

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

MINUTES OF THE PLANNING BOARD MEETING HELD AUGUST 6, 2015

PRESENT were RUSSELL OSTER, CHAIRMAN, FRANK ESSER, DAVID TARBOX, TIMOTHY CASEY, and KEVIN MAINELLO.

ABSENT was VINCE WETMILLER and MICHAEL CZORNYJ.

ALSO PRESENT were MONICA NANN-SMITH, Brunswick Building Department, and WAYNE BONESTEEL, P.E., Review Engineer to the Planning Board.

The Planning Board opened a Public Hearing on the site plan application submitted by Arax Properties, LLC for property located at 616-630 Hoosick Road. The applicant is proposing two (2) phases of construction for commercial use. The applicant has submitted a site plan application for Phase I, consisting of a 6,900 sq. ft. retail building and a 4,000 sq. ft. retail/restaurant building. The Notice of Public Hearing was read into the record, with that notice having been published in the Troy Record, placed on the Town sign board, posted on the Town website and mailed to owners of adjacent properties. Chairman Oster reviewed the procedure for public hearings, and requested that the applicant present an overview of the site plan proposal. Charles Tutunjian of Arax Properties, LLC, owner and applicant, presented a brief overview of the proposal. Mr. Tutunjian stated that the project was proposed for two separate phases, and that only Phase I of the project is being pursued at this time. The area of Phase II, which is the eastern portion of the property, will remain in its current use, and the existing buildings located on the eastern portion of the property adjacent to Hillcrest Avenue will remain in place. The Phase I of the portion of the project is located on the westerly portion of the property, and will consist of two

(2) commercial buildings. The first commercial building is a 6,900 sq. ft. commercial building, which will be an Advanced Auto Parts store. The second proposed commercial building is 4,000 sq. ft., and no tenant is proposed at this time. Mr. Tutunjian explained that this commercial building is listed as retail or restaurant, since no tenant is yet identified, and the applicant wanted to proposed the restaurant use since it is in the nature of a “worse case” proposal in terms of traffic, water, and sewer use. Mr. Tutunjian reiterated that there was no tenant yet identified for the 4,000 sq. ft. building. Mr. Tutunjian stated that five (5) existing residential buildings and a car port located on the western side of the property will be demolished, that four (4) existing curb cuts on Hoosick Road will be eliminated and replaced with one common commercial driveway to line up with Leonard Avenue. Mr. Tutunjian stated that the applicant is seeking site plan review and SEQRA review for Phase I only, as Phase II is speculative and not even known if it will be pursued at this time. Mr. Tutunjian generally reviewed the proposed building layout for Phase I, including parking areas, travel lanes, and vegetation plan. Mr. Tutunjian stated that part of the site needs to be filled in order to provide a level topography for building. Mr. Tutunjian stated that the Planning Board’s initial comments included depicting additional landscaping as a buffer along Hoosick Road as well as showing an area for snow storage location on the site. Mr. Tutunjian stated that both of these have now been shown on the site plan. Mr. Tutunjian also stated that in response to comments from the Fire Department, a knox box will be installed on each building. Mr. Tutunjian stated that it is his understanding that the Rensselaer County Department of Economic Development & Planning has provided its comments, which include comments on drainage as well as vegetative buffer. Mr. Tutunjian stated that the applicant has prepared a stormwater plan for the site to address the drainage comments, and has proposed vegetative buffers along Hoosick Road and additional screening to the rear of the project site. Mr. Tutunjian stated that the State

