TOWN OF EAST GREENBUSH
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE

that the Town Board of the Town of East Greenbush will hold a public hearing on April 17, 2019, at 6:30 p.m. at the East Greenbush Town Hall, 225 Columbia Turnpike, East Greenbush, New York, to receive public comment on the proposed establishment of a Planned Development District. The proposed location is off of Michael Road approximately 500' south of the intersection of Michael Road and Route 151 and is currently zoned Residential Buffer. Copies of the proposed local law and additional information can be found on our Town Website: wwweastgreenbush.org and are available for inspection at the office of the Town Clerk in Town Hall.

By Orders of the Town Board
Kimberly Carlock
East Greenbush Town Clerk
03/30/2019

Proposed Local Law No. 3 of 2018

"East Greenbush Technology Park, Part 2 Planned Development District"

Section 1 - Local Law Designation

A. This local law shall be known as the "East Greenbush Technology Park, Part 2 Planned Development District." This local law amends the Town of East Greenbush Comprehensive Zoning Law and the Town's Official Zoning Map to provide for the creation of a planned development district to be known and designated as provided in Section 2.A below.

Section 2 - Zoning Law Amendment

A. The Town of East Greenbush, New York, Comprehensive Zoning Law, as amended, and the Zoning Map of the Town of East Greenbush as set forth therein are hereby amended by changing the area referred to in Section 3 below from CO, Corporate Office Only, District (the "CO Zoning District"), as such area was zoned prior to the adoption of this local law, and creating within the boundaries of said area a planned development district to be known and described as "East Greenbush Technology Park, Part 2 Planned Development District" (the "PDD").

Section 3 - PDD Area

A. The PDD shall consist of approximately 53.99 acres in the Town of East Greenbush and is bounded and described as set forth in Appendix A, attached hereto and made a part hereof.

B. The zoning regulations applicable to the PDD shall be as provided in this local law. If the provisions of this local law are silent concerning items regulated by the Comprehensive Zoning Law of the Town of East Greenbush in the CO Zoning District, then the provisions of the Zoning Law then applicable to the CO Zoning District shall apply.

DRAFT

Section 4 - Purpose

A. The purpose of this local law is to provide for the rezoning of the Project site is to permit the construction and operation of a mixed use of office/research/light industrial buildings development in conformance with certain provisions and standards hereinafter set forth which insure the compatibility with the Town's comprehensive land use plan to foster innovation in site planning and development and which encourage sound design practices.

B. This local law establishes the nature, parameters and limits of the described uses herein which are permissible within the PDD.

Section 5 - General Development Proposal.

The following uses are permitted in the PDD:

A. Office, research and light industrial uses, with associated parking and loading areas, all shown on the general development plan prepared by Hershberg and Hershberg Consulting Engineers and Surveyors, dated February 16. 2016 (last revised November 15, 2017) and containing thirteen (13) sheets, as such General Development Plan may be amended during site plan approval pursuant to the Town of East Greenbush Comprehensive Zoning Law ("General Development Plan"). Permitted uses include: Corporate offices, Research laboratories, Light Assembly and fabrication, Professional offices, Government offices, Printing and publishing, Motels and hotels, Child Care/Day Care, Eating and drinking establishments, Parking lots or garages for private vehicles. Accessory uses include: Personal service establishments accessory to permitted uses, Parking lots for private vehicles accessory to permitted uses, and Parking garages for private vehicles accessory to permitted uses. All of the foregoing uses being referred to in the local law shall constitute the "Project."

B. The final design of the Project shall be in substantial compliance with the General Development Plan. Final design shall be determined during site plan review for each lot.

DRAFT

Section 6 - General Development Requirements and Construction Specifications

A. The Project shall be constructed in substantial conformance with the General Development Plan.

1. The Applicant proposes to extend the existing Technology Park Planned Development District, subdivide six additional future lots for the extension of Tech Valley Drive and develop the balance of the site to accommodate a mixed use of office/research/light industrial buildings with associated parking, loading areas, lighting, stormwater management and landscaping. The six additional future lots can accommodate 381,000 square feet of office/research/light industrial buildings. The six future lots may be reduced if a need arises for one larger user to occupy multiple lots. At full development the Technology Park (Parts 1 & 2) can accommodate a total 692,300 square feet (and up to 850,000 square feet of lower intensity uses which include large assembly area and storage) of office/research/light industrial buildings on a total of 13 separate parcels (gross site area of 86 +/- acres). There will be Parking for 1776 +/- vehicles.

