

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 OCTOBER 12, 2022 MEETING WILL BE HELD IN THE COMMUNITY ROOM AT TOWN HALL

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

PUBLIC HEARINGS:

7:00 PM Forty Iroquois LLC.-Special Use Permit-30' x 26' accessory garage

OLD BUSINESS:

(22-11a) Forty Iroquois LLC.- 40 Iroquois Place – Minor Site Plan Modification and Special Use Permit – Review for Conditional Final Site Plan & Special Use Permit Approval
(14-11a) Rysedorph-Olcott Lane-Major 27 Lot Cluster Subdivision- Update Only
(21-30) E.W. Birch Builders 26 Mountain View Avenue Minor Subdivision – TENTATIVE Presentation – Removed at the applicant's request

NEW BUSINESS:

NONE

NEW ZBA REPORTS:

NONE

NEW ZBA REFERRALS:

NONE

REVIEW & APPROVAL OF MEETING MINUTES:

September 28, 2022 meeting minutes

*To view application materials use this link: *<https://www.eastgreenbush.org/departments/planning-zoning/apps>

TOWN OF EAST GREENBUSH PLANNING BOARD

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

MEMORANDUM

LEGAL NOTICE FORTY IROQUOIS LLC. 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 3.11.02 of the Town's Comprehensive Zoning Law, on an application for a Special Use Permit for the property located at 40 Iroquois Place, East Greenbush, NY, Tax Map # 166.15-5-1, which is Zoned B-1. The applicant proposes the construction of a single story 30' x 26' garage which is considered an accessory structure. The review of the proposed work requires a Special Use Permit per The Town's Comprehensive Zoning Law Section II-4 Use Schedule. Said Public Hearing will be held on Wednesday, October 12, 2022 at 7:00 PM at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, NY. 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

Town Hall • 225 Columbia Turnpike • Rensselaer, NY 12144
Tel. (518) 694-4011 • Fax (518) 477-2386
www.eastgreenbush.org

RECEIVED
SEP 22 2022
DEPT PZD

AUTHORIZATION FORM

40 Iroquois Place, East Greenbush, NY 12061

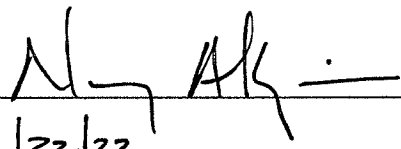
To the Town of East Greenbush

(X) Planning Board;

I, **Nancy Kupiec**
Forty Iroquois, LLC Member give permission to **Steven P. Hart, P.E.**
Property Owner *Representative*

For representing me for my application before the Town of East Greenbush Zoning Board of Appeals and/or Planning Board, as indicated above, in applying for a Special Use Permit.

for the property located at **40 Iroquois Place, East Greenbush NY 12061**
Property Address

Property Owner's Signature: 

Date: 9/22/22



The Town of East Greenbush

PLANNING BOARD

225 Columbia Turnpike, Rensselaer, New York 12144
Phone: 518 694-4011

SPECIAL USE PERMIT APPLICATION

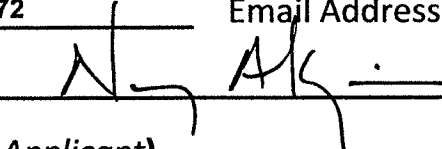
Section 1: Applicant/Property Owner Information:

Applicant/Representative:

Name: Forty Iroquois, LLC (Applicant)/Steven P. Hart, P.E. (Representative)

Address: 164 Columbia Turnpike, Rensselaer, NY 12144

Phone #: (518) 365-6572 Email Address: steven.hart@hartengineer.com

Signature of Applicant:  Date: 9/22/22

Property Owner (If not Applicant)

Name: Forty Iroquois, LLC

Address: PO Box 212, East Greenbush, NY 12061

Phone #: (518) 331-7776 Email Address: nancy.kupiec@gmail.com
Nancy Kupiec, LLC Member

See Authorization page if Applicant and Property Owner are not the same

Section 2: Property Information:

Property Address/Location: 40 Iroquois Place, East Greenbush NY 12061

Tax Map #: 166.15-5-1 (*Obtain from Assessor's office*)

Section 3: Project Information:

Describe project & why a Special Use Permit is necessary:

Project includes construction of a single story garage, which is considered an accessory structure located
within a Town of East Greenbush B-1 zoned District. As such, a Special Use Permit is required for an
accessory structure of this type, as approved by the Town Planning Board.