Historic Preservation Office has determined that there is no impact from this project on any historic resources. Chairman Oster then opened the floor for receipt of public comment. Karen Groudas, 7 Mellon Avenue, stated that she was concerned regarding the traffic on Hoosick Road, and especially on Coolidge Avenue; that her backyard would now be facing commercial parking lots, and that she had concerns regarding lights, noise and property values; that she felt an auto parts store was fine but she was opposed to any restaurant use, as she did not want dumpsters, food waste, and rats right next to her backyard. Pam Harbour, 14 Leonard Avenue, stated that she was opposed to having a restaurant with a bar in that location; that she had significant concern regarding stormwater runoff on to Leonard Avenue, and that water runoff from Hoosick Road is already a major issue during periods of heavy rain; that turning in and out of Leonard Avenue on to Hoosick Road is already an issue, and it will become a disaster if this project is allowed to be built; that at a minimum, better signage indicating that Leonard Avenue is a dead end should be required, so that Leonard Avenue is not impacted by people trying to use Leonard Avenue as a cut-thru road. Rick Stephens, 5 Film Avenue, stated that two (2) commercial buildings backing up to a residential area would result in negative impacts from lighting, odors, noise; and that it is already hard to get in and out of Hoosick Road and that this project will only make it worse; and that a traffic study for Hoosick Road is needed. Sharon Wager, 9 Coolidge Avenue, stated that she has lived in her home for 36 years; that she should have received direct written notice of this meeting; that she has concerns regarding traffic; and that Coolidge Avenue cannot handle any more traffic since people already use Coolidge Avenue as a cut-thru road because of the amount of traffic on Hoosick Road. Linda Motzer, 12 Green Street, stated she had significant concerns regarding traffic; that a restaurant would result in odor, noise, and pollution problems; that cars already use the surrounding streets as a cut-thru because of the amount of traffic on Hoosick Road, and that the

traffic is unbearable. Debbie Nichols, 249 Hillcrest Avenue, stated that Hoosick Road is a terrible mess; that the traffic is terrible; that she is very concerned about this project because it will only result in more traffic problems; that Hoosick Road is becoming too commercial; and that we do not need this project on Hoosick Road. Susan Dunson, 15 Leonard Avenue, stated this project will have a negative impact on property values, and that her property value will decline; that she has paid her taxes for a number of years, and now her property value will decline; and that commercial projects like this should be moved to areas where there are no houses in the back. Michelle Fennell, 9 Mellon Avenue, stated that this project was right in her backyard; that she was opposed to this project; and that there was terrible traffic on Hoosick Road all the way from Walgreens to Walmart, and that this project would only make things worse. Lynn Overacker, 9 Film Avenue, stated that she was opposed to this project, and that this should not be a “done deal”; that there were already several accidents on Hoosick Road, and that this would only raise additional safety concerns for cars on Hoosick Road; that property values would go down because of this project; that there would be terrible impacts from a restaurant at this location; and that she was concerned about the lack of privacy to surrounding property owners. Bryan Dunson, 15 Leonard Avenue, asked why his taxes keep going up with all the new business going in along Hoosick Road; and that additional traffic lights are needed because of the traffic problems. Rosemary Waytkus, 33 Coolidge Avenue, stated she had concerns regarding traffic; and that it was unfair to hold a public hearing when the residents did not have access to any report from the NYS Department of Transportation or any environmental reports. Vicky Shahinian, 30 Coolidge Avenue, asked whether there would be any blasting associated with the construction; asked why there was only a 6 ft. high fence being proposed to the rear of the commercial project site, and that the fence needs to be higher to provide privacy. Paul Engster, principal of Fore Realty Group,

LLC, 777 Hoosick Road, stated that he was the owner of apartments directly across the street from the project site, and that he has concern regarding the layout of green space; stated that the Planning Board should require the green space to be located more to the front of the project site, and not to the rear, which would provide more of a green buffer between Hoosick Road and the commercial project; that while the applicant was proposing vegetation for an area directly adjacent to Hoosick Road, there would still be light impacts that negatively affect the apartments directly across the street located at 617-619 Hoosick Road; that the entire project, including whatever is being conceptually proposed for Phase II, should be reviewed currently; that it was not fair to the public to have to comment on a proposed site plan that includes a building when the end use of that building is not known, as it provides no definition for the commercial use for the public to comment on; and that the Planning Board should keep the public hearing open to get more specifics regarding the 4,000 sq. ft. commercial building, particularly if it will be used as a restaurant. Joan Power, 218 Hillcrest Avenue, stated that traffic was terrible in this area and she was concerned about safety. Sal Mele, 220 Hillcrest Avenue, stated traffic was terrible and he was concerned about more traffic on Hoosick Road. Chairman Oster stated that there were a number of comments received from the public, and that he would require the applicant to respond to these comments, and further that the Planning Board would keep the public hearing open and reconvene the public hearing after the applicant has had a chance to respond to these initial comments. The public hearing on the Arax Properties, LLC site plan is adjourned, and will be reconvened upon notice at a later date.