2. The General Development Plan includes the extension of the existing East Greenbush Technology Park Planned Development District and subdivision of one lot with the right of way for dedication to the Town. Site development is shown on plans submitted by Hershberg and Hershberg Consulting Engineers & Land Surveyors, dated February 2, 2016, last revised May 3, 2017, entitled "Expansion to PDD and Site Plan for Tech Valley Drive" ("General Development Plan").

3. Tech Valley Drive, which will be extended into Part 2, will comply with Town Standards as amended by the PDD and according to site plan approval. The Project will also require site plan approval of each lot as developed by the Town of East Greenbush Town Board and related permits, approvals and compliance determinations from other involved agencies.

DRAFT

4. A full landscaping plan for the Project Site shall be offered by the applicant during the Site Plan review process and remains subject to Town approval. This shall include the number, type, caliper and species of landscaping to be provided. Special screening will be provided along Mannix Road where the proposed extension of Tech Valley Drive runs parallel to Mannix. This will consist of fences, walls and foliage to prevent oncoming lights from being a distraction to drivers on either road. The siting of future buildings shall take visibility from Mannix Rd into consideration, and minimize visual impacts. Subsequent Site Plans shall provide a minimum 50 foot buffer, landscaping plan, and will be subject to Town approval. To the maximum extent practicable, this 50 foot buffer shall be provided by retaining existing vegetation. Building treatments also shall also be submitted for review and approval by the Planning Board during site plan approval process.

5. Water will be supplied by the Water District. If any new or additional connections are needed for the Project to connect to the water system, the developer, at its expense, will provide such connections.

6. As this project approaches full buildout, the developer will work with the Town to facilitate the construction of a looped system and provide any necessary easements to allow this loop to be installed. Any required upgrades to Town facilities to support this project would be the responsibility of the applicant and at no cost to the Town. Water supply booster pumps will be considered on a site-by-site basis if the Town determines that it is necessary.

7. Hydrants will be provided according to the spacing and location as shown on the General Development Plan.

8. Sanitary sewer service for the site will be supplied by the Sewer District. Service will be provided by extending the existing low pressure force main system from the existing system in East Greenbush Technology Park, Part 1. If any new or additional connections

DRAFT

are needed for the Project to connect to the sanitary sewer system, the developer, at its expense, will provide such connections.

9. Any connections to the sanitary sewer system and Sewer District shall be designed and constructed in accordance with the standards of the Sewer District in effect at the time of site plan being made by the developer.

10. Detailed studies of water supply and sanitary sewer system capacity will be supplied by the developer and evaluated during the Site Plan review process for all subsequent development and remain subject to Town approval.

11. Lighting will be provided on each site. All extension lighting will conform with light level and glare standards to be established during final site plan approval. Lighting shall be in substantial conformance with the General Development Plan and subsequent site plans for future developments within the project. The final lighting plan shall be determined during site plan review. A detailed plan for the location of the project lighting shall be offered by the applicant during the Site Plan review process and remains subject to Town approval. This shall include the final location and type for these facilities.

12. The developer shall extend Tech Valley Drive as shown on the General Development Plan and including associated utilities to be owned by the Town and constructed according to Town standards. The applicant shall construct an emergency access driveway on Mannix Road opposite Rounds Road, 2,200 feet east of Tech Valley Drive.

13. After reviewing traffic flow information, and as outlined in the Final Environmental Impact Statement, it was determined that no traffic-related improvements were required to the existing geometry of the main entrance to the Tech Park if the additional area of buildings of similar uses to those already occupying the Tech Park were 100,000 square feet or less. The only recommended improvements at this time is to add an intersection warning sign on Mannix Road for the southbound approach to the Tech Valley Drive intersection and a new stop bar at the Tech Valley Drive/Mannix Road Intersection. In

addition, the existing cul-de-sac at Tech Valley Drive will be removed as a result of the construction of a new cul-de-sac at the end of the proposed road extension.

