

FINAL
ENVIRONMENTAL IMPACT STATEMENT

DUNCAN MEADOWS PLANNED DEVELOPMENT DISTRICT

MacChesney Avenue
Town of Brunswick
Rensselaer County
State of New York

Lead Agency:

Town Board – Town of Brunswick
Town Office Road, Brunswick NY
518-279-3461
Honorable Phil Herrington, Supervisor – Contact

July 8, 2010

Final Environmental Impact Statement

Duncan Meadows Planned Development District

MacChesney Avenue

Town of Brunswick

Rensselaer County

State of New York

Applicant:

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Town Board - Town of Brunswick

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Involved Agencies:

Town of Brunswick Town Board

Town of Brunswick Planning Board

Town of Brunswick Building Department

Rensselaer County Health Department

Rensselaer County Sewer District

Rensselaer County Department of Public Works

NYS Department of Environmental Conservation

US Army Corps of Engineers

Duncan Meadows Planned Development District
FINAL ENVIRONMENTAL IMPACT STATEMENT

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Final Environmental Impact Statement – Duncan Meadows PDD

I. INTRODUCTION

The following is the Final Environmental Impact Statement (FEIS) prepared for the Duncan Meadows Planned Development District (PDD), which has been proposed by ECM Associates, Inc. Pursuant to the State Environmental Quality Review Act (SEQRA), the purpose of the FEIS is to respond to substantive comments received on the Draft Environmental Impact Statement (DEIS) for this project. Comments were received at a public hearing held on January 14, 2010, and during a written public comment period, which ran from November 2009 to January 24, 2010. The public hearing and the comment period were held for the DEIS for SEQRA purposes. As such, substantive comments were received and are responded to herein on environmental, zoning and project topics.

This Final Environmental Impact Statement was accepted as complete for Public Review by the Town of Brunswick Town Board, acting as Lead Agency, on July 8, 2010.

The DEIS for this project was determined complete by the Town of Brunswick Town Board, acting as Lead Agency, on November 2009. Pursuant to the SEQRA regulations (6 NYCRR Part 617), a scoping document was prepared and was subject to a public hearing prior to being finalized. The DEIS was prepared pursuant to the final scoping document that identified potentially significant environmental impacts and which was included in the DEIS as Appendix C. In the DEIS no significant adverse environmental impacts were identified based on the project and the mitigation measures proposed.

Pursuant to the requirements of SEQRA, this FEIS includes the following:

- the DEIS by reference,
- the transcript of the public hearing (Appendix A),
- all written comments received during the comment period that ended on January 24, 2010 (Appendix D),
- a summary of comments on the DEIS (Section II),
- revisions and clarifications (Section III),
- a summary of the process to be completed (Section IV),
- responses to substantive comments of the public made during the hearing and written comment period (Section V).

II. SUMMARY OF COMMENTS ON DEIS

Comments included herein include those made by speakers at the public hearing and in writing during the written comment period from agencies, organizations and the general public. Complete copies of the public hearing transcript and written correspondence from the public are included in Appendices A and D respectively. Comments are grouped into categories, summarized and responses provided in Section IV below.

At least fifteen individuals attended the public hearing other than the applicant and its representatives. Twelve individuals spoke at the public hearing, some of whom spoke more than once. Comments included concern about traffic along MacChesney Avenue, impacts on municipal infrastructure and storm drainage, potential tax revenues generated by the project, impact on schools, and some comments in support of the design of the project. A complete copy of the stenographic transcript of the hearing is included herein as Appendix A.

There were no written submissions received during the written comment period from the public.

There was one written submission received from Involved or Interested Agencies. Correspondence was received from the Brunswick Volunteer Fire Company No. 1, Inc., dated January 14, 2010, documenting concerns and comments of the fire company.

There were no written submissions from Town consultants.

III. DEIS REVISIONS AND ADDITIONS

- Minor Site Plan changes and updates have been incorporated into the project documentation as a result of more detailed engineering study and review. The updated site plans are included as an Appendix to this document. There are no substantial changes that affect the thresholds identified in the Draft Environmental Impact Statement as distributed for comment.
- Additional clarification on disposition of open space and the applicability of conversion of passive space to active recreation areas has been provided.

In response to suggestions and requests for the applicant to investigate the possibility of including an area for active recreation for use by youth athletic leagues, the applicant has determined that an area immediately west of MacChesney Avenue Extension may be suitable for the creation of ballfield areas. Additional subsequent design and engineering review conclude that a portion of the open space area would be suitable for grading and reconfiguration as a ballfield of some type, likely youth soccer or football. Local recreation groups, including the youth football league, have expressed interest in additional playing field opportunities within the Town of Brunswick. A proposed site concept has been provided, including a field area with an off-street parking area.

With respect to specific environmental items and their relative impact thresholds discussed in the Draft EIS, there will be no substantial changes that affect those thresholds. Specifically:

- Wetlands, Soils, and Topography – The area designated for the recreation field does not contain, not impact wetland areas, and will be designed to accommodate existing topographic and soil conditions.
- Transportation and Traffic – The area designated for the recreation field has proper access to MacChesney Avenue Extension. The recreation use proposed will not generate substantial additional traffic, particularly during the peak

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hours. (Typical recreation field traffic is on weekends, or after the PM peak hours)

-Drainage – Proper drainage design will be provided as part of the final Site Plan Review process. Measures to ensure compliance with local and State regulations regarding construction phase and post-construction quality and quantity control of run-off will be implemented.

-Public Water and Sewer – No impacts to existing water and sewer infrastructure.

-Land Use and Zoning - Public Recreation areas are an allowed use by zoning for the underlying zoning districts, and this use is compatible with the existing and proposed adjacent uses.

-Community Character and Comprehensive Plan – The Comprehensive Plan encourages the Town to enhance recreational availability. The proposed recreation area will provide this with no cost to the municipality.

Additional uses for the open space include:

-Provision of a small parking access area along MacChesney Avenue, to allow users to access the existing wetland preservation area;

-Creation of an internal network of walking paths with wildlife observation points;

-Designation of areas for community garden facilities, for the residents to undertake recreational horticultural activities.

The preceding are included on the revised Site Plan, included as Appendix C.

- Additional consideration has been provided for construction of sidewalks connecting the site to the nearby commercial development as part of an overall effort by the municipality to provide a comprehensive pedestrian access network. Additional subsequent design and engineering review conclude that sidewalks and walking paths could be constructed along MacChesney Avenue to connect to future contemplated sidewalks west of the project limits.

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- Additional, more contemporary information has been utilized to predict the amount of school-age children that this project may generate, and the subsequent revenue impacts that those children may have, particularly on the Brittonkill School district. This information includes updated studies prepared by Capital District Regional Planning Commission (CDRPC) and anecdotal observations of similar projects in the Capital Region.

Based on the additional information, derived from published studies, and review of similar projects in similar demographic situations, downward revisions to the number of postulated student generation from the Townhouse-style portion of the project (Brittonkill schools) may be made from the information presented in the DEIS.

According to 2000 census data published by the CDRPC (see Appendix B), similar developments (Duplex/Townhouse) generate 0.19 school age children per unit (for this project 78 units would yield 15 children). Anecdotely, there are similar projects (no age restrictions) reviewed in Albany County (e.g. Walden Fields – Town of Bethlehem) that currently have no school age children residing within the development.

In addition, the Brittonkill School District study (CDRPC) also estimates that “empty-nest” development scheme would result in lower rates of school-age children than was initially proposed in the DEIS. This rate of approximately 0.24 per dwelling unit, blended ratio would yield 19 children for the 78 units in question. While there are no age-restrictions proposed, the ultimate target market for this type of residential product is the “empty-nest” or older couple with no children.

With this updated data, it can be assumed that the total student population generated by the Brittonkill portion of the project will be lower than assumed in the DEIS, with no downward revision to the anticipated revenues generated by school taxes. Assuming the previously presented figures remain constant, the resultant per student revenue will increase, based on the declining number of students generated. For example, at the lowest rate of generation of school-age children, the tax revenue

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generated per student for the Brittonkill portion of the project increases to \$10,002 per student, and at the higher of the two revised rates, the revenue per student is \$7,895. Both revised figures are in excess of the district average of \$7,500 of property tax generated revenue per student.

- The NYSDEC State Pollutant Discharge Elimination System General Permit has been reissued under the Permit Number GP-0-10-001, effective January 29, 2010. This will replace all references in the DEIS to NYSDEC Permit GP-08-001.
- The DEIS incorrectly referenced the taxation rate for Center Brunswick Fire District, rather than Sycaway Fire District. The revised tax table follows:

Entity	Tax Rate/1000 assessed value (2008)	Projected Revenue Generation
Rensselaer County	20.846538	\$ 86,117
Brunswick (T) General	3.003135	\$ 12,522
Highway	4.518615	\$ 18,666
Fire	5.519173	\$ 22,787
Water	1.990632	\$ 8,220
Brittonkill CSD	64.991583	\$150,033
Troy CSD	74.17	\$135,175

IV. SUMMARY OF PROCESS TO BE COMPLETED

After the Town of Brunswick Town Board, as Lead Agency, has accepted this FEIS a copy of the FEIS will be sent to all involved agencies. A copy will be available at the Brunswick Town Hall, Brunswick Free Public Library and a version placed on the Town website (www.townofbrunswick.org). The next step in the SEQRA process is for the Board of Trustees to issue a written findings statement within 30 days after the filing of this FEIS. However, pursuant to SEQRA (6 NYCRR § 617.11(a)), the written findings cannot be issued until at least 10 days have elapsed in order to afford agencies and the public a reasonable time period to consider the FEIS.

