

**Town of North Greenbush Planning Board**  
**2 Douglas Street, Wynantskill, NY 12198**  
**Draft Meeting Minutes**  
**August 23, 2021 6:30 pm**

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

**Public Hearings:**

- **The Revised 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.**

These are revisions to the original site plan per Chairman Lacivita. Scott Noel stated he acquired more land from Regeneron so they have more parking and the building is smaller. A golf simulator company (The Bunker) will be in the building. There will be a restaurant portion in the building for people who are using the facility. Footprint is 55 x 65. Each simulator needs a certain amount of space (15x20) and there will be 5-6 simulators. Scott Noel shared with the BD parking surveys for the other simulator businesses. He read his findings. This particular one will have 44 parking spots and the BD determined that will meet the needs for Zoning per Mr. Noel. The dumpster will have a vinyl fence and landscaping will be put in the front per Mr. Noel. There will be a peak roof and dormers and black metal roof. The mechanicals will be in the cellar. The building height 18-20 feet. Eric Westfall stated it meets the height requirements. They will be going to ZB regarding setback for the deck(10x40) they would like to install. There will be a center fireplace at the bar.

Public Hearing Opened:

Two written comments were received that Chairman Lacivita read for the record. One was from Andrew Mair (parking, ingress and egress, setbacks and variances).

No one else wishing to speak.

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

- **The Application for Site Plan Approval of Finelli Development Corp. (John Finelli) 359 Broadway, Troy, NY 12180, for the approval of the redevelopment of the properties known as 9 Glenmore Road & 76 North Greenbush Road, in a BG district, having parcel ID#'s: 123.09-2-25 & 123.09-2-6.**

John Hitchcock (ABA Eng.) and Mr. Finelli explained the application for the board. He spoke about the addition on the existing building. Tenant 1-2000 square feet and drive thru, Tenant 2-1800 square feet, Tenant 3-1800 square feet. They added a pull off area for people to wait for their food if delayed as well as signage. They added a "do not block" parking lot sign if stacking occurred. Increased parking in the front to 14 spaces. There will also be a safety crossing area that will be painted red. They added landscaping to the site and to the map. They reached out to the tenant about the drive thru as far as customers. Mr. Hitchcock went to one similar and watched how the drive thru was working as far as the amount of customers and stacking at the drive thru. He distributed a report to the board with all this information. Chairman Lacivita asked if NGPD Chief Kevern saw the revised plan and he has not per Mr. Hitchcock however, Chairman would like him to see the revised plan. The board needs to have the NGPD put something in writing about the recommended changes. Chairman Lacivita is concerned about obstructi-

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ng traffic out into the rotary. Mr. Hitchcock stated DOT has seen the plans (right in/right out). Because one of the entrances to the site could be blocked and blocking traffic. He would like to see that DOT approved this. Chairman Lacivita asked the applicant to get something from them. He wants DOT to approve the "right-in". This will be a condition. Chairman Lacivita is concerned about backing up traffic on Glenmore therefore he would like to word something with counsel's input. This will also be a condition. They will work with the BD with the signage wording per Mr. Hitchcock. There is only one tenant locked in right now per Mr. Hitchcock. Mr. Wilson asked about the parking for employees and they should be parking at the farthest end to keep closest to the building for customers per Mr. Hitchcock.

Ms. Foley asked what will happen if there is an accident on the southeast corner? Mr. Hitchcock stated the cars in the drive thru will have to back out and go around the building. She is concerned about this holding up 5 different directions of traffic and she feels the chances of an accident are high. Mr. Westfall stated the police will handle all of that and people will be able to go a different way just for an instance such as this. He feels there is room to turn around. Ms. Foley asked where emergency services will go if there was an incident. Mr. Finelli stated the emergency services would take care of that when they arrive on scene as they do for all other businesses they respond to. Mr. Westfall also stated they will figure it out as they do with any other scene they arrive on.

Mr. Westfall asked if a Yield sign help? Chairman Lacivita stated it would. Ms. Foley stated if they eliminate the right turn in in that location that would help with a lot of this. Would eliminating the right in right out work for this plan? Ms. Foley stated there is a concern about the drive thru customers and the amount of cars there.

Mr. Finelli stated he has done everything the board has asked for. Mr. Hitchcock stated they have a longer drive thru than other similar businesses. Mr. Finelli stated they are trying to put a nice thriving business there and not leave the site the way it is now. New building is 5937 square feet.

Issues: DOT comments, Police Chief approving the revised plan.

Mr. Wilson said he wishes the right in right out was a little further down on the site. He also asked if they could have more of a merge out to Rt. 4. Mr. Finelli and Mr. Hitchcock stated they would take a look at that.

