Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD August 15, 2013

PRESENT were CHAIRMAN OSTER, MICHAEL CZORNYJ, VINCE WETMILLER and DAVID TARBOX.

ABSENT were FRANK ESSER, KEVIN MAINELLO and TIMOTHY CASEY.

ALSO PRESENT was JOHN KREIGER, Code Enforcement Officer.

The Planning Board members reviewed the draft minutes of the August 1, 2013 meeting. An addition is made to page 3, line 16 to add the following: "a motion was then made by Member Czornyj to approve the waiver of subdivision application, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and the Hill Road Properties waiver of subdivision was approved". There were no further additions or amendments. Member Tarbox then made a motion to approve the minutes of the August 1, 2013 meeting with the noted correction, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and the August 1, 2013 Planning Board meeting minutes were approved subject to the noted addition.

The first item of business on the agenda was the referral of the Duncan Meadows Planned Development District second amendment for review and recommendation. The Applicants were present. Peter Yetto, P.E., project engineer, reviewed minor technical amendments to the proposal with the Planning Board. Mr. Yetto reviewed the addition of an outlet from a stormwater detention pond, hydrant locations, and the area of an easement in favor of the Town of Brunswick for waterline purposes. Mark Kestner, P.E., consulting engineer for the Town

Board on this project, was also present, and reviewed with the Planning Board that a liner would be used in a stormwater pond to address concerns of an adjoining property owner. Member Wetmiller inquired as to the life expectancy of a pond liner. Mr. Kestner stated that the pond liner would likely last 40 years. Attorney Gilchrist also stated that maintenance of the stormwater detention facilities, including the liner, would be subject to the Stormwater Management Facilities Maintenance Agreement. Mr. Yetto also stated that maintenance or replacement of the pond liner would depend on conditions present at that future time. Mr. Yetto also generally discussed issues surrounding stormwater runoff from the detention pond. The Planning Board members then reviewed a draft recommendation on this project. Following deliberation, the Planning Board approved the following recommendation to the Town Board on this project:

1. Based upon the application materials and representations of the Applicant, the Planning Board generally finds that this proposed second amendment to the Duncan Meadows PDD will not result in any significant impacts which were not adequately analyzed and considered in the prior project review, and while the proposed amendment reduces the total number of buildings it maintains the total number of bedrooms at 176 total bedrooms, and therefore any resulting changes to potential traffic counts, school aged children generation, stormwater, public water, and public sewer requirements, the Planning Board finds that these changes are not significant.

2. The Planning Board finds that with the elimination of 3 buildings, the total amount of greenspace for this phase of the project is increased, which provides a benefit to the general area in terms of maintenance of existing vegetated greenspace areas.

3. The Planning Board further finds that the relocation of parking spaces off the main boulevard road to the rear loop road area is a positive change and promotes overall public safety.

4. The Planning Board considers the fact that the road servicing these apartment buildings will remain private, and is not designated nor intended to become a public roadway, to be a significant factor. The Planning Board also considers the fact that the apartment buildings will remain a total of 2 stories to be a significant factor, and will be consistent with the 50-unit apartment building that is part of the Duncan Meadows PDD and also the adjacent Sugar Hill and Glen apartments.

5. The Planning Board therefore adopts a positive recommendation on the proposed second amendment to the Duncan Meadows PDD to allow the construction of 88 apartment units to be located in eight (8) buildings, eleven (11) units per building, with a maximum of 2 stories per building, in place and instead of the previously-approved 88 condominium units which were previously approved for a total of eleven (11) buildings, eight (8) units per building.

6. Having made this recommendation, the Brunswick Planning Board also suggests that the Brunswick Town Board consider the total number of apartment units in the Town of Brunswick, both existing and approved for construction, with particular regard to the number of apartment units recently approved for construction in the Town. The Planning Board urges the Town Board to consider the ratio of the total number of rental units to the total number of single-family, owner-occupied units in the Town of Brunswick. While the Planning Board does not make this general comment as a negative observation for this particular project, it is a general comment which the Planning Board considers appropriate for consideration by the Brunswick Town Board.

7. If approved by the Brunswick Town Board, this amendment to the Duncan Meadows PDD will require an amendment to the site plan for this portion of the project. Accordingly, the Applicant will be required to submit an application for amendment to the site plan in light of any PDD amendment.

