

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

**MINUTES OF THE PLANNING BOARD MEETING HELD October 2, 2014**

PRESENT were MICHAEL CZORNYJ, TIMOTHY CASEY, FRANK ESSER, DAVID TARBOX, KEVIN MAINELLO and VINCE WETMILLER.

ABSENT was RUSSELL OSTER, CHAIRMAN.

ALSO PRESENT was JOHN KREIGER, Code Enforcement Officer, and WAYNE BONESTEEL, P.E., Review Engineer to the Planning Board.

Member Czornyj acted as Chair for this meeting in the absence of Chairman Oster.

The Planning Board Members reviewed the draft minutes of the September 18, 2014 meeting. Member Tarbox noted a correction to be made at page 3, condition #1 regarding the approval of the waiver of subdivision application by Troy City Garage for property located on Hoosick Road and Crescent Lane. Condition #1 is amended to read as follows:

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 Skyview Drive.

Subject to the noted correction, Member Tarbox made a motion to approve the September 18, 2014 minutes, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and the minutes of the September 18, 2014 meeting were approved subject to the noted correction.

The first item of business on the agenda was the site plan application submitted by Rensselaer Honda, seeking renovation of the existing Rensselaer Honda dealership located at

770 Hoosick Road. John Montagne, project engineer, was present for the Applicant, together with the project architect. Mr. Montagne reviewed the proposed changes to the site, which will increase the square footage of the existing building from 17,400 square feet to approximately 26,000 square feet. This expansion includes three modifications to the building; approximately 2335 square feet will be added to the front showroom; approximately 2257 square feet will be added to the service drop off area; and approximately 4260 square feet will be added to the rear of the building to improve the service area. In addition, Mr. Montagne stated that the increased area to the rear of the building will allow oil storage to occur inside the building, rather than outside the building. Mr. Montagne stated that the greenspace on the site will increase by about 1.5 percent, to a total of approximately 125,700 square feet. The overall square footage of paved area on the site will be lowered by approximately 4,000 square feet. Mr. Montagne explained that two older stormwater basins located to the rear of the site will be removed, and a new stormwater basin will be constructed on the eastern portion of the site in compliance with current stormwater standards. Mr. Montagne stated that an updated stormwater model had been completed and submitted to the Town for review. Mr. Montagne stated that there will be parking spaces for approximately 270 cars, 50 of which will be for employee and customer use, and the remainder for car display and storage. Mr. Montagne explained that the existing crushed stone driveway to the rear of the site connecting to McChesney Avenue is proposed to be improved to an open driveway for the facility. Mr. Montagne stated that the existing entrance way off Hoosick Road is unsignalized, and that there has been a safety issue with cars exiting the Rensselaer Honda dealership onto Hoosick Road in a westerly direction. The Applicant is seeking to improve the driveway to the rear of the facility connecting to McChesney Avenue as an exit for customers, so that customers can then proceed down McChesney Avenue to the signalized intersection with Hoosick Road, and exit safely from the dealership. Mr. Montagne

stated that an updated Traffic Study had been completed, utilizing actual traffic counts, and that Traffic Study had been submitted to the Town for review. Mr. Montagne stated that the Traffic Study concludes that no level of service changes are required, and that all intersections are operating at a level of service “C” or better. Also, Mr. Montagne stated that the Traffic Study analyzed sight distances, and that all sight distance requirements are met, but that Rensselaer Honda would be seeking permission to add a “driveway ahead” sign for McChesney Avenue. Mr. Montagne stated that the driveway to McChesney Avenue would be an “exit” driveway for customers only, but that the driveway would be utilized both for ingress and egress for employees, with the use of a card reader and gate. In that way, entrances off of McChesney Avenue to the facility will be controlled. In addition, Mr. Montagne stated that a gate will be installed along the shoulder of the road to be closed at night, to provide for security at the car dealership during the night. Member Czornyj inquired of Attorney Gilchrist whether the Planning Board could amend the driveway to McChesney Avenue, since his recollection was that the existing crushed stone driveway was for emergency purposes only. Attorney Gilchrist stated that the Planning Board did have the discretion to amend the prior site plan, but research of the earlier Planning Board minutes should be undertaken to determine the discussion concerning the access driveway to McChesney Avenue. Mr. Montagne also stated that the on-site lighting will be improved. Member Czornyj asked whether the Fire Department had been contacted concerning the proposal for the gates on the driveway improvements to McChesney Avenue. Mr. Montagne stated that the Fire Department had not yet been contacted, but that he would coordinate with the Fire Department. Member Czornyj asked whether any analysis had been done concerning the improved lighting proposed for the site. Mr. Montagne stated that the lighting improvements had been shown on the drawings. Mr. Bonesteel asked whether car carriers would be exiting onto McChesney Avenue. Mr. Montagne stated that the car carriers