The Planning Board opened a public hearing on the site plan application submitted by Amerit Fleet Solutions for property located at 853 Hoosick Road. The applicant seeks to use an existing building at 853 Hoosick Road for truck repair and maintenance. The Notice of Public

Hearing was read into the record, with that public hearing notice having been published in the Troy Record, placed on the Town sign board, posted on the Town website, and mailed to owners of adjacent properties. Chairman Oster again reviewed the procedure for public hearings, and requested that the applicant provide a brief overview of the proposal. Jason Dolmetsch, P.E., of MSK Engineering, presented a brief overview of the project. Amerit Fleet Solutions provides truck maintenance services, that all service activities will occur inside the existing building, and that there are no changes to the exterior of the site. Mr. Dolmetsch stated that in response to comments from the Fire Department, the building is monitored for emergency calls, that there are two safety cabinets located inside the building for flammables, and that a knox box will be installed at the site and the Fire Department reimbursed for the cost of the knox box. Mr. Dolmetsch also stated that the water and sewer lines serving the building have been located, and that Town Water Department did mark out those facilities on the site. Chairman Oster then opened the floor for receipt of public comment. Norman Fivel, Wilrose Lane, stated that he had concerns regarding any impacts to the adjacent wetlands, most particularly with regard to hazardous substances from the project including gas, oil, hydraulics, fluids, antifreeze and similar fluids that have the potential to run off to the wetland; that periodic monitoring should be required to ensure that any procedures in place to handle such fluids are being followed; that the hours of operation for the facility should be restricted; that impact to traffic on Hoosick Road and Betts Road should be reviewed; and asked whether the operation was industrial or commercial in nature, and whether this presented any zoning compliance issues since the property is located in a commercial zone and not an industrial zone; and inquired why site plan review was required if there are no permanent changes to the site. Chairman Oster asked whether there were any further public comments. Hearing none, the Planning Board closed the public hearing on the Amerit Fleet Solutions site plan application.

The Planning Board then opened its general business meeting.

The Planning Board reviewed the draft Minutes of the July 16, 2015 meeting. Ms. Nann-Smith stated that addresses needed to be corrected in the Minutes; that with respect to the Diamond Rock site plan matter, the address is 289-291 Oakwood Avenue; and that for the current Ace Hardware site plan application for the tool rental and repair building located on the western portion of the site, the address is 825 Hoosick Road. Hearing no further corrections or additions, Member Casey made a motion to approve the Minutes of the July 16, 2015 meeting, subject to the corrections for the addresses listed above, which motion was seconded by Member Esser. The motion was unanimously approved, and the Minutes of the July 16, 2015 Planning Board Meeting were approved.

The first item of business on the Agenda was the site plan application submitted by Arax Properties, LLC for property located at 616-630 Hoosick Road. Charles Tutunjian of Arax Properties, LLC, owner and applicant, was present. Chairman Oster stated that there were a number of comments received during the public hearing, and that the applicant would need to respond to these comments. Mr. Tutunjian stated that the proposed 4,000 sq. ft. building which is identified as either retail or restaurant did not have any tenant at this time, and that the applicant had identified a potential restaurant use in order to present a “worse case” scenario for traffic, water and sewer needs, but that the applicant would limit the use of this building to retail to address the concerns regarding a restaurant use, and that if a restaurant were to be proposed at any time in the future, the owner would need to re-apply to the Planning Board for an amendment to the site plan. Mr. Tutunjian stated that there was no restaurant tenant being proposed at this time, and that the applicant would limit the use of the second building to retail. Attorney Gilchrist stated that the applicant can propose a specific use for the second building, that it can be limited to retail, and that

if any different use was being proposed by the owner in the future, an application to amend the site plan would need to be made at that time. Chairman Oster stated that the potential restaurant use did generate a lot of comments at the public hearing, including concerns regarding odor, noise, and garbage, among others, and that the applicant limiting the use of the 4,000 sq. ft. building to retail was a step in the right direction. Chairman Oster also stated that there were comments regarding stormwater runoff from the site, and could the applicant initially comment on that issue. Pat Mitchell of Creighton Manning was also present for the applicant and responded to the comment regarding stormwater runoff. Mr. Mitchell stated that all the stormwater from the site is captured on the site, and that any overflow from the project site is discharged directly into an existing stormwater sewer located at Hoosick Road, and that stormwater overflow will not get to Leonard Avenue. Mr. Mitchell further stated that the project does need to comply with current stormwater regulations, which prohibit any increase in offsite stormwater flow from pre-construction conditions. Mr. Bonesteel did comment that the applicant is required to design a stormwater system to eliminate any additional runoff from the project site, and that the current stormwater regulations address both quantity and quality of stormwater runoff. Mr. Bonesteel commented that a stormwater report has been prepared on the application, and that he has reviewed it and finds it acceptable. Mr. Bonesteel further commented that regarding the stormwater plan for the site, the total amount of stormwater runoff from the site will actually be reduced from present volumes. Mr. Bonesteel did comment that the applicant will need the approval of NYSDOT to discharge stormwater to the existing storm sewer on Hoosick Road. Chairman Oster also said there was a comment from the public regarding increasing the amount of green space in the front of the project site, and moving the commercial buildings more to the rear of the site. Mr. Mitchell stated that the owner had looked into that option of moving the commercial buildings more to the

