

1 TOWN OF BRUNSWICK  
PUBLIC HEARING

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3  
4 HIGHLAND CREEK PLANNED DEVELOPMENT DISTRICT  
5 APPLICATION  
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8 Brunswick Community Center  
Keyes Lane  
9 Troy, New York 12180  
10 Monday, November 28, 2005  
6:30 p.m.

11  
12 APPEARANCES: TUCZINSKI, CAVALIER, BURSTEIN  
& COLLURA, P.C.  
13 54 State Street  
Suite 803  
14 Albany, New York 12207  
BY: ANDREW W. GILCHRIST, ESQ.

15  
16 ALSO PRESENT: Mark Kestner, Kestner Engineers  
Mark Gregory, Traffic Engineer  
17 Lee Rosen  
Bob Marini

18  
19 TOWN BOARD MEMBERS: Patrick Poletto, Deputy Supervisor  
Sue Sherman, Town Clerk  
20 Tom Cioffi  
Sam Salvi  
21 Carl Clemente  
Carolyn Abrams

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MR. POLETO: I want to welcome everybody here tonight to the public hearing. I want to call the meeting to order. If we'd all rise for the Pledge of Allegiance.  
(Pledge of Allegiance recited.)

MR. POLETO: At this point we're going to call on Sue, our Town Clerk, to read the notice of public hearing.

MS. SHERMAN: Public Notice: Notice is hereby given that a public hearing will be held by the Town Board in the Town of Brunswick on Monday, November 28th at 2005 at 6:30 p.m. at the Brunswick Community Center, Keyes Lane, Troy, New York, pursuant to Section 10 of the Zoning Code of the Town of Brunswick and also pursuant to the State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617, to allow public comment on the applications submitted by Landmark Development Group, LCC for the proposed Highland Creek Planned Development District, PDD, which is a proposed 190 lot residential subdivision consisting of 39 traditional single family homes, 21 manor homes and 130 carriage homes

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and located on 210.13 acres of lands situated on the northeast side of McChesney Ave. Extension, south of its intersection with McChesney Avenue. The property is currently zoned agricultural, A-40. The application has been submitted pursuant to Section 10 of the Zoning Code of the Town of Brunswick for a Planned Development District. A Draft Environmental Impact Statement, DEIS, has been prepared by Landmark Development Group, LLC for this action pursuant to SEQRA. The Town Board of the Town of Brunswick, as SEQRA Lead Agency, has accepted the DEIS as adequate for public review and a notice of completion has been filed. The public hearing will allow comments on the PDD application and the DEIS. Copies of the application materials and DEIS are available for public inspection during regular business hours at the following location: Town of Brunswick Town Office 308 Town Office Road, Troy, New York, 12180. In addition, a copy of the DEIS is also available for public inspection during regular business hours at the Brunswick Community Library 605 Brunswick Road,

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1 Eagle Mills, New York 12180. All interested  
2 persons will be heard at the public hearing.  
3 Dated November 15th, 2005 Brunswick, New York.  
4 The Town of Brunswick Town Board by Patrick  
5 Poleto, Town Board Member do want to mention  
6 that the offices have moved to 336 Town Office  
7 Road.

8 MR. POLETO: Thank you, Sue. Tonight when  
9 we have comment from the public, we only got  
10 one working microphone at this point. This is  
11 it. So if you want to come up, we'll have it  
12 over here on the podium and if you could talk  
13 into the mic, we need your name, address and  
14 then we can go from there. At this point I  
15 want to call on Andy Gilchrist to give out what  
16 the game holds are where we are in the process.

17 MR. GILCHRIST: Good evening. My name is  
18 Andrew Gilchrist and I've be retained, as you  
19 know, by the Town Board to advise them on this  
20 application as well as the other applications  
21 pending in the town. As Mr. Poleto said, this  
22 is the opening of a public hearing on Highland  
23 Creek, one of the planned development district  
24 applications currently pending in the town.

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1 The purpose of the meeting is to accept  
2 comments from the public on the PDD application  
3 itself, as well as the Draft Environmental  
4 Impact Statement that was submitted by  
5 applicant and accepted as adequate for public  
6 review by the Town Board. I want to make sure  
7 that the record reflects where we are in the  
8 possess and so that everyone in the room  
9 understands as well, this application was filed  
10 pursuant to Article 10 of the Town Zoning Code  
11 for a Planned Development District. In  
12 connection with the application, a full  
13 environmental assessment form was filed as  
14 well. Now, there are a number, as you may well  
15 know, a number of public agencies which need to  
16 pass on this application which need to review  
17 it and issue any permits or approvals. When  
18 that happens with this type of application all  
19 of these public agencies need to coordinate.  
20 As you know this application went through  
21 what's called Lead Agency coordination. What  
22 would be the one agency to lead the  
23 environmental review? This Town Board sent out  
24 the Lead Agency coordination notices

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1 identifying that it wanted to be the Lead  
2 Agency and direct the review of this, both  
3 pursuant to their zoning code as well as SEQRA.  
4 And after those notices went out the Lead  
5 Agency was established, the Town Board assumed  
6 the Lead Agency duties on this. When they  
7 reviewed the application materials and the  
8 environmental assessment form the Town Board  
9 adopted a positive declaration, which as you  
10 know as well means that there may be one  
11 significant adverse environmental impact from  
12 the action. When a positive declaration is  
13 adopted the applicant must prepare a Draft  
14 Environmental Impact Statement. In order to  
15 ensure that everyone was on board with what  
16 issues needed to be addressed in the DEIS, in  
17 the draft DEIS, this Board went through a  
18 formal scoping process. That scoping process  
19 including the opportunity for members of the  
20 public to comment on what issues needed to be  
21 addressed in the Environmental Impact  
22 Statement. Once all those comments were  
23 received from the public as well as other  
24 agencies, the public agencies involved in

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1 review of this project, a final scope was  
2 issued by this Board as Lead Agency. Once the  
3 final scope was issued, then the applicant  
4 prepared its impact statement addressing each  
5 and every issue that was identified in the  
6 scoping document that needed to be examined and  
7 assessing those impacts in the document. That  
8 went into -- that was submitted to the town for  
9 review, there was a series of review of that  
10 document for completeness purposes. I review  
11 that as counsel, Mark Kestner who is here from  
12 Kestner Engineering reviewed it. Mr. Kestner  
13 is, as you know, the review engineer on the  
14 project. We've also retained Mark Gregory, who  
15 is a traffic engineer, to review the traffic  
16 impact issues associated with that, this  
17 action, as well as the others pending in the  
18 town. After review of the document and having  
19 it supplemented, as you heard earlier, the Town  
20 Board accepted the DEIS as complete. What that  
21 means under the SEQRA regulations is that the  
22 document was deemed adequate for public review  
23 and comments. We made this a point at the  
24 public meeting of the Town Board and we're

