

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

MINUTES OF THE PLANNING BOARD MEETING HELD January 3, 2013

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

ABSENT was MICHAEL CZORNJY.

ALSO PRESENT were DAN BRUNS, Building Fire Code Inspector, and MARK KESTNER, Consulting Engineer to the Planning Board.

The draft minutes of the December 20, 2012 meeting were reviewed. Member Esser wanted it noted on the record that while the minutes include the discussion concerning the apartment building for the Duncan Meadows Planned Development District, and his comments that the location of that project a three-story apartment building is not a concern, the Town Board should look at the Brunswick Town Code to determine whether a three-story building is appropriate in other areas of the Town. There was no further discussion concerning the minutes. Member Christian made a motion to approve the minutes as drafted, which motion was seconded by Member Mainello. The motion was unanimously approved, and the minutes of the December 20, 2012 meeting approved without amendment.

The first item of business on the agenda was the site plan application for the Duncan Meadows Planned Development District, Phase 1, which is the apartment section of the PDD project. The Planning Board members reviewed a draft resolution to approve the site plan for the Phase 1 apartments of the Duncan Meadows PDD, specifically reviewing proposed conditions attached to that site plan approval. After deliberation, the draft resolution was unanimously

adopted, and the Duncan Meadows PDD site plan application for the Phase 1 apartment section was approved subject to stated conditions. A copy of the approval resolution is attached to these minutes.

The second item of business on the agenda was the application by Butch Farrell for a waiver of the Town Highway Specifications for the subdivision road proposed for the Doubleday Estates major subdivision, located at the intersection of McChesney Avenue Extension and Town Office Road. After deliberation held at the December 20 meeting, a draft recommendation including findings of fact and a positive recommendation to the Town Board to grant the road specification waiver was reviewed. After deliberation, Member Tarbox made a motion to adopt the written positive recommendation, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and the positive recommendation for approval of the road waiver in connection with the Doubleday Estates major subdivision was approved. A copy of the Planning Board's positive recommendation is attached to these minutes. The Doubleday Estates final subdivision plat submittal has been tentatively placed on the February 7, 2013 agenda, contingent on the Brunswick Town Board action on the road waiver request, and a submission of a final subdivision plat package by the Applicant.

Dan Bruns reported that there were no items of new business received by the Brunswick Building Department.

Chairman Oster did entertain a sketch plan proposal for subdivision submitted by Charles Farrell for the Welch Farm property, located between NY Route 2 and Pinewoods Avenue. Brian Holbriiter, who was present for the deliberation on the Doubleday Estates road waiver recommendation, presented the Planning Board a sketch subdivision plat on behalf of Charles Farrell for this project. Mr. Holbriiter explained that Mr. Farrell had purchased the remainder of

the Welch Farm, and is presenting a sketch preliminary plat for consideration. Mr. Farrell seeks to divide the remaining property of the Welch Farm into four residential lots, which will include two lots adjacent to NY Route 2 on which existing homes are situated, and two new proposed residential lots with direct frontage onto Pinewoods Avenue. The total area of the proposed subdivision is 42.52± acres. The size of the proposed new residential lots with direct access off Pinewoods Avenue are 9.58± acres and 12.84±. There was discussion as to whether this application would constitute a minor or major subdivision. It was determined that the application is one for minor subdivision, and will be reviewed consistent with the minor subdivision review procedures. The requirements for a minor subdivision plat submittal were reviewed with Mr. Holbriter. In addition to the Code requirements, the Planning Board requested that Mr. Holbriter locate a proposed house and driveway location for the two new proposed residential lots directly off Pinewoods Avenue. In addition, the Planning Board requested that Mr. Holbriter locate the water and septic facilities on the proposed two lots for the existing homes with frontage on NY Route 2. This matter has been tentatively placed on the February 7, 2013 agenda, subject to the submission of a complete minor subdivision plat application.

There are no agenda items for the Planning Board regular meeting scheduled for January 17, 2013. However, the Planning Board will convene for purposes of reviewing stormwater regulations, as well as the site plan and subdivision standards contained in the Brunswick Code.

The index for the January 3, 2013 meeting is as follows:

1. Duncan Meadows – Planned Development District – Phase 1 site plan – approved with conditions;
2. Farrell – Double Day Estates Major Subdivision – road waiver request – recommendation adopted – 2/7/13 (tentative);

3. Farrell – Welch Farm minor subdivision – 2/7/13 (tentative).

There are no agenda items for the January 17, 2013 meeting, but the Planning Board will convene at a workshop session to discuss regulatory standards.