rear of the site, but this would result in encountering a significant amount of rock which would need to be removed, and also the grades of the site inhibit moving the commercial buildings more toward the rear. Mr. Tutunjian commented that there was no blasting proposed during the construction, and that the project actually needed fill brought into the site to bring the construction grade to proper level. Chairman Oster also inquired as to any proposals for the Phase II portion of the project. Mr. Tutunjian reiterated that there is no current plan for construction in the Phase II area, and that the existing house and garage located on the Phase II portion of the project adjacent to Hillcrest Avenue will remain and the current uses will remain, and that if Phase II does move forward at some point in the future, a further application for site plan approval will need to be made. Mr. Tutunjian also concurred that if a future site plan application is submitted for Phase II, all of the environmental impacts from this project, including those impacts from Phase I, will need to be analyzed during the Phase II review on a cumulative impact basis. Chairman Oster also stated there was a comment from the public regarding the height of the fence to the rear of the project site, between the commercial site and the residences to the rear. Mr. Tutunjian stated that he was not opposed to increasing the height of the fence to address those concerns. Member Casey asked whether there were any renderings of the commercial buildings available. Mr. Tutunjian handed up a preliminary rendering for the Advanced Auto Parts building. Member Tarbox asked whether there were any doors located on the rear of the commercial buildings. Mr. Tutunjian stated that there was one overhead door on the rear of the Advanced Auto Parts building. Chairman Oster requested that information on the number of deliveries, types of trucks making deliveries, and the days and hours when deliveries would be made, be submitted to the Planning Board. Mr. Tutunjian also stated that regarding the several comments on traffic, that the applicant did complete a traffic study and that it was submitted to the Town and is part of the application documents.

Chairman Oster requested that the applicant respond to all of the comments submitted at the public hearing. This matter is scheduled for the August 20, 2015 meeting for review of the applicant's response to public comments, and that the public hearing on this application will be re-opened at some point after the August 20 meeting upon due notice.

The second item of business on the Agenda was the site plan application submitted by Amerit Fleet Solutions for property located at 853 Hoosick Road. Jason Dolmetsch, P.E., of MSK Engineering, was present for the applicant. Chairman Oster noted there were a few comments received at the public hearing on this application, including a comment regarding potential impacts to wetlands from hazardous substances. Mr. Dolmetsch stated that the owner will conduct all activities regarding fleet maintenance inside the building, and that the generation of any oils, lubricants, or other fluids will be contained within the building and not co-mingled in stormwater. Mr. Dolmetsch further stated that the State Stormwater Regulations do provide for a multi-sector general permit for industrial activities, but also provides that if all activities occur within an enclosed building, then the operation qualifies for a "no exposure" classification and no further mitigation for runoff is required. Mr. Bonesteel stated that the Town of Brunswick is an MS4 community, that the Town has staff that monitors illicit discharges, and that if there are any illicit discharges resulting in runoff from the site, the Town will take enforcement action against the operation. Mr. Dolmetsch did confirm there was an oil/water separator in the building, and that all maintenance activities will be performed only within the building. Regarding any oils, greases, or other fluids stored as a result of the fleet maintenance activities, Mr. Dolmetsch stated that these were properly stored by the owner and picked up by a permitted hazardous waste hauler for off-site disposal. Chairman Oster asked about the hours of operation regarding the project. Mr. Dolmetsch confirmed that the facility will operate only Monday through Friday from 7:00 a.m. to

