

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

MINUTES OF THE PLANNING BOARD MEETING HELD May 2, 2013

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

ABSENT were CHAIRMAN OSTER and FRANK ESSER.

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 Bohler Engineering on behalf of McDonalds USA, LLC for property located on Hoosick Road (780 NY Route 7). The notice of public hearing was read into the record, noting that the hearing notice was published in the Troy Record, placed on the Town website, placed on the Town Sign Board, and mailed to owners of all adjacent properties. Chris Boyea of Bohler Engineering was present for the Applicant. Also in attendance was Francis Essian of McDonald's Corporation, Boston Regional Office. Mr. Boyea explained that McDonalds was looking to reinvest at its current McDonald's site located on Hoosick Road, including installation of a second menu board, limited reorientation of the drive-thru area, additional greenspace to the rear of the restaurant building, exterior renovation to the restaurant building, and construction of a sidewalk and pedestrian crosswalk from the restaurant building and existing sidewalk on Hoosick Road. Member Czornyj then opened the floor for receipt of public comment. Mr. Kestner reported that the Brunswick No. 1 Fire Department had submitted a memo requesting the installation of a Knox box, and that the fire department be provided a print of the building after all construction

has been completed to provide a current layout of the building for emergency response purposes. Gus Scifo was present on behalf of the Brunswick No. 1 Fire Department and had no further comment in addition to the memorandum. Member Czornyj asked whether there were any further public comments. Hearing none, the Planning Board closed the public hearing on the site plan application by McDonalds USA, LLC.

The Planning Board members then reviewed the draft minutes of the April 18, 2013 meeting. Upon motion of Member Christian, seconded by Member Wetmiller, the draft minutes of the April 18, 2013 meeting were unanimously approved without amendment.

The first item of business on the agenda had been the site plan application submitted by Bohler Engineering on behalf of McDonalds USA, LLC for its facility located on Hoosick Road (780 NY Route 7). Mr. Boyea stated that there had been no public comments regarding noise, which had been a potential issue identified by the Planning Board when scheduling the public hearing. Mr. Boyea noted that he was at the subject McDonalds restaurant on May 2, and that the sound levels at the McDonalds restaurant were at the low-60 decibel range, and that the biggest contributor to sound at that location was the traffic on Hoosick Road. Member Wetmiller wanted to confirm that the sound volume of the menu boards would not change after this project. Mr. Boyea confirmed that the volume would not change, and that sound would continue in its current volume. Member Czornyj inquired of Mr. Kestner as to whether he had any comments. Mr. Kestner stated that he had visited the site, and that the stormwater detention basin located to the rear of the property appeared to have been drained. Mr. Boyea stated that McDonalds, nor any of its consultants, had done anything with respect to the stormwater detention basin, and the fact that it is drained must indicate that it is functioning as designed. Mr. Kestner stated that historically, the detention basin had retained water, and that he had never

previously seen the basin dry. Mr. Boyea stated that he did not have any information concerning historic operation, but that it would appear that the detention basin is now functioning as designed. Mr. Kreiger confirmed that the referral to the Rensselaer County Department of Economic Development and Planning had been completed on this application, and that the County had submitted comments that local consideration shall prevail, and that the installation of a sidewalk from the restaurant building to the sidewalk system on Hoosick Road was long overdue. Member Czornyj then inquired of the Board members whether there were any further questions or comments on the application. The Board members had no further questions or comments. Attorney Gilchrist stated that the application was ready for action by the Board, given that the referral to the Rensselaer County Department of Economic Development and Planning had been completed, and the public hearing held and completed. Thereupon, Member Wetmiller made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Mainello. The motion was unanimously affirmed, and a negative declaration adopted pursuant to SEQRA. Member Christian then made a motion to approve the site plan application, which motion was seconded by Member Mainello. The motion was unanimously approved, and the site plan application by McDonalds USA, LLC for site renovation and improvements at 780 NY Route 7 was approved.

The second item of business on the agenda was the waiver of subdivision application by Patrick Abrams for property located at 10 Kreiger Lane. This application raises the issue of number of lots on a cul-de-sac or dead end road, and will require a waiver of the 12-lot limit contained in the Town Code by the Brunswick Town Board. In that regard, the Planning Board members generally discussed a proposed recommendation to the Town Board on the waiver of the 12-lot limit on a dead end road system. In this case, the Planning Board members noted that

there are currently a total of 13 lots on Kreiger Lane, and this one additional lot would result in 14 lots on Kreiger Lane. The Planning Board also noted that the proposed lot was 2 acres out of an existing 11 acre site, and that this would not significantly alter the character of that area. Further, the Planning Board members noted that the proposed lot would be the second lot on Kreiger Lane, it would not result in an additional lot at the end of Kreiger Lane, and therefore any discussion regarding improvement at the end of Kreiger Lane for a turn around area was not relevant. The Planning Board members did note that there was an existing turn around area at the end of Kreiger Lane which seemed to provide adequate turn around area for Town vehicles. The Planning Board members also noted that there was no significant traffic on Kreiger Lane, and that this proposed Lot, including any driveway location going onto Kreiger Lane, would provide adequate sight distances and good visibility. The Planning Board members directed Attorney Gilchrist to draft a recommendation consistent with the Planning Board deliberation and transmit such recommendation to the Town Board for consideration of the waiver from the Town Code limit of 12 lots on a dead end road system.

Mr. Kreiger reported that there were no new items of business.

The index for the May 2, 2013 meeting is as follows:

1. McDonalds USA, LLC – site plan – approved;
2. Abrams – waiver of subdivision – recommendation transmitted to Brunswick Town Board.

The proposed agenda for the May 16, 2013 meeting currently is as follows:

1. Abrams – waiver of subdivision.