

**Town of North Greenbush Planning Board**  
**2 Douglas Street, Wynantskill, NY 12198**  
**Meeting Minutes**  
**February 28, 2022 6:30 pm**

Attendance: Mary Jude Foley, Mark Lacivita (Chairman), David Wilson, Leanne Hanlon (Secretary), Mark Ahern, Steven Kirk, Michael Miner, Eric Westfall (Town Engineer), Ian Silverman (counsel), Michael Miner-BD.

**Public Hearings: None**

**Presentation:**

- **The modification to the existing site plan of Tiny Tail Doggy Daycare, Jim McGrath, 28 Mayfair Rd, Wynantskill, NY 12198, at the property located at 196 Main Avenue, Wynantskill, NY 12198,, in an H (Hamlet district), having parcel ID#: 124.6-9-5.**

Michele Millington presented her application. She stated this will be a doggy day care Monday thru Friday 7am-6pm. 8-10 small dogs at the most under 25 pounds. The rear yard is fenced in. Waste clean up-Ms. Millington stated Mr. McGrath has a waste service plan. This was previously a grooming facility and this new facility is consistent with the previous use per the Board. The BD will conduct an inspection.

Ms. Foley would like the resolution to note 25 pounds or less because of the fence in the rear.

- **The Grand at Creekside PDD, 125 West Sand Lake Road, Wynantskill, NY 12198, Constance Holding, LLC, c/o Greg Grande, a proposed residential development has been referred to the Planning Board for review and recommendation. This proposed PDD is located on a property having 26.5 acres, parcel ID#: 124.-5-9.1.**

Chairman Lacivita reminded that the Planning Board is only giving the Town Board a report on the project. The applicant would like the Board to finalize their report after tonight's presentation. This has been discussed with the board many times prior to this.

Mr. Nick Costa spoke about the application. There is a total of 8 buildings with a total of 60 units with garages which has been reduced from 64. Mr. Costa reviewed the map and other information that he has discussed and mentioned at other meetings. This is in an R2 zone. 90% greenspace. Mr. Costa stated there will be some sidewalks and showed the storm water management on the map. They will tie into a sewer district and a water connection will be made to an existing one. 28 garages and 100 parking spots for a total of 128. There will be an HOA as well. Mr. Miner stated there are two lots that look a little narrow and he would like to ensure they meet the zoning requirements. Mr. Miner also stated that Mr. Westfall would be reaching out to DOT for comments as well.

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Mr. Westfall stated the wetlands and storm water has been discussed and there are no issues. Mr. Costa stated they are considering a trail with a fishing area.

Chairman Lacivita stated the school district did comment and have no census issues but have transportation issues due to the shortage of bus drivers. The interior roads will not be town roads. Storm water Management issues will be noted for the town board. Traffic issues were discussed as well and they will reach out to DOT regarding that. The PD is concerned about density and the ability for service per Chairman Lacivita. He also stated the Fire District has not responded or looked at it because there is no site plan yet. This board will note regarding issues of density for the town board.

Ms. Foley spoke about the 100 year flood plain but asked about the 500 year flood plain but Mr. Costa said that has not been discussed. That is Ms. Foley's concern and that they are close to the 100 year. Mr. Costa stated they are raising the elevation of the driveway into the site because of the flood plain. She needs them to make their elevations noted because of the flood plain.

Mr. Westfall spoke about this. He said they are doing very little work inside the 100 year flood plain. Chairman Lacivita stated that these things will be determined by the town board and the contractor will then show these on the site plain when it is time and that we cannot ask for that information in the phase of this plan at this time although the town board can.

Mr. Wilson asked if they are considering connecting the two sites in case emergency access of exiting is necessary. Mr. Costa will discuss that.

Chairman Lacivita stated a final report will be drafted and distributed to the board member and finalized at the March meeting.

Motion made to table until the March 28 meeting by Foley and Kirk. All in favor.

- **Quackenderry Commons PDD, proposed amendment, which includes a mixed use commercial and residential development, Bloomingrove Drive, Rensselaer, NY 12144, parcel ID#'s: 144.-10-33.111 & 144.-10-33.112.**

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Morgan Rupley, Mike Dynan gave the board an update on the project since the board has not seen them since Thanksgiving time. There is substantial updated information per Mr. Rupley.

The building remains the same however there has been an update to the pad site for the Ambulance Building.

