

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 May 29, 2012, at 6:00 P.M.

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

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. In advance of the meeting, attorney D'Alessandro circulated a proposed agenda to the members via email. A copy of said agenda is attached hereto.

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

The next item of business was approval of the March 19, 2012, Minutes. Member Trzcinski made a motion to approve the Minutes with the following one change: (1) on page two of the minutes, a name of an individual before the ZBA in support of the application of Heather J. Bricetti was misspelled. Specifically, the name of contractor Daniel Mineiolo was inadvertently misspelled as "Daniel Minbioue." The motion carried 5 - 0.

The next item of business was the application regarding a proposed paintball establishment by Mr. David Molino. In his presentation, Mr. Molino was accompanied by multiple individuals including Mr. Thomas Kenney, and a member of the Rensselaer Police Department. During April's ZBA hearing, Mr. Molino presented a brochure and various informational pamphlets and indicated that the establishment would be open to the general public on Saturdays and Sundays, and to law enforcement during the week. Mr. Molino further indicated that due to the seclusion of the property and the low noise generated by paintball equipment, a substantial impact on the local neighborhood was not expected. Following the April meeting, the members of the ZBA had the following questions:

Chairman Hannan

(Q) Have the neighbors been notified?

(A) Not yet.

(Q) How far away are the homes

(A) There are roughly 5-6 homes, approximately 2500 feet away.

(Q) What do the police use now?

(A) Local or foreclosed homes, which can interfere with ordinary neighborhood operations.

(Q) Will there be concessions?

(A) No. There will especially be no alcohol allowed.

Member Trzcinski

(Q) Will the driveway/road be dirt?

(A) No, it will be stone.

(Q) How big is the parking lot?

(A) Sixty (60) spaces.

(Q) Will it be similar to the brochure presented?

(A) Yes, it will be similar.

(Q) Will the "fields" of play" be level?

(A) Mixed, depending on the particular type of field.

(Q) Will there be bathrooms?

(A) Yes.

Mr. Molino and Attorney Kenney appeared during the May ZBA hearing to answer any additional questions and/or requested formal action by the ZBA. There being no additional questions, a motion was made for attorney D'Alessandro to draft a decision with a generally positive recommendation for potential adoption at the June 28, 2012, ZBA hearing. The motion carried 5-0.

The next order of business was the petition of George J. and Wendy H. Cardinal, owners-applicants for a Special Use Permit in connection with the proposed conversion of a single family home into a two family home on a lot located at 629 Hoosick Street in the Town of Brunswick, because multiple dwellings are only allowed in the Town of Brunswick by way of a Special Use Permit issued by the Zoning Board of Appeals. Due to inclement weather and blackouts, the Cardinals were unable to attend the ZBA hearing. In so doing, Chairman Hannan made a motion to table this order of business until the June 18, 2012, ZBA hearing. The motion carried 5-0.

The next order of business was the petition and appeal of the Haven Baptist Church by

Mr. Keith Gardner, pastor, for an area variance in conjunction with the proposed location of a church in a storefront on a lot located at 564 Hoosick street (hereinafter referred to as the “Gateway Plaza”) in the town of Brunswick, because 67 parking spaces are required and only 44 parking spaces are provided and such deviation is allowed in the Town of Brunswick only by way of an area variance issued by the ZBA.

Mr. Keith Gardner, Pastor of the Haven Baptists Church, appeared before the ZBA and indicated that the church currently has approximately 10 adult members, and would hold services Thursday evenings, Sunday mornings, and Sunday evenings, times when multiple businesses currently located in the gateway Plaza are closed, and hence not utilizing the parking lot. After Mr. Gardner’s presentation, the members of the ZBA had the following questions:

Member Trzcinski

(Q) How many members are there?

(A) Approximately 10 adults and 6 children.

(Q) Will it be difficult exiting the Gateway Plaza after services?

(A) Any difficulty will be minimized by the off-hours nature of the intended services.

Member Steinback

(Q) Will parking be an issue?

(A) No, the parking lot is rarely fully utilized currently, and the Chinese restaurant is a takeout restaurant. Moreover, service times are Thursday evenings, Sunday mornings, and Sunday evenings. These are times when the other businesses are largely closed.

Member Casey

(Q) Mr. Kreiger, how did we come up with 67 spaces?

(A) Mr. Kreiger provided the following breakdown: Current businesses require a total of 54 spaces, and the Church will require an additional 13 spaces.

Upon completion of the question and answers, Attorney D’Alessandro requested a motion be made to classify the application as “unclassified” under SQR. A short Environment Assessment Form had been completed by Pastor Gardner. A motion was so made by Member Schmidt. The motion carried 5-0. Following, a motion was made by Chairman Hannan to approve the application. The motion carried 5-0.

There being no further business, a motion to was made to adjourn. The motion carried 5-

0.

Dated: Brunswick, N.Y.
June 3, 2012

Respectfully submitted,

Ronald A. D'Alessandro
Deputy Town Attorney - Zoning Board

Secretary