

Town of North Greenbush Planning Board
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
July 25, 2022 6:30 pm

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

Public Hearings:

- **The minor subdivision of Kingdom Trust FBO/Anne Stuto Roth IRA, 1105 State Route 121, Bypass N Unit B, Murray, KY 42071, of the property located on Best Road, having a total of 20.14 acres, having North Greenbush parcel ID#s: 145.-11-4.1 & 145.-11-4.2 and East Greenbush parcel ID#s: 145.-1-2.1 & 145.-1-2.2, having a North Greenbush zoning district of R1.**

Mr. Hartt spoke about this sub division and presented a map for the public. Half mile east from Rt. 43. Applicant is looking to break in up into 4 building lots.

Lot 1-5.8 acres, Lot 2-5.9 acres, Lot 3- 2.5 acres, Lot 4-5.9 acres.

There will be driveways installed. Wells and septic for each lot. There may be some wet land disturbances and will work with the Army Corp for that. There is a shared driveway maintenance agreement as well.

The maps have been sent out to the required agencies.

Part of Lot 4 is in EG and a small part of Lot 2 is in EG. Chairman Lacivita asked Mr. Hartt to send EG a letter as a courtesy to let them know.

Mr. Silverman stated he received a draft shared driveway agreement that he will look at tomorrow and no easement issues.

Public Hearing Opened:

There is a letter from the fire district with some concerns and Mr. Hartt will get a copy of that.

Ruth Potter: her family owns some of the surrounding land and road in this area. She stated she was never contacted by anyone about this. Concerns about access to their property and there is 90 acres they own at the end of that road and does not want a problem with selling it. Mr. Hartt stated their intention is to widen the current road. Mr. Miller stated the road has to be 26 feet for fire trucks.

Access easement is 33 feet to the back per Mr. Hartt.

Chairman Lacivita asked who owns the side property but Mr. Hartt did not know. Roadway improvements will be done to make the roadway at least 26 feet.

The town right a way is 50 feet. She asked what their liability is because people will be parking on their road and not to block their access (Ms. Potter).

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Chairman is suggesting that in the shared maintenance agreement that there will be access to Ms. Potters land and snow not just left in 10 foot piles blocking her. She will be part of this agreement. She noted that her property is in EG. Her attorney will contact Mr. Silverman.

Mr. Potter 1629 Best Road: Asked how far in are they going to better the road. Mr. Hartt stated it would be 300 feet.

Brian McCrae, NG Fire District: Stated the road has to be unobstructed and the letter will be amended.

Motion made to close the Public Hearing by Ms. Foley and seconded by Mr. Wilson.

Outstanding issues/conditions: Shared driveway agreement, Army Corp, Health Dept. for well and septic, county work permit to work on the roadways (county highway), approval by Counsel of the edited shared driveway agreement and any other permits needed, Fire marshal needs to sign off on any driveway over 50 feet, storm water.

Mr. Hartt stated the plans were sent to the highway department.

Before any clearing is done, Mr. Hartt needs to walk the site with the BD and that is a condition of their permit per Chairman Lacivita. The town engineer has to issue a permit.

The SEQRA short form was completed and motion was made for a neg dec by Mr. Kirk and seconded by Ms. Foley. All in favor.

Motion made to approve with conditions above by Mr. Kirk and seconded by Ms. Foley. All in favor.

Presentation:

- **The Application for a revised site plan of Regeneron Pharmaceuticals, Inc., 81 Columbia Turnpike, Rensselaer, NY 12144, for the purpose of modifying parking and fencing, at the property located at 480 North Greenbush Road, in a BG district, having parcel ID#: 133.-2-10.**

Steve Hartt spoke about the application. He showed on a map to the board what they would like to do. There is crusher run presently and want to build a 12 car parking lot with screening and a decorative fence at the roadway. People will not be able to walk through there now once the fence is installed. The fire department would like access to the fence when it is locked. It will be 6 feet lower than the roadway. There is currently handicapped spots on site. Chairman Lacivita asked Mr. Hartt to ensure with Mr. Miner that this meets design guidelines. Chairman asked if there are any ZBA issues with this and Mr. Hartt will. There are currently no trespassing signs but they will install some. There is an area for snow removal for his and snow storage.