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1 going to make it tonight. This does not mean  
2 that the Town Board necessarily agrees with all  
3 of the conclusions reached in that document.  
4 What it means is that the applicant has fully  
5 addressed the issue and now it's going to be  
6 subject to your review and comment as well as  
7 the Town Board's consultants review and  
8 comments. When this process is completed the  
9 applicant must respond to each and every  
10 comment received. This is the opening of the  
11 public hearing tonight. There have been issues  
12 concerning enough time for the public to have  
13 reviewed this rather extensive impact  
14 statement. The Town Board is cognizant of  
15 those comments and has informed me after having  
16 discussed this, that the public hearing will be  
17 held open. There will be adequate time for the  
18 members of the public to review that document  
19 and provide comment. The opportunity to  
20 provide comment is not limited just to the  
21 public hearing itself. You must realize that  
22 there is always the opportunity to submit  
23 further comments on the document and on the  
24 application. That written comment period will

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1 be held open at least ten days after the close  
2 of the public hearing so that everyone has an  
3 opportunity to hear all comments submitted at  
4 the public hearing, consider them in connection  
5 with the application documents and have a  
6 period of time after the close of the public  
7 hearing in which to submit written comments.  
8 That will afford members of the public an  
9 adequate time to have reviewed and digested all  
10 the information in the impact statement, and  
11 not only an opportunity to provide comment at  
12 the public hearing, but through written form as  
13 well. And it is recommended if you do have  
14 comments, by all means provide them at the  
15 public hearing, but if you'd like submit them  
16 in writing as well. As we said, the applicant  
17 will need to address each of those comments in  
18 a subsequent document which will be prepared,  
19 which is called a Final Environmental Impact  
20 Statement, in essence as a responsiveness  
21 document to address the comments that have been  
22 received by the public. The Town Board will  
23 establish the date for the reconvening of a  
24 public hearing. That will be on additional

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notice and you will be on notice of when the hearing will be reconvened. There will be adequate time.

Now, in terms of tonight, the Town Clerk did read the notice of public hearing, which was published in the newspaper, was posted at Town Hall. As the notice indicates, copies of the application documents are on file at the Town Clerk's Office. The full DEIS is on file at the Town Clerk's Office. A full copy of the DEIS was also placed at the Brunswick Community Library and remains on file there. A copy of the DEIS was provided to Brunswick Smart Growth and I know that Mr. Clemente also gave his copy to one interested member of the public to review, as well. He now has that back to review, but provided that to a member of the public at his request as well. The DEIS also, a complete copy of that document, got distributed to all of the other involved agencies that I mentioned earlier that went through the coordination process, and I want everyone to hear the number of agencies that are involved. All of those agencies obviously

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need to review the application, but also have the opportunity to comment on the impact statement. Each member of the Town Board clearly had a copy of the impact statement. Each member of the Planning Board and each member of the Zoning Board in the town received a copy of the application. The Superintendent of Utilities and Inspection, John Kreigher; the Highway Department, Doug Eddy; the Water Department, Myron VanDyke; the Town Historian, Sharon Zankel; and the Town Assessor, Sylvia Rooney, all received a complete copy of the impact statement for review and comment. At the County level; the Rensselaer County Health Department, the Rensselaer County Highway Department, the Rensselaer County Sewer District and the Rensselaer County Department of Economic Development and Planning received a complete copy of the impact statement for review and comment. At the State; the New York State Department of Environmental Conservation; the New York State Office of Parks, Recreation and Historic Preservation, the New York State Department of Health and the New York State

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1 Department of Transportation received a  
2 complete copy of the impact statement. The  
3 U.S. Army Corps of Engineers on wetlands issues  
4 received a complete copy of the impact  
5 statement. All of the fire departments within  
6 this area, likewise, received a copy. Not  
7 simply the department in which this property is  
8 located, but for mutual aid purposes of all  
9 them received one. That includes, Mountain  
10 View, Sycaway, Center Brunswick, Eagle Mills  
11 and Spiegletown, all received a complete copy  
12 of the impact statement for their review and  
13 comment. The Brittonkill School District did  
14 receive a complete copy of the impact statement  
15 for their review and comment as well. As  
16 indicated earlier, Brunswick Smart Growth  
17 received their own copy of the impact statement  
18 for review as well. So all of these agencies  
19 now have the opportunity to review the complete  
20 impact statement and provide comments as well.  
21 Notice of this hearing is also -- has also been  
22 sent to all property owners within 500 feet of  
23 the project site. It's not a requirement of  
24 the town code, but the Board has asked that  
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1 that be done. So all members -- strike that.  
2 All individuals owning property within 500  
3 feet of this project site, likewise, received  
4 notice through the mail of the public hearing.  
5 The purpose of the public hearing tonight  
6 is to receive comments on the document. It is  
7 not just the DEIS, but on the underlying  
8 application as well. This Town Board has not  
9 made any decision on this application or any  
10 other application that's pending under Article  
11 10. I've advised the Board that they should  
12 not do that until a complete record is made.  
13 The complete record in this is not just the  
14 application, it's not just the DEIS, it will be  
15 the Final Environmental Impact Statement, there  
16 will ultimately be a finding statement made  
17 under SEQRA as well. And until that record is  
18 complete, and that includes all the comments  
19 received from the public as well as the other  
20 public involved and interested agencies, I have  
21 advised the Board not to render judgment on the  
22 application. To do so without a complete  
23 record being created would not be appropriate  
24 under the law. I've advised them not to do  
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1 that and they have not done that. They have  
2 not come out publicly. These members who will  
3 vote on the Highland Creek Planned Development  
4 District had said that any decision, any  
5 determination on this application has been  
6 made. That I will continue to advise the Board  
7 on that.

8 Now, for purposes of tonight we do have a  
9 stenographer here. As Mr. Poletto said if you'd  
10 come up and state your name and address for the  
11 record, a complete stenographic transcript of  
12 all comments will be made. And that, likewise,  
13 will be available for the public to review. I  
14 mentioned earlier the opportunity to submit  
15 comments in writing, please do so. That is  
16 from this point forward until the close of the  
17 written comment period, which will be ten days  
18 following the close of the public hearing. The  
19 applicant is present, will make a presentation  
20 as to what the proposal for Highland Creek  
21 Planned Development District is, so that  
22 everyone is working from the same information  
23 about what the project is. The purpose of the  
24 public hearing is not a question and answer

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1 session, nor is it a debate session. It is one  
2 to receive comments from the public, let the  
3 Board members hear those comments, let the  
4 applicant hear those comments, and they will be  
5 formally responded to in the Final Impact  
6 Statement. If there are issues that the  
7 applicant is preparing to responding to this  
8 evening, they may do so. But this is not a  
9 debate forum nor a question and answer session.

