

Appendix C

Correspondence

Senior Citizens (65 years+) and people with disabilities ride for half fare all day on weekends and major holidays. Valid reduced fare cards or Medicare cards must be shown to the bus operator upon boarding.

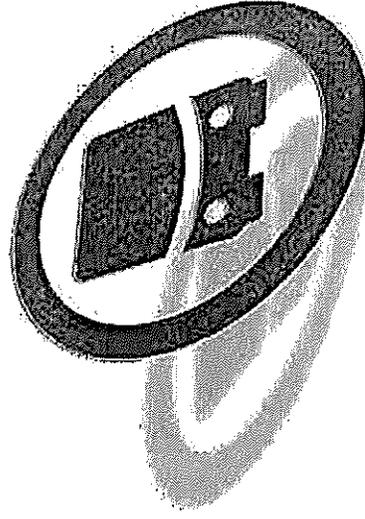


Rensselaer Rural



between
Hoosick Falls
and
Downtown Troy

For Schedule & Route Information 482-8822
TDD 482-9024
Website: www.cdfta.org





Rensselaer Rural

Weekday

Weekday Service

Hoosick Falls to Troy

Weekday

Weekday Service

Troy to Hoosick Falls

Lv. Eagle Bridge	AM
Lv. Valley Falls	635
Lv. Schaghticoke*	648
Lv. Speigletown	655
Ar. River & Front Sts. Troy	705
Ar. River & Front Sts. Troy	725

* - Operates to the market, Schaghticoke.

This bus will stop at any safe location along the route between designated stops, just signal the bus by waving.

Lv. Troy Garage	PM
Lv. River & Front Sts. Troy	-
Lv. Speigletown	510
Lv. Schaghticoke	530
Lv. Valley Falls	540
Lv. Eagle Bridge	547
Ar. Troy Garage	559
Ar. Troy Garage	649



J.P.J. Partnership

31 Century Hill Drive
Latham, New York 12110
(518) 785-9600 Office

Members: John A. Mainello, Patrick Fiore & Joseph Zappone

October 27, 2007

Mr. Andrew W. Gilchrist, Esq..
Tuczinski, Cavalier, Gilchrist & Collura, P.C.
54 State Street, Suite 803
Albany, New York 12207

Mr. Mark Kestner, P.E.
Kestner Engineers P.C.
1 Kestner Lane
Troy, New York 12180

Re: Town of Brunswick
**Brunswick Meadows - Planned Development District
FEIS Completeness Review
Responses & Supplemental Information**
Rensselaer County, State of New York

Dear Mr. Gilchrist and Mr. Kestner;

In response to your October 5, 2007 Memorandum to J.P.J. Partnership regarding the above referenced project, please find the following supplemental information and responses that addresses all of the comments in said Memorandum:

1. Several comments were received concerning sewerage and wastewater discharge, and the capacity and adequacy of sewer lines located in Hialeah Drive. Provide a technical or engineering response to the issues raised concerning adequacy of existing sewer lines in the area of Hialeah Drive or potential for sewer backup problems. Respond to the alternative wastewater discharge option raised during the public comment period.

Following consultation with the City of Troy Department of Public Utilities - Neil R. Bonesteel, P.E. Chief Water Plant Operator; the developer, JPJ Partnership has revised its proposed sanitary sewer connection point at Hialeah Drive and NYS Route 142 to a location further west near the intersection of Route 142 and Plank Road (near Diamond Spring Water Company). The developer will bear all of the costs of the design and installation of this sanitary sewer line, along NYS Route 142 as recommended by the City of Troy. Once construction of this sanitary sewer line is completed and accepted by

the City of Troy Department of Public Utilities; ownership, operation and maintenance of this sanitary sewer line within the limits of the City of Troy, will be transferred to the City of Troy Department of Public Utilities. (See attached letter dated October 26, 2007 from the City of Troy Department of Public Utilities - Neil R. Bonesteel, P.E. Chief Water Plant Operator).

2. The Agreement for Extension from the City of Troy Water and Sewer Lines attached to the FEIS at Appendix F.

(a) Section 2 of agreement identifies the term of the agreement as continuing "until" said Water District and Sewer District are dedicated to the Town of Brunswick.

The Developer J.P.J. Partnership shall be solely and exclusively responsible for the installation of the water and sanitary sewer lines and the maintenance of the same within the Town of Brunswick, up to and including the date upon which the Town of Brunswick Town Board accepts and dedicates the said water and sanitary sewer lines to the Town of Brunswick.

The Developer J.P.J. Partnership shall be solely and exclusively responsible for the installation of the water and sanitary sewer lines and the maintenance of the same within the City of Troy, up to and including the date upon which the City of Troy City Council accepts and dedicates the said water and sanitary sewer lines to the City of Troy.

(b) The agreement is silent as to future ownership, as well as repair and maintenance responsibilities of the water and sewer lines located outside of the Town of Brunswick and situated in the City of Troy jurisdiction.

Once construction of the water and sanitary sewer lines are completed and accepted by the City of Troy Department of Public Utilities; ownership, operation and maintenance of the water and sanitary sewer lines within the limits of the City of Troy, will be transferred to the City of Troy Department of Public Utilities. (See attached letter dated October 26, 2007 from the City of Troy Department of Public Utilities - Neil R. Bonesteel, P.E. Chief Water Plant Operator).

3. Several comments were received during the public hearing and also written comment period concerning stormwater discharge from the project. Provide supplemental information from the City of Troy Department of Public Utilities and verification that it completed its review of the Applicant's stormwater management plan. Please provide additional information concerning stormwater management, and any potential impact to offsite properties, including the Hialeah Drive area.

The City of Troy Department of Public Utilities - Neil R. Bonesteel, P.E. Chief Water Plant Operator and his staff has reviewed and approved of the various correspondence and engineering reports provided from Erdman Anthony Associates regarding the proposed stormwater system and its associated stormwater management facilities. An updated letter, regarding these items, was sent to the City of Troy dated October 24, 2007

from Erdman Anthony Associates and is attached. This letter provides additional information as requested by the City of Troy's letter of May 14, 2007. (See attached letter dated October 26, 2007 from the City of Troy Department of Public Utilities - Neil R. Bonesteel, P.E. Chief Water Plant Operator).

4. Several comments were received during the public hearings and written comment period concerning proximity of proposed condominium buildings to existing residences on Grange Road and the overall density of the project in relation to green space on the project site. The FEIS should examine an alternative layout, which promotes green space towards the front of the project site adjacent to Grange Road and in proximity to existing residences on Grange Road. Further, the FEIS should include an expanded discussion of density of units on this project site in relation to permitted density in current zone classifications for the project site.

The existing parcel for the Brunswick Meadows project (18.3 acres) is divided into two zoning districts, R-15 (residential) and A-40 Agricultural. The R-15 zone extends 500' from Route 142 and allows for 15,000 square feet (sf) lots with 35' front, 15' side and 35' rear setbacks required. These units could be situated within 15' to 35' of adjacent owners' current property lines.

The current site contains approximately 6.5 acres within the R-15 zone. A maximum build out of the 6.5 acres could result in 18 lots ($6.5 \times 43,560 \text{ sf} = 283,140 \text{ sf} / 15,000 \text{ sf} = 18.8$ units) of housing. The remaining 11.8 acres are currently zoned A-40. The A-40 zoning has a minimum lot size of 40,000 sf or less than an acre. The maximum build-out of the remaining A-40 zone is 12 building lots ($11.8 \times 43,560 \text{ sf} = 514,008 \text{ sf} / 40,000 \text{ sf} / \text{lot} = 12.8$ units). Therefore, the existing parcel as currently zoned allows for 30 building lots.

Furthermore, the existing adjacent lots along NYS Route 142 from the Town Line to Liberty Road and across NYS Route 142 to Plank Road and beyond to the Town Line with the Town of Schaghticoke include this same R-15 zoning. This zoning allows for lots that are approximately 1/3 of an acre in size. See attached portion of the Town of Brunswick Zoning Map.

