

Town of North Greenbush Planning Board

Meeting Minutes

June 8, 2020

IN ACCORDANCE WITH EXECUTIVE ORDER 202.1

NOTICE IS HEREBY GIVEN that public hearings will be held before the Planning Board of the Town of North Greenbush with respect to the following matter at the time and place set forth below:

**Time & Place: June 8, 2020 beginning at 6:30 pm
VIA LIVE STREAM**

www.townofng.com

(Click on the top banner that says: Watch Town Meetings, then click on the Planning Board Meeting link)

Due to the current COVID-19 pandemic and Gov. Cuomo's executive order 202.1, at this time, the public is not able to participate in person during the hearing. All application materials are available for review on the Town's website. If you would like to make a comment on the applications, all comments must be submitted via e-mail to: building@townofng.com or by phone 518-283-2714. In the event that the Governor's guidelines allow for participation in person, it will be noted on the Town's website. However, the Town will still continue with the live streaming of the Planning Board public hearings and accept comments by email or phone.

Due to on-going social distancing requirements and to maintain the opportunity for the public to participate, the Town of North Greenbush will hold public hearings via teleconference and videoconference on Monday, June 8, 2020 beginning at 6:30 pm. **Written comments will be accepted for five (5) business days following the date of the public hearing.** The following cases/requests will be heard:

Attendance: Mark Lacivita (Chairman), Mark Ahern, Dave Wilson-absent, Mary Jude Foley, Richard Laberge, Eric Westfall (Town Engineer), Ian Silverman (Legal Counsel), Steve Kirk, Leanne Hanlon (Secretary), Michael Miner (Building Dept.).

Meeting was conducted via Zoom and at Town Hall with Board Members and applicants.

Everything will be submitted online from now on. The meetings will be live streamed as well from now on per Chairman Lacivita.

- **6:30 - The Site Plan Application of Scott Noel, 53 Haywood Lane, Rensselaer, NY 12144, for a new site plan proposal, at the property located at 490 North Greenbush Road, Rensselaer, NY 12144, in a BG district, having parcel ID#: 133.2-10. [C100 SITE-new-commercial-C100.pdf](#)**

Mr. Hartt explained the application. Proposed retail bldg. on Rt. 4 He showed an aerial view. ½ acre land. Ludlow land on the right hand side.

4400 square foot commercial bldg. is proposed. They will be meeting with ZBA Wednesday as well. Existing water and sewer available. Retail shops are planned.

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They meet criteria for greenspace as well. Chairman Lacivita asked what ZBA issue they have. They need a 15 foot setback on the side as well as the other side. Proposing 10 feet in the front instead of 15. Parking space variance needed as well.

There is an existing tree in the front and will also plant more.

Ms. Foley asked about additional foliage and plantings and Mr. Hartt agreed to the request.

They also discussed storm water drainage and DOT approvals and have been coordinating with them.

Andrew Mair asked a question: has there been an archeological study yet. Mr. Hartt is aware of that and stated this site has already had one.

Ms. Foley: Where will the dumpster be. It will be fenced in and he showed on the map. She asked if it could be vinyl and he will look into that.

Chairman Lacivita stated that if the BD has any concerns they can send this back to the board for review.

Motion made to close the public hearing by Ms. Foley and seconded by Mr. Kirk. All in favor.

Public comments will be accepted for 5 days.

This will be tabled until June 22 meeting.

- **7:00 - The Site Plan Application of DF Acquisitions, III, LLC (Dave Mulinio), 27 Burton Lane, Albany, NY 12211, for the commercial development at the property located at 24 North Greenbush Road, Troy, NY 12180, in a PDD district, having parcel ID#: 123.-1-1.1. (Link to plans are on the website below the agenda)**

Luigi Palleschi and Dave Mulino discussed the application. Medical office or retail in the bldg. 132 Parking spaces are proposed. It will accommodate overflow parking for the existing North Green bush commons. Stacey W ay will be the connection for water and sewer which is existing. Storm water conforms with DEC storm water per Mr. Palleschi. Hours of operation are 8-8pm 7 days a week. Delivery area will be in the rear.