would be exiting onto McChesney Avenue. Mr. Bonsteel asked whether turning radius had been analyzed for the car carriers. Mr. Montagne stated that the design for the entrance driveway onto McChesney Avenue had not yet been finalized. Mr. Bonsteel stated that the Applicant would need to coordinate with Rensselaer County regarding any reconfiguration. Member Czornyj wanted to confirm that the greenspace noted on the amended site plan will in fact remain green, with no car parking on the green areas. Member Czornyj also asked about the car carrier use of McChesney Avenue, and whether the Applicant proposed that driveway both for car carriers entering and leaving the dealership. Mr. Montagne stated that this driveway off of McChesney Avenue could be used for car deliveries and exiting car carriers, and that currently car carriers do use that driveway both for entering and exiting the facility. Mr. Montagne did say that with the overall site redesign, it is likely that the car carriers will use the Hoosick Road entrance, pull straight into the car dealership, and exit onto McChesney Avenue. Mr. Montagne also stated that the number of car carriers going to the site is limited. Mr. Bonsteel reviewed the proposed location for the gate to the driveway off of McChesney Avenue, particularly with regard to the roadway right-of-way. Mr. Montagne confirmed that his office was still working on final design, and that he would work both with the Town and the County on the driveway design issues. Mr. Bonsteel inquired whether any changes would be made to any stormwater facilities in the front of the site. Mr. Montagne stated that no changes to the stormwater facilities are proposed for the front of the site, and that the current stormwater design for the site moves all of the stormwater toward the rear of the site for retention, and that design would continue to be utilized but that a new stormwater basin would be constructed to the rear of the site to meet current standards. Member Czornyj asked whether the Planning Board and Mr. Bonsteel felt that there was adequate information in the application documents to hold a public hearing. The Planning Board members and Mr. Bonsteel generally concurred that adequate information was included,

including a completely environmental assessment form, and Mr. Kreiger confirmed that all application fees had been paid. Mr. Bonesteel did state that he was only recently provided with the site plan drawings, and needed additional time to conduct his technical review. The Planning Board determined to open the public hearing on this site plan at the October 16 meeting, with the option of keeping the public hearing open if the Town's technical review required additional information to be submitted by the Applicant. Mr. Kreiger confirmed that the application materials had also been sent to the Rensselaer County Department of Economic Development and Planning for review and recommendation. This matter is scheduled for the October 16, 2014 meeting, with the public hearing to be opened at 7:00 p.m.

The next item of business addressed by the Planning Board was the waiver of subdivision application submitted by William Barber for property located at 121 Brunswick Road. Tom Murley, P.E. was present for the Applicant. Mr. Murley confirmed that the Applicant was seeking to create a building lot in the front portion of 121 Brunswick Road. Mr. Murley stated that Mr. Barber had completed renovations to the 6-unit apartment building, which now includes one 2-bedroom apartment unit and five 1-bedroom apartment units. Mr. Murley confirmed that public water is provided to the existing 6-unit apartment building off Oxford Circle, and that public water is proposed to connect to the new building lot off Oxford Circle as well. Member Czornyj inquired as to the location of the existing septic system for the existing apartment building. Mr. Murley stated that there is a septic tank in front of the apartment building. Mr. Czornyj asked about the location of the leach field. Mr. Murley stated that he believed the leach field is next to the septic tank, but that issue must be investigated with the Rensselaer County Health Department. Member Czornyj also informed Mr. Murley that the proposed house location for the new building lot did not meet setback standards, since the lot to be created would be a corner lot. As a corner lot, Member Czornyj stated that the side yard setback needed to be