RESOLUTION NO. ____, 2013

**TOWN OF BRUNSWICK PLANNING BOARD
REGULAR MEETING**

January 3, 2013

**RESOLUTION GRANTING SITE PLAN
APPROVAL TO PHASE 1 OF DUNCAN MEADOWS
PLANNED DEVELOPMENT DISTRICT (APARTMENTS)**

WHEREAS, the Town Board of the Town of Brunswick (“Town Board”) approved the Duncan Meadows Planned Development District (“PDD”) on August 12, 2010 through Resolution No. 62 of 2010; and

WHEREAS, the original Duncan Meadows PDD approval allowed for 166 condominium units and 50 senior, age-restricted, market-rate apartment units on property located on McChesney Avenue and McChesney Avenue Extension; and

WHEREAS, the owner of the Duncan Meadows PDD, ECM Land Development, Inc. (the “Owner”), thereafter applied to the Planning Board of the Town of Brunswick (“Planning Board”) for site plan approval with respect to the condominium units; and

WHEREAS, the Owner did not file a site plan application for the apartment units at that time; and

WHEREAS, the Planning Board granted conditional final site plan approval for the condominium units of the Duncan Meadows PDD on February 3, 2011; and

WHEREAS, the Owner of the Duncan Meadows PDD thereafter made application to the Town Board to amend the Duncan Meadows PDD approval to eliminate the age-restriction associated with the 50 apartment units; and

WHEREAS, the Town Board approved the amendment to the Duncan Meadows PDD through Resolution No. 86 of 2012, adopted December 13, 2012; and

WHEREAS, the owner thereafter presented the site plan concerning the Phase 1 of the Duncan Meadows PDD project, specifically the 50 apartment units, to the Planning Board for consideration; and

WHEREAS, the Planning Board has now duly considered the application materials and presentation by the owner on Phase 1 of the Duncan Meadows PDD project, specifically the 50 apartment units, and has duly deliberated thereon;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Town of Brunswick in regular session duly convened as follows:

1. The Planning Board of the Town of Brunswick approves the site plan application for Phase 1 of the Duncan Meadows PDD project, specifically the apartment units, subject to the following conditions:

- a. All conditions imposed by the Town Board of the Town of Brunswick on the Duncan Meadows PDD project, as expressly set forth in the SEQRA Findings Statement and incorporated into the PDD approval through Resolution No. 62 of 2010, as amended by the Town Board of the Town of Brunswick through Resolution No. 86 of 2012, are hereby incorporated in the site plan approval for Phase 1 of the PDD project.
- b. The water line to be constructed adjacent to the access road leading to Phase 1 of the Duncan Meadows PDD, and which is designed to provide access to the remaining condominium units in the Duncan Meadows PDD project located on the east side of McChesney Avenue Extension, and which water distribution system will be installed on a phased basis but which will specifically service Phase 1 at this time, shall include the installation of a fire hydrant at the point of its terminus, and all portions of the access road to be constructed adjacent to such water line shall be paved through, at a minimum, the binder course of pavement.
- c. Knox boxes shall be installed in the apartment building per the recommendation of the Brunswick No. 1 Fire Department.
- d. A turnaround will be installed at the end of all road terminuses to be constructed as part of Phase 1 satisfactory to the Town Highway Department, Town consulting engineer, and Brunswick No. 1 Fire Department.
- e. Adequate asphalt will be installed at the end of Phase 1 road and parking areas to provide for adequate space for fire apparatus to be located for fire fighting purposes at all areas of the apartment building.
- f. The plans for the sprinkler system to be installed in the apartment building are subject to final review and comment by the Town Building Department, Town consulting engineer, and Brunswick No. 1 Fire Department.
- g. The sidewalk/walkway to be installed on McChesney Avenue Extension from the Phase 1 access road to the location on McChesney Avenue at which the Walmart Real Estate Business Trust is constructing the sidewalk/walkway as part of the Walmart expansion project will be completed during Phase 1 construction, and the Owner will coordinate with the Walmart Real Estate Business Trust, Rensselaer County Highway Department, and the Town of Brunswick on such sidewalk/walkway installation.

2. The apartment building approved for Phase 1 of the Duncan Meadows PDD complies with the height limitations as set forth in the Brunswick Code. The Brunswick Code regulates height measured in feet only, not the number of building stories, and this determination shall not be construed as an approval based solely on the number of building stories.