The SEQRA statement of findings “considers the relevant environmental impacts presented in an EIS, weighs and balances them with social, economic and other essential considerations, provides a rationale for the agency’s decision and certifies that the SEQRA requirements have been met.” (6 NYCRR § 617.2(p)) Once the statement of findings has been issued and filed, the SEQRA environmental review process is complete.

If the Town Board approves the PDD, the developer would then have to apply to the Town of Brunswick Planning Board for site plan approval for the development. That site plan review process will be based on the Town Board PDD approval, which will set the parameters of what are the allowable uses and general layout of the site. The site plan review stage will follow the procedures set forth in the Town Code. Only when the site plan review process is completed with each phase of the PDD will the developer be able to proceed with construction.

V. RESPONSES TO SUBSTANTIVE COMMENTS

The following comments have been taken from substantive comments received in writing from Involved and Interested Agencies (one response).

Brunswick Fire Department #1 (January 14, 2010)

1. Comment: Tax rate misstated in DEIS

Response: Tax Rate/Summary table updated in previous section of FEIS

2. Comment: BFD would like to be involved in determination of fire hydrant placement

Response: Applicant will meet with BFD to determine final locations of fire hydrants during Site Plan Review process.

3. Comment: BFD recommends adherence to NYS guidelines for Fire Apparatus access roads.

Response: Applicant will meet with BFD to review final design of fire apparatus access roads during Site Plan Review process. Applicant will document the adherence to applicable codes for Site Plan review.

4. Comment: Knox boxes should be located for Senior Housing Buildings.

Response: Applicant will provide key boxes for multi-family senior housing building.

Public Hearing January 14, 2010

The following comments have been taken from substantive comments made at the public hearing held on January 14, 2010. Each substantive comment has been categorized under the topic matching the comment's content so that there is consistency with the format of the

Final Environmental Impact Statement – Duncan Meadows PDD

DEIS. The topics are set forth in the order as contained in the DEIS. The individual or agency that made the comment is identified in a parenthetical following the comment. Where more than one comment of a similar nature or content was made on a particular issue, the comment is set forth and responded to once but the names of all those who made such comments are identified.

A. Soils and Topography (corresponding DEIS section: 4.1)

No comments were made at the public hearing or submitted in writing on this topic.

B. Vegetation and Wildlife (corresponding DEIS section: 4.2)

No comments were made at the public hearing or submitted in writing on this topic.

C. Wetlands (corresponding DEIS section: 4.3)

No comments were made at the public hearing or submitted in writing on this topic.

D. Transportation and Traffic (corresponding DEIS section: 4.4)

1. Comment: Discusses proposed trip generation rates, predicts that actual generation may be higher, and additional trips would impact intersections. Commenter notes that the stated figure of 0.5 trips per peak hour may be low if there is more than one vehicle per residential dwelling unit. (Public Hearing commenters Tkachic, Cioffi)

Response: Trip generation derived on industry standard Institute for Transportation Engineers “Trip Generation Manual”, using the appropriate Land Use type. Analyses presented in the traffic study are also cumulative; including all contemplated developments at the time of writing. This assumption suggests that all developments would be completed at the same time and would impact the intersections simultaneously. Even with this worst-case scenario, the analyses indicated no significant impacts to the studied intersections.

E.Drainage (corresponding DEIS section: 4.5)

Comment: Discusses potential impacts to surface runoff and drainage, commenter discusses existing drainage problem at 142 MacChesney Avenue. (Public Hearing commenters Morin, Betzinger)

Response: Stormwater runoff addressed by the design of the Stormwater Management system for the project. NYSDEC regulations require the use of Best Management Practices (BMP), and specific design techniques to limit post-development runoff to rates equal to or less than pre-development conditions. Preliminary design calculations indicate that at all discharge points, the project is compliant with regulations. Final Design computations will be submitted to and reviewed by the Planning Board and Town Engineer during the Site Plan review process.

With respect to the specific drainage issues at 142 MacChesney Avenue, the final project design may reduce or eliminate a substantial portion of the runoff into the commenter's property. Comments are noted by the applicant and will be specifically addressed in the final Site Plan design.

F.Municipal Water Supply (corresponding DEIS section: 4.6)

Comment: Discusses potential impacts to public water supply and ability to “fight multiple fires”. (Public Hearing commenter Cioffi)

Response: Analysis presented in Draft Environmental Impact Statement discusses fire flow capacity in terms of available system storage and available system flow rates and pressures. In both cases, as demonstrated in the DEIS, the existing system has adequate storage capacity and sufficient operating pressures to supply water for fire fighting purposes. The reference standards utilized refer to available flows in Gallons per Minute and residual pressures at those flow rates, not necessarily the ability to “fight multiple fires”, although the analysis does not determine one way or the other with respect to this issue.

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Specific location of fire hydrants will be subject to review by the Town and the responding fire departments as part of the Site Plan review process, and buildings will be constructed with sprinklers where required by State Building Code.

G.Public Sanitary Sewer (corresponding DEIS section: 4.7)

No comments were made at the public hearing or submitted in writing on this topic

H.Cultural Resources (corresponding DEIS section: 4.8)

No comments were made at the public hearing or submitted in writing on this topic

I.Noise (corresponding DEIS section: 4.9)

No comments were made at the public hearing or submitted in writing on this topic

J.Visual Impacts (corresponding DEIS section: 4.10)

No comments were made at the public hearing or submitted in writing on this topic

K.Land Use and Zoning (corresponding DEIS section: 4.11)

Comment: Several commenters questioned the overall project density. (Public Hearing commenters Brenestuhl, Cioffi)

Response: The net density of the proposal is approximately 17,000 Square Feet of gross land area per dwelling unit. For comparison purposes, the smallest building lot allowable in the Town of Brunswick is 9,000 Square feet. Recent multi-family development proposals approved in the Town have been reviewed according to this lot size comparison.

L.Community Character and Comprehensive Plan (corresponding DEIS section: 4.12)

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Comment: One commenter referred to the effect on the Comprehensive Plan. (Public Hearing commenter Bettzinger)

Response: As discussed within the DEIS, the project is compliant with the components of the Comprehensive Plan, particularly in those areas that discuss the use of the Planned Development District process to allow the Town Board to provide input to the project. Also the proposal is consistent with the principle that more dense development should occur in areas with access to utility and highway infrastructure.

M. Emergency Services (corresponding DEIS section: 4.13)

Comment: Several commenters questioned the impacts on emergency services. (Public Hearing commenters Brenestuhl, Cioffi)

Response: Emergency service providers will be consulted during the Site Plan review process to ensure their concurrence with access designs, location of fire hydrants, and any other specific operational issues that each responding agency may have.

As discussed in Response F, adequate water supply exists for fire-fighting purposes, and the necessary site infrastructure will be constructed by the applicant.

N. Schools (corresponding DEIS section: 4.14)

Comment: Several commenters questioned the amount of school-aged children, the ability for the school to absorb, and tax revenues generated by the project (Public Hearing commenters Brenestuhl, Cioffi)

Response: Within the DEIS, there are detailed discussions regarding the amount of school-aged children that may be expected to be generated by this project. These figures are based on several published studies documenting generation rates of similar developments. Additional clarification, based on more contemporary information, is provided in the FEIS.

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Studies published by the Capital District Regional Planning Commission document the Brittonkill School District's capacity to absorb the slight increase in student population.

Based on the projected generation of school age children, revenue predictions were made using current taxation rates.

O.Recreation and Open Space (corresponding DEIS section: 4.15)

No comments were made at the public hearing or submitted in writing on this topic.

P.Solid Waste (corresponding DEIS section: 4.16)

No comments were made at the public hearing or submitted in writing on this topic

Q.Economic Considerations (corresponding DEIS section: 4.17)

Comment: Discusses potential long-term fiscal impacts to municipality with respect to roadway and infrastructure costs. (Public Hearing commenter Betzinger)

Response: Long-term infrastructure costs borne by the Town of Brunswick will be limited. The internal site roadways, storm sewer and drainage infrastructure, and remaining open spaces will be owned and maintained by a Homeowners Association created specifically for the project. While potable water and sewer infrastructure will be owned and maintained by the respective utility districts, the cost for installation, to municipal specification will be borne solely by the applicant. It is expected that the utility user and maintenance fees will cover the costs associated with long-term operation and maintenance of the municipal utilities.

APPENDIX A – PUBLIC HEARING TRANSCRIPT

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PUBLIC HEARING MINUTES

TOWN BOARD

TOWN OF BRUNSWICK

336 Town Office Road

Troy, New York 12180

THURSDAY, JANUARY 14, 2010

5:30 P.M.