The Brunswick Meadows Planned Development District (PDD) will be reviewed by the Town of Brunswick Planning Board prior to final approval of the PDD by the Brunswick Town Board. During this Planning Board review green space will be addressed. The proposed green space for the Brunswick Meadows PDD is in excess of 70% under the current plan.

The current layout clusters the units to the extent practical, minimizes the infrastructure system and avoids sensitive environmental and cultural heritage areas including steep slopes, wetlands and potential archeologically significant areas. The project proposes 28 buildings with setback distances that are similar to the R-15 zoning currently allowed.

5. The FEIS identifies a wetland area on the project site flowing into a channelized stream located in the National Grid right-of-way, which then enters a 24-inch culvert at the north line of the National Grid right-of-way.

The location of this 24-inch culvert and related drainage easement is shown on the approved and filed subdivision map for the Miami Beach Estates Subdivision plans. The City of Troy Department of Public Utilities has maintained this culvert and all other appurtenances within the Miami Beach Estates Subdivision since 1968 when the various streets, water mains, sanitary sewer lines and appurtenances were accepted and dedicated by the Troy City Council on September 12, 1968. (See attached letter dated October 26, 2007 from the City of Troy Department of Public Utilities - Neil R. Bonesteel, P.E. Chief Water Plant Operator).

6. Did the change in the project to 28 buildings impact stormwater calculations for the stormwater management report for this project?

STORMWATER RUNOFF TABLE

	1 yr. Runoff (CFS)	10 yr. Runoff (CFS)	100 yr. Runoff (CFS)
Pre-Development			
Design Point	12.42	34.73	60.64
Post-Development			
31 Bldg. Design Point	2.92	27.81	49.74
28 Bldg. Design Point	2.64	27.20	49.10

The 100-year peak elevation in the final management pond drops 1 inch in the 28-building scenario with corresponding a freeboard of 1.45'. The NYSDEC Phase II stormwater general permit requires a 1' minimum freeboard. The stormwater management calculations have been revised to include the 28-building configuration. The revised stormwater management plan is still in compliance with all of the NYSDEC stormwater general permit requirements (GP-02-01).

7. The Town of Brunswick's traffic consultants, Transportation Concepts, LLP review of the FEIS.

(a) The FEIS notes that the City of Troy has implemented changes to the intersection of NYS Route 142 (Northern Drive, or Grange Road) and NYS Route 40 (Oakwood Avenue) to relieve backups on NYS Route 142. Please provide additional information as to how this highway improvement has affected the conclusions in the traffic study for this project.

These improvements in the City of Troy have no affect upon the Brunswick Meadows project and the conclusions in its traffic study.

(b) In addressing the public comment concerning the possibility of a proposed alternative access road directly onto Oakwood Avenue, the FEIS provides that "the developer does not have any vested interest nor does he have control over the property necessary to extend the road to Oakwood Avenue" (FEIS at Page 8). Please provide additional information on this issue.

The presence of the large ravine and stream located at the southerly end of the Brunswick Meadows condominium site prevents any vehicular access from the remaining part of the TOPATOMA LLC property located to the south. For all practical purposes, this large ravine and stream divides the 97-acre parcel into two separate and distinct parcels of land. There will never be any street or physical vehicular access across or through this ravine and stream area. The site plan for the Brunswick Meadows condominium project has proposed that this large ravine and stream area be preserved as open green space for walking trails and passive recreational usage for the residents of the project. See attached letter dated February 23, 2005 to Mark Kestner from Thomas Murley.

Does the term "developer" apply to J.P.J. Partnership?

Yes

Who or what owns the property necessary to extend the road to Oakwood Avenue, or has a "vested interest" or "control" over such land?

J.P.J. Partnership is only under contract for the 18.3-acre portion of lands owned by TOPATOMA LLC that is located north of the large ravine and stream. The presence of the large ravine and stream located at the southerly end of the Brunswick Meadows condominium site prevents any vehicular access from the remaining part of the TOPATOMA LLC property located to the south. For all practical purposes, this large ravine and stream divides the 97-acre parcel into two separate and distinct parcels of land. There will never be any street or physical vehicular access across or through this ravine and stream area. The site plan for the Brunswick Meadows condominium project has proposed that this large ravine and stream area be preserved as open green space for walking trails and passive recreational usage for the residents of the project. TOPATOMA LLC, National Grid Corporation (formerly Niagara Mohawk Power Corporation) and MATOPATO LLC own the three properties south of the proposed Brunswick Meadows' 18.3-acre parcel. Brunswick Meadows' 18.3-acres and it's proposed road system does not and never was proposed to extend to Oakwood Avenue. See attached letter dated February 23, 2005 to Mark Kestner from Thomas Murley.

8. Please provide large-scale project plans that incorporate the archeological avoidance plan.

Revised map has been completed and will be sent from Erdman Anthony Associates under separate cover to Mark Kestner, PE.

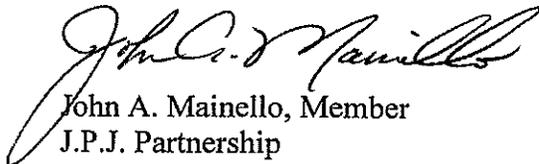
9. *Comments of the FEIS review letter from Transportation Concepts, LLP dated October 23, 2007.*

See attached correspondence from City of Troy Traffic Engineer, Jim Rivers dated October 22, 2007 and attached letter to Mark Kestner, PE from Thomas M. Murley, PE dated October 26, 2007.

I hope that this additional information helps to complete your review of the FEIS for the Brunswick Meadows PDD project and we look forward to the Brunswick Town Board's taking action, at their meeting on November 8, 2007, in referring our FEIS and PDD application to the Brunswick Planning Board and Brunswick Zoning Board of Appeals for their required review and recommendations.

Should you have any further questions please feel free to contact myself or other J.P.J. Partnership members at your convenience.

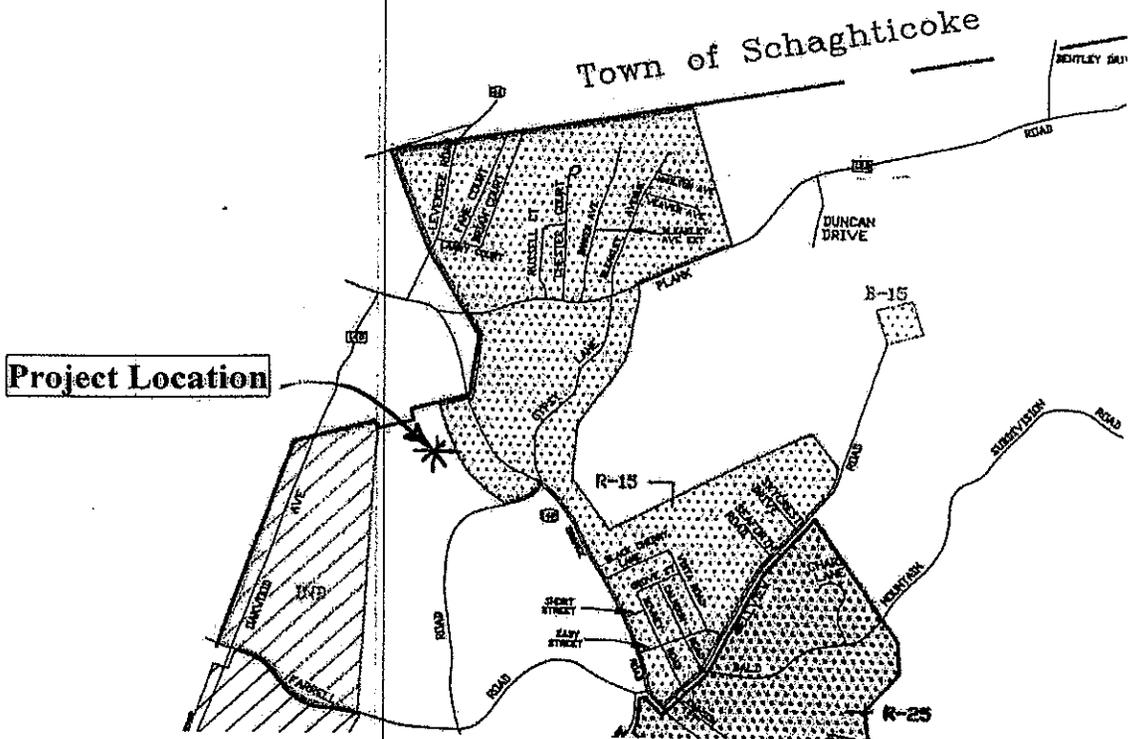
Sincerely yours,



John A. Mainello, Member
J.P.J. Partnership

Town of Brunswick Zoning Map

Proposed Brunswick Meadows Planned Development District



Harry J. Tutunjian
Mayor



Daniel P. Crawley
Deputy Mayor

DEPARTMENT OF PUBLIC
UTILITIES

October 26, 2007

Thomas M. Murley, P.E.
32 Hialeah Drive
Troy, NY 12182

Re: Brunswick Meadows – Water, Sewer and Storm Water Management

Dear Mr. Murley:

Recently a meeting was held at the City of Troy Department of Public Utilities to discuss my letter of May 14, 2007 to you as well as water and sewer issues regarding the Brunswick Meadows Subdivision in the Town of Brunswick, adjacent to the City of Troy. Attending that meeting were yourself, John Mainello, Linda Stancliffe of Erdman and Anthony, Mark Kestner representing the Town of Brunswick and personnel from this department.

Each item was discussed and agreed upon separately. They were:

1. *Connections to the water and sewer lines in the City of Troy.*
It was agreed that the water line would be installed by the developer and would connect to the water main at Hialeah Drive. The sewer main would also be installed by the developer and would connect to the sewer in the City of Troy on Livingston Avenue (New York State Route 142) adjacent to the Diamond Spring Water Company.
2. *Ownership and maintenance of the water and sewer mains in the City of Troy.*
It was agreed that the water and sewer lines installed by the developer in the City of Troy would become the property of the City of Troy and would be maintained by this department.
3. *Storm Water Management Facilities Maintenance*
It was agreed upon, and confirmed in a letter from Andrew W. Gilchrist, Esq., that the Brunswick Meadows Homeowners Association would retain the primary responsibility for operation, maintenance and repair of the storm water management facilities. Additionally the Town of Brunswick would be granted an easement to the storm water management facilities so that in the event the facility owner fails to perform the maintenance, the Town could perform whatever maintenance is required.

4. *Ownership of drainage easements within the City of Troy adjacent to Hialeah Drive*

Subsequent to the meeting research was done to confirm that the City of Troy City Council, at its meeting in September 1968, accepted the streets and appurtenances in the Miami Beach Estates and that the easements are shown on the filed copy of the Miami Beach Estates Subdivision plans. The City of Troy has maintained the piping in those easements and will continue to do so.

5. *Storm Water Management Facilities Design Flow*

Subsequent to the meeting, Linda Stancliffe of Erdman and Anthony forwarded me a letter explaining the design flow calculations for the storm water management facilities indicating the post development flow is less than the pre-development flow rate for storm events. As such this answers the first question in my letter of May 14, 2007. Additionally she indicated the New York State Department of Environmental Conservation (NYSDEC) does not approve storm water management plans that comply with the requirements of GP-02-01.

At this point, I believe that the questions and issues I raised have been satisfactorily answered. If you require additional information, please contact me.

Sincerely,



Neil R. Bonesteel, P.E.
CWPO

Cc: Harry Tutunjian, Mayor
Daniel Crawley, Deputy Mayor
Russ Reeves, City Engineer



Harry J. Tutunjian
Mayor

Daniel P. Crawley
Deputy Mayor

May 14, 2007

DEPARTMENT OF PUBLIC
UTILITIES

Thomas M. Murley, P.E.
32 Hialeah Drive
Troy, NY 12182

Re: Brunswick Meadows – Storm Water Management Program

Dear Mr. Murley:

Recently you submitted to this department an Engineer's Report for Storm Water Management for the Brunswick Meadows Subdivision in the Town of Brunswick, adjacent to the City of Troy. Representatives of this department have conducted a brief review of your report. In it you propose that the storm water will be managed on-site and that no more than the pre-development flow rate will be transported overland to an existing City of Troy storm sewer located east of Hialeah Drive, with discharge to the old Lansingburgh Water Works Storage Reservoir. While responsibility for the MS4 – Storm Water Management Program in the Town of Brunswick is the Town's responsibility, the City of Troy appreciated the opportunity to briefly review the report and has the below listed concerns.

1. The City only conducted a brief review of portions of the report and did not fully review the complete report or all the plans for the Storm Water Management Program or the subdivision. The City would request an assurance from the Town that the flow entering the storm sewer in the City of Troy, which will include the effluent(s) from the storm water detention pond and the storm water management system, will not be any greater than the predevelopment flow to the City of Troy.
2. The City would like provisions and assurances that the storm water detention pond and the storm water management system will be maintained by the Town of Brunswick so that the flow to the City of Troy will never be more than the predevelopment flow to the City of Troy and will not cause flooding to residents in the City of Troy.
3. The City would like assurance of mechanisms to insure that no storm water from roof gutters, down spouts, footing or foundation drains, sump pumps, etc. will enter the City of Troy sanitary sewer system on Hialeah Drive.
4. The City would like the storm water management system to be reviewed and approved by the New York State Department of Environmental Conservation prior to construction and that it be inspected and approved by the NYSDEC after construction, but prior to being put into use.

If you require additional information, please contact Russ Reeves, Troy City Engineer or myself.

Sincerely,

A handwritten signature in cursive script that reads "Neil R. Bonesteel".

Neil R. Bonesteel, P.E.

Cc: Mayor Harry Tutunjian, Deputy Mayor Daniel Crawley, City Engineer Russ Reeves

25 Water Plant Road, Troy, New York 12182
Phone (518) 237-0319 / Fax (518) 233-7038

October 26, 2007

Mr. Neil Bonesteel
25 Water Plant Road
Troy, New York 12182

**SUBJECT: Brunswick Meadows Planned Development District – Storm water Management
Revised with corrections**

Dear Mr. Bonesteel:

This letter is written in response to your May 14, 2007 request for additional information regarding the storm water management system proposed for the Brunswick Meadows Planned Development District located west of NYS Route 142 and south of the Troy city line.

The proposed project at the current time is being reviewed for potential environmental impacts through the New York State Environmental Quality Review Act. The project currently consists of 18.3 acres that is to be developed in one phase and contain 112 housing units. The units will be condominium style buildings with four units per building for a total of 28 buildings. The proposed roads and storm water infrastructure will be owned and maintained by the Home Owners Association, once established.

The Draft Environmental Impact Statement was prepared early in 2007 and is available for viewing on the Town of Brunswick website at www.townofbrunswick.org. The document contains a Storm Water Management and Pollution Prevention Plan (SWPPP) in Appendix J.

The SWPPP was developed based on 31 buildings and associated roads and parking as the impervious surface of the proposed development. Since the drafting on the DEIS the project has been altered to a current state of 28 buildings. The total impervious area is less than 30 percent of the total land area involved in the PDD. The reduction from 31 to 28 buildings had slightly reduced the quantity of projected runoff.

Item 1: (regarding flow not exceeding that of pre-development)

Based on the current project layout including 28 buildings the existing and proposed flow rates for the one-year flow is 12.42 cfs during the pre-development condition and 2.64 cfs during the post development condition. During the ten year storm the re-development flow rate is 34.73 cfs and 27.20 cfs during the post development condition. During the one hundred year storm event the pre-development flow rate is 60.64 cfs and the post development flow rate is 49.10 cfs. Therefore the post development flow rate is modeled to be less than the pre-development flow rate for the design storm events.

Item 2: Provisions and assurances that the Town of Brunswick will maintain the storm water management facilities.

The Town of Brunswick does not currently own or maintain storm water management facilities developed as a result of private development. The Town of Brunswick will be provided an access and maintenance easement over the storm water management basin area to allow for emergency access if required. The basins have been designed in accordance with the NYS Department of Environmental Conservation Storm Water Design Manual dated: August, 2005 as such the designed freeboard for the proposed stormwater basin is greater than one foot during the 100 year storm event (extreme flooding).