6:00 p.m., and that there were a total of three (3) employees at the facility. Chairman Oster noted there was a comment regarding traffic impacts. Mr. Dolmetsch stated that the use is consistent with the prior use of the property, and that no additional traffic will result from the fleet maintenance operations. Member Mainello noted that he does think this use is consistent with the prior use of the site, and does not anticipate any additional traffic impacts. Chairman Oster stated there was a comment regarding whether this use is commercial or industrial. Attorney Gilchrist stated that the reference to industrial activities as part of the NYSDEC multi-sector general permit for stormwater compliance has a different legal meaning than an industrial activity for zoning purposes, and that the Brunswick Building Department has determined that the use of the property as proposed by Amerit Fleet Solutions does constitute a commercial activity and is in compliance with the zoning district, and that the site plan had moved forward for review before the Planning Board. Chairman Oster noted that the recommendation from the Rensselaer County Department of Economic Development and Planning had been received, and that the County commented there were no changes to this site, had no comments, and that local consideration shall prevail. Chairman Oster stated that the comments received during the public hearing had been addressed, and asked whether the Planning Board Members had any further questions or comments. Hearing none, Member Mainello made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Esser. The motion was unanimously approved, and a SEQRA negative declaration adopted. Thereupon, Member Tarbox made a motion to approve the site plan application subject to compliance with the comments of the Fire Department in terms of knox box installation and reimbursement, and also the condition that the Brunswick Building Department perform a walk-thru of the building That motion was seconded by Member Casey. The motion was unanimously approved, and the site plan application approved subject to the stated conditions.

The next item of business on the Agenda was the site plan application submitted by Matopato, LLC for the proposed Diamond Rock Plaza located at 289-291 Oakwood Avenue. Tom Murley of Matopato, LLC was present. Mr. Murley stated that he was in receipt of the recommendation from the Rensselaer County Department of Economic Development & Planning, and that the County commented that the existing sidewalk on Highpoint Drive is on the north side of the roadway while the proposed sidewalk on the main entrance to the commercial site across from Highpoint Drive is on the south side of the driveway. Mr. Murley stated that the proposed sidewalk for the Diamond Rock Plaza will be moved to the north to line up with the walkway for the Highpoint Drive, complying with the comment from Rensselaer County. Chairman Oster noted that the public hearing had been held, that the recommendation from Rensselaer County had been received and addressed by the applicant, and asked Mr. Bonesteel if he had any technical comments on the site plan. Mr. Bonesteel had no further comments, stating that the applicant had responded to all prior review comments. Chairman Oster asked whether the Planning Board Members had any further questions or comments. Hearing none, Member Mainello made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Esser. The motion was unanimously approved, and a SEQRA negative declaration adopted. Thereupon, Member Casey made a motion to approve the Diamond Rock Plaza site plan subject to the following conditions:

1. Compliance with relocation of the proposed sidewalk in compliance with the comment from the Rensselaer County Department of Economic Development & Planning;
2. County Highway Work Permit for the entrance driveway onto Oakwood Avenue; and
3. All necessary permits and/or approvals for potable water and sewer connections must be obtained prior to the issuance of any building permit for any structure to which public water and/or public sewer will be connected.

Member Mainello seconded the motion subject to the stated conditions. The motion was unanimous approved, and the Diamond Rock Plaza site plan approved subject to the stated conditions.

The next item of business on the Agenda was the site plan application submitted by Ace Hardware for property located at 825 Hoosick Road, proposing to utilize an existing building for tool rental and repair adjacent to the Ace Hardware store. Rob Osterhault of Bohler Engineering was present for the applicant. Chairman Oster noted that the recommendation from the Rensselaer County Department of Economic Development & Planning had been received, which provided only one comment concerning the location of the greenhouse and access to sunlight during certain periods of time during the year, and that no further comments were raised and that local consideration shall prevail. Chairman Oster noted that the public hearing had been held on this application. Chairman Oster further confirmed for the record that the issue of required green space on the site had been addressed by the Planning Board, and that the 35% green space requirement had been waived given the fact that this was an existing improved site and that no decrease in currently existing green space is being proposed. Chairman Oster inquired as to the issue of cross easements for this project, given that the project site does consist of two (2) parcels, 825 and 831 Hoosick Road. Attorney Gilchrist stated that at the last meeting, it was determined that a condition of approval will include the necessity of creating cross easements for parking, traffic circulation, and stormwater prior to the transfer of any individual parcel to a third-party, and that a map note be added to the site plan specifically requiring such cross easements. The site plan was reviewed, and a map note added to the site plan did note the requirements for cross easements for traffic circulation and stormwater, but did not include the requirement for cross easement for parking. This will need to be added to the site plan map note. Chairman Oster asked whether there were

any further questions or comments from the Planning Board Members. Hearing none, Member Tarbox made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Esser. A motion was unanimously approved, and a SEQRA negative declaration adopted. Thereupon, Member Tarbox made a motion to approve the site plan for 825 Hoosick Road for the use of the existing building for tool rental and repair subject to the following conditions:

1. The site plan map note must be amended to include the requirement for cross easement for parking between 825 and 831 Hoosick Road;
2. The Town of Brunswick Building Department to perform a walk-thru of the existing building; and
3. Compliance with Fire Department comments concerning knock box installation.

The motion was seconded by Member Mainello. The motion was unanimously approved, and the Ace Hardware site plan application approved subject to the stated conditions.

The next item of business on the Agenda was the site plan application submitted by Brad Stevens for property located at 740 Hoosick Road. The applicant had sought to locate a portable barbeque food trailer in the parking lot of the Brunswick Plaza located at 740 Hoosick Road. The applicant has withdrawn this application.

The next item of business on the Agenda was the site plan application submitted by BBL Construction Services, LLC on behalf of Albany Medical Center for a proposed Urgent Care Facility to be located in the Pollock Plaza located at 730 Hoosick Road. Chairman Oster recused himself from consideration of the application, and Member Casey will lead the discussion on this application at this meeting. Kevin Moore and Eric Landry of BBL Construction Services were present for the applicant. Mr. Moore stated that the site plan was before the Planning Board because of the proposed change in use for the existing space, that the application had been sent to

the Rensselaer County Department of Economic Development & Planning for recommendation and that the County had no comments and local consideration shall prevail, and that the Planning Board was to have reviewed the Planned Development District approvals to determine whether the proposed use was consistent with the PPD approval. Attorney Gilchrist stated that the Town had obtained the Brunswick Town Board approval for the Pollock Plaza PDD, which is set forth at Resolution No. 75 of 1995. Attorney Gilchrist stated that the Pollock Plaza PDD action was described in that Resolution as consisting of 152,000 sq. ft. of building space, including a 63,500 sq. ft. Price Chopper Supermarket, an expanded Pollock Home Center, and additional mixed retail space. Attorney Gilchrist further stated that pursuant to the SEQRA Findings Statement adopted by the Brunswick Town Board in connection with the Pollock Plaza PDD, the action was described as the expansion and construction of a shopping center with grocery store, home center, and mixed retail space totaling approximately 152,000 sq. ft. Further, Attorney Gilchrist stated that the SEQRA Findings also described the action as the construction of a shopping center which will include an expansion of the existing Pollock Home Center, the construction of 63,500 sq. ft. Price Chopper Supermarket, and the addition of mixed retail space. Attorney Gilchrist stated that a determination must be made as to whether the proposed Urgent Care Facility use in the Pollock Plaza was consistent with the uses allowable in the approval documents for the Pollock Plaza PDD, and that the Department to make that initial determination is the Brunswick Building Department. Attorney Gilchrist stated that the initial zoning determination must be made by the Brunswick Building Department prior to any further action by the Planning Board, as the Planning Board does not have the jurisdiction to make an interpretation of zoning compliance issues and does not have the jurisdiction to entertain a site plan application until that zoning determination had been completed by the Brunswick Building Department. Member Casey stated that he understood the

issue, and requested that the Brunswick Building Department make that determination as soon as possible. Member Casey also asked whether there were any outstanding technical issues identified by Mr. Bonesteel that could be addressed while the Building Department is completing its determination of zoning compliance. Mr. Bonesteel stated that the application does not include any structural changes or any changes to the site giving rise to any technical issues, and that the application was limited solely to a change in use for the space. The issue of a public hearing on the application was discussed. The Planning Board Members concluded that a public hearing would be required by the Planning Board in connection with the application. Mr. Moore stated that the applicant would like the public hearing scheduled as soon as possible to keep the project moving forward. Member Casey stated that the Brunswick Building Department's determination must be completed first, and that the issue of scheduling a public hearing could be further discussed at the August 20 meeting. Member Tarbox suggested that the public hearing might be scheduled for the August 20 meeting, subject to being cancelled in the event the Brunswick Building Department determines that the proposed use is not consistent with the allowable uses for the Pollock Plaza PDD, but that the public hearing could go forward on August 20th in the event that the Brunswick Building Department does determine that the proposed use is consistent with the allowable uses in the Pollock Plaza PDD. The Planning Board generally concurred with this approach. Accordingly, this matter is scheduled for public hearing to be held at the August 20 meeting at 7:00 p.m. subject to the determination by the Brunswick Building Department as to whether the proposed use is allowable in the Pollock Plaza PDD, and further subject to cancellation in the event the Brunswick Building Department determines that the proposed use is not consistent with the allowable uses in the Pollock Plaza PDD.