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A request was made for another hydrant and that has been added. They addressed all comments per Mr. Palleschi.

He has a response letter addressing all comments. He is hoping for final approvals from the board soon.

Additional signage is proposed regarding traffic and they will provide that.

Mr. Miner asked about the drive-thru. There is an ATM kiosk request that is stand alone.

Mr. Miner asked if additional handicapped spaces were requested and Mr. Palleschi will look into that.

Ms. Foley asked what the façade will look like. Mr. Palleschi showed her on the map. She also asked how many cars can be stacked coming into the facility and he said 4-5 then she asked how many cars can be stacked in the drive thru before it affects the flow of the traffic. They said there is plenty of room. She is concerned about cars stacking up. She asked where the dumpster will be and he said behind bldg. 1. He said it will be surrounded with chain link and she asked for vinyl. She also asked about the planting for Rt. 4 and Landscaping. They explained what they have already discussed in the parking area. She asked for shrubs. They agreed to that and/or small trees, low maintenance.

When they know what DOT is doing the landscaping will be on hold and BD will share with the board.

Mr. Mulino was agreeable to any landscaping suggestions the board has.

Motion made to close public hearing and table this until June 22 by Ms. Foley and seconded by Mr. Kirk. All in favor.

Building@townofng.com to send comments.

- **7:30 - The Minor Subdivision Application of Joseph G. Durivage, Sr., 12 Glenwood Road, Troy, NY12180, for the two lot subdivision at 12 Glenwood Road, Troy, NY 12180, in a R1 district, having parcel ID#: 123.09-1-3. (Link to the plans are on the website below the agenda)**

- Mr. Durivage explained his application to the board. A single family home will be constructed on the new lot. Mr. Miner stated there are no other outstanding issues with the application.

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Chairman Lacivita asked Mr. Silverman if he sees any reason why we cannot move this forward. He does not, and action can be taken tonight.

The Environmental Assessment for was completed per Chairman Lacivita.

Motion made for accept the sketch plan by Ms. Foley and seconded by Mr. Kirk. All in favor.

Motion made for neg dec by Ms. Foley and seconded by Mr. Kirk. All in favor.

Motion made to approve with no conditions application by Ms. Foley and seconded by Mr. Kirk. All in favor.

- **7:30 - The Site Plan Application of Michael Moscatiello, 99 North Greenbush Road, Troy, NY 12180, for a new site plan proposal, at the property located at 271 North Greenbush Road, Troy, NY 12180, in a BN district, having parcel ID# 123.17-4-37. (Link to the plans are on the website below the agenda).**

A record will be open for 5 days after the meeting for comment per Chairman Lacivita.

Nick Costa presented the application. Little more than an acre and has frontage on NG Road. He presented a map and drawing to the board for review. The parcel is currently vacant.

Mr. Moscatello wants to develop the site and build a bldg. with three tenants. He presented a map top the board and showed storm water management and the layout of the proposed bldg. He said there are existing culvert on the site.

Parking requires 39 space and they have 32 including handicapped.

Mr. Miner explained what is an allowable use.

The Rt 4 guidelines prefer the bldg. to be set in the front and the parking behind it. He still needs to meet the design guidelines. Mr. Moscatello explained how it will be set up and Chairman Lacivita asked if he could move the entrance to the apartments. He also

explained he will need two entrances. Ms. Foley asked if the neighbors could see the top of the building as far as elevation. Mr. Costa stated they cannot. She also said neighbors had concerns about drainage onto adjacent properties. Mr. Moscatello stated it pitches down so there should not be an issue.

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Chairman Lacivita stated this is a permitted use. Mr. Silverman stated they need to have an explanation as to why it is and make it part of the record.

Ms. Foley asked about adding shrubbery and trees and they will. It will also shield the parking lot. Mr. Costa also explained that there are swales in each side so when the snow melts it will go there.

Ms. Foley asked about elevation and windows at the apartments. Mr. Moscatello stated the bldg. has not been designed yet so technical details have not been worked out.

No variances needed and Mr. Costa confirmed they will comply with the design guidelines.