Neil R. Bonesteel, P.E.
Brunswick Meadows Subdivision
October 26, 2007
Page 2 of 2

All Stormwater Management facilities shall be constructed in compliance with the approved SWPPP. All Stormwater Management facilities shall be owned and maintained by the Brunswick Meadows Homeowners Association. The Town of Brunswick shall not own or otherwise be responsible for future operation or maintenance of such Stormwater Management facilities. This obligation shall be set forth in the Homeowners Association By-laws, Covenants and Restrictions. The Town of Brunswick shall be granted an easement for access to such Stormwater Management facilities pursuant to the Homeowners Association By-laws, Covenants and Restrictions. The form and content of the Homeowners Association By-laws, Covenants and Restrictions as to Stormwater Management facility ownership, operation, maintenance, insurance and access, including the easement granted in favor of the Town of Brunswick for access, shall be subject to review by the Town Board, Town Attorney, and the Town of Brunswick Planning Board prior to filing with the Office of New York State Attorney General. Please see attached letter from the Town of Brunswick Attorney to William Bradley, City of Troy.

Item 3: *Assurances that no storm water runoff from roof gutters, down spouts, footing or foundation drains, sump pumps, etc. will enter the City of Troy sanitary sewer system.*

The New York State building code does not allow for connections of storm water to the sanitary sewer system.

Item 4: *The City of Troy would like the storm water system reviewed and approved by the NYS DEC.*

The New York State DEC does not currently approve storm water management plans that comply with the requirements of GP-02-01 (see comment below). The developer will provide a copy of the Notice of Intent (NOI) and acknowledgement letter from DEC to the City of Troy once received.

Except from DEC Stormwater Toolbox frequently asked questions:

37. What kind of reviews will the Department be doing?

A: When the Department receives an NOI, staff will do an initial completeness review to determine whether all sections of the NOI are completed. If they are, coverage will be granted by an acknowledgment letter. Further staff review will determine whether a project is one for which the department will request a copy of the SWPPP for review.

Please feel free to contact me directly at 279-0505 x 13 if you have any further questions regarding this matter.

Sincerely,
ERDMAN ANTHONY

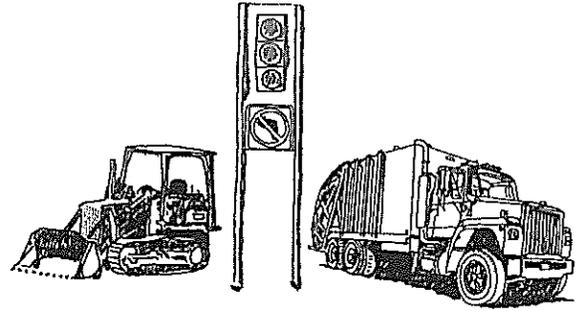
Linda Stancliffe
Associate

Its

c: John Mainello, JPJ Partnership (e-mail)
Mark Kestner, Town of Brunswick Engineer
Andy Gilchrist, Town of Brunswick Attorney

THOMAS M. MURLEY, P.E.

32 HIALEAH DRIVE
TROY, NEW YORK 12182
(518) 235-8920



MUNICIPAL • CIVIL • TRAFFIC ENGINEERING

October 26, 2007

Mr. Mark Kestner, P.E.
Kestner Engineers P.C.
1 Kestner Lane
Troy, New York 12180

Re: Town of Brunswick
Planned Development District
Brunswick Meadows – FEIS Review
Rensselaer County, State of New York

Dear Mr. Kestner, P.E.,

In response to the October 23, 2007 letter from Transportation Concepts, LLP regarding the above referenced project, please find the following information that addresses all of the comments in said letter:

Single Point Site Driveway to NYS 142 – A “boulevard type” entrance was originally considered for this location, however, at the request of the emergency services personnel this idea was abandoned during the earlier reviews due to the problem of their emergency vehicles entering the site being obstructed by the boulevard when turning into the site. The use of “boulevard type” entrances has become unacceptable for the same reason in several other local communities. The increase in width of the entrance pavement was selected as being more responsive and safer for the emergency services entering the site. The wider entrance design was discussed with NYSDOT engineers and the design is in accordance with their regulations.

A stop sign to control traffic exiting the site, meeting NYS MUTCD standards, has been part of the entrance design for this project since the beginning. See the DEIS – Appendix “A” - Engineer’s Report.

Opposing driveway connections are shown where possible as part of the DEIS.

Trip Generation - we concur with Transportation Concepts, LLP comments.

Level of Service (LOS) – the comment about “*queuing lengths is an issue moving forward.*” We do not understand this comment or what it pertains to. However, our traffic review concurs with the fact that the “level of service” is good to very good under full build-out scenario for this project.

THOMAS M. MURLEY, P.E.

Queue Lengths – this comment appears to be a typo and does not pertain to this project since there has been no recent NYSDOT improvement in the area of the Brunswick Meadows project. The only traffic improvements that have been made in the vicinity of Brunswick Meadows were made by the City of Troy at the intersection of Oakwood Avenue and Northern Drive. See the attached correspondence / comments dated October 22, 2007 from the City of Troy Traffic Engineer, Jim Rivers.

Sight Distance – This review was included as part of the original DEIS submittal. See the DEIS – Appendix “A” - Engineer’s Report – Traffic and Parking. All appropriate sight distances as discussed are well exceeded at the site entrance with NYS Route 142. A highway permit from NYSDOT will be issued for the Brunswick Meadows entrance with NYS Route 142.

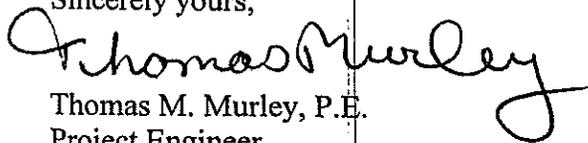
General comments – *Sight lines* have been verified for this project and are included in the DEIS – Appendix “A” - Engineer’s Report – Traffic and Parking.

Long queue lengths and ‘back of queue’ sight distances at intersections – this comment is not applicable to this project since there are no adjacent intersections near the entrance to Brunswick Meadows and as per the City of Troy Traffic Engineer comments – there are no current plans to make additional improvements to the intersection in the City of Troy or make any changes to the traffic signal.

Traffic signals coordination – again this comment appears to be a typo and does not pertain to this project since there are no traffic signals adjacent to the Brunswick Meadows entrance. The only traffic signal in the vicinity is located in the City of Troy. This one (1) traffic signal controls the Northern Drive / Oakwood Avenue / Leverage Road intersection and as stated by City of Troy Traffic Engineer – “there are no current plans to make additional improvements to the intersection in the City of Troy or make any changes to the traffic signal”.

I hope that this letter helps to clarify the traffic access issues for the Brunswick Meadows project and should you have any further questions please feel free to contact me at your convenience.

Sincerely yours,



Thomas M. Murley, P.E.
Project Engineer

Telephone/Meeting Memo

Date: October 22, 2007 **Time:** 9:30 AM
Project Name: Brunswick Meadows **Project No.:** 1700B.24
Subject: FEIS/Traffic

Telephone Call: **To:** **From** **Name:** Jim Rivers
Company: City of Troy
Engineering Dept
Telephone No.: 518-270-4566

Meeting With: **Name:** _____
Company: _____

Originator: Wayne Bonesteel **Office:** Albany

A call was placed to Jim Rivers - City of Troy Engineering Department -Traffic Division to get information on the existing signalized intersection of Route 40 (Oakwood Avenue) and Route 142 (Northern Drive).

Mr. Rivers said that an additional dedicated left turn lane was added on Northern Drive (westbound) for traffic turning left from Northern Drive to southbound Oakwood Avenue in the summer of 2007. This additional left turn lane was put into place to reduce the queing length of traffic waiting to make a left hand turn from Northern Drive onto Oakwood Avenue and prevent excessive backups onto Leverage Road.

His observation of traffic at the intersection is that the additional lane has helped alleviate congestion in the vicinity of this intersection.