The second item of business on the agenda was the referral of the Oakwood Property Management Planned Development District application for review and recommendation. Robert Osterhout, P.E. of Bohler Engineering, was present for the Applicant. Mr. Osterhout generally reviewed the project layout, noting that the Town's review engineer and review attorney had met to review the application materials, and the Town's consulting engineer, LaBerge Engineering, had informed Mr. Osterhout that certain amendments need to be made to the Environmental Assessment form, that additional information concerning traffic generation needs to be prepared, and that prior site investigation and technical reports prepared for this location needed to be incorporated into the application materials. Mr. Osterhout stated that such information was currently being prepared, but that the information in front of the Planning Board was adequate for purposes of the Planning Board review and recommendation. The Planning Board members concurred that adequate information was present for its review and recommendation on the

concept plan. The Planning Board then reviewed a draft recommendation concerning this application. After such deliberation, the Planning Board adopted the following recommendation concerning the Oakwood Property Management Planned Development District application:

1. The building envelope for that part of the Planned Development District situated on Tax Map Parcel #s 90.00-1-12.2 and 90.00-1-13.1 should generally be limited to the areas previously graded, and appropriate consideration should also be made about areas of disturbance for building purposes on Tax Map Parcel #90.00-1-15;

2. The areas of existing vegetation between the previously-graded areas identified as the building envelope and the North Forty Subdivision located to the east should be maintained as permanent vegetative buffering between this proposed apartment project and the North Forty Subdivision; any walking trails, gazebo, or other such amenities in this area should be reviewed by the Planning Board during site plan review, and that any such amenities should be consistent with the use of such area as a vegetative buffer;

3. The Town Board should further consider appropriate buffers from the building envelope and lands located to the north and south of the project site; to the north, the property is currently zoned industrial, and appropriate buffering between apartment use and industrial use should be considered; to the south, the property is currently used as cemetery use, and appropriate buffering between the cemetery use and apartment use should be considered;

4. In connection with the proposal, a proposed lot line adjustment for Tax Map Parcel #90.00-1-14 must be considered, including dividing a portion of that parcel for inclusion in the proposed apartment project use; however, the Town Board needs to further consider appropriate lot line adjustments for the existing automobile building located on Tax Map Parcel #90.00-1-14, and that appropriate setbacks are maintained for this existing building;

5. This recommendation is based on the current general project layout and building locations, and that general concept plan should be maintained; in the event there is any significant alteration to the project layout, further review and recommendation from the Planning Board should be sought;

6. Stormwater management for this project must be carefully considered and reviewed, particularly in light of downgradient current land uses;

7. The Town Board should carefully consider ingress and egress from the project site onto Oakwood Avenue, particularly in light of the new traffic signal which is planned to be installed at the Oakwood Avenue/Farrell Road intersection in connection with the Stoneledge apartment project;

8. The Town Board should carefully consider the appropriate water and sewer connection points, and particularly that such connection points be done in a manner most beneficial to the Town of Brunswick, including future water and sewer needs for properties located to the north on Oakwood Avenue;

9. Having made this recommendation, the Brunswick Planning Board also suggests that the Brunswick Town Board consider the total number of apartment units in the Town of Brunswick, both existing and approved for construction, with particular regard to the number of apartment units recently approved for construction in the Town. The Planning Board urges the Town Board to consider the ratio of the total number of rental units to the total number of single-family, owner-occupied units in the Town of Brunswick. While the Planning Board does not make this general comment as a negative observation for this particular project, it is a general comment which the Planning Board considers appropriate for consideration by the Brunswick Town Board.

The next item of business on the agenda was the commencement of site plan review for the Highland Creek Planned Development District amendment. Robert Marini and Ivan Zdrahal, project engineer, were present for the Applicant. Mr. Zdrahal presented an overview of the site plan, which now provides for development of 160 condominium units in 40 buildings, 4 units per building. Attorney Gilchrist noted that the Town Board has approved this amendment to the Planned Development District, providing for the development of up to 160 condominium units in 40 buildings, 4 units per building. Mr. Zdrahal generally reviewed the site layout, which does provide for the condominium buildings to be located generally in the area where the carriage homes were proposed on the original Highland Creek PDD. Mr. Zdrahal confirmed that the same road system which was previously reviewed and approved with the original Highland Creek PDD has been maintained, and generally the same stormwater plan has been maintained as well. Mr. Zdrahal went over the increased overall green and open space on the project site, a large part of which will be transferred in title to the Town of Brunswick. Mr. Zdrahal went over the area for proposed development, which includes an area for road and condominium building construction, as well as retained open space within the building envelope which will remain

