

Town of North Greenbush Planning Board
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
May 20, 2024 - 6:30 pm

Attendance: Mary Jude Foley, Mark Lacivita (Chairman), David Wilson, Leanne Hanlon (Secretary), Mark Ahern, Greg DeJulio, Eric Cioffi (Building Department), Phil Danaher (counsel).

Public Hearing(s):

- **Application 24-03, for the site plan application of Ariel Saati, 28 Buckbee Road, Troy, NY 12180, for the purpose of converting a medical office to a full-service restaurant located at 27 West Sand Lake Road, Wynantskill, NY 12198, in a H district, having parcel ID#: 124.10-20-1.**

This is a continuance of the Public Hearing.

The Town Clerk office reviewed the file when this building was built. Per Chairman Lacivita there was an error in the data and it was built 8 feet from the property line and not ten feet and approved by Zoning Board as built per Mr. Cioffi and it is a zoning issue not this board's issue.

The Board is discussing parking and was on the ZB Agenda May 8. It was tabled per Mr. Cioffi. He said it was because the dumpster location was not on the site plan. They will appear before the ZB in June. The dumpster took up 2 spaces. Now 34 spaces.

No separate container for grease collection just a garbage dumpster.

There is also on the site plan, an enclosure for the dumpster.

The board reviewed the new site plan.

Sewer and water is on site. Capacity is 65. The board reviewed all the changes and new site plan and anything that was discussed during the first public hearing. Lighting needs to be on the site plan per Chairman and that none of the lighting will be carried off site. The ZB parking needs to be resolved before this board can do anything for this application. Proximity to other properties needs to be mitigated. Mr. Saati said there will be a fence behind the building and along the parking lot.

Ms. Foley asked how much space is between the property on Sharpe and their parking lot. Mr. Saati was not positive. She also asked about the survey and it is on the new survey per Mr. Saati.

Ms. Foley asked about how this compares to other restaurants in town. Her concern is the number of parking is extremely limited and does not want to see street parking or main road parking.

Mr. DeJulio asked about greenspace and showed where it should be on the map. Mr. Saati stated they will be installing a six foot fence.

Public Hearing Opened:

**Planning Board
Meeting Minutes
May 20, 2024
Page 2**

Ms. McCarthy: 1 Sharpe Road. Stated their fence is about 5 feet from her property and she is concerned about privacy. Right now she believes the chain link fence is hers. They plan to install a stockade fence. She would like more fence near her property. The chain link fence will be removed and it was determined it is not her fence. BBL installed it when the building was built. She also asked if they will have a liquor license and they will apply for a beer-wine license per Mr. Saati. Ms. McCarthy asked what will be behind the building. Mr. Saati stated nothing will be there.

Theresa Weber: 13 Cook Street: Ask about hours of operation. Hours are Tuesday through Sunday 7am-8pm. Breakfast, Lunch and Dinner per Chairman.

Mr. Saati stated he has no plans to host parties or banquets and there is not space to do that.

Mr. Saati stated the snow will go in the greenspace and will not lose any parking unless there is a big snow storm and then it would only been temporary. Chairman stated the snow storage needs to be addressed.

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

Open issues:

Site plan needs tinkering per Chairman Lacivita but they need to work with ZB about parking first.

Need to indicate on site plan where the sign will be located. ZB will approve that but this board needs to have it on the plan.

Where is the lighting going to be on the building and show on site plan and be sure it will not infiltrate to neighbors property.

Show that the dumpster enclosure is vinyl and show height on site plan.

Connect to public water. Already connected to sewer.

Fencing between the neighbors needs to be evaluated and it needs to show on site plan all along the property including West Sand Lake Road and along the greenspace.

Dumpster enclosure on the site plan

Landscaping plan on the site plan

ZBA approval for parking and signage

Chairman stated they need to get their new site plan in to the BD and soon as they can after the ZB meeting.

Motion made to table until June 24 by Mr. Wilson and seconded by Ms. Foley. All in favor.

Presentation(s): None

Old Business/Discussion(s):

- **Application 23-05, for the site plan application of Finelli Development Corporation (John Finelli), 359 Broadway, Troy, NY 12180, for the purpose of redeveloping & combining the properties known as 11 Glenmore Rd & 76 North Greenbush Rd; convert the existing single family dwelling at 11 Glenmore Rd into commercial space, construct a 3,200 SF commercial building with a drive thru, at the proposed address of 78 North Greenbush Rd & site plan modifications to ingress and egress on North Greenbush Rd, in a BG district, having parcel ID#'s: 123.09-2-4 & 123.09-2-6 respectively.**

Main item of discussion was traffic. Chairman stated the engineering report is completed. Chairman showed a photo that was sent anonymously showing traffic backed up to Cole Collision.