Chairman Lacivita read some public comments which will be added to the application and record. There were many comments. Some negative and some with just questions.

Any other comments should be emailed to the town and will be open for 5 business days.

Mr. Miner suggested going over the design guidelines at the next meeting for this project.

Motion made to close public hearing and table the application until June 22 by Ms. Foley and seconded by Mr. Kirk. All in favor.

- **Presentations:**
- **Site Plan Application of William Dollard, Jr., 26 Francis Drive, Wynantskill, NY 12198, for the purpose of constructing an accessory building at the property located at 351 Peck Road, Wynantskill, NY 12198, in a BN district, having parcel ID#: 135.10-7-8.**

Mr. Dollard distributed information to the board for review.

He purchased the property on Peck Road.

He has some “toys” and multiple cars and that is why he purchased the property to store them in there. He stated he cleaned up the property since he purchased it. He stated he tore down the shed that was on the property. He would like to install a storage barn to store equipment. He will need to go before the ZBA for an area variance and rear and right variance. He will appear Wednesday.

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Ms. Foley asked if he would have electrical in the building and he is not sure yet.

Chairman Lacivita asked Mr. Miner if this board should wait until ZBA acts and he stated not necessary.

Motion to accept sketch plan and designated PB as lead agency and set Public hearing for June 22 by Ms. Foley and seconded by Mr. Kirk. All in favor.

- **Old Business:**
- **The Application of North Greenbush Builders, LLC, P.O. Box 540, Wynantskill, NY 12198, for a proposed 22 lot single family major subdivision, at the property located at 120 Hidley Road, Wynantskill, NY 12198, in an R2 district, having parcel IDs#: 123.12-8-1.**

Applicant was asked to review the comments and state what has changed.

Mr. Hartt explained what was changed. Tree buffers were added. Traffic was a concern and they moved the access road 100 feet to the south. The road was also straightened out and Mr. Hartt showed that on the map. He also explained what the grading plan will be. He commented on the public comments. Drainage was review because it is a critical issue in that area. They are working with DOT on this as well.

Mr. Hartt discussed where the buses will enter and exit the site as well. National Grid gas line was brought up by neighbors as well. There was a site distance issue that Mr. Hartt rectified as well.

They will receive a letter from SHIPPO to ensure there are no issues.

They also reduced the number of driveway going out into the highway.

He also discussed traffic from the site that they are trying to reduce. A traffic study was complete that the board has on file and Chairman Lacivita reviewed.

Chairman Lacivita discussed the sewer installation with Mr. Hartt and losing trees were discussed.

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Mr. Laberge discussed the sewer with Mr. Hartt and Eric Westfall. Mr. Laberge suggested laying two pipes. Mr. Mulino stated they would be boring and not digging. That was discussed with Mr. Laberge and the board. He feels the details can be worked out.

Mr. Miner asked Mr. Laberge about laying two pipes and how that can be accomplished.

Chairman Lacivita stated public comment has shaped this project. He said we have gotten to the point that we can do a conceptual approval and they can come back on June 22nd with specifics. This also can be conditioned on sewer and water installation. Mr. Silverman stated this is a good approach to take. 4 questions came in after the period expired.

Motion made for conceptual approval and for the applicant to finalize issues for the June 22 meeting and work out with Mr. Westfall and Mr. Miner by Mr. Kirk and Ms. Foley. All in favor.

- **The Application for a new site plan approval of Tri Capital Realty, LLC, 205 Cedar Run, Rensselaer, NY 12144, for the purpose of constructing 6,715 SF retail building, at the property located 573 and 575 North Greenbush Road, in a BG district, having parcel ID#: 144.2-4-23 and 144.2-4-24.**

This has an approved site plan per Chairman Lacivita. Mr. Miner stated the footprint has been reduced from 6,715 sq foot bldg. and that is why he is before the board again.

Now 3500 square feet with a drive up VTM. They also reduce parking and increased green space.

