

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD MARCH 17, 2016

PRESENT were RUSSELL OSTER, CHAIRMAN, FRANK ESSER, KEVIN MAINELLO, DAVID TARBOX, and VINCE WETMILLER.

ABSENT was TIMOTHY CASEY and MICHAEL CZORNYJ.

ALSO PRESENT were WAYNE BONESTEEL, P.E., Review Engineer to the Planning Board, KAREN GUASTELLA, Brunswick Building Department, and DOUG EDDY, Highway Superintendent.

Chairman Oster reviewed the agenda for the March 17 meeting.

The draft minutes of the March 3, 2016 meeting were reviewed. Upon motion of Member Wetmiller, seconded by Member Mainello, the minutes of the March 3, 2016 meeting were unanimously approved without amendment.

The first item of business on the agenda was the major subdivision application submitted by Reiser Builders Inc. for property located on Route 351 at Plante Lane and Penny Royal Lane. Henry Reiser of Reiser Builders Inc. was present. Mr. Reiser handed up a preliminary subdivision plat which includes topographic information, and reviewed the changes to the subdivision plat that had been made since the March 3 meeting. Mr. Reiser stated that topography with 10-foot contours has been added to the subdivision plat; proposed driveway locations have been added; width of roads have been added; and all lot sizes have been corrected to comply with the non-realty subdivision rules. Chairman Oster reviewed the changes noted by Mr. Reiser. Chairman Oster inquired whether Mr.

Bonesteel had any questions or concerns. Mr. Bonesteel stated that the subdivision plat does include 10-foot contour lines, but that does not provide adequate information to review the subdivision, and the subdivision regulations do require contour lines of 5-feet or less. Mr. Bonesteel stated that the topography should be revised. Mr. Reiser asked whether the topography needed to be revised on all lots, as Mr. Reiser stated several of the proposed lots are fairly flat with easy driveway accessibility. Mr. Bonesteel stated that it appeared a number of the lots, including lots 7, 8, 9, and 10, are at a fairly steep grade. The Planning Board members, Mr. Bonesteel, and Mr. Reiser had a discussion concerning the topography of the project site and driveway locations on a number of the proposed lots. Member Esser stated that he thought the contour lines added to the subdivision plat were made from a USGS map without any site-specific survey information, and no original topography was added. Member Esser stated that a survey of this site should be completed to provide accurate topography. Mr. Reiser raised the possibility of the Planning Board scheduling a public hearing on the major subdivision application. Chairman Oster inquired with attorney Gilchrist on this issue. Attorney Gilchrist stated that the Planning Board may schedule and open a public hearing when it deems the major subdivision application complete, and that the Town's major subdivision plat requirements include the submission of a plat showing topography with 5-foot contours or less. Attorney Gilchrist further stated that if the Planning Board felt the application had adequate information to open a public hearing, the Planning Board should keep the public hearing open until such time as all necessary information on the major subdivision plat application has been received and allow the public an opportunity to review that additional information. Chairman Oster stated that the Planning Board had the option of scheduling and opening a public hearing, but it would not close any public hearing on this application until such time as all required information has been submitted by the applicant. Mr. Bonesteel also stated that the Planning Board had been provided with the plat

