

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

MINUTES OF THE PLANNING BOARD MEETING HELD September 18, 2014

PRESENT were RUSSELL OSTER, CHAIRMAN, MICHAEL CZORNYJ, TIMOTHY CASEY, DAVID TARBOX, KEVIN MAINELLO and VINCE WETMILLER.

ABSENT were FRANK ESSER, JOHN KREIGER, Code Enforcement Officer, and WAYNE BONESTEEL, P.E., Review Engineer to the Planning Board.

ALSO PRESENT was DAN BRUNS, Brunswick Building Department.

Chairman Oster reviewed the agenda as posted on the Town website.

The Planning Board reviewed the draft minutes of the September 4, 2014 meeting. Upon motion by Member Czornyj, seconded by Member Wetmiller, the draft minutes of the September 4, 2014 meeting were unanimously approved without amendment.

The first item of business on the agenda was a site plan application submitted by Rensselaer Honda for property located at 770 Hoosick Road. Upon request of the Applicant, this matter was adjourned to the October 2, 2014 meeting.

The next item of business on the agenda was a waiver of subdivision application submitted by Troy City Garage for property located on Hoosick Road and Crescent Lane. The Applicant is seeking to subdivide 23.37± acres of vacant land into two lots. Mark Danskin, licensed land surveyor, was present for the Applicant. Mr. Danskin stated that the property is currently situated in the R-15 Zoning District. The Applicant is seeking to divide the 23.37± acre parcel of vacant land into two lots. Proposed Lot 1 is 5.26± acres adjacent to Hoosick Road, with frontage both on Hoosick Road and Crescent Lane. Proposed Lot 2 is 18.11± acres of land,

with frontage on Crescent Lane. Chairman Oster confirmed that the property is currently R-15, and that the Planning Board will review the application pursuant to the R-15 Zoning Code standards. Mr. Danskin stated that with respect to locating driveways for these lots, a driveway is capable of being designed for access to each lot. Mr. Danskin reviewed a prior proposal for this property which showed a proposed driveway/entranceway directly off Hoosick Road, stating that the land is capable of being designed for an access driveway directly off of Hoosick Road. Mr. Danskin did note that proposed Lot 1, which does have frontage on Hoosick Road, also will have frontage on Crescent Lane if necessary. Mr. Danskin also stated that a driveway can be located and designed for access to proposed Lot 2 directly off Crescent Lane. Chairman Oster stated that this information should be adequate for a subdivision waiver application, in light of the fact that the property is currently vacant and each proposed lot is in excess of 5 acres. Chairman Oster noted that he had reviewed the driveway issue with Attorney Gilchrist. Attorney Gilchrist stated that the Planning Board could consider conditions on any action on this waiver application concerning the driveways, such that no Building Permit would be issued for Lot 1 until such time as a driveway permit was issued either by NYSDOT, for access off Hoosick Road, or the Town of Brunswick Highway Department, for access off Crescent Lane, and that no Building Permit could be issued for Lot 2 until a driveway permit had been issued by the Town of Brunswick Highway Department. The Planning Board discussed those conditions, and felt they were adequate. Mr. Danskin then stated that in his opinion, a septic area was available for each of the proposed lots. Attorney Gilchrist noted that each of the proposed lots were in excess of 5 acres, and that the application therefore constituted a non-realty subdivision, not requiring immediate Rensselaer County Health Department approval for septic. Given this, the Planning Board then discussed a proposed condition for any action on the application such that no Building Permit would be issued for either Lot 1 or Lot 2 until such time as Rensselaer County

