FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) HIGHLAND CREEK PLANNED DEVELOPMENT DISTRICT TOWN OF BRUNSWICK, RENSSELAER COUNTY, NEW YORK

LEAD AGENCY:

THE TOWN BOARD FOR THE TOWN OF BRUNSWICK
308 TOWN OFFICE ROAD
BRUNSWICK, NY 13041

LEAD AGENCY CONTACT:

PATRICK E. POLETO, COUNCILMAN
TOWN BOARD OF THE TOWN OF BRUNSWICK
35 MELLON AVENUE
TROY, NY 12180

PROJECT SPONSOR:

LANDMARK DEVELOPMENT GROUP, LLC
16 PETRA LANE
ALBANY, NY 12205

PREPARED BY:

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DATE OF FEIS ACCEPTANCE:

April 13, 2006

III. APPENDICES

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December 29, 2005

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APPENDIX A

PUBLIC HEARING TRANSCRIPTS

DATES

November 28, 2005

December 29, 2005

1 TOWN OF BRUNSWICK
PUBLIC HEARING
2 ----------

3

4 HIGHLAND CREEK PLANNED DEVELOPMENT DISTRICT

5 APPLICATION

6

7 ----------

8 Brunswick Community Center
Keyes Lane
9 Troy, New York 12180

10 Monday, November 28, 2005
6:30 p.m.
11

12 APPEARANCES: TUCZINSKI, CAVALIER, BURSTEIN
& COLLURA, P.C.
13 54 State Street
Suite 803
14 Albany, New York 12207
BY: ANDREW W. GILCHRIST, ESQ.
15

16 ALSO PRESENT: Mark Kestner, Kestner Engineers
Mark Gregory, Traffic Engineer
17 Lee Rosen
Bob Marini
18

19 TOWN BOARD MEMBERS: Patrick Poleto, Deputy Supervisor
Sue Sherman, Town Clerk
20 Tom Cioffi
Sam Salvi
21 Carl Clemente
Carolyn Abrams
22

23

6 BERNARD FLEISHMAN: My name is Bernard

7 Fleishman. I live on Colehamer Avenue, Troy,

8 New York, 12180. I have been a resident of the
9 town in the same house for 46 years. I want to
10 support the point made by the previous speaker.
11 In particular the issue of overall and overall
12 look at the various projects that are proposed.
13 It just isn't possible to adjudge the
14 consequences of each development in turn as
15 they come one by one down the road. The
16 overall planning has not been done here. It
17 had been proposed in the previous hearing, that
18 the town hold up on these individual
19 developments until there is an overall plan
20 made as to where it is best to develop in the
21 town and where it is best to keep the
22 environment open and undeveloped.
23 Another issue that I want to address is
24 that of transportation. The 2001 comprehensive

1 plan, and in that comprehensive plan a
2 recommendation was made by the consultants that
3 there be a transportation commission or a
4 committee set up by the town. As far as I know
5 no such committee was set up. Another point of
6 neglect on transportation planning. The
7 Regional Planning Transportation Planning

8 Agency, the CDTC, which has to clear all
9 projects to ask for state or federal funding,
10 that agency has a linkage programming under
11 which it invites municipalities; cities or
12 towns, when they have development plans to come
13 and consult with them as to the transportation
14 aspects of the proposed development plan. The
15 fact is that today in the planning industry and
16 need for decades, it has been almost a first
17 principle that you do not use -- do land use
18 development without transportation planning at
19 the same time. I learned that because I was on
20 the Capital District Transportation Authority.
21 I was a member of that Authority for Rensselaer
22 County for 19 years. And we learned over and
23 over again that when we were asked to supply
24 transportation service to a community, as often

1 as not, we found ourselves boxed in and found
2 it impossible to do an adequate job because the
3 community development had been done already.
4 The buildings had been done, the houses sited
5 in accordance with the developer's plan and
6 then we were asked to come in afterwards to

7 figure out how to supply adequate
8 transportation for that community. In this
9 case what's required in the Town of Brunswick
10 is that there be a transportation plan
11 alongside of an overall comprehensive land use
12 development plan. And I urge that the Board
13 hold up on all of these projects until these
14 broad plans are made for the town so that the
15 various parts of the town can contribute to the
16 formation of a vision for the future that will
17 serve us best. Thank you.

2
15
21

12 JAMIE MEEHAN: My name is Jamie Meehan. I
13 live on Carrolls Groove Road in the Town of
14 Brunswick. I've lived here for a long time.
15 I'm on the School Board and first I want to
16 talk a little bit about the effect on the
17 school. I know I looked over their draft EIS
18 and they basically said that this project would
19 generate $1,162,000 in revenue. And we know
20 with a school that right now we're at about
21 1400 students and if we get to about 1600
22 students that would be a critical period and
23 we'd probably have to build a new school. So
24 to build a new school maybe just for this

1 project, and don't forget there's a few other
2 projects out there with many possibly other
3 hundreds of kids coming to our school, that
4 would mean an even bigger school that we would
5 have to build. So this $1.1 million would not
6 go very far in just paying the debt service for
7 the building we would have to construct, let
8 alone to pay for teachers. You do need
9 teachers when you have more kids, you know.
10 You do need more custodians, you need more
11 buses, you need a lot of things. So I think
12 that the effect of all of these developments
13 needs to be looked at. So that's one thing
14 that I want to talk about.
15 Now, I'm going to talk off my School Board
16 hat and I'm going to talk about me as a citizen
17 in the Town of Brunswick. I want to point out
18 that in a draft EIS under community services
19 there is potential impacts on -- impact on
20 public schools, impact on police, fire and
21 ambulance services, impact on recreational
22 facilities, impact on solid waste, impact on
23 utilities; water, sewer, electric, natural gas,
24 telephone and cable, and impact on municipal

1 revenues. Now, those are all potential
2 impacts. But the only thing that they say that
3 can possibly be something bad coming out of it,
4 they say the project will construct
5 improvements to existing Hoosick Street pumping
6 station to increase it's capacity. That's one
7 thing they said about -- all those things I
8 just read off, this is the one possible bad
9 thing that might come. And then they also say,
10 no other impacts to community were identified
11 which would require litigation, which I kind of
12 take exception to. I don't understand where
13 they could've come up with that one, with over
14 190 homes in just this one project alone. I
15 also wanted another -- one of the guys spoke
16 about the traffic and he's talked about this
17 four second -- that it might take you four more
18 seconds to go through some of these
19 intersections they they're talking about were
20 like Mulon and Route 2 is one. And I'm not
21 sure if I read this exact, but it said
22 something like they spent an entire 15 minutes
23 doing that study at that intersection. So that
24 was pretty impressive. I also -- I know that

they say that they spoke with the fire companies. I don't know if they, but I know they -- the only thing I could see in the draft EIS was that they sent a letter to all of the ambulances and the fire companies and they basically just said forward any comments you have and we'll see that they are included in the EIS. So we they didn't get a reply from anybody so it seems a little strange that they wouldn't get a reply from anyone when they asked the fire companies and everybody else if 190 new homes is going to have any effect, you would think there would be at least a slight effect there. And those are just a couple of things that I -- I didn't have a lot of time to look through the EIS, but just for those few points alone it looks like the document needs a lot more work and we need to take a lot closer look at this whole project and to all of the other projects that are going to vastly alter the landscape of our town. And I know at the last session that we had back in August, I kind of ended my talk with saying to the Town Board, did you want to leave your legacy as leaving

1 the Town of Brunswick as an open rural
2 community or do you want to leave you legacy as
3 turning Brunswick into Clifton Park. Thank
4 you.
5 DONNA FOSTERING: Can you hear, because
6 there's about a hundred people outside. My
7 name is Donna Fostering and I wanted to
8 follow-up on what Jamie Meehan just said. I am
9 a member of Brunswick Smart Growth. I live on
10 McChesney Avenue Extension, so I feel very
11 close about this project. But today in the
12 paper -- we've been talking about cumulative
13 effect. And in the paper, in the record, our
14 supervisor, Phil Herrington -- this is a quote
15 question, the accuracy of the 253 student
16 projection that's been going out. Now, we took
17 those figures directly from the two DEIS's;
18 Hudson Hills and Highland Creek. Hudson Hills
19 was 70 percent of 215 students that would go to
20 Brittonkill. Highland Creek only said 100. I
21 think this points out that we need the town to
22 correlate information on all of the projects,
23 when it's not happening at this level. We've
24 talked with other towns and they have planners

1 who are doing it. Not just on one project, but
2 on all projects in front of them. And I
3 think -- I made a list. But certainly we need
4 a projection of school enrollments, school
5 taxes. I'm a single homeowner. My school
6 taxes, if they go with a balloon because
7 Brittonkill needs to build, it's going to
8 affect me greatly just like senior citizens and
9 other lower and moderate income families. We
10 also need a traffic, a good traffic study, a
11 real study. They said 190 cars for 190 homes,
12 and Hudson Hills said the same thing. One car
13 per apartment. We know this is not realistic,
14 and we know as drivers that we're already
15 heavily impacted. Thanksgiving Eve after
16 Hoosick Road was done, I couldn't get up
17 Hoosick Street. I had to turn around. So did
18 my neighbor, so did another friend of mine.
19 The traffic was backed up all the way to
20 Burdett Avenue. So we need some real
21 information about traffic here. Fire
22 department, the number of volunteers. I know
23 that they're wonderful and basically handle
24 things on our own, but we don't want to see our

1 community grow beyond their capabilities,
2 either in terms of equipment or manpower.
3 We've got to support the volunteer aspect of
4 our community because it's a vital part. Those
5 were my lists. I know there's many other
6 things, especially people with technical
7 background can add to that. But we really feel
8 to the Town Board, give us the information so
9 we can help you make a good decision. I grew
10 up here but I lived in Monterey County in
11 California. I've seen in California the good,
12 the bad and the very ugly. Monterey was good
13 and largely because the public was involved and
14 there was extensive discussion. So I hope and
15 I'm encouraged what I see here, so let's keep
16 it up. Thank you.
17 MR. POLETO: Next. Anybody else?
18 CHARLES HAYNES: My name is Charles
19 Haynes. I'm a resident of Westlane Road in the
20 Town of Brunswick. And the concern that I have
21 is that we are acting in the Town of Brunswick
22 as if we were an island. And somewhere along
23 the way in school I was taught no man is an
24 island, and I suspect no town is either. We

are talking about creating a significant amount of increased waste and water runoff. And last time I heard things tend to run downhill in life. The City of Troy is your neighbor and we're acting like they don't exist. Last winter, if you remember, their sewers, some of which are over 100 years old, were cracked and backed up and houses were being flooded. And I have a suspicion that some of that water and some of that sewage that backed up down there wasn't just coming from Troy, but from areas a little higher up like the Town of Brunswick. We have a regional situation here and it appears that our population in general in this greater area is going to grow and grow, and we need some regional solutions. My question is, are we doing anything to coordinate our efforts with regard to growth and development with our neighbors so they don't impact us negatively and we don't impact them negatively. I think that needs to be taken very seriously as we develop our town plan. Thank you.

MR. POLETO: Next.

24 DAVID LITTLE: Dave Little, 17 Mickle Hill

1 Road. I stayed out of it thus far, fellows.
2 Haven't been involved up until this point. But
3 unfortunately, the situation as it has existed
4 so far requires it. Tonight is a perfect
5 metaphor for the way that we've approached
6 planning so far, as 100 people staring into
7 windows from outside is no way to plan the
8 future of our town. We've got the facilities
9 to be able to hold a proper hearing on this, we
10 got places. There's nobody in the school
11 auditorium tonight. We need to have a night
12 when everyone can be adequately heard and
13 everyone can adequately hear what's going on in
14 the town. I'm concerned from what I have been
15 able to glean thus far this evening. First,
16 from the developer who indicates that these are
17 empty-nester homes, and I am interested to find
18 out. I understand that you aren't answering
19 questions, but I am interested to find out at
20 some point whether or not there are going to be
21 restrictive deed covenants for these houses to
22 prevent the inevitable children from these
23 empty-nester houses. I spent a long time -- I

24 mean I'm not unknown to you folks. I spent a

1 long time, nine years on Brittonkill School
2 Board, four years as your County Legislature
3 from this area and four years on the Capital
4 Regional Planning Commission, so I know a
5 little bit about this subject and I know that
6 the Town Board, by letter from Mr. Herrington,
7 has rejected the school's request for a
8 demographic study of this issue. I now work
9 for Public Education at Large, the New York
10 State School Board Association, and so I work
11 with school districts all the time about the
12 pressures of development. I know that it's
13 often been said in this debate that all of this
14 is an attempt to keep town taxes down. And I
15 can tell you that keeping the town taxes down
16 by this method is in direct disproportion to
17 increasing the school taxes.
18 I can tell you a couple of things without
19 doing your demographic study, things that we
20 know for certain. If you're planning 80 homes,
21 that means 100 kids. 1.2 kids at the very
22 least. I can tell you of those kids, 18

23 percent will have special needs. They'll be
24 high cost public educational students. I can

1 tell you that there's a square footage
2 requirement that the State of New York has for
3 each and every student. And so you need to
4 find where the school stands in their square
5 footage requirement. I know from having done
6 building projects at Brittonkill that you
7 aren't putting anymore buildings in the swamp
8 back there. There is no place to go and I know
9 that those structures would have to be torn
10 down to the ground and started over with a new
11 foundation because they weren't built for a
12 second floor. So if you require building, I
13 know that 100 kids requires some traffic
14 routes, I know that 100 kids requires at least
15 two extra elementary teaches, it requires the
16 18 percent of high cost needs, and a
17 conservative estimate of that cost would a
18 million and a half dollars a year. Not just
19 the first year, but each and every year. If
20 you reduce the amount of property taxes that
21 this particular project would bring into the
22 town for school taxes, you're still talking

23 about a million dollars a year. A million
24 dollars a year to the Brittonkill Central

1 School District, not just the Town of
2 Brunswick, but the Town of Brunswick comprises
3 about 70 percent of the school district. A
4 million dollars costs the town residents and
5 the others within the school district, the
6 other four towns that are within the school
7 district, every $75,000 is a one percent tax
8 increase in this school district. So you're
9 talking about a 13 percent tax increase each
10 and every year based on the project if those
11 costs aren't ameliorated and if they aren't
12 planned for. If you have a million dollars in
13 costs of that 13 percent tax increase per year,
14 you have to put that on top of the already
15 inflationary increase that the school district
16 faces; health care, pension costs, fuel oil
17 costs, all the things that are likely to drive
18 costs, inflationary costs, upwards of seven
19 percent a year by themselves. 20 percent -- the
20 two put together means a 20 percent school tax
21 increase. A 20 percent school tax increase.

22 We don't have to go any further then walking
23 seven miles that way to Averill Park to see
24 what happens to a school district when you

1 start asking the residents to absorb 20 percent
2 school tax increases per year. Development
3 there changed the character of the town, it
4 changed the quality of the school and it was
5 not planned accurately. It wasn't planned
6 appropriately. I applaud you for opening the
7 public comment period longer. And you need
8 to -- well, I don't want to tell you to do the
9 right thing. What I do want to tell you is
10 that to adequately perform your duty as a
11 public servant in this particular case, you
12 need to study what the impact is before you go
13 further. I'm not telling you to build this
14 thing or not build this thing, but please plan
15 it. Okay. There are people who do this for a
16 living, and the cost that you'll spend for a
17 demographic study probably willingly shared by
18 the School District if the two of you go
19 together, then you can adequately find out what
20 the future of this town is going to be like
21 with either the singular impact of this or the

22 cumulative impact of all of this. My kids are
23 here and I hope my grandkids are here, but I
24 want them to have a town that at least has had

1 the foresight and the community interest to
2 figure out what their life is going to be like
3 here before they just decide on something. So
4 I would just appreciate that. Thank you.
5 PAUL GOWER: My name is Paul Gower,
6 G-O-W-E-R. 1792 Route 7, a/k/a Hanersville.
7 One of the few things that I haven't heard with
8 regards to this, and I'll keep it real brief,
9 is what kind of commercial impact this type of
10 development is going to have on Route 7 itself.
11 And one of the issues that I'd like you to keep
12 in mind with this is the issue of imminent
13 domain with regards to the town in taking over
14 some of the property along Route 7 to develop
15 commercial needs for this project. Thank you.
16 MR. POLETO: Next.
17 NORMAN FIVEL: My name is Norman Fivel. I
18 live on Will Rose Lane. I want to address a
19 couple of things, but first it occurred to me
20 when I was reading the DEIS, and this is

21 follow-up to something someone said before
22 about fire protection. Apparently there was
23 concerns raised by the Center Brunswick Fire
24 Department and the Brunswick Fire Department

1 concerning additional emergency access to this
2 site. Right now the only access is from
3 McChesney Avenue. The concern is raised that
4 an additional emergency access was needed that
5 was apparently explored and it was determined
6 that access through either of these streets,
7 which was Freeman Avenue or Harris Avenue was
8 not reasonably practical for whatever reason,
9 topography or whether the applicant doesn't
10 have any rights to the property that would be
11 necessary for that access. Additionally there
12 was a request about consideration of a possible
13 water main grouping to Harris Freeman Road,
14 which would be desirable from the standpoint of
15 eliminating dead end water main and providing a
16 source of water from two directions. That also
17 was determined not to be practical. Then the
18 DEIS stops. It occurs to me that something
19 further is needed to respond to those concerns
20 of the fire department. Nothing was said in

21 terms of the DEIS in terms of how they're going
22 to mitigate those concerns of the fire
23 department. The next issue that I wanted to
24 mention has to do with the empty-nester

1 projections. The developer is saying 130
2 carriage homes are targeted for empty-nesters.
3 I would assume that if a family having a child
4 wants to buy one of those carriage homes, they
5 are not going to be turned down. And someone
6 mentioned the idea of getting deed restrictions
7 in terms of limiting those homes to
8 empty-nesters, that's just not going to happen.
9 We have on the table the Hudson Hills project
10 which is proposed for 1100 units targeted for
11 empty-nesters. Where are all of the
12 empty-nesters coming from? If the traffic
13 projections and the students population
14 projections are based on empty-nesters, then I
15 think the study is flawed. Because there's no
16 guarantee, there's no way the developer or the
17 owner of the apartment complex can guarantee
18 that the empty-nesters are going to occupy
19 those residences. So the traffic study, the

20 student study I believe are vaguely misleading.
21 Not vaguely. They are much misleading in terms
22 of impact that these projects are going to have
23 on our community in terms of traffic and
24 students, not to mention some of the other tax.

1 But this brings up the issue of cumulative
2 impact. These projects cannot be looked at in
3 isolation, one from the other. And here's a
4 perfect example. You have two major projects
5 targeting the empty-nester market. And if that
6 doesn't occur, the impact is going to be vastly
7 different than what is projected in the DEIS.
8 So for that reason I believe that further study
9 is needed and options have to be explored as to
10 what happens if these empty-nester projections
11 don't follow through. Thank you.
12 MR. POLETO: Someone in the back have
13 their hand up?
14 JENNY FALUSZCZAK: My name is Jenny
15 Faluszczak. I live on Route 7 by Agway. I'm
16 not very good at public speaking, but in coming
17 to this meeting tonight I also -- my bias is
18 emergency services; police, fire and EMS. I've
19 worked for Colonie's Emergency Service System

20 for 12 years. They obviously have a lot of
21 resources. I choose to live in Brunswick. I
22 could have a better job in Colonie being it's a
23 civil service position. My husband could have
24 a promotion if he was a Town of Colonie

1 resident, as it's a civil service position. We
2 chose to live in Brunswick. We moved here
3 about 20 years ago. We liked the character.
4 I'm not anti-development. Careful development.
5 I have concerns as stated as many other people
6 stated tonight about the multiple projects
7 being looked at in segments as opposed to a
8 whole. But my question is, I know Brunswick is
9 served police wise by state police and the
10 sheriff's department. We have a contract with
11 Mohawk Ambulance. I'm sure they do a wonderful
12 job. I work with many of those people. And we
13 have two volunteer fire companies. The
14 demographics are changing. Can our volunteers
15 keep pace with the growth of our town. And the
16 other gentleman also discussed regionalization,
17 have we looked at how our emergency services --
18 can our emergency services keep up with

19 development. Thank you.