with the topography at 10-foot contours only at this March 17 meeting, and that both he and the Planning Board members needed adequate time to review the subdivision plat. The Planning Board further discussed the location of the pond on the project site, and also the issue of drainage locations throughout the project site. Mr. Bonesteel stated that he would like to see drainage courses shown on the subdivision plat. Chairman Oster also noted that Brunswick Highway Superintendent Doug Eddy was present at the meeting, and requested him to provide information concerning the roads at issue on this application, including Plante Lane and Penny Royal Lane. Highway Superintendent Eddy stated that Penny Royal Lane is a highway by use, and is not owned by the Town; that Penny Royal is paved, but that the width of Penny Royal Lane narrows as it reaches the Town municipal boundary. The Planning Board noted that there are 6–7 houses currently on Penny Royal Lane, and the application seeks four new lots on Penny Royal Lane. Highway Superintendent Eddy stated that Plante Lane is also a highway by use, that it is only gravel and not paved, and that the travel lane is only approximately 12 feet wide. Highway Superintendent Eddy did state that there was an adequate turnaround at the terminus of Plante Lane. Highway Superintendent Eddy stated that in his opinion, the current condition of Plante Lane did not allow for two cars to pass as the travel way was not wide enough, and that there would be questions regarding the suitability of Plante Lane in its current condition to accommodate seven new residential lots, and the anticipated traffic from seven new residential lots. Highway Superintendent Eddy also said that in the past, when faced with an application for new lots on a sub-standard road, the Planning Board has required certain road improvements to be completed, which may include a turnaround on a dead-end road to accommodate road maintenance by the Town Highway Department. Highway Superintendent Eddy also had concerns regarding the proposed driveways on the seven new residential lots on Plante Lane, and whether a negative pitch could be achieved on these driveways and the impact of runoff onto Plante

Lane. Member Mainello stated that since the Town did not own Plante Lane, and Mr. Reiser states that he owns only to the centerline of Plante Lane, the only work that could be done by Mr. Reiser would be on one side of Plante Lane. Member Mainello also questioned whether adequate area existed to improve the drainage ditches. Highway Superintendent Eddy stated that once a number of homes are built on Plane Lane, it is likely that such residents will request that the road be paved, and Plante Lane is currently only a highway by use with a gravel surface. Highway Superintendent Eddy also stated that there are drainage issues associated with maintenance of Plante Lane and also Penny Royal Lane. The Planning Board also discussed options to address these concerns, particularly regarding Plante Lane. Highway Superintendent Eddy said that in the past, the Planning Board has requested that the road area be deeded to the Town; but that in this case, Mr. Reiser reports that he owns only to the centerline of the road, which would result in only half of the width of Plante Lane being owned by the Town, with the remaining width being privately owned and subject to highway by use rules. Highway Superintendent Eddy stated that this was a difficult matter. Highway Superintendent Eddy also stated that there could be issues concerning improving the ditch on the east side of Plante Lane where the new proposed lots are located, given the steep grade in that area. Member Wetmiller asked Highway Superintendent Eddy as to the width he would consider adequate for the proposed number of lots. Highway Superintendent Eddy stated that he would propose at least 20 feet of road width, providing two ten-foot travel lanes, plus drainage on each shoulder. The Planning Board then discussed the ownership of the roadbed of Plante Lane, with Mr. Bonesteel noting that Plante Lane had previously been a County Highway back in the 1950's, and it was his understanding that the County abandoned this roadway. Attorney Gilchrist suggested to the Planning Board that when new survey work was being prepared in conjunction with the additional topography on the subdivision plat, that Mr. Reiser's surveyor also review the deed to Mr. Reiser's property and

survey whether the lot line does in fact go to the centerline of Plante Lane or only to the shoulder of Plante Lane. Attorney Gilchrist stated that the review of Mr. Reiser's deed and a review of the updated survey map will help address the title issues associated with Plante Lane, and that if further information is required thereafter, a title search could be required. Chairman Oster stated that given the discussion concerning Plante Lane, the Planning Board will need to carefully consider whether the existing road is adequate for seven new proposed residential lots. Attorney Gilchrist reviewed the legal rules surrounding consideration of adequacy of existing public roads in connection with new proposed subdivided lots. Chairman Oster concluded that it was not appropriate to schedule or open a public hearing until the information concerning Plante Lane is provided, and updated survey and potentially additional title work is provided. The members of the Planning Board concurred. Mr. Reiser stated that Plante Lane is actually 19–20 feet wide, not 12 feet wide as the Highway Superintendent reports. Attorney Gilchrist stated that the width of Plante Lane must be determined as a matter of fact, and recommends that the members of the Planning Board likewise go to the proposed project site to view the condition of Plante Lane. The Planning Board members and Mr. Reiser, and also Highway Superintendent Eddy, discussed opportunities to upgrade Plante Lane. Chairman Oster concluded that Mr. Reiser must submit an updated subdivision plat showing topography of at least 5-foot contours, a survey prepared showing the boundary of the property owned by Mr. Reiser in relation to Plante Lane, and additional information concerning the width and current condition of Plante Lane. Chairman Oster also recommended that each member of the Planning Board visit the project site, and to review the condition of Plante Lane in particular. This matter is placed on the April 7 agenda for further discussion.