35 feet, not 15 feet. Mr. Murley stated that the house location could be moved further to the west within the proposed building lot to meet setback requirements. Member Czornyj then again raised the location of the septic system for the existing apartment, as well as a proposed location for a septic system for the new building lot, and whether adequate area for these facilities and the house existed for the proposed lot. Mr. Murley stated that these issues needed further investigation. Mr. Murley stated that the proposed driveway location for the new building lot would be off Oxford Circle. Mr. Murley did state that as to the question the Planning Board raised at its last meeting concerning the period of time the existing structure was used for apartments, it is his information that this building has been used as apartments since the early 1950's. Member Czornyj inquired of Attorney Gilchrist as to how the Planning Board should proceed regarding the issue of location of the existing septic system and proposed septic system for the proposed new building lot. Attorney Gilchrist stated it has been the practice and policy of the Planning Board on waiver applications to require the existing septic facilities and proposed septic facilities be shown on the subdivision map, and that in this case that information should be provided to the Planning Board. The Planning Board members generally concurred, and also requested that the relocated proposed building location be shown on the proposed new building lot to meet all setback requirements, and that a proposed driveway location also be shown off Oxford Circle to the proposed new lot. Mr. Murley stated that he would provide that information to the Planning Board. Mr. Murley also stated as to the issue of the required number of parking spaces for the existing apartment building, Mr. Kreiger confirmed that two parking spaces per unit is required, and that Mr. Murley has shown a total of 14 parking spaces for the apartment building, and therefore it is in compliance with Brunswick requirements. Member Tarbox asked whether there was any issue concerning the proposed driveway location off Oxford Circle to the new proposed building lot in terms of setback of NYS Route 2, and Mr. Bonesteel stated that he

was not aware of any setback requirements from Route 2. This matter will be placed on the October 16 agenda for further discussion.

The last item of regular business discussed by the Planning Board was the waiver of subdivision application submitted by Jacob Broderick for property located at 528 Garfield Road. Jacob Broderick was present. Mr. Broderick stated that the survey for this application had been completed, and he reviewed with the Planning Board the proposed area for house construction. Mr. Broderick stated that he does not have any current plan to construct the house, but did want to discuss with the Planning Board the general location where the house would be sited, subject to final design. The Planning Board discussed the map with Mr. Broderick, and generally had no further questions or comments on the application. A required Agricultural Data Statement for this application had not yet been prepared or served, and this matter is therefore placed on the November 6 agenda to allow for the service of the Agricultural Data Statement.

Two items of new business were discussed.

The first item of new business discussed was the site plan application submitted by BPP II, LLC in connection with the third amendment to the Duncan Meadows Planned Development District. Mark Kestner, P.E., consulting engineer for the Town of Brunswick concerning the Duncan Meadows PDD, was present. Ben Ewald of Ingalls & Associates was present for the Applicant, together with the project owners. Mr. Ewald confirmed that the third amendment to the Planned Development District was approved by the Brunswick Town Board at its September meeting, and that the owner was now submitting the site plan to the Planning Board in compliance with the PDD amendment. Mr. Ewald confirmed that the site plan shows a total of 7 apartment buildings, with 11 units per building, for a total of 77 apartment units on the site plan, together with associated parking. Mr. Ewald stated that an emergency access road was included on the site plan connecting to McChesney Avenue Extension, which will include a crash gate.

Mr. Ewald stated that a retaining wall is proposed for the site behind building #1. Mr. Ewald stated that the site will utilize the current stormwater pond constructed adjacent to McChesney Avenue Extension in connection with the 50-unit apartment building previously constructed, and that such stormwater pond had been designed to accommodate the stormwater flows from this phase of the project, to complete one unified stormwater system. Mr. Ewald stated that the project would utilize existing public water and sewer connections. Member Czornyj asked whether the emergency access road would be paved or would be gravel. Mr. Ewald stated that the proposal was to have a gravel emergency access road. Member Czornyj stated that the road would need to be maintained in the winter time, and that plowing would result in either pushing gravel onto McChesney Avenue Extension or further into the site, and stated that the emergency access road should be paved. Mr. Ewald stated that he would review that with the owners. Member Czornyj confirmed that the emergency access road would be required to be maintained in the winter. Mr. Kestner also stated that the emergency access road crash gate would need to be located to allow a fire engine to pull off the road completely before encountering the crash gate. Mr. Bonesteel asked whether a profile of the emergency access road had yet been prepared, and did it include a negative pitch so that runoff would not occur onto McChesney Avenue Extension. Mr. Ewald stated that he had not yet submitted the driveway profile to Rensselaer County for review. Member Czornyj confirmed that the sidewalk/walkway was going to be extended by the owner all the way to the common boundary line between the project site and the ROUSE facility. The owners confirmed that the sidewalk/walkway would be constructed in conjunction with this phase of the project. Member Mainello asked whether one new stormwater pond was being proposed in proximity to the emergency access road. Mr. Ewald stated that one additional stormwater pond would be constructed in that location. Member Mainello asked whether there was any landscaping proposed for the front of the pond