APPLICATION OF:

ECM LAND DEVELOPMENT

FOR

DUNCAN MEADOWS PLANNED DEVELOPMENT DISTRICT

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A P E A R A N C E S

TOWN BOARD MEMBERS:

Philip Herrington, Town Supervisor
Susan Quest, Town Clerk
Thomas Cioffi, Esq., Town Attorney
Patrick Poletto, Councilman
Daniel Casale, Councilman
James Sullivan, Councilman
Sam Salvi, Councilman

ALSO PRESENT:

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

Ingalls & Associates, LLP
Consulting, Civil & Environmental Engineering
2603 Guilderland Avenue
Schenectady, New York
BY: Francis J. Bossolini, PE

Kestner Engineers, P.C.
7 Lindsay Drive
Troy, New York 12180
BY: Mark Kestner, PE

PROCEEDINGS

1
2 SUPERVISOR HERRINGTON: I'd like to call the
3 meeting to order. Tonight we have a public hearing on the
4 Duncan Meadows. I'd like to ask the Town Clerk to read the
5 Notice of the Public Hearing.

6 MS. QUEST: "Public Notice. Notice is hereby
7 given that a public hearing will be held by the Town Board
8 of the Town of Brunswick on Thursday, January 14, 2010 at
9 5:30 p.m. at Brunswick Town Hall, 336 Town Office Road,
10 Troy, New York 12180, pursuant to Section 10 of the Zoning
11 Code of the Town of Brunswick and also pursuant to the State
12 Environmental Quality Review Act ("SEQRA") and its
13 implementing regulations at 6 N.Y.C.R.R., Part 617, to allow
14 public comment on the application submitted by ECM Land
15 Development, LLC for the proposed Duncan Meadows Planned
16 Development District ("PDD"), which is a proposed mixed use
17 residential project consisting of 78 townhomes, 88
18 condominium units and 50 senior citizen apartment units,
19 located on approximately 91 acres of land on McChesney
20 Avenue and McChesney Avenue Extension. The portion of the
21 site, 500-foot setback from McChesney Avenue (CR-134), is
22 currently zoned as "R-25 Residential" and the remaining part
23 of the site is zoned as "A-40 Agricultural". The
24 application has been submitted pursuant to Section 10 of the
25 Zoning Code of the Town of Brunswick for a Planned

1 Development District. A Draft Environmental Impact
2 Statement ("DEIS") has been prepared by ECM Land
3 Development, LLC for this action pursuant to SEQUA. The
4 Town Board of the Town of Brunswick, as SEQRA Lead Agency,
5 has accepted the DEIS as adequate for public review, and a
6 Notice of Completion has been filed. The public hearing
7 will allow comment on the PDD application and the DEIS. The
8 Duncan Meadows DEIS is available both in hard copy and
9 electronic format. Hard copies of the Duncan Meadows DEIS
10 are available for public review and inspection at the
11 following locations: Town of Brunswick Town Office, 336
12 Town Office Road, Troy, New York 12180; Brunswick Community
13 Library, 4118 Route 2, Troy, New York 12180.

14 An electronic format of the Duncan Meadows DEIS is
15 also available for review on the Town of Brunswick web site,
16 at www.townofbrunswick.org. All interested persons will be
17 heard at the public hearing." And that's dated December 1,
18 2009, Brunswick, New York, "the Town of Brunswick Town
19 Board, by Philip H. Herrington, Supervisor." And that was
20 in the newspaper on December 3rd, 2009.

21 SUPERVISOR HERRINGTON: Thank you. I think at
22 this point, I would like to ask Attorney Gilchrist to come
23 on up and tell us where we are procedurally, please.

24 MR. GILCHRIST: As was described --

25 MS. QUEST: Danny, will you turn that on.

1 MR. GILCHRIST: I think it is on. Is it on? As
2 described by the Town Clerk in the Notice of Public Hearing,
3 we are at the point in the project review where the
4 application was complete. A positive declaration under
5 SEQRA had been filed requiring the preparation of a Draft
6 Environmental Impact Statement that was completed by the
7 applicant and deemed complete for public review and comment
8 by the Town Board in December -- no, strike that -- in
9 November with the Notice of Completion as well as the Notice
10 of Public Hearing served and filed.

11 I'll note for the record that the Notice of
12 Completion of the DEIS and the SEQRA Public Hearing Notice
13 was served on all SEQRA-involved agencies on December 11th.
14 As the Clerk indicated, the Notice was published in The Troy
15 Record. The Notice was also placed on the Town web site and
16 was posted on the Town sign board, and pursuant to the SEQRA
17 regulations, also acceptance of completion of the DEIS was
18 published in the Environmental Notice Bulletin. As the
19 Notice indicated, the application documents were available
20 in hard copy at Town Hall, as well as the DEIS available at
21 Town Hall. The DEIS was available at the community library,
22 and the DEIS was available in electronic format on the Town
23 web site.

24 The purpose of tonight's public hearing is to
25 receive comment both on the PDD application, as well as the

1 information that was contained in the Draft Environmental
2 Impact Statement. Again, the purpose is to receive comments
3 as this Town Board has done in the past. This is not a
4 debate or question and answer session, but again, the
5 purpose is simply to accept comments from the public, as
6 well as members of the Town Board, concerning the project as
7 referenced in the application documents and the DEIS.

8 I'll note for the record also that the Town Board,
9 pursuant to its procedure, has also established that there
10 will be a written comment period following the close of the
11 public hearing concerning the application documents and the
12 DEIS.

13 Upon receipt of those comments, the Board -- there
14 will be no action on the application at that point. The
15 applicants, pursuant to SEQRA, will need to respond to the
16 public comments received and submit a further document to
17 the Board for its review called the Final Environmental
18 Impact Statement. That would complete -- once complete,
19 that would complete the application, and then it would be
20 ready for the Board's determination as to whether approved,
21 disapproved or approved with conditions.

22 That's where we are procedurally. Now, Kestner
23 Engineering, Mark Kestner, has reviewed the DEIS for
24 completeness and briefly can describe the elements in that
25 document for the record.

1 MR. KESTNER: I would just like to say that
2 determining that the Draft Environmental Impact Statement is
3 completed means that the applicant has provided the Town
4 with sufficient information and studies to address potential
5 environmental impacts. These include the water distribution
6 system, sewers, traffic, storm water, economics, schools,
7 wetlands and that the document is sufficient for public
8 comment. It does not mean that we, at this point, agree
9 with all of the information that's contained in it but that
10 the document is complete enough to give the public a chance
11 to comment on it. Thank you.

12 SUPERVISOR HERRINGTON: Thanks, Mark. Okay. I
13 think at this point, I'd like to ask the applicant, someone
14 to come up and make a statement, please. Grab that
15 microphone. Andy --

16 MR. GILCHRIST: If I could, for the record, as
17 well as for the applicant, as well as members of the public,
18 we have a stenographer here tonight to record all the
19 comments received. To make her job easier, we need to speak
20 clearly and slowly, and we can't have multiple people
21 speaking at once because it's very hard to take that down on
22 a written record. Thank you.

23 SUPERVISOR HERRINGTON: Thank you.

24 MR. BOSSOLINI: Good evening. My name is Frances
25 Bossolini with Ingalls & Associates. We're preparing the

1 environmental documents and the site engineering for the
2 property owner and applicant. ECM Land Development
3 representatives and the applicants are here as well.

4 As everybody I'm sure knows, the project called
5 Duncan Meadows is located at the north end of McChesney
6 Avenue Extension, which on this photo is through the center
7 of the drawing. I have really two different views here.
8 This is a close view, and to my left is an aerial photo
9 farther out to try and get a perspective of the site and its
10 context.

11 As far as the project specifics, the proposal
12 includes 216 residential units, 50 of which are
13 age-restricted senior apartments and the other, 88 and 78
14 condominium and townhouse style living. We've designed the
15 site to retain and preserve some of the natural features
16 that the Town and community has identified as being
17 important, particularly some of the existing fields along
18 McChesney Avenue and the existing wetlands and green space
19 preservation areas along McChesney Avenue itself and
20 McChesney Avenue Extension. The property is divided into
21 three components, 88 units over on the west corner. The
22 northeast quadrant would have the townhouse style and the
23 senior houses and then another small pod of townhouse-styled
24 condominium ownership here (indicating).

25 As part of our preparation of the Environmental

1 Impact Statement, we had a litany of environmental issues
2 which were reviewed in depth. Those would include a general
3 overall analysis of the site, its environs and setting in
4 the community, specific analysis of soil conditions, wetland
5 identification and mapping, identification of any potential
6 habitat areas for wildlife and plants. We did an assessment
7 of the municipal utilities in the area, in particular, the
8 water, municipal water system and municipal sanitary sewer
9 system and their ability to absorb this project and what, if
10 any improvements, would be necessary to complete the
11 project. There was a very detailed analysis of storm water
12 to identify the runoff points and existing condition of the
13 storm water flow and then what specific mitigative measures
14 might be necessary to address that during construction.

15 We had a fairly in-depth look at traffic, where we
16 identified intersections. In the scoping process, to the
17 northeast and west and also to the southeast, those
18 intersections were all identified in the public scoping
19 process. We counted cars in our traffic analysis and
20 presented the findings based on the additional traffic from
21 this project. I won't get into all the detail of all these
22 studies, but as far as mitigation that's going to be
23 required with respect to municipal utilities, we did
24 identify that the existing pump station that's located here
25 behind the Wal-Mart (indicating) would require some upgrade

1 to accommodate the flows from this project. We're working
2 with the Town engineering consultant to fit into that
3 process. There are some upgrades being planned as part of
4 some other developments in the area as well. We'll
5 piggyback on top of that. The water system in the area is
6 adequate to support this project, other than the specific
7 construction to get the infrastructure into the project.

