



# 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

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## AUTHORIZATION FORM

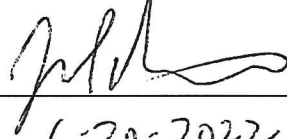
To the Town of East Greenbush

( X ) Planning Board;

I, Island Park, LLC - Joe Buono give permission to Steven P. Hart, P.E. & LLIM, LLC  
*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 180-200 American Oil Road  
*Property Address*

Property Owner's Signature: 

Date: 6-30-2022



## *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: LLIM, LLC

Address: 159 Brick Church Rd, Troy, NY 12180

Phone # 518-528-4428 (Dean Marotta) Email Address: dean@rjvalente.com  
518-874-6010 (John Ahearn) jahearn@canllc.net

Signature of Applicant:  Date: 6/30/22

##### **Property Owner (If not Applicant)**

Name: Island Park, LLC - Joe Buono

Address: 52 East Elmwood Rd, Albany, NY 12204

Phone #: 518-365-3450 Email Address: jbuono3468@hotmail.com

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

#### **Section 2: Property Information:**

Property Address/Location: American Oil Rd

Tax Map #: 165.-1-3.2 & 4.12 (\*Obtain from Assessor's office\*)

#### **Section 3: Project Information:**

##### **Describe project & why a Special Use Permit is necessary:**

Site is currently used as an asphalt recycling facility. This use requires a special use permit.

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

Article: \_\_\_\_\_ Section: II Subsection: 2.7.7 (c)

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](mailto:alovely@eastgreenbush.org)

Signature: Stuart Hunt Date: 6/30/22

For Official Use Only:

PZD Number:
Date Application Received:
Tax Map Number:
Zoning District:
Application/Certified Fee:
Received:
Hearing Date:
<input type="checkbox"/> Approved:
<input type="checkbox"/> With/without conditions:
<input type="checkbox"/> 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:

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.

**Island Park and LLIM, LLC**  
**180 – 200 American Oil Road**  
**Asphalt Recycling Facility**  
**REQUEST FOR SPECIAL USE PERMIT**  
**June 30, 2022**

In support of the requested Special Use Permit we are addressing the criteria for the Planning Board to consider in support of this project. The information provided is outlined in a manner similar to the SPECIAL USE PERMIT section of the Town Code.

**Special Permit:**

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.*

**The parcel of land is located in the CI Coastal Industrial District, within the Port of Rensselaer. The Port is heavily developed with industrial type users. This facility is located on a 10-acre parcel of land and currently uses approximately 4.4 acres of land for their asphalt recycling operation. This provides for over 50% of green space. There are no intentions for future streets, nor could they be developed in any form of a feasible manner. American Oil Road has been in existence for several decades and the industrial lots are situated on both sides of the road. This facility is in harmony with the orderly development of the district.**

2. *The location, nature and height of the buildings, walls, fences and the nature and intensity of intended operations, will not discourage the appropriate development and use of adjacent land and buildings and impair the value thereof.*

**There are no proposed buildings on this site. The intended operations are industrial in nature but match to what exists in the Port. This use is similar in intensity to the other uses in the Port, and would not discourage future development on adjacent lands.**

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 the street corners or other places of public assembly; and meet similar safety considerations.*  
**All traffic ways are existing. No new roads or access drives are proposed.**



**There is only one access way and it appears to service the site adequately and is properly located.**

4. *Adequate provision for safe and accessible off-street parking and loading spaces shall be made.*

**Adequate provisions are provided for all required accessible and off-street parking and loading.**

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.*

**There are no nearby residential lots to be screened, however the sites natural vegetation does provide screening. Being in the Industrial port, we would say that the site matches the character of what is existing in the neighborhood. Existing vegetation on the site is to remain as is.**

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, that 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.*

**The character and appearance of the continued use is in general harmony with the character and appearance of the surrounding neighborhood and what has existed over the last several decades. The area in general is an Industrial port and has a similar asphalt facility to the north of this site. The site is very remote and would not seem to adversely affect the inhabitants in the Town.**

7. *All proposed buildings, structures, equipment and /or material shall be readily accessible for fire and police protection.*

**All roads and accessways are existing and would appear to have ample room for fire and police protection. We are available to meet with the emergency service departments if needed.**