Mr. Rivers indicated that there are no current plans to make any additional improvements to the intersection or make any changes to the traffic signal.

Transportation Concepts, LLP

162 Jay Street
Schuectady, N.Y. 12305
(518) 461-6152 Phone
(518) 370-1578 Fax

October 23, 2007

Mr. Mark Kestner, P.E.
President
Kestner Engineers, P.C.
One Kestner Lane
Troy, New York 12180

RE: Brunswick Meadows – Brunswick, NY: F.E.I.S. Review

Dear Mr. Kestner,

The following letter has been provided as a response to the September 15, 2007 Brunswick Meadows F.E.I.S. as presented by Erdman Anthony. As such, we offer the following comments for the Town's consideration regarding transportation issues of this proposed action, Item 3.2.1 Transportation.

Single Point Site Driveway to NYS 142

Ground mounted Stop Sign for the minor approach to this intersection is appropriate, however is recommended to be design as 'boulevard' entrance to better serve emergency response in event of accident at site driveway. Note opposing driveway connections are recommended to be shown where possible.

Trip Generation

There may be some debate about whether AM peak or PM peak period has greater impacts, however even at one (1) trip per dwelling unit this is a small traffic generator and is under the NYSDOT threshold guidelines for new trips per approach.

Level of Service (LOS)

LOS rates as indicated are good to very good under full build-out scenario, however queuing lengths is an issue moving forward.

Queue Lengths

Even with well documented recent NYSDOT improvements, several adjacent intersections often experience long peak period delays. Noting that even the most conservative estimates would suggest that on average this development will add no more than two (2) vehicle queue lengths. This is not insignificant, however minor in comparison to existing conditions during similar peak periods.

Sight Distance

Sight distances for proposed driveway is recommended to meet both NYSDOT standards for sight line and AASHTO's standards. Sight line evaluation is recommended to meet or exceed minimum recognized standards for Stopping Sight Distance (each direction), Intersection Sight Distances (left and right) and Left-turn Sight Distances.

This concludes the transportation impact review for the above-mentioned project at this time. Although there are no excessive impacts to the adjacent transportation system, for this project a little goes a long way. It is our recommendation that Sight lines be verified under the criteria expressed above and given the long queue lengths, comments are recommended to be provided for 'back of queue' as it relates to acceptable sight lines for adjacent intersections. Furthermore, comments regarding signal coordination for area traffic signals is recommended to be provided as part of project approvals.

If you should have any questions or comments in regard to the information provided, please contact our office at the above-listed address and contact numbers.

Sincerely,

TRANSPORTATION CONCEPTS, LLP

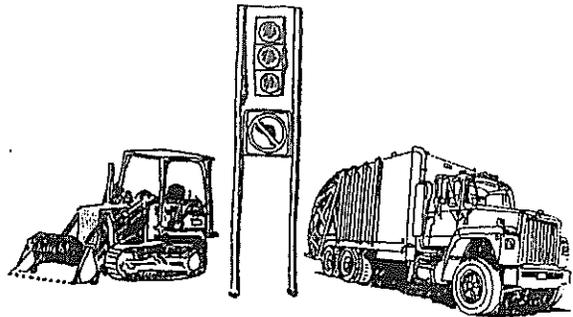


Mark W. Gregory, P.E.
mwg/MWG

Cc: Office file

THOMAS M. MURLEY, P.E.

32 HIALEAH DRIVE
TROY, NEW YORK 12182
(518) 235-8920



MUNICIPAL • CIVIL • TRAFFIC ENGINEERING

February 23, 2005

Mr. Mark Kestner, P.E.
Kestner Engineers P.C.
1 Kestner Lane
Troy, New York 12180

Re: Town of Brunswick
Planned Development District
Brunswick Meadows
Rensselaer County, State of New York

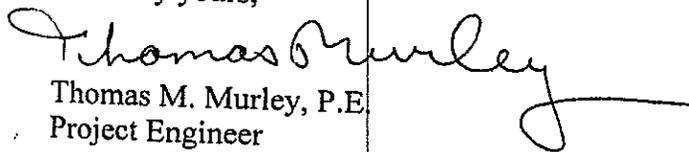
Dear Mr. Kestner, P.E.,

In response to your recent inquiry regarding the access to the Brunswick Meadows condominium site, please be advise that the only physical vehicular access to the site will be from the NYS Route 142, Grange Road entrance as shown on the preliminary site plan layout. The Brunswick Meadows Planned Development District (16.6 acre) site is part of the original tax map parcel (80.00 - 2 - 3), which consists of approximate 97 acres, that is owned by TOPATOMA LLC. This 97-acre parcel has road frontage on Liberty Road in addition to frontage on NYS Route 142, Grange Road.

The presence of the large ravine and stream located at the southerly end of the Brunswick Meadows condominium site prevents any vehicular access from the remaining part of the TOPATOMA LLC property located to the south. For all practical purposes, this large ravine and stream divides the 97-acre parcel into two separate and distinct parcels of land. There will never be any street or physical vehicular access across or through this ravine and stream area. The site plan for the Brunswick Meadows condominium project has proposed that this large ravine and stream area be preserved as open green space for walking trails and passive recreational usage for the residents of the project.

I hope that this letter helps to clarify the traffic access issues for the Brunswick Meadows condominium project and should you have any further questions please fell free to contact me at your convenience.

Sincerely yours,


Thomas M. Murley, P.E.
Project Engineer

November 1, 2007

Mr. Andy Gilchrist, Esq.
Tuczinski, Cavalier, Gilchrist & Collura, P.C.
54 State Street, Suite 803
Albany, NY 12207

SUBJECT: Brunswick Meadows FEIS Completeness Review, Supplemental Information

Dear Mr. Gilchrist:

Recently you received a letter that addressed items contained in the FEIS for the Brunswick Meadows PDD, located on Route 142 in the Town of Brunswick, Rensselaer County New York from J.P.J Partnership dated October 27, 2007. Please find supplemental information provided in response to Item 4 of the memorandum dated October 5, 2007.

4. Several comments were received during the public hearings and written comment period concerning proximity of proposed condominium buildings to existing residences on Grange Road and the overall density of the project in relation to green space on the project site. The FEIS should examine an alternative layout, which promotes green space towards the front of the project site adjacent to Grange Road and in proximity to existing residences on Grange Road. Further, the FEIS should include an expanded discussion of density of units on this project site in relation to permitted density in current zone classifications for the project site.

Throughout the course of this project's history alternative layouts were examined. Design alternatives that were filled with public documents include a graphical layout included with the PDD application in March, 2005. This layout included 33 buildings with a total of 132 units. A second alternative was presented during the Draft Environmental Impact Statement filing that included 31 buildings with a total of 124 units. The third alternative layout presented on behalf of the project includes the current proposal for 28 buildings for a total of 112 housing units. The most recent plan includes the highest percentage of green space of any of the previous layouts.

As stated on page 14 Section 3.3 Land Use and Zoning, Comment 3.3.1.2.5 and 6 of the FEIS the side yard setbacks allowed in the R-15 zone (currently adjacent to NYS Route 142) is 15'. The proposed building closest to the Gauthier property is situated 29' from the side yard of Gauthier, 14' greater than that allowed by current zoning. The closest building to the Morans's southerly property is setback 30', 15' greater than the distance allowed by current zoning.

Sincerely,



Linda Stancliffe, RLA
Associate

ERDMAN ANTHONY

c: John Mainello, JPJ Partnership
Mark Kestner, Kestner Engineering

Appendix D

Archeological



New York State Office of Parks,
Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

September 11, 2007

RECEIVED

SEP 13 2007

Erdman, Anthony & Associates

Philip Herrington
Town of Brunswick
308 Town Office Road
Troy, New York 12180

Re: SEQRA
Brunswick Meadows Planned Development
District
Town of Brunswick, Rensselaer County
05PR01626

Dear Mr. Herrington:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Parks, Recreation and Historic Preservation Law, Section 14.09.