8 Traffic, we determined that this project would not
9 have any level of service impacts on the intersection. It
10 does add some traffic, but the capacities of the
11 intersections that we studied are such that they can absorb
12 this project without a degradation of level of service.

13 On the environmental side, we identified the
14 wetlands. We have no impacts. We did it, intentionally
15 avoiding those areas in our plans, and we would not have any
16 permitting to take care of with the Army Corp.

17 We've included an endangered species review and
18 found no habitat there. And we also had some visual
19 assessment in our documents to try and describe what's going
20 to be, what the project is going to look like. Again,
21 because of the availability of these corridors along
22 McChesney Avenue Extension, we tried to keep the project off
23 the road so we wouldn't erode or clutter the landscape. I
24 know there were some concerns about green space, and one of
25 the things with this particular project, we were able to

1 cluster the development. It's very compact in terms of the
2 overall project. This yellow line (indicating) represents
3 the area of consideration of about 92 acres, and the area
4 outside of the development, which really is the area that's
5 still photographed on this board, is about 60 percent of the
6 project. So we're constructing this, and there will still
7 be about 60 percent of the property that will be
8 undisturbed. That does include a previously created
9 mitigation and preservation area that was done as part of
10 the Wal-Mart project. Also then, on top of that, within the
11 developed area that we have, we have probably another 17
12 acres of green space that -- we're calling it green space,
13 not pavement or rooftops. So I think we've done a fairly
14 thorough job of trying to keep the development compact and
15 limit its footprint on this project on this property.

16 Again, all of that is in the documents that we're
17 here to hear comments about. I'll turn it back over to you.

18 SUPERVISOR HERRINGTON: Thank you, Frank. At this
19 point, I'll open it to the public. If anyone has some
20 comments and would like to come forward and grab that
21 microphone. State your name and address.

22 MR. TKACHIK: Phil, can we ask questions, just
23 some details of --

24 SUPERVISOR HERRINGTON: Come on up. Jim, grab
25 that phone there.

1 MR. TKACHIK: Jim Tkachik, 387 Brunswick Road. I
2 just had a couple of questions about, what's the difference
3 between a townhouse and the condo-styled building? Is it --

4 MR. BOSSOLINI: Well, from a -- sorry.

5 SUPERVISOR HERRINGTON: Better keep that, Frank.

6 MR. BOSSOLINI: The intention is that all of the
7 buildings will be, all of the for sale property will be
8 condominium ownership. My delineation -- when I referenced
9 the condominium style, this is representative of the portion
10 of the project that's to the northwest, so directly behind
11 where the Wal-Mart is. A condominium is either a unit over
12 a unit, a single-story building that has attached garages to
13 the east on this map, eight two-bedrooms units. So that's
14 the condominium. The townhouse is more of your
15 townhome-style, three units. They could be two stories.
16 They could be one, different varieties of floor plans. So
17 that's the townhouse style. The intention is so there will
18 be condominium ownership. There will be a homeowner's
19 association that would own and maintain the grounds, and
20 then the units would be owned by the buyer.

21 SUPERVISOR HERRINGTON: Wait a minute. Jim.

22 COUNCILMAN POLETO: Jim, you have to stand and
23 grab that microphone.

24 MR. TKACHIK: What are the blue? Are these ponds
25 or something?

1 MR. BOSSOLINI: No. These represent -- they are
2 representative of storm water managements areas. Whether or
3 not they'll have standing water is still a function of the
4 final design. For illustrative purposes, we're
5 demonstrating that that's about where they are going to go.
6 They are sort of mimicking the natural flow of the land. So
7 there will be something there. Whether it's got standing
8 water or not, that will come out in our final design.

9 MR. TKACHIK: And I was wondering. You said there
10 were two different types of zoning here. Approximately
11 where are those?

12 MR. BOSSOLINI: What did we say, 500 feet? The
13 R-25, which is residential, 25,000 square foot lots, is
14 parallel to McChesney Avenue. So that's basically a half
15 acre of residential development style. Then the A-40 is
16 everything south of that, which is a one-acre lot and
17 agricultural farming use, by the way. I'll note that the
18 Sugar Hill Project is a PDD that this Board had to approve.
19 I believe that the Highland Creek, also that project was
20 here and was also a PDD. They went through a similar
21 process here.

22 MR. TKACHIK: If I can see -- I can't see from the
23 detail here. Are there any sidewalks planned in this area,
24 either on McChesney or through the development or on either
25 McChesney Extension or near it?

1 MR. BOSSOLINI: At this point, we're contemplating
2 walking paths within the project itself. We have not
3 discussed anything on the road or right of way.

4 SUPERVISOR HERRINGTON: You're thinking that might
5 be a nice addition, a walking trail or path. It's something
6 to consider.

7 MR. TKACHIK: Sidewalks.

8 SUPERVISOR HERRINGTON: Sidewalks. Anybody else
9 at this point? Grab that microphone. Name and address,
10 please.

11 MR. MORIN: Paul Morin (phonetic), 142 McChesney
12 Avenue. You're explaining to me --

13 COUNCILMAN POLETO: You need to stand at the
14 microphone.

15 COUNCILMAN SALVI: You have to hold it.

16 SUPERVISOR HERRINGTON: Everybody is nervous about
17 the tape there.

18 MR. MORIN: You're saying here, this is drainage
19 already, the blue area?

20 MR. BOSSOLINI: The general flow of a small
21 portion of that goes behind that house.

22 MR. MORIN: Well, I've been here around six, seven
23 years now, and the drainage is getting worse every year to
24 the point it's flooding my basement out all the way up to my
25 furnace. Now, if this is going to be a road here or

1 whatever coming in, how much worse am I going to get it? Am
2 I going to lose my whole basement entirely? Because that's
3 the issue I have right now. Every year, it gets worse and
4 worse, and it's to the point now, I had a river -- I have
5 pictures. I have a river literally running through my
6 backyard. It comes all the way up to my basement. Then I'm
7 without a basement for five or six days until I finish
8 either sucking it all out or whatever. And I'm worried
9 about, if this road comes in, how much worse is it going to
10 make it for me?

11 SUPERVISOR HERRINGTON: That's what we're trying
12 to accomplish tonight, any of these concerns that we have.

13 MR. MORIN: Well, I got the Notice and I wanted to
14 come in and make it, because like right now, my basement is
15 useless, and it's only -- I'm worried now, is my furnace
16 going to shut down in the middle of the night? It happens
17 sometimes in the spring, sometimes in the fall. And if you
18 come out here and you drive by this --

19 COUNCILMAN POLETO: Is the water running down the
20 front of your house? Or it is coming --

21 MR. MORIN: No, off above the hill, down the side
22 and through the backyard, and you can literally see a creek
23 that has formed, and how every year, it gets worse and worse
24 and eats the dirt out. And then, if you go by here, on
25 certain given days if you look, there's a five-foot creek

1 there on that whole property along there, and it's just
2 getting worse and worse. Like I said, when it does it, my
3 yard is gone, too. I can't put the kids out there to play
4 because there's so much water in the yard, and it gets worse
5 every year.

6 SUPERVISOR HERRINGTON: As we mentioned, Frank
7 probably won't be able to answer all these things, but we'll
8 get it on the record the concern about the drainage. You
9 will get an answer.

10 MR. MORIN: Yes, that's my biggest concern is the
11 drainage. Is it going to get worse and worse to the point
12 where it starts eating at the foundation? Because it's
13 coming under the house, obviously. If it's going through my
14 yard that much that the water boils up in the yard from the
15 water and so much going into the ground, there's obviously a
16 problem. Now, is it going underneath my house as well?

17 SUPERVISOR HERRINGTON: Now, you mentioned your
18 address.

19 MR. MORIN: One forty-two.

20 SUPERVISOR HERRINGTON: Okay.

21 MR. BOSSOLINI: For the record, briefly for the
22 record, the gentleman's observations are exactly what we
23 have observed as well. So what we're working on, this
24 probably is a critical drainage element. So we will have a
25 solution that will address your concerns. The answer

1 generally is, we're not allowed to increase the runoff as
2 part of the development and the review by the Town and DEC
3 permit. So we have to contain it and --

4 MR. MORIN: That's what I'm looking for. I'm
5 looking for an answer to contain it, stop the water from
6 coming in, because now, all of a sudden this road comes in,
7 and now I've got three foot flowing through the yard until
8 it washes something out. Because I've got pictures of my
9 yard, and 60 foot down, there's nothing but water, and it's
10 going all the way up into the basement of the house.

11 SUPERVISOR HERRINGTON: The developer will make a
12 determination, a suggestion, and then, not that we don't
13 believe him, but what we do is, we ask for some escrow money
14 for our expense, and then we hire Mr. Kestner for this
15 project as an engineer to look at the findings, too. So --
16 Mark.

17 MR. KESTNER: In this particular case, we did
18 discuss that.

19 SUPERVISOR HERRINGTON: Mark Kestner.

20 COUNCILMAN SALVI: Come up and use the microphone.

21 MR. KESTNER: In this particular case, we did
22 bring that to Mr. Bossolini's attention, and what he's done
23 is, he has pitched the majority of that road to the rear.
24 There's a short section of it that goes out toward McChesney
25 Avenue. Then there is a detention pond that's shown in blue

1 there, and then that discharge is behind this gentleman's
2 house, and then it was going to go down onto the D. Giavonni
3 (phonetic) property, which was part of the, which Wal-Mart
4 purchased. And we've asked to get together with Wal-Mart
5 and work out how we're going to keep the water away from
6 this gentleman's house and get it around to the back of the
7 house.

