

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

MINUTES OF THE PLANNING BOARD MEETING HELD February 2, 2012

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

ABSENT was KEVIN MAINELLO.

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

The Planning Board opened a public hearing on the site plan application submitted by David Leon for property located at 660 Hoosick Road (Tax Map Nos. 101.8-9-1, 101.8-9-7, 101.8-9-16, 101.8-9.19, 101.8-9-20, and 101.8-9-21), where the Applicant proposes to open a Planet Fitness facility to be located in the former Rite Aid Pharmacy building. The Notice of Public Hearing was read into the record, noting that the Notice had been published in the Troy Record, placed on the Town Sign Board, placed on the Town website, and mailed to owners of all adjacent properties. David Leon was present on the application, together with James Easton of WSP Sells, Consulting Engineers. Mr. Easton presented an overview of the proposed project, which includes a 3,000 addition to the existing building on the site, which will be approximately 30' of additional building off the rear of the existing structure, increased parking areas, stormwater modifications described in a stormwater report filed on the application, installation of a new water service to support a sprinkler system in the building, revised lighting and landscaping. Mr. Easton also stated that at the request of the Planning Board, the corners of proposed parking lot extensions were staked in the field; copies of the National Grid proposed

work to underground the utilities had been filed, noting that National Grid had already started this work; the adjustment of a lot line between this use and the adjacent screen printing building so as to provide for appropriate building setbacks for each lot; increased landscaping near the existing and proposed parking areas; and submission of a full plan sent to the Brunswick No. 1 Fire Department for review. Mr. Leon then generally reviewed the landscaping plan and renderings for improvements to the building. Chairman Oster then opened the floor for receipt of public hearing. Charles Tutunjian, owner of the adjacent property on the opposite side of Hillcrest Avenue, commented that he was not opposed to the plan but was interested in the stormwater management system. Mr. Easton described generally the stormwater plan, and indicated that a full stormwater report had been submitted and is currently being reviewed by the Town. In general, Mr. Easton stated that the plan was to capture all stormwater from this particular site and direct it to a stormwater basin to the rear of the existing building, with no stormwater leaving the site in the direction of Hillcrest Avenue or any properties further to the west. Frank Brennanstuhl, 27 Dusenberry Lane, stated that the proposed landscaping would be an improvement to the site, and that he would propose that no stop light be installed at this location on Hoosick Road. Chairman Oster noted that the Planning Board would be keeping the public hearing open, as the Applicant still needs to file for review on this application a number of easement documents concerning access, stormwater, and utilities which should be available for the public to review as well. Therefore, hearing no further comment at this meeting, the Chairman determined that the Planning Board would keep the public hearing open and continue the public hearing at its February 16, 2012 meeting at 7:00 p.m.

The Planning Board then opened the regular business meeting. The Planning Board reviewed the draft minutes of the January 19, 2012 meeting. Upon motion by Member Czornyj,

seconded by Member Christian, the minutes of the January 19 meeting were unanimously approved as drafted.

The first item of business on the agenda was the site plan application submitted by David Leon for the proposed Planet Fitness facility at 660 Hoosick Road. The Planning Board confirmed that the plan set that was currently before the Planning Board for consideration has a last revision date of January 20, 2012. Chairman Oster noted that the plan set had been sent to the Brunswick No. 1 Fire Department for review and comment, and noted that Gus Scifo of the Brunswick No. 1 Fire Department was present. Mr. Scifo handed up to the Board a comment memo from the Brunswick No. 1 Fire Department dated February 2, 2012, containing 3 recommendations. Mr. Scifo reviewed the 3 recommendations. First, the Fire Department is recommending that a recessed knock box be installed in the area of the front entrance way to the building. The second recommendation was to provide an access road completely around the building, not for fire apparatus but for customers using the fitness center. Mr. Scifo explained that the Fire Department's recommendation was based on the situation where a fire or other emergency was occurring at the facility, and fire apparatus was blocking the entrance way from the parking lot to the access road onto Hoosick Road, and that an access road completely around the building would allow a secondary access way for customers to leave the parking lot. Mr. Easton responded by saying there was an existing 28' wide lane in the front of the building, and even if fire apparatus was parked in this area, a car should be able to access out of the front parking lot, and further commented that this area could be extended up to 30' in width with a bump-out curb to allow for better access. Mr. Leon stated that requiring a road completely around the building would make this project difficult, in that there was no room to the rear of the proposed addition for an access road, that there was a significant amount of bedrock in that area,