20 MR. POLETO: Somebody over here in the

21 middle.

22 REBECCA KAISER: Good evening. My name is

23 Rebecca Kaiser. It's kind of nice to wait a

24 little while to speak because then you get to

1 process what some other people have said. But

2 on the other hand, the mind kind of starts

3 spinning. But I do have a couple of comments,

4 first of all, that I just thought of when

5 everyone else was talking and I'd like to

6 address those to the developer if I could. In

7 my opinion, I'm a member of Brunswick Smart

8 Growth, good development is sustainable

9 development that adds to the economic base of a

10 town while not sacrificing quality of life. I

11 would suggest maybe considering adding that to

12 the list. And in that regard, in my research

13 on this general topic of development over the

14 last ten months or so, one thing I was

15 astounded to learn was that a new residential

16 development does not give us the benefits

17 financially that we think it might. For every

18 dollar that new residential development brings

19 in in property taxes, it costs us $1.23 in
20 services. And that, by the way, is a piece of
21 information that came from a very in-depth
22 study done by the American Farmland Trust.
23 One thing I'd really like to talk about
24 just for a minute here and it's very pertinent

1 to this project and also to the other proposals
2 going on in town right now, Brunswick Smart
3 Growth has been petitioning for the past
4 several weeks. And personally I'm a
5 petitioner. It's very, very important for me
6 to do this. I consider it a privilege. When I
7 started it was a chore. We knew we had to do
8 this because Wal-Mart had their petition out.
9 What were we going to do. You know just sit
10 around and wait. So we got our petition
11 together and we go door to door and I'm telling
12 you it is such a privilege to hear from the
13 concerns of our town's people. To have people
14 invite you inside and tell you about the
15 history of their communities and their homes
16 and their family. And then finally you get
17 down to the fact, well, okay. Would you like

18 to sign our petition. And let me tell you what
19 usually happens. This is the typical afternoon
20 of petitioning. In an hour and a half to two
21 hours I might make contact, I knock on the door
22 and talk to 15 to 17 people. Typically two
23 people might decline to sign a petition because
24 they don't have information. They're

1 new-comers to town. Maybe one will refuse to
2 sign because they are in favor of the
3 development projects, or at least one of them
4 or something like that. All the rest sign and
5 thank me. And this is our experience town
6 wide, and I just can't express to you what a
7 feeling it is to be able to provide people with
8 an avenue to express themselves. And so
9 anyway, I'd like to quickly read our petition
10 to you so that you have an understanding of our
11 viewpoint in development in general. Not this
12 project and others. We cannot possibly speak
13 about any of these projects in an isolated
14 segmented fashion. They are intimately
15 connected with each other. And so what we are
16 trying, we're trying to encourage people, and
17 the Town Board also, to take a very hard look

18 not at just each individual project, but their
19 cumulative impacts. And this is what we're
20 asking the Town Board to do. Right now we have
21 about 1500 signatures, and the petitioning is
22 ongoing. We'll be doing it for months I
23 assume. This is the petition. "We, the
24 undersigned, believe in preserving the quality

1 of life enjoyed by Brunswick residents through
2 a comprehensive plan which guides future growth
3 and avoids suburban sprawl. Such plan should
4 identify specific Open Spaces to be preserved
5 and establish priorities for residential and
6 commercial development in town. This petition
7 expresses our concern that pending development
8 proposals before the town would dramatically
9 increase town and school district costs,
10 exacerbate traffic congestion and substantially
11 change the character of our town. Brunswick
12 presently has almost 5,000 housing units.
13 Projects have been proposed that would increase
14 the number of housing units in the town by more
15 than one third. Brunswick's primary
16 thoroughfare, Route 7, is already severely

17 congested which has diverted commuter traffic
18 to our residential roads. Four pending
19 development proposals, Brunswick Meadows,
20 Carriage Hills, Highland Creek and Hudson
21 Hills, would require major zoning changes and
22 loss of agricultural land. The proposed
23 Wal-Mart Supercenter required rezoning of
24 agricultural land to commercial use and would

1 establish a large scale commercial operation
2 that would jeopardize the town's peaceful
3 character, with air, water, light and noise
4 pollution 24 hours a day, seven days a week.
5 Approval of these projects by the
6 Brunswick Town Board will aggravate current
7 traffic problems and overburden the town's
8 infrastructure, including police, fire, water,
9 highway, sewer and schools, detrimentally
10 affecting a quality of life of all Brunswick
11 residents and increasing taxes.
12 We, the undersigned, petition Brunswick
13 Town Board to deny pending applications for
14 major rezoning as the potential negative
15 impacts far outweigh any alleged benefits. And
16 instead, conduct extensive public hearings to

17 revise and improve Brunswick's comprehensive
18 plan, to provide for appropriate and affordable
19 growth. It would preserve the town's
20 essentially rural character." Thank you.
21 MR. POLETO: Next. Anybody else?
22 RUSSEL ZIEMBA: Good evening. My name is
23 Russel Ziemba, and I live in the adjoining
24 municipality of Troy, New York. And I'm also

1 very concerned about all of this growth
2 proposed for Brunswick. As an urbanist if
3 there is going to be growth in the county I
4 think that it ought to occur in the urban
5 centers where there are alternatives for
6 transportation where people can walk to things,
7 where there is mixed uses, where people can
8 walk to the corner store, the neighborhood
9 school, the local cafe, the library, their
10 friends' houses, City Hall, where they don't
11 have to drive every trip or every trip -- where
12 every trip does not require driving out onto
13 Hoosick Street. Hoosick Street has been just
14 repaired, but it's still is a very major
15 problem. Troy has just conducted last year the

16 Hoosick Street Quarter Plan and these almost
17 2000 -- or 1600 housing units would have a very
18 major effect on the traffic in Hoosick Street.
19 It's horrible right now. And if you think that
20 they'll probably two cars per housing unit,
21 roughly, maybe more, maybe less, and one each
22 one -- each person will probably drive to and
23 from work and maybe to and from some other
24 place each day, that's at least four trips on

1 Hoosick Street per person. Possibly eight
2 trips per apartment each day on Hoosick Street.
3 I would like to see if there is going to be
4 growth in Brunswick I think it ought to be in a
5 place that relates to the businesses and a
6 place where there are sidewalks, not just on
7 one side of the street as is being proposed,
8 but on both sides of the street, and where
9 there are actual communities. The gentleman
10 who did the proposal kept on referring to the
11 development as a community. Residential --
12 just a residential neighborhood isn't really a
13 community. It's more of a small neighborhood.
14 A community involves all kinds of other things;
15 public purposes and commercial purposes. So I

16 would like to see all of these developments
17 looked comprehensively together as others have
18 said. But I would encourage you to have
19 another public hearing on this, because we have
20 over 100 people, maybe 120 people inside. I
21 was outside for the first half an hour. There
22 were 50 over there, 18 people in the entryway
23 and then 20 people on the porch, 20 to 25
24 people on the porch. And as I walked in I saw

1 numerous people walking away because they're
2 not going to stand up for a three hour meeting
3 outside. It's really a lot to ask. And I want
4 to commend everybody who's outside right now
5 for staying out there and being part of this
6 meeting.
7 As the previous speaker said, 190 units on
8 70 acres is what's being proposed, but much of
9 that parcel is unable to be built on because of
10 wetlands and steep slopes. He said that given
11 the current zoning 100 units could be built. I
12 don't want to see any of those units built
13 there. I would like to see the land remain
14 agricultural. And I'm not against the owners

15 of the land. I think that farming is a very
16 difficult occupation. I'm very much for
17 farmers. I would like to see more easements
18 for the farmers so that their taxes are lower,
19 because the farms are enjoyed by not only the
20 people that consume the products and the people
21 that work there, the farmers themselves, but
22 the other townspeople enjoy that Open Space
23 whether they set a foot on it, just by looking
24 at it it's a beautiful thing. So right now the

1 New York State Open Space Plan is open for
2 comment. And past Open Space plans people
3 suggested that farmers have increased easements
4 so that their taxes can be lower so that Open
5 Space would exist. Even if it wasn't
6 recreational, it's still a great value to the
7 community. But I would consider other uses for
8 the land; allowing people on the land, maybe a
9 little store, higher end -- selling products
10 that are built on the site. There are other
11 uses that could benefit farming. But I think
12 farming in Brunswick is going to become more
13 important. With gas prices at $3, and $3 is
14 going to look like a bargain in a few years,

15 shipping things all over the place, milk,
16 vegetable is going to become much more
17 expensive. Brunswick products, things grown
18 locally are going to be a lot more valuable.
19 So I would suggest now when we have the chance
20 to not build in a corn field or on agricultural
21 lands or wetlands. Leave them as they are.
22 Put growth where it makes sense. Thank you.
23 MR. POLETO: Ray, you had your hand up.
24 Come on up.

1 RAY SCHMIDT: Good evening. My name is
2 Ray Schmidt. I reside on 81 Liberty Road, Town
3 of Brunswick on the corner of Liberty and
4 Farrell. I got an opportunity to review the
5 proposal briefly. I'm glad that I believe
6 we're having an extended review period. I was
7 outside in the cheap seats with everybody else
8 out there for over an hour, and unfortunately I
9 missed a lot. So I do appreciate the fact that
10 the period is going to be extended.
11 Just a couple of comments regarding the
12 math. There's 130 carriage houses. I think
13 they project 36 students. That doesn't seem

14 right. If I do my math I get 60 students,
15 minimum. Let's see. 40 single family homes.
16 Well, let's say two students per home. That's
17 80 students right there. And 21 manor houses.
18 Well, let's say three students per manor house
19 or maybe more. If I do the math correctly it's
20 80, 60. I get 140 right there. And you add to
21 60 students from the carriage homes, you're up
22 to 200 students. This 100 student projection
23 is extremely, extremely low, and really not
24 viable. Right there we're over the 200 limit

1 and we're going to have to put up a new school
2 just for this one project.
3 The other issues is how can this be
4 guaranteed that they'll be empty-nesters.
5 Personally, I think this is developed and going
6 to be marketed to single family parents.
7 What's the word? Single family parents. I
8 think that's who it's going to be marketed to.
9 So there's no guarantee that out of 130 homes
10 we can have 60 kids. We can have 130 kids, we
11 can have 150 kids. There's no way that we can
12 possibly limit this is zero kids or 20 kids.
13 There's no projection there. So the projection

14 is 60 to 70 students per year I read. I think
15 that's a little bit unfeasible.
16 The other issue is police services. Right
17 now I hardly ever see a state trooper or a
18 sheriff's officer down by Liberty Road. Cars
19 are speeding through there all the time and
20 nobody ever comes down there. What's the
21 impact on all of the back roads. Right now
22 Liberty and Farrell is being used as a
23 cut-through by everybody. What about when
24 Wal-Mart goes in and all of these other

1 projects. There's going to be a tremendous
2 amount of traffic cutting through there. What
3 about police services? Now, as I hear from the
4 grapevine, because nobody will came out and say
5 a lot of these things, but the state police are
6 already strained. How many officers are on
7 duty in one particular eight hour shift? Six,
8 five? I don't know. This has not been
9 addressed in the report. I think this is just
10 a letter to the state police and to the
11 sheriffs stating if you have any comments, tell
12 us. That's it. There's no response from the

13 state police or the sheriff. These things need
14 to be addressed. How many state troopers are
15 on duty at this time. If 1000 people come into
16 this project, and I mean in my rough
17 calculations that's got to be true. Even the
18 developer said, well, the grandchildren will be
19 coming in. Well, the grandchildren are coming
20 in. How are they coming in here? They're
21 coming in through their -- their parents are
22 driving them in. The grandchildren aren't
23 coming in on their bicycles. So we consider
24 that more traffic is going to be coming in

1 through the parents. These are all of the
2 empty-nesters. So even my rough calculations,
3 this project alone, exclusive of all the other
4 projects that are coming in, is going to
5 increase the town by 1,000 people. So we have
6 roughly 11,000 people now, we're up almost ten
7 percent. Population and increase in budget
8 just from this one particular project in
9 exclusive -- and I'm not even talking about all
10 of the other projects that are being proposed.
11 And another issue is the dumping and the
12 pumping station. We have to put up a pumping

13 station. Who's going to support that. I mean
14 that's a permanent maintenance project. Maybe
15 they will build it, but who's going to support
16 it. Well, I guess that's the end of my
17 discussion by now. I appreciate the privilege
18 of having more time to review the proposal and
19 have the opportunity to speak to this
20 distinguished Board in the next meeting and
21 thanks for listening to me.
22 PETER MESKOSKEY: Okay. Can everybody
23 hear me? Thank you. I would like to thank
24 everybody that came tonight and the diligence

1 of the people that are sitting outside. I
2 think that's awesome in a community to see
3 that. Public safety in the town has reached a
4 critical point. Town Office Road, Moonlawn and
5 McChesney and Route 7 and all of the side roads
6 in Brunswick are becoming hazardous. We need
7 to look at traffic control and traffic
8 violators. Has anybody been by the town court
9 on a Wednesday night? It's very mobbed because
10 we're giving more and more tickets. We're
11 giving more and more violations. We need to do

12 something. I met with the Town Board at the
13 budget meeting and we talked about and
14 requested some extra either troopers or
15 sheriffs, something to try to stop some of the
16 violent issues in the town to make it safer
17 before something happens. What we need is a
18 great police presence and some public safety
19 programs and some awareness programs. And if
20 the town needs some help with it, I would be
21 more than glad to try to set something up with
22 whoever is going to spearhead it. And we need
23 to reduce these numbers before we consider any
24 projects. Now, the 190 cars, okay, we know

1 that's not good. But what he didn't talk about
2 was the UPS, the DHL and the Fed Ex. The
3 electrician, plumber, the floors, the
4 relatives, the friend, the Texas hold-up night.
5 And you'll get a lot of those in there if you
6 have empty-nesters. Right, Ray?
7 Now, I have a question for the Board.
8 This is very easy. I have been to several
9 meetings about no increase in taxes in
10 Brunswick. For how long has that been going
11 on. And you applied yourself and I applaud

12 you--

13 MR. POLETO: -- we raised taxes last year,

14 and prior to that it was 13 years.

15 PETER MESKOSKEY: 13 years. I think that

16 deserves a round of applause. And the growth

17 to the town over those 13 years has either been

18 low to moderate. It hasn't been excessive; am

19 I correct? Well, I ask you to keep it that

20 way. Now, I'm also going to read something I

21 got from Pat, Phil and Sam, and just let me

22 read this. It says stable tax rate, controlled

23 growth. Enhance community services including

24 Keyes Lane Community Center and the new Route 2

1 athletic fields. Preservation of rural

2 character of the town. No tax increase on

3 2006. On the backside it says, please do me a

4 favor. I need your vote and your help. I need

5 Pat Poleto and Sam Salvi with me on the Town

6 Board to continue my vision to the Town of

7 Brunswick. Together we have accomplished the

8 adoption of the Town's Master Plan, the

9 building of the family community center,

10 establishing ambulance services, stabilizing

11 taxes, establishing the summer concerts, which
12 everybody likes, and provided a managed growth
13 to the town. I'll say that again. A managed
14 growth to the town. Nobody's investor services
15 has recognized the outstanding job being done
16 in the Town of Brunswick, and upgraded the town
17 fund rating from -- to an A-2 status. And I
18 applaud the town to ask the Board to continue
19 Phil's vision. Thank you.
20 MR. POLETO: Come on down.
21 SCOTT HUNTER: Scott Hunter 112 Town
22 Office Road, Brunswick. My family and I have
23 lived in Brunswick for 27 years on Town Office
24 Road. When we first moved in the skies were

1 dark. You could see the stars at night.
2 Traffic was no problem. There was a rural
3 community. And in those 27 years there has
4 been a tremendous change in the character of
5 the town, and probably the most dramatic change
6 has occurred on Route 7 in the area of
7 McChesney Avenue with the building of Wal-Mart
8 and several other commercial establishments
9 that replaced acres and acres of farmland and
10 Open Space resources for the town. When I

11 first moved out here I became a member of the
12 Rensselaer County Environmental Advisement
13 Council and served with distinction, I think,
14 in that group along with people like Tom
15 Simkins, who is a long time district resident
16 and a champion of environmental causes.
17 Shortly after that I became a member and after
18 that a chairman of the Brunswick Conservation
19 Advisory Council and I served this Board in
20 that capacity for about ten years. Shortly
21 after I left the Conservation Advisory Council
22 and I was asked by former town councilmen, the
23 late Bert Miller, to serve on the Brunswick
24 Open Space Trust. Bert was a tireless worker

1 for the Open Space resources for the town of
2 Brunswick. He encouraged and achieved a
3 partnership with the Open Spaces in Ossening,
4 New York to acquire Open Space and open vistas
5 within the Brunswick Township, and in
6 particular the McChesney Avenue Extension
7 corridor. Bert spent hours and hours while his
8 health was failing to try to convince property
9 owners along McChesney Extension to preserve

10 the Open Spaces in that area and the open
11 vistas, and he was able to accomplish that with
12 several different property owners. I'm asking
13 you as town council to honor the memory of Bert
14 Miller by keeping open the hope that we can
15 sustain Open Spaces in this township. Thank
16 you.
17 MR. POLETO: Sean, come on down.
18 SEAN MCLEAN: Hi. My name is Sean McLean.
19 I live in Eagle Mills in Brunswick. I'd like
20 to put a little more human face on this
21 project. This 90 year old man named Samford
22 Bonesteel that, you know, has farmed this land
23 for quite a bit of time. I've talked to him
24 twice now and Ken and Phil Herrington assured

1 him when they bought the land that they were
2 going to continue farming it. This is not
3 secondhand information. This is information
4 that I got directly from Samford. I applaud
5 you in having an open discussion now about it.
6 I don't know why you couldn't do that before
7 the election. But that's okay. You refuse to
8 discuss any --
9 (Inaudible and interruption during

10 proceedings.)

11 MR. POLETO: Turn the mic up, Sean.

12 SEAN MCLEAN: I don't want to make this --

13 this is not a political debate, but it could

14 have been. Because Susan Haynes and I were

15 running against Sam and Pat and they refused to

16 discuss any of these projects before the

17 election. The League of Women Voters invited

18 them. No, they couldn't do it. So now we're

19 stuck with a solid block of republicans on this

20 board that are -- you know, I mean the fox is

21 not charge of the chicken coop here, and I

22 don't know how you're going to view all of

23 these projects that obviously you've been in

24 favor of all along. If you weren't, you would

1 have discussed them openly. You told me

2 before--

3 MR. POLETO: -- Sean, do you have comments

4 on this project?

5 SEAN MCLEAN: -- I do. I do.

6 MR. POLETO: Let's get to them.

7 SEAN MCLEAN: You know, this was -- you

8 know, this is a small, friendly community. I

9 grew up here my whole life. Everyone knew each
10 other, everyone could openly discuss things and
11 it seems to me that that spirit has changed.
12 This project stinks, you know. And the reason
13 it stinks is because you won't look at a number
14 of things. A, the headwaters of tributary into
15 the Postenkill. It's most likely an Indian,
16 you know -- there's Indian artifacts that've
17 already been found on the land. The silt
18 deposits that are going to, you know, pour
19 out -- into the stream that runs down through
20 Indian -- it was called Indian Run, by the way,
21 you know are just going to mess up the stream.
22 The project is going to take forever, you know.
23 It's not just going to be one little, you know,
24 overnight project, and it will change the

1 rural, you know, complexion particularly of
2 that area. But all of these projects, you
3 know, they need to be openly discussed. And I
4 say, now, you're discussing it, but it's taken
5 a long time and I hope we can continue this.
6 Thank you.
7 MR. POLETO: Anybody else?
8 BERNARD FLEISHMAN: Can I make another

9 remark?