8 MR. HERRINGTON: Okay. Thank you. Anybody else
9 at this point? Kathy.

10 MS. BETTZINGER: Kathy Bettzinger.

11 COUNCILMAN SALVI: You're better off holding it,
12 Kathy.

13 MS. BETTZINGER: Kathy Bettzinger, One Valleyview
14 Drive. What are the costs of these from the senior housing
15 to the condos and apartments? They are all residences, not
16 rentals, correct? Just to clarify, they are all purchased.
17 And what's the purchase prices on these?

18 MR. HERRINGTON: Now, Andy, I don't know how deep
19 we get. Can we get into purchase prices and all that stuff
20 tonight?

21 MR. GILCHRIST: That's a comment that can be noted
22 for the record and addressed by the applicant what a
23 proposed purchase price is. That's a moving target because
24 where they would market today, but the range of pricing,
25 that's an appropriate comment and something that can be

1 addressed by the applicant.

2 SUPERVISOR HERRINGTON: If you're prepared, Frank.

3 MR. BOSSOLINI: The senior apartments would be
4 intended to be rentals. The rentals, as I understand it,
5 has a waiting list of -- we think there's a market for a
6 smaller senior apartment group, single retired person. So
7 those would be on a rental basis. The price point, I'll
8 give the mic to Mike Pigliavento who has that.

9 MR. PIGLIAVENTO: The condos that are in the Troy
10 Section, the 88 units, most likely we're going to try to
11 keep them under 175, and the townhouses in the Brittonkill
12 School District will be probably be around 225 starting.
13 That's the goal right now, and it's all based on
14 infrastructure costs and density, obviously.

15 SUPERVISOR HERRINGTON: For the record, I know,
16 but your name.

17 MR. PIGLIAVENTO: Mike Pigliavento, Pigliavento
18 Builders.

19 MS. BETTZINGER: But these are, of course,
20 proposed based on past history, not projecting out into the
21 future, and we all know what's happened with the housing
22 bubbles and our economic crisis that we're in right now.
23 These look like very fine things, and I'm sure the Board
24 has, you know, contemplated a number of issues with respect
25 to this. It would, of course -- any sale of properties

1 would, of course, be a boom, you know, a nice income for our
2 Town. It would make some extra revenues for us. However, I
3 hope that the Town is thinking long term, not just short
4 impact. After what I have read and researched is that
5 beyond five years, ten years, this type of cluster
6 development winds up costing the local Town and
7 municipalities more in being able to maintain the
8 infrastructure of the roads and keeping the roads well
9 maintained.

10 The hundred year storm that's brought into
11 consideration with, you know, a hundred-year storm, what's
12 the water impact going to be? Well, now we know with
13 climate change, the hundred-year storm is now happening
14 every ten years, which is why the water table continues to
15 rise. The Town of Brunswick has aquifers throughout, which
16 is why this land is primarily chosen as agricultural.

17 So, you know, all of these things given, you
18 know -- I hope that the Town has looked at the long-term
19 effect on the taxpayers and how it's going to impact things,
20 because what might seem to be a nice benefit, in the long
21 term may not necessarily be.

22 The other thing, has the fire department already
23 signed off on this? Okay. Because --

24 COUNCILMAN POLETO: They've got a letter here.

25 SUPERVISOR HERRINGTON: Nobody signed off on

1 anything. We have got a letter, Kathy, which is part of the
2 record with a few of the concerns from the fire company as
3 part of the record.

4 COUNCILMAN POLETO: Center Brunswick was here, but
5 he must have gotten a call because he's gone.

6 MS. BETTZINGER: Because in the Brunswick
7 Comprehensive Plan, one of the footnotes mentioned the
8 October 1987 snow storm which interrupted electrical service
9 to most of Rensselaer County for up to one week. At that
10 time, most of the shelters did not have the proper
11 equipment, including generators, indicating that the
12 designated Red Cross shelters may not be sufficient. So
13 with the increased volume of people, residents, if they all
14 happen to reside there, has that been signed off, again, by
15 the local fire emergency management? And given the fact the
16 state of the State, the state of our county reducing
17 benefits, will it be able to handle a grid interruption in
18 areas like this as far as emergency management? The grid,
19 as we know it, if these aren't places that have alternative
20 energy and they are the regular in the grid and relying on
21 the grid to sustain, is that something that we want to
22 consider going forward also?

23 You know, maybe it would be nice to have
24 residential housing with a center to address the water
25 problem and have a community gardens in the middle, which

1 would be more innovative thinking for future models of
2 building. Brunswick has such great agricultural land and
3 water that anyplace where we could have community gardens
4 would really be ideal, and not only that, it would be an
5 attraction to this area.

6 So for right now, I'm going leave the comments --
7 can I always come back up after this?

8 SUPERVISOR HERRINGTON: Yes.

9 COUNCILMAN POLETO: And you can also write
10 comments after. We have a comment period after.

11 MS BETTZINGER: Okay. Thank you.

12 SUPERVISOR HERRINGTON: Frank, let me ask you a
13 question. We have a couple of Brittonkill School Board
14 members here. I don't know if anybody is from the Troy
15 District. But the location of the school district here, do
16 you know where the line is?

17 MR. BOSSOLINI: The portion of the development
18 west of McChesney Avenue Extension is in the Troy School
19 District, so these 88 units here (indicating). The balance
20 is in the Brittonkill District, and the line runs somewhere
21 between.

22 MR. WADE: Matthew Wade, 10 Meadowview Drive. And
23 since Phil just told me and I'm looking at the Board
24 members, I was just wondering, what kind of population are
25 we looking at? You said there's going to be 88 on the north

1 side, northeast side.

2 MR. BOSSOLINI: Eighty-eight units on this side
3 seventy-eight of the for sale product with fifty apartments
4 here (indicating).

5 MR. WADE: For seniors.

6 MR. BOSSOLINI: This is senior age-restrictive.

7 MR. WADE: So do you have any good suggestions on
8 what kind of student increase you will have?

9 MR. BOSSOLINI: In the DEIS, and I'm not going to
10 try to quote off the top of my head, but in the DEIS we have
11 set forth some referenced student population generations
12 from this type of project and projected that against some
13 background information for each of the school districts.

14 MR. WADE: I wouldn't be doing my job if I didn't
15 ask.

16 MR. BOSSOLINI: It's in the document.

17 SUPERVISOR HERRINGTON: Frank, three bedrooms?
18 Did you mention three bedrooms, two bedrooms on most of
19 these?

20 MR. BOSSOLINI: These are two-bedroom.

21 SUPERVISOR HERRINGTON: Two?

22 MR. BOSSOLINI: These would be a mix of two and
23 threes, just depending on the units.

24 SUPERVISOR HERRINGTON: Thank you. Okay. The
25 microphone is open.

1 MS. HAYNES: Susan Haynes, 11 West Road. I ask of
2 the senior housing, is that going to --

3 SUPERVISOR HERRINGTON: You'll have to tighten
4 that up.

5 MS. HAYNES: That's right, or there's something
6 wrong with my grip. Are you looking for that to be
7 subsidized so we wouldn't pay a full tax, we would get a
8 full tax revenue on the senior housing because of the tax
9 subsidized? Aren't there tax credits for certain types of
10 housing?

11 MR. BOSSOLINI: The intention now is that there
12 won't be any subsidies, but, yes, there are different types
13 of senior housing. But the intention now, there would be
14 some type of market rate senior building.

15 SUPERVISOR HERRINGTON: Anybody else at this
16 point? Jamie.

17 MR. MEEHAN: I couldn't come all the way here and
18 not say anything. Jamie Meehan, Plumadore Drive, and I am a
19 member of the School Board, but I'm also a member of the
20 community, and I just wanted to ask a few questions as a
21 community member and --

22 SUPERVISOR HERRINGTON: You want to yell a little
23 bit in that microphone.

24 MR. MEEHAN: Do you have any projections of the
25 amount of tax that you would raise in the portion that's in

1 the Brittonkill School District?

2 MR. BOSSOLINI: Again, that information is in the
3 documents. It was tabulated in there. Off the top of my
4 head, I wouldn't know what it is, but it is published in
5 that document and how we came up with it. It's a fairly
6 involved discussion.

7 MR. MEEHAN: But I would think, because you said
8 that the average selling price would be about 225 for those
9 units in that area -- so how much do you think? Does
10 anybody know what the tax rate is for a house like that?

11 COUNCILMAN POLETO: No. I don't know what the
12 school tax rate is.

13 SUPERVISOR HERRINGTON: Like he said, it's all in
14 the DEIS.

15 MR. MEEHAN: Yeah, all right.

16 SUPERVISOR HERRINGTON: But that's your concern, I
17 mean.

18 MR. MEEHAN: That's a concern, right. Because
19 there's only so much room in the school. When you have more
20 kids, you have to hire more teachers, and the prices just go
21 up and up. So that's a concern as a school tax payer, too.

22 COUNCILMAN POLETO: What's the school tax rate,
23 Jamie? The Town tax rate is --

24 MR. MEEHAN: We don't set that; the State does.
25 The State sets all of that. It's a good time trying to

1 figure it out.