Indicate the Town Zoning Law Chapter/Section from which this Special Use Permit
application is being requested.

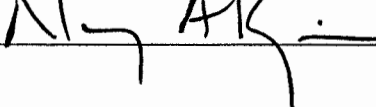
Article: _____ Section: II-4 Table II-A Subsection: Structure; Commercial Garage or Shed

Additional code sections if they pertain: _____

All applications must be submitted to the Planning/Zoning Department with:

1. Sketch, Site and/or Building Plan Narrative and/or Other Descriptive Detail as applicable and to assist the Planning Board with review for conformance with the Special Permit General Standards (Section 3.11.1.A of the Town's Comprehensive Zoning Law). The narrative must address the Special Use Permit Criteria.

If you have any questions you can reach the Planning secretary at alovely@eastgreenbush.org

Signature:  Date: 9/22/22

For Official Use Only:

PZD Number: 22-11a
Date Application Received: 9/22/2022
Tax Map Number: 166.15-5-1
Zoning District: B-1
Application/Certified Fee: \$290.76
Received: 9/27/2022 Receipt #70258
Hearing Date:
☐ Approved:
☐ With/without conditions:
☐ Denied:

Fees are as follows:

Special Use Permit (residential): \$150.00

Special Use Permit (commercial): \$250.00

The applicant is also responsible for the certified fees of all properties with in 200 feet and will be calculated once an application is received and a letter will be sent including a total of all fees to be paid.

FOR A SPECIAL USE PERMIT:

An applicant for a special use 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. Please answer the questions to the best of your ability. For additional advice, you are encouraged to contact your personal legal counsel.

Section 3.11 Special Use Permits of the Town's Comprehensive Zoning 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:

SEE ATTACHED NARRATIVES

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 the 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.

Special Use Permit Narrative

40 Iroquois Place

Application to Construct a 30' Wide by 26' Deep Detached Garage in a B-1 Zoned District

Planning Board Considerations

1. The proposed single-story garage will be located approximately 23 feet +/- from the rear lot line at its nearest point. At present there is only one single story masonry & wood framed structure (circa 1954), currently under renovation for mixed use occupancy (commercial/residential), located on this 2.54-acre parcel. All exterior improvements are intended to preserve the historic integrity of this unique mid-century California Executive Ranch style building.

The garage will be built within 20 feet of this structure's Northeast rear corner. It will be directly in line with the end of an existing straight run asphalt driveway that will be replaced in kind when construction of the garage is complete (Spring 2023). This driveway that enters on Iroquois Place is the only vehicular access to the property, and it will remain as such.

2. Planned use of the garage includes parking for the Owner's residential unit, storage for building and grounds maintenance equipment & supplies, and a seasonal half bathroom for convenience of the property's commercial operations which are outdoor recreational in nature. Used only an accessory structure, the proposed one-story construction will adequately serve these needs.

The parcel is located on a corner lot at the intersection of Iroquois Place and County Route 4. National Grid's utility easement runs along the entire 789-foot Northern rear lot line, which also is part of the Empire State Bike Trail. A little more than half of this parcel will remain wooded and will provide a 360'x150' foot visual & sound buffer between the garage and the nearest residential neighbor to the East. True Value Hardware is located directly across Iroquois Place to the South and a mixture of commercial uses occur along the Western side of Route 4.

3. Traffic will not be effected by construction of a new garage at the end of an existing straight run driveway approximately 32' wide, that is perpendicular to Iroquois Place & intersects at a right angle. This driveway begins approximately 140' from the corner of Route 4 and Iroquois Place.
4. The garage itself will provide parking for the Owner's residential use. Adequate parking for commercial uses will be provided in areas adjacent to the main driveway. Delivery of goods for a small recreational enterprise within the structure will occur at the beginning portions of this 100-foot driveway.

