

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

MINUTES OF THE PLANNING BOARD MEETING HELD November 6, 2014

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

ABSENT was FRANK ESSER.

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

The Planning Board members reviewed the draft minutes of the October 16, 2014 meeting. One correction was noted. At page 6, line 14, the word “pavement” is to be replaced with the word “plowing”. Subject to that correction, Member Czornyj made a motion to approve the draft minutes of the October 16, 2014 meeting, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and the minutes of the October 16, 2014 meeting were approved as corrected.

The first item of business on the agenda was the waiver of subdivision application submitted by William Barber for property located at 121 Brunswick Road. Neither the applicant nor his engineering consultant were present on the application. Mr. Kreiger stated that he had not heard from the applicant’s engineer after the last Planning Board meeting. This matter is adjourned, and placed on the November 20, 2014 agenda subject to confirmation by Mr. Kreiger with the applicant that he is ready to move forward on the application.

The next item of business on the agenda was the site plan application submitted by BPP II, LLC for the Duncan Meadows PDD Amendment #3. The principals of BPP II, LLC were

present, together with the project engineer, Peter Yetto, PE. Also in attendance was Mark Kestner, PE, consulting engineer for the Town on the Duncan Meadows PDD. Chairman Oster inquired whether copies of the amended site plan had been provided to the Town. Mr. Yetto stated that he had delivered copies of the amended site plan to the Town on Wednesday afternoon, November 5. Chairman Oster stated that the amended site plan should have been provided to the Town sooner to allow Planning Board members to review the revisions. Mr. Yetto proceeded to review the revisions to the final site plan with the Planning Board members. These revisions included showing details on the pavement of the emergency access road, including a back pitch to deter storm water runoff onto McChesney Avenue Extension; a ditch line has been added along the back edge of the pedestrian walkway adjacent to McChesney Avenue Extension to allow for drainage; a central mailbox location has been identified with a pull off area provided; a central dumpster location has been added including a dumpster pad; plantings along the rear of the storm water detention pond adjacent to McChesney Avenue Extension have been added, with Mr. Yetto noting that Water Superintendent Bradley was not in support of plantings along the front edge of the storm water detention pond directly adjacent to McChesney Avenue Extension as there are existing water and sewer lines in that area and also a potential impact to sight lines; a timber guiderail has been added along the internal roadway in three locations where the side slope was at a 3 on 1 grade, with Mr. Kestner reviewing the specific locations for the guiderail installation with the Planning Board members; an extended water line location leading to the common property line with the ROUSE facility is now shown on the site plan, and a map note has been added to the site plan regarding future water line connection to the ROUSE facility upon agreement by ROUSE and the Town obtaining an appropriate easement for installation of the water line, with Mr. Yetto noting that Mr. Bradley

had reviewed the map note and agreed to its language. The applicant stated on the record that it will construct and pay for the future water line connection to the ROUSE facility when the Town is able to obtain the necessary easement from ROUSE, regardless of when that occurs. The Planning Board requested Mr. Kestner to review any comments he had. Mr. Kestner stated he had reviewed the plans with the Brunswick No. 1 Fire Department, and that the applicant had addressed issues concerning hydrant locations and knox box installation. Mr. Yetto stated that the know box locations are now shown on the plans, and that it is in the same general location as the other construction phases for the Duncan Meadows project. Mr. Kestner also stated that the applicant had placed the crash gate for the emergency access road 75 feet off of McChesney Avenue Extension. Mr. Kestner did note that the Brunswick No. 1 Fire Department did raise the issue concerning the “T” intersection for the internal access road, but Mr. Kreiger did confirm on the record that the “T” intersection meets fire code requirements. Mr. Kestner noted that the pedestrian walkway detail had been added to the site drawings, and that the dumpster location had been added to the plans. Mr. Kestner noted that the final revised storm water pollution prevention plan had been provided to his office late on Wednesday, November 5, and that his office was still reviewing the plan details, but that the final storm water pollution prevention plan did appear to be in substantial compliance with the storm water regulations. Mr. Bonesteel discussed issues with the applicant’s engineer concerning details of the railing to be installed on the internal access road, and also details for the drainage ditch located to the rear of the pedestrian walkway adjacent to McChesney Avenue Extension. Chairman Oster inquired whether there were any further questions or comments from the Planning Board. There were no further questions or comments. Attorney Gilchrist restated that compliance with SEQRA had been completed by the Town Board by the adoption of Supplemental Findings through the

coordinated environmental impact review process. Attorney Gilchrist also stated that the Planning Board previously determined that an additional public hearing on the site plan application was not required in light of the public hearing held by the Town Board concerning the PDD Amendment. The Planning Board then proceeded to act upon the site plan application.