2 SUPERVISOR HERRINGTON: Frank, come on up.

3 MR. BRENESTUHL: Frank Brenestuhl,
4 B-R-E-N-E-N-S-T-U-H-L, only because she hollered at me the
5 last time. Just a couple comments. I know, I believe it
6 was with Sugar Hill, and maybe Andy can agree or disagree,
7 there was a magic number of 9,000 square feet that they kept
8 in line, I believe --

9 MR. GILCHRIST: Correct.

10 MR. BRENESTUHL: -- to try to figure out how many
11 for density, and I'm curious if the applicant has kept any
12 kind of a formula here that matches what was already done
13 there and/or with the other PDDs.

14 SUPERVISOR HERRINGTON: Mark, why don't you
15 explain.

16 MR. KESTNER: The applicant indicated he has
17 around 92 acres. He has 216 units of housing, and we
18 calculate that to be about 17,000 square feet per unit,
19 roughly. So he's above the 9,000 threshold. We did mention
20 that to him.

21 MR. BRENESTUHL: Seventeen hundred versus nine
22 thousand.

23 MR. KESTNER: Seventeen thousand.

24 MR. BRENESTUHL: Thousand. Oh, okay. So he's
25 above that. Okay.

1 MR. KESTNER: He has exceeded the 9,000. The
2 9,000 came about -- that's the smallest residential lot you
3 can have in the Town. So the thought was, if you have a
4 residential, even if it's an apartment, if you had 9,000
5 square feet per dwelling unit, then that would be similar,
6 you know.

7 MR. BRENNSTUHL: Okay.

8 MR. KESTNER: So he's I think something like
9 17,000.

10 MR. BRENNSTUHL: And the other comments I've got,
11 they may be kind of general, I'm not sure, but my
12 understanding is, on a regular development, one that's not a
13 PDD, once it's approved, shortly after that, our tax
14 assessor goes around, and they get assessed as approved
15 lots. Does that also happen on the PDDs? And if it does,
16 does that mean we're collecting monies from the other PDDs
17 that aren't being built yet? I guess that would come up
18 this way: Or do they have to start building on them? My
19 understanding was that once it became an approved lot, like
20 a major subdivision, they have to start paying a new tax
21 rate.

22 COUNCILMAN POLETO: Well, they get re-assessed.

23 MR. BRENNSTUHL: Right. They get re-assessed as
24 approved lots anyways, so --

25 COUNCILMAN POLETO: It goes from Ag, from the

1 zone, and it goes back, what, up five years that they have
2 to pay forward at the residential rate. They lose their Ag
3 discount, and every March 1st, wherever the process is,
4 okay --

5 MR. BRENNSTUHL: Okay.

6 COUNCILMAN POLETO: -- on that piece of property,
7 that's what it's assessed at.

8 MR. BRENNSTUHL: Right. Okay.

9 COUNCILMAN POLETO: So, and then the way that
10 works is, so whatever it was assessed as of March 1st of
11 2009 is what we base our 2010 taxes on. So whatever
12 transpires after, you know, from here on after March 1st
13 this year, whatever that property is approved for or
14 whatever -- right now it's vacant land. That's what it's
15 assessed --

16 MR. BRENNSTUHL: Right. So it's being assessed
17 as vacant land right now.

18 COUNCILMAN POLETO: Right.

19 MR. BRENNSTUHL: Or agricultural or whatever.

20 COUNCILMAN POLETO: Well, not anymore because it's
21 been sold.

22 MR. BRENNSTUHL: Okay. So it's vacant.

23 COUNCILMAN POLETO: Correct.

24 MR. BRENNSTUHL: So once the PDD is approved,
25 then the tax rate would be re-adjusted then, even before

1 anything is built?

2 COUNCILMAN POLETO: No, no. That's the building
3 permits. Then they get it. Whatever the process of that
4 build-out is --

5 MR. BRENNSTUHL: Okay. That wasn't my
6 understanding of like a major subdivision. My understanding
7 there was, right after it was approved, then they went down
8 as approved lots. Anyway, that's the --

9 SUPERVISOR HERRINGTON: Mark, grab that
10 microphone.

11 MR. BRENNSTUHL: I could be wrong.

12 MR. KESTNER: No. What happens is, if the fellow
13 gets a major subdivision approved and then goes down to the
14 County Clerk and files the map, then it shows up at our
15 assessor's door as a series of single-family home lots.
16 Therefore, she goes out on the date you indicated and
17 re-assesses those lots at that time. They are a building
18 lot of such and such size, rather than an acreage parcel.
19 So that does happen. You're right. Now, the question on
20 the table is, just if you approve the PDD, if he files the
21 map, I assume it would trigger a similar instance where the
22 assessor will do that, but I don't know. But I know for
23 residential subdivisions, that's why some people don't file
24 them. Then they expire, and they come back to the Planning
25 Board and ask them to re-up it to try to avoid what you're

1 saying.

2 SUPERVISOR HERRINGTON: Jim, you want to grab
3 that?

4 MR. TKACHIK: I talked to Sylvia, the assessor,
5 about this. PDDs are not taxed a higher rate. They're
6 taxed at the same rate that they were until the building,
7 until the construction actually starts. So they are not.
8 The land is not taxed as a development would be.

9 MR. BRENNSTUHL: Okay. Thank you. I'm not sure
10 I like that, though.

11 MR. TKACHIK: I don't think I do either.

12 SUPERVISOR HERRINGTON: Usually I don't worry
13 about Sylvia; she's out there pretty fast.

14 MR. BRENNSTUHL: I'm sure she tries to get there.
15 Don't get me wrong. I'm sure she's doing the job she can
16 do.

17 That brings up my other question then, which
18 applies to this PDD and any PDD. Does there have to be a
19 start time listed, and is there ever a finish time? In
20 other words, if they get it approved today and it goes down,
21 do they have to start building within five years? Fifty
22 years? Does it stay open forever as long as they applied?
23 Is it always open?

24 MR. KESTNER: I don't believe, I don't believe
25 that -- Andy might help out on this one. I don't believe

1 our ordinance does have a sunset provision. There are some
2 towns that do have a sunset provision on it, that if you
3 don't start within five years, you know, or you don't -- but
4 I don't believe we do have that.

5 SUPERVISOR HERRINGTON: Andy, is there a DEC
6 permit and stuff like that that have time frames on them
7 that run out if you don't get the project started?

8 MR. GILCHRIST: I apologize. I was speaking on
9 some school district issues. No. There is not, under the
10 Town Code, a sunset provision on the PDDs. And the Town
11 Board has not been placing them on that, the PDDs that have
12 been recently reviewed, nor, under my understanding, have
13 they done that previously. But in terms of other necessary
14 permits, there are some types of permits which do carry
15 terms that would need to be renewed. There are other types
16 of DEC permits that do not have time limitations, and they
17 run in perpetuity, like wetlands permits. So it depends on
18 the particular permit.

19 MR. BRENNENSTUHL: And I'm not saying I want it on
20 this PDD if it's not on the other PDDs. They should all be
21 treated equally, and I would say that I don't want to hurt
22 Mr. Duncan because if he could become wealthy on this deal,
23 that's fine by me. Especially, seeing how Bob is sitting
24 next to him, and I haven't heard Bob complain about it, and
25 he's right in the development. Okay. So I don't want to

1 come across that I'm against the development, but I was
2 curious of start times and stop times, because it could just
3 lay that way forever, which would probably make most people
4 happy.

5 SUPERVISOR HERRINGTON: I believe Mr. Duncan has
6 already sold his land. So --

7 MR. BRENNSTUHL: Okay.

8 SUPERVISOR HERRINGTON: -- this approval has
9 nothing to do with it. He sold it. You invested your money
10 wisely, right, Larry?

11 MR. BRENNSTUHL: My only other comment to the
12 applicant, and maybe they've already done it with Mr.
13 Kestner and everybody, but every PDD and major subdivision
14 that I paid attention to, they come in with a number, and by
15 the time they get done, it's this number over here. Can we
16 skip that step and just go to that over here, just to speed
17 it up and everybody knows roughly what's really going to get
18 approved, I mean, you know, just to save all the Boards a
19 little bit of time?

20 SUPERVISOR HERRINGTON: I believe when I talked to
21 the developer, this is what they want. They don't have a
22 lower number there. They are not going to come in high.

23 MR. BRENNSTUHL: No.

24 SUPERVISOR HERRINGTON: Usually what happens is,
25 people with comments and the Town Board people --

1 MR. BRENENSTUHL: But even like Brunswick Meadows
2 down there, they had to rearrange things to drop a couple
3 buildings because of the way it looked out the front and
4 also so the fire trucks could get around the back. Their
5 engineers must have known that the fire trucks can't turn
6 around out in back, you know, instead of having to go
7 through the Planning Board and have the fire department come
8 back and go through all of the hours and hours, which they
9 had to know originally or expected it.

10 SUPERVISOR HERRINGTON: Either that or they needed
11 a different engineer, one or the other.

12 MR. BRENENSTUHL: That could also be.

13 SUPERVISOR HERRINGTON: Frank, you're pretty sharp
14 going to all these meetings here, which is good, Zoning and
15 Planning. Anybody else at this point?

