

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

MINUTES OF THE PLANNING BOARD MEETING HELD May 17, 2012

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 May 17 meeting.

The draft minutes of the May 3, 2012 meeting were then reviewed. Member Czornyj made a motion to approve the May 3, 2012 minutes, which motion was seconded by Member Wetmiller. The motion was unanimously approved and the minutes of the May 3 meeting adopted.

The first item of business on the agenda was the Reiser subdivision and site plan application by Reiser Bros., Applicant. Scott Reese and Henry Reiser appeared on behalf of Applicant to update the Board. He advised that the Applicant was still working on the stormwater report and had just received information concerning the location of the waterline at the intersection of Route 278 and Route 2. He then handed up copies of a letter dated May 17, 2012, submitted in response to public comments made at the April 5, 2012 public hearing. The letter specifically addressed 10 public comments. Mr. Reese read the letter to the Planning Board. Concerning Applicant's response to the second public comment about Route 2 being a scenic byway, Chairman Oster pointed out that Route 2 is designated a scenic highway in the

Town's Comprehensive Plan. He suggested that Mr. Reese look at that section of the Comprehensive Plan. With regard to the public comment concerning lack of sidewalks or bike lanes on Route 2 for safety, Mr. Reese asked the Board whether there was any plan to link the ballfields. Member Czornyj indicated there had been some preliminary discussion of creating walking trails. Chairman Oster asked if the Applicant would put in sidewalks to connect the businesses on the project site. Mr. Reese said no, there would be no sidewalks as the green area and existing slopes would be used for the septic system and that the project had been redesigned for drive-up business. Member Czornyj referred Mr. Reese to the Comprehensive Plan which expresses desire to see interconnected sidewalks for buildings within walking distance.

With respect to the public comment regarding "small, quaint shops", Mr. Reese indicated the Applicant would bring photos of the proposed buildings to the next meeting, and stated they would be colonial in style, in keeping with the "Brunswick town character".

Chairman Oster reminded the Applicant that the public hearing was still open. Member Mainello wants verification that the Applicant has responded to all the public comments. In addition, Chairman Oster said the Board would take time to review the Applicant's responses to the public comments.

Member Wetmiller thought that concern expressed at the public hearing was not so much about the appearance of the shops, but rather that there would be a bar/restaurant at that location. Mr. Reese indicated the Applicant used a bar as a potential tenant for the purpose of calculating the minimum number of parking spaces required. Applicant is leaving its options open.

Chairman Oster stated that with respect to the Applicant's response to concern about the number of gas stations in the area, that the real concern was over the number of gas stations "clustered" in such close proximity to each other. Mr. Reese said the area and attendant traffic

could support an additional gas station in that area. Mr. Reiser clarified that the proposal was really for a convenient store which would have a few gas pumps, as opposed to a full service gas station.

Member Mainello reminded the Applicant that the Board had received 3 letters regarding the proposed project prior to the public hearing, and that the Applicant needed to respond to those comments. In addition, Chairman Oster acknowledged receiving a letter from Bob and Lori Borden dated May 2, 2012.

Mr. Reese stated the Applicant intended to submit the full stormwater report to Mr. Kestner next week. Applicant has now confirmed the depth and location of the water line *vis a vis* the proposed detention basin. Mr. Kestner will confirm with the Water Department what intentions are with respect to the sleeve which was installed when the road was relocated. Mr. Reiser said the sleeve was currently staked.

This matter was placed on the agenda for the June 7th meeting provided that the Applicant had the stormwater report to Mr. Kestner in sufficient time for review and comment.

The next item of business was the referral by the Town Board of Marini Builder's application to amend its PDD approval. Andrew Brick, Esq., Robert Marini and Lee Rosen were all present for the Applicant.

Chairman Oster indicated he was in receipt of a copy of a letter from the Applicant to Councilman Poletto regarding Applicant's desire to amend the project and PDD approval. Attorney Brick read that letter into the record. The Applicant is proposing to redesign the project to consist of 160 multi-family residential units. The Applicant then submitted a handout supporting the request for the amendment and containing information on reduced environmental impact of the amended project and demographic data.

The Applicant explained the project's footprint would be much smaller with significantly increased permanent greenspace. The Applicant is proposing to construct 40 4-plex multi-family units closer to McChesney Avenue Extension. The amended project will reduce over a mile of roadway and cause less land disturbance, less traffic and a reduction of water and sewer impacts. According to the Applicant, there will be no increase in environmental impacts. The Applicant displayed landscape and elevation drawings. The 4 unit buildings would be designed to look like single family homes with different design elements.

The multi-family units would be targeted to empty nesters, though the project would not be age-restricted.

Chairman Oster asked if units would be marketed as condominiums. Attorney Brick stated that the Applicant would like to rent the units until such time as the condominium market turns around. Attorney Brick described current condominium lending conditions and submitted a second handout regarding financing difficulties.