# 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.

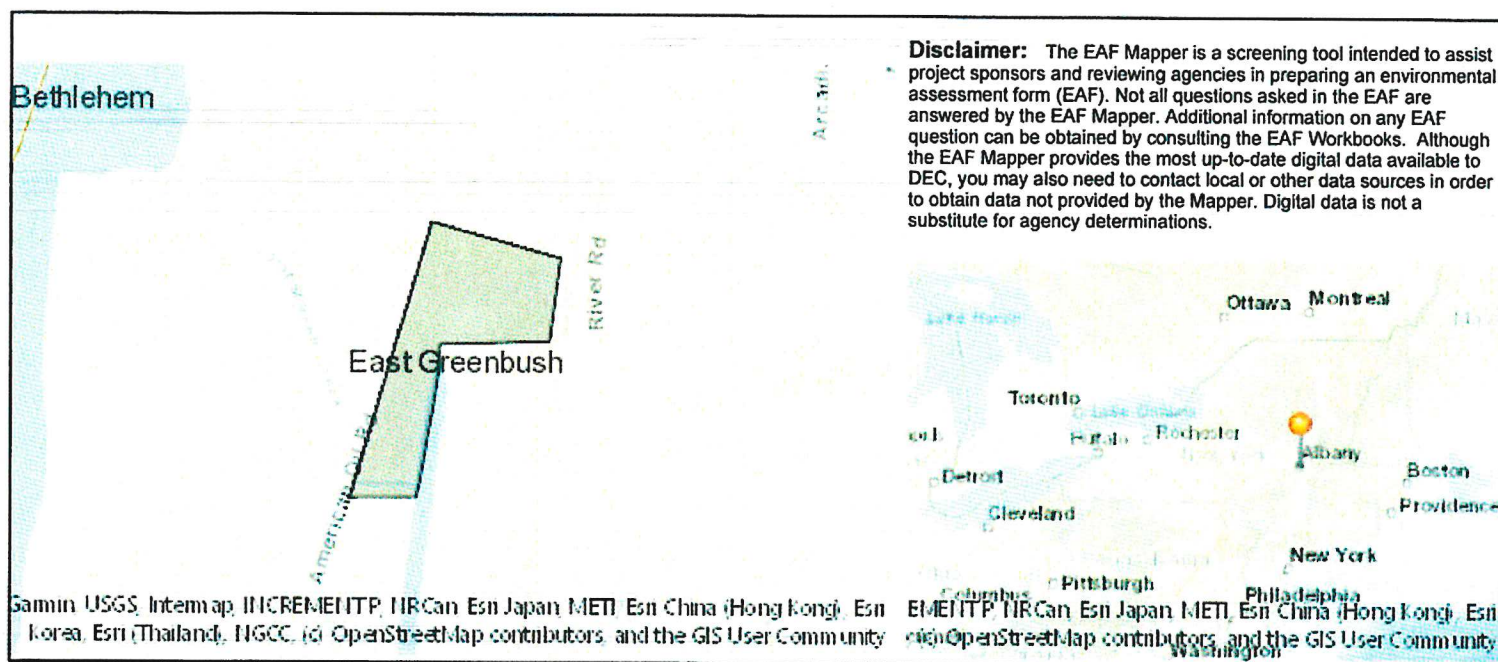
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: LLIM Site Plan			
Project Location (describe, and attach a location map): American Oil Road. Parcel is located on the east side of American Oil Road.			
Brief Description of Proposed Action: Applicant proposes a continued operation of asphalt recycling			
Name of Applicant or Sponsor: LLIM, LLC		Telephone: 518-528-4428 E-Mail: dean@rjvalente.com	
Address: 159 Brick Church Road			
City/PO: Troy		State: NY	Zip Code: 12180
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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 type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: East Greenbush Planning Board - Site Plan Approval		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		20 acres	
b. Total acreage to be physically disturbed?		4.38 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		65+/- acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (Specify): <input type="checkbox"/> Parkland			



5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services 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 the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ na	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ na	<input checked="" type="checkbox"/>	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			



<b>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</b> <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
<b>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?</b> Shortnose Sturgeon, Bald Eagle	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>16. Is the project site located in the 100-year flood plan?</b>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>17. Will the proposed action create storm water discharge, either from point or non-point sources?</b> If Yes,	NO	YES
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 type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
<b>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)?</b> If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</b> If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</b> If Yes, describe:	NO	YES
442010, 442011, 442026 - Sterling Drug Sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>John M. Hall</u> Date: <u>6/30/22</u> Signature: <u>John M. Hall</u> Title: _____		



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]	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]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Shortnose Sturgeon, Bald Eagle
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