Health Department has approved a septic design, or other wastewater disposal method is available for that lot. Member Czornyj raised an issue concerning Skyview Drive, and whether the Planning Board had required certain road improvements for Skyview Drive and/or Crescent Lane in connection with a prior subdivision approval granted to Tedesco. The Planning Board directed Mr. Bruns to obtain the minutes of the Tedesco subdivision approval, which were obtained and reviewed at this meeting. Upon review, the Planning Board determined that the Tedesco subdivision approval did not require paving or other improvement to the public road. Member Czornyj also asked whether the proposed driveway locations and proposed septic locations needed to be added at this time to the waiver map. The Planning Board determined that proposed driveway and septic locations were not required on this waiver map, but that map notes should be added concerning the conditions discussed pertaining to Building Permit issuance and obtaining driveway permits and wastewater disposal approvals. Chairman Oster inquired whether there were any further questions or comments. Hearing none, Member Czornyj made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Tarbox. The motion was unanimously approved, and a negative declaration adopted. Thereupon, Member Czornyj made a motion to approve the waiver of subdivision application, subject to the following conditions:

1. No Building Permit is to be issued for Lot 1 until a driveway permit has been issued by NYSDOT for access off of Hoosick Road, or a driveway permit has been issued by the Town Highway Department for access off Crescent Lane; and no Building Permit is to be issued for Lot 2 until a driveway permit has been issued by the Town Highway Department for access off Crescent Lane.
2. No Building Permit is to be issued for Lot 1 or Lot 2, respectively, until such time as Rensselaer County Health Department has approved a septic design, or other wastewater disposal means is available, for each respective lot.
3. Conditions #1 and #2 are to be added as map notes to the subdivision map for this application.

Member Wetmiller seconded the motion subject to the stated conditions. The motion was unanimously approved, and final approval was granted subject to the stated conditions.

The next item of business on the agenda was the waiver of subdivision application submitted by Jacob Broderick for property at 528 Garfield Road. The Applicant seeks to divide a single 9.13 acre lot with an existing home, into two residential lots with the existing home located on one lot, and the creation of a new building lot for residential construction. Chairman Oster noted that a new survey had been submitted by the Applicant, together with a Short Environmental Assessment Form. The Planning Board reviewed the survey map, showing a new 3.62± acre residential lot with driveway location off Dater Hill Road. The Planning Board deemed the driveway location to be adequate. The Planning Board noted that the existing homestead lot will be reduced to 5.5± acres, with access off Garfield Road. The Planning Board inquired whether this property was located in a State Agricultural District. Upon review of the State Agricultural District map by Mr. Bruns and Member Tarbox, it was determined that this property is located in a State Agricultural District. An Agricultural Data Statement is required to be sent out to owners of all land within the Agricultural District containing active farm operations located within 500 feet of the boundary of the proposed lot. The Building Department will coordinate with the Applicant on completion and service of the Agricultural Data Statement. This matter is placed on the October 2, 2014 agenda for further discussion.

One item of new business was discussed.

A waiver of subdivision application has been submitted by William Barber for property located at 121 Brunswick Road. This property currently is 1.71± acres in size, and a structure containing 6 apartment units is located on the lot. The property is located at the intersection of Brunswick Road and Oxford Circle. The property is located in the R-15 Zoning District. The

Applicant is proposing to divide a building lot from this parcel for proposed single family residential construction, with a total area of 15,796± square feet. The remaining lot on which the 6-unit apartment building is situated will be reduced to 54,000± square feet. The Planning Board had several questions regarding this application, which include the location of the existing septic field for the 6-unit apartment structure, proposed location for the septic field for the proposed new building lot, area and setback requirements for the new proposed building lot in light of the fact that it will be a corner lot bordering on Brunswick Road and Oxford Circle, and square footage requirements for the original lot given the existence of a 6-unit apartment structure on that lot. The Planning Board also discussed when the existing structure was used for 6 apartment units, and requested the Building Department to investigate that issue. This matter has been placed on the October 2 agenda for further discussion.

The index for the September 18, 2014 meeting is as follows:

1. Rensselaer Honda – site plan – 10/2/14.
2. Troy City Garage, Inc. – waiver of subdivision – approved with conditions.
3. Broderick – waiver of subdivision – 10/2/14.
4. Barber – waiver of subdivision – 10/2/14.

The proposed agenda for the October 2, 2014 meeting currently is as follows:

1. Rensselaer Honda – site plan.
2. Broderick – waiver of subdivision.
3. Barber – waiver of subdivision.