10 With that, I will pass back to Mr. Poletto.

11 MR. POLETO: I think we go this microphone  
12 going at this point, so we'll put the stand out  
13 in front. Can you hear me with this one?

14 (Yeh's)

15 MR. POLETO: Because I can't. As Andy  
16 said, that we have made agreement that we are  
17 going to extend the public hearing. Okay.  
18 We're not going to close it tonight. We're  
19 going to keep it open. My game plan is keeping  
20 it open till December 29th at that point. The  
21 Town Board has an end of year meeting usually,  
22 and it's usually around the last -- very close  
23 to the end of the year to pay bills and stuff  
24 like that, to pay any outstanding bills that we

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1 have. My idea was, seeing that it was short  
2 notice between the Town Board meeting when we  
3 set the date tonight, and that the Town Hall  
4 was also in the flux this past week, that we  
5 moved from the old building to the new building  
6 and it was a little chaotic, the move and  
7 everything, and with Thanksgiving we plan on  
8 keeping the public hearing open until  
9 December 29th, which at that point we'll  
10 reconvene the public hearing and give anybody  
11 else who hasn't made comment tonight, the  
12 chance to make comment after review of the  
13 documents. All right? Probably 6:30, yes,  
14 that we'll have the public hearing and more  
15 than likely be up at the new Town Hall. By  
16 then we'll be ready for crowds and have  
17 everything in order for holding meetings up  
18 there.

19 At this point I'd like to turn the meeting  
20 over to Landmark Development and have them do a  
21 little presentation for everybody.

22 MR. ROSEN: Thank you very much. My name  
23 is Lee Rosen, and with me tonight is Bob Marini  
24 of Marini Builders, Ivan Zydral who is the

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1 project engineer. I think I will stand here.  
2 I don't know if everybody can see but I would  
3 like the public to see. Okay. What I would  
4 like to do is make a brief presentation about  
5 the project, about the site, then Bob Marini  
6 will make a further presentation about the  
7 types of homes that we would like to build  
8 there and then turn it over to the public.  
9 Just so everyone knows where the site is, I  
10 believe it's been discussed, but this is a 210  
11 acre parcel that's located on McChesney Avenue  
12 Extension, which I'm pointing to here, which is  
13 about three quarters of a mile south of the  
14 intersection of McChesney Avenue with McChesney  
15 Avenue Extension. And here you see Route 7 up  
16 here. The site is, again, bordered by  
17 McChesney Avenue Extension here on the east. I  
18 mean on the west. I apologize. And stretches  
19 back to the east, all the way back to the golf  
20 course here that's bordered on the north by  
21 vacant lands and lands owned by Niagara Mohawk.  
22 And here on the south is the Sweet Milk Creek.  
23 We've superimposed the site on this picture so  
24 that you can see, but it is probably difficult

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1 to see from the back. Okay, Bob. What we're  
2 proposing is a variety of single family homes  
3 that would be marketed to different segments of  
4 the home buying market. First, as you see here  
5 we would have 130 carriage homes which are  
6 designed for the empty-nester buyer. Now,  
7 that's a person who desires to have single  
8 family residence in the town, but does not want  
9 to have the maintenance of a large lot, all of  
10 the landscaping and snow plowing that goes  
11 along with that. So this empty-nester product  
12 would come with a landscaping package where the  
13 exterior grounds would be maintained, the snow  
14 plowing would be done, the shoveling, et  
15 cetera, and there would be 130 of those home.

16 The next type of home we would have would  
17 be what we call traditional single family  
18 homes. There are 39 of these and these are for  
19 first time or move-up home buyer. These range  
20 in size from 1800 square feet to 3100 square  
21 feet. Basically your traditional single family  
22 home.

23 The third type of home what we call our  
24 manor homes, which are a little more upscale, a  
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1 little more luxury type home, larger lot,  
2 larger amenities, more amenities, and we would  
3 have 21 of these types of homes. I would like  
4 to go to the next slide and just show you how  
5 the site works. Here again is McChesney Avenue  
6 Extension, which is the main entrance to our  
7 site. The homes here we would have a very well  
8 landscaped entranceway here, and as you can see  
9 the homes here are pushed back several hundred  
10 feet or 500 feet or more from McChesney Avenue  
11 Extension. As you move into the community we  
12 have our collection of the carriage homes here.  
13 You can see the street detail, the landscaping,  
14 and as we will describe further, various site  
15 amenities and characteristics of the site to  
16 define it and give it some flavor. We would  
17 also have a second road which would bring us  
18 back to the traditional single family homes  
19 which are located in this area, and then back  
20 to the manor homes which are located in this  
21 area. Now, these homes are designed and  
22 clustered together on approximately 75 acres of  
23 the 200 acre parcel, leaving the balance of the  
24 site, which is about 135 acres, as Open Space,

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1 which would be owned by a homeowners  
2 association that would be set up and  
3 established specifically for this community.  
4 Within the Open Space we would have lands that  
5 would remain permanently undeveloped, preserved  
6 in their natural state, as well as areas for  
7 passive recreation which would consist of  
8 walking trails through the woods, that sort of  
9 thing. As well as active recreation area,  
10 which is here, a tennis court and a basketball  
11 court, as well as a little community gathering  
12 area that's up here on the ridge so that the  
13 entire community can take advantage of these  
14 views. So by clustering the home together  
15 we've left the remainder of the site  
16 undeveloped, preserving views and preserving  
17 these areas in their undeveloped state. Again,  
18 this just describes in summary what we've left.  
19 There's 135 acres left over. They create a  
20 natural parameter of buffers from neighboring  
21 properties, they will include our passive  
22 recreation, active recreation. And I think the  
23 most important thing is that these areas will  
24 be owned by the homeowners associated

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1 established for the community, that way we can  
2 better guarantee that these areas will be  
3 preserved, will remain natural, they won't be  
4 used for dumping, they won't be used for people  
5 putting their clippings back there and that is  
6 a better way to protect these areas.  
7 Just turning back to the site. This is a  
8 blow up of that main area of the carriage  
9 homes, and as you see we get more and more  
10 detail on the site. This really turns into  
11 sort of a village community of the carriage  
12 homes. What you see in this detail is a  
13 roundabout which acts as both a traffic calming  
14 pattern as well as in here we would have a  
15 gazebo that would create sort of a community  
16 gathering area. We would have street trees  
17 lining all of the streets. There would be  
18 sidewalks connecting these streets together and  
19 leading to this area. So this way we create an  
20 environment that's conducive to walking to  
21 create a community rather than just numbers of  
22 homes. Again, these homes would come with a  
23 landscaping package where the homeowners  
24 association would be responsible for the lawn