10 MR. POLETO: Come on up, Bernie.

11 BERNARD FLEISHMAN: I hope you will convey

12 to Phil that there is nothing personal about

13 this. I like him. I like the services that he

14 has done for this town, though there have been

15 deficiencies as I say in the planning process,

16 which I outlined before. But I'm very

17 disturbed that the owner, the landowner in this

18 case is the supervisor of the town. It's hard

19 for me -- I don't know whether there is any

20 legal conflict of interest here, but I feel

21 there is at least an ethical conflict of

22 interest. And it's hard to believe that it's

23 true, Phil and brother abstained themselves

24 from this meeting. Obviously, they don't want

1 to appear to be involved directly, what have

2 you, but considering how long Phil has been on

3 the Town Board, how the closeness that has

4 existed between him and the other members of

5 the Town Board, I find it virtually impossible

6 to believe that this Town Board will consider

7 this project purely on its merit without

8 respect to existing and longstanding
9 friendships and connections. I apologize -- I
10 don't mean to impune the honesty or integrity
11 of any person here, but human nature, being
12 what it is, people who have long been
13 associated with each other and have depended on
14 each other for the discharge of their duties,
15 they are bound to impact, they're bound to
16 affect the way in which the Board would act on
17 a project such as this. Thank you.
18 MR. POLETO: Next.
19 KEN HERRINGTON: My name is Ken
20 Herrington. 88 Herrington Lane. I was trying
21 to -- I didn't really want to get involved in
22 speaking because I felt you were really here to
23 consider the merits of the project itself. I
24 think you should be here to consider the merits

1 of the projects and the presentation these
2 people gave, which I think was a -- you know
3 they're quality builders. They're not
4 fly-by-nighters. They're not going to come in
5 here and throw up a few houses and leave. But
6 I've been accused of being a developer rather
7 than a farmer. I'd to clarify that a little

8 bit. You know four generations of Herrington's
9 have farmed in the Town of Brunswick. I moved
10 here when I was a year old. Phillip was born
11 on that farm that we're talking about right
12 here on the front part of that farm. We lived
13 there for 17 years. We couldn't buy anymore
14 land in the area at the time. My dad couldn't
15 and we moved to Tamarack where there was a farm
16 for sale. We moved to Tamarack on a 400 acre
17 farm which my dad thought he spent too much
18 money on. He gave them $22,000 for it, and we
19 have spent millions on that since. All I ever
20 wanted to do was farm. I had an excellent
21 opportunity to remain in the service. I was a
22 captain in the army after graduating from
23 Cornell University. All I wanted to do was
24 come back to this community and farm, and I

1 will probably do that until the day I die. But
2 there's another generation of Herrington's back
3 there on that farm that want to do the same
4 thing that I am doing. And I might say, you
5 know, you talk about Open Space and these guys
6 say it stinks. You know this project stinks.

7 We talk about Open Space and you ought to look
8 and see who keeps the Open Space open. Not
9 just me alone. However, Herrington's farm has
10 grown from the 49 cows to the 1145 today. We
11 produce ten percent of the gross agricultural
12 production, gross income in Rensselaer County,
13 and probably 50 percent of the gross income in
14 agriculture in the Town of Brunswick. We try
15 to do our best and we bought this land to
16 continue farming. You know we've worked this
17 land for the last 25 years, again. We had no
18 intentions of selling any of this land. We
19 have sold one lot in my entire lifetime. But
20 you know I think you ought to understand the
21 plight of the farmers today, and I don't think
22 most of you in this room even have a slight
23 understanding of that, especially those who
24 stand up and speak against whatever is going on

1 and we want to keep agriculture here. It's a
2 damn difficult job to keep agriculture in this
3 area. It's a struggle every day. I've worked
4 two lifetimes in one. I know that by the
5 number of hours I worked. And I think -- I'm
6 65 years old I'd like to retire somewhat and

7 I'd like to turn the farm operation over to my
8 children. I have two of them who do have some
9 interest. They're both scared to go forward
10 with it because of the way agriculture is in
11 this part of the country especially. Dairy
12 farms are almost extinct. I think there's four
13 of us in the Town of Brunswick, and some of
14 those are probably going to leave. Crop
15 farmers -- some of them have turned to crops,
16 and Kenny Hewitt is here. You should go talk
17 to him because he's about ready to throw the
18 towel in. He's selling corn for a lesser price
19 than it's costing him to produce it and he's
20 been doing that for a couple of years, more
21 than a couple of years and he's about had it.
22 Dairy farming is the same situation. In the
23 year 2003 every morning I got up I borrowed
24 $931.50 just to continue to farming to pay for

1 the operating cost. That's a true fact. If
2 you want to look in my books I'll show them to
3 you. I borrowed $340,000 and every dime of
4 that went into daily operations. None of it
5 went into investment. Now, 2004, we made it

6 through without -- we borrowed some money
7 naturally, but we paid some of it back. And I
8 still owe well over a million dollars, 65 years
9 old. 2004 was kind of a break even year and
10 2005 was good until September and then all hell
11 let loose. You know what the cost of petroleum
12 is and the cost of fertilizer and how all of
13 those things are related. My daughter told me
14 last week, she said, Dad, you know if we're
15 going to get through to the end of year we got
16 to borrow $80,000 just to pay the operating
17 bills that are due right now and I think we're
18 going to be able to pay November and December's
19 because we're not burning any fuel. We burn
20 85,000 gallons of fuel a year just to bring
21 crops into the cows. We're not selling this
22 land because we're land developers. We're
23 selling this land because it is the most
24 valuable piece of land that we have. It has

1 water, it has sewer and we have a developer
2 willing to pay a price to take this piece of
3 land and turn it into something damn nice for
4 the community. At the same time we will be
5 able to take that money and put some of it --

6 Uncle Sam is probably going to take a good
7 chunk of it. What's left, I'm going to take a
8 little bit of that money, I hope, and put it in
9 the bank so that I have some kind of
10 retirement. I have no IRA. I have less than
11 $10,000 in the bank. And if you don't want to
12 believe that, I'll show you my checking and
13 savings account. All my money is invested in
14 that dairy farm.
15 PUBLIC: Do you have a question?
16 KEN HERRINGTON: I just want you to know
17 where I'm coming from so that you understand --
18 and I've been accused of being a land
19 developer. I am not.
20 (Public interrupts speaker.)
21 KEN HERRINGTON: Let me finish. The farm,
22 as I said -- but you don't have any -- I'm
23 trying to tell you. Since the year 2000 --
24 1990 was a good year and the year 2000 was a

1 good year. Those are the two good years that
2 we've had since 1990. But I have no
3 retirement. I have no money put away, so this
4 will be somewhat of a retirement for me. We

5 will still have 1,000 acres of land left. We
6 still rent land and will try to keep the rest
7 of the open land in town that we rent, open,
8 and continue farming. But I'm telling you, you
9 have to understand the plight of the farmers
10 here. I think we have done a real good job,
11 because many of your relatives have already
12 sold their farms and gone onto other things,
13 and that land has been developed. We are doing
14 our best to keep what we got, open. But we
15 have to have some kind -- we can sell the other
16 thousand if you want me to and keep this 200,
17 but it won't do much for me and it won't do
18 much for you. We plan on continuing farming
19 one way or the other in this community. My son
20 is standing right down here and he's saying to
21 me, don't make them any promises because we're
22 doing the best we can. But the best we can is
23 a break even today at most, and next year it's
24 probably going to be a loss again. I'm just

1 saying, this is an area that can be developed,
2 it can be developed in-depth. There's water,
3 there's sewer, and I think it's a fine project.
4 That's all I have to say. Thank you.

5 MIKE GERMONO: Hello. I'm Mike Germono.
6 Fox Hollow Road in Troy, Town of Brunswick. I
7 want to get back to the merits of the project
8 itself. What I want to talk about is the
9 potential for flooding and a water table. This
10 clearly talks about the water table being three
11 to six feet below the lines. I mean wetlands
12 are wetlands because you have a high water
13 table. Some of the mitigation that has been
14 proposed by the developer here is building
15 roads that are about two feet above the hundred
16 year zone. Also, putting sump pumps into new
17 housing. Sump pumps are not here as a remedy,
18 but here as a solution going into the project
19 in the very beginning. And this is based on a
20 hundred year flood zones by FEMA. Now, if you
21 follow the news and weather pattern changing,
22 there's a lot of people in communities here,
23 but also in Massachusetts and Vermont, that
24 thought they were on flood zones too, and they

1 ended up on the water. So I think there's --
2 we need to take some serious looks at whether
3 the flood zones here are accurate and how much

4 of the project is actually in danger of that.

5 The second point I'd like to look at is

6 the part about the archeological digs. It

7 talks about how some of that is in the area of

8 the area to be developed. Is doesn't specify

9 what the boundary of the area is yet. We need

10 to know those boundaries of it and make sure

11 that's taken care of first. Because it's

12 possible that the boundaries are large enough

13 that some of this area can't be developed at

14 all. Thank you.

15 DONNA FOSTERING: I'm Donna Fostering. I

16 just want to respond a little bit to what Ken

17 Herrington said. And it's not that we're not

18 sympathic to the farmers. My family still has

19 a farm from 1855, the Polly Farm in White

20 Church. We know that farmers have to, in some

21 way, make good use of their land. Taxes are

22 high, et cetera. I've been out petitioning.

23 The farmers on McChesney Avenue who subdivided

24 their land into large lots, such as the Dunkins

1 and others, have signed the petition. Our

2 objection is to the density of this project.

3 If it were a reasonable number of homes on the

4 acreage, you know we would work with this
5 project much better. But 190 homes, some of
6 them -- most of them ten feet apart from each
7 other is not our vision of Brunswick. Thank
8 you.
9 MR. POLETO: Anybody else?
10 HENRY SCARTON: My name is Henry Scarton.
11 I'm the director of the Laboratory for
12 Vibration and Noise Control Research at RPI. I
13 live at 14 Kestner Lane in Troy. I'm an expert
14 in acoustics, and environmental acoustics is
15 one of my specialties. I have been qualified
16 in judicatory proceedings in front of the DEIS
17 in such matters as Aleve, a matter in
18 Rensselaers and Columbia County. And I'd like
19 to address the density problem as well. The
20 carriage houses, there's 130 of them. The
21 spacing between the houses is going to be about
22 47 and a half feet. The air handling units in
23 the summertime, and there will be surely -- I
24 didn't see none on the map here, but I'm sure

1 they'll be air handling units with heat
2 exchanges. By the way, I'm a mechanical

3 engineer, so I understand that aspect as well.
4 The air handling units will be making noise.
5 They'll all be making noise. I brought the
6 same issue up, by the way, at the last hearing.
7 Even if you take ten of these units it will add
8 ten decibels above the level produced by one,
9 giving the density of these carriage houses.
10 Now, I'm not complaining about the manor homes
11 and traditional homes. I'm talking about the
12 carriage homes that are going to be very close
13 together. And I don't see where they are, but
14 I'm going to guess they're going to be in the
15 backyard. Now, when people are out in the
16 backyard -- or where are you going to put it?
17 In the side of the house? I'm not quite sure,
18 because it doesn't say. Those -- they're going
19 to be sufficiently close together that you will
20 have the ambient levels are going to be much
21 higher than as I pointed out the last time,
22 nine times sound levels of 35 decibels
23 A-weighted, and we have tree frogs it goes up
24 to 55. But in absence of the tree frogs it's

1 going to be very well above the 35 decibels.
2 Now, yes, I think it'll be probably -- not that

3 the sound will propagate that part, it'll just
4 ruin the atmosphere of the community. People
5 are going to be listening to these air handling
6 units on their back porch and it's probably
7 going to have levels well in excess of 60
8 decibels, 65, maybe even 75 db's. I don't
9 know. Because it doesn't show where the air
10 handling units are going to be. I do see
11 they're going to be very close together. So
12 the issue of noise, which I think is not
13 addressed probably in this document, needs to
14 be further addressed. In the document, and I
15 did read it thoroughly, went to the library and
16 read it, and it apparently, as far as I could
17 see, 3.2.5.4, Section 4.2.5 and Section 6.2.3,
18 the only sections in this document that deal
19 with noise. And they say that outside of
20 traffic noise and construction noise, noise is
21 not a problem. Well, I beg to differ with you.
22 I think it probably is going to be a serious
23 problem, and the background of the rural
24 community is going to be ruined. Now, far, far

1 away, of course, it's all going to go down and

2 you're not going to hear it. But those poor
3 people living there, it's not going to be rural
4 at all. It's going to be suburban levels. And
5 I think there will be noise impacts and I think
6 it needs to be studied. Now, I am not -- by
7 the way, I get money to do this. I have to
8 write Environmental Impact Statements, I appear
9 in court, I'm here -- nobody is paying me here
10 to sit here and do this. I'm just providing
11 some counsel on this having sat over there and
12 looked through the document, having to write
13 some of these documents, and I think we need to
14 consider more impacts than construction noise
15 and traffic noise. Thank you.
16 BRENDAN GALLIVAN: Brendan Gallivan,
17 Deepkill Road and president of Gallivan
18 Corporation on Oakwood Avenue. I would like to
19 speak on behalf of the project. I have
20 opportunities as a business owner that I deal
21 with Marini throughout the different
22 communities; Cohoes, Latham, Clinton Park.
23 Their focus on quality would be very beneficial
24 to this community. As working with different

1 contractors I've had the opportunity to have

2 some unpleasant dealings with builders. And
3 they're very respectable on their curb appeal
4 end of things. That's a priority. The overall
5 effect of the project, the landscape, how it
6 looks when it's done is first and foremost to
7 the Marini's. They have a saying, building
8 landscapes for life. We're a landscape
9 contractor working along with Marini and they
10 are constantly talking about how it looks in
11 the end. They don't want to just blow into a
12 community and pop up some houses and leave.
13 That's not what they're about.
14 My second dealing was just most recent,
15 Deepkill Road. I asked the Marini's to come to
16 Brunswick to build me a home. My brother did
17 also and we had one of our friends that
18 actually asked them. I asked the Marini's to
19 come because I was so enthused with their focus
20 on quality, overall customer satisfaction.
21 I've seen other people experience that, and I
22 encourage anybody to take a look at our homes
23 on Deepkill Road for the quality of the home
24 they built. Thank you.

1 MIKE KEENAN: Good evening. I'm Mike
2 Keenan. I live at 43 Madonna Lake Road.
3 That's in Grafton, but I'm in the Brittonkill
4 School District. I won't belabor tonight
5 because it's late, but I will ask one question
6 of the Town Board. I note in the draft EIS,
7 the a copy that I assume all of them, on the
8 bottom of each page there's a little notation
9 of where the file came from. And in particular
10 it ends contents.doc, D-O-C. I assume it's a
11 Word file. I know it's from some word
12 processor. It's very simple to print this out
13 into an Adobe file, PDF file, and put it on the
14 town website. I've heard this asked at other
15 public hearings and I'm asking it again
16 tonight. To please for all of these EIS's, to
17 ask the developer to send an Adobe file. The
18 software, if you have to buy it, is only about
19 $400. But you buy Share -- you can get
20 Shareware on the internet for free. I
21 appreciate all of the copies of the draft EIS
22 that was put here in the library, here, there
23 and everything. But if it was up on the
24 internet it would be much simpler for all the

town residents who at least have internet access to get access to this. I'm requesting that that be done again, just ask the developers to send you an electronic copy, either as an Adobe or the town go off and purchase the software itself and just turn all of these things into electronic files that can be easily reviewed by the town citizens. Thank you.

MR. POLETO: Anybody else?

SHAWN GALLIVAN: I'm Shawn Gallivan. I'm at 158 Deepkill Road and I'm the president of S.N. Gallivan, LLC on Oakwood Ave., and I want to speak on behalf of the project. And first and foremost say that I think we got a pretty good Town Board here in whatever decision they wind up making on all of the projects. I think we have a highly educated staff here that'll make the best decision for the whole community. I've had the experience as well to work with a Marini's on different projects. I've experienced them from both sides, from a homeowner as well as a vendor. I watched them work tight with the community, I watched to

1 make sure that he had the right needs for the
2 community, the right aspects for the community.
3 They look at the landscape quite heavily. I
4 think as all-around developer we've got a good
5 person to join our team. The team being the
6 Town of Brunswick. As we grow, things are
7 going -- we are going to have some new homes
8 pop up. With the new homes, I mean it's not
9 right for us to tell people, hey, you can't
10 build a home in Brunswick. I'm 32. For 32
11 years I've been in Brunswick. A lot of people
12 sitting in the stands I don't believe have been
13 here for their whole life. They had the
14 opportunity. I think we ought to give the
15 opportunity to others. Thank you.
16 MR. POLETO: Thank you.
17 TIM BOLOGER: I'm Tim Bologer. I'm on 446
18 on McChesney Avenue Extension right across from
19 the entrance to this development. My family
20 farmed that property for 60 years, from 1906 to
21 1960. And when they were done we got jobs. So
22 it's still the same land it was when it started
23 in 1906. I get up every morning, I drive down
24 to McChesney Avenue Extension onto McChesney,

down Route 7, up alternate Route 7, down Route 87, I get off of exit 2W, I go up three lights, I take a left at Jupiter Lane, I take another left onto Walker Lane and then I take a left onto Fritz. I believe you're on Petra. Okay. So I drive Central Avenue every day. I don't think Bob Marini lives near Central Avenue, and I prefer not to live near Central Ave. in Brunswick either. Thank you.

EVERT KNEER: Good evening. My name is Evert Kneer. I live on 361 Moonlawn Road. I have been a town resident for almost 60 years, my family, my grandfather and so on. You know I can't believe what I'm hearing here. The problem here is, is that you people got a lot of good things you said, a lot of sensible things you said. But if I felt the way you people felt, none of you would've been here, most of you wouldn't have been here, because I wouldn't have wanted you here. I have the utmost respect for the Town Board, the Planning Board and the Zoning Board, and I've just been looking at the state police barracks what they put up, the stuff they've done in the town is

1 outstanding. And I'm talking from a person
2 that's got a lot of experience and I don't
3 pretend to know it all, but I'm going to say
4 this. I don't have a problem what you're
5 feeling like you feel about you don't want more
6 growth.
7 MR. POLETO: Hold your thought. While Sue
8 is doing that, we also got your new machine for
9 the new Town Hall, which we won't have the
10 tapes. It's all going to be digital. We'll
11 have 800 minutes. 30 hours. So there won't be
12 every 30 minutes I'm flipping the tape here.
13 EVERT KNEER: What I'm trying to say is I
14 don't mean to offend anybody personally. It's
15 just the way I talk if you don't know me. But
16 this is how we come along. You know where I
17 stand on it. If you call me a 3:00 in the
18 morning for a tow job, I'm the same guy I am at
19 3:00 in the afternoon. I'm not made out of
20 plastic. I don't know any other way to tell
21 it. You got a dilemma here, all right.
22 Because the town is growing and growing and
23 growing, and listening to all these people, but
24 you're trying to stop this dilemma at somebody

else's expense. The Smart Growth sounds like a good group. Well, the didn't knock on my door. I wish they did. They're neighbors of mine. They walk down the road and I wave to them. They don't wave back, because in the nature of my business it's not too beautiful looking. They like me as a person, but they don't particularly like the type of business I run. Okay. Well, I've helped most of the people in the town and I'll continue with my family to do so. But the thing of it is, the Smart Growth ought to knock on the doors instead of getting petitions for donations and start buying some of this land and we'll keep it rural the way you want it. Until then you can't expect anybody to knock on your door and tell you what to do with your property and take away your retirement from you. It wouldn't be fair to you. You people work hard, you've invested in nice homes and when you get ready to sell them I guarantee you're not going to sell them what you paid for them. Okay. But we have a little bit of jealousy here if you listen to everything and that's not how to solve the

1 problem. We need an organization if you don't
2 -- if you want to stop building, if that's your
3 motive, and it sounds like it, to go buy this
4 property at the value of it. Get three
5 appraisals and pay it, and then you own it and
6 you people can do what you want to do with it.
7 You can keep it Forever Wild, you can take care
8 of the tree frogs and you can worry about the
9 nonsense that somebody else wants to worry
10 about, but it'll be your problem and you can
11 pay the taxes on it. Or else you can let the
12 farmer who's been working for -- God. You
13 people are intelligent. For the 60's and 70's
14 milk prices, they work for about 70 cents an
15 hour. That's all right as long as they're
16 doing it and keep that land the way you want to
17 keep it, but the minute they want to do
18 something with it, you have a petition going
19 up. But everybody in here is going to get
20 their retirement. I have to -- to be honest
21 with you, I see their side. I can understand.
22 I've worked 18 hours a day for many, many days
23 and been criticized for it. But I'm just
24 telling you, I'm not crying and he ain't crying

1 either. He's just telling the facts the only
2 way he knows how to explain it. You know what
3 I mean? We educate our kids, we send them to
4 school, we sent them to college to go to the
5 Space Age, yet we don't want the town to grow,
6 and I can understand that. I agree with a lot
7 of people. There's a lot of things here that
8 have been said that make total sense. But it
9 don't make sense doing it at somebody else's
10 expense. Buy their property. Get your
11 organization together, start buying this land.
12 You've tried it with the Wetland Act, you've
13 tried it with the Indian -- you tried it with
14 the Indian stuff, archeology. You've tried it
15 with all kinds of deals and you stole a lot of
16 it. But you can't steal it all. It's killing
17 you's. Just go out and buy it. Pay for it and
18 it's yours. You wouldn't like somebody telling
19 you what color shirt you got to wear. All I
20 see here is the beginning of socialism and
21 communism. You got to stop it. Wake up. Love
22 one another. Work with these things. If I
23 offended you, I apologize. But the truth, most
24 facts are brutal.