Archeological survey is in the process. They want to make sure this project is compatible with the area. They did conduct traffic studies. He tried to get an update from Mr. Nigro on the emergency vehicle access to his site. Very positive response from the school district and he did contact the Ambulance and FD and PD but no response yet.

He did speak with Bob Durivage of the FD and he will take a look at the plan per Mr. Rypley.

Chairman Lacivita has a concern regarding flow of traffic off Rt. 4. His concern is that traffic could be stacked in the area. This is a major concern per Chairman Lacivita. How will this traffic be managed so it flows so it does not mess up movement of traffic on Rt. 4.

Ms. ?spoke about the application as well regarding traffic and explained how they have anticipated some traffic flow and how to rectify it. She also discussed the traffic study that was conducted. Chairman Lacivita will note this issue on his report to the town board. Mr. Miner stated the biggest concern that there is not room for stacking onto Route 4. They discussed a four way stop at the intersection as opposed to a two way stop. Chairman Lacivita stated this needs to be looked at especially traffic coming off of Rt. 4 northbound.

Ms. ? said the traffic will be distributed to Rt. 4, Bloomingrove, and Washington Avenue.

Ms. Foley stated the two properties come out to a point and wants to know how overflow can be alleviated. Ms. ? is estimating how many will be entering and exiting at the morning peak hour with 50% to Washington Avenue and 50% to Bloomingrove (1 vehicle every minute and a half). This will be looked at with the town board. The applicant will look at this in depth.

Ms. Foley asked if they would consider extending the sidewalk from where it ends to their property. Mr. Rypley stated they will certainly look at this and happy to discuss.

Ms. Foley asked about the new Ambulance Building and Mr. Rypley stated they are open to feedback and will put the pad up for the building but they do not plan on actually building the building, just giving them the site to build on. Chairman Lacivita stated that the board has received appropriate information from the applicant to compose a report to the town board.

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Motion made to table until the March meeting by Ms. Foley and Mr. Wilson. All in favor.

- **The application for a modification of the existing site plan of Regeneron Pharmaceuticals, Inc., 81 Columbia Turnpike, Rensselaer, NY 12144, at the property located at 480 North Greenbush Road, Rensselaer, NY 12144, in a BG district, having parcel ID#: 133.-2-10.**

Stephen Hartt presented the application. This is a Regeneron food preparation building. 13x13 foot addition with a garage door on the back of the building is the request. This would allow a vehicle to back their vehicle up to unload into the garage. It is about 18 feet tall. Chairman Lacivita stated when this project was first reviewed by the board at it's initiation it was discussed that there would be now tractor trailers unloading there and he has seen some. He would like to know what type of trucks will be unloading there although they are not prohibited. A fence was installed to hide the mechanical area per Mr. Hartt. Evergreens will be planted as well.

Motion made to make the planning board lead agency, accept the sketch plan and schedule public hearing for March 28 by Ms. Foley and seconded by Mr. Wilson. All in favor.

- **The Site Plan Application of Rosetti Companies, 427 New Karner Road, Albany, NY 12205, for a 24 unit apartment building to be located on Valley View Blvd., in an IG (Industrial) district, parcel ID#: 133.-2-1.133.**

No one present for this application.

- **The Site Plan Application of ELP Greenbush, Solar, LLC, 522 Massachusetts Avenue, Suite 201, Cambridge, MA, 02139, for the purpose of building a solar photovoltaic facility (solar farm), at the property located at 13 Morner Road in an AR district, having parcel ID#: 145.-8-19 & 145.-2-2.**

Wendy Wolf and Will ? spoke about the application. Part of the site is on the North Greenbush – East Greenbush boarder. Chairman Lacivita asked if they had any photos or drawings of how it would look on Morner Road. Ms. Wolf stated they do not have anything but will have something available for the Public Hearing. There will be a thick buffer around the site. They provided a map for the board to see regarding the site and the solar panel locations. The panels are 8 foot high. They have reached out to the Army Corps because of some wetlands on the site. Ms. Wolf stated there will be very little disturbance to the site. The entire parcel is 50 acres (Herbert Biggs owns the property). Ms. Foley asked is there would be security cameras and Ms. Wolf stated there will not be any.

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Will ? stated the site will be maintained and will only require to be maintained a few times a season. Ms. Foley asked about the lease details. This is a 25 year program and they are purchasing the land. Chairman Lacivita asked about the town line and to ensure they apply with the town of East Greenbush for that portion and access road. He also stated we will be declaring the Town of North Greenbush Planning Board as lead agency. Our approval will be a conditional approval contingent upon East Greenbush approving their portion.

