

**Town of North Greenbush Planning Board**  
**2 Douglas Street, Wynantskill, NY 12198**  
**Meeting Minutes**  
**June 27, 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:** None

**Presentation:**

- 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 presented the application. He stated the lots acre each over 2 acres and will have sewer and water. 4 lot subdivision. Lot 1,2 & 3 use the existing driveway and Lot 4 would have a longer driveway. Some acreage in North Greenbush and some in East Greenbush in the back of the subdivision.

There is a letter from the attorney that Mr. Westfall will give to the board. Chairman is asking for a copy of the easement for the file. Chairman Lacivita asked Mr. Hartt to send everything regarding this project to East Greenbush and to also notify direct neighbors of this property.

There are wetlands in the area on the Lot 3. Lot 3 has a 480 foot driveway and there will be a turnoff there for emergency vehicles. Ms. Foley asked if they have done any perk testing and they have not but Mr. Hartt stated the surveyor was on site today.

Chairman stated they need the form with the lost that they need to send the application to. (Fire District, Town Highway etc.) None of the new driveways are in East Greenbush per Mr. Westfall. Army Corp of Engineers will be involved.

Motion made to declare PB lead agency, accept preliminary plan and schedule Public Hearing for July 25 by Ms. Foley and seconded by Mr. Wilson. All in favor.

**Old Business/Tabled Discussion:**

- 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. **Tabled**

Motion made by Ms. Foley and seconded by Mr. Wilson to table 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.

**Planning Board  
Meeting Minutes  
June 27, 2022  
Page 2**

Mr. Westfall has prepared a status letter and part 2 and 3 of SEQRA. They have been before the board multiple times.

Mr. Westfall reviewed part 1 and is good. They have received multiple revisions of the project drawings including dealings with the neighbors. An environmental narrative was prepared and Mr. Westfall stated he has no problem proceeding with SWIPP approvals. Town and Laberge reviewed all the submissions and everything has been addressed. Decommissioning plans have been reviewed per Mr. Westfall.

Public comments have been addressed and the applicant met with them on site and the neighboring property owners are satisfied with the revisions. FD has no issues and well as the PD. A full site visit with the FD will happen after batteries are installed. Visual and sound impact-applicant submitted information regarding this and has been addressed. No issue per Mr. Westfall. All fees have been paid. They submitted an updated design as well. There are some conditional items to review. All SEQRA Part 2 questions were reviewed with the board and applicant. Part 3 were reviewed as well.

Conditions: Town of East Greenbush's approval, complying with project drawings paragraph, Project SWEPP final drawings, Permits, technical comments addressed, decommissioning plan, Pilot agreement, Include Mr. Westfall's letter of June 27.

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

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

- **The Site Plan application of Joseph Bowers (Ingraham Solar, Inc), 1 Washington Place, Troy, NY 12180, for the purpose of building a solar photovoltaic facility (solar farm), at the property located at 391 Winter Street, Ext., Troy, NY 12180, in an AR district, having parcel ID#: 123.-5-6.1.**

This has been before the board many times. Mr. Westfall's letter of 6/27 was read which included items that have been satisfied and conditions.

EAF has been reviewed by Town and Laberge and changes were made. Jurisdictional approvals were reviewed. Technical comments were reviewed. Decommissioning plan has been submitted and reviewed. Public comments have been addressed and neighbors were met with by the applicant. Visual and sound impacts were reviewed and a field walk was conducted. Pilot program were discussed and all fees have been paid.

Per Ms. Lindsay McIntyre they met with the Kohler's and will provide a fund for them to put in trees and spruce as barriers. The Drawings have been updated per Mr. Byrne.

Mr. Byrne stated they addressed written public comments. He also stated Mr. Kohler requested a visual tour later in the year. Chairman Lacivita asked for the updated agreement with the Kohlers. Chairman asked Ms. McIntyre to update the memo. Mr. Byrne stated they have addressed the written comments as well.

**Planning Board  
Meeting Minutes  
June 27, 2022  
Page 3**

Conditions: June 7 letter updated agreement, fall visual assessment memo will be updated.

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

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

- **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. **Tabled****

Motion made by Ms. Foley and seconded by Mr. Wilson to table this application.

- **Referral from the Town Board of the re-zone application of Points North Holdings, LLC, 634 Bloomingrove Drive, Rensselaer, NY 12144.**

Chairman Lacivita read documentation regarding this review and the draft letter to the board and Mr. Clinkey.

Mr. Clinkey spoke about this. The review and recommendation will include the surrounding area. Public Comments were received in writing and provided to the town board.

Chairman noted the businesses in this area.

The impact on the immediate neighbors was discussed. The review of the zoning change will need to be discussed regarding what uses would now be allowed. Further review and consideration is needed per Chairman Lacivita.