Our office has received the Avoidance Plan for the State and National Registers eligible *Brunswick Meadows Precontact Site (A08302.000229)*. Based upon this review, it is the opinion of the OPRHP that the project will have No Adverse Impact on historic properties in or eligible for inclusion in the State and National Registers of Historic Places with the condition that the Avoidance Plan is implemented as currently proposed.

If you have any questions, please call me at (518) 237-8643, extension 3288.

Sincerely,

Cynthia Blakemore
Historic Preservation Program Analyst

✓ cc. Linda Stancliffe, Erdman, Anthony & Associates, Inc.



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

December 13, 2006

RECEIVED

DEC 18 2006

**TUCZINSKI, CAVALIER,
BURSTEIN & COLLURA, P.C.**

Philip Herrington
Town of Brunswick
308 Town Office Road
Troy, New York 12180

Re: SEQRA
Brunswick Meadows Planned Development
District
Town of Brunswick, Rensselaer County
05PR01626

Dear Mr. Herrington:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources.

The OPRHP has reviewed the Phase I and II report and are providing the following comments:

The report does not provide sufficient documentation to show that the entire project area was tested through either shovel testing or plowing and disking (see aerial photo).

Photos are not sufficient to document conditions of the plowed surfaces during Phase I and Phase II or of the areas which were not plowed.

Testing was not conducted near the current buildings. If this is within the project area testing is warranted. Even though the historic maps do not record any Map Documented Structures (MDS), earlier unmapped domestic sites do occur along roads.

The Area of Potential Effect (APE) is not clearly identified on any maps or plans in the report.

When large areas are plowed, limited subsurface testing needs to be completed within the plowed areas to confirm the depth of plow zone and ensure that a buried A horizon is not present.

The *Brunswick Meadows Precontact Site (A08302.000229)* should be identified on the site plan with the site boundary in addition to having the buffer boundary. The OPRHP recommends avoidance of the site or a complete Phase II. An Avoidance Plan will need to be submitted which includes provisions for a covenant with the deed (see enclosure).

Page 2.
05PR01626

In order for our office to provide further comments on the potential for this project to impact archeological resources within the project area, we will need additional information to addressing the points noted above. Additional Phase IB testing may be warranted if the documentation cannot be provided.

If you have any questions, please call me at (518) 237-8643, extension 3288.

Sincerely,



Cynthia Blakemore
Historic Preservation Program Analyst

Enclosure: Avoidance Plan

cc. ~~Steve Oberon~~
✓ Andrew W. Gilchrist



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

State Historic Preservation Office (SHPO)
Avoidance Plan for the Protection of Archeological Sites

Short Term Site Avoidance/Protection

The site boundary (including buffer) will be determined in consultation with the SHPO and the archeological consultant.

The site(s) boundary (including buffer) will be clearly delineated on the final construction plans and identified as a "Sensitive Area/No Access".

Each site will be protected with a temporary fencing during all construction activities and signage stating "Sensitive Area/No Access".

A preconstruction meeting with the construction contractor(s) is required to notify those in charge of the requirements to avoid/protect the site(s).

Existing landscape at the site(s) will be maintained. Any proposed modifications will require consultation with the SHPO.

Long Term Site Avoidance/Protection

An archeology covenant will be transferred with each property containing the avoided/protected site(s).

State and federal regulations that include restrictions associated with this project will include provisions for site(s) avoidance/protection.

Unauthorized activities within the site boundaries will require notification to the State Historic Preservation Office at (518) 237-8643.

Letter of Transmittal

Date: September 10, 2007

To:	Cynthia Blakemore	Subject:	Brunswick Meadows PDD
	NYS OPRHP		ORRHP # 05 PR 01626
	Peebles Island		
	Waterford, NY 12188		
Phone No.:		Erdman Anthony Project No.:	1700b.24

We are sending you the following items: Attached For Your Records As Requested For Approval For Review & Comment Other: _____

Method of delivery: Hand-deliver/Carrier FedEx Priority (by 10:30 am most areas) U.S. Mail FedEx Standard (by 3:00 pm most areas) E-mail Other

Qty.	Drawing No.	Date	Description
1	AR-1	9/10/07	Archeologic Avoidance Plan

Remarks:

Cynthia,

Please review the attached avoidance map as it relates to the Brunswick Meadows PDD in the Town of Brunswick. The FEIS is being prepared and we anticipate being before the Town Board October 11, 2007.

Copies: JPJ Partnership

Very truly yours,
ERDMAN, ANTHONY AND ASSOCIATES, INC.

Linda Stancliffe

ERDMAN ANTHONY
 317 West 10th Street, 1st Floor
 Latham, NY 12110
 Phone: (518) 782-1000
 Fax: (518) 782-1001
 www.erdmananthony.com

DATE	DATE

NOTE: UNAUTHORIZED ALTERATION OF ANYTHING ON THIS DRAWING IS A VIOLATION OF THE NEW YORK STATE ENGINEERING AND ARCHITECTURE ACT, SECTION 2204.

NO.	DESCRIPTION	BY	DATE

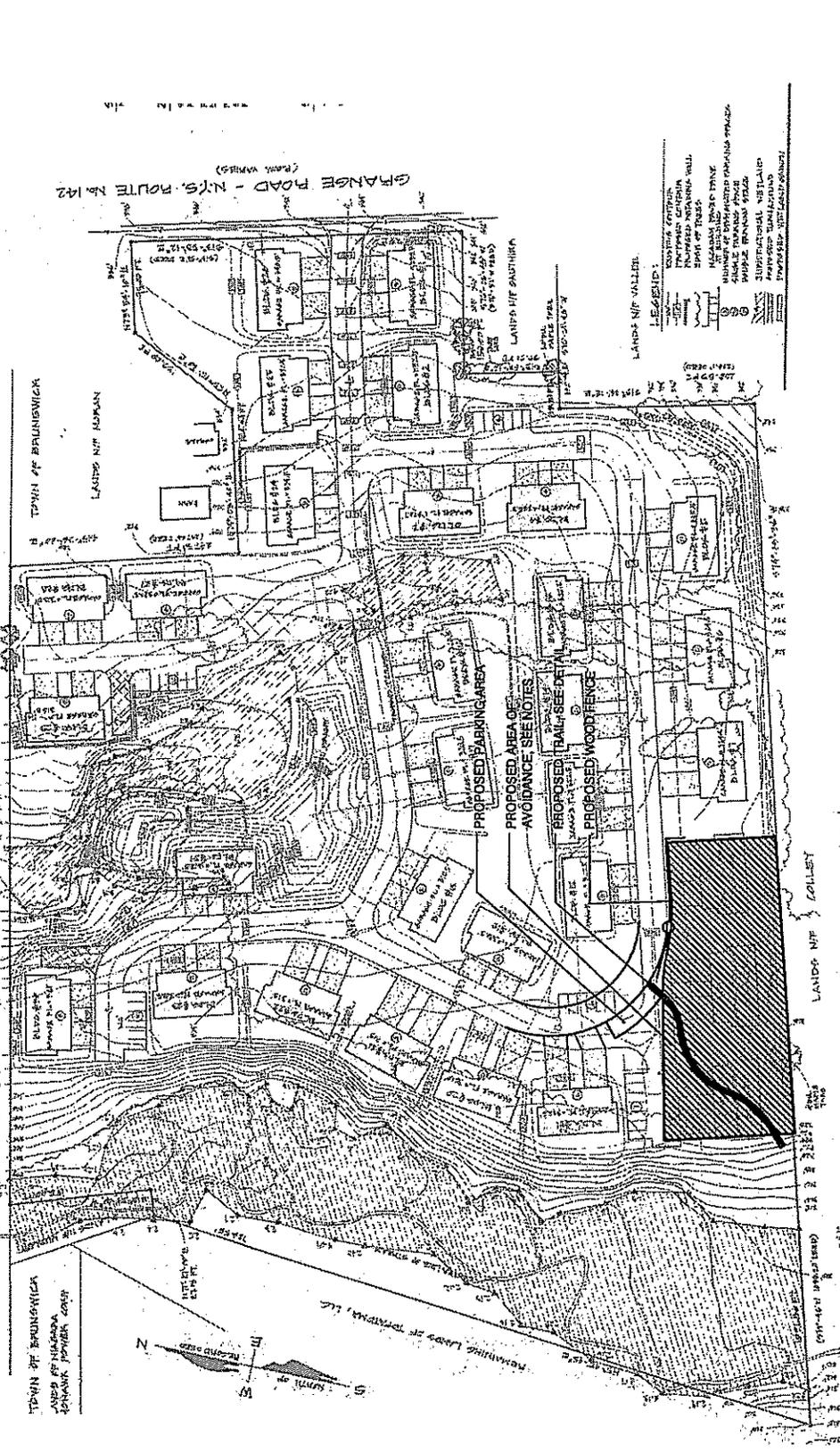
ALL RIGHTS RESERVED. NO PART OF THIS DRAWING OR THE INFORMATION CONTAINED HEREIN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM ERDMAN ANTHONY, INC.