John Hitchcock: ABA Engineers. He said there was a traffic analysis done. The increase would be 50% and not really noticeable with the current traffic there now. 25 – 30 additional trips. He said they also touched on the lighting that is causing those backups (traffic signals). The traffic lights need to be synced.

State DOT has signed off on their plan per Chairman.

Vinyl fence along west boundary.

Eliminating Right in at Dunkin. DOT is allowing a left in though. ZB issued a variance for the parking.

The restaurant will most likely be a fast food per Mr. Hitchcock. The home will be occupied until the current resident leaves or passes away. He does have health issues.

Ms. Foley stated the problem she has with this project is because it is a fast food restaurant and not a bank or office. She also stated the circle is not working an adding a high volume restaurant there will cause an issue on Glenmore.

Chairman Lacivita stated what is unknown is the military building that new large building at the end that we have no control over.

Chairman emailed town board regarding the projects being completed and the traffic they will cause. We cannot ignore a traffic study. Chairman stated this board needs help and he has emailed the town board. Chairman Lacivita stated there is no other information we can request, we have everything.

**Planning Board
Meeting Minutes
May 20, 2024
Page 4**

The applicant has provided all information that was asked for per Chairman Lacivita.

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

Conditions: NYS DOT work permit and all other relevant permits.

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

Resolution of the town board in the matter of holding a public hearing June 13 to consider local law entitled: “Amendment No. 3 Tech Valley Residential Community Planned Development District”

Per Mr. Danaher stated it is regarding the setbacks for the Meadows. We were supposed to receive an updated site plan and we do not have one yet. It is one change instead of doing it individually. We also do not have the remediation plan. The town board cannot approve with out the updated site plan. But per Mr. Danaher we could do this now contingent upon the site plan being attached to the local law set back change.

Motion made to send a positive recommendation to the town board agreeing with the local law 3 as presented contingent upon receipt of site plan update reflecting the local law by Mr. Ahern and seconded by Ms. Foley. All in favor.

Chairman Lacivita stated he has discussed with the Town Supervisor to adding staff to the BD to do site visits to ensure the approved site plans are in compliance with the approved site plan.

- **Business Meeting**

Approval of last month’s meeting minutes: motion made to approve April 2024 meeting minutes by Mr. Ahern and seconded by Mr. Wilson. All in favor. Change SWIP to SWPP and Denovo.

Motion to Adjourn at 8:00pm by Mr. Ahern and seconded by Ms. Foley. All in favor.

Next meeting date: June 24, 2024

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).**

Pending Projects:

- **Application 24-01**, for the Sketch Plan Application of Wynantskill Solar, LLC, represented by C.T. Male Associates, 50 Century Hill Drive, Latham, NY 12110, for the development and construction of a 3.3 MW ground-mounted solar farm at 163 West Sand Lake Road in an R2 district, having parcel ID#: 124.-5-9.11.
- **Application 21-14**, for 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.
- **Application 22-19**, for the application for a major subdivision of Cape Enterprises HV, LLC, 89 Macha Lane, Wynantskill, NY 12198, for the purpose of approving a 50-lot twin home subdivision, located on an 18.05-acre parcel on Williams Road, in a R3 district, having parcel ID#: 123.-3-8.1.
- **Application 23-03**, for the site plan application of Thomas Dingley, 190 Pershing Ave, Wynantskill, NY 12198, for the purpose of constructing two mixed use buildings with commercial on the first floor and residential on the second floor, at the property located at 128-130 Main Avenue, Wynantskill, NY 12198, in a H (Hamlet) district, having parcel ID#s: 124.5-6-15.1 & 124.5-6-15.2.
- **Application 23-10**, for the site plan application of Bloominggrove Properties Assoc., LLC, 1 Juniper Drive, Delmar, NY, 12054, for the purpose of constructing two mixed-use buildings consisting of 260 middle-income apartment rental units with basement level parking and retail/commercial on the first floor of each building and to construct an Ambulance Corp. building located at 726-728 Bloominggrove Drive, Rensselaer, NY 12144, in a PDD zone, having parcel ID#'s 144.-10-33.111 & 144.-10-33.112.