

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

MINUTES OF THE PLANNING BOARD MEETING HELD December 1, 2011

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

ABSENT was FRANK ESSER.

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

The Planning Board reviewed the draft minutes of the November 17, 2011 meeting. Upon motion of Member Wetmiller, seconded by Member Czornyj, the draft minutes of the November 17, 2011 meeting were unanimously approved.

The first item of business on the agenda was the waiver of subdivision application by Robert Duncan for property located at 481 McChesney Avenue Extension. Mr. Duncan was not present for the matter, and the Planning Board adjourned this matter until later in the meeting to provide an opportunity for Mr. Duncan to be present.

The next item of business on the agenda was the site plan application submitted by Monolith Solar Associates for the installation of a solar panel system at the Brunswick Harley Davidson facility on Route 7. Steven Erby of Monolith Solar Associates was present on the application. Mr. Erby explained that the proposed solar panel system is a carport-type system proposed to be located on the southwest corner of the project site. The carport-type system would allow motorcycles to park under the solar panel canopy, but also allow electric cars or motorcycles to plug in to the system as a charging station. Mr. Erby explained that the carport-

type system was not fully enclosed, and was not designed to be used for long-term storage. Chairman Oster confirmed that all application fees had been paid, and that an escrow account would need to be established for engineering review. Mr. Erby confirmed that the Applicant would file the necessary escrow for engineering review. Member Wetmiller inquired as to the size of the overall carport-type solar facility. Mr. Erby estimated that the full length of the solar facility would be approximately 100', that the panels are shatter proof and designed to withstand a hail storm with 50 mph winds. Mr. Erby confirmed that trailer and motorcycle parking was being proposed for beneath the carport-type system, but that long-term storage was not being proposed. Mr. Erby stated that the main function of the system would be for power generation, and that only a secondary function would be for short-term storage only. Mr. Erby stated that the systems were fully engineered and predesigned for installation. Mr. Erby stated that the ground surface is not proposed to be concrete, but would be crusher run only. Mr. Erby explained that the Brunswick Harley Davidson facility was moving more toward green power, that it had already undertaken a NYSERDA Energy Audit, had already changed out certain light fixtures, and were currently installing solar panels on the roof of the existing building. This carport-type facility would be an additional green energy power source for the Brunswick Harley Davidson facility. Mr. Kestner went through the dimensions of the carport-type facility, which appears to be approximately 19' deep and approximately 11'-12' high. Mr. Kestner inquired as to the protection of the structure from any cars hitting it, particularly since there is wiring associated with the structure. Mr. Erby stated that there is a brick protection system proposed for the base of the structure, and that the wiring is within the structural column, then installed underground to be connected to the building. Chairman Oster inquired as to whether there would be any grading proposed for this location. Mr. Erby stated that there would be very minimal grading for this

project, and that the location of the proposed carport-type solar facility is relatively flat at present. Member Czornyj stated that a site plan would need to be submitted showing the both current and proposed final grade for the project. Mr. Erby thought that the site plan with current and proposed topography had already been dropped off at the Town, and would confirm that the site plan with the topography is delivered to the Town immediately. Mr. Erby confirmed that the location of the proposed solar panel facility is significantly removed from the septic area for the Brunswick Harley Davidson property. Chairman Oster inquired regarding potential visual impact to neighboring properties. Mr. Erby responded that with respect to the neighbor on the same side of Route 7, there has already been discussion and that such neighbor does not have any objection, but rather would like solar panels installed on his house as well. Chairman Oster inquired as to the property owners on the opposite side of Route 7. Mr. Erby responded as to the beneficial visual impact of solar panels in general, but then also stated that given the layout of the Brunswick Harley Davidson site it would be difficult to see the solar panel facility from the opposite side of Route 7, and that it would look only like a carport. Member Wetmiller inquired whether this application should be forwarded to the Fire Company for review. The Board determined that the application should be forwarded to the Center Brunswick Fire Department for review and comment. Mr. Erby explained that Monolith Solar Associates does seminars and meeting through NYSERDA for fire companies, and is currently scheduled to meet with the Center Brunswick Fire Company in December. The Planning Board determined that this application was complete for purposes of scheduling a public hearing. The Planning Board has set a public hearing on this site plan application for December 15, 2011 at 7:00 p.m.