5. Landscaping primarily includes preservation of existing lawns, healthy trees, bushes, perennials and approximately 1.2 acres of forest. There are no trees, plantings or bushes in the area to be excavated for the garage. This section is currently cut grass. Invasive “weed” trees & an unhealthy pine located near the driveway apron have been removed to provide adequate view of oncoming traffic from both directions on Iroquois Place. Lawns are being extended in these areas and unused asphalt in front of the building (formally a driveway extension) has been removed and replaced with top soil & grass seed.
6. Garage uses will be limited to parking for one vehicle, equipment storage and comfort/check-in services related to outdoor recreation activities (i.e. bicycle and racquet sports) during warmer months of the year. In addition to interior lighting, exterior lights will consist of wall mounted sconces and/or recessed soffit LEDs located above entrance doors. Landscape solar path lighting, or low pole-mounted lanterns will provide safe access to the main structure.
7. There is adequate access for emergency services to both the existing building and proposed garage.



The Town of East Greenbush

PLANNING AND ZONING DEPARTMENT

225 Columbia Turnpike, Rensselaer, New York 12144

Phone: 518.694.4011

Fax: 518.477.2386

MEMORANDUM

TO: Applicants and Design Professionals

FROM: Anna Feltham, Director of Planning

DATE: June 13, 2022

**SUBJECT: State Environmental Quality Review Act (SEQRA) Title 6 NYCRR
Part 617 Regulations guidance**

The following webpage will provide helpful guidance to applicants and their design professionals about completing an environmental assessment form Short (EAF):

<http://www.dec.ny.gov/permits/357.html>.

Form to Submit with Your Application

The Town's Zoning Application packet contains a Short EAF Part 1 form for your consideration.

Completing Required SEQRA Forms

It is also important to note that the webpage link provided above contains resource materials and information concerning use of state web-based interactive mapping applications, including the NYSDEC's EAF Mapper tool, to assist you in completing the required SEQRA documentation.

It is *strongly* recommended that applicants use the EAF Mapper tool to complete Part 1. Applications should submit the completed Part 1 returned by the EAF Mapper and the accompanying report the tool auto-generates. You can learn more about the EAF Mapper and access the tool by visiting the following webpage: <https://www.dec.ny.gov/permits/90201.html>.

Short Environmental Assessment Form

Part 1 - Project Information

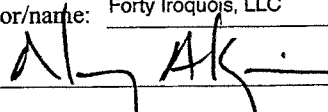
Instructions for Completing

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.