Motion made to accept the sketch plan, declare PB lead agency and schedule public hearing for August 22 by Ms. Foley and seconded by Mr. Wilson. All in favor.

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- **The Application for revised site plan of Regeneron Pharmaceuticals, Inc., 81 Columbia Turnpike, Rensselaer, NY 12144, for the purpose of constructing entrance and parking improvements, at the property located at 1 Global View, in the Teck Park district, having parcel ID#: 122.-1-4.23.**

They have an issue with the small guard building and cars backing up because there is one way in and one way out. So this would be constructed so employees do not get back up and they would go through the other road. This would alleviate traffic by the guard building. This is to stop traffic back up. The gates for employees will have an access card entrance. Chairman Lacivita asked him to check with the fire district and ambulance to ensure they will have appropriate access.

Motion made to accept the sketch plan, declare PB lead agency and schedule public hearing for August 22 by Mr. Wilson and seconded by Mr. Kirk. All in favor.

Old Business/Tabled Discussion:

- **Ace Hardware, 115 Main Ave, Wynantskill, NY 12198, parcel ID#: 124.5-3-20.**

Mr. Dingley could not get anyone from Ace to come to the meeting tonight as he was asked to at the last meeting.

Chairman Lacivita stated there are issues to the site plan. Fire Marshal has been on site handling it as well as Mr. Westfall.

Mr. Westfall spoke about the issues to be taken care of: retaining wall, dumpster lay out has been taken care of. Storage of chlorine and propane cylinder exchange has been put in the rear. Location of safety bollards to protect merchandise has been not. Location of snow stock piling is not shown on the new map/plan. Mr. Dingley stated it would be where they originally noted in the plan but they would get someone to remove it if it is too much snow. The site plan map was revised. Handicap parking markings blue stripped is white right now and he will paint it again blue tomorrow. There are now signs on the building noting handicapped parking. And this is noted on the new site plan.

Details for concrete at the front of the store has now been shown on the new site plan per Mr. Westfall. Permission has been granted to install that. The town is responsible for putting the concrete in but Mr. Dingley will install if materials are supplied. He plans to do it ASAP.

Rectify discrepancy along Atlantic Avenue for employee parking and that is now shown on the new plan.

Fork lift storage is shown on the new plan and will not be in a parking spot but in the area behind it.

Chairman Lacivita had a conversation with the manager because things were out of compliance and he said the manager he spoke to was not aware that is why we needed someone from Ace who is responsible at the meeting.

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Overhang at the rear entrance and there is an awning here now.

Greenspace with the retaining was being worked on and will it require approval from ZBA.

Chairman Lacivita stated the green space issue is a determination by the BD. Someone was supposed to talk with the neighbor behind the retaining wall. They are replacing that owners fence for her. Mr. Dingley stated she is fine with this.

Existing exit door opens into a parking space. They will note that compact cars only can park there. Mr. Miller stated the door next to the barber shop is not an exit and stays locked per Mr. Miller. He also noted there are 4 exits and are all marked. They will put a sign stating no parking fire door per Mr. Miller.

It was approved for 35 parking spots therefore per Chairman if they have less than that they have to go before the ZB again. Mr. Dingley stated he has not changed anything on that side of the building. This was not originally addressed. They are now down to 33 spaces per Mr. Westfall.

Chairman stated we can allow these improvements by amending the site plan. But does not need a public hearing.

Mr. Westfall looked at the original approved site plan regarding parking. It does look as if there are now less parking spots with rectifying these issues per Mr. Westfall.

There should be no parking in front of the loading areas and we need to meet with the Chairman of the ZB.

We need something in writing from the Legion and the neighbor by the retaining wall per Chairman Lacivita. Because of changes close to their property. Based on that we will allow him to do the changes.

The ZB chair, PB chair, Mr. Miner and Mr. Westfall need to meet about the parking per Chairman Lacivita.

Mr. Miller suggested that the final plan with changes needs to be hanging on the manager's wall so they know what they need to do to stay in compliance. Mr. Dingley will do that.