1 MR. POLETO: Anybody else?
2 JOE JABOUR: My name is Joe Jabour. I
3 live at 6 Kenworth Avenue, and I presently
4 serve on the Town Zoning Board. It's good to
5 see all of these people here tonight. And I
6 came here because of this project as well as
7 potential empty-nesters. I've been living in
8 the town for 20 years and we would like to
9 retire and get a smaller home. I don't want
10 the upkeeps. So out of all of the proposals
11 that came before the Town Board, the apartments
12 and all of the others, this seems to be more
13 something that I would rather do if want to
14 stay in the town. I'm an empty-nester, our kids
15 are grown. I don't plan on having anymore
16 children, and if my wife does then there's
17 something wrong. But I just want to say this
18 is -- I commend the Town Board for opening this
19 up. I got the proposals from the town at the
20 Zoning Board. We've listened to them
21 previously. They did point out some good
22 things. There are some questions that have to
23 be answered. Let their proposal -- let it take
24 its course so we can see where it goes. Maybe

1 out of these 190, they're going to put 140.
2 Maybe with your input they'll look this over.
3 Maybe some of the other ones might change. But
4 give it a chance, let it take it's course and
5 let some of the other people that want to stay
6 in the town as empty-nesters and live here take
7 advantage of it. Thank you.
8 MR. POLETO: Anybody else?
9 KEN HEWITT: I'm Ken Hewitt on 51 Hewitt
10 Lane. I've been farming there all of my. I'm
11 71 years old, and I just want to second
12 everything that Evert Kneer just said. People
13 want to hunt on our land, they want
14 four-wheelers on our land and when we want to
15 do anything for retirement, everything is
16 against us. Thank you.
17 MR. POLETO: Anybody else have anything to
18 say? If not, like I said when we opened up
19 this meeting -- go ahead, Andy.
20 ANDY JOHNSON: My name is Andy Johnson. I
21 just want to say a few things. I do work up to
22 Herrington's and I know what everybody is
23 saying, but a lot of stuff that's not coming
24 out that should come out. Like Shawn said,

1 they're taking from a 90 year old man. Nobody
2 knows that -- or they're not saying that they
3 bought the property and they -- and Sam and his
4 wife can live there until they die. And they
5 made sure when they bought this or sold -- or
6 what they're in the process of doing this, that
7 they're always going to have a place to stay
8 and nobody's saying anything about that. So
9 like I said, I mean that's some of the stuff
10 that's not coming out. It's just the bad stuff
11 and I think somebody should be bring that stuff
12 up. Thank you.
13 MR. POLETO: Anybody else?
14 EILEEN BONESTEEL: My name is Eileen
15 Bonesteel and I'm Sam's daughter, Samford's and
16 Flora's daughter. And they do have the right
17 to live there. However, there was like a
18 $50,000 credit, Ken, if I'm not mistaken that
19 was taken off for them to live there for rent
20 for the rest of their life. That's not true?
21 Okay. If it's not, I'm sorry. But I don't
22 have -- the point was brought up that Sam and
23 Flora could live there the rest of their life,
24 but there is a certain amount of money that was

1 set aside for rent or whatever. I thought it
2 was $50,000, but maybe it's not. I'm not sorry
3 if it's not that much, but I'll have to look it
4 up. But I mean they are -- they do have the
5 right to live there, but they have sacrificed
6 some too. Thank you.
7 MR. POLETO: Anybody else? If not, like I
8 said, when we first opened this, we'll keep
9 this open. Feel free when you read this either
10 at the Town Hall or any other of the places
11 that it's out there, if you have comment feel
12 free to write down your comment and mail it the
13 Town Office. We'll make sure that everybody
14 who gets them, gets the response so you get it
15 right into the record. We'll reconvene on
16 December 29th. We'll consider where we're
17 going to do it though. All right. And stay
18 tuned. We'll let you know. Hang on before you
19 leave. I'm not totally done yet. I want to
20 turn it back over to Andy Gilchrist for one
21 minute.
22 MR. GILCHRIST: We've heard the date that
23 the public hearing will be reconvened, that's

24 December 29. The location will be determined,

1 it'll be discussed by the Board. This will be
2 renoticed. It'll be in the paper, it'll be
3 posted at the Town Hall, it will be on the town
4 website. Please look for that as to, you know
5 the date and time, as to where the location
6 will be for the public hearing. So it will be
7 noticed adequately so that you know the
8 location. And I would repeat what Mr. Poleto
9 said; if there are written comments, those can
10 always be submitted prior to that date and also
11 after that date as well, and that will be
12 reviewed on the 29th.
13 MR. POLETO: Thank you, Andy. I want to
14 thank everybody for coming out tonight, and
15 we'll see you on the 29th. Do we have a motion
16 here?
17 TOWN BOARD MEMBER: I'll make a motion to
18 adjourn.
19 MR. POLETO: All in favor?
20 (Yeh's)
21 MR. POLETO: Motion is carried.
22 (Whereupon the proceeding in the above-entitled
23 matter concluded at 9:00 p.m.)

C E R T I F I C A T I O N

I, DIANE DALY-GAGE, Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify that the foregoing record taken by me at the place and date noted in the heading thereof is a true and accurate transcript of same to the best of my ability and belief.

_____
DIANE DALY-GAGE

Dated: December 26, 2005

TOWN OF BRUNSWICK TOWN BOARD

HIGHLAND CREEK PLANNED DEVELOPMENT DISTRICT (PDD) APPLICATION

STENOGRAPHIC MINUTES OF PUBLIC HEARING conducted in the above-entitled matter on the 29th day of December, 2005, at the Brunswick Central School District Auditorium, 3992 NY2, Troy, New York, commencing at 6:47 p.m.

TOWN OF BRUNSWICK BOARD MEMBERS:

Councilwoman	CAROLYN ABRAMS
Councilmen	CARL CLEMENTE
	PATRICK POLETO
	SAM SALVI
Clerk	SUSAN QUEST-SHERMAN

PLANNING BOARD MEMBERS:

Chair	SHAWN MALONE
Members	MICHAEL CZORNYJ
	KEVIN MAINELLO
	RUSSELL OSTER
	DAVID TARBOX
	JOSEPH WETMILLER

APPEARANCES:

ANDREW W. GILCHRIST, ESQ. - Town Board Legal Advisor
BOB MARINI, JR. - CEO of Marini Builders
LEE ROSEN - Marini Builders

1
2 P R O C E E D I N G S
3 MR. POLETO: All right. We are readied to
4 proceed. All raise for the Pledge.
5 (Pledge of allegiance.)
6 MR. POLETO: I want to welcome everybody to
7 the meeting. We got more room here. It is not a
8 bad facility.
9 At this point, I would like to call upon
10 our Town Clerk to read the notice for this meeting.
11 MS. QUEST-SHERMAN: Public notice. Notice
12 is hereby given that a public hearing will be held
13 by the Town Board of the Town of Brunswick on
14 Thursday December 29, 2005, at 6:30 p.m. at
15 Brunswick Center School District auditorium, 3992
16 NY2, Troy, New York 12180, pursuant to Section 10
17 of the Zoning Code of Town of Brunswick, and also
18 pursuant to the State Environmental Quality Review
19 Act(SEQRA), and it's implementing regulations at 6
20 NYCRR Part 617, to allow public review -- excuse me,
21 to allow public comment on the application submitted
22 by Landmark Developing Group, L.L.C., for the
23 proposed Highland Creek Planned Development District
24 (PDD), which is a proposed 190 lot residential

1 subdivision, consisting of 39 traditional
2 single-family homes, 21 manor homes and 130 carriage
3 homes, and located on 210.13 acres of land situated
4 on the northeast side of McChesney Avenue Extension,
5 south of its intersection with McChesney Avenue.
6 The property is currently zoned agricultural (A-40).
7 The application has been submitted pursuant
8 to Section 10 of the Zoning Code of the Town of
9 Brunswick for a Planned Development District (PDD.)
10 A Draft Environmental Impact Statement (DEIS) has
11 been prepared by the Landmark Development Group,
12 L.L.C. for this action, pursuant to SEQRA. The Town
13 Board of the Town of Brunswick, as SEQRA Lead
14 Agency, has accepted the DEIS as adequate for public
15 review, and a notice of completion has been filed.
16 The public hearing will allow comments on the PDD
17 application and DEIS. Copies of the application
18 materials and DEIS are available for public
19 inspection during regular business hours at the
20 following location: Town of Brunswick Town Office,
21 339 Town Office Road, Troy, New York 12180.
22 In addition, a copy of the DEIS is also
23 available for public inspection during regular
24 business hours at the Brunswick Community Library,

605 Brunswick Road, Eagle Mills, New York 12180. All interested persons will be heard at the public hearing dated December 1, 2005, Brunswick, New York, the Town of Brunswick Town Board, by Patrick Poleto, Town Board member. And that was placed in the Troy record on December 8, 2005.

MR. POLETO: Thank you. This is a continuation of the November 28 original public hearing. So if you got up at that public hearing and spoke, we do have a copy or we will have a copy of what was said, so we don't need to rehash everything that was said tonight.

At this point, I would like to call on Andy Gilchrist to let you know where we stand on the projects.

MR. GILCHRIST: Very briefly, just to reiterate where the project stands, this was reviewed at the November 28 meeting as well. This application was submitted by Landmark Development Group for the Planned Development District. As you just heard in the notice, this action is being reviewed pursuant to SEQRA, and the draft of our Environmental Impact Statement was accepted as complete. And again, what that means under the

regulations, is that the document addresses the issues that were identified in the scoping document, identified all the issues that need to be addressed in the impact statement, and that it was active for public review, inspection and comments.

The public hearing tonight is both on the plan development district application itself, as well as the content of the draft Environmental Impact Statement. Comments were received when this public hearing was opened on November 28. I'll reiterate what Mr. Poleto said, in that, a transcript was made of the comments of the November 28 public hearing. Tonight is a continuation of that hearing. You will hear a brief presentation by the applicant, over-viewing what the project was all about.

If you had the opportunity to be present at the November 28 meeting and heard the presentation and offered comment, those comments are already on the record, will be fully address by the applicant, and considered by the Board in reviewing the application.

The purpose for the continuation of the hearing was not to repeat those. If you did not

have the opportunity to be at the November 28 meeting, of course all comments are received.

In addition, if there are any new or additional comments that you wish to place on the record that may have arisen between the 28th and this evening, by all means, those comments are to be received as well.

Ones those comments are received, the next step in the process will require the applicant to consider all the comments received and respond to them, address all of them. If there were questions, they will be answering the questions. If comments were placed on the record, addressing the comments and explaining more about the project. That's a document we call a final Environmental Impact Statement. That likewise will either come into the Town Board for approval and completeness, and that determination will be whether this applicant has fully addressed all of the comments received by the public on their initial document.

So, you must keep in mind this record is not complete on this application yet. This Town Board, as I've advised the Town Board, makes sure this record is complete in terms of adequacy of the

draft EIS, addressing the comments identified in the scope, listening to all public comments received, both at the public hearing and as I'll mention in a moment, any written comments that have been received, ensuring that the applicant has fully addressed them before any determination is made on the application. It's not in compliance with the SEQRA regulations to make a determination until that record is complete.

Written comments. Written comments have always be allowed in the application. Once a public hearing is closed, the SEQRA regulations also require a written comment period following the close of the public hearing. So, once this public hearing is closed, there's still an opportunity to submit written comments, if you have not been able to attend the public hearing or for whatever reasons have not gotten up to speak at the public hearing and put your comments on the record. So, please keep in mind that there is the ability to submit written comments through a date established by the Town Board once the public hearing has been closed.

And with that, again, a stenographic transcript is being made of tonight's meeting to

make sure that the record is complete. So, when you do come up to give comments, again for the record, place your name and address. Thank you.

MR. POLETO: As Andy said, if you come up, we need to have your name and address and clearly stated so the stenographer can get the spelling right, because we've had questions in the past about spelling of some names.

At this point I would like to call upon Landmark Development to give a brief recap of what's going on.

MR. ROSEN: Thank you very much. My name is Lee Rosen, and with me tonight is Bob Marini of Marini Builders and Ivan Strahall, who is our project engineer. We are going to just give a quick overview of the project. Bob is going to then explain the types of homes that we will be building and then we'll move onto the public comment period.

The Highland Creek Planned Development District would feature a variety of single-family homes designed around an integrated open space system that would include land for active and passive recreational use, as well as land to remain undeveloped.

Just briefly, as was mentioned, the site for Highland Creek is 210 acre parcel of land located on McChesney Avenue Extension, at its intersection with Bonesteel Lane, which is about three quarters of a mile south of the intersection with McChesney Avenue. The homes planned for Highland Creek will include 130 carriage homes, which are single-family detached homes, ranging in size between 1400 and 2200 square feet, specifically designed for the empty-nest owner; that is, the owner who desires single-family home ownership, but less in the way of exterior ground maintenance, with lawn mowing, snow removal and other services provided through the community.

The community will also include 39 traditional single-family homes, designed to appeal to the first time and move-up home buyer, ranging in size from 1800 to 3200 square feet. As well as 21 manor homes, which are a collection of premium value homes ranging in size from approximately 2000 to 3500 square feet, designed to appeal to the luxury high-end home buyer.

Highland Creek's open spaces will be owned by a homeowners association to be created for the

1 community and include approximately 135 acres of
2 land, or approximately 65 percent of the site, with
3 walking trails, active and passive recreation areas,
4 as well as other lands to remain undeveloped. The
5 master landscape plan will be implemented for the
6 community, and these sections will also be placed on
7 the lands owned by the Highland Creek homeowners
8 association, for their long-term maintenance and
9 protection, as well as upon individual homes to
10 provide architectural control.
11 Just turning to the site plan, which was
12 displayed on the screen, the entrance, the main
13 entrance will be from McChesney Avenue Extension,
14 which you see on the far extreme left of the site.
15 There will be an entrance road coming into the site
16 that will have a master landscape plan designed for
17 it. That road will break off into two roads; one,
18 to serve the carriage home section of the community,
19 and another will bring the residents back to the
20 traditional single-family homes and the manor homes.
21 Again, a master landscape plan will be
22 implemented for all of the common areas, as well as
23 for individual homes. We have a blow up, for
24 example, of one section. This is a section of the

1 carriage homes. You are looking at a bird's-eye
2 view. It will be community features. As you are
3 looking down at a rotary, which will have a gazebo
4 which will be a community gathering area, as well as
5 other areas for community gathering within the site.
6 At this time, I'll turn the presentation
7 over to Bob, who will describe the homes.
8 Thank you.
9 MR. MARINI: My name is Bob Marini, and I
10 am the CEO of Bob Marini Builders. My family has
11 been building new homes in the area since 1947. I
12 am the third generation home builder. We have
13 experience in building over 2000 homes in over 30
14 counties throughout the region, and I would like to
15 think that we have the experience and the knowhow to
16 build a project of this magnitude, to build a
17 project like this in the town of Brunswick, which we
18 feel is a very desirable place to live.
19 I would like to talk a little bit about the
20 homes that we are going to build here and show you
21 some photographs of actual homes that we're building
22 in other communities, which will actually be the
23 types of homes that we'll build in Highland Creek.
24 Starting off with the manor homes, which

1 would be the highest price-range homes within the
2 community. There will be 21 of these, and they are
3 designed to appeal towards the luxury home market,
4 those buyers who are looking for their second and
5 third home. They will range between 2000 and 3500
6 square feet, and these homes are situated towards
7 the rear of the property, which boarders up to the
8 golf course on the northerly side of the project.
9 The home sites here are the largest of the home
10 sites that are within the community, and they
11 average two-thirds of an acre, and the lots are
12 typically no less than 100 feet.
13 This is an example of a manor home. This
14 house is about 3,000 square feet. And what we do
15 with the homes, is we mix the textures. So, we
16 provide appealing streetscapes, so that we avoid
17 that, quote unquote, that cookie cutter look.
18 Moving onto the traditional homes. The
19 traditional homes are geared towards the first-time
20 home buyer and the first move-up buyer. These homes
21 are 1800 to 3100 square feet. You are looking at
22 photos of actual traditional homes that we're
23 currently building in another community in the area.
24 The minimum lot size here is 90 feet wide by 130

1 feet. And within the PDD, we are able to maximize
2 our use of the lots and allow for side yard setbacks
3 as small as five feet, which allows us to put side
4 entry garages. And we end up with averages of 35 to
5 40-foot spacing between homes. These homes will be
6 built on an average of about .4 acres or around
7 17,000 square feet.
8 This is an example of a traditional home.
9 Again, we use different texture on the outside. We
10 combine shapes and stone and we use different color
11 schemes so that when you do drive down the street,
12 that streetscape has the appearance of more of a
13 custom look than a cookie cutter look.
14 The carriage homes, finally the carriage
15 homes, are designed for the empty nester market.
16 And by design, these homes are designed for those
17 folks who are empty nester, whether they be single
18 individuals, they be couples who are empty nester,
19 their kids are gone. And the homes are primarily
20 designed with, they are all designed with master
21 bedrooms on the first floor. We have three ranch
22 plans within the -- four ranch plans between 1400
23 and 2200 square feet, and one plan that has the
24 master bedroom down and two bedrooms upstairs.

1 These homes are built on lots that are 55
2 feet wide by 130 feet deep. Our homes are 40 feet
3 wide, so that will allow for an average of 15-foot
4 spacing between the homes.
5 Here is another example offer a carriage
6 home. This one has a master bedroom on the first
7 floor. And again, you could see the use of the
8 colors and the textures on the outside. So when we
9 are done, not everything is done with just vinyl
10 siding. We've introduced brick and stone and all
11 kinds of things that you would want to see on a home
12 that would have a custom appearance to it. We have
13 architectural diversity built into your products so
14 that when we offer four plans, we have three or four
15 elevations that go with those homes. So that we
16 could build the same plan or put a different
17 elevation to it and have it look entirely different,
18 and what you are looking at screen here is example
19 of two homes that are identical in floor plan, but
20 yet we could achieve two totally different looks for
21 that home.
22 And then an example of a carriage home,
23 because it is an increasing growing market for the
24 empty nesters, the demographics just dictate that

1 this is the market segment that is vastly
2 under-served within the Capital Region. And in
3 many, many towns, and this gives you an example of
4 the first floor plan of what this market is looking
5 for, generally one floor living, smaller homes,
6 maintenance-free exteriors, and having all the
7 landscaping, all the amenities, all the landscaping
8 the snow plowing and all of those things rolled into
9 a homeowner's association that takes care of it for
10 them.
11 This is just a slide of the example of what
12 a typical streetscape in some of our communities
13 might look like. We use things such as corral
14 fencing and stone pillars, and we do give back to
15 the land in terms of adding a lot of landscaping.
16 We go above and beyond to make sure that the
17 streetscape is really pleasing, and is something
18 that we're proud of and the people who live in the
19 community are proud of, and the people who make
20 decisions to have communities like this are proud of
21 it as well.
22 And with that, I would like to say thank
23 you very much for the opportunity to speak.
24 MR. POLETO: Thank you. All right. Now,

we are open for the public comment period. Again, we have a transcript from the first meeting with everybody's comments, so if you have new comments, come on up to the microphone. We need your name and address, and speak into the microphone, because we are also taping the meeting up here and we got to pick it up on the PA system in order to get a clear copy on our tape.