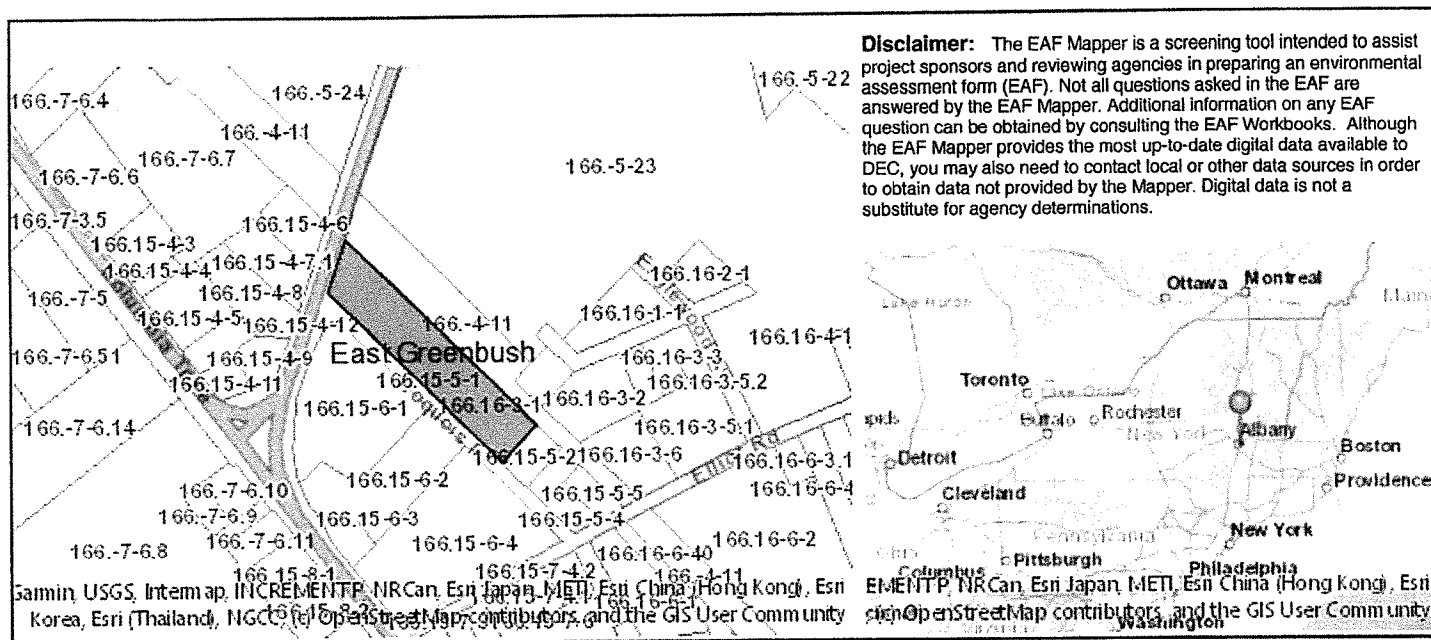
Part 1 – Project and Sponsor Information				
Name of Action or Project: 40 Iroquois Place - Pickleball Courts & Accessory Garage				
Project Location (describe, and attach a location map): 40 Iroquois Place East Greenbush NY 12061				
Brief Description of Proposed Action: Applicant is proposing to install 4 Pickleball Courts on a 108'x60' concrete slab. The Courts will have a pavilion-style roof covering with support posts and open sides plus 12 parking spaces. A single story 30'x26' accessory Garage (slab-on-grade) will be constructed adjacent to the Pickleball Courts.				
Name of Applicant or Sponsor: Forty Iroquois, LLC		Telephone: 518-331-7776 E-Mail: nancy.kupiec@gmail.com		
Address: PO Box 212				
City/PO: East Greenbush		State: NY	Zip Code: 12061	
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u> 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.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u> If Yes, list agency(s) name and permit or approval: Town of East Greenbush Planning Board - site plan modification			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. <u>Total acreage of the site of the proposed action?</u>		2.54 acres		
b. <u>Total acreage to be physically disturbed?</u>		0.5 acres		
c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u>		2.54 acres		
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>				
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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. <u>A permitted use under the zoning regulations?</u> b. <u>Consistent with the adopted comprehensive plan?</u>	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. <u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. <u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u> If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u> b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. <u>Does the proposed action meet or exceed the state energy code requirements?</u> If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. <u>Will the proposed action connect to an existing public/private water supply?</u> If No, describe method for providing potable water: _____ existing _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. <u>Will the proposed action connect to existing wastewater utilities?</u> If No, describe method for providing wastewater treatment: _____ existing _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
13. a. <u>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?</u> 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 type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" 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 checked="" 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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	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 type="checkbox"/>	<input checked="" type="checkbox"/>
442044 fashion care cleaning 595 Columbia turnpike		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Forty Iroquois, LLC</u> Date: <u>09/12/2022</u>		
Signature: <u></u> Title: <u>LLC Member</u>		

EAF Mapper Summary Report

Sunday, May 15, 2022 12:04 PM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
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



The Town of East Greenbush

Building Department

225 Columbia Turnpike, Rensselaer, New York 12144
Phone: 518-477-6225 – Email egcodes@eastgreenbush.org
Building, Zoning and Fire Prevention

September 20, 2022

FORTY IROQUOIS LLC
PO Box 212
East Greenbush, NY 12061

RE: PERMIT APPLICATION

40 Iroquois Place
Tax Map # 166.15-5-1

To Whom It May Concern;

The owners at 40 Iroquois Place have proposed a site plan modification to include a pavilion roof structure covering the proposed pickle ball courts and a separate detached garage with a bathroom. The parcel is zoned B-1 General Business Mixed Use District. Pursuant to Section II-4 Use Schedule of the Town Comprehensive Zoning Law, an accessory structure requires the Planning Board approval of a Special Use Permit. Section 2.7.2 references a requirement for two story minimum height. It is my opinion that the two story height requirement does not apply to accessory structures not attached to the principle building.