Mr. George stated Well care approached them and a bank and that is why the foot print reduced. Everything else is the same (dumpster, parking layout, etc). He also stated that if Well Care backs out they would go with a bank. Mr. Silverman stated verbiage would have to be created to allow for this. There was also a discussion regarding the Ambulance and that they are impacted. They did not respond per Chairman Lacivita.

There will be a VTM with one lane and a go around lane. Design guidelines will need to be met per Mr. Miner.

This would be by resolution per Chairman Lacivita.

Motion made by Ms. Foley and seconded by Mr. Kirk to approve the resolution with proposed amendments to the site plan and is consistent with the site plan. All in favor.

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- **The Application for a major subdivision of MJSR, Tech Valley Development LLC, P.O. Box 51, Poestenkill, NY 12140, for a major subdivision (the Gables at Mammoth Spring), of the property located at Mammoth Spring Road and Morner Road, in an AR district, having parcel ID#: 145.-10-13.12.**

Mr. ? reviewed changes to the plan. They are seeking an extension. It was approved September 23, 2019. On March 9th the board received a letter from applicants attorney Mr. Gotley. Mr. Silverman stated it was timely and was supposed to take place for the March 23rd meeting that did not take place because of the shut down. He said the board should take this matter up at this evenings meeting and set another 90 day extension from today.

Mr. Silverman stated this is by resolution stating because of the shutdown we are approving an extension to 90 days from today by Ms. Foley and seconded by Mr. Kirk. All in favor.

- **The Meadows, review of phase 2 of the Meadows PDD project.**

Chairman Lacivita stated we need to know the status of Phase and what is going on with Phase II. Also Army Corps issues. And what amount of work has been done on Phase II before the board said it was ok to work on Phase II. Is the work being done consistent with BD regulations? Mr. Casale explained what work and why it is being done.

Chairman Lacivita explained that the consulting engineer has to look at the site and say ok and advises the board and BD. PB has to give the ok to go to Phase II per Chairman Lacivita. Laberge sent someone to the site on Wednesday. Per Mr. Casale he stated RPI has agreed to an easement.

He is asking to grade, not ready to build houses in Phase II per Mr. Casale. And get water and sewer in on Phase II in about a month per the applicant. Per Mr. Miner compliance with the SWIPP Plan is a concern. Mr. Laberge will go to the site Wednesday. Mr. Miner stated a resolution this evening to approve the grading will need to be done condition upon Mr. Laberge's review of the site. Mr. Westfall agreed. He has already started

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grading. The town needs to have this site in compliance for the DEC regulations to be in compliance and we need to verify it per Mr. Laberge. And he said we can also meet with Ken Barber o site. It was a surprise that anything was going on with Phase II so we need to be informed ahead of time so we can schedule staff to take a look.

Resolution stat he can start grading with review and approval by Laberge and cannot proceed with any other work in Phase II until things are approved per Chairman Lacivita. Mr. Laberge stated that if the board has no other concerns except with storm water management then he can proceed because there is a schedule of work. Major infrastructure needs to be looked at the time it begins. Also if there is something that is not going to let Phase III continue the Board needs to know. Per Mr. Miner Phase II requires the second connection.

Mr. Westfall stated that there is a number of items and there is a meeting in two weeks and let's get his grading issue completed and work on the other items at the visit Wednesday.

Resolution contingent upon Laberge approving and reviewing he can grade under the supervision of the BD can proceed and in two weeks for the next meeting the engineers can get together to determine everything is set to go to Phase II. Phase II beyond grading can then be approved in two weeks if all is OK. Mr. Laberge agreed and so did Mr. Silverman and the motion was made by Mr. Kirk and seconded by Ms. Foley, all in favor.

- **New Business: None**

- **Discussion: None**
- Business Meeting
- Schedule public hearings
- Approval of last month's meeting minutes – Motion made to approve with the change of adding correct name of Palleschi by Mr. Ahern and Ms. Foley. All in favor.
- Motion to Adjourn at 10:10pm by Mr. Ahern and Ms. Foley. All in favor.
- Next meeting date: June 22, 2020

If you need additional information or have questions about the process, please contact us at: 518-283-2714 or building@townofng.com . **Please see the Planning Board page on the Town's website to view proposed plans.**