At this point, the Planning Board noted that Robert Duncan had arrived at the meeting for purposes of his application for waiver of subdivision. The Planning Board confirmed that an

Agricultural Data Statement had been submitted and served on the necessary property owners, and that no comments had been received. Chairman Oster inquired whether there were any further questions or comments from the Planning Board. Hearing none, Member Czornyj made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Tarbox. The motion was approved 6/0, and a negative declaration adopted. Thereupon, Member Czornyj made a motion to approve the waiver of subdivision application subject to Rensselaer County Health Department approval for water and septic, and also subject to Rensselaer County Highway Department driveway permit. Member Christian seconded the motion subject to the stated conditions. The motion was unanimously approved, and the Duncan waiver of subdivision application approved subject to the stated conditions.

The next item of business on the agenda was the concept site plan application by Planet Fitness for operation of a Planet Fitness facility at 660 Hoosick Street, which was the site of the former Rite Aid Pharmacy. Walter Kubow, P.E. of Chazen Engineering appeared for the Applicant. Mr. Kubow presented the sketch site plan for conceptual review. Mr. Kubow reviewed the proposed site, which will include several parcels in addition to the former Rite Aid parcel itself, and will total approximately 3.2 acres. Mr. Kubow explained that the proposed owner of this Planet Fitness location, David Leon, was currently under contract to purchase several parcels including the former Rite Aid parcel to include within the site plan for the proposed Planet Fitness. Mr. Kubow explained that there was no proposed physical alteration to the former Rite Aid building, but there would simply be interior renovations and new signage. Mr. Kubow did explain that the proposal would include approximately 1,500 square feet of additional asphalt, adding 2 additional rows of parking. Mr. Kubow explained that the access proposed for the Planet Fitness will stay as currently designed, with no changes proposed. Mr.

Kubow explained that there was an overhead utility on the Rite Aid site, and that the Applicant was in discussions with National Grid to put that overhead utility underground. The location of the underground utility is the same location for proposed additional parking. Mr. Kubow confirmed that the Applicant will need to do a survey and will need to assess stormwater impacts. The Planning Board generally discussed stormwater runoff from this site, including the parcel directly adjacent to Hillcrest Avenue and discharge to the Duncan Farm property on the opposite side of Route 7. The Planning Board stated that the project should be designed to shed as much stormwater as possible to the rear of the parcel. Mr. Kubow confirmed that the acquisition of additional parcels would serve as additional greenspace, and that the Applicant would have an accurate greenspace percentage after the survey is completed. Member Mainello asked specifically about the increase in parking spaces. Mr. Kubow stated that there were 60 existing parking spaces, and that the site plan would propose an additional 73 parking spaces, for a total of 133 parking spaces on the site. Chairman Oster then inquired as to the anticipated total number of people using the Planet Fitness facility at any one time. Mr. Kubow stated that this would be dependent on the fire code building rating, but did confirm that the Applicant was proposing more parking spaces than were minimally required under the Town Code. The Planning Board confirmed that this site plan would likewise need to be reviewed by the Fire Company. Mr. Kubow did note that the B-15 zoning only covered a portion of the project site to a certain distance from Route 7, and that the balance of the site is in a residential zoning district. However, Mr. Kreiger did note that the existing Rite Aid building was partially located in the residential district, beyond the B-15 zoning district line. That issue will need to be further reviewed by the Building Department. Member Wetmiller inquired whether there would be any issue regarding sewage capacity when a building is converted from a drug store to a fitness

center, which will include a locker room and showers. Mr. Kubow stated that he will need to calculate the full water usage figures in connection with the site plan. The Planning Board inquired as to the proposed hours of operation. Mr. Kubow stated that it is his understanding that the Planet Fitness facility would be open 24 hours a day from Monday through Friday, and then 7:00 a.m. to 7:00 p.m. on Saturday and Sunday. The Planning Board noted that this would raise an issue concerning lights in the parking lot, and that the Applicant should be prepared to address that issue. This matter has tentatively been placed on the Planning Board agenda for its January 5, 2012 meeting.