Sincerely,

Kevin Hitchcock
Building Inspector

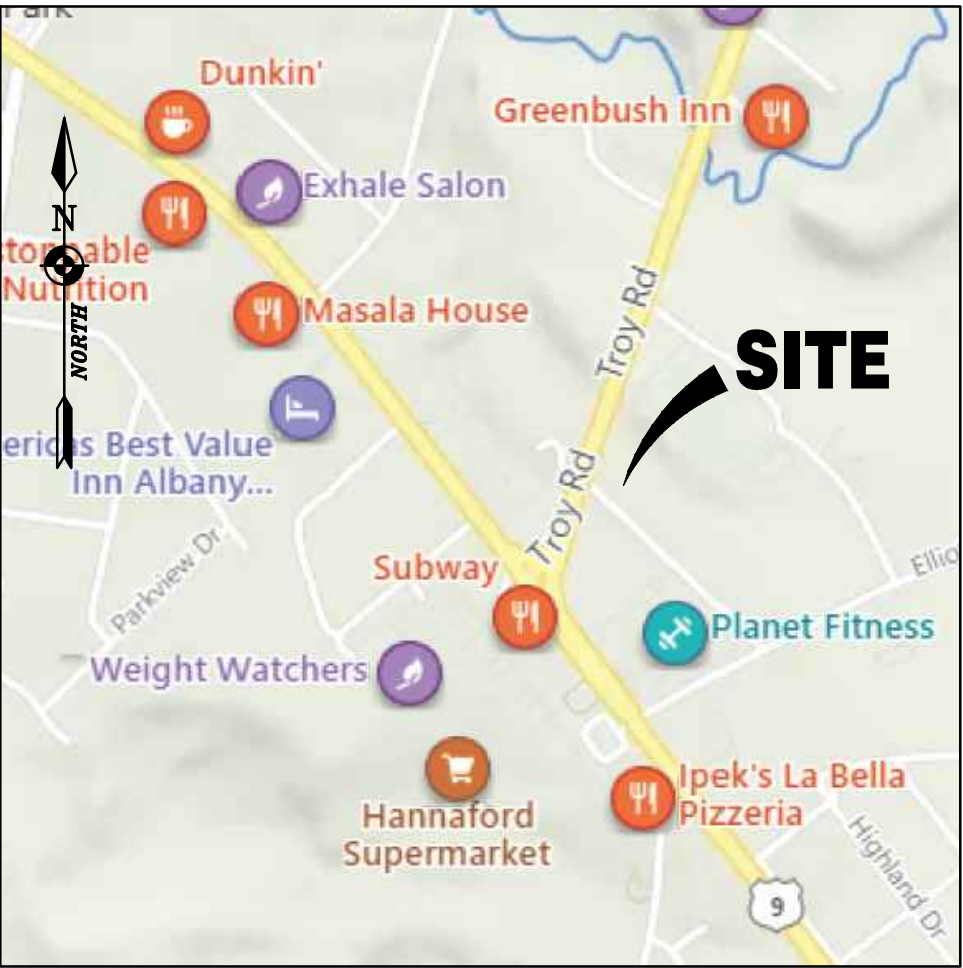


SITE DATA CHART
CURRENT ZONING: B1-GENERAL BUSINESS
TAX MAP NUMBER(S) 166.15-5-1

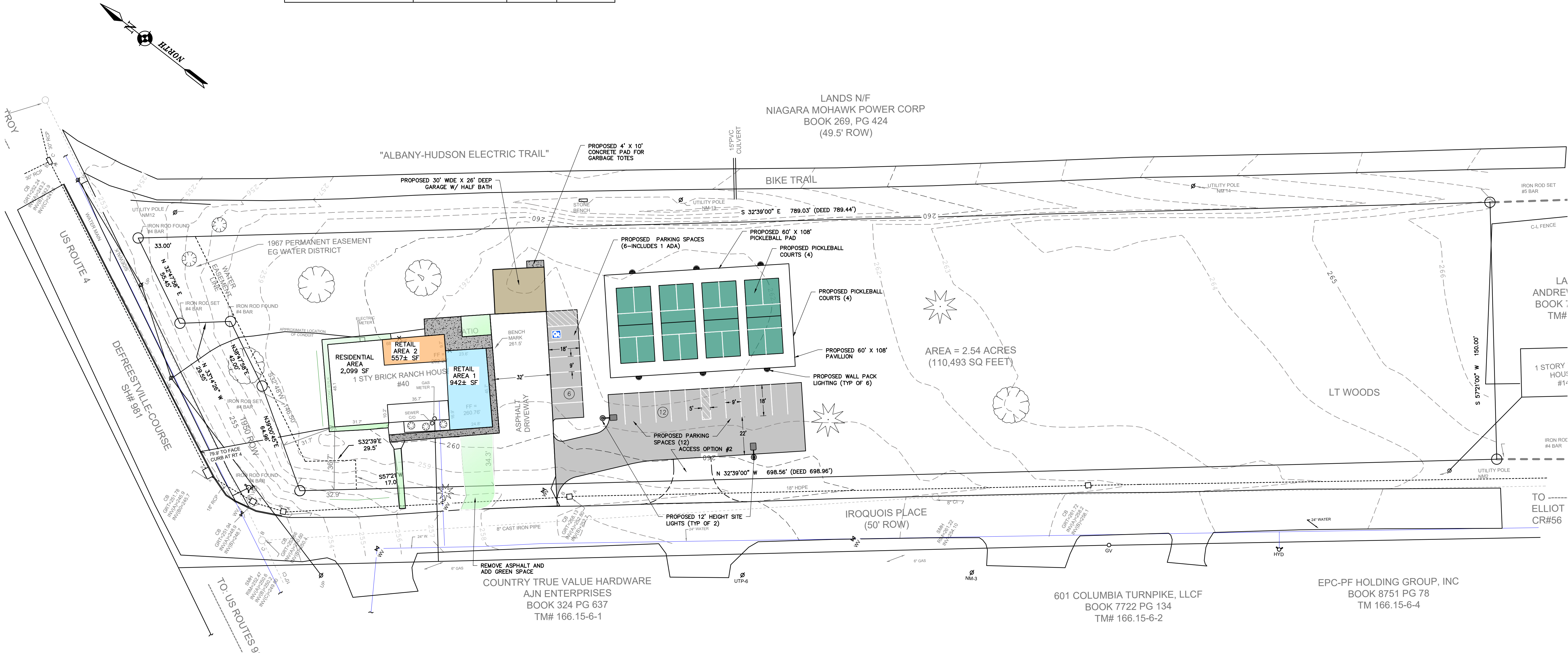
B1 REQUIREMENTS FOR MIXED USE DEVELOPMENT				
	TOTAL	REQUIRED 30% COMMERCIAL PORTION	PROPOSED COMMERCIAL PORTION (SF)	PROPOSED COMMERCIAL PORTION (%)
INTERIOR GROSS FLOOR AREA	3,598± SFT	1,079.40± SFT	1,499.00± SFT	42%

REQUIRED PARKING-RESIDENTIAL & RETAIL			
	# OF SPACES	REQUIRED	PROPOSED
RETAIL AREA 1	2.6/ 1,000 SF	2.6	
RETAIL AREA 2	2.6/ 1,000 SF	1.3	
2 BEDROOM SINGLE FAMILY RESIDENTIAL	2	2	
TOTAL NEEDED (WITH 20% REDUCTION FOR SHARED PARKING)	(5.9 SPACES X .8)	4.72	
ADDITIONAL ADA SPACES	1	1	
TOTAL		5.72	6
REQUIRED PARKING-PICKLE BALL COURTS			
4 PICKLE BALL COURTS	(3 SPACES/COURT)	12	12

MAP REFERENCE:
MAP TITLED "PLAT OF SURVEY "PREMISES KNOWN AS 40 IROQUOIS PLACE" PREPARED BY JOHN J DUNN, PLS. DATED DECEMBER 29, 2021, LAST REVISED 2/10/2022.