The foregoing Resolution, offered by Member Wetmiller and seconded by Member Mainello, was duly put to a roll call vote as follows:

PLANNING BOARD CHAIRMAN OSTER	VOTING <u>Yes</u>
MEMBER CZORNYJ	VOTING <u>Absent</u>
MEMBER ESSER	VOTING <u>Yes</u>
MEMBER CHRISTIAN	VOTING <u>Yes</u>
MEMBER TARBOX	VOTING <u>Yes</u>
MEMBER WETMILLER	VOTING <u>Yes</u>
MEMBER MAINELLO	VOTING <u>Yes</u>

The foregoing Resolution was thereupon declared duly adopted.

January 3, 2013

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

MEMORANDUM

To: Town of Brunswick Town Board

From: Town of Brunswick Planning Board

Date: January 3, 2013

Re: Farrell Homes Inc.
Doubleday Estates Major Subdivision
Requested Waiver on Subdivision Standard/Highway Specifications

Farrell Homes, Inc. has filed an application for major subdivision for property located at the intersection of McChesney Avenue Extension and Town Office Road. The project proposal consists of 23 residential lots with road and stormwater infrastructure to be located on 54.57 acres of land. This memorandum addresses the proposed specifications for the subdivision road as proposed by the Applicant.

According to Brunswick Local Law No. 4 of 2003, an Applicant may request a waiver from the development, design and improvement standards in connection with application for the subdivision of land. With respect to such waiver requests, the Planning Board is to review the proposal, make written findings and recommendations, and refer such matter to the Town Board, which has the jurisdiction to act upon the waiver request. The Planning Board does not have the jurisdiction to act upon the waiver request, but rather that jurisdiction lays with the Town Board.

In connection with the Farrell Homes Inc. major subdivision application, the Applicant has included a requested waiver from the Highway Specifications as set forth in the Town Code. The specific waiver request is discussed below.

This application has been reviewed extensively by the Planning Board, which has included public hearings as well as receipt of public written comment. While the Planning Board has granted conditional preliminary subdivision plat approval on November 15, 2012, such approval is subject to consideration of the requested waiver from the Town Highway Specifications. At this time, the Applicant has not filed its application for final plat approval in connection with the proposed major subdivision. In connection with the review of the preliminary subdivision plat, the Planning Board discussed the requested waiver and proposed Town Road Specifications, and now makes the following findings and recommendations to the Town Board concerning the requested waiver from the Town Highway Specifications.

The Applicant proposes to construct a Town road with the following specifications:

- 2 x 13' travel lanes
- 2 x 2' wing gutters

The Town Code Highway Specifications require 15' wide travel lanes, and 3' wide wing gutters. The Applicant will comply with all remaining Town Highway Specifications. The requested waiver addresses only the width of the travel lanes and width of the wing gutters.

The Planning Board finds that the proposed road specifications provide for adequate public health, safety and welfare. In particular, the Planning Board finds that the proposed 13' wide travel lanes, and the 2' wide wing gutters, for a total of 30' in paved width for the road, provides adequate width for this subdivision road. The Planning Board finds that the significant majority of vehicles using this road will be cars accessing the residential homes by the homeowners or guests of the homeowners, and that any truck traffic will be limited and likely for home deliveries only. Also, it is significant that this Town subdivision road will have a reduced speed limit of a maximum of 30 mph. The Planning Board finds that while a road with 30' of pavement width may not be suitable for roads with a higher speed limit or a greater number of anticipated truck trips, the Planning Board finds that a road with 30' of pavement width is adequate for this Town subdivision road. The Town Board may want to consider further reducing the maximum speed limit for this road if the waiver is granted, although the Planning Board recommendation is not contingent on such a reduction.

Also, the Planning Board finds that a road with 30' of pavement width as opposed to a road with 36' of pavement width will result in less repair and maintenance costs in the future. It is proposed that this road will otherwise be built according to Town Specifications, and upon completion, be offered for dedication as a public road to the Town of Brunswick. In the event this dedication is accepted, the reduced road width will result in reduced repair and maintenance costs in the future, while still maintaining adequate width for public health and safety purposes.

In addition, a road with 30' of pavement width as opposed to a road with 36' of pavement width will result in less stormwater generation, since the area of impervious surface is reduced. This results in a reduced amount of stormwater which needs to be managed. A reduction in stormwater generation is viewed by the Planning Board as a positive benefit.

The Planning Board notes that it has not coordinated with the Town Highway Department on this issue. The Planning Board recommends that the Town Board consult with the Town Highway Department on this waiver request prior to any action.