

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

**MINUTES OF THE PLANNING BOARD MEETING HELD August 4, 2011**

PRESENT were CHAIRMAN RUSSELL OSTER, MICHAEL CZORNYJ, FRANK ESSER, GORDON CHRISTIAN, KEVIN MAINELLO, DAVID TARBOX and VINCE WETMILLER.

ALSO PRESENT were JOHN KREIGER, Code Enforcement Officer, and MARK KESTNER, Consulting Engineer to the Planning Board.

Chairman Oster reviewed the agenda for the meeting, noting that the Kennelly minor subdivision application has been adjourned to the August 18 meeting at the request of the Applicant. Also, Chairman Oster noted that he would open the regular meeting of the Planning Board, and then adjourn the regular meeting for purposes of conducting a public hearing on the Feathers Furniture site plan which had been noticed for public hearing at 7:15 p.m. Thereafter, Chairman Oster will reconvene the regular meeting of the Planning Board.

The first item of business on the agenda was the site plan application by Snyder for property located at 1802 NY Route 7. The Applicant seeks to operate a dog kennel on an 11.6 acre parcel. Mr. Snyder was present for the application, and updated the Planning Board that work on the existing driveway was nearly complete, and that the driveway would now be at a 7% grade. Mr. Snyder said that a new survey had not yet been done. Chairman Oster informed Mr. Snyder that a new site plan with current topography would need to be prepared, and submitted to the Planning Board on the site plan application. Mr. Snyder understands that, but inquired whether there were any conceptual problems that the Planning Board had with this application

before Snyder moved forward with having another survey prepared. Chairman Oster noted that the driveway grade was the significant issue on this application, and he did not see any other significant issues. The Planning Board generally concurred. Mr. Kestner stated that in completing the grading of the driveway, Mr. Snyder's contractor should have the shoulders graded so that they are on a 3:1 slope. Member Tarbox inquired as to how many dogs Mr. Snyder was seeking to have at any one time. Mr. Snyder said that he was hoping to have approximately 10 dogs. Member Tarbox stated that with only 10 dogs, there would not appear to be any need for conditions on hours of operation. Chairman Oster continued that issue, advising Mr. Snyder that if there were any significant expansion, he would need to come back before the Planning Board to amend the site plan. Upon further discussion, the Planning Board determined that it should limit the total number of dogs to be housed at the kennel at any one time to 20, after which Snyder would need to seek an amendment to the site plan. Mr. Snyder was agreeable with that limitation. The Planning Board will also investigate any New York State requirements for operation of a dog kennel for consideration in conjunction with the site plan. Regarding the driveway, Mr. Kestner also advised Mr. Snyder to obtain a letter from the New York State Department of Transportation concerning the commercial use of the driveway off Route 7. The Planning Board discussed holding a public hearing on this site plan application, and determined to schedule and hold the public hearing at its August 18 meeting at 7:00 p.m.

Chairman Oster again noted that the minor subdivision application of Jamie Kennelly has been adjourned to the August 18 meeting.

Chairman Oster then adjourned the regular business meeting of the Planning Board, and moved to open the public hearing on the Feathers Furniture site plan application.

The notice of public hearing for the Feathers Furniture site plan application was read into the record. That notice was published in the Troy Record, placed on the Town website, placed on the Town Sign Board, and mailed to all adjacent property owners. Rob Feathers was present for the Applicant. Mr. Feathers generally reviewed the site plan proposal, where he seeks to utilize a portion of the space of the Feathers Furniture building as an area to be leased for a dance studio, which is currently operating on the opposite side of Route 7. Mr. Feathers explained that the building is approximately 19,000 square feet, and he is seeking to separate out approximately 3,000 square feet to rent to the dance studio. Mr. Feathers explained that the dance studio generally operates during evening hours from 6:00 to 10:00 p.m. Chairman Oster then opened the public hearing for receipt of public comment. No one wished to present any public comment. Thereupon, the Planning Board closed the public hearing.

Chairman Oster then reconvened the general meeting of the Planning Board.