16 MR. TKACHIK: Jim Tkachik. It's T-K-A-C-I-K, 387
17 Brunswick Road. I had some comments about the traffic study
18 to be made, and I think there's some flaws in some of these
19 things, like the predictions. Right now, if you look at the
20 intersection from McChesney where McChesney goes to Route 7
21 at the traffic light, there are about, on the a.m. rush
22 hour, I guess from like 8:00 until 9:00 in the morning, the
23 count is 120 cars per hour. After the build-out of the
24 development, this is going to go up to 236. So you're about
25 to almost double this rate here. Now, one of the problems I

1 have with this is the way these predictions are done and
2 that they have these trip generation calculations, and the
3 value here is that they reckon that every unit is going to
4 send out half a car, in other words, .5 cars per unit.
5 Unfortunately, there's such a wide error on this. The
6 standard deviation is .75. In other words, you said it's
7 going to be .5 per unit, plus or minus .75. In other words,
8 it could be, within the range of the statistical analysis,
9 anywhere from, well, zero, it's not going to go lower than
10 zero, up to 1.25 per unit. In other words, it could go from
11 .5 average up to 1.25, which is a factor of 2.5, all right?
12 So if you consider, for example, that just down the road
13 from this or -- what's the development's name?

14 SUPERVISOR HERRINGTON: Sugar Hill?

15 MR. TKACHIK: No, no. Highland Creek, between
16 Highland -- you know, when they did the --

17 SUPERVISOR HERRINGTON: I think my word is I don't
18 recall.

19 MR. TKACHIK: When they did the trip generation
20 predictions, you have the same problem there. So you really
21 have a range of a factor of two and a half. Within reason,
22 you know, it's a reasonable possibility this could happen.
23 So instead of having 236 cars an hour, you might have 350
24 cars an hour. And I just put this in prospective, if you go
25 down Moonlawn to Route 2 at a.m. peak traffic, in other

1 words, going west toward Troy, you have 380 cars going
2 through there now, all right, going east on Route 2. And
3 the possibility of having between -- you're going to be, by
4 the traffic study, you're at 200 or about 240 now, which is
5 like two-thirds. All of the traffic on Route 2 is going to
6 be at that one stoplight at McChesney, and this is according
7 to the traffic study. If there's any deviation upwards of
8 there, you're going to be approaching that same number. You
9 might be up into 300. Of course, by then, traffic sort of
10 follows the point of least resistance, and it's going to go
11 elsewhere, of course. But that traffic light, if you end up
12 with 350 cars an hour, that's on the average 6 a minute, I
13 don't know what the traffic cycle is, the timing light cycle
14 of that is, but it can't be favorable to the cars coming off
15 McChesney, because, you know, you're always trying to get
16 the traffic rolling through there and adjusting this. I
17 don't know what the cycle is, Pat, in the morning. It
18 probably could be four minutes, right?

19 COUNCILMAN POLETO: Yes.

20 MR. TKACHIK: Yeah. If you're getting six a
21 minute on a four-minute cycle, you could easily have
22 twenty-five cars sitting there, right? And that could very
23 easily be like a two- or three-light delay to get through
24 that intersection. So this is one of the things that I
25 don't think people have given enough thought to. It's not

1 just this development, but it's the other one that's been
2 approved, and they are generating a similar number of cars,
3 you know. But that slight variation in the statistics
4 there, you know, you could really be overwhelmed there.
5 That's my comments about that.

6 Overall, I think this project has a lot of
7 promise, because I think I've become a convert to like
8 clusters like this in appropriate areas, and I think this is
9 an appropriate area for this. Now, I think, a couple of
10 things I think we need in a situation like this between, for
11 example, Sugar Hill, this, Highland Creek, coming down the
12 way are some sort of potential foot travel, walking. People
13 are going to get back into walking, bike paths, not just
14 within the development but to walk to Wal-Mart, to walk to
15 Price Chopper. In other words, you have to have something
16 on the, you know, on the public right of way, a path there.

17 Now, the other thing that I think people are
18 overlooking, I think it's good also to have senior housing.
19 I think that's something that's needed in the Town. I think
20 one of the biggest problems facing myself and everybody,
21 most of you guys, within the next 20 or 30 years, I see this
22 in my aunts and uncles now, is transportation. And I think
23 this would be a very special point of this project if you
24 could lay some sort of a germinating seed for a senior van
25 in the Town, you know, for the development. You might not

1 have to do this on your own, but there are other senior
2 housing in Carriage Hill, for example. If you could just
3 get this idea started, because I think this is going to be
4 one of the drastic needs of seniors in the next ten years.
5 Everybody here knows somebody in a situation like this.
6 They are landlocked in their house because they can't drive
7 anymore, and I think that's something that can be pursued,
8 and I think if you did something like this, you know, with
9 these -- I wouldn't even call them amenities anymore -- but
10 future needs, I think this would be a much more promising
11 project. But on the other hand, I see right now in the
12 approved PDDs that there -- I'd say, at last count, I'd say
13 there's about a thousand to twelve hundred housing units
14 approved. Mark, do you have any rough idea?

15 MR. KESTNER: There's about six of them.

16 MR. TKACHIK: Between the big apartment complex,
17 Carriage Hill, Highland Creek, Brunswick Meadows, and then
18 the other apartments that are in Sugar Hill and that
19 company, the new PDDs, if it's just going to be a
20 run-of-the-mill project, I don't see why it should be
21 approved. If it's going to be something special, if you're
22 going to start something special and, for example, get into
23 something I would consider special features, I think that
24 would be really a strong point in favor of this. Otherwise,
25 there are a thousand other units very similar to these.

1 There are apartments or townhouses or senior housing. There
2 would be no reason to do this, to change the zoning of this,
3 but I think you could make this a very special case here, I
4 think mainly because the location with the commercial area,
5 the clusters from the Sugar Hill areas and other cases of
6 the commercial area and clusters from the Sugar Hill areas
7 and others on McChesney Avenue.

8 I think also somebody has to keep track of the
9 traffic, especially when McChesney Avenue going toward Route
10 2 caves in on the turn down there, because you're going to
11 be stuck there.

12 SUPERVISOR HERRINGTON: Jim, thank you. Once
13 again, you also do a lot of homework, and they are good
14 comments. I appreciate them. Pat's father-in-law is 96 and
15 drives up to Bennington every Saturday.

16 COUNCILMAN POLETO: Every Sunday.

17 MR. HERRINGTON: Sunday morning? That's why I'm
18 going to try to stay off of Route 7. He's pretty good. He
19 can drive the van.

20 COUNCILMAN POLETO: Yeah, he would love to do that
21 in his spare time.

22 MR. HERRINGTON: Amazing. They are nice, good
23 comments. I appreciate that. Anybody else at this point?

24 MS. BETTZINGER: A couple more things. Kathy
25 Bettzinger again, One Valleyview Drive. If nothing changes

1 with the design and it all remains residential and only 50
2 senior housing and if you build it and they don't come,
3 because you know, the economy plummets even further or
4 people don't want to deal with the traffic to get there to
5 live there, is there anything in the plan to ask for a
6 security deposit from the developer to protect the Town? I
7 know other communities have done such a thing, where they
8 actually ask for this money so that if it fails, the Town
9 now has something you can do. You have that money sitting
10 there and you can use it, and it's just a security deposit.
11 But I know other communities have done that before, and it's
12 just protection.

13 But I think also in talking with so many people
14 around the community, I think senior housing is really the
15 only thing that we really need here, something in line with,
16 again, some community gardens, some walking paths. Just as
17 the gentleman before me said, it's great ideas, but I think
18 that we only need senior housing. Those are the people that
19 have been saying that they want to move here, that they need
20 something else, are the seniors.

21 The water infrastructure is something else that
22 the other gentleman said before, and the number of people
23 that I spoke to had severe water problems, not just in the
24 water as it stands coming off the road, but it's all the
25 surface area water and from all the roofs and everything.

1 And then it leads me to the next thing, which has
2 to do with the PDDs. The PDDs are just Planned Development
3 Districts currently, all now six of them, I believe. They
4 will be or will have to go through this public hearing for
5 every one of these in the future. Or does the Town plan to
6 update the Comprehensive Plan to basically put some teeth in
7 the zoning so that residents have an idea of when they are
8 moving or they are building here, that five years later it's
9 not going to change, and they think they are buying, you
10 know, five acres of land and one house, and then five years
11 from now or maybe two years, that's going to change because
12 it's all ad hoc, and now their neighbor now has an apartment
13 complex right next door?

14 So I think that we really need to have a long-term
15 plan in place with teeth in it so that the residents know
16 what to expect on our whole Town level, on the entire Town
17 level. I think people want that.

18 SUPERVISOR HERRINGTON: Thank you, Kathy.

19 MS. BETTZINGER: Thank you.

20 SUPERVISOR HERRINGTON: One thing that the
21 developer will probably tell you, they have quite an
22 investment usually in these projects, then tell you not
23 quite enough. What I've found is, once these guys buy this
24 land and get to this point, they have quite an investment.
25 So they try to get something accomplished or done or

1 whatever. Things do change, because you know, I was born on
2 that farm down over the hill. I'm not going to start from
3 Day One, but this milk truck used to come down and pull into
4 Bonesteel Lane, a trailer truck, and back across McChesney
5 blind side. Can you imagine trying to do that these days?
6 The neighborhood has changed since I was a little boy; I
7 know that. Anybody else? Mr. Cioffi, come on up.