Chairman Oster then returned to the Board for further Agenda items.

The next item of business on the Agenda was the site plan application submitted by Oakwood Property Management in connection with the Oakwood Property Management Planned Development District located at 215 Oakwood Avenue. Rob Osterhautt of Bohler Engineering was present for the applicant. Mr. Osterhautt reviewed a map showing existing conditions on the site, and also the previous general layout map reviewed by the Planning Board that was dated March 19, 2015. Mr. Osterhautt then reviewed a revised layout site plan, which shows specific footprints for the proposed buildings, addresses Planning Board engineering comments, addresses comments of the Town Water Department, and addresses comments from the Center Brunswick Fire Department and Brunswick No. 1 Fire Department. Mr. Osterhautt also stated that comments from the owners of Ross Valve concerning stormwater runoff had been addressed by the Planning Board, and that it was his understanding that the representatives of the Planning Board had met with Mr. Ross at his property, that his comments were addressed, and that it was generally concurred that the stormwater runoff impacting the Ross Valve property was not originating at the Oakwood Property Management site. Mr. Osterhautt reviewed the current site plan layout, which does depict a gravel access road connecting to Northstar Drive in the area where the proposed waterline is located. Mr. Osterhautt inquired whether the site plan application had been forwarded to the Rensselaer County Department of Economic Development & Planning for review and recommendation, and the Brunswick Building Department will follow-up on that issue. Chairman Oster began a discussion concerning the utility easements, and specifically the waterlines proposed to connect to Northstar Drive and also to Naples Court. Mr. Osterhautt confirmed that the utility easements on the site plan that run from the project site to Northstar Drive and to Naples Court were general utility easements, but that only waterlines were being proposed for installation. The waterline installations in these utility easements will provide water service for the project, but also

provide a looped water service for the North Forty subdivision. Chairman Oster then asked about the access road in the area of the waterline leading to Northstar Drive. Mr. Osterhautt stated that the site plan does depict a proposed 20 foot wide gravel access road that was included with particular regard to comments by the Fire Departments for use as an emergency access drive. Chairman Oster stated that the issue is the need for an emergency access road connecting to Northstar Drive, and acknowledged that the residents in the North Forty subdivision had already stated publicly that they were opposed to having any access road connecting this project to the North Forty subdivision. Chairman Oster asked whether the access road was required for the waterline maintenance, or was it included as a result of the comments of the Fire Departments. Mr. Osterhautt stated that the applicant was responding to comments of the Fire Department regarding the emergency access road. Chairman Oster asked whether the area of the waterline could simply be maintained with a bush hog a few times during the year, or whether a formal maintenance road was required. Mr. Bonesteel stated that the area of the waterline should be maintained for access in terms of eliminating any trees or any other vegetation, but that a full gravel access road generally is not required. Monica Nann-Smith commented that the Fire Departments' comments state that the emergency access road should be 26 feet wide to accommodate their equipment. Mr. Osterhautt stated that the roads internal to the project site are 26 feet wide, but that the emergency access road proposed to connect to Northstar Drive is being proposed at 20 feet. Chairman Oster then raised the issue of the need for an emergency access road, and specifically the difference in emergency response times from the Brunswick No. 1 Fire Department going through the North Forty subdivision and through the proposed emergency access road as compared to utilizing the existing public streets through Frear Park and Oakwood Avenue. Chairman Oster stated he wanted additional information for the Planning Board to