So, first one up?

TOM WAGNER: Good evening. My name is Tom Wagner, I live at 66 Weyrick Road, in Troy, New York, in the Town of Brunswick, and I just had three thoughts that I wanted to share.

The first is, there probably has been a demographic study of what this will do to the school district and the school operating budget, and I would like to make sure that that's considered. I've lived here for 30 years and I've noticed that the taxes have never gone backwards, they've always increased somewhat monotonically. So, will this have the same effect? And how could that be contained? Because I think this sounds like a very nice project, but I think the community should be shielded from tax increase due to a project like

this.

The second concern is, what will happen to the traffic light infrastructure? The roads that lead to and from this region, I don't believe were designed with heavy construction vehicles in mind. And how will that be accommodated? And then, after the construction period, how will the additional traffic patterns effect the area? I don't know if this is really true, but the AAA says the average household has 3.4 cars. So 190, 3.4; that is 600 plus cars to the area, which is a fairly significant figure.

Also, related to that, it's not in the Town of Brunswick, but the Hoosick Street traffic is pretty significant. It's a main thoroughfare between the south and Vermont. There will be 600 more cars in that mix. How will that work? What will it mean to Route 2 as well? So, I don't know if those have already been addressed, and forgive me if this is redundant, but that's something that I would like to learn.

The other part, and maybe you got this now already, but it seems like this will be a self-contained community, so there will be water and

1 sewer service. Will that be a sustained district
2 that will be managed as a district and, therefore,
3 not involved with the tax base or the rest of
4 Brunswick funding water and sewer? So, those are
5 some concerns.
6 One suggestion I have, is to consider the
7 posting of a performance bond. As a study, you
8 should have a prediction, and a performance bond
9 could be put in place as an insurance policy to
10 accommodate any unforeseen expenses to the Town of
11 Brunswick in the future. It could be posted for a
12 five-year period, and if the study is rock solid,
13 there will be no additional expense, the performance
14 bond would not be exercised. If there were
15 additional expenses, the cost would be exercised. I
16 think that would be a nice way to contain the impact
17 of this.
18 And one final suggestion is, I understand
19 the study is available at the location and you could
20 go there during business hours. It might be very
21 useful to post that on the internet, at a site that
22 would allow the community a lot more access to it.
23 And I think it's very doable in a PDF file or some
24 form of that nature.

1 So, thank you.
2 MR. POLETO: Thank you. Next? Anybody?
3 LOUIS HUTTER: I'm Louis Hutter,
4 H-U-T-T-E-R, and I am at the 228 White Church Road.
5 I have not read the DEIS, I just don't have the
6 time. It's a thick volume and there are several
7 other applications. But, what I would like to get
8 clear, basically, and hopefully somebody from the
9 town has got the entire DEIS, and hopefully these
10 items are admitted.
11 One item, is that there's a number of
12 applications that are in now, plus the Wal-Mart.
13 It's a significant amount of development, and I
14 believe it's safe to assume that each of the
15 applications does not consider the growth of the
16 other applications, and also, the existing growth
17 from the existing zoning. And quite a few houses
18 will still be built in Brunswick.
19 As submitted, any one development might not
20 seem like a significant growth, but when you combine
21 them, I have been told that there's 1500 houses or
22 something supposedly to be built in the next two
23 years and are on the wall of proposals. And based
24 upon 5,000 district houses in Brunswick, that's

1 roughly 20 percent growth in two years, which is
2 very significant.
3 What I would like to have, is that all of
4 the DEISs should be combined into one, so that the
5 growth of each one, which is by the time one will be
6 built out, the other will be built out too, so there
7 should be really one DEIS for all of the
8 applications. And also the DEIS should consider
9 that the Town will eventually be built out. Our
10 zoning is based upon a certain final number of
11 houses in Brunswick, and the density of that will be
12 agreed upon by everybody. So, that should be the
13 baseline, and then the development district are
14 additional to that, and to come up with additional
15 development.
16 But the one thing I had done also is
17 started reading the Master Plans that had been
18 referenced by the applications, and I found one
19 error in it. There was a statement in the future
20 development of the taxes for both town and county,
21 helping to offset the increase of any taxes.
22 When we had the public hearing for the
23 Master Plan, the comment was made that that was
24 inaccurate. It was explained that, okay, there's

1 more taxes, but there's more services. Once we get
2 to a certain size, we have the police force, so on
3 and so forth. And if you look at all the other
4 towns around us, their taxes are similar, but they
5 have a lot more growth and a lot more density, and
6 it had been agreed by everybody that, basically, you
7 have more development, you still have the same
8 taxes, because there's more government services that
9 have to serve the people. And hopefully, that
10 statement and any of the other statements that were
11 in the public hearing, were addressed in the Master
12 Plan. Again, I couldn't finish reading the whole
13 Master Plan.
14 Another comment I have is our zoning and
15 our land use regulations, which is the Planning
16 Board. They date from the 1950s, and right now they
17 are under a total review, and I assume they will be
18 done shortly. But to, basically, consume an amount
19 of growth under the existing regulations is
20 unreasonable, because we are concurrently developing
21 the regulations. Any significant developments, I
22 feel, should be put on hold until our final zoning
23 and our final planning regulations are enacted,
24 because anything that we put in place now will be

with us for the next hundred years, and they should be reflective of what I consider to be our present requirements, which is what should be issued shortly.

All the developments that we have, including this one, I assume it's lit by street lights, and people are supposed to be walking around and so forth. That will cause light pollution and DEIS should consider that. People in Brunswick drive around at night, we are starting to have a light pollution problem. We have the nighttime glare problem from Albany and Troy. We have a whole lot of speed lights coming in, we have Action Chevrolet, we have the other developments coming onto Route 7. I have next to me the lights, they are so lit up at night on the side of the hill, it looks like a ski resort that has night skiing, that's how bright it is.

I found that, my experience, everybody says, "We'll put vegetation in and the lights will shine down to the ground only." But in the wintertime with snow cover, there's no vegetation, the light just bounces off the snow and goes back into the area, and a it's ruining our nighttime

vista. And any developments should, with the lighting and, basically, the reflective lighting off the ground especially should be considered, and somehow take care of.

And I feel the DEIS should also, basically, consider the requirements on the town services that will be needed; as, for example, I think there's 100 empty nesting housing here. We already have Grouse, which was supposed to be built for the elderly people in Brunswick. I don't know how many Brunswick residents moved into Grouse. If these are empty nesters here, ten years they are going to be elderly. If we start having an older population, a lot of services are needed, and I don't know how they would continue to live here, because there is really nothing for an elderly person to get by. We would have to have more elderly services, and have transportation. We have to have better ambulance service and so forth, and all of that should be considered in the Environmental Impact Statement. And, basically, like the elderly, all of the applications should be considered together.

Right now, it's my personal opinion that our whole infrastructure and the way that we

1 operate, we really can't handle a lot of
2 development.
3 At the first public hearing there was a big
4 sign on the wall, "99 people legal limit." We had a
5 couple hundred people in the room. So, if we do
6 develop too large, we are going to become like
7 Clifton Park. We are going to have to have vigorous
8 requirements, and I frankly like it the way it is.
9 It works well for the town that we have. I really
10 would not like to have to change the government and
11 have to get permits to do everything and so forth.
12 One thing about this development district
13 is, essentially this is the third largest
14 development in that immediate area. Each one was
15 considered by itself, but at one point I feel these
16 developments should be considered, when you have
17 several in an area, it should be considered as one
18 super development, and it really shouldn't be an
19 individual application. It should be a zoning. And
20 the area should be zoned for Planned Development
21 District. Not a single one has a variance for
22 zoning.
23 And from what I heard at the last meeting,
24 I have one comment regarding this particular

1 application. I think, to me, it looks like it
2 depends around the intent and desires of Brunswick.
3 I heard that there was comparison of the houses that
4 were proposed, versus the existing housing that we
5 built out. However, most of the site, I believe, is
6 unusable, it's wetland, stream or too hilly to build
7 houses on. And, basically, it looks like we are
8 going to get higher density housing in Brunswick
9 than the Zoning Board and the Planning Board has so
10 stated in the past.
11 A Planned Development District like this, I
12 believe the intent of the Master Plan was to put a
13 new commercial center, basically, confiscate areas
14 in downtown. We won't have a downtown. We have
15 maybe commercial residents, we have car dealers and
16 Price Chopper and Wal-Mart, but there's no offices,
17 there's really no restaurants and so forth that
18 downtown Troy has. And we have estimated that the
19 development district, we are supposed to be able to
20 walk to work. Everybody has to get into a car and
21 drive. It's just more houses. And I believe it's
22 not even access around 7, you have to go onto County
23 Road and drive around Route 7. And I just don't see
24 the access to the center of Brunswick that the

1 planning development district should have.
2 And my final comment is that, I don't know
3 what need does Brunswick have of a development like
4 this one. And the other one is, if we are
5 requesting a zoning variance, well, it should be for
6 Brunswick then. And if there is nothing in here
7 that can't be satisfied by our existing zoning,
8 there's no need for a new district. To me, it seems
9 like the development is intended for people on the
10 other side of the river, and I don't think we have
11 one to 2000 people that need houses in Brunswick,
12 and it looks like this development is spillover from
13 Clifton Park and so forth. I lived there, I moved
14 here because I like Brunswick. If I wanted
15 developments, large scale developments, I would live
16 over there, but thank you.
17 MR. POLETO: Thank you. Next?
18 DON LUND: Good evening. My name is Don
19 Lund. I lived on 26 Old Sea Road here in Brunswick.
20 I'll start straight out by thanking the Planning
21 Board. I have been in the industry for 25 years and
22 our last name is synonymous in construction for over
23 a hundred now. I too am a third generation, and if
24 I figure it out, that's a lot of years for one

1 person to be in their career.
2 As a third generation, we have held all
3 kinds of different titles in the construction
4 industry. We have been involved in planning boards,
5 zoning boards, consultants, advisors,
6 superintendents, foreman, and guys who just work in
7 the gang. We've worked on all kind of structures.
8 We've seen all kinds of developments, both in
9 housing and commercial. And one of the things that
10 drew me from the other side of the river to here, as
11 well as family, and I have immediate family, into
12 this town, is that this town is planned, they learn.
13 They look at mistakes, they analyze them and they
14 try to implement ways to make sure that they don't
15 make the same mistakes. I see that here. I've seen
16 that in other projects in this town. I've watched
17 it. I have some criticisms, but by and large,
18 everything I have seen with this particular project
19 is, by and large, one of the best proposed projects
20 I have seen to date. People will scowl, they will
21 have negative comments, but before I make comments
22 such as that with an attachment to my name, I have a
23 responsibility to that name, and that is not to
24 speak until I know what I'm talking about.

1 I've heard that it will impact the school
2 district. I am in the Brittonkill School District.
3 Automatically I think about, oh my God. But the
4 facts are, is that this impacts three different
5 school districts, not just one, three. The impact
6 to each school district, as from my experience, is
7 the lowest I've seen in a development structure.
8 Infrastructure, that's been addressed. As
9 taxpayers of New York State, we don't have much to
10 say about the infrastructure until we get an
11 infrastructure built in force and whether we want to
12 vote on it or not. Route 7 has been planned and
13 developed for many, many years. They just recreated
14 a new infrastructure on Route 7 with just these
15 kinds of developments and just this kind of
16 commercial growth in mind. These are people who are
17 experts in the field. If we don't have faith in our
18 experts, then what do we have faith in?
19 I have an engineering degree. It doesn't
20 make me an expert engineer. I have a construction
21 management degree. It doesn't make me an expert in
22 construction management. But what it does give me,
23 is a basis to make an opinion based on the
24 information given to me. Now, based upon the

1 information given to me on all the comments I've
2 heard, I've researched those comments and looked
3 towards them and brought out facts. And the facts
4 are, is that I heard comments that it's going to
5 impact the school district. The impact is far
6 minimal. In fact, the school district, this
7 particular one, Brittonkill, and I've reviewed this
8 one for quite some time, it's in a deficit. It's
9 running out of space.
10 The services, you get into the services.
11 We have the State Police, we have the State Police
12 barracks. The county, the Rensselaer County
13 Sheriffs, they are in a deficit for revenue. We are
14 not going to get it through revenues. We are not
15 going to get it through commercial properties. We
16 are going to get it through growth of residential
17 properties.
18 This particular type of residential growth
19 is one of the best kind of residential growths you
20 could have in a community. These are people who are
21 responsible that are going to be buying these homes.
22 They are not foreclosures. I came here 15 years ago
23 and there was not one single soul in this town who
24 was negative towards me building on farmland. The

1 farmland was sold, it was divided up into two acre
2 lots, and I built a quality home, and I'm very proud
3 of it. I'm in my second home now. I'm in the
4 middle of my second home within this town, with a
5 seven-year-old boy. I would like to make it a
6 second generation, a third generation, a fourth
7 generation of the Lunds here in this community.
8 I hope that I chose the right community.
9 It's a terrific community with terrific people.
10 Everyone here has been very, very welcoming and
11 outgoing. It's the kind of community I want to
12 raise my son in, and I hope he raises his family in
13 and we continue on for many hundreds of years here.
14 I've seen the other sides of communities, where we
15 take so many negative attitudes and we take so many
16 uninformed comments and we go from a zero to broke
17 attitude. And the truth is, it impacts the very
18 same people today, 30 years from now. The same
19 people who are diligent in paying their taxes, they
20 never have any resolve on the issues that are on
21 their table. This town has issues. Every single
22 town you're going to live in has issues. How we
23 handle them is what makes the town good or bad.
24 Look around you. I often hear this and I

1 see it, and this is true, "We don't want to be
2 Clifton Park." Certainly not. But these are the
3 things that I've seen in this town that assures us
4 that we are not going to be Clifton Park. I hear
5 comments about how we are going to impact the
6 quality of life of Brunswick. That would be saying
7 that when I came to Brunswick, I impacted the
8 quality of life. Is that a negative way?
9 I'm active in this community. I've
10 contributed back, and I will continue to do so. And
11 like I said, I can't see a better community that I
12 would want to be in in the Capital Region. I have
13 been all over this state. I've built all over this
14 state and the surrounding states. I could tell you,
15 we sit on a real gem here. This is a great town.
16 Be thankful. And quite frankly, I know it sounds as
17 though I'm all pro. There's always negatives to
18 everything, and don't think that I don't have my
19 negative thoughts about certain aspects of all of
20 these projects, one of them being traffic on Route
21 7. But the facts are, is that whether this project
22 goes through or not, traffic could increase on Route
23 7 by virtue of Vermont building larger and larger
24 communities. That traffic is still going to flow

through Route 7. That traffic is going to come up from New York City. So to use the statistical analysis --

AUDIENCE MEMBER: It is being diverted to Route 2 right now.

MR. POLETO: Just keep going.

DON LUND: -- to use the statistical analysis, let's make sure that as we make these comments, we get all the facts straight, and that we take everything in the environment into account.

I can only say this, I wouldn't be in favor of the project if I thought the negatives outweighed the positives. And having been a part of planning boards and zoning boards, having been a consultant of a number of communities, a free consultant, I would never attach my name to something that would disgrace my name, my heritage or my community. I live in this community. I'm residing in this community. I'm on my second home now, and I hope that I'm in my third home, and I hope that someday my kids and their kids are in their homes here in Brunswick.

And I could only say one more thing, is once again, thank you very much for the open public

hearings. Many communities do not have these.

And one other comment, and that is regarding the builder. For those of you who don't have any kind education or extensive information about builders, I've seen developers, I've seen them come and go. Mr. Marini stated he too is third generation. That means his name is on this. He is not looking to go anywhere, and he hasn't gone anywhere. I've seen their homes. By and large, you're not going to find a more responsible builder in your home town. I've seen irresponsible ones. I've looked at their infrastructure in the roads, how they impact the environment, the surrounding areas, what they take into account and into consideration, the style of homes. You can look at the architecture. These are all things that I was trained and skilled in. These are things I see on a daily basis. I know for a fact that they are one of the high-end of what the Capital Region has to offer in terms of builders.

So, we are very lucky that, in respect to having someone come here to apply to build in our town, that we have attracted someone on the upper end, someone who cares about whether the nail is put

in straight or crooked. It makes a big difference. Thank you.

MR. POLETO: Next?

BERNARD FLEISHMAN: My name is Bernard Fleishman, I live on Colehamer Avenue, Troy, New York 12180. I hadn't planned to speak up so soon, because you people know me too well already, as the Town Board. But, there are a couple of aspects of the previous speaker's comments that I think require some response.

First of all, the principal group in this Town that has been urging a slowdown, in effect a shelving of the current projects, until an overall Master Plan is developed, that group, Brunswick Smart Growth, is not Brunswick no Growth, it's Brunswick Smart Growth. So the claim that the opponents of this project or others are interested in no growth at all, is not justified, all right?

The question is, how will we develop it? An individual project may be very good. And frankly, I have no great objections to this project, except for the traffic that will be spilling into the roads that lead across to the capital district, to Route 7 and to Route 2 and to Pinewoods Avenue.

And that's a major concern of mine.

Incidently, if we are talking about expertise, some of us have some experience, a lot of experience, in relevant aspects of these projects. From 1976 to 1995, I was one of the directors of the Capital District Transportation Authority. All right, we ran a bus company, but we learned things in the process. We learned that when a community asks for some transportation, some public transportation like busses to come in, we would go there and find that the builders were all over the place. And in effect, it was often impossible to design a decent transportation plan, because there had been no overall prior planning for that area. And it's this kind of thing that Brunswick Smart Growth is asking.