8 MR. CIOFFI: Joseph Cioffi, Jr., 23 Norfolk
9 Street, Brunswick. I looked at the Draft DEIS and Final
10 DEIS, and the first thing that comes to mind on this, it's
11 just too large of a proposal, that it should be scaled back,
12 and I prefer that the zoning not change and keep it R-25 and
13 A-40. And if they want a PDD, leave the PDD just to the
14 R-25. The claims that the infrastructure is good enough,
15 that the roads, water and sewer are sufficient, I generally
16 disagree with that, that with all this development going on
17 on McChesney Avenue, it is not enough for multiple fires.
18 The capacity on the water cannot be handled. It just can't
19 handle it. The 975 GPM and PSI with one hydrant open is not
20 enough for three or four fires.

21 The traffic situation, we're talking 300 to 500 or
22 more during rush hour from this. This is going to back up
23 more than the rush hour analysis. The bad times are 12 noon
24 and 5:00 p.m., and it's only going to get worse. There's
25 just nothing set for this. We have Highland Creek, and that

1 takes up a chunk. If you add this, it takes up more of
2 this. I disagree with their findings. That's all.

3 SUPERVISOR HERRINGTON: Thank you. Anybody else
4 at this point?

5 COUNCILMAN CASALE: Can I ask a question?

6 SUPERVISOR HERRINGTON: Yes.

7 COUNCILMAN CASALE: I want to know, Frank, for
8 each one of those developments or one of those things, how
9 far, how many feet is the closest building to the main road,
10 each one of them; do you know? You must know.

11 MR. BOSSOLINI: Well, along this side
12 (indicating), McChesney Avenue Extension, we did hear some
13 of the Board's comments the last time we were here about
14 trying to maintain a clear strip here. So we drew a line
15 more or less to the back of these lots here (indicating).
16 So that's about 200 feet. So there's your closest space.
17 We're going to leave 200 feet more or less untouched, except
18 for the road.

19 COUNCILMAN CASALE: And that's for the townhouses?

20 MR. BOSSOLINI: That's for the townhouse here
21 (indicating). Similarly, along here (indicating), a
22 200-foot buffer here. Off McChesney Avenue proper, you're
23 looking at 500 or 600 feet across that wetland area.
24 Similarly, over here (indicating) on the west side of
25 McChesney Avenue Extension, this is probably about 400, 500

1 feet off the road in this direction a little farther that
2 way (indicating).

3 COUNCILMAN CASALE: Those are the condos?

4 MR. BOSSOLINI: These are the condos, right. The
5 intention here is to preserve this big field as it is. So
6 there won't be any real disturbance on the street side.

7 MR. HERRINGTON: Any other Board member?
8 Concerns, questions at this point? Again, we are going to
9 continue to take a heavy, serious look at this with the
10 consultants.

11 Anybody else at this point? Any other comments?

12 (No response.)

13 SUPERVISOR HERRINGTON: Hearing none, I'll
14 entertain a motion to close the public hearing.

15 COUNCILMAN CASALE: Second.

16 SUPERVISOR HERRINGTON: All in favor?

17 BOARD MEMBERS: Aye.

18 COUNCILMAN POLETO: Now, the public comment
19 period, Andy, it stays open for --

20 MR. GILCHRIST: Yeah, it was in the Notice. The
21 public comment period will stay open for another ten days.
22 That can be put on the Town web site to alert everyone. We
23 will send out notices to the other SEQRA-involved agencies
24 that the public hearing was held and that there is an
25 additional ten-day written comment period, if any other

1 agencies want to submit comments.

2 SUPERVISOR HERRINGTON: I might want to add, and I
3 should have said it during the meeting, these gentlemen are
4 here. I'm quite sure they'll entertain any questions if
5 somebody wants to come up after the meeting and ask them
6 anything. I've got another half hour before the next Board
7 meeting. Okay?

8 COUNCILMAN POLETO: The motion was to adjourn,
9 right?

10 MR. HERRINGTON: Yes. I guess we did that
11 already. Thank you.

12 (Whereupon, the public hearing was concluded.)
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APPENDIX B – SCHOOL-AGED CHILDREN DATA

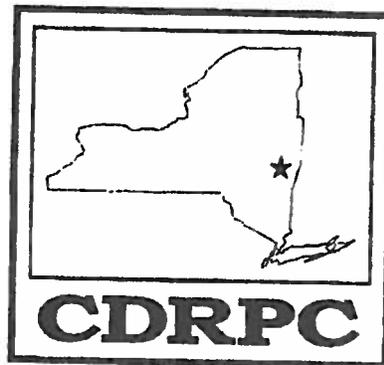
Children Per Housing Unit in Newer Residential Construction

Albany County w/o Albany City	Housing Units Built 1995-2000	Children Under 5 in Units	Children Age 5-18 in Units	Total Persons in Units	Children Under 5 per Unit	Children Age 5-18 per Unit	Total Children per Unit	Total Persons per Unit
One-Family Detached Dwelling	3,022	1,587	2,457	9,989	0.53	0.81	1.34	3.31
Duplex/Townhouse	232	26	45	450	0.11	0.19	0.31	1.94
Apartments	1,044	32	33	1,187	0.03	0.03	0.06	1.14
Mobile Home/RV	133	63	85	370	0.47	0.64	1.11	2.78
Source: 2000 Census 5% Public Use Microdata Area (PUMA) data Prepared by the Capital District Regional Planning Commission								



**School Enrollment
Projections
for the
Brunswick
Central School District**

2005-2006 School Year



Capital District Regional Planning Commission

One Park Place, Suite 102, Albany, New York 12205

Phone # 518/453-0850

Fax # 518/453-0856

Web Site: <http://www.cdrpc.org> E-Mail: cdrpc@cdrpc.org

School Enrollment Projections

Normally, CDRPC would not consider the proposed PDD developments heavily in a school district's enrollment projections. They are too early in the proposal process to accurately predict their final form. Furthermore, proposed developments usually fit into an ongoing development pattern within the school district. That is not the case for the Brunswick School District and these developments. The PDD's would be an unprecedented break from the District's ongoing development pattern and would have a major impact on the District's enrollment if developed as currently proposed. As a result, CDRPC has developed three different enrollment scenarios as follows:

1. No construction of the proposed PDD developments.
2. Full build-out of the PDD developments in five years with the carriage homes successfully marketed to empty nesters. In this scenario, the 400 units at Hudson Hills that are within the District generate 0.17 students per unit. The 220 estimated carriage homes within the District are projected to generate 0.24 students per unit.
3. Full build-out of the PDD developments in five years with the carriage homes marketed to the general public. As with Scenario 2, the 400 units at Hudson Hills that are within the District generate 0.17 students per unit. The 220 estimated carriage homes within the District are then projected to generate 0.77 students per unit.

The 0.17 students generated by Hudson Hills apartment units is estimated based on the number of students generated by new apartments in southern Saratoga County through a special 2000 Census query and national standards for students generated by existing apartment units. The 0.24 students generated by the empty nester carriage homes is estimated based on the students generated by the new apartments in southern Saratoga County (which average 3 bedrooms). The 0.77 students generated by the carriage homes marketed to the general public is a result of averaging the number of students generated by new single-family homes in Albany County excluding the City of Albany and the number generated by single family homes southern Saratoga County, both developed through a special 2000 Census query.

Unfortunately, a special query that would include the Brunswick School District would also include the entire County, including the City of Troy and the City of Rensselaer. The demographics of urban Rensselaer County are very different from those of the Brunswick School District and would make the data unreliable.

Source: "School Enrollment Projections for the Brunswick School District" CDRPC 2006

APPENDIX C – MAPS AND FIGURES



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SITE SKETCH PLAN
PROPOSED RECREATION FIELD
DUNCAN MEADOWS PDD

TOWN OF BRUNSWICK
COUNTY OF RENSSELAER STATE OF NEW YORK

DATE:

CHECKED BY:
JOB NO.

SCALE: 1" = 100'

DRAWN BY:
CADD FILE:

SHEET 1 OF 1

APPENDIX D – WRITTEN CORRESPONDENCE



Brunswick Fire Company No. 1, Inc.

566 Hoosick Road
Troy, NY 12180
518-272-9393 (Station)
518-273-0364 (Fax)
www.brunswickfire.org

Office of the Chief

January 14, 2010

Steve Willson
Chief

Duncan Meadows – Public Hearing

Gus Scifo, Jr.
Assistant Chief

Unfortunately the Fire Company couldn't have a representative attend the Public hearing for the above project, but we have listed a few concerns that we would like included for the public hearing.

Ed Thompson, Jr.
Assistant Chief

John Mainello, III
Safety Officer

#1 Page 67 of the DEIS states the wrong Fire Company – Should be Brunswick #1, So the tax rate would be lower than stated.

Mark J. Balistreri
Safety Officer

#2 on the drawing theirs no hydrant locations given, we would like to have a say in where there located.

Rick Ellison
Rich Roberts
Mike Ornoski
David Plew
Captains

#3 dead ends located throughout the project are not user friendly for the fire company and should be following NYS fire code guidelines for Fire Apparatus.

Doug Gibson
Chris Clemente
Tom Job, Jr.
Lieutenants

#4 KNOX boxes should be located for the Senior Housing Buildings.

Thank you for time and consideration.

Gus Scifo
Assistant Fire Chief
Brunswick Fire Co No 1