Chairman Oster then asked if the Applicant was actually proposing apartment units and whether there was a timeframe in which the apartments would be converted to condominiums. Lee Rosen said that a condo declaration would be filed on "day 1" and that the project would be assessed as condominiums. The project would be centrally managed and maintained. Member Czornyj asked how long the Applicant foresaw the rental status. Mr. Rosen stated it will take a while for the housing market to recover and that there was still a need for this type of rental housing.

Robert Marini described the proposed units as being between 1,400 and 1,550 square feet with attached garages, which would rent between \$1,250 and \$1,500 per month. He said he could not maintain the project as 162 single family homes. There will be common driveways and

approximately 70-80 feet between the buildings, which is more than originally called for between the single family homes.

Chairman Oster asked if the Town Board was clear that the proposal is to rent the units, rather than market as condominiums. Lee Rosen said the Town was aware of the plan to rent. Chairman Oster asked Attorney Coan if she knew differently. Attorney Coan responded that there was a need for the Applicant to clarify for the Town what is actually being proposed.

Member Czornyj asked what intentions, if any, the Applicant had for the undeveloped land. The Applicant said it would be permanent greenspace. Member Czornyj would like to include that in any recommendation to the Town Board. Currently, there is some farming on the land and because of the proximity to the proposed residential units, Chairman Oster thinks that may have to be taken into consideration when contemplating the recommendation. Mr. Marini pointed out there would be difficulty accessing the area currently being farmed after the project was built out. He further stated they were looking at the possibility of donating land to the Rensselaer County Nature Conservancy.

The matter was placed on the agenda for the June 7 meeting.

There were three items of new business.

The first item of new business was the minor subdivision application by Cornelius Malone for property located on Moonlawn Road, Tax Map No. 103.00-3-1.111. Cornelius Malone was present. Mr. Malone explained he wanted to divide a 28.37± acre parcel owned by the Trust of Arlene Mehner into three 9± acre residential building lots. There are buyers for each of the proposed lots. Chairman Oster confirmed the application fee has been paid and advised the Applicant that he would have to pay applicable review fees. In addition, a \$500 escrow account would have to be established. Mr. Malone indicated his understanding.

Mr. Malone explained that houses would be constructed on each of the newly created lots. He advised that he has already obtained temporary driveway permits from the County Highway Department. The Planning Board generally discussed the map, and Chairman Oster noted that the Board would like to see the driveway sight distances included on the map, as well as identification of proposed drainage culverts. The Applicant stated that the sight distances on lots 1 and 2 were no problem, but that since lot 3 was located at the top of a hill, that the County Highway Department wanted the existing driveway relocated toward the bottom of the slope, closer to lot 2.

Chairman Oster stated that the Board members would likely go out and visit the site. He asked that the proposed property lines and driveways be staked.

The matter was placed on the June 7th agenda, at which time a public hearing will be scheduled.

The second item of new business was the waiver of subdivision application by Matt and Lee Wagar. The Applicants were not present. Applicants propose to divide a 2.6± acre building lot off of a 35± acre lot, Tax Map No. 83.-3-2.2 located at Tamarac Road and Higbee Road to be used for residential purposes. The Applicants are currently proposing to use the frontage on Higbee Road, but Mr. Kreiger has confirmed with the Town Highway Department that Higbee Road has been abandoned by the Town. Per discussion with Mr. Kreiger, the Applicants have agreed to move the driveway to Tamarac Road, a public road.

The matter was placed on the agenda for the June 7th meeting.

The third item of new business was the waiver of subdivision application by Marjorie Roden for property located on White Church Road, Tax Map Identification No. 103.-7-15.11.

The Applicant was not present. Applicant proposes to divide off 1.5 acres with a barn on it, from a 69.6± acre parcel.

It was confirmed for the Board that there had been no prior subdivisions of the property within the last 7 years. It is the purchaser's intention to use the barn for equipment storage. The issue was raised that the subdivided 1.5 acre parcel would have an accessory structure on it without a residence or other primary structure, which is not allowable.

There was no old business to discuss.

The index for the May 17, 2012 meeting is as follows:

1. Reiser Bros., Inc. – subdivision and site plan – 6/7/12;
2. Highland Creek – amended PDD referral and recommendation – 6/7/12;
3. Malone – minor subdivision – 6/7/12;
4. Wagar – waiver of subdivision – 6/7/12;
5. Roden – waiver of subdivision.

The proposed agenda for the June 7, 2012 meeting currently is as follows:

1. Reiser Bros., Inc. – subdivision and site plan;
2. Highland Creek – amended PDD referral and recommendation;
3. Malone – minor subdivision;
4. Wagar – waiver of subdivision.