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1 mowing, the landscaping, as well as the snow  
2 plowing on the driveways and these sidewalks.  
3 Bob will get further into that detail as he  
4 describes the community.  
5 As it was explained before, we have at the  
6 direction of the Town Board prepared an  
7 Environmental Impact Statement which is very  
8 detailed and voluminous. We're not going to go  
9 through that all tonight, but I just did want  
10 to highlight on some of the items that we  
11 address as the Town Board directed and as the  
12 comments that we received asked us to. These  
13 are some of the resources that the town would  
14 expect to have addressed and things that we  
15 would look at in the natural course of  
16 preparing our land plan. Geology, we look at  
17 soils, we look at rock, topography, water  
18 resources including ground water, surface  
19 water, air quality, the list continues.  
20 Terrestrial and aquatic ecology, transportation  
21 which is a very significant issue that we look  
22 at, existing land use and how this fits in with  
23 the town's plan and town's needs, and also  
24 community services. Impact on public schools  
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1 in particular is something that we've  
2 addressed, and which I would like to highlight.  
3 We've looked -- next side, please. In  
4 addition, we've looked at cultural resources.  
5 That is how this site is going to look from the  
6 road, it's impact on any historical or  
7 archaeological resources and impacts on noise.  
8 Just as a list of things that we looked at.  
9 Now, again, I'm not going to mention all of  
10 these, and there's three volumes of how we  
11 address the impact, but I do want to touch on a  
12 few of them. First, transportation. When you  
13 hear that there's going to be 190 homes, well,  
14 you think that's going to be a lot of cars.  
15 And you think in your mind, well, if they're  
16 going to leave the site all at one time, it'll  
17 be a big mess. Well, of course, that's not how  
18 traffic works and people leave at different  
19 times, they go different ways. And the impact  
20 of 190 cars may be significant in certain  
21 areas, it may not be. We have done a traffic  
22 study and it has looked at various  
23 intersections as people would choose to utilize  
24 from our community and, in fact, the level of  
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1 -- the increase in vehicle delay at any of  
2 these study intersections is no more than four  
3 seconds as the result of this site. You know  
4 you laugh, but let me say that we're talking  
5 about people -- in particular from our  
6 community these are not, in particular, from  
7 the people that are going to be residing in the  
8 carriage homes. These are not people who live  
9 on the clock, they're your typical commuters.  
10 So we expect many of these, even the delays to  
11 be even less than what is predicted. Because  
12 these people basically leave, not on the clock  
13 as I said, but when they desire to leave. But  
14 we have a voluminous traffic study, which I'm  
15 sure many of you have read, and it shows how  
16 people utilize existing roads and the impact at  
17 the area intersections is not significant. One  
18 additional point I would like to make is that  
19 anybody who utilizes that road knows that  
20 existing Bonesteel Lane, that site distance  
21 near where Bonesteel Lane is presently is not  
22 that great, it's at the bottom of a big hill.  
23 We would be relocating that existing road,  
24 which would be used only in emergency and that

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1 would improve the site distance at existing  
2 Bonesteel Lane.  
3 Another key issue that we looked at was  
4 the impact on the schools. Now, again, the  
5 type of development that we are proposing being  
6 geared to primarily to the empty-nester  
7 community is really the type of development  
8 that has perhaps the least amount of impact on  
9 schools. And in our environmental impact  
10 statement we have calculated or projected the  
11 number of school aged children that would  
12 reside in this community and attend public  
13 schools as approximately 100 students. Now,  
14 these would not necessarily all be new  
15 students. They might be students moving from  
16 other parts of the town, what have you, but  
17 there would be approximately 100 school aged  
18 children projected to reside in this community.

19 In terms of revenues, because we have the  
20 carriage homes, the empty-nester homes, we  
21 would expect their -- we project that there  
22 would be approximately \$262,000 of excess  
23 revenues over costs generated by this  
24 community. And that again is because of the

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1 type of homeowner that we're targeting. What I  
2 would say is that if we would have 190  
3 traditional single family homes it would  
4 probably double the number of school aged  
5 children that would be projected to live in the  
6 community. And if we had as few as 80 homes,  
7 well, of traditional single family homes you'd  
8 probably have the same number of students.  
9 Again, by targeting to the empty-nester we are  
10 reducing the impact on schools. Just in terms  
11 of -- I just want to go back. We were in touch  
12 with the superintendent of schools. As far as  
13 the capacity, while we project 100 school aged  
14 children to reside in the community, there is  
15 existing capacity for those students based on  
16 current capacity of the schools. We also met  
17 several times with the fire departments and to  
18 make sure that we had adequate fire protection.  
19 Again, the main source of fire protection will  
20 be that we are extending a 12 inch water main  
21 through the community. There is substantial  
22 fire flow at the hydrants. And again, we would  
23 be generating a significant amount of revenue  
24 to the fire district. So we've also looked at

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1 the impact on the existing fire protection  
2 services.  
3 As far as the master plan goes, we also  
4 read that and discussed how this plan fits  
5 within the master plan. And the master plan,  
6 while it's a working document, does encourage  
7 clustering of homes, higher density where there  
8 is services available. Now, we could not do  
9 this community without having public water and  
10 sewer available. That is essential to the  
11 community. We have services nearby. And by  
12 having these existing utilities we're able to  
13 cluster these homes to preserve much of the  
14 site as natural Open Space. So that is one of  
15 the tools recommended that we utilize through  
16 the master plan. What that tool enables us to  
17 do is to set aside that land, and not just the  
18 land that will be Forever Wild, but land that  
19 will be used for recreational facilities as  
20 well as lands that -- as well as the  
21 architectural quality of the buildings. We are  
22 able to put deed restrictions on that by use of  
23 the homeowners association and to create a  
24 community rather than a development. One where

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1 there is pedestrian circulation, one that is a  
2 new community that we would be proud of and  
3 that the residents of Brunswick would be proud  
4 of.