We need a Master Plan, updated Master Plan, for this Town. We have to know where growth will take place and should take place, where open space should be preserved, and we also have to know how will transportation be handled, how will the traffic will be handled. What has happened with us now, is that the, as the previous speaker has said, the traffic on Route 7 grows and grows and grows. And

1 not only does it grow, but as one gentleman tried to
2 called out before, it spills over into other roads,
3 into Route 2. Not only into Route 2, into
4 residential neighborhoods along Route 7. There is a
5 severe traffic problem in this town. And to
6 consider planning, consider residential development
7 planning without giving attention to the aspects of
8 how people are going to get to where they need to go
9 and how they are going to do it without excessive
10 pain and waking and aggravation, that is an
11 essential part of the planning process.
12 But, our proposal, the Brunswick Smart
13 Growth, and again it's been said before and I
14 apologize for repeating myself, but we don't know
15 whether our proposals are being seriously considered
16 by the Town Board; that is, a proposal of the sort
17 that says it is too early to look at the individual
18 projects here. What we have to look at, what we
19 have to revise, is the process which you are
20 engaging in here; that is, looking at one project at
21 a time and not anticipating how these projects will
22 interact, how they will effect the traffic pattern
23 of the whole town, and then there is the existing
24 traffic problems that have dogged us for years and

1 years and years.
2 So, we urge again, respectfully, that the
3 process be reconsidered. That there be a shelving,
4 a delaying in approving any of the five proposals
5 that have been brought fourth, so that a serious
6 development of the Master Plan could be done in
7 which all residents of the Town could participate,
8 and to move forward so that we don't move into a
9 future of sprawl. That is the reference of Clifton
10 Park over and over. Well, it's not Clifton Park.
11 Most of the communities, most of the suburban
12 communities in the United States suffer from sprawl,
13 and they suffer from that because of unplanned
14 growth, haphazard development. The developer says,
15 "I want to build here." Okay, build there. "I want
16 to build there." Okay, build there.
17 The town should be able to say where things
18 will be built, so that we all can prosper and live
19 in a more beautiful and satisfying environment.
20 Thank you.
21 MR. POLETO: Thank you. Next?
22 KATHY BETZINGER: Hi. I'm Kathy Betzinger,
23 B-E-T-Z-I-N-G-E-R, from 1 Valley View Avenue -- 1
24 Valley View Drive, sorry, Troy, New York 12180,

1 Town of Brunswick.
2 I am not opposed to development either.
3 Actually, this plan does look very nice. I know of
4 the builder, I've seen his homes, and it's done very
5 well. My concern is the same as we have been
6 hearing, you know, consistently, of the cumulative
7 impact of five plans, all which will require zoning
8 changes. And having one go through, having the
9 zoning changes on that, how is it going to effect
10 the others? Is it going to set a precedent? Is
11 this going to mean that once you approve one, it
12 automatically means the next is going to be
13 approved, because so many things are similar to the
14 other plan and so on? It could get out of hand.
15 And the plans, all of the plans need to be looked at
16 collectively.
17 The town has to be smart about the
18 development of this very desirable area. We
19 obviously have an area where people are driving from
20 and to and going right through us. So, we could
21 make it so much more desirable. We could make it so
22 much more attractive, instead of doing it
23 haphazardly and then all of a sudden, you know,
24 oops, our property value is going down, and then

1 oops, look at that, it's really, there's so much
2 traffic over here. And all of those homes now,
3 which used to be worth a lot more, now all of a
4 sudden aren't going to be worth that much anymore.
5 And as they are talking about tax
6 increases, I am sure the town taxes won't be
7 increased, but the county, because of the
8 infrastructure, the water, the sewer, all of these
9 things, those taxes, once you look at the Rensselaer
10 County impact with the water and sewerage, that is
11 probably going to go up, as well as school taxes.
12 So, there is a huge impact to the residents
13 altogether.
14 The one gentleman that referred to
15 performance bond and requested that, that sounded
16 like a very good idea. I also would be in favor of
17 something like that. So, basically, there has to be
18 a plan. A plan, a plan, a plan. Everything should
19 be put on hold, everything should be looked at,
20 because it's obvious everybody wants to come here.
21 So, once we know that and everybody is, you know,
22 anxious to come here, that's when we need to be
23 smart and make a good plan and to step back.
24 As the Iroquois say, seven generations; we

should be looking seven generations ahead, not just for the here and now, not just for people like we see what's going on with our administration; planning things and doing things for just their term or to get reelected. We should be looking at our children and our children's children and so on.

And so, I really do think that the town has to be very careful and look at this very carefully, and either hire somebody or look at the whole plan altogether. So please do a good job. That's what we wanted you there for. Thank you.

MR. POLETO: Next, anybody? The mic is open.

JAMES J. BREARTON: My name is James J. Brearton, B-R-E-A-R-T-O-N. I live on Four North Star Drive, Brunswick.

I am here to voice my opposition to this project and the other pending projects. It's similar to betting against the Giants, I win even if I lose. If this project with the multi-family homes is approved, like the other apartment projects and housing projects, if they are approved, I am sure a lot of democrats will move to Brunswick, and that will make me very happy. But, I am opposed to this

project, as well as the others, because I want to support my neighbors. They, most of them living in single-family homes, are quite surprised when they learn that people are proposing to build multi-family homes on farmland. And when they move there, I am sure they didn't think that they would have apartment buildings and multi-family homes and a Super Wal-Mart right next to them. I certainly don't think people who built brand new single-family homes on Betts Road would think that a Super Wal-Mart would go there, and I'm sure they are very upset.

And I don't think anybody here wants to get up a half an hour early to go to work. And we know how crowded Hoosick Road already is. And when these projects are approved, you could bet it is going to take a lot longer to get to work. East Greenbush is fine, North Greenbush is fine, very lovely communities, but they have I-90. Brunswick doesn't have I-90. I mean, Clifton Park is fine, lovely community, but Clifton Park has got the Northway. Brunswick doesn't have the Northway. All Brunswick has is Hoosick Road, which even though they caused businesses up and down Hoosick Road great

1 inconvenience when they put a center turning lane
2 in, that's not going to alleviate the traffic that
3 is going to be caused by these projects. And I
4 don't think anybody driving down Hoosick Road wants
5 to face another street light. So I would certainly
6 urge you to encourage Phil and Kevin Herrington to
7 modify this proposal.
8 The multi-family homes, I believe, will
9 cause an increase in school taxes, and that is an
10 additional factor. Of course, we like Phil and Kev,
11 but I believe that this proposal could be modified
12 and have a much lesser impact on the beauty of the
13 community.
14 So I urge you, encourage them to modify or
15 withdraw this proposal. Thank you.
16 MR. POLETO: My name is Jude Tyrrell, last
17 name spelled T-Y-R-R-E-L-L, and I live at 441
18 Moonlawn Road, in the Town of Brunswick. I have
19 lived in this location for 46 years. We brought up
20 our children here and they have attended Tamarac
21 School. We have always loved this town and the
22 surrounding countryside. I am a senior citizen over
23 80, living in the town and maintaining a home on a
24 few acres of land. I would not be able to do this

1 without the support and help of my family, who also
2 lives in the town.
3 Many seniors do not have this kind of help.
4 I would like to speak to the needs of seniors from
5 the age 70 and up, and in particular, their housing
6 needs. I belong to a senior group whose membership
7 is composed of about 75 percent women over the age
8 of 70, who are living alone and still trying to
9 maintain a home. Some of the men in this group are
10 also doing the same thing on modest incomes. It
11 appears to me that the cost of living in this
12 development for most seniors would be prohibitive.
13 However, we don't really know all about what that
14 cost will be as yet. So, how can anyone make
15 informed decisions at this time? We need more
16 specific information from the developer and
17 especially the Town Board, concerning all aspects of
18 the development. Will there be hidden costs that
19 are not now mentioned in the plans or have not been
20 mentioned at any of the public hearings?
21 The seniors in this town need safe,
22 affordable housing to live out their later years in
23 comfort and without the worry and cost of
24 maintaining a home. We don't know if this is it or

not. We need to make informed, rational decisions about the future of development in Brunswick. This cannot be done overnight. I urge you all to take a good hard look at who is making decisions for this town; the developers or our own Town Board? Thank you.

MR. POLETO: Next?

TOM MENDRO: My name is Tom Mendro. I live at 467 McChesney Avenue Extension, Troy, New York 12180. I live not too far from this development, proposed development. And I am going to speak directly about this development. I live up the hill from this. You can't go much higher on the McChesney Avenue Extension where I live. And come around, I say maybe the 1st of September or thereabouts, I can't even cut the grass down to McChesney Avenue, because of the water. This rainstorm, maybe a hurricane goes through or something like that, we get some of the rain from that, and if I dare to go down, I will stick that lawn mower of mine that has rear tires at least that wide, I just can't do it.

Down where this is, we see water. I have been out here 28 years, from the days when we used

to stop in the road and let the cows go across on your way home from church. Down where this is, we watch the water after the storms, and it seems to me it's just too wet down there. Because when they dig all of these foundations, imagine whether they are going to have crawl spaces or full basements, they are going to have water damage down there that is going to be unbelievable. And as I understand it, you can't run surface water, rainwater, that type of thing into the sewers. Where are you going to run this off? The only other place that you could go is into the Milky White Creek, and then into the Poesten Kill, which is not a good thing.

My father-in-law lived out in Lions Kill, and he was very heartbroken when he found out that I wasn't going to take his house when he no longer wanted it. But the problem at his house, was that he had a crawl space and it had three or four foot of water in it eight months of the year. And that's all I could see for this project. I think it's a very, very bad thing. We've seen that water out near McChesney Avenue probably maybe a foot, foot and a half deep out in there, maybe even more than that, a big stretch of it. I don't see how you

could possibly dig all of these foundations. You've got a pond back there to start with.

As I say, I live up on more or less of a knob, but I've had to go back, and I've got 12 acres up in there. I've had to go back off that knob before a good time into the spring with my tractor and I am telling you, I am not going to get it out of there until it does dry up. So, that's the only thing I could see.

I realize I could hear all of these other comments about traffic. The other day coming home on Route 7, we kind of wondered why they spent three years rebuilding that road, because it took us just as long as it did four, five years ago to get from North Lake Avenue out to McChesney Avenue Extension.

So that's my comment on this. I just think the water is a real big problem there. It ought to be really looked at. I don't know how deep the water table is, but you could bet your sweet life there is a big difference from that water table when it's, say, the height of the summer, compared to the height of the winter. You're going to see a tremendous difference, and I know. I could see it all around me, because I am up on the knob, and

there's other places that I don't own that are around me, and I could see the water, the way it drains down, and that water lays there. I've seen people put in drainage ditches to try to get rid of it. If I hadn't foreseen the problem like this from living in another place, and had my contractor dig a trench so that all of my drains, foundation drains, could go out and down to the very, the lower parts of my property, I would be in real trouble, real bad trouble.

So, I don't know. This looks like a fish bowl to me, and I really, you know, I hesitate. I've been to both, two meetings so far, and I've listened, and I haven't really heard anybody address that water problem. And all you have to do is just go there right now and dig a hole down a foot and you'll see, you will have a well there. And I know you are bringing water in from the city. I know it sounds good, because my wife and I have talked about it, you are bringing city water in, you have a sewerage going out, but you also have to contend with just natural rain. God knows we've had plenty of that this year.

Thank you very much.

MR. POLETO: Next? Anybody?

RICK GUIRE: Hello. My name is Rick Guire. I live in Graphton, and I pay Brunswick school taxes. I realize these meetings are for the residents to voice their concerns so the Board can address them, most of the concerns being taxes, water, traffic, which can be addressed through statistics and studies and calculations.

What I would like to know is, how does the Board address the concerns of the feelings of the people who simply do not want to live in a community that's growing like this? How do you address that? That's subjective. That's the thousands of residents who say, "I've come to this area because of what it is; the rolling hills, the farmlands, the sparse density." And now all of a sudden we have, and it's not just this one project, and I think that Bob Marini, unfortunately, is being lumped in here, because everybody who knows Bob Marini knows he has got a fine name. The project looks great, the houses are beautiful, and it's not about that. It's about the people who are saying, okay, we're seeing what's happening; now it's one project, it's two, it's three, it's four, it's five. And people are

saying, "What's next?"

We set aside a hundred acres of unused land, which five years from now a Board says, "Okay we'll let you build on that, because, yeah, that looks good now." But my concern is, how does the Board address simply the subjective feelings of the people who say, "Well, we don't want to see this kind of growth"? That's not statistics, that is not a study. That's not something that could be resolved. Or do you simply say, "Well, this is what's going forward, and if you don't like it, move out to Burlin or Petersburg or somewhere where it's not happening just yet? So that's my concern, is simply how the Board addresses those subjective feelings of the people.

MR. POLETO: Next?

JIM CARR: My name is Jim Carr, I am at 619 Pinewood Avenue, that's C-A-R-R. My question is why, why is this necessary? We are not asking -- we seem to be saying, okay, the impact will be addressed this way or that way. Why is this necessary? The third generation of builder, I'm sorry, I didn't catch your name, who mentioned that when he came to Brunswick years and years and years

ago, he developed some farmland with two acre lots. Well, I congratulate you for that. If I heard Mr. Marini correctly, there is going to be 15 feet between houses, some of the houses in this project, and I hope I heard that correctly, Bob. (Speaker indicates.) That's 15 feet.

I am a relative new-be to the area. I moved in and bought a house that was for sale in 1987, so take that for what it's worth. I didn't build a house, I bought a house that came up for sale.

As Mr. Marini correctly points out, Brunswick is a desirable place to live. That's why we're here. That's why some of us built here, that's why some of us stay here, and that's why some of us move here. It will not be the same place with not only this particular project, but as I echo off of others' comments, the other projects that are on the drawing board and are up for review. I'll leave it at that.

I love living here. I love my neighbors, and I love -- once again, let me back up.

Mr. Fleishman correctly brought out the Brunswick Smart Growth. This is not a community

that wants no growth. This is not a stop. This is smart growth, and we are going to turn around in five to ten or fifteen years and say, "How in the world did this place get to look like this," if we don't do something about it now. Thank you.

DYLAN KEENAN: Hi, I am Dylan Keenan, D-Y-L-A-N, I live on 62 Moonlawn Road, and I have two main questions. The first question is, in what other rural areas have such a dense community been developed?

And the second question is, the DEIS states that the installation of these infrastructures, the sanitary sewer, the water distribution, wouldn't increase in the growth potential on adjoining properties or in the project vicinity. The question for the developer is, what does he anticipate the additional impact of the sprawl? Well, this brings up, of course, to reiterate, that the scope and scale of this development, combined with the other PDDs, demonstrates the needs to deny the pending applications, and for the Town to conduct extensive public hearings to revise and improve Brunswick's comprehensive plans, that will preserve the Town's rural character.

MR. POLETO: Thank you.

DONNA FORESTER: I have two questions for the developer, and then a couple comments for the town. Sorry, Donna Forester. I live on McChesney Avenue Extension.

I have two questions for the developer, and if there's somebody from the fire department, I hope they will take this up. But, there are two concerns in the DEIS that don't look to be answered. One was for a second road, which was said to be impossible, to come up off of Brunswick Road.

The second was for a second water hydrant, so you don't have dead hydrants. Right now the fire, according to the DEIS, water comes in from one direction in the hydrant, and the fire company stated that they are very concerned about this.

Thirdly, the size, the width of the access roads. Marini, Bob Marini, excuse me, described in the first meeting that the road would be narrower, especially in the carriage homes and with the sidewalk. When you have narrow roads, are these streets going to be adequate for fire and emergency services? It didn't sound promising, as I heard.

A comment about the school. I had met with

Theresa Snyder, for those of you who listen to the one speaker, she is concerned, especially as a cumulative effect of the two projects, Hudson Hills and this, plus other developments. So Brittonkill is not looking at a utilization. They are quite concerned.

To the Town, I want to ask one question. First of all, my own worry about this project partly is from the density of the very small lots, and with so many carriage homes. To me, it is not synonymous with Brunswick, and I'm really worried about the precedence that it will set. But what I wanted to ask this Town is, in the Master Plan it talks about clustering. It talks about clustering of homes as being useful for reducing the cost of putting in the infrastructure and reducing the cost for the homes.

Now, I think nobody here had any bad feelings about Grouse. In fact, quite the opposite. But having the DEIS at my house in storage, I got to read it a little bit more. The cost of these homes are going to be 290,000 for a carriage home, going all the way up to 400,000. Where is the savings? Are these homes that are really aimed at Brunswick people? The average tax is estimated in the report

1 to be $9,603, plus association fees. Who are these
2 houses being built for? It doesn't sound to me like
3 people within Brunswick are going to sell a house
4 for much less, mortgage up and double their tax
5 bill. So, thank you.
6 MR. POLETO: Anybody?
7 JULIA MACDONALD: Hi, I am Julia MacDonald,
8 M-A-C-D-O-N-A-L-D, at 192 North Lake, in Troy.
9 I have a couple of things. First of all, I
10 will fess up and tell you, I have not read the
11 Environmental Impact Statement. I trust that
12 Mr. Marini does a fine job. I actually have more
13 questions for the Town Board and how they are going
14 to handle this, and some of the other things. One
15 of my comments has to do with this coming out of
16 McChesney Avenue Extension.
17 When I was a little bit younger, and I
18 liked to drive fast, McChesney Avenue Extension was
19 one of the roads I considered fun. Oh boy, get out
20 there and zoom around the little hills and around
21 the little curves. Now I am a little older and I
22 don't see so well. I have friends from Clifton
23 Park. I get on a road like that, and I'm down
24 looking for the turn into the development where my

1 friends live. Scares the living daylights out of
2 me.
3 If you are going to put developments on
4 roads like this, what's the town going to do to make
5 those roads safe for people? All of those
6 empty-nesters, like myself, who don't see so well
7 anymore in the dark. Think about it, take yourself
8 out and drive around there, see where you get to.
9 So, that's one comment.
10 My second comment had to do with the
11 15-foot space between houses. I've seen those in
12 Florida. I trust the windows are appropriately
13 placed. I've got some fairly close neighbors two
14 doors over, and they haven't gotten around to
15 putting the curtains up in their bedroom yet. Just
16 think about that.
17 My third question has to do with how the
18 houses are built. We have houses built on
19 speculation, the house goes up, it looks lovely, it
20 may attract the right buyer, and we have houses
21 built to order, using existing plans, using standard
22 protocols that a developer has and so on. And I am
23 interested in which way this development, not just
24 this one, all of them, are going to go, because this

is a question in my mind of how many empty houses are going to sit in this town waiting for somebody who's got a couple hundred thousand dollars to spend to show up and buy it.

So, again when you are looking at these developments, I expect you to take a look at what's happening with housing starts in the capital district, in the county and in this area. I further expect that the Town will take a look at the zoning situation.

All of these developments that we have considered here are plan development districts that take them out of the zoning process, as probably a lot of the people here know. But at the same time, zoning process is going on, and people are requesting and getting approval for small developments, six houses, ten houses, twelve houses, putting those in place, and starting to build on those.

What's the total development picture? How many houses have started in Brunswick? How many houses have been approved to build in the last year? How many more are being approved outside of the Planned Development District? I think we need to

have an understanding above and beyond what is going on in the development district.

That's my biggest issues, I mean, it's really what we are doing here, where we are getting the people? How many houses are being built and how many houses are going to sit empty? How many lots are going to sit empty with the infrastructure put in place, with the water in place, the sewer in place, the roads in place, and nobody interested in building?

I'm assuming every builder comes in here optimistic and does his homework, in terms of what he wants and what he thinks is going to happen, but you get too many people coming in at once, and you're going to be fighting over the same people.

The capital district does not support high-end stores. When you talk to Filene's about the clothing that you see they are carrying, the clothing they are not carrying anymore; we don't spend a lot of money. And I don't think we are going to see it in housing either.