consider in terms of this comparison of emergency response times. The Planning Board also had concerns regarding the winter maintenance of any emergency access road, and the potential use of this emergency access road by motorcycles, ATVs, or other vehicles in the future. Member Tarbox asked how the emergency access road would actually connect to Northstar Drive, since the owner's property line does not meet the existing Northstar Drive. Mr. Osterhautt did confirm that a third-party property owner does own property between the Oakwood Property Management Site and Northstar Drive, and that the owners of Oakwood Property Management were currently in discussions with this third-party property owner to obtain an easement over that third-party land. Chairman Oster also noted that in his prior discussions with volunteer firefighters, the Fire Departments require emergency access roads to be paved since the departments will not take the emergency vehicles off of the paved surface, and that the applicant was proposing only a gravel surface for the emergency access road. The other members of the Planning Board concurred with these comments regarding the proposed emergency access road, noting that this site already includes two points of access directly off Oakwood Avenue. Member Tarbox noted that the issue of the emergency access road arose only because a looped waterline was being proposed, and that access to the waterline was then discussed, which somehow led to the proposal that a full emergency access road be included. Chairman Oster confirmed that additional information regarding comparison of response times for emergency purposes needs to be provided to the Planning Board. Member Mainello asked whether all of the emergency apparatus used by Brunswick No. 1 Fire Department was able to get through Frear Park, particularly the traffic circle located in Frear Park close to Oakwood Avenue. The Planning Board Members noted that there was also a cul-de-sac at the end of Northstar Drive, and that the Planning Board needed information regarding the emergency vehicle access through these cul-de-sacs as well. The Planning Board

Members also asked about the grade of the proposed emergency access road leading to Northstar Drive. Mr. Osterhault stated that the grade was approximately 10%. Chairman Oster stated that the Planning Board needs to get the additional information regarding this emergency access road as well as comparison of emergency response times in order to address this issue of the emergency access road. It was determined that the Brunswick Building Department and Planning Board would coordinate with the Brunswick No. 1 Fire Department to obtain this information prior to the next Planning Board Meeting. Member Casey asked about the diameter of the waterlines for the project. Mr. Osterhault stated that 8 inch diameter waterlines would be installed. Member Casey asked whether the waterlines would be installed using directional drilling to avoid disturbance. Mr. Osterhault said that the owner had looked at the option of directional drilling, but that the area of the waterline would need to be cleared for existing vegetation and allow for future waterline maintenance. Chairman Oster also confirmed on the record that both he and Mr. Bonesteel had met with Andrew Ross of Ross Valve regarding the stormwater runoff issue, and it was generally determined that the stormwater impact in the Ross Valve site in the City of Troy was not originating from the Oakwood Property Management project site. A discussion was held concerning the timing of a public hearing, and it was ultimately determined that this matter would be put on the August 20 Agenda for further discussion, at which point the additional information from the Fire Departments concerning emergency access road requirements as well as comparison of emergency response times would be available, and that the Planning Board and Brunswick Building Department would coordinate with the Fire Department on that information. It was also determined that the review engineer for this PDD site plan project, Laberge Engineering, should review the current site plan layout to determine whether the current plan addressed prior engineering review comments, and also finalize the plan for stormwater management on the site.

Those issues would also be discussed at the August 20 meeting. The Planning Board entertained the option of scheduling the Public Hearing on this matter for the September 3 meeting, pending the discussion to be held at the August 20 meeting. Member Tarbox asked about compliance with setbacks from property lines for the buildings. Mr. Osterhautt stated that the building locations were all approved as part of the PDD approval by the Brunswick Town Board. This matter is placed on the August 20 Agenda for further discussion.

There were no new items of business discussed. Ms. Nann-Smith did state that her Department was investigating the issues previously raised by Member Tarbox regarding the construction of a barn and garage on Route 7, and that her Department's investigation was ongoing.

The Index for the August 6, 2015 meeting is as follows:

1. Arax Properties, LLC – Site Plan – August 20, 2015.
2. Amerit Fleet Solutions – Site Plan – approved with conditions.
3. Diamond Rock Plaza – Site Plan – approved with conditions.
4. Ace Hardware – Site Plan – approved with conditions.
5. Stevens – Site Plan – application withdrawn.
6. BBL Construction Services/Albany Medical Center – Urgent Care Facility – August 20, 2015 (Public hearing to commence at 7:00 p.m.);
7. Oakwood Property Management Planned Development District – Site Plan – August 20, 2015.

The proposed Agenda for the August 20, 2015 meeting currently is as follows:

1. BBL Construction Services/Albany Medical Center – Urgent Care Facility – Site Plan (Public hearing to commence at 7:00 p.m.).
2. Arax Properties, LLC – Site Plan.
3. Oakwood Property Management Planned Development District – Site Plan.