5 Okay. Bob, I'll turn this to you.  
6 MR. MARINI: Thank you, Lee. My name is  
7 Bob Marini, Junior and I am the CEO of Robert  
8 Marini Builders, Inc. I am a third generation  
9 home builder. My family has been doing this in  
10 the Capital Region since 1947. We have  
11 experience. We've built over 2,000 homes in  
12 the Capital Region in more than 30 communities.  
13 And I'd like to say that when I got here  
14 tonight I heard something from one person in  
15 the room to another, a gentleman over here on  
16 this side of the room got out of his chair and  
17 walked over to a gentleman over here on this  
18 side of the room and said hello neighbor. And  
19 that's something you don't see very often  
20 anymore in traditional land plan in traditional  
21 subdivisions. The results of the land planning  
22 regulations over the last 10 to 15 years have  
23 made home lots larger, they pushed them back  
24 from the road, they've made the streets wider

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1 and they have encouraged people to stay to the  
2 themselves. And the types of communities that  
3 we're building now reverse that trend and bring  
4 people closer together. We have an opportunity  
5 with every piece of property, it's a blank  
6 piece of paper, we look at things and say what  
7 is good development and what is bad  
8 development. I'm interested in creating a  
9 place that I can go back to years after it's  
10 built and be proud of the fact that I created a  
11 places that's desirable to live in. I don't  
12 think of myself as a builder of roads and a  
13 builder of homes. I think of myself as a  
14 creator of living environments in places where  
15 people want to live. There are things in my  
16 mind that make up good development and bad  
17 development. Good development expands the  
18 range of the choice of housing, and bad  
19 development focuses on a single product. That  
20 single product over the last 10 to 15 years has  
21 been large luxury move-up homes for the  
22 baby-boomers. The baby-boomers are starting to  
23 age and they want to scale down and we are at  
24 the front end of a trend that's going to

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1 continue for the next 25 years. In 2008 the  
2 baby-boomers become large sellers or net  
3 sellers of large luxury homes and net buyers of  
4 a primary emphasis of what we would like to do  
5 here in Highland Creek, which is carriage  
6 homes. Smaller lots, smaller homes, all of the  
7 maintenance is included, one monthly fee takes  
8 care of your lawn mowing, your snow plowing,  
9 your landscaping, your fertilization and so on  
10 and so forth. We look to take an inventory of  
11 a site and develop an innovative plan that  
12 preserves Open Space. In a bad development you  
13 can put roads anyplace and you can create ugly  
14 products and you can arrange them in ugly ways  
15 and I can leave or any builder can leave and  
16 we're done and that's not really what we're  
17 interested in doing. Good development creates  
18 trophy winning projects that become the rule  
19 and not the exception. Recently we had a  
20 project in the area that we had done that was  
21 looked at as a role community, a role model  
22 community as a planning tool for others towns,  
23 and we're proud of that and we will like to be  
24 able to produce what we call trophy winning

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1 communities. In a bad development the outcome  
2 detracts rather than enhances the quality of  
3 life. The development sprawls all over the  
4 landscape, the roads are all over the place and  
5 it increases the cost of infrastructure for the  
6 town many years down the road. Good  
7 development and good developers and builders  
8 self-impose landscaping standards to ensure  
9 attractive street scapes. We don't walk into a  
10 community and just plant houses on the soil and  
11 leave. We put in sidewalks, we put in street  
12 trees. We actually create plans in a PED, the  
13 landscaping plans, that become part of the  
14 approval. So even if I didn't do the project  
15 and somebody else did, at least there's a  
16 standard built into that plan that ensures that  
17 it's going to get built the way we said it was.  
18 Bad development is land planning -- I'm sorry.  
19 This microphone is going back and forth. Land  
20 planning that has little regard for how people  
21 want to work, play and live. You have your  
22 half acre or one acre lot and what happens with  
23 that land is that the boat comes in and then  
24 the trailer comes in and then the garbage

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1 starts to stack up in the backyard, and  
2 ultimately without proper deed restrictions,  
3 without a homeowners association to maintain  
4 all of that you have a development that really  
5 is not attractive. Good development, emphasis  
6 on the community. Bad development is on  
7 emphasis on the home. Again, we're trying to  
8 bring people together within a community to  
9 foster a neighborhood, to foster that community  
10 feeling. Good development has a wow factor  
11 when you drive in. Is there a sense of  
12 arrival, is there something there that wants to  
13 draw you home every night. Bad development is  
14 large lots that don't preserve the Open Space.  
15 And we're getting back to traditional  
16 neighborhood design. In bad development you  
17 keep doing things the way you have because  
18 that's just the way you're doing them. As part  
19 of my job I get to go around the country and I  
20 look at innovative land plans and I look at  
21 innovative product for the last 10 or 15 years  
22 and we bring back ideas, the good ideas that we  
23 see from good development we try to apply them  
24 to what we're doing here.

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1 Next slide. Some examples of the types of  
2 homes that we intend to build are manor homes,  
3 our luxury homes. They're the move-up homes.  
4 They are on larger home sites, average two  
5 thirds of an acre. We have minimum 100 foot  
6 lot widths. But the average size in the land  
7 plan that we've created here is almost 30,000  
8 square feet for the average size lot. The  
9 homes will range between 2000 and 3500 square  
10 feet. This is an example of a model home that  
11 we have decorated of what a manor home, the  
12 interior of a manor home looks like. And this  
13 is just another elevation. We use a lot of  
14 different materials in our home so that they're  
15 not all created to look alike. We use brick,  
16 we use clapboard siding, we use shake siding,  
17 stone. In our traditional homes we have 39 of  
18 them proposed. These are for the first time  
19 home buyer and the first time move-up buyer.  
20 They are 1800 to 3100 square feet. They are on  
21 90 by 130 foot minimum home sites. And my  
22 slide is cut off, but the average home site  
23 that we have for the manor homes is larger. I  
24 don't know exactly -- .4 acres. What we

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1 propose for the manor homes is we stack five  
2 foot minimum side yards on one side and we  
3 follow that down the street. And what that  
4 does is it allows for an average, that will  
5 give us a 30 feet on the other side, so that we  
6 can put side entry garages on so that the  
7 street scape is more appealing and it creates  
8 an average distance of about 35 feet between  
9 homes. An example of what the inside of a  
10 traditional home would like, everything is kind  
11 of open. It's cozy, it's warm. Everything  
12 flows together; kitchen, breakfast, family  
13 room. And this an example of another  
14 traditional home. The use of stone. This is  
15 actually a craftsman style that we create. It  
16 uses clap and shake siding with stone to kind  
17 of emulate that old craftsman look. And then  
18 the largest part of the market or the largest  
19 part of the community that we're proposing are  
20 the carriage homes. Every day I get a phone  
21 call from people who want to move out of their

22 large home that they've had for so many years  
23 and move into something that they don't have to  
24 maintain, something that they can take care of

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1 that's not overwhelming. By design our  
2 carriage homes are designed towards the  
3 empty-nester or what I would call the active  
4 adult market. Those are those folks that are  
5 between 50 and 75 years old. They want a  
6 master bedroom on the first floor. They don't  
7 want to go up and down stairs anymore. Most of  
8 the homes, four out of the five models that we  
9 have are all one story. We have another model  
10 that has a master down with two bedrooms up.  
11 They range in size from 1400 to 2200 square  
12 feet, and that extra footage coming from a  
13 pop-up room that comes above the first floor  
14 that becomes a loft over the family room so  
15 that when the grandkids come back to play, they  
16 have a spot for them or if they have a guest  
17 that wants to stay overnight or the grandkids  
18 want a bunk area to go to, we have a loft area  
19 that pops up above the first floor. The  
20 minimum home site -- or the average home site  
21 that we have here is 55 feet wide by 130 feet  
22 deep. It averages, according to the land plan  
23 that we put together, most of the lots are  
24 larger than the minimum that we set, is 7,960