CLIENT:
J.P.J. PARTNERSHIP
 LATHAM, NY

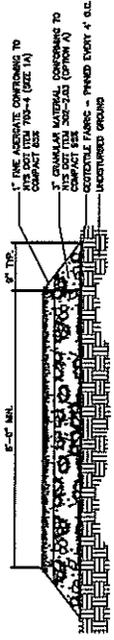
PROJECT NAME:
BRUNSWICK MEADOWS P.D.D.

DRAWING TITLE:
ARCHEOLOGIC AVOIDANCE PLAN

SCALE	DATE
AS NOTED	9-9-07
DATE	BY
LTS	LTS
CITY	DATE
NY	17003.24
SHEET NO.	DRAWING NO.
1 of 1	AR-1



- NOTES:
1. FINAL CONSTRUCTION DRAWINGS SHALL CLEARLY DELINEATE AVOIDANCE AREA AS A SENSITIVE AREA / NO ACCESS
 2. DURING CONSTRUCTION, AVOIDANCE AREA SHALL BE PROTECTED WITH A TEMPORARY FENCE WITH SIGNAGE STATING "SENSITIVE AREA / NO ACCESS"
 3. A PRE CONSTRUCTION MEETING WITH THE CONSTRUCTION CONTRACTOR(S) IS REQUIRED TO NOTIFY THOSE IN CHARGE OF THE REQUIREMENTS TO AVOID/PROTECT THE SITE.
 4. EXISTING LANDSCAPE AT THE SITE WILL BE MAINTAINED (I.E. GRASS).
 5. AN ARCHEOLOGICAL COVENANT WILL BE TRANSFERRED WITH THE PROPERTY CONTAINING THE AVOIDED SITE.
 6. STATE AND FEDERAL REGULATIONS THAT INCLUDE RESTRICTIONS ASSOCIATED WITH THIS PROJECT WILL INCLUDE PROVISIONS FOR SITE AVOIDANCE / PROTECTION.
 7. UNAUTHORIZED ACTIVITIES WITHIN THE BOUNDARIES WILL REQUIRE NOTIFICATION TO THE STATE HISTORIC PRESERVATION OFFICE AT (518) 237-8843
 8. BASE MAP PREPARED BY DANSON LAND SURVEYING, LLC, TROY, NY. ENTITLED "SURVEY AND EXISTING TOPOGRAPHIC CONDITIONS PROPOSED SITE PLAN FOR 'BRUNSWICK MEADOWS' LAST REVISED 3-7-07."



AVOIDANCE TRAIL - DETAIL
 NOT TO SCALE

AVOIDANCE PLAN
 SCALE = 1" = 60 FEET +/-

Appendix E

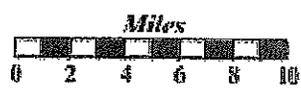
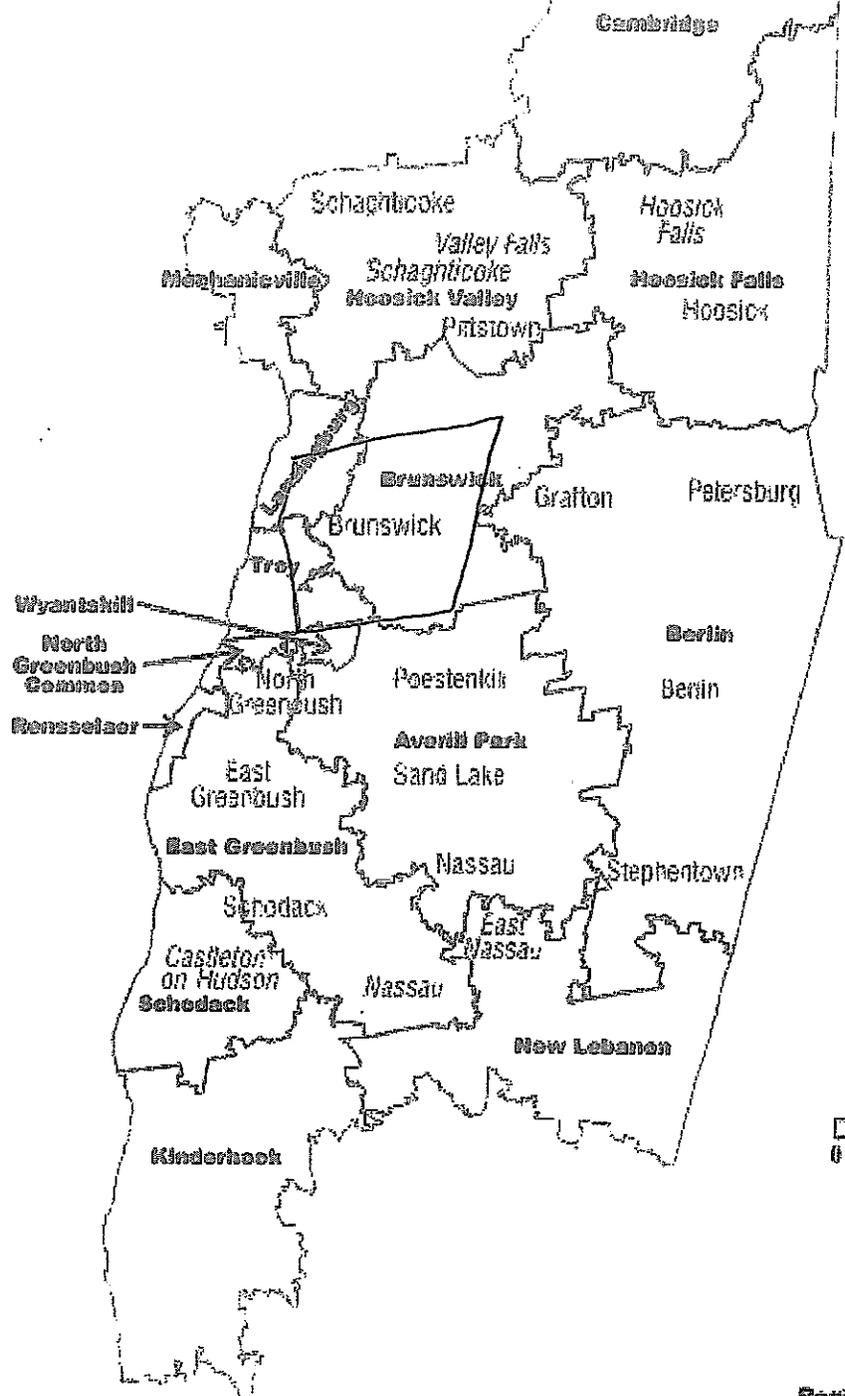
Maps

Rensselaer County School Districts

School Districts

Municipalities

County Boundary



Prepared by
the Capital District
Regional Planning Commission

MARK N. DANSKIN, P.L.S.



