Pedersen Inc.) has conducted regular inspections of the construction of the Required Improvements as required by the Planning Board, as shown on the Plans, and as specified by Town requirements and in accordance with engineering best practices; and

WHEREAS, the Town’s Designated Engineer has certified, in writing, to the Commissioner of Public Works, Planning Board, and Town Board that they have supervised such improvements and that the completed Required Improvements conform to all approved plans and specifications of the Town; and

WHEREAS, the Commissioner of Public Works has approved in writing that all of the Required Improvements have been completed; and

WHEREAS the developer, at the discretion of the Commissioner of Public Works, has provided a Cash Bond in accordance with the Town of East Greenbush Town Code for the Required Improvements. Said Cash Bond, in the amount of \$110,000.00, has been provided in an amount and form acceptable to the Commissioner of Public Works and the Town Attorney; and

WHEREAS the developer has submitted written offers of cession for all improvements and interest in all land areas within the Public Right-of-Way to be dedicated to the Town of East Greenbush, including, but not limited to roadways, water and sewer systems, drainage ways and easements; and

NOW, THEREFORE, BE IT RESOLVED that the East Greenbush Planning Board hereby recommends, in accordance with Section 36-25 of the Town Code, to the Town Board that the streets and other Required Improvements be accepted, subject to the following conditions:

1. That the Developer reimburses the Town for all costs and expenses associated with the Planning Board's consultants and inspections of all Required Improvements.
2. The Developer, as soon as practicable during the 2022 construction season, complete the Required Improvements identified as having been incomplete as specified in and as of the date of the Town's designated engineer certification letter, dated March 2, 2022 which is attached hereto and made a part hereof.
3. The Developer must maintain sufficient financial security with the Town in a form acceptable to the Town until such time as all Required Improvements are completed, certified, and approved in accordance with the Town's requirements, including the required one-year maintenance period.

DEJULIO
MINOR 2-LOT SUBDIVISION
40-44 TANNERS LANE
MARCH 9, 2022

CONDITIONAL PLAT APPROVAL
(21-31)

WHEREAS, the East Greenbush Town Planning Board is in receipt of an application by Michael and Mary Jane DeJulio (the Owner) with Brian Holbriter, P.L.S, professional design consultant to the Owner, for a 2-lot Minor Subdivision approval under Section 276 of the New York State Town Law for a residential subdivision involving the subdivision of two parcels totaling 1.81 acres parcel located at 40 and 44 Tanners Lane (Tax Map I.D. SBL: 144.3-1-14 and 144.3-1-1.115, respectively) on which there are currently two single family homes, one per lot, both of which are owned by the Owner; and

WHEREAS, the proposal would subdivide the parcel so that each home remains on its own lot creating a third new buildable lot between the two existing parcels and single family homes; and

WHEREAS, the Town Project Review Team did review the preliminary plat and the various supporting data on May 10th, 2021 and meeting notes show discussion related principally to procedural review regarding area variances; and

WHEREAS, on November 10, 2021 the Planning Board did classify the proposed sketch plat as a Minor Subdivision; and

WHEREAS, on November 10, 2021 the Planning Board classified the action as an Unlisted action in accordance with 6NYCRR Part 617, declared its intent to seek lead agency status, and initiated a coordinated review under SEQRA ; and

WHEREAS, the Planning Board, did carefully review the land development application, sketch plat, Short Environmental Assessment Form Part 1, and related materials 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); and

WHEREAS, based on the environmental assessment and review, the Planning Board 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, was adopted on January 26, 2022; and

WHEREAS, the Planning Board did conduct a public hearing on February 9, 2022 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 has received and reviewed the proposed preliminary plat dated July 14, 2021 most recently revised March [REDACTED], 2022 as prepared by Brian Holbritter, P.L.S., and corresponding Site and Utility Plan prepared by Hart Engineering, dated March 1, 2022 most recently revised March [REDACTED], 2022, including review comments from the Town Planning and Zoning Department; and