Finally, I am going to ask some consideration, and I ask the audience this as well, in terms of what we want in the community and the

1 development. You take a development like this, and
2 I like this one because it's not all the little
3 loopy things, the little curved streets where you
4 get lost, at least this piece isn't. Are there
5 sidewalks? If I am an empty-nester and I don't have
6 anything to do at 10 o'clock on a Saturday, could I
7 take a little walk in my community on the sidewalk?
8 Have I got someplace to go when I take a walk? I
9 could go to the gazebo, which is in the middle of a
10 traffic circle. I could walk to some of the land
11 that has been set aside and walk back. I can't walk
12 to the store to get groceries. I can't take
13 grandchildren, should I have any, to a playground
14 that's nearby. I can't get on a bus. I can't walk
15 to the bus stop, because the bus isn't going to come
16 in here. There is not going to be enough people to
17 bring the bus in, and I've heard that gentleman say
18 that, and he is right.
19 When you develop the city, when you develop
20 urban areas, you develop it differently. When you
21 develop a community like this, you put a bunch of
22 houses together and you hope that everybody makes
23 friends and makes nice, because they are all going
24 to deal with the homeowner's association. So, I ask

1 you, do you know enough about your planning? Do you
2 understand what's happening in the community? Do
3 you understand what's happening with gasoline prices
4 and fossil fuel, that you isolate people out in
5 these developments where they can't get anywhere
6 without their car? Do you isolate empty-nesters out
7 there, who may suddenly develop maybe a short-term
8 medical problem and they can't drive? Well, how do
9 they get in and out of this place when they are out
10 there? What do you do?
11 You know, supposing I have some surgery and
12 I am in a cast and I can't drive, am I trapped in my
13 house for six weeks because there's no way to get in
14 and out? Think about it. I mean, if we are going
15 to be a rural community, we are a rural community.
16 If we are going to be a semi-urban community or a
17 suburban community, then we need to think about
18 these other kinds of issues.
19 And finally, my last comment is, what does
20 it take to get a referendum on the ballots, to talk
21 about this development? I am not opposed to any of
22 these residential developments as a single entity.
23 I am opposed to the idea that we've got a whole
24 bunch going in at once. We have got zoning

1 proposals going at the same time, and we've
2 obviously got a lot of opposition, and I would like
3 to be able to write in officially on my position on
4 the fact referendum. So if somebody would tell me
5 how to do that, I would appreciate it. Thank you.
6 RAYMOND SCHMIDT: Thank you, my name is
7 Raymond Schmidt, 81 Liberty Road in Brunswick.
8 I would just like to amplify on some of the
9 comments. My primary concern is that there are
10 numerous developments being proposed, not just this
11 particular one, and I'm very concerned about the
12 cumulative effect. I think what this Board decides
13 over the next year or two will have profound
14 significance to Brunswick and its direction over the
15 next few years, and I should say the next couple
16 decades, over the next century, actually. So, I
17 would urge the Board to look at the totality of
18 these projects.
19 Having moved up from Rockland County, right
20 above New York City, I moved there in 1970. It was
21 very rural. Within 30 years it turned into a
22 Westchester County, since there's hardly any space
23 down there which hasn't been developed. I think we
24 have to take a good look at Brunswick and see what

1 we want from Brunswick over the next 30 years, and I
2 think this is the opportunity to do it. And
3 whatever is decided now, will have a profound effect
4 for the future. Thank you.
5 PETE MESKOSKEY: Pete Meskoskey, 168 Town
6 Office Road, M-E-S-K-O-S-K-E-Y. Thank you.
7 In the realm of public safety, I would
8 request that we do a study on power lines. I think
9 the short-term and long-term study on the high power
10 lines running adjacent to the that project should be
11 studied.
12 The other thing, I have a question for Pat.
13 We are doing some re-zoning, there's a study. What
14 is the estimated date of that, just a ballpark date?
15 MR. POLETO: Once we get the developer, the
16 engineering firm in place, they're figuring it is
17 going to be about ten months to a year.
18 PETE MESKOSKEY: Ten months to a year.
19 Okay, that is longer than I thought. What I am
20 going to request, is that we do some type of -- and
21 Andy will talk to you, I did talk to Andy about all
22 that -- but some type of DEIS, cumulative DEIS. I
23 requested this public hearing be held open. I
24 request that all public hearings be held open until

1 the Board could make an informed decision. I don't
2 know about you, but I'm overwhelmed, and I think you
3 guys need some help. I think you need to hire a
4 planner to help you to help us. You have an
5 opportunity to grow this town to greatness, and I
6 think that you can do it. And if you need my help,
7 you have it. And you have a lot of great people
8 here with a lot of great ideas, all of them, all
9 sides have great ideas. We could make this town
10 grow to greatness, it's up to you. Thank you.
11 VALERIE SCANLON: My name is Valerie
12 Scanlon. I live at 12 Maple Avenue, Eagle Mills.
13 I've lived here for 28 years, and I'm very
14 unhappy about this proposed Highland Creek
15 development. I share the concerns already expressed
16 by many of my fellow citizens, namely increased
17 traffic, increased number of students in the school,
18 inadequate fire and police protection, pressure on
19 wildlife and wetlands and noise and light pollution.
20 I want to say I love the rural character in
21 Brunswick, and I want it to be preserved. I feel as
22 if the Town Board is not listening well enough to
23 those of us that hold this view, and at the time
24 there are five big proposals going on within the

1 town; three housing developments, an apartment
2 complex and a Wal-Mart Supercenter. Considering the
3 impact of only one of these at a time is completely
4 unrealistic and does not present an accurate picture
5 of the consequences that will follow. The Town
6 Board needs to take a hard look at the cumulative
7 impact of these proposals.
8 We, as a Town, need to find alternative
9 ways to use the existing farmlands, such as farm
10 stores, to promote tourism, educational programs
11 about agriculture, equestrian centers and wildlife
12 refuges. The comprehensive plan encourages the
13 farming community to work with local historic and
14 cultural organizations to develop a strategy to
15 capture economic benefits from tourism.
16 And, I would just like for a minute to
17 quote from the comprehensive plan for the town on
18 page 20. It says, "The Town of Brunswick should
19 embrace the preservation of farm operation in their
20 influence on open space, rural scenic quality and
21 environmental value. Available preservation methods
22 include land use regulation, transfer of development
23 rights, tax incentives, conservation easements and
24 right-to-farm laws. Organizations such as the

American Farmland Trust and the Rensselaer Taconic Land Conservancy should be encouraged to participate with landowners in informing them of options and opportunities.

The Town of Brunswick should support Rensselaer County in its attempts to secure an agriculture and farmland protection plan. Agricultural practices require open space for pasture and crop production. These fields are a major contributor to the sense of place in Brunswick. They form a patchwork of open space and span vistas along many roads within the Town. Agricultural operations provide wildlife refuge, as well.

And, I want to live in a rural community, not in a community similar to Wolf Road in Clifton Park or Colonie. And I think that, you know, if we ever can talk together as a Town, that we need to consider preserving some of the agricultural land, amid the planned development. Thank you.

REBECCA KIESER: My name is Rebecca Kieser I live at 398 Moonlawn Road in the Town of Brunswick, and I have three things I would like to talk about tonight; and they are growth, process and

vision.

I am also a teacher at Troy High School, and I teach biology, and when we get to ecology in the springtime, there is a term we talk about a lot, it's called carrying capacity. What this means, is that in nature, the size of a population is set by a variety of limiting factors, things such as food, water, space, et cetera. Only so many field mice, for example, could live on an acre of land happily. When the population gets so big that say the food runs out, of the individual members will do one or both of two things, they will die, or if they can, they will migrate.

We have moving factors in Brunswick. The things that limit the size of our human population are mostly infrastructure items, including roadways, fire and police protection, sanitary services, et cetera. But, one of the most influential limiting factors for us, is the size of our school. We know that with another 200 students, Brittonkill will need a new school building. To think that the new residents will pay for this construction through their property taxes, is ludicrous.

A study by the American Farmland Trust,

1 specifically states that every dollar gained in
2 property taxes from new residential development,
3 costs the community $1.23 in services.
4 So, what are we going to do? Are we going
5 to allow this unprecedented growth to take place and
6 worry about how to cope with it after it's happened?
7 The smart thing to do is to establish a rate of
8 growth that keeps us within our current carrying
9 capacity. This rate might be as low as 1 to 2
10 percent per year. Many forward-thinking
11 municipalities across the country are doing this.
12 This is called sustainable growth, and it's not a
13 new idea.
14 A word or two about this process we're
15 involved in. This is our fourth public hearing
16 since August. At each of these meetings, at least
17 one speaker mentioned the need to assess the five
18 PDD projects individually, and in terms of their
19 combined impact. My question is, who is going to
20 assess the cumulative impact of these proposals, and
21 how will those assessors perform the assessment?
22 My opinion is, that no voting can occur in
23 regard to any of these projects until a final DEIS
24 for each project is accepted, and a report, an

1 overall report assessing their combined impacts is
2 issued. If you don't have the final DEISs, how
3 could you possibly assess cumulative effects?
4 A word about vision. The people of
5 Brunswick and the government of Brunswick need to
6 get together. This letter of the law typed forum
7 doesn't cut it. We need more opportunities for
8 input. We need dialogue. We need total and
9 absolute transparency in regard to the
10 decision-making process. We need town meetings. We
11 need brainstorming sessions. We need to tap into
12 the resources available to us so close by at SUNY
13 Albany. I could go on and on.
14 And what I would like to do right now is
15 welcome the group, the Brunswick Smart Growth, in
16 order to accomplish some of this. We are pretty
17 good organizers, we are also pretty good
18 researchers, and we know how to get the word out.
19 Another thing we are becoming is a repository, if
20 you will, for ideas, all of which have at the
21 center, a vision for Brunswick that would enable us
22 to expand our economic base, while preserving the
23 rural character of the town.
24 I would like to give you a couple of

1 examples, some of them you heard about before,
2 things we are thinking about. At the Hudson Hills
3 hearing on August 3, for instance, it proposed the
4 idea of an equestrian center somewhere in Rensselaer
5 County. What if we could actually do something like
6 that? And what if it operated as a cooperative,
7 where a percentage of the profits going toward the
8 purchase of development rights?
9 Along the same lines, I went to a great
10 meeting of the Rensselaer Taconic Land Conservancy
11 meeting a couple of weeks ago, where a speaker from
12 the Army Corps of Engineers indicated that when
13 developers destroy the wetlands, rather than
14 requiring him to mitigate the damage by creating
15 another wetland, which hardly ever works, right? He
16 could be required to pay fees, which if positions
17 are appropriate, could be used to purchase
18 development rights for land, especially susceptible
19 to straw.
20 There are many other ideas that I don't
21 have time to mention here tonight. People have
22 ideas about developing alternative energy sources,
23 about attracting it to international agriculture
24 projects, about setting up farm demonstration areas,

1 et cetera. For every 20 ideas that people have,
2 maybe only one would be feasible, but let's get
3 together and figure that out.
4 These are the kinds of things the larger
5 Brunswick community wants to talk to you about. The
6 Brunswick Smart Growth could help facilitate that
7 particular dialogue. I would like you to know that
8 our next meeting will be on Monday, January 9, and I
9 am very, very pleased to say that we now have a
10 place to meet in the Town of Brunswick. We will be
11 meeting at the Church of Christ Disciples on the
12 corner of Route 2 and Maple Avenue in Eagle Mills.
13 The meeting will start at 7 p.m. Everyone is
14 invited, including Town Board members and other
15 members of Town government.
16 FRANK BRENENSTUHL: I am Frank Brenenstuhl
17 B-R-E-N-E-N-S-T-U-H-L, 27 Gooseberry Lane. And just
18 to make a comment for all of the other developments
19 that are out there, Gooseberry Lane is also
20 proposing Brooks Development, anywhere between 25
21 and 47 houses. And I know we are not the only ones.
22 I know on (inaudible) at one time it was talked
23 about a major development there, and I don't know if
24 that's dead yet or what's happening. I know they

1 put up three new houses there, they got approved,
2 and if you add up all of them, and I am sure the
3 planning Board and members here probably know better
4 than anybody else, all of the ones that came in in
5 the last few years, and like the one on our street,
6 it is probably going to go. Something is going to
7 happen there, I don't know exactly what it is going
8 to be. But there has got to be a lot other ones out
9 there, too.
10 I have been going to the planning boards
11 for only the last year, because I got kind of
12 personally involved. And I noticed, unless you are
13 involved, you don't go to the Planning Board
14 meetings. Basically, you see the same faces there
15 most of the time or you see new faces coming in
16 looking for approval; they are cutting off a lot
17 here, cutting off a lot there.
18 I assume that information is pretty well
19 tallied with the Planning Board, and I would be kind
20 of interested in knowing and maybe somebody already
21 does know, how many have been put on the books and
22 built in the last four to five years, or how many
23 more are proposed, or did some of them come before
24 the planning Board and they got retracted, and which

1 probably means they are going to come back again in
2 a few more years.
3 I am not against development. I am not a
4 member of Smart Growth, but the idea behind Smart
5 Growth, exactly what the words say, makes sense to
6 me. And I am not saying to stop any of the
7 projects, but I am saying that we take a good hard
8 look at it. And I don't envy anybody on the
9 Planning Board or anybody up there in the Town
10 Board. It is not an easy decision to be made, but
11 let's hope we do the best we can. Thank you.
12 JAMES MEEHAN: My name is James Meehan,
13 M-E-E-H-A-N. I live on Carrolls Grove Road, and I
14 have a few additional comments from the last time.
15 One thing I wanted, just wanted to say, is like at
16 the last meeting, we really never took a poll of
17 people that were in favor, and the people that
18 weren't in favor of this project, so tonight --
19 MR. POLETO: James, we are here to take
20 comments, not polls.
21 JAMES MEEHAN: Maybe just by a show of
22 hands we could show how many people are in favor of
23 this project?
24 (Audience indicates.)

JAMES MEEHAN: How many are not in favor of this project?

(Audience indicates.)

JAMES MEEHAN: Okay, just to put on the public record that most of the people in the audience were against the project. Okay, thanks.

I would also like to make a comment on the draft DIS about the site distance for the driveway to this project. I know just you the people in the audience here, if you have driven down McChesney Avenue many times, you know if you are coming from Route 7 down, this project will be on your left. And if you come down that hill, you know there is a big grey house on the left there, and there's kind of a turn in the road, and I just really can't see how there's a lot of sight distance there. So I would like to see that addressed a little more.

I also, I know at the last, one of the last meetings that we had to make public comments, that it was a different project, but I also wanted to bring it up at this particular project, that it's not only school students that are coming into the new neighborhood, but I'm more worried, and there is really not a real easy way to judge how many people

in the town are going to sell their houses, which are probably three to four-bedroom houses, and how many children that will bring into the school, into the school district, too, because we are concerned about our school taxes and how it really doesn't pay to have residential buildings in your town.

I would also like to make a comment about when a lot of these public hearings are being held. One was in the middle of August, which nobody really wanted to be here. One was two weeks before Christmas. This one is two days before New Years, and the other one was four days after Thanksgiving. So, none of them were really wonderful times for people to have to come out. But like the gentleman mentioned, there are hundreds of people that turned out for these, and it shows how worried we are about our town.

And, I also just want to bring up the point that we have to take a cumulative look and a very, very hard look and make a good plan for our town, because you only get to do this once, and if we mess it up now, it is hard to undo it. So I think we all have to work together, the Town Board, all the people of the town, and we really have to come up

with a great overall plan for our town. Thank you.

PETE GIBSON: My name is Pete Gibson. I live in High Point, which is not in Brunswick. I have been a Brunswick resident for, I have lived here for about 40 years, and most of the time I've spent in Brunswick. I am very familiar with the development. I am a licensed real estate broker. I have done many, many developments. I was forced a short time ago to sell my house, and I've looked in Brunswick for this type of project, and there is nothing there. That's why I had to buy a home in High Point.

This is a real good project, it's very well needed. As far as the sale of this property, it will happen, it will happen very fast. I believe I bought the last house in High Point, and I could sell it in a minute. This project is needed for older people. I am familiar with the area that I lived in and there are very, very few children, they are older, they are empty-nesters or (inaudible) or whatever.

I preferred not, like this other gentleman said, to live in Grouse. That wasn't an option for me. I didn't want to live in an apartment. I

wanted this type of housing to live in. You folks could have these meetings and you could bring people in here, and I analyzed this crowd somewhat, and there's probably 100, 125 people here. There's 4900 people that don't come to these meetings. I have been coming to Planning Board meetings for 40 years, and the only people that come, for the most part, are the no's. The people that are interested, they stay home or they don't care.

I think that you people have got some hard work ahead of you with these five subdivisions, but I think they all should go. I think they need the tax base.

I love Brunswick, I think it's a great place to live, and the next house I build will be in Brunswick. And I think it's a good place to live, and I think that you should move forward on at least this project, and look it over carefully, and you are doing your due diligence, you are having your meetings, everybody has a chance to talk, but remember there is a lot of people out there that really want these projects, but maybe they are fearful to come here and talk in front of this audience. Thank you.

MIKE FLYNN: My name is Mike Flynn. I live at 454 McChesney Avenue Extension, Troy, New York 12180. I built my house here four years ago. I built it because I liked the farmland, I like the scenery, and I don't particularly like a lot of neighbors. I am really grateful all the builders came here tonight to pat each other on the back, but you know we all know that they are out for each other.

The taxes are going to go up. I am probably not going to be able to afford to live here. I don't live around a bunch of houses, so, not just me, but probably a lot of other people who own a lot of land are probably going to end up moving out of this town. And if you put the picture of that development back up, I think you're going to see a lot more of that. And that's all I got to say.

MR. POLETO: Anybody else?

RAY TRAZINSKY: My name is Ray Trazinsky. My family owns a lot of property in Brunswick, farmland property. I live in Pittstown. I moved to Pittstown, bought a house in Pittstown, so that we didn't have to take a building lot off the farm, and

that's how I ended up there. I was on the Planning Board in Pittstown for 12 year and I was a school Board members for six years here at Brittonkill.

A couple of comments. Number one, you will not get anybody from this school district to tell you that they cannot accommodate any kind of development. The schools are an (inaudible) of power in our lives. They will build, they will improve, they will build forward, regardless of what happens, and any needs will be accommodated. You wont' get anybody here to tell you that we don't want anymore development, we have got all the kids we could need or we could use or we can't possibly be taking anymore.

I would like to invite Mr. Rosen and Marini to come to Pittstown, because we could use some development like that up there to kind of ease our problems up there. We don't have any commercial development, residential development is limited. This looks like a very nice project to me. But more importantly to me, is the impact to my family and my friends. People have mentioned the preservation of farmland as, you know, one of their alternatives to growth. The truth of the matter is, that

1 agriculture is dead in the State. It's not just
2 this town. This town is particularly susceptible,
3 because it was marginally farmland years ago. With
4 the price of fuel and the farm prices for produce,
5 it's no longer viable. And, basically, we have a
6 commodity here for providing homes for people who
7 are non-farm people.
8 The biggest employer in Rensselaer County
9 is government. You either work for the school, you
10 work for the State, or you work for some part of
11 government, and it's pretty easy to say, well, you
12 know I am here, I mean, I went to first grade in
13 (inaudible) library school. I went to second grade
14 in Fred Faller's law office, so I know a little bit
15 about Brunswick's character. I see a lot of signs,
16 the Brunswick Smart Growth signs actually in front
17 of houses that are on fields that I bailed hay or I
18 knew somebody who plowed or cultivated in some
19 fashion. So, I know a little bit about what I am
20 talking about.
21 But, as far as preserving, this project to
22 me looks like a real good use of land, and I know a
23 little bit about what I am talking about. There are
24 wetlands, there are features that prohibit building

1 in certain areas. They are not proposed. And the
2 project looks like a good use of this land. This
3 project may help preserve the (inaudible.) It's
4 happened all over town.
5 Mr. Bill Doyle who lives in the building
6 lot that was sold by my family, and that lot was
7 generated by a decision that they needed to raise
8 some money. So he sold off a few lots, and that's
9 what happens. But whatever decision you make here,
10 you're going to make it a dozen more times in this
11 town. I mean, you got the Danses, you got that
12 Calinsky's, you got the Carbons and you could go on
13 and on and on.
14 There is probably only three or four or
15 five people here that understand that farmland is
16 not converted easily. I mean, it just, people in
17 agriculture, they love the land, they want to keep
18 going. I know, I am involved in agriculture. There
19 is people that are pushing around machinery, riding
20 in cars that I wouldn't ride in because they are
21 unsafe, because they are just trying to keep up.
22 So, it is going to happen again and again and again.
23 And one of the ways that they could cash out is
24 through development. And when you got a guy like

Mr. Marini and you got a guy that has got the land, they get together and their marriage takes place.

So, preservation of farms is real important, and I don't know what the answer is to that, but I would like to give a little insight. When it's midnight and it's five above zero and you are stripped down to your waist because you are pulling a calf and you are freezing, you talk to yourself, you have conversations and you ask yourself, "Why am I doing this? Why do I put myself through this?" And one of the ways that you sooth yourself in that horrible situation is you say, "Well, I have my land. Worse case, I have my land. I could sell some of my land or all of my land or I could get out from under this and I could have a good life." Meanwhile, their life stinks.

So, whatever you do in Brunswick, remember that the people that you deny the highest and best use for their land, have been living their lives counting on that. There are no 401(k)s in agriculture. The only thing they have is the assets that they managed to hang onto. And I am not a fan of development, but it's what this area and this State is turning into, and that's the way it is, and

I urge you to consider not just the Town Board, but everybody that wants to, you know, stop everything or stop some of it, to consider that this has not been an easy decision for anybody, and if you knew the whole story, you might think differently. Thank you.