DANSKIN LAND SURVEYING, LLC
ENGINEERING • SITE PLANNING
P.O. Box 72, Troy, New York 12181
(518) 279-8002

RE: JOHN MAINELLO

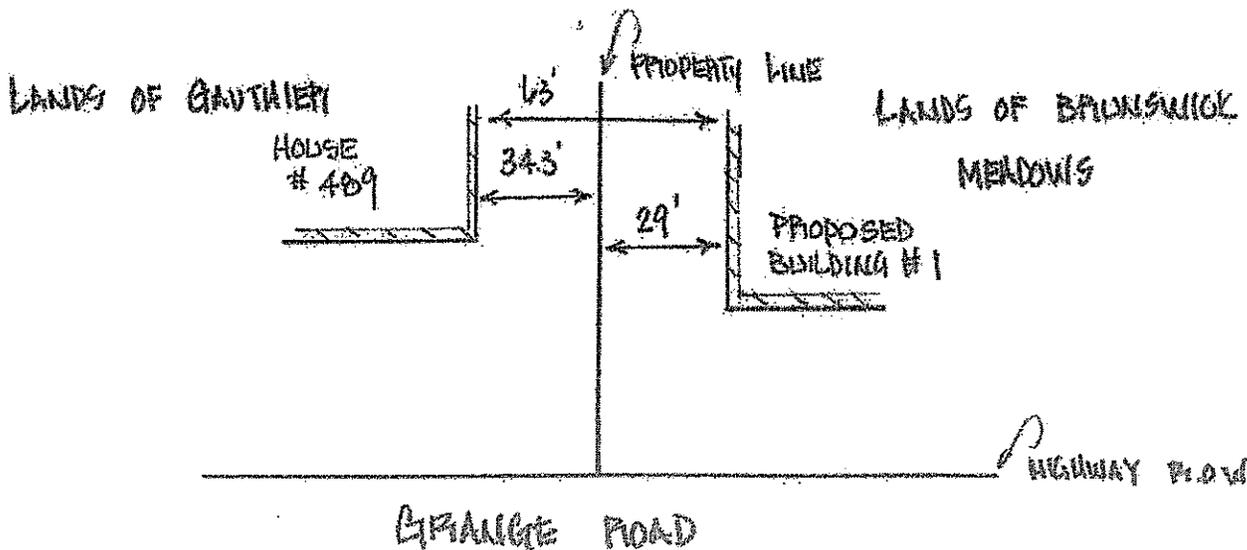
DATE: JUNE 19, 2007

BRUNSWICK MEADOWS CONDOMINIUMS
GAUTHIERI DISTANCE

JOHN,

AS REQUESTED WE LOCATED MR & MRS GAUTHIERI'S HOUSE LOCATED AT #489 GRANGE ROAD. THE DISTANCE BETWEEN THE GAUTHIERI'S HOME AND PROPOSED CONDOMINIUM BUILDING #1 IS 63 FEET.

SIGNED: Mark N. Danskin
MARK N. DANSKIN P.L.S.



Appendix F

City of Troy



Harry J. Tutunjian
Mayor

Daniel P. Crawley
Deputy Mayor

May 14, 2007

DEPARTMENT OF PUBLIC
UTILITIES

Thomas M. Murley, P.E.
32 Hialeah Drive
Troy, NY 12182

Re: Brunswick Meadows – Storm Water Management Program

Dear Mr. Murley:

Recently you submitted to this department an Engineer's Report for Storm Water Management for the Brunswick Meadows Subdivision in the Town of Brunswick, adjacent to the City of Troy. Representatives of this department have conducted a brief review of your report. In it you propose that the storm water will be managed on-site and that no more than the pre-development flow rate will be transported overland to an existing City of Troy storm sewer located east of Hialeah Drive, with discharge to the old Lansingburgh Water Works Storage Reservoir. While responsibility for the MS4 – Storm Water Management Program in the Town of Brunswick is the Town's responsibility, the City of Troy appreciated the opportunity to briefly review the report and has the below listed concerns.

1. The City only conducted a brief review of portions of the report and did not fully review the complete report or all the plans for the Storm Water Management Program or the subdivision. The City would request an assurance from the Town that the flow entering the storm sewer in the City of Troy, which will include the effluent(s) from the storm water detention pond and the storm water management system, will not be any greater than the predevelopment flow to the City of Troy.
2. The City would like provisions and assurances that the storm water detention pond and the storm water management system will be maintained by the Town of Brunswick so that the flow to the City of Troy will never be more than the predevelopment flow to the City of Troy and will not cause flooding to residents in the City of Troy.
3. The City would like assurance of mechanisms to insure that no storm water from roof gutters, down spouts, footing or foundation drains, sump pumps, etc. will enter the City of Troy sanitary sewer system on Hialeah Drive.
4. The City would like the storm water management system to be reviewed and approved by the New York State Department of Environmental Conservation prior to construction and that it be inspected and approved by the NYSDEC after construction, but prior to being put into use.

If you require additional information, please contact Russ Reeves, Troy City Engineer or myself.

Sincerely,

A handwritten signature in cursive script that reads "Neil R. Bonesteel".

Neil R. Bonesteel, P.E.

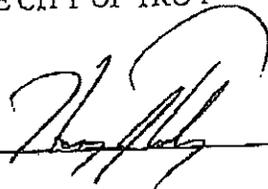
Cc: Mayor Harry Tutunjian, Deputy Mayor Daniel Crawley, City Engineer Russ Reeves

25 Water Plant Road, Troy, New York 12182
Phone (518) 237-0319 / Fax (518) 233-7038

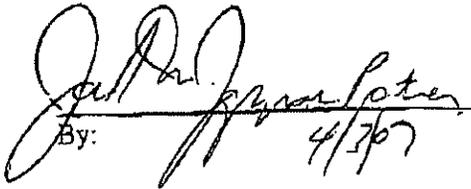
Section 7: Assignment of Contract. There shall be no sale or assignment of this contract or any rights contained herein without the prior written consent of Seller.

Section 8: Compliance with Laws. This contract is made and accepted by Purchaser's subject to the provisions and the law of the State of New York as if the same were fully set forth herein.

THE CITY OF TROY

By: 

J.P.J. PARTNERSHIP

By:  4/3/07

By: _____

**AGREEMENT FOR EXTENSION
FROM
THE CITY OF TROY WATER AND SEWER LINES**

This Agreement made the 3 day of ~~February~~ ^{April 2007} 2006, by and between the City of Troy with offices located on River Street, Troy, New York hereinafter referred to as ("Seller") and J.P.J. Partnership with offices located at 6 Century Hill Drive, Latham, New York 12210, hereinafter referred to as ("Purchaser").

made Pursuant to a resolution adopted by the City of Troy Council on the 20 day of ~~February~~ 2006, authorizing the extension of the district, and execution of this Agreement, it is hereby agreed as follows:

Section 1.: Water/Sewer Services. The Seller agrees to supply water and sewer services to the Purchaser; water of the same quality as supplied to the residents of the City of Troy and sewer line of the same quality, to be delivered by Seller to a lateral line provided by Purchaser's located at the corner of Hialeah Drive and N.Y.S. Route 142. Said water and sewer lines shall serve Purchaser's property designated as Tax Map No.: 80.00-2-3, referred to as the Brunswick Meadows Planned Development District, located at Grange Road (NYS Route 142), in the Town of Brunswick, County of Rensselaer, State of New York.

Section 2.: Term of Agreement. The contract shall be deemed effective as of the date of the execution and shall continue until said Water District and Sewer District are dedicated to the Town of Brunswick.

Section 3.: Rate of Payment. Purchaser shall pay to Seller for water consumed and sewer usage in an amount equal to the rates currently being charged to residents of the Town of Brunswick as set forth in the Agreements by and between the Town of Brunswick and The City of Troy.

Section 4.: Payment. A hookup fee for the project shall be paid by Purchaser's to Seller's. A one-time hookup fee shall be paid by Purchaser's to Seller's for said Planned Development District in the amount of One Hundred Twenty-Five Thousand (\$125,000.00) Dollars. Payment shall be made by Purchaser's to Seller's at the time Purchaser's connect to the water and sewer lines located at the Hialeah and N.Y.S. Route 142 connection.

Section 5.: Installation and Repairs. Purchaser's shall be responsible for all costs incurred in the installation of the lines, mains, lateral and all related construction and inspection costs related to the hookup of the water and sewer lines.

Section 6.: Maintenance. Purchaser's shall be responsible for the repair and maintenance of said lines.