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1 square feet or 22 acres. The homes are 40 feet  
2 wide and that leaves an average of 15-foot  
3 spacing in between homes.  
4 This is another example of a carriage  
5 home. This home has a master bedroom on the  
6 first floor and two bedrooms and a loft  
7 upstairs. From the product that we're  
8 designing for Highland Creek and other  
9 communities that we are doing, we had an artist  
10 put together a rendering of the homes -- of the  
11 character sketches of the homes that we have on  
12 the drawing boards right now, and this is an  
13 artist's rendering of what a typical street  
14 scape would look like. We have sidewalk on one  
15 side of the road, we have street trees in here,  
16 we try and narrow the road widths down, create  
17 a sidewalk, pull the houses a little closer to  
18 the road and create that neighborhood feeling,  
19 that village feeling that was built many years  
20 ago, encourage the pedestrians to walk on the  
21 sidewalks instead of in the roads. There are  
22 character sketches of the homes that we have in  
23 concept right now. It kind of gives you an  
24 idea that not everything looks the same in the

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1 communities that we built. We mix the  
2 elevations up, we use different materials and  
3 we come out with a feeling that everything is  
4 custom. We don't build the same style home  
5 next to each other. We don't build the same  
6 color home next to each other. So when we're  
7 done we have a feeling, a street scape that is  
8 quite pleasing.  
9 This is a typical floor plan of a carriage  
10 home with the front elevation. This is a two  
11 bedroom and a den with a family room, two car  
12 garage, master suite secluded all to itself  
13 with an option to come out on a covered porch.  
14 Family room, dining area and kitchen are all  
15 together. Covered front porch. All of our  
16 front porches are covered because we have  
17 something around here called snow. Again,  
18 getting back to the character of the community,  
19 we create pleasing entrances that has a sense  
20 of arrival. This is actually taken from a  
21 community that I was out visiting last week in  
22 Plymouth, Massachusetts. It's a 3,000 acre  
23 master plan community with many different  
24 neighborhoods built inside, and this is just

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1 one entrance of one neighborhood within that  
2 community. And this an example of how when you  
3 landscape and you use fencing and you use  
4 certain ideals that the houses don't really  
5 have to look all that close together. Bad time  
6 of year to take photos because the leaves have  
7 already fallen off the trees.

8 I mentioned briefly about our master  
9 landscape plan. This is an example of what we  
10 do that becomes part of the approval document,  
11 the PDD. It's part of our plans. We hire, we  
12 engage a professional landscape architect to  
13 come out and inventory the land, take an  
14 inventory of what is there and what's not there  
15 and propose a solution to make the place look  
16 like it's been existing for some time. We have  
17 natural areas in our developments. We protect  
18 them, we mark them so that they don't get  
19 destroyed down the road. And this is an  
20 example without any regard to where the houses  
21 get placed on the lots, the types of  
22 landscaping that goes back. We try and  
23 development greenswards so that there's not  
24 houses on every part of the available street

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1 that there's there to build on. We create  
2 greenswards in the backs of the lots, so that  
3 the lots -- every person who lives in these  
4 homes has an opportunity to get to a sidewalk  
5 or a greensward. That's just a common area  
6 where there's no development. We create  
7 developments with entrances that have a sense  
8 of arrival. We do spend the money to create  
9 nice living environments. And this is one  
10 example of an entrance sign that we have in  
11 another community. Next slide. We also try  
12 and take elements of that sign that we've  
13 created and move it around the community, so  
14 that if you have other areas that are not part  
15 of the main entrance, you create other elements  
16 so that all these other streets are all tied in  
17 together so that you know when you're driving  
18 through the community that everything is part  
19 of the community. And this an example of a  
20 boulevard entrance, these are the house in the  
21 background and how we've carried this white  
22 fencing and the stone columns throughout the  
23 community. In our common areas we have at the  
24 highest part of Highland Creek we proposed a

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1 gathering area and this is an example of a  
2 gazebo that we would install there. And I  
3 think it's also important to note that within  
4 Highland Creek everything is connected.  
5 They're connected with sidewalks, they're  
6 connected with paved walking trails so that you  
7 can literally get throughout the entire  
8 community without having to walk on the road.  
9 You can get to the natural areas, there's some  
10 paved trails, there's some natural trails that  
11 meander through the woods. And these are  
12 elements of passive recreation that we try to  
13 incorporate into every community.

14 And with that I'd like to say thank you  
15 very much.

16 MR. POLETO: We heard from the developers.  
17 Now it's your turn to come up and tell us what  
18 you think. If you come up we'll do it in an  
19 orderly fashion. We'll start with your name,  
20 address and you can make your statements. All  
21 right.

22 JOE DURKIN: Joseph Durkin, Eagle Mills.  
23 And I want to thank the Board for extending the  
24 time period to give us an opportunity to get

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1 more comments in. By the way, I'm the person  
2 that Mr. Clements gave the extra copy to and  
3 thank you very much, Carl. I want to say one  
4 thing. I want to read a statement from the  
5 comprehensive plan, and this is from February  
6 of 2001. "Brunswick is a town on the verge of  
7 large scale change. It succumbs to urban and  
8 suburban pressure of the Capital District."  
9 And that's from page eight of the comprehensive  
10 plan. Highland Creek together with the other  
11 four planned development districts that are  
12 currently before the Town Board present  
13 significant issues for the town, whether  
14 there's a question of cumulative impact under  
15 SEQRA for compliance with the town's  
16 comprehensive plan. What must be kept in mind  
17 that the Town Board is being asked to amend the  
18 town's zoning ordinance so that these five  
19 projects may be built as proposed. Under SEQRA  
20 the Board must determine whether its action,  
21 that's amending town ordinance, will impair the  
22 character of the community. Similar to zoning  
23 regulations, must be made in accordance with  
24 the comprehensive plan to promote the general