WHEREAS, the Planning Board did refer the application to the Town's Zoning Board of Appeals on November 10, 2021, in accordance with New York State Town Law Section 277(6) and Section 4.2.4 of the Town's Comprehensive Zoning Law, as the application as proposed required the following variances:

1. Proposed Lot #1, with a proposed area of 1.08 +/- acres, lacks appropriate width (frontage), having only 35.71 feet of width in violation of Section 2.6.6.E:
 - a. Area and Bulk Schedule in Residential District (R-2) requires a minimum lot width of 75 feet
2. Proposed Lot #2, with a proposed area of 0.46 +/- acres lacks appropriate width (frontage), having only 39.35 feet width in violation of Section 2.6.6.E:
 - a. Area and Bulk Schedule in Residential District (R-2) requires a minimum lot width of 75 feet; and

WHEREAS, on February 8, 2022 the Zoning Board of Appeals did approve each of the two variances required by the proposed application, with the following conditions:

1. Pertaining to the following variance; Lot #1, with proposed 35.71' front setback was granted with the following conditions;
 - a. That the lot contain one and only one driveway to the primary building on that lot.
 - b. That the future subdivision of the cul de sac lot was not precluded as part of their original subdivision approval as indicated on the final site plans
2. Pertaining to the following variance; Lot #2 with proposed 39.35' front setback with the following conditions;

- a. That the lot contain one and only one driveway to the primary building on that lot.
- b. That the future subdivision of the cul de sac lot was not precluded as part of their original subdivision approval as indicated on the final site plans.

Now, therefore, be it

RESOLVED, that the Planning Board, hereby grants conditional approval of the DeJulio Minor 2-Lot Subdivision for 2 lots in the Town of East Greenbush, prepared by Brian Holbritter, P.L.S., dated July 14, 2021 most recently revised March [REDACTED], 2022, and corresponding Site and Utility Plan prepared by Hart Engineering, dated March 1, 2022 most recently revised March [REDACTED], 2022, 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) period not to exceed ninety (90) days each:

1. Outstanding technical details as determined by the Town Planning and Zoning Department must be satisfied.
2. A copy of the proposed ingress/egress easement must be provided to the Town's Planning and Zoning Department, subject to Planning Board review and approval.
3. All remaining fees must be paid to the Town.
4. The applicant shall comply with all provisions of the Town's Subdivision Regulations and Comprehensive Zoning Law not specifically referred to herein.
5. No further subdivision of the property shall be permitted.

HART
LOT LINE ADJUSTMENT
1 HUNTSWOOD LANE
FEBRUARY 23, 2022

MOTION for CONDITIONAL APPROVAL (22-05)

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

- 1. Classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5 (16) “granting of individual setback and lot line variances and adjustments”;**
- 2. Finds that the existing parcel labeled as “Lot 1” (SBL 167.0-5-1.112) conforms to Section 2.5(G) “Flag Lot Development Standards” of the Town’s Comprehensive Zoning Law; and**
- 3. Grants final approval of the proposed Lot Line Adjustment prepared by Donald G. Sovey, P.L.S, Creighton Manning Engineering, LLP and dated February 8, 2022, subject to the following:**
 - Satisfying outstanding technical details as determined by the Town Planning and Zoning Department; and**
 - Beyond conformance to Section 2.5(G), the Planning Board has conducted no further review of Lot 1 with regard to whether Lot 1 is a buildable lot under the Town’s Land Subdivision Regulations; and**
 - Prior to issuance of a building permit for development of proposed “Lot 1,” the Planning and Zoning Dept. and Building and Codes Dept. must review and approve the plan for development, including any required plot plan for residential or other construction; and**
 - That notes be added to final plat in accordance with the above-listed conditions, subject to Planning and Zoning Department review; and**
 - All remaining fees are paid to the Town.**

End of Motion