The new retaining wall must meet with Main Avenue design guidelines. Ms. Foley asked about their greenspace and they are now going below what was approved. She asked if they need to go before the ZB again? Mr. Westfall stated that can be a discussion with the ZB at that meeting but the BD determines that and will discuss that.

Ms. Foley discussed the fact that Mr. Dingley stated there would not be any carts, and that he stated that last April. After looking at the March 2021 minutes Mr. Dingley did say there would be carts.

Chairman Lacivita is stating that it is OK for the BD to act and have this work done.

Mr. Wilson discussed the large flags that are out in front but Mr. Westfall stated they are not an issue and you can still see to pull out.

Mr. Miller stated he can do a town wide sweep to ensure other businesses are in compliance with that.

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Motion made that it is ok to proceed with the improvements to the front and rear area and retaining wall section by Mr. Wilson and seconded by Mr. Kirk. All in favor.

- **The Site Plan Application of Deschamps Brothers, Inc., 169 Cordell Road, Schenectady, NY 12303, for a proposed farm stand nursery, to be located at 4402 NY Rt. 43, in an AR district, having parcel ID#: 145.-9-9.2.**

Mr. Deschamps spoke about the application who has been before the board before.

A traffic evaluation and site plan was asked for by the Board. Chairman Lacivita read the traffic study and site plan. Site distances were also discussed and reviewed as part of the traffic study. It appears that they meet or exceed the distance guideline and any signage should not interfere with site distance.

The site plan shows the privacy hedges and shows the product area. Mr. Deschamps spoke and stated they have DOT approval in writing. He does need to discuss specifics with the privacy hedge with Mr. Miner.

Ms. Foley stated we have discussed this diagram and asked if he could move further east and he said no it is a separate property. She wants him to double the size of the entrance. He said it is not realistic and has already done a different plan. It will take away turning radius. She said the benefit of this is keeping people away from the exit and site difference. If it is moved over it gives people more time to slow down.

Chairman Lacivita stated that if there is any change of the width to Rt. 43 he would need a highway work permit. The engineer stated this way is better for in and out and he is going by the engineer per Mr. Deschamps and already has approval from DOT. Chairman Lacivita stated we know there are a significant number of heavy vehicles going west-bound and vehicles coming down the hill going too fast. Chairman said we have a report that stated he exceeds the safety standards. Chairman Lacivita said we have to require two do not enter signs on the one-way sections. They have to be responsible for the signage on his property. Ms. Foley suggested the sign needs to be over by his entrance and he agrees. Mr. Deschamps will provide a list of what he will be selling and he has to provide that to the BD. Motion lights will be installed but they are closed when it gets dark so no site lighting is needed only shed lighting. There will be no lights on the sign but maybe a solar light. Sign will be at entrance and does not have to be approved by ZBA because he is within the standard. Chairman French stated he has provided everything asked by the board.

Conditions: Provide a list of products to BD, solar light for sign, do not enter signage, enter and one way signage be installed by the owner, crusher run parking for now and will be striped, and shrubbery will be discussed with the neighbor.

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

Motion made to approve with conditions above by Mr. Wilson and seconded by Mr. Kirk. All in favor.

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- Business Meeting
- **Meadows:** Mr. Westfall stated they were in front of ZBA to move Buildings closer. They had a layout issue and needed a little more room and that was approved. They have asked for permission to rough in and out utilities in for Phase 2B. They are looking for catch basin. They will slightly revise the survey because their surveyor was way off. Mr. Westfall also spoke to the affected neighbors. The change will be less destructive per Mr. Westfall. Everything is being closely monitored. The early morning noise is coming from another project in Troy. Ms. Foley asked about a guard rail and Mr. Westfall will look into that. She also mentioned Enzien's site and the arborvitae.

Approval of last month's meeting minutes: Motion made to approve June 2022 minutes by Mr. Ahern and seconded by Ms. Foley. All in favor.

Motion to Adjourn at 8:56 by Mr. Ahern and seconded by Mr. Wilson.

Next meeting date: August 22, 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 . **Please see the Planning Board page on the Town's website to view the application(s).**