14. If the 100,000 square foot threshold were surpassed, the realignment of Mannix Road and the intersection with Tech Valley Drive would be necessary. The preferred option for doing this would be "Option A" as shown on plan entitled "Option A – Conceptual Phase 2 Access Improvement," prepared by Creighton-Manning Engineering Associates, and dated December 2017 and appended to the FEIS. Option A requires the developer to acquire land from an adjoining property owner. Such acquisition would be undertaken by the developer at its expense. The next-preferred option is "Option C" as shown on plan entitled "Option C – Conceptual Phase 2 Access Improvement," prepared by Creighton-Manning Engineering Associates, and dated December 2017 and appended to the FEIS. Option A requires the developer to acquire land from an adjoining property owner, and Option C is the preferred option if the first Option A cannot be constructed due to right-of-way constraints.

15. As additional development takes place within the Tech Park a traffic study shall be conducted as part of each site plan approval to evaluate the need for the identified traffic mitigation measures and/or additional mitigation measures.

Section 7 - Stormwater Management

A. All stormwater management plans and associated utilities shall conform to the specifications of the Town of East Greenbush and the latest version of the NYSDEC - New York State Stormwater Management Design Manual in effect at the time of site plan application being made by the developer.

B. At the time of application for site plan review, a conforming Stormwater Pollution Prevention Plan ("SWPPP") shall be submitted to the Planning Board for review.

C. Prior to the issuance of a Certificate of Occupancy, a Stormwater Management System Maintenance Agreement between the Facility Owner and the Town shall be executed.

Section 8 - Project Related Review Fees.

A. The developer shall be responsible for reimbursing the Town for any and all expenses incurred for the review of this Project as stipulated within the Town's zoning regulations.

Section 9 – Amenity Package

A. The developer shall be responsible for providing the Town with the following amenities:

- Approximately 7,500 lineal feet of nature walking trails, to be constructed in phases as shown on the General Development Plan;
- An easement for future connections for water/sewer in the public right of way for residents on Mannix Road as shown on the General Development Plan; and
- A connection to Columbia High School for emergency access. The approximate location is depicted on Sheet C1 of the General Development Plan. The final location and configuration shall be determined by the Town.

Section 10 – State Environmental Quality Review Act

A. The East Greenbush Town Board, as lead agency for this Project pursuant to the State Environmental Quality Review ACT ("SEQRA") has accepted a Final Environmental Impact Statement ("FEIS") and issued a SEQRA Findings Statement concerning the Project. The developer agrees to comply with all of the mitigating measures set forth as conditions in the FEIS and Findings Statement, at no cost to the Town.

B. No certificate of occupancy for any structure within the boundaries of the PDD will be issued until such conditions or mitigating measures are substantially complete.

Section 11 - Additional Town Approvals

A. Following adoption of this local law, the developer shall make application to the Town of East Greenbush for the following "planning" related approvals:

1. Site Plan Approval subject to the Town Planning Board and Town Board review and approval.
2. Subdivision Approval subject to the Planning Board review and approval.

Section 12 - Zoning Map to Incorporate the PDD

DRAFT

A. The Town of East Greenbush Zoning Map is hereby amended by providing that said Planned Development District be set forth on the Zoning Map of the Town of East Greenbush and on any supplementary map later adopted by the Town Board, all of which are hereby made a part of this local law.

Section 13 - Effective Date; Severability

A. This local law shall take effect immediately upon filing with the Secretary of State of New York State. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law.

Section 14 - Sunset Provision

A. In the event construction does not commence within three years of the date this local law becomes effective, this local law shall be deemed null and void, and the zoning of these lands shall revert to the CO District.

Section 15 – GEIS Mitigation Fees

A. The developer shall be required to pay the following fees provided for in Local Law No. 1 of 2010 of the Town of East Greenbush.
B. The fees shall be paid in accordance with the schedule set forth in Local Law No. 1 of 2010 of the Town of East Greenbush.