The next item of business on the agenda was the Duncan Meadows Planned Development District proposed amendment, which had been referred to the Planning Board by the Brunswick Town Board for recommendation. Andrew Brick, Esq. was present on behalf of the Applicant. Mr. Brick generally described the proposed amendment, which is to remove the age restriction from the 50 apartment units approved for the project. Mr. Brick explained that the requested amendment was driven primarily by economic issues, in that financing has been very difficult to secure. Mr. Brick stated that the Applicant still feels that apartments will be rented by seniors, but that the age restriction is proposed to be removed. Mr. Brick handed up to the Planning Board several articles from other areas in the northeastern portion of the country where owners were seeking to remove age restrictions due to current economic conditions. Mr. Brick did explain to the Planning Board that additional information concerning traffic, school impacts, and water and sewer had been prepared and reviewed by the Town Board and consulting engineer. Chairman Oster noted for the record that the Town Board should consider that the total number of apartments both constructed and approved for construction in the Town has increased recently, including the Glen project at Sugar Hill as well as the expansion of the Brunswick

Woods Apartments, and that this project proposes an additional 50 apartments without any age restriction. As the Town is currently proceeding through an update to the comprehensive plan, Chairman Oster thought that this should be an issue to be considered by the Town Board in connection with this request to amend the Duncan Meadows PDD. Chairman Oster noted that this was not a negative observation for this project in particular, but an overall observation that the Town Board should consider. Mr. Brick did note that the Applicant would still need to appear before the Planning Board for site plan review for the proposed apartments portion of the Duncan Meadows PDD project, and that all issues concerning building location, elevations, parking, sidewalks and similar issues would need to be addressed during the site plan review. Mr. Brick did state that based upon the Applicant's assessment, and based upon data obtained from the Capital District Regional Planning Commission, a total number of 9 additional students could be generated for the Brittonkill School District as a result of the elimination of the age restriction for the apartments, but that utilizing other metrics used for projected student generation from other locations, the number of projected students could be as low as 3-4. Member Tarbox inquired whether there would be any changes in the total number of parking space requirements. Mr. Brick stated that there would not be any proposed additional parking, since 2 parking spaces per apartment unit had been proposed even in connection with the senior apartments, and that this meets Town Code requirements. Mr. Kestner confirmed that his office had reviewed the proposed increase in water and sewer use, and that adequate water supply and sewage capacity was available. The Planning Board then generally discussed the elimination of the age restriction, and its impact on the overall project, and generally concluded that this did not amount to a significant impact on the existing approval. The Planning Board directed Attorney Gilchrist to draft a recommendation for review at the December 15 meeting.

The index for the December 1, 2011 meeting is as follows:

1. Duncan – waiver of subdivision – approved with conditions;
2. Monolith Solar Associates – site plan (Brunswick Harley Davidson) – 12/15/11 (public hearing at 7:00 p.m.);
3. Planet Fitness – site plan – 1/5/12 (tentative);
4. Duncan Meadows Planned Development District amendment – recommendation (12/15/11).

The proposed agenda for the December 15, 2011 meeting currently is as follows:

1. Monolith Solar Associates – site plan (Brunswick Harley Davidson) (public hearing to commence at 7:00 p.m.);
2. Duncan Meadows Planned Development District amendment – recommendation;
3. Johnston Associates – amendment to site plan;
4. Wal-Mart Real Estate Business Trust – amendment to site plan.