and a significant drop off which makes road construction nearly impossible. Mr. Leon stated that one alternative would be a one way exit onto Hillcrest Avenue, but that he would not propose doing this. Member Christian inquired of Mr. Scifo why a full ladder truck would be used at this facility, given that it is only a one story building. Mr. Scifo stated that even though it is a one story building, the ladder truck would be used because there is a significant amount of equipment on the roof, and that there may be a situation where the roof would need to be cut. Chairman Oster stated from a practical standpoint, if customers had to leave in such a situation they would probably simply drive over the lawn area to leave the premises. Chairman Oster then said that a better approach would be to have the Applicant and the Fire Department work together on a plan for locating a ladder truck in the event of an emergency at this facility. Mr. Leon said that he was willing to work with the Fire Department on both the access plan as well as an evacuation plan in the event of an emergency. The Planning Board generally felt this was a good resolution to the issue, particularly in light of the physical limitations to the rear of the building area. Member Tarbox also said that the Applicant should consider putting some type of lower curbing toward the front of the access road as it approaches Hoosick Road, which would allow easier emergency exit along the front part of the property onto the access road and then onto Hoosick Road. Mr. Easton stated that he would look into that. Mr. Scifo then concluded by saying the third recommendation in the Fire Department memorandum was that if this site is given final approval, the Fire Company would like to see a copy of the layout of the interior of the building showing gym equipment area, restrooms, locker area, etc., for use by the Fire Department in pre-planning in case of an EMS or fire related incident. Mr. Leon confirmed that he would install a knox box at the facility and provide a copy of the floor plan layout to the Fire Department, and also confirmed that he would work with the Fire Department on both an access plan and an

emergency evacuation plan. Member Czornyj inquired as to any proposed curbing on the west side of the parking lot adjacent to Hillcrest Avenue. Mr. Easton stated that there was no curbing being proposed, since part of that area would actually be a cut, and that there would only be approximately 1' of drop off toward the front of the lot between the parking area and Hillcrest Avenue. Mr. Leon also said that he could use some of the existing boulders that are located toward the front of the lot on the west side of the parking lot, interspersed with landscaping. Chairman Oster raised the issue of the location of the zoning district boundary line on this parcel between B-15 and R-9. Mr. Easton confirmed that the entire building, including the area of the proposed building expansion, is all located within the B-15 zoning district. Mr. Kestner stated that he had researched prior Planning Board minutes, and found the minutes from May 2, 1996 for the original site plan for the Fay's Drugs which was the original user at this location. The Planning Board minutes from May 2, 1996 reflect that both the Planning Board attorney and Zoning Board attorney were of the opinion that the commercial use and building were compliant with underlying zoning districts. Mr. Kreiger also confirmed that he had reviewed Zoning Board Minutes for the original site plan, and determined that the only action taken by the Zoning Board was a sign variance, and that no other variances were considered or issued by the Zoning Board. Chairman Oster inquired whether Mr. Leon would be purchasing the parcel on which the screen printing business is located. Mr. Leon stated that he did have that site under contract. Chairman Oster noted that this issue addressed the side yard setback required for pavement, as noted in the Site Plan Regulations at §3(C)(17), which was reviewed by Mr. Kreiger. Mr. Kreiger did note that this section of the Site Plan Regulations does provide that where the setback requirements restricts the effective development of the site, the Planning Board may take any appropriate action it deems necessary to modify this requirement. Upon discussion, the Planning Board

determined that given the existence of both commercial uses, it would be appropriate in this case to waive the setback requirement for pavement from the lot line in this particular case. It was noted that this would be expressly provided for in any action taken in this application. Mr. Kestner inquired into the extent of the work by National Grid to put the electric utility underground. Mr. Easton generally discussed the work that was being undertaken by National Grid. Member Esser had a question regarding proposed signage. Mr. Leon indicated that he would have a sign on the building itself, and would use the existing sign for the Rite Aid but replace it with the Planet Fitness display. Attorney Gilchrist then reviewed the easements which should be submitted for review, including cross-easements for access, drainage, and utilities. There was a general discussion concerning the lot line location for the access road servicing both the Planet Fitness building and the screen printing building, and various options were discussed. It was determined that the existing lot line which includes the entire entrance road onto to the parcel which will house the Planet Fitness could be maintained, but that the proposed cross easements needed to be submitted for review by the Planning Board and Planning Board counsel. The Planning Board also noted that there was a shed located to the rear portion of the Planet Fitness site which was actually owned by an adjacent residential property owner. Mr. Leon said that he would rather allow that shed to be maintained, rather than requiring the residential owner to remove it. The Planning Board stated that it would note in the minutes that the shed existed on the site but that it was an encroachment by the adjoining residential property owner, and that the matter remained a private matter between these property owners. Any action on the site plan would note that it did not include approval of maintaining the shed in that location. Mr. Kreiger noted that the site plan had been forwarded to the Rensselaer County Department of Economic Development and Planning, and that the County had responded that it had no comments and that

local consideration shall prevail. This matter has been placed on the February 16 agenda for continuation of the public hearing, as well as consideration of the site plan.

One item of new business was discussed.

A site plan application will be made by McCloskey for a proposed seasonal ice cream trailer to be located at the Tamarac Plaza. Mr. Kreiger noted that he had not yet received the appropriate application form, but anticipated it would be filed shortly. This matter is tentatively placed on the February 16 agenda, conditioned on the receipt of the appropriate application form and fee.

The index for the February 2, 2012 meeting is as follows:

1. David Leon – site plan application – 2/16/12 (continuation of public hearing at 7:00 p.m.);
2. McCloskey – site plan – 2/16/12 (tentative).

The proposed agenda for the February 16, 2012 meeting currently is as follows:

1. David Leon – site plan application – (public hearing to be continued at 7:00 p.m.);
2. McCloskey – site plan.