Ms. Foley asked that when the 25 years is up what will they do with the panels? Per Ms. Wolf if the panels are not functioning they will remove the panels and restore the parcel back to it's original condition.

Mr. Miner stated that we have not had any solar panel projects come before the board so he sent the plans to Laberge and Mr. Westfall to review and get their comments. They will get the full set of site plans for the next meeting and they will also send them to Laberge. Ms. Wolf noted that there will be a battery storage system installed as well. Chairman Lacivita asked them to send the plans to the fire district because of the battery system being installed and noting the hazard. They do not have anyone on standby because of the fire suppression system installed in the battery system. Ms. Wolf explained the power will go directly into the grid. This will save money on the energy bill for anyone who will be using the solar power. 60% of the power has to go to homeowner residential customers.

Motion made to declare this board lead agency, accept sketch plan and table until the March 28 meeting by Mr. Wilson and seconded by Mr. Ahern. All in favor.

### **Discussion:**

- **The proposed driveway change for Lot 7 at the Gables of Mammoth Springs.**

John Romeo and Shane Cahill presented the changes. They provided the board with a letter to review with the changes. The original plan had a shared driveway for Lot 7, 4, 5, 6. The buyer for Lot 7 does not want this shared driveway so they would like to have their driveway come off a different location. That would require the home to be moved forward slightly closer to Morner Road. Nothing else will be affected per Mr. Cahill (storm water, well site, septic, site distance, etc). Mr. Romeo stated there will be an easement to maintain the storm water system. Chairman Lacivita asked if there were any issues with

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wetlands and Mr. Westfall stated there is not. No changes to the fire access per Mr. Romeo.

Ian Silverman stated this can be rectified with a resolution that this board approved this site plan change.

The resolution will say: The Planning Board approved Lot 7 the driveway will be relocated from Mammoth Springs Road which was shared with Lots 4,5 & 6 to single access from Morner Road. Chairman Lacivita noted the BD has no issues. Mr. Miner asked for a new map showing the changes with a new date.

Motion made to accept this by Ms. Foley and seconded by Mr. Wilson. All in favor.

**The Tattoo Parlor that relocated:** Sign is lit and on all night. Chairman Lacivita asked if there was a code violation. Mr. Miner will take a look at this and act.

**Name change for Oak Hill:** Chairman Lacivita noted the Oak Hill Apartments are now being called Eagle Rock at Rensselaer. If someone calls 911 and state that they live at Eagle Rock will the county (911) know of the name change and location? They are also advertising as apartments and town houses. Chairman Lacivita noted no town home were approved for that site. Mr. Miner will look into this. Mr. Miner noted the physical address is Oak Hill Circle and that cannot be changed. Chairman Lacivita will speak to the county tomorrow about their knowledge of this. Chairman Lacivita asked Mr. Silverman if when we approve a project can we have a condition that their business name has to be in North Greenbush. Mr. Silverman stated he doesn't feel we can o that. Chairman Lacivita stated we are always associated with Rensselaer, East Greenbush and Troy. Mr. Silverman does not feel we can condition that on an application approval.

**Meadows:** Chairman Lacivita stated there is an HOA issue and it is not a PB issue. Mr. Westfall stated they have been working on a few items.

### **Old Business:**

- **The Site Plan Application of Leon Fiacco, 30 Red Oak Lane, Rensselaer, NY 12144, for the vacant property located at 325 North Greenbush Road (Route 4), Troy, NY 12180, having parcel ID#: 134.1-4.4 located in a BG (General Business) district.**

No one present but Mr. Westfall stated they will be ready for next month.

**New Business:**           None

- **Business Meeting**
- **Schedule public hearings**

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Motion made for a resolution to say consistent with the current site plan with limitations by Mr. Wilson and seconded by Mr. Kirk. All in favor.

- **Approval of last month's meeting minutes:** Amend page 3 to add Mr. Falvey and remove the ?. Motion made to approve January Minutes by Ms. Foley and seconded by Mr. Ahern. All in favor.
- **Motion to Adjourn at 9:05pm by Mr. Ahern and seconded by Mr. Wilson.**
- **Next meeting date: March 28, 2022**

**All written public comments (mail, e-mail, faxes or hand delivered) are due to the Building Department by 4:00 pm on the business day preceding the meeting. If you need additional information or have questions about the process, please contact us at: 518-283-2714 or [building@townofng.com](mailto:building@townofng.com) . Please see the Planning Board page on the Town's website to view proposed plans.**