DRAFT

APPENDIX A DESCRIPTION

EAST GREENBUSH TECHNOLOGY PARK, PART 2 PLANNED DEVELOPMENT DISTRICT

All that certain piece or parcel of land situate in the Town of East Greenbush, County of Rensslaer, State of New York bounded and described as follows:

BEGINNING at a point on the southerly bounds of Mannix Road, said point located the following two (2) courses and distances as measured along the southerly bounds of Mannix Road from its intersection with the division line between the lands now or formerly of Daniels as described in Book 1517 of Deeds at Page 213 to the east and the lands now or formerly of Greenbush Associates LLC to the west:

1. South 86°14'41" East for a distance of 940.32 feet to a bend point;
2. South 88°29'18" East for a distance of 59.99 feet to the **Point of Beginning;**

THENCE from said **Point of Beginning** along the southerly bounds of Mannix Road the following four (4) courses and distances:

1. South 88°29'18" East for a distance of 169.57 feet to a point;
2. North 88°07'03" East for a distance of 351.00 feet to a point;
3. South 89°17'50" East for a distance of 556.07 feet to a point;
4. South 89°53'34" East for a distance of 273.44 feet to a point;

THENCE South 00°06'26" West along the westerly bounds of the Lands now or formerly of Daniels as described in Book 1517 of Deeds at Page 213 for a distance of 217.80 feet to a point;

THENCE South 89°53'34" East along the southerly bounds of the Lands now or formerly of Daniels as described in Book 1517 of Deeds at Page 213 for a distance of 200.00 feet to a point;

THENCE South 00°06'26" West along the westerly bounds of the Lands now or formerly of Daniels as described in Book 1497 of Deeds at Page 147 for a distance of 82.20 feet to a point;

THENCE South 89°53'34" East the southerly bounds of the Lands now or formerly of Daniels as described in Book 1497 of Deeds at Page 147 for a distance of 300.00 feet to a point;

THENCE North 00°06'26" East along the easterly bounds of the Lands now or formerly of Daniels as described in Book 1497 of Deeds at Page 147 for a distance of 300.00 feet to a point;

THENCE South 89°53'34" East along the southerly bounds of Mannix Road for a distance of 45.23 feet to a point;

THENCE along the westerly bounds of the Lands now or formerly of LaGrave as described in Book 1297 at Page 898 the following two (2) courses and distances:

1. South 08°04'23" East for a distance of 259.75 feet to a point;
2. South 30°05'23" East for a distance of 49.97 feet to a point;

THENCE South 38°10’13” East along the westerly bounds of the lands now or formerly of Drake for a distance of 986.82;

THENCE North 88°27’33” West along the northerly bounds of the lands now or formerly of Glaz as described in Book 804 at Page 459 for a distance of 930.22 feet to a point;

THENCE along the northerly bounds of East Greenbush Central School Dist. the following four (4) courses and distances:

1. North 87°56’05” West for a distance of 126.39 feet to a point;
2. North 65°57’05” West for a distance of 1060.69 feet to a point;
3. South 04°09’05” West for a distance of 881.94 feet to a point;
4. South 71°05’15” West for a distance of 412.77 feet to a point;

THENCE along the easterly bounds of Proposed Lots 6, 5, 4 and 3 the following eight (8) courses and distances:

1. North 18°15’26” West for a distance of 312.06 feet to a point;
2. North 10°49’02” West for a distance of 70.21 feet to a point;
3. North 19°25’53” West for a distance of 443.71 feet to a point;
4. North 18°15’26” West for a distance of 209.31 feet to a point;
5. North 25°46’26” West for a distance of 255.00 feet to a point;
6. North 11°56’34” East for a distance of 68.26 feet to a point;
7. South 75°18’45” East for a distance of 254.23 feet to a point;
8. North 11°56’34” East for a distance of 423.82 feet to the **POINT OF BEGINNING.**

CONTAINING 53.94 Acres of land more or less.

By Orders of the Town Board
Kimberly Carlock, Town Clerk