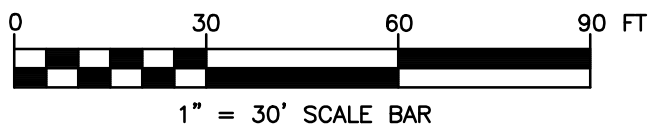
LOCATION MAP
NOT TO SCALE



SITE LEGEND:

- PROPOSED BUILDING
- PROPOSED SIDEWALK
- PROPOSED WORK LIMITS
- PROPOSED CONCRETE SURFACE
- PROPOSED ROAD LINING & STRIPING
- PROPOSED STANDARD DUTY PAVEMENT

1 SITE PLAN
C100 SCALE: 1"=30'



TOWN OF EAST GREENBUSH PLANNING BOARD

SITE PLAN APPROVAL BY PLANNING BOARD
TOWN OF EAST GREENBUSH, NEW YORK
CONDITIONS OR MODIFICATIONS

DATED
APPROVED BY CHAIRMAN

SKETCH PLAN
FOR
PICKLEBALL
FORTY IROQUOIS, LLC
SITE PLAN MODIFICATION
40 IROQUOIS PLACE

TOWN: EAST GREENBUSH COUNTY: RUSSELLAR STATE: NEW YORK

ENGINEER:
STEVEN P. HART, P.E.
DRAWN BY:
DAH
DATE ISSUED:
MAY 16, 2022
SCALE:
1" = 30'
DRAWING NUMBER:
C100

FORTY IROQUOIS PLACE
SITE PLAN MODIFICATION
40 IROQUOIS PLACE
OCTOBER 12, 2022

MOTION FOR CONDITIONAL
APPROVAL
(22-11a):

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby grants conditional final approval of the proposed Site Plan Modification as depicted on the plans prepared by Hart Engineering dated 5/16/22, most recently revised 9/6/2022 and subject to the following conditions:**

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

Town of East Greenbush
PLANNING BOARD

In the matter by:
Forty Iroquois LLC.
For a **Special Use Permit**

**Resolution and
Final Decision of
Planning Board**

File No. 22-11a

Whereas, an application has been filed by Forty Iroquois LLC., P.O. Box 212, East Greenbush, NY 12144 proposing the construction of a single story 30' x 26' garage which is considered an accessory structure; and

Whereas, the proposal would constitute an "Accessory; structure" in the Town's B-1 Zone, requiring a Special Use Permit;

Whereas, the applicant has filed an application for a Special Use Permit for an "Accessory; structure" at the property located on 40 Iroquois Place, East Greenbush, NY (Tax Map No. 166.15-5-1); and

Whereas, the Planning Board has duly published a notice of public hearing regarding this appeal in The Record on October 1, 2022; 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, October 12, 2022 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, the Planning Board has carefully reviewed the materials submitted in connection with this appeal under SEQRA, including the short environmental assessment form, and hereby classifies the action as a type 2 action under 6 CRR-NY 617.5(c)(9); now, therefore, be it

Resolved, that the Planning Board makes the following findings of fact:

1. The location and size of the use, the nature and intensity of the operation involved, the size of the site in relation to the use, and the location of the site with respect to the existing and any future streets providing access are in harmony with the orderly development of the B-1 Zoning District;
2. The nature and intensity of the intended operation will not discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
3. Proposed traffic access ways are adequate;
4. Off-street parking is not necessary or required for the proposal;
5. The proposal would not be contrary to the general harmony of the neighborhood; and

be it further

Resolved, that the application for a Special Use Permit for the construction of a 30' x 26' garage be Granted with the following conditions:

1. The applicant must comply with all local, State, and Federal laws in the construction of their accessory dwelling unit.

This resolution was moved by _____ and seconded by _____ at a meeting duly held on October 12, 2022.

(Discussion)

A vote was taken as follows:

Matt Mastin _____
Ralph Viola _____
Kurt Bergmann _____
Don Panton _____
Chris Horne _____
John Conway _____
Robert Jucha _____

Motion carried

**TOWN OF EAST GREENBUSH
PLANNING BOARD**

By: _____
Matt Mastin, Chairperson

Dated: _____, 2022

****Granting of this Special Use Permit does not constitute a building permit. The applicant is still required to obtain a building permit from the Town's Building Department prior to commencing any construction activities.***