

Planning Board
TOWN OF BRUNSWICK
336 Town Office Road
Troy, New York 12180

MINUTES OF THE PLANNING BOARD MEETING HELD July 7, 2011

PRESENT were CHAIRMAN RUSSELL OSTER, FRANK ESSER, DAVID TARBOX and VINCE WETMILLER.

ABSENT were MICHAEL CZORNYJ, KEVIN MAINELLO, GORDON CHRISTIAN and JOHN KREIGER, Code Enforcement Officer.

ALSO PRESENT was MARK LINDSAY KESTNER, JR., PE.

Chairman Oster reviewed the tentative agenda for the meeting, noting that the Boswell Engineering - Stoneledge Terrace site plan is taken off the agenda, and that the Snyder site plan and Feathers Furniture site plan matters have been adjourned to the July 21 meeting upon request of the Applicants.

Chairman Oster then continued the public hearing, which remains open on the Charles Farrell Double Day Estates major subdivision application. Chairman Oster opened the floor for receipt of additional public comment. Pete Meskosky, 168 Town Office Road, stated that he had met in the field with Brian Holbriiter, one of the project consultants, to confirm the sight distance measurements for the project for entrances onto Town Office Road and McChesney Avenue Extension. Mr. Meskosky thanked Mr. Holbriiter for working with him in the field on this issue. Mr. Meskosky confirmed that all of the sight distances for the entrances do meet DOT Sight Distance Requirements for Town Office Road and McChesney Avenue Extension at the posted speed limits. Mr. Meskosky stated that he is still concerned regarding safety, and while the sight distances meet the 35 mph sight distance requirements, vehicles do tend to go faster than 35 mph

on these roads. Mr. Meskosky stated that if the Planning Board could take a look at any additional measures that could improve safety, including signage or possibly considering a longer sight distance in this case. Mr. Meskosky confirmed that safety was his primary issue, and that he simply wanted to make sure that the project is done correctly, but did confirm that it currently meets all legal requirements for sight distances. Chairman Oster stated that the Planning Board has addressed the issue of signage on existing public roads for purposes of safety on prior applications, and the issue should be looked at in this case as well. Chairman Oster confirmed that he had spoken with Member Czornyj, and that Member Czornyj had also gone out to this site and can also understand the concern regarding sight distance and stopping distance for the project entrances. The Planning Board will look into the issue of signage and coordinate with the Rensselaer County Highway Department on that issue. Mr. Holbriiter confirmed that he, Charles Farrell, Attorney William Doyle, and Steve Dean, the project engineer had met with Mark Kestner and Bob Grimsley of Kestner Engineering, and that the Applicant continues to address the issues raised in the letter by Whiteman, Osterman & Hanna, on behalf of Seddon, and also continuing to do additional groundwater investigation. Mr. Holbriiter also confirmed that he felt it was a good meeting with Mr. Meskosky in the field, and that the Applicant has no objection to coordinating with the County Highway Department on additional signage. Mrs. Seddon was present, and inquired whether the public hearing would close. Chairman Oster confirmed that the public hearing would not be closed. The Planning Board then discussed procedural issues, and determined that the public hearing would be adjourned and reconvened at its August 4 meeting at 7:00 p.m.

The Planning Board then reviewed the draft minutes of the June 16, 2011. Upon motion of Member Wetmiller, seconded by Member Esser, the minutes were unanimously approved as drafted.

The first item of business on the agenda was the Charles Farrell Double Day Estates major subdivision application. The Planning Board had no further comment at this time, and will review the additional technical information which will be submitted by the Applicant. The Applicant is attempting to complete all technical information for submission by or about July 21 to the Planning Board and to Mark Kestner, which will allow Board Members and Mr. Kestner to review that information prior to the August 4 meeting. Also, this information will be on file at the Town Offices for public review prior to the August 4 meeting.

The second item of business on the agenda was the minor subdivision application submitted by Jamie Kennelly for property located on Cooksboro Road near Route 7. The Applicant proposes a four lot subdivision on a 13 acre site. Jamie Kennelly was present. Mr. Kennelly stated that he had paid all application fees, established the review escrow, and has already paid the \$500 per lot park and recreation fee. Mr. Kennelly reviewed the revised subdivision map with topography extended per prior Planning Board comments, discussed an NYSDEC letter confirming the wetland delineation done for the site, and stated that the Rensselaer County Highway Department has issued an approval for driveway entrances for each lot. The specific driveway entrances have been painted on Cooksboro Road. Chairman Oster raised a question concerning whether the application is characterized as a minor or major subdivision, given a prior waiver of subdivision which created this 13 acre parcel occurring within the last 7 years. Attorney Gilchrist stated that the prior waiver was complete, that Mr. Kennelly had been a third-party purchaser of the 13 acre parcel, and that his application seeking

4 lots is properly considered a minor subdivision application. The Board questioned whether the Town of Pittstown needs to be placed on notice of this application, given that the property abuts the municipal boundary. Attorney Gilchrist will place the Town of Pittstown on notice concerning this application. Member Wetmiller raised a question concerning the sight distances for the driveways. It was confirmed that Rensselaer County Highway Department has already issued permits for each of the driveways, and that such issue is resolved. The specific driveway locations are painted on Cooksboro Road for the Planning Board members to view. The Planning Board noted that given more than one acre being disturbed as part of the subdivision proposal, an Erosion and Sediment Control Plan will be required. The submission of the Erosion and Sediment Control Plan is required before the application can move forward to public hearing. Member Wetmiller inquired whether there would be any fill coming into the site for lot preparation. Mr. Kennelly stated that the only fill that will be brought to the site is for the septic systems, and that no additional fill will be used. Grading of the four lots was then discussed. There was also discussion concerning the property being located in an agricultural district, and whether an Agricultural Data Statement will be required. Mr. Kennelly will coordinate with Mr. Kreiger on that issue. This matter is placed on the July 21 agenda for a determination of application completeness, including the Erosion and Sediment Control Plan and Agricultural Data Statement (if required).

No new items of business were discussed.

The Planning Board notes for the record that it appreciates the services provided by Thomas Kenney, Esq. in relation to the Farrell Double Day Estates major subdivision application. Attorney Gilchrist will hereafter represent the Planning Board regarding that application.

The index for the July 7, 2011 meeting is as follows:

1. Charles Farrell – Double Day Estates major subdivision – 8/4/11 (public hearing to reconvene at 7:00 p.m.);
2. Boswell Engineering - Stoneledge Terrace site plan – adjourned without date;
3. Snyder – site plan – 7/21/11;
4. Kennelly – minor subdivision – 7/21/11;
5. Feathers Furniture – site plan – 7/21/11.

The proposed agenda for the July 21, 2011 meeting currently is as follows:

1. Snyder – site plan;
2. Kennelly – minor subdivision;
3. Feathers Furniture – site plan;
4. Oakwood Property Management, LLC – Brunswick Zoning Board of Appeals referral of appeals for advisory opinion.