The next item of business on the agenda was the site plan application by Feathers Furniture. The Planning Board notes that it is in receipt of a letter from the Brunswick Fire Company No. 1 dated August 4, 2011. In that letter, the Fire Department, after reviewing the site plan, recommends that the proposed parking spaces on the east side of the building be modified. Currently, the Applicant is proposing 12 parking spaces along the east wall of the building. The Fire Department recommends that the first 4 spots on the east side of the building before the new entrance be deleted, which would provide necessary room for movement of a ladder truck. The Planning Board concurred with this recommendation, and the Applicant indicated it was in agreement with that recommendation. The Planning Board also reviewed the width of the gravel driveway proposed for the rear of the store building, currently being proposed at 38' wide. Mr. Kestner noted that the private driveway standard is a 16' wide driveway with 3' shoulders, for a

total of 22'. By reducing the area of gravel to the rear of the building from the proposed 38' to 22', additional greenspace can be achieved to the rear of the building. The Planning Board is directing the client to reduce the width of the gravel driveway to the rear of the store building to 22', and add greenspace. Member Czornyj noted that the grading proposed to the east side of the site is in close proximity to an existing utility pole. Mr. Kestner stated that with the elimination of 4 parking spaces on the east side of the building per the Fire Department's recommendation, the full grading near the utility pole may not be required, and that he would coordinate with the Applicant's contractor on grading in that location. Chairman Oster raised the issue of two air conditioning units on the site. Mr. Feathers confirmed that the air conditioning units would be relocated. Concerning the total parking spaces required, Chairman Oster inquired of Mr. Kreiger as to whether the 4 parking spaces eliminated on the east side of the building raised any issue on total parking spaces required. Mr. Kreiger noted that with the proposed uses on the site, a total of 42 parking spaces are required, and with the elimination of the 4 parking spaces on the east side of the building, there is still a total of 42 parking spaces provided. Chairman Oster also raised the issue of total greenspace on the space. Chairman Oster asked Mr. Kestner as to whether greenspace on the site would achieve 35% once the gravel roadway to the rear of the building is reduced in width. Mr. Kestner stated that with the reduced – width gravel driveway to the rear of the building, the site is approximately 30-31% greenspace. Chairman Oster inquired of the Planning Board whether it deemed 30% greenspace adequate for this site, and whether a waiver would be entertained. The Planning Board generally concurred that 30% greenspace was adequate for this site. The Applicant reviewed the detail for bumpers for parking spots to eliminate vehicles encroaching on sidewalk areas, and also reviewed spec sheets on the proposed lights. Member Czornyj concurred that all pavements areas will be striped for parking spaces.

Chairman Oster noted that for the gravel road to the rear of the building, where parking spaces are proposed, installation of the bumpers should be made so as to designate parking space areas. The Applicant was agreeable with that condition. It is noted that the site plan has been referred to the Rensselaer County Planning Department, and that no comments or objection had been received from the County Planning Department on this matter. Chairman Oster inquired whether there were any further issues on this application. Hearing none, Member Czornyj made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Mainello. The motion was unanimously approved, and a negative declaration adopted. Thereupon, Member Czornyj made a motion to approve the site plan subject to the following conditions:

1. Submit a revised site plan showing the elimination of 4 parking spaces on the east side of the building;
2. On the revised site plan, reduce the width of the gravel driveway from 38' to 22' (16' wide driveway with 3' shoulder), and add greenspace, and add a note on the site plan showing total percentage of greenspace on the site;
3. A minimum of 30% greenspace is allowable as a waiver of total greenspace requirements on this site plan;
4. On the revised site plan, add a notation of the direction of stormwater flow;
5. On the revised site plan, add a general location block and north arrow;
6. Install signage or arrows painted on the pavement showing direction of traffic flow.

Member Tarbox seconded the motion subject to the stated conditions. The motion was unanimously approved, and the Feathers site plan application approved subject to the stated conditions.

The next item of business on the agenda was the appeals filed by Oakwood Property Management, LLC with the Brunswick Zoning Board of Appeals from Notices of Violation from the Brunswick Building Department. This matter comes before the Planning Board upon referral by the Zoning Board of Appeals pursuant to Brunswick Zoning Ordinance Section 12(c). Following deliberation on this matter held July 21, 2011, a Draft Advisory Opinion had been prepared and was reviewed by the Planning Board. Following deliberation, an Advisory Opinion was adopted by the Planning Board, and will be forwarded to the Zoning Board of Appeals for consideration in connection with the appeals filed by Oakwood Property Management, LLC. It is noted for the record that a letter has been received from Michael Schongar, dated July 22, 2011 regarding the Oakwood Property Management matter.

No new matters of business were received by the Planning Board.

The index for the August 4, 2011 meeting is as follows:

1. Snyder – site plan – 8/18/11 (public hearing at 7:00 p.m.);
2. Kennelly – minor subdivision – 8/18/11;
3. Feathers Furniture – site plan – approved with conditions;
4. Oakwood Property Management, LLC – referral from Brunswick Zoning Board of Appeals – advisory opinion adopted.

The proposed agenda for the August 18, 2011 meeting currently is as follows:

1. Snyder – site plan (public hearing at 7:00 p.m.);
2. Kennelly – minor subdivision.