Member Czornyj made a motion to approve the site plan subject to the following conditions:

1. Final engineering comments of Planning Board review engineer Bonesteel and Town consulting engineer Kestner, including final comments on the storm water pollution prevention plan.
2. Compliance with all conditions imposed by the Town of Brunswick Town Board on the PDD Amendment approval.
3. Coordination with the Town of Brunswick Water Department during construction of water and sewer infrastructure.
4. The construction detail for the guiderail to be installed on the internal access road to be reviewed by Planning Board review engineer Bonesteel and Town consulting engineer Kestner.
5. Rensselaer County permit for all construction associated with the emergency access road, pedestrian walkway, and any associated ditching along McChesney Avenue Extension.
6. Proposed water main connection to be constructed by the developer once the Town of Brunswick obtains an easement over the ROUSE property. If the Town is unable to obtain the aforementioned easement, the proposed water main shall terminate at the Duncan Meadows PDD property line. The applicant shall pay for and complete all construction necessary for the water line extension to the ROUSE facility, and such obligation shall be continuing until such time as the Town obtains the easement over the ROUSE property.

The motion was seconded by Member Casey. The motion was unanimously approved, and the Duncan Meadows PDD Amendment #3 site plan approved subject to the stated conditions.

The next item of business on the agenda was the waiver of subdivision application submitted by ADD Leasing for a property located at 870 Hoosick Road. The applicant was represented by Mr. Crusafulli. The Planning Board and applicant discussed the resolution of the

issue concerning road frontage for the proposed 15,000+/- square foot lot to house the existing cell tower. It was determined that the cell tower parcel would actually be merged into and become part of the parcel located at 795 Hoosick Road, also owned by ADD Leasing, and which currently is used as the Carbone Subaru dealership. In this way, the 15,000+/- square foot area housing the cell tower will become part of 795 Hoosick Road, including its required road frontage along Hoosick Road. Member Casey did raise an issue concerning the location of a fence around the base of the cell tower and whether that would remain on the cell tower property or 807 Hoosick Road. The applicant stated that if necessary, it will relocate the fence so that it will remain with the cell tower area to be merged into 795 Hoosick Road. For purposes of the record, the final waiver map is titled “Annexation Parcel Map in the Application of ADD Leasing Corporation”, prepared by RDM Surveying Consultants, map dated September 30, 2014, with last revision date 10/13/14. This map includes both the amendment to the lot line to the rear of 795 Hoosick Road, plus the 15,000+/- square foot area divided from the 807 Hoosick Road parcel and merged into the 795 Hoosick Road parcel. Chairman Oster inquired whether there were any further comments or questions from the Planning Board members. Hearing none, Member Czornyj made a motion to adopt a Negative Declaration under SEQRA, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and a SEQRA Negative Declaration approved. Thereupon, Member Czornyj made a motion to approve the waiver map, subject to the following conditions:

1. The fence along the base of the cell tower must be relocated so that it is located on the area to be merged into 795 Hoosick Road.
2. The 15,000+/- square foot area divided off of the 807 Hoosick Road parcel must be legally merged into the 795 Hoosick Road parcel.

3. The applicant is to file with the Brunswick Building Department the deeds showing the merger of the 15,000+/- square foot area into the 795 Hoosick Road parcel.

Member Mainello seconded the motion subject to the stated conditions. The motion was unanimously approved, and the waiver map approved stated to the subject conditions.

The next item of business on the agenda was the waiver of subdivision application submitted by Jacob Broderick for property located at 528 Garfield Road. Jacob Broderick was present. The Planning Board confirmed that the necessary Agricultural Data Statement had been served, and Mr. Kreiger reported that no comments had been received in response to the Agricultural Data Statement. Chairman Oster confirmed that there were no changes to the previously-reviewed waiver map. Mr. Broderick stated that there are no changes to the map. Chairman Oster confirmed that there were no further questions or comments from the Planning Board members. Hearing none, Member Czornyj made a motion to adopt a Negative Declaration under SEQRA, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and SEQRA Negative Declaration adopted. Member Czornyj then made a motion to approve the Broderick waiver of subdivision subject to the following conditions:

1. Rensselaer County Health Department approvals for water and septic.
2. Rensselaer County permit for driveway construction.

Member Mainello seconded the motion subject to the stated conditions. The motion was unanimously approved, and the Broderick waiver of subdivision approved subject to the stated conditions.

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

The index for the November 6, 2014 meeting is as follows:

1. Barber – waiver of subdivision – 11/20/2014.
2. Duncan Meadows PDD Amendment #3 – site plan – approved with conditions.

3. ADD Leasing – waiver of subdivision – approved with conditions.
4. Broderick – waiver of subdivision – approved with conditions.

The proposed agenda for the November 20, 2014 meeting currently is as follows:

1. Barber – waiver of subdivision.