One item of new business was discussed.

Hoffman Development Corp has submitted a site plan application concerning its existing carwash facility on Hoosick Road. Frank Palumbo, of CT Male, together with Tom Hoffman and Marty Andrews of Hoffman Development Corp, were present. Mr. Palumbo explained that Hoffman Development Corp has acquired title to the property adjacent and immediately to the east of the existing carwash, and the proposed site plan is for use of that lot in connection with the Hoffman Carwash. In particular, Mr. Palumbo reviewed the site plan which shows the use of the new lot for a vacuum system, and also generally reviewed revisions to the overall Hoffman Carwash operation. Chairman Oster inquired whether this application should be considered a new site plan or an amendment to the existing Hoffman Carwash site plan. Attorney Gilchrist stated that since the parcel to the east will be used in connection with the existing Hoffman Carwash operation, this should be reviewed by the Planning Board as an amendment to the existing Hoffman Carwash site plan to ensure that the overall facility meets site plan requirements. Mr. Palumbo stated that it was Hoffman's intention to merge these two parcels together into one lot if the proposed site plan is approved. Mr. Palumbo then continued to describe the proposed revisions to the site, which will include a new exit from the existing carwash facility, utilizing the ingress/egress point on the newly acquired lot to the east for all exiting from the site. The existing entrance into the carwash off Hoosick Road will continue to be used, but will be limited to an entrance only. Mr. Palumbo reviewed site drainage, including the construction of a new detention area to the rear of the new lot to the east. The Planning Board members noted that this proposal will eliminate the potential for stacking of cars exiting the carwash facility, allowing for additional stacking of cars seeking to exit the facility. Member Mainello asked whether there would be a canopy over the new vacuum area. Mr. Hoffman stated there would be no canopy. Chairman Oster inquired about snow removal, and where snow would be plowed and stored during the winter. Mr. Palumbo stated that he can show a snow storage location,

which would generally be toward the rear of the site. Chairman Oster reviewed the greenspace which will be added along the front of these two lots adjacent to Hoosick Road, and Mr. Palumbo confirmed that Hoffman would be landscaping this area consistent with its landscaping on the rest of the site. Mr. Palumbo and Mr. Hoffman stated that they are coordinating with NYSDOT concerning the ingress and egress issues as well as drainage issues in conjunction with the state drainage system off Hoosick Road. Member Mainello asked about hours of operation, lights, and potential noise associated with the new vacuum system, since there is a residential house located immediately to the east. Mr. Hoffman stated that the facility is open until 7p.m. in the winter and 8p.m. in the summer, that all lights will be located individually with each vacuum location and will be shielded with down-lighting only, and that the vacuum system is relatively quiet. Member Mainello stated that the applicant should provide some information on decibel levels from the manufacturer of the vacuum equipment. Mr. Palumbo and Mr. Hoffman stated that they would look at the option of including a fence or vegetative screening on the east side of the project site to shield the carwash facility from the house immediately to the east, and will take into account the fact that the property rises as it approaches the eastern boundary line. This matter is placed on the April 7 agenda for further discussion.

The index for the March 17, 2016 meeting is as follows:

1. Reiser Builders Inc. - Major subdivision - 4/7/2016;
2. Hoffman Development Corp - Site plan - 4/7/2016.

The proposed agenda for the April 7, 2016 meeting currently is as follows:

1. Reiser Builders Inc. - Major subdivision;
2. Hoffman Development Corp - Site plan.