adjacent to the McChesney Avenue Extension travel way. Mr. Ewald stated that he did not have any landscaping proposed, but was open to working with the Town on landscaping requirements. Member Mainello stated that the Town has been requiring some kind of visual screen for aesthetics since the stormwater pond is in front of the project site. The owner stated that they would work with Town on making the stormwater ponds attractive, since it is in their own best interest to have the site look good for prospective tenants. Member Tarbox asked whether the project plans had been reviewed by the Fire Department. Mr. Ewald stated that the plans had not yet been sent to the Fire Department, but that the project had been designed with fire code compliance in mind, and that he would be sending the plans to the Fire Department for review. Member Mainello inquired as to whether there would be individual mailboxes for the units or a centralized mailbox location. The owner stated that they would be having one centralized mailbox location. Mr. Kestner stated that his office was currently reviewing the updated stormwater report and the detailed site plans. Member Czornyj asked whether the buildings to be constructed are the same as the buildings currently under construction on the 88-unit phase off of McChesney Avenue. The owner stated that the buildings will be the same. Member Mainello asked about lighting along the internal roadway. The owner stated that they typically do pole lights throughout, and will work with the Town on final design. Attorney Gilchrist stated for the record that the Town Board, serving as SEQRA lead agency, had completed the SEQRA review on the third amendment to the Planned Development District, including adoption of supplemental SEQRA findings concerning this amendment. The SEQRA review had been coordinated, so that SEQRA has been completed on the third amendment, and the Planning Board does not need to undertake any further SEQRA review on the site plan. Attorney Gilchrist also stated that the Town Board had conducted a public hearing concerning the PDD amendment, and in fact did approve the PDD amendment at its September meeting. The only

application before the Planning Board at this point is the site plan application. Further, Attorney Gilchrist stated that the Site Plan Regulations for the Town makes a public hearing discretionary with the Planning Board, but that in the past the Planning Board has taken into account the fact that the Town Board conducted a public hearing in connection with the PDD amendment. This matter is placed on the October 16 agenda for further review.

The second item of new business discussed was a waiver of subdivision application submitted by ADD Leasing for property located at 807 Hoosick Road. The Applicant seeks to divide a parcel slightly in excess of 15,000 square feet to house the existing cell tower at this location. Previously, the cell tower was part of the parcel identified as 807 Hoosick Road, which was the former Verizon building and on which the Planning Board recently approved the site plan for the operation of a gun shop and shooting range. The Applicant now seeks to divide off a lot on which the cell tower sits, and retain that parcel and divide it from any future transaction concerning 807 Hoosick Road. Further, the Applicant stated initially that it does not seek to merge the proposed cell tower parcel with 795 Hoosick Road, the current Carbone Subaru dealership, also owned by ADD Leasing. The Planning Board raised the issue that the proposed new lot does not have any road frontage, and that a minimum of 15 feet of frontage on a public road is required. Member Esser also stated that it does not appear that adequate room has been provided for the proposed cell tower parcel for any equipment needed to service the tower. The Applicant responded that it was considering retaining a 50 foot easement on 807 Hoosick Road parcel for an access and work area. Member Mainello stated that the current 807 Hoosick Road parcel did not have any road frontage. Attorney Gilchrist stated that while the current 807 Hoosick Road parcel did not have road frontage, it was not created by subdivision by the Planning Board, and was a previously – existing lot. However, the current application does seek Planning Board approval for a new lot which does not comply with the road frontage

requirements. Mr. Kreiger also stated that ADD Leasing does seek to amend the recent waiver of subdivision for 795 Hoosick Road, so that additional greenspace would remain with 795 Hoosick Road parcel, and that a smaller green area would be transferred to 807 Hoosick Road for merger into the 807 Hoosick Road parcel. The Planning Board and the Applicant discussed several options whereby the road frontage requirement for the proposed cell tower parcel could be met, including merging that parcel into 795 Hoosick Road, which does have adequate road frontage. The representative of the Applicant will review these options with ADD Leasing, and this matter is placed on the October 16 agenda for further review.

The index for the October 2, 2014 meeting is as follows:

1. Rensselaer Honda – site plan – 10/16/14 (public hearing to commence at 7:00 p.m.).
2. Barber – waiver of subdivision – 10/16/14.
3. Broderick – waiver of subdivision – 11/6/14.
4. Duncan Meadows PDD amendment #3 – site plan – 10/16/14.
5. ADD Leasing – waiver of subdivision – 10/16/14.

The proposed agenda for the October 16, 2014 meeting currently is as follows:

1. Rensselaer Honda – site plan (public hearing to commence at 7:00 p.m.).
2. Barber – waiver of subdivision.
3. Duncan Meadows PDD amendment #3 – site plan.
4. ADD Leasing – waiver of subdivision.