Public Hearing opened:

Written comments were read for the record one comment from Andrew Mair. He also raised DOT issue. He also raised the Starbucks issues into the road.

Kathy Allen, NG Ambulance: She is happy something is being done to that site. She does however have safety concerns. Right turn in off the traffic circle, drive thru area where pedestrians walk, she is concerned about emergency services and the frequency they might have to respond to that location.

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

**Presentations: None**

**Tabled For Further Discussion**

- **Referral from the Town Board – 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.**

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BD had meeting with applicant and Chairman attended as well and went over all the comments from the PB. They are requesting a 60 day extension to take care of all the comments and revisions.

Motion made to extend the timeline that the PB report to the town board to November 15<sup>th</sup> by Ms. Foley and seconded by Mr. Ahern. All in favor.

- **Referral from the Town Board – The Forrest Ridge, 240 West Sand Lake Road, Wynantskill, NY 12198, Forest Ridge, LLC, c/o Mark Van Vleck, a proposed residential development has been referred to the Planning Board for review and recommendation. This proposed PDD is located on a property approximately 66 acres, having parcel ID#: 135.-2-7.1.**

Applicant is working on some wetland issues and reviewing the comments from the board and residential PPD. They are asking that the PB extend their response for 60 days to Nov. 15.

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

**Old Business: None**

**New Business: None**

- Business Meeting:
- **The Revised 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.**

44 parking spots and added 40 feet to the parcel and the building is smaller. He deck is contingent upon ZBA approval per Chairman Lacivita.

Conditions: all previously approved conditions are the conditions as well as ZBA approval for the deck. Dumpster enclosure requires BD approval.

SEQRA review only pertains to the changes per Chairman Lacivita.

Motion made for a neg. dec. SEQRA review by Mr. Wilson and seconded by Mr. Ahern. All in favor.

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

- **The Application for Site Plan Approval of Finelli Development Corp. (John Finelli) 359 Broadway, Troy, NY 12180, for the approval of the redevelopment of the properties known as 9 Glenmore Road & 76 North Greenbush Road, in a BG district, having parcel ID#'s: 123.09-2-25 & 123.09-2-6.**

Conditions: Chief Keevern reviewing the new plan and get a letter of approval from NGPD. If he has concerns with this they need to work them out with NGPD. DOT and County Highway approval for the access. They will put the ZBA findings on their site pan. Landscape and lighting must be approved by BD.

1. Review NGPD and comment
2. DOT approval to say they are approving right turn in writing
3. Sign to go at the end of the drive thru be approved by BD (Indication by State DOT that they have no objection to right in).

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4. Landscaping and lighting plans be approved by BD
5. Storm water

Chairman Lacivita really wants DOT comments but does not want to unnecessarily delay this. It was also mentioned how slow DOT is.

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

Motion made to approve with above conditions by Mr. Wilson and seconded by Mr. Ahern. All I favor.

- Approval of last month's meeting minutes: Motion made to approve July meeting minutes by Mr. Ahern and seconded by Ms. Foley. All in favor.
- Chairman Lacivita discussed 271 North Greenbush Road. Mr. Westfall stated there was a violation of clearing from the approved plan. Mr. Westfall asked for a revised plan even though they started clearing. There was a complaint from a neighbor on Birch Street. Because the site plan was reviewed by the PB there is an issue. They had defined clearing limits on the plans and approved by the board per Westfall. Chairman Lacivita stated we need to put some limitation on clearing and have the BD there to approve while it is occurring. Mr. Westfall suggested that if the applicant violates clearing that suspends the site plan approval and they need to come before the board again for everything. Can the site plan be voided by a mistake or violation to the site plan per Chairman Lacivita? They need to have the stipulation to needing to have the BD involved before they clear. Chairman Lacivita will draft up a standard condition. The enforcement issue is different. The BD needs to write something up about the enforcement. Can we ask the owner to put up a fence now? The Building Department will take care of the enforcement and even hold up the building permit until it's rectified.

The Meadows: The BD received a complaint about working on Saturday.

Alexis issue is resolved. There is a fence there now. There was an issue with compliance. A vinyl fence was approved but owner stated he could not get one. Mr. Miner worked with the owner and a six foot wood fence has been installed because there was an order to remedy. The owner also stated he will maintain the wood fence. The BD will enforce that.

Capital District regional planning commission issued a report on the census and Chairman Lacivita sent that to everyone.

- Motion to Adjourn at 8:18pm by Ahern and Wilson.
- Next meeting date: September 27, 2021

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.**