

TOWN OF BRUNSWICK
ZONING BOARD OF APPEALS

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DRAFT MINUTES

A Meeting of the Zoning Board of Appeals of the Town of Brunswick, County of Rensselaer, State of New York, was held on February 28, 2012 at 6:00 P.M.

Present at the meeting were: E. John Schmidt, Member
Mark Cipperly, Member
Caroline Trzcinski, Member
Martin Steinbach, Member
James Hannan, Chairman

Also present were Ronald A. D'Alessandro, Deputy Town Attorney and Zoning Board of Appeals Secretary, and Code Enforcement Officer John Kreiger. At 5:30 P.M., a Workshop Meeting was held wherein the Board Members reviewed files and discussed pending matters informally.

The Chairman called the Regular Meeting to order at 6:00 P.M.

The first item of business was the appeal and petition of Mr. Richard J. and Olga Gile, owners-applicants of 4 Ledgewood Drive in the Town of Brunswick, for a Special Use permit under the Zoning Ordinance of the Town of Brunswick, in connection with the proposed construction of an "in-law" apartment in an existing single family dwelling because:

1. Multiple unit dwellings are only allowed in the Town of Brunswick by way of a Special Use Permit issued by the Zoning Board of Appeals.

Attorney D'Alessandro read the notice aloud. Appearing pro se were owners-applicants Richard J. and Olga Gile. Mr. Gile presented the proposed project for a 1,000 square feet addition to the existing structure. It was noted that the proposed addition will "fit within the character of the current structure and overall neighborhood." Mr. Gile further noted that the addition was to benefit a family member currently residing at 2 Ledgewood Drive (the adjacent property). It was further noted that the lot size complies with the square footage requirement for multiple unit dwellings as set forth in the Zoning Ordinance. Appearing on behalf of owners-applicants was Ms. Theresa Fernet, resident of adjacent 6 Ledgewood Drive, who supported the proposed addition put forth by owners-applicants. During the presentation made by owner-applicant Richard J. Gile, the members of the Zoning Board of Appeals had the following questions and/or feedback:

Member Trzcinski noted that owners-applicants had failed to post the notice on their property as previously instructed. Member Trzcinski further noted that the proposal was for a two story addition and inquired whether suitable arrangements would be made in the event the proposed occupant encounters physical limitations. In response, owner-applicant Richard J. Gile indicated

that a mobile stair unit was previously purchased and would be available for use should such a need arise.

Member Steinbach inquired whether the exterior would match the current structure. In response, owner-applicant Richard J. Gile indicated that the contractor had purchased matching materials and that the exterior would match the existing structure. Member Steinbach further inquired as to the time frame of the proposed construction. In response, owner-applicant Richard J. Gile indicated that construction was estimated at 90-120 days.

Member Schmidt inquired whether the proposed structure meets the setback requirement set forth in the Zoning Ordinance. In response, owner-applicant Richard J. Gile indicated that the requirement setback was indeed met.

Member Cipperly generally indicated a favorable view of the proposal.

A motion was made by Member Trzcinski and seconded by Member Schmidt for approval of the proposal subject to owners-applicants immediately posting the Notice for the required time period. The motion carried 5-0.

The next item of business was the approval of the December 5, 2011 Minutes. Member Trzcinski made a motion to approve the Minutes subject to the following correction: a question was alleged in the draft minutes to have been posed by Member Steinbach who was absent from the meeting. The correction was to amend the question as having been posed by Member Cipperly. Member Steinbach seconded the motion. The motion carried 5-0.

The next item of business was the approval of the December 29, 2011 Minutes. Member Trzcinski made a motion to approve the Minutes subject to the following correction: the word “the” on page 2 of the draft minutes was changed to the word “he.” Member Steinbach seconded the motion. The motion carried 5-0.

The next item of business was the appeal and petition of WAL-MART REAL ESTATE BUSINESS TRUST, owner-applicant, for a proposed amendment to the public development district (PDD) to reflect revised trucking routes through the parking lot of the Wal-Mart store at 760 Hoosick Road, in the town of Brunswick. Attorney Mary Elizabeth Slevin appeared on behalf of the owner-applicant and presented the revised trucking route. It was noted that the owner-applicant revised the trucking route as previously requested and that the revised trucking routes addressed the Town Board’s previous concerns. During the presentation, the members of the Zoning Board of Appeals had the following questions and/or feedback:

Member Trzcinski asked whether the site would be marked to inform delivery drivers of the appropriate trucking route. Attorney Slevin responded that all drivers are given a map with the appropriate trucking route and that no additional signage would be necessary.

Member Steinbach inquired as to the volume of truck traffic that could be expected. Attorney Slevin did not have this information readily available. Member Steinbach remarked that the proposed amendment appears to be an improvement over the previously proposed trucking route.

Member Schmidt also remarked that the proposed amendment appears to be an improvement over the previously proposed trucking route.

Member Cipperly also remarked that the proposed amendment appears to be an improvement over the previously proposed trucking route.

Chairman Hannan remarked that the revised trucking route reflects two-way traffic.

A motion to generate a referral decision with a positive outcome was made by Member Cipperly and seconded by Member Schmidt. The motion carried 5-0.

There being no further business, Member Steinbach made a motion to adjourn. Member Cipperly seconded. The motion carried 5 - 0.

Dated: Brunswick, N.Y.
March 8, 2012

Respectfully submitted,

RONALD A. D'ALESSANDRO
Town Attorney - Zoning Board Secretary