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1 welfare and to take into consideration the  
2 character of the district. The town's own  
3 zones regulations for Planned Development  
4 Districts require that the Board of Appeals  
5 shall consider the need for the proposed use in  
6 the proposed location and the existing  
7 character of the neighborhood. The Highland  
8 Creek DEIS does not adequately address the  
9 change and the character of the community. It  
10 does state that -- the Highland Creek DEIS does  
11 not adequately address the change and the  
12 character of the community. It does state that  
13 the Planned Development District are permitted  
14 and encouraged and that clustered development  
15 is in line with the town's comprehensive plan.  
16 What is not discussed is that the town's  
17 comprehensive plan officially recognized that  
18 the character of Brunswick as rural and the  
19 residents of Brunswick deserve to preserve that  
20 character. In this regard, the DEIS is  
21 deficient in its discussion of the growth -- in  
22 this regard the DEIS is deficient in its growth  
23 producing impacts of the project, and these are  
24 twofold. First of all, it's the extension of

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1 the water and sewer line along McChesney  
2 Avenue. This will certainly facilitate future  
3 development along McChesney Avenue. The other  
4 growth inducing impact is the authorization of  
5 less than a quarter acre lots. This will set  
6 the stage for further dense development  
7 throughout the town. A significant component  
8 of the Highland Creek development is the 130  
9 houses that are being built to less than one  
10 quarter of an acre lots. This is a density  
11 that's not seen anywhere else in Brunswick.  
12 According to the current zoning map there are  
13 only two areas in Brunswick with less than one  
14 quarter acre lots, also along the Troy border.  
15 By amending the zoning ordinance we'll be  
16 introducing urban density development deep into  
17 Brunswick. And please bear in mind, the first  
18 project is the first project that changes the  
19 character of the community. Not the last  
20 project. The time to discuss what the  
21 character of the community is and should be is  
22 when the first project is proposed. After you  
23 allow these small lots in this neighborhood,  
24 how are you going to be able to say no to the

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next developer who proposes to build on less than a quarter of an acre. I don't think you can because you'll have already changed the character of the community.

Another deficiency in the DEIS is that it fails to discuss the cumulative impact of the other four Planned Development Districts. If all of these were approved it will dramatically change the character of the community by moving the line between the urban and rural space over one mile into Brunswick. As previously stated, the town's comprehensive plan acknowledges the town's rural character. But while which governs the town comprehensive plan says, among the most important powers and duties granted by the legislature to a town government is the authority and the responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens. The Town Board has a duty to act on behalf of all of its citizens, not just the land owner in question. The Town Board should do more than simply follow suggestions of the

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land developer who have their own interest at stake. Now, the land may belong to the land owner, but the town zoning ordinance belongs to all of us. What the town should do is look into all of these five proposed developments in a comprehensive planning manner and not in a piecemeal fashion. I understand that the Town Board a currently considering engaging the services of a professional consultant to undertake the change in the current zoning maps. Now, while these Planned Development Districts currently being considered, why not wait until that study is completed, incorporate these five development districts into that study and then see whether or not the map should be changed to allow these districts.

Now, I would like to make one observation on the Open Space. It occurred to me in looking at the Environmental Impact Statement that about 80 acres of space is not capable of being developed. There's 60 acres of federally protected wetlands and probably 20 or 30 acres of steep slopes and creeks. Now, I think that taking those constraints into consideration,

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1 probably the maximum density that could be  
2 achieved under the current zoning ordinance is  
3 about 100 homes, not 190. And with that I  
4 think I'll end. Thank you.  
5 MR. POLETO: Next.  
6 BERNARD FLEISHMAN: My name is Bernard  
7 Fleishman. I live on Colehamer Avenue, Troy,  
8 New York, 12180. I have been a resident of the  
9 town in the same house for 46 years. I want to  
10 support the point made by the previous speaker.  
11 In particular the issue of overall and overall  
12 look at the various projects that are proposed.  
13 It just isn't possible to adjudge the  
14 consequences of each development in turn as  
15 they come one by one down the road. The  
16 overall planning has not been done here. It  
17 had been proposed in the previous hearing, that  
18 the town hold up on these individual  
19 developments until there is an overall plan  
20 made as to where it is best to develop in the  
21 town and where it is best to keep the  
22 environment open and undeveloped.  
23 Another issue that I want to address is  
24 that of transportation. The 2001 comprehensive  
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1 plan, and in that comprehensive plan a  
2 recommendation was made by the consultants that  
3 there be a transportation commission or a  
4 committee set up by the town. As far as I know  
5 no such committee was set up. Another point of  
6 neglect on transportation planning. The  
7 Regional Planning Transportation Planning  
8 Agency, the CDTC, which has to clear all  
9 projects to ask for state or federal funding,  
10 that agency has a linkage programming under  
11 which it invites municipalities; cities or  
12 towns, when they have development plans to come  
13 and consult with them as to the transportation  
14 aspects of the proposed development plan. The  
15 fact is that today in the planning industry and  
16 need for decades, it has been almost a first  
17 principle that you do not use -- do land use  
18 development without transportation planning at  
19 the same time. I learned that because I was on  
20 the Capital District Transportation Authority.  
21 I was a member of that Authority for Rensselaer  
22 County for 19 years. And we learned over and  
23 over again that when we were asked to supply  
24 transportation service to a community, as often  
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1 as not, we found ourselves boxed in and found  
2 it impossible to do an adequate job because the  
3 community development had been done already.  
4 The buildings had been done, the houses sited  
5 in accordance with the developer's plan and  
6 then we were asked to come in afterwards to  
7 figure out how to supply adequate  
8 transportation for that community. In this  
9 case what's required in the Town of Brunswick  
10 is that there be a transportation plan  
11 alongside of an overall comprehensive land use  
12 development plan. And I urge that the Board  
13 hold up on all of these projects until these  
14 broad plans are made for the town so that the  
15 various parts of the town can contribute to the  
16 formation of a vision for the future that will  
17 serve us best. Thank you.

18 SUSAN HAYNES: My name is Susan Haynes. I  
19 live at 11 Westlane Road. I -- under SEQRA we  
20 have to show public need and benefits. But  
21 according to this Environmental Impact  
22 Statement I only see that we're talking about  
23 develop benefits to the people who would  
24 potentially move here and not to the benefits

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1 of the people in the town. It seems to me that  
2 they get attractive liberty, they get a range  
3 of recreational opportunities, they get an  
4 opportunity for shopping and employment and  
5 essential services. But what does the town  
6 gain with these developments. I don't really  
7 see that addressed in the statement at all.  
8 Thank you.

9 MR. POLETO: Next.

10 HEDRICH MEDICUS: I'm Hedrich Medicus. I  
11 think it's a wonderful plan, but it only has  
12 one fault. This is for the Town of Brunswick  
13 instead of town of Colonie or Menands. We  
14 really have to decide do we want to keep our  
15 rural character. If we want to keep our rural  
16 character and do it for 50 years, people  
17 possibly will come to us and go, gee, that's a  
18 town that really has preserved it's nice  
19 character. Please keep that in mind.