MR. POLETO: Anybody else?

MIKE CONWAY: Hi, my name is Mike Conway. I live on Blue Herring Lane in Brunswick. Going through the DEIS for this project, I'm feeling where you've outlined what can be done within the existing zoning laws. But what should realistically be built, what we expect, there are zoning laws that protect the land. They are there for the interest of the people in the town. I'm assuming that they are not all deficient or all wrong in the first place.

So, going through that, I understand it's not what you want to do, you want to build this cluster housing, and that's fine you build nice projects, I've seen your houses, but I would like to understand how many houses could be built on the available land, excluding wetland, obviously, that you can't build on, and make that number available

1 to the town, so that we know what we are evaluating
2 in comparing your proposed project, all the benefits
3 that you plan to bring to the town, you know, the
4 negative side that, as far as impact and
5 infrastructure, schools, water, everything else and
6 what the trade off is.
7 I can't say. Are we preparing 200 or what
8 is it, 190 units against 150 units, against 70
9 units, how many? What is the trade off. You're
10 asking us to change our zoning laws, but I don't
11 have a clear picture as to what the alternatives
12 are. I would like to see that addressed in your
13 DEIS.
14 With respect to the need for empty nesting
15 in Brunswick, is that documented someplace? Is
16 there an impartial or unbiased source that documents
17 what our needs are? I know that Mr. Chudnoff wanted
18 to provide 390 apartments in his Hudson Hills
19 development. I know he has revised the number of
20 apartments that he wanted to put in, down to his
21 original target. So, I don't know what the target
22 is. But 130 carriage houses, and the original 390
23 apartments for empty nesters, that is 520 units for
24 empty nesters. How many empty-nesters does

1 Brunswick need to provide for? And how many can
2 afford a house that's in excess of $300,000?
3 You know, my father is looking, my father
4 is an empty nester, and you know, he would be
5 looking for something where he didn't have to
6 maintain a big piece of property. He has lived in
7 Brunswick for 30 years or better. I don't see him
8 affording the unit you build. They are beautiful
9 houses. I have been to your developments, and I've
10 seen them for myself. Honestly, they didn't appeal
11 to me because of the density.
12 The development that I ended up building a
13 house in -- I grew up in Brunswick, I moved out and
14 I moved back to Brunswick five or six years ago. My
15 building, the lots average four acres. I have
16 almost eight acres myself. It is spread out. The
17 woods are still preserved the wildlife is in my
18 backyard. You would never believe all of the
19 animals and different species and varieties I see
20 there every morning.
21 With regard to the sewer and water
22 districts, it didn't seem to be clearly spelled out
23 as to who was going to pay for all of the upgrades.
24 I understand that this development benefits from

1 them, but will we pay at all for all of those
2 upgrades and the waterlines and everything else
3 needed to bring that infrastructure to the project?
4 I know Mr. Chudnoff wasn't willing to pay for his,
5 he was only willing to pay for a small percentage of
6 it, and put the burden on the rest of the taxpayers,
7 and that's what he spelled out in his DEIS. And in
8 looking at yours, I am left wondering where those
9 expenses are accounted for. And that's all, thank
10 you.
11 MR. POLETO: Anybody else?
12 NATE SYMS: Nate Syms, 14 (inaudible)
13 Avenue, Troy, New York. I just wanted to quickly
14 say, to reiterate this, the notion of considering
15 all of these projects together and, I mean, you hear
16 people say that, the farmers will come up and say
17 that the people who just want the farmland preserved
18 don't get it, and the people who -- everybody is
19 saying that the other people don't understand what
20 it's like to be them, which is, basically, all the
21 more reason to have everybody sit down and consider
22 everything together as a group, which is, I think,
23 what so many people are trying to get across to the
24 Board.

1 So, I just wanted to reiterate that point,
2 because everyone says that the other side doesn't
3 understand what everyone else is thinking. So, if
4 you could get people to sit down and whatever you
5 want to call it, a (inaudible) or whatever, then you
6 could probably make some progress in that area. So,
7 thanks.
8 ERIC LONDON: Hi, my name is Eric London,
9 Colehamer Ave., and actually, I just want to
10 reiterate something that Pete had said, that the
11 Board should probably look into getting an expert to
12 help them with planning, and until that's done, I
13 would just ask that this public hearing and all the
14 public hearings for the current applications remain
15 open until that's been reviewed. Thank you.
16 MR. POLETO: Anybody else? Anybody who
17 wants to speak, come on up.
18 SHAWN MCINTYRE: My name is Shawn McIntyre,
19 I live on One Muriel Drive, Brunswick.
20 First off, I would like to say I have been
21 kind of reluctant to come up and speak at these
22 hearings. The last one, unfortunately I couldn't
23 make, because like anybody or any other parents here
24 with elementary students, you were obviously in this

room for the Christmas concert and you couldn't make it.

I have lived in this town 37 years. I am 37 years old. So, it's not, I didn't come in and buy a house, build a house two years ago, five years ago and whatnot, which I know there is a lot of animosity. I have a problem with so-called environmentalists who come in and build a house and don't want anybody else to build. I am not against building. I am against developments like this. I am not against developers like Bob Marini. I've worked in some of his projects. He does some pretty nice work.

Bottom line is, the gentleman before said he had to move out of Brunswick because he couldn't find a home he wanted in a highly densely populated development. Well, I think he hit the nail on the head, that's not Brunswick. And you should have went up the Northway a little bit and you would have found plenty of them up in Clifton Park.

A lot of people here seem to have favors towards these so-called empty-nester homes. If you could afford 300 grand to buy a house, your concern is because you can't take care of property and do

this and do that, well, maybe people ought to think about buying maybe a couple acres and spend 150 grand and put a small ranch on it and pay the kid next store to shovel the driveway.

My wife is a state employee. I drive a truck for a living. We bought our house just over seven years ago, and in seven years the value of our house has just about doubled. If we didn't buy our house when we did buy it, within two years we wouldn't be able to afford a home. The housing costs have skyrocketed. It is outright disgusting really what people are paying for houses. You got people out there, I don't know, there is a lot of working families in this town. I know a lot of people, they can't afford to buy houses in this town. The rent, they want to raise a family, they want their kids to go to school here, but they can't afford to own a home.

The developments like this are not, from what I could see, going to do anything for anybody who lives in this town. To cram that many people in that small of a space, is going to do nothing but create congestion and headaches for everybody else who is here. The road I live on now is a

1 20-mile-an-hour residential zone. You could say
2 it's an older style development built back in the
3 '60s. It's a 20-mile-an-hour development.
4 Basically, the only people that drive in there are
5 the people that live in there, except for all the
6 people now that have found out that the street that
7 my house is on the corner of Hakes Road, leads from
8 Moonlawn over to Route 2. So, now that's a
9 shortcut, because we don't have to go to Moonlawn.
10 And when I am driving down the road doing
11 about 20, 25 miles an hour and I get a woman from
12 Vermont passing me on the left and driving on the
13 neighbor's lawn and almost running over my blind
14 neighbor because she is in a big hurry to get down
15 to Tamerack Road, to fly up there doing 60, 70 miles
16 an hour.
17 We have called dozens of times to try to
18 get a detail. I have offered troopers everything
19 under the sun; park on my lawn, give out some
20 tickets. Nothing. What's 200 more homes right down
21 the street from me? How many more cars am I going
22 to have to deal with going up and down my street?
23 I have a nine-year-old daughter on a
24 20-mile-an-hour road, that my wife is frantic to let

1 her out and let her ride her bicycle. And the fact
2 of the matter is, whose kid is going to be the first
3 one to get hit? And I know if it's my kid, I am
4 going to be knocking on some doors, because I ain't
5 going to be too happy.
6 You know, there's a limit to everything. I
7 am not against building. There's plenty of
8 property, there's plenty of money to go around.
9 People will pay for sure to live there, whether it's
10 money off the Island, money out of Jersey, people
11 down there got money to burn. As far as I'm
12 concerned, that type of property, you could put ten
13 hobby farms on that property and probably get close
14 to the money that you guys are going to get out of
15 this development.
16 Now, I know you guys have done well for
17 yourselves and you're not building anything in your
18 backyard, I'll guarantee you that. You guys are not
19 living in one of these developments. Like I said,
20 if you want to put up 10, 15 big-dollar custom
21 homes, you can have it. If people got the money to
22 go in there and pay 15, 20, $25,000 in taxes, fine.
23 Bottom line is, we heard it before, 200 kids, and
24 this school is done. You can't go up and it can't

go back. I can't afford to pay another 20, 30 percent a year in school taxes. I cannot afford to pay it and keep my home. That means, I was born in Brunswick, I've always lived in Brunswick, but now I can't afford to stay in Brunswick, because my school system is over-flooded and now somebody made, or a lot of people made a lot of money and they are cashing in, and I can't afford to keep my house, or I can't afford to send my kid to college, or I can't afford to put anything into my retirement. And I know I am not the only one. There is a lot of people in this town that feel the same way.

I am on city water in Eagle Mills. I can't take a shower and flush the toilet at the same time. You can't take a shower and brush your teeth at the same time, because the water pressure is so pitiful. Troy is screaming because they can't keep up with water supply, and supposedly their treatment plant is going to be maxed out. So they are going to have to do something down there.

Who is going to get stuck paying for the new pumping station up here? With the need for all of this new water, you know, where is this being put? It is all wetland. That whole area from there

over to Town Hall is nothing but a beaver swamp. So all of the runoff on all of the drainage lines that is coming out of these homes is going down the wall, all the pesticides, all the herbicides, are going down, it is all going to wind up in the Poesten Kill. I haven't heard anybody say anything about the DEC. Guaranteed it is going to be contaminated. Runoff has got to go somewhere.

I know I made a comment about traffic on my street. We have had neighbors -- we've asked for stop signs. There's four intersecting roads on the main road that goes through where I live, there's not one stop sign in any direction. We can't even get a stop sign. But, you know, this great new development is going to have sidewalks and all this, you know, living is going to be great down there. Well, what about what we got to deal with when they want to come ripping down our road because they don't want to go up Moonlawn or Route 2 because they don't want to sit there for the traffic for supposedly eleven seconds or whatever it was. You know, we've had neighbors ask for speed bumps. We can't have speed bumps because the town was to plow the road. I know if you go up on the hill up here,

there's two speed bumps up there.

I don't know if anybody -- like I said, I have been reluctant to get into this. A good friend of my brother's is one of the developers that has one of these plans ongoing. He is a good guy. I know the development he has planned is nothing in this type of scope. He lives in Brunswick and I've seen his building, and it is not, it's really more about what Brunswick is about.

Bottom line is, people are going to continue to build here, but there is a big difference between being able to spit on your neighbor's window and having some room like everybody is accustomed to here. As far as the farmers, I understand where they are coming from. I have a good friend of mine that owns, actually, multiple friends that own dairy farms. I work on them when I get the chance. I know quite a bit about how it is. It's not easy. And I really sympathize with them. There is not a much harder way of life. I have no problem with the land being sold and used for building, but I do have a problem with this type of development being stuck on everybody else for somebody else's gain.

This was an original property of a farm. This property was bought separate from the farm. Back when this property was bought, no prices were absolutely horrible. I think they were down in the $10 mark per hundreds. It was like nine something. The farm I work on part of the time, costs them 13.50, 13.75 to break even. So everyday these people are getting up to lose money, and it was like that for every farm.

This scenario you got, you know, guys that are going out and buying land, telling the guy that owns the land they are not going to develop it, they are going to farm it. And two years later, you know, here we are, you know. And from what I have been told, there is going to be 800 grand clear in each pocket when this is done, and not that I am against anybody making money, but what I am against, is everybody else making money at my expense, especially when my investment, now I can't afford to keep.

That's pretty much going to cover about what I got to say. Thank you for your time.

MR. POLETO: Anybody else?

MR. HOWARD (inaudible): My name is Howard

(inaudible.) I live directly across from the Town (inaudible.) I've lived here for 30 years. Our place adjoins the Brucer's farm, which is now referred to as Highland Creek Development. I appreciate these hearings and listening to all the comments. One sticks in my mind, is the gentleman that referred to some facts are brutal in his description of his life in agriculture in Brunswick. One of the facts he said is brutal, to me, is that when flying over Brunswick or doing it from a high yield, there are other rolling hills and open fields down there, and with the blue sky in the background, that's what the town scene is, I think. And this is an environment that people appreciate and love, and I don't want to see change.

And as one is to look down on the town, one sees a lot of land that is not open field, and these lands are between the fields, not in them, that where development can occur. And yet we learned from the development corporation, that the only place to really develop is in the open fields. That's one of the first things to do is to fly over, like last summer there were helicopters hovering about, several every week, probably about the

Highland Creek plans.

So, it seems to me that the fields can be preserved as the plan calls for, in allowing for further develop, allowing for the development to occur between the fields, not in them. And that development in these fields can be removed, and thereby preserved.

As to the fact that is brutal, is that once the open fields are developed, they virtually disappear forever and they don't return. And once this happens, then the Clifton Park phenomenon appears before our eyes and things change.

So, what I'm suggesting, is that the open fields be preserved as the comprehensive plan calls for. It's unfortunate that the way it's described is very general. It doesn't really suggest how this can be done. And so I agree that the town development plan should be revisited, and especially the problem of distributing open space, open areas, be addressed. And my suggestion is, that they can be addressed, they can be preserved, and the present owners of farmlands can develop in other parts and make out very well. As these open fields are preserved, it will enhance the property values, not

1 detract, so that everyone can win. Thank you.
2 MR. POLETO: Anybody else? Last chance.
3 If not, I would like to call on Andy Gilchrist, our
4 attorney here to explain what the process is from
5 this point on.
6 MR. GILCHRIST: Thank you. Again, the
7 purpose of the public hearing was to elicit comments
8 that we've heard on November 28 and this evening.
9 What the SEQRA regulations are designed to now
10 afford, is an opportunity for both the applicant, as
11 well as the lead agency here, the Town Board, to
12 consider those comments and gather further
13 information from the applicant to answer the
14 questions that have been raised, and to create the
15 record on which a decision can be made. The only
16 way to do that is to, procedurally, in order to
17 permit the developer to now begin to accumulate all
18 of the comments and address it, is to close the
19 public hearing.
20 Now, transcripts were made on November 28.
21 The transcript will be made this evening.
22 Procedurally, what is required now, is that the
23 developer, the applicant, as well as the Board, must
24 review those transcripts, assess all of the comments

1 that were made. We cannot leave any of the comments
2 or questions unanswered on the record. That is a
3 process which you heard earlier tonight by one of
4 the speakers, culminates in a final Environmental
5 Impact Statement. All of these questions and
6 comments do need to be addressed on the record, and
7 the vehicle in which to do that is the final DEIS.
8 The document that you all reviewed, the
9 reason it's called a draft DEIS, is because it's not
10 done yet. It's to allow comments from the public,
11 to raise questions and concerns, and that allows the
12 applicant and the lead agency to complete the
13 environmental impact review of this project in a
14 document called a final DEIS. In order to get to
15 that step, the public hearing must be closed to
16 accumulate all of the comments and allow the
17 applicant to assess them, as well as the Board.
18 So procedurally, upon the closing of a
19 public hearing, that sends the comments and
20 questions and concerns to the applicant, as well as
21 to the lead agency, and the record is then created
22 by answering those questions and comments, and that
23 allows the public to review that document and fully
24 assess that. It allows the lead agency, in this

case the Town Board, to fully assess that information before any decision is made.

You heard earlier tonight from one speaker, how can you make a decision until these are answered? The answer is, the lead agency cannot. And I've counseled them again and again, do not make any decisions until the record is fully created and all the questions, comments and concerns have been addressed on the record, and we need to do that in the final DEIS for this project, to allow this Board to take the hard look that SEQRA requires and the law requires.

So, procedurally, that would be the next step for this Board, is to have the applicant respond to the questions, comments and concerns raised on this record, and to submit another document, a final Environmental Impact Statement, as well as allow the Board to assess that data before any determination is made. Thank you.

MR. POLETO: Thank you.

BARBARA RUSSO: Hi, Barbara Russo, Colehamer Avenue. Just a procedural question. Is the time for written comments, is there still ten days beyond the close of the hearing?

MR. GILCHRIST: You are correct, and I failed to mention that. I said earlier this evening that once the public hearing is closed, there still is a hearing for written comment. That's correct. She is correct. Under the SEQRA regulations, a minimum ten days, ten calendar days following the close of the public hearing is provided for the public to submit any additional written comments. That's a date that the Board will have to set. Again, the minimum is ten calendar days. So there will be an additional written commentary following the close of the hearing.

BARBARA RUSSO: I would like to request on my behalf, as well as on behalf of some others to the Town Board, that perhaps the time be extended beyond ten days, to allow time for the transcript to be completed and for people to be able to review the transcript in the course of any of the written comments.

(Discussion is held off the record.)

MR. GILCHRIST: The inquiry was, a normal turnaround goes well beyond, for a transcript to be prepared, goes well beyond that period. We can have that transcript expedited and have that available in

three to five days. So the transcript will be available. The Board should take that into account. That is a valid point, is to have that transcript available at the Town Hall. We do get it electronically as well, so we could have that in three business days.

BARBARA RUSSO: Will that be put on the town website?

MR. POLETO: We could try. Pardon me?

AUDIENCE MEMBER: Is the first transcript available yet?

MR. GILCHRIST: The first transcript I received today in my office. That will be available, and with the turnaround in this one, both transcripts will be available I would think by the middle of next week.

MR. POLETO: We will put the minutes up on the website.

AUDIENCE MEMBER: May I ask where you write the comments to?

MR. POLETO: Town Hall. You could address them to me, and we will get them to the right people.

AUDIENCE MEMBER: Does the clock start

ticking from tonight? This is really New Year's weekend, so I think the clock should start ticking from next week, not essentially from tonight. I doubt any of us are really going to get very much done in the next couple of days.

MR. CLEMENTE: I make a motion to close the public hearing and keep the written comment for 15 business days, which will take the holiday into consideration.

MR. SALVI: I second that motion.

MR. POLETO: Any comments from the Board? We have a motion before us. All those in favor?

(Ayes heard.)

MR. POLETO: Opposed?

(None heard.)

MR. POLETO: Okay.

PETE MESKOSKEY: Pete Meskoskey 168 Town Office Road. What is the maximum amount of days?

MR. GILCHRIST: It does not provide a maximum.

PETE MESKOSKEY: Could we possibly have more than 15, due to the sensitive nature of this and the timeliness on a holiday week?

MR. SALVI: We've already voted.

PETE MESKOSKEY: I did, I raised my hand, I was wiped off.

MR. POLETO: Well, we got a motion for 15 days. Anybody want to change the motion? We are staying with 15.

MR. POLETO: Any other further business? And can we have a motion to adjourn?

MR. SALVI: Motion to adjourn. Hold it.

JOE JABOUR: Joe Jabour, 6 Kenworth Avenue. Once this meeting is closed, can it be reopened for public discussion after it's closed?

MR. POLETO: For written comments.

JOE JABOUR: I meant after we get the written comments, will this be open for anymore public discussion?

MR. POLETO: At that point, then the written comments, the transcript will be given to the developers and then they have to then answer those questions and come back to the Town Board as an official document, and that will be put on again, as we have done in the past, to everybody.

Do I get a motion to adjourn?

MR. SALVI: Yes.

MR. POLETO: All those in favor?

(Ayes heard.)

MR. POLETO: I thank you.

(Meeting concluded at 9:13 p.m.)

1 C E R T I F I C A T E
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3
4 I, Deborah M. Fitzgerald, a Certified Court
5 Reporter and Notary Public of the State of New York,
6 DO HEREBY CERTIFY that the statements, colloquy and
7 testimony hereinbefore set forth is a true record of
8 the proceedings.
9 I FURTHER CERTIFY that I am not related to any of
10 the parties in this action by blood or marriage, and
11 that I am in no way interested in the outcome of
12 this matter.
13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 5th day of December 2006.
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21 Deborah M. Fitzgerald
22 Notary Public of the State of New York
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