undeveloped. The balance of this project site, as indicated by Mr. Zdrahal, will be transferred in title to the Town of Brunswick. Mr. Zdrahal generally reviewed the water and sewer connections, including the construction of a water main from the project site through the lands to be transferred to the Town of Brunswick to be extended generally to the parcel formerly owned by O'Malley, which is also under contract to be obtained by the Town of Brunswick. Mr. Zdrahal stated that the revised site plan results in total area to be developed of 16%, while 84% of the site remains in a green state. Mr. Zdrahal stated that Bonesteel Lane will remain a public road and will be improved by the developer, but the internal road system in the condominium area would be private and maintained by the condominium association. Also, the stormwater facilities will remain private and maintained by the condominium association. Member Wetmiller inquired as to the responsibility for ownership and maintenance of the road and stormwater facilities while the project is available for rental prior to the condominium conversion. Mr. Marini confirmed that the developer and owner of the site will initially be responsible for road maintenance and stormwater facility maintenance, and that upon condominium conversion, that responsibility will be transferred to the condominium association. Member Wetmiller wanted to confirm that it is still the intent of the developer to convert the project to condominium ownership. Mr. Marini confirmed that his plan is to convert this project to condominium ownership. Member Wetmiller wanted to confirm that the roads are still being constructed to Town specification. Mr. Marini explained that the existing Bonesteel Lane is a public road, but that it will be upgraded by the developer and will remain a public road. The road internal to the condominium project itself will remain private, and will not be transferred to the Town. However, Mr. Marini stated that the private road was originally designed to be a public road in conjunction with the original Highland Creek PDD, and rather than having that

road redesigned at this point, he will continue to construct the road per Town approved specifications, but that the internal condominium road will simply remain private. Chairman Oster wanted to confirm that the Fire Department has had a chance to review the road layout and specifications. Mr. Kestner, who is the Town Board review engineer for this project, confirms that the road layout remains the same as originally designed and approved for the original Highland Creek PDD, and that coordination with the Fire Department had occurred during the review of the original Highland Creek PDD project proposal. Member Czornyj wanted to confirm that there are no internal sidewalks being proposed for the project. Mr. Marini confirmed that there are no internal sidewalks, but the specifications for the internal road construction were adequate to allow for pedestrian walk areas. Mr. Kestner confirmed that the roads for the project are designed to be a total of 26 foot wide travel way (two 13' travel lanes), plus 2' wide shoulders on each side of the road. Chairman Oster and Member Czornyj both stated that this would provide adequate areas for walking internally on the project site. Mr. Kestner also stated that this was adequate for access by fire fighting apparatus. Mr. Marini also generally reviewed the parking plan, which does provide for two surface parking areas per unit, plus a garage for each unit. Mr. Marini explained that the project has been designed this way so that cars would not be parking on the internal road system. This promotes safety for pedestrians walking on the internal road system. Mr. Marini also generally reviewed that each unit has its own separate access points (both exterior and from the garage dedicated to that unit), that there are no common entrance ways, and that there are no common hallways. Mr. Marini confirmed that the project is being designed for condominium ownership, and not generally designed as an apartment building. Member Tarbox inquired as to whether smoke detectors in all four units per building would go off in the event one smoke detector went off in one unit. Mr. Marini generally

reviewed the construction design, which has undergone extensive building code compliance review. In general, Mr. Marini explained that the building design is essentially two separate halves in each building, each housing two units, which functionally provides for two duplexes with both foundation wall and fire wall between them, housed under one roof. Mr. Marini confirmed that each unit has its own electric, smoke alarm, and carbon monoxide alarm. Mr. Marini confirmed that this project is being designed for single unit condominium ownership, even though it will be available for rental prior to condominium conversion. Mr. Marini and Mr. Zdrahal confirmed that all of the detailed plans are being finalized and will be put together in a project set, and submitted to the Planning Board for continuing site plan review. The Planning Board also entertained general discussion regarding the condominium conversion process, and also details regarding the sewer pump station proposals. This matter is placed on the September 5 agenda for further review.

Mr. Kreiger reported that there were no new items of business to discuss, and no new applications have been received by his office.

The index for the August 15, 2013 meeting is as follows:

1. Duncan Meadows Planned Development District second amendment– recommendation completed;

2. Oakwood Property Management Planned Development District– recommendation completed;

3. Highland Creek Planned Development District – site plan review – 9/5/13.

The proposed agenda for the September 5, 2013 meeting currently is as follows:

1. Highland Creek Planned Development District – site plan review.