This application will still need a special use permit by the ZB. There could be conditions and limits to this as well as conditions and limits on the rezone. This board cannot do a technical review per Chairman Lacivita. The town board will do this. All parcels involved would be changed from BN to BG.

Town Historian noted there is additional information needed on these historical properties. Chairman Lacivita stated this will be looked at during SEQA review.

Chairman Lacivita noted some of the areas around this have a history. The PB does not recommend any zoning changes from Washington Avenue to North Greenbush Road.

Change in zoning on the east side from Washing to North Greenbush would not be inconsistent. Traffic impact will need to be reviewed. Municipal utility use has to be evaluated per Chairman Lacivita. There are also issues with municipal utility access per Chairman Lacivita that will be in the report to the town board.

Mr. Clinkey spoke. He appreciates the work the board has done with this and has done a very extensive review for this phase. If this is approved with the town board they will back before PB and ZB with the project.

Motion made to approve the draft letter to the town board with the public comments attached by Mr. Kirk and seconded by Mr. Wilson.

**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. Tabled**

Motion made by Ms. Foley and seconded by Mr. Wilson to table this application.

**Ace Hardware:** Requested to make some changes to their layout. They have spoken to the BD. Mr. Westfall spoke about the issues and they have met with the manager.

There are two items that remain outstanding. Chlorine Storage issues, area on north side there is some building material stored there. All items that are being stored across the street and has been removed. ACE does not own that. Propane exchange cage is located adjacent to the rear door and is protected by a jersey barrier and the fire marshal decided that that was a safe location, There is no handicapped parking noted in the area.

35 parking spots were authorized by ZB and that employee parking is in front of the dumpsters. Mr. Westfall discussed the changes. They want to put a retaining wall and pad in the rear so they can centralize the items in one area. This would not take away any parking spaces. This will keep everything out of the front of the building. They will also replace the neighbors fencing back there. Concrete will be installed in the front. They need a barrier at the north door on the Legion side. Stripping along the dumpster so it is not blocked.

Employee parking back where the dumpster. Ms. Foley noted that during the site plan approval the new employee area was supposed to be for private box truck loading and unloading. The owner has not asked to change the employee parking the board and BD is suggesting. There were to different approvals between the PB and ZB as to where employee parking would be. However, there can be two areas for employee parking.

Ms. Foley is concerned about product being stored near parked cars and that there is not enough space. Mr. Westfall does not feel it is a problem and feels there is enough space to walk. Chairman Lacivita stated the employee parking and the need for a pad is not the applicant issue. He has a safety concern about the product being stored in the front.

Chairman Lacivita stated he is concerned how the BD will handle compliance with product stored. There is not enough space. Ms. Foley stated they have very little greenspace and if they dig into that hill it will make the greenspace even smaller and they indicated before that pad area would be for snow storage and that is a concern. Mr. Wilson said everyone was walking in the back door and someone parked right there and there was a parking line right up to the back door and you could not get out the back door. Ms. Foley asked why there was not an overhang over the back entrance but the contractor said that will happen.

Chairman Lacivita stated he thinks the greenspace was a grandfathered issue.

Snow storage in rear northeast corner and that has to change.

**Planning Board  
Meeting Minutes  
June 27, 2022  
Page 5**

PB needs to handle the no handicapped parking and that was supposed to be in the site plan and there is none as of now. This has to be cleared up ASAP per Chairman Lacivita. Chairman stated when the fire marshal gets back in town from training they will all go to the site to review.

This needs another meeting for discussion per Chairman. He noted they need to come back with another site plan showing these changes and show the retaining wall location and meet the design guidelines, show where the pad will be, chlorine storage, propane, and what else they are going to store there and where handicapped parking will be, what they will use to replace the jersey barrier, where the overhang will be, signs for employee parking, area between dumpsters and legion, and show this to the neighbors.

Mr. Wilson noted there was a complaint about people coming out of the legion could not see pulling out because there were temporary sign flags up and in the way.

Ms. Foley stated she asked during the other meetings if they will have plants and shelving and they do and stated they would not and they were in parking spots but they moved them to out front. They need to figure out where they are going to put them.

We expect they have to come back before the board with the new plan and a timeline as to when this will be completed.

Chairman will email site plan and agreements to Hatchet Hardware so they know what was approved.

They will be on the agenda next month.

**The Meadows:** there was a complaint. Mr. Westfall will meet with the complainant next week. Something happened to her fence and the site foreman stated they will fix her fence and they will discuss a few other items.

- Approval of last month's meeting minutes – Motion made to approve April and May minutes by
- Motion to Adjourn – motion made to adjourn at 8:33pm by Mr. Ahern and seconded by Mr. Wilson.
- Next meeting date: July 25, 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 the application(s).**