20 MR. POLETO: Next.

21 MIKE HART: My name is Mike Hart. I live  
22 on Ford Road. You can hold the applause until  
23 I'm done. Here's an opportunity for the town  
24 to actually take a look at the development of a

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1 neighborhood and actually have the input on it.  
2 I don't think you should just throw everything  
3 away just based on a lot of traffic studies and  
4 things like that that still need to be done and  
5 verified and quantified. The fact that you  
6 have a Planned Development District, and you  
7 will have the input as far as street lighting  
8 or sidewalks and whatever, I think there's an  
9 opportunity there and I think the town should  
10 embrace that.

11 MR. POLETO: Next. Mic's available.

12 JAMIE MEEHAN: My name is Jamie Meehan. I  
13 live on Carrolls Groove Road in the Town of  
14 Brunswick. I've lived here for a long time.  
15 I'm on the School Board and first I want to  
16 talk a little bit about the effect on the  
17 school. I know I looked over their draft EIS  
18 and they basically said that this project would  
19 generate \$1,162,000 in revenue. And we know  
20 with a school that right now we're at about  
21 1400 students and if we get to about 1600  
22 students that would be a critical period and  
23 we'd probably have to build a new school. So  
24 to build a new school maybe just for this

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1 project, and don't forget there's a few other  
2 projects out there with many possibly other  
3 hundreds of kids coming to our school, that  
4 would mean an even bigger school that we would  
5 have to build. So this \$1.1 million would not  
6 go very far in just paying the debt service for  
7 the building we would have to construct, let  
8 alone to pay for teachers. You do need  
9 teachers when you have more kids, you know.  
10 You do need more custodians, you need more  
11 buses, you need a lot of things. So I think  
12 that the effect of all of these developments  
13 needs to be looked at. So that's one thing  
14 that I want to talk about.

15 Now, I'm going to talk off my School Board  
16 hat and I'm going to talk about me as a citizen  
17 in the Town of Brunswick. I want to point out  
18 that in a draft EIS under community services  
19 there is potential impacts on -- impact on  
20 public schools, impact on police, fire and  
21 ambulance services, impact on recreational  
22 facilities, impact on solid waste, impact on  
23 utilities; water, sewer, electric, natural gas,  
24 telephone and cable, and impact on municipal

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1 revenues. Now, those are all potential  
2 impacts. But the only thing that they say that  
3 can possibly be something bad coming out of it,  
4 they say the project will construct  
5 improvements to existing Hoosick Street pumping  
6 station to increase it's capacity. That's one  
7 thing they said about -- all those things I  
8 just read off, this is the one possible bad  
9 thing that might come. And then they also say,  
10 no other impacts to community were identified  
11 which would require litigation, which I kind of  
12 take exception to. I don't understand where  
13 they could've come up with that one, with over  
14 190 homes in just this one project alone. I  
15 also wanted another -- one of the guys spoke  
16 about the traffic and he's talked about this  
17 four second -- that it might take you four more  
18 seconds to go through some of these  
19 intersections they they're talking about were  
20 like Mulon and Route 2 is one. And I'm not  
21 sure if I read this exact, but it said  
22 something like they spent an entire 15 minutes  
23 doing that study at that intersection. So that  
24 was pretty impressive. I also -- I know that

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1 they say that they spoke with the fire  
2 companies. I don't know if they, but I know  
3 they -- the only thing I could see in the draft  
4 EIS was that they sent a letter to all of the  
5 ambulances and the fire companies and they  
6 basically just said forward any comments you  
7 have and we'll see that they are included in  
8 the EIS. So we they didn't get a reply from  
9 anybody so it seems a little strange that they  
10 wouldn't get a reply from anyone when they  
11 asked the fire companies and everybody else if  
12 190 new homes is going to have any effect, you  
13 would think there would be at least a slight  
14 effect there. And those are just a couple of  
15 things that I -- I didn't have a lot of time to  
16 look through the EIS, but just for those few  
17 points alone it looks like the document needs a  
18 lot more work and we need to take a lot closer  
19 look at this whole project and to all of the  
20 other projects that are going to vastly alter  
21 the landscape of our town. And I know at the  
22 last session that we had back in August, I kind  
23 of ended my talk with saying to the Town Board,  
24 did you want to leave your legacy as leaving

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1 the Town of Brunswick as an open rural  
2 community or do you want to leave you legacy as  
3 turning Brunswick into Clifton Park. Thank  
4 you.  
5 DONNA FOSTERING: Can you hear, because  
6 there's about a hundred people outside. My  
7 name is Donna Fostering and I wanted to  
8 follow-up on what Jamie Meehan just said. I am  
9 a member of Brunswick Smart Growth. I live on  
10 McChesney Avenue Extension, so I feel very  
11 close about this project. But today in the  
12 paper -- we've been talking about cumulative  
13 effect. And in the paper, in the record, our  
14 supervisor, Phil Herrington -- this is a quote  
15 question, the accuracy of the 253 student  
16 projection that's been going out. Now, we took  
17 those figures directly from the two DEIS's;  
18 Hudson Hills and Highland Creek. Hudson Hills  
19 was 70 percent of 215 students that would go to  
20 Brittonkill. Highland Creek only said 100. I  
21 think this points out that we need the town to  
22 correlate information on all of the projects,  
23 when it's not happening at this level. We've  
24 talked with other towns and they have planners  
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1 who are doing it. Not just on one project, but  
2 on all projects in front of them. And I  
3 think -- I made a list. But certainly we need  
4 a projection of school enrollments, school  
5 taxes. I'm a single homeowner. My school  
6 taxes, if they go with a balloon because  
7 Brittonkill needs to build, it's going to  
8 affect me greatly just like senior citizens and  
9 other lower and moderate income families. We  
10 also need a traffic, a good traffic study, a  
11 real study. They said 190 cars for 190 homes,  
12 and Hudson Hills said the same thing. One car  
13 per apartment. We know this is not realistic,  
14 and we know as drivers that we're already  
15 heavily impacted. Thanksgiving Eve after  
16 Hoosick Road was done, I couldn't get up  
17 Hoosick Street. I had to turn around. So did  
18 my neighbor, so did another friend of mine.  
19 The traffic was backed up all the way to  
20 Burdett Avenue. So we need some real  
21 information about traffic here. Fire  
22 department, the number of volunteers. I know  
23 that they're wonderful and basically handle  
24 things on our own, but we don't want to see our  
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1 community grow beyond their capabilities,  
2 either in terms of equipment or manpower.  
3 We've got to support the volunteer aspect of  
4 our community because it's a vital part. Those  
5 were my lists. I know there's many other  
6 things, especially people with technical  
7 background can add to that. But we really feel  
8 to the Town Board, give us the information so  
9 we can help you make a good decision. I grew  
10 up here but I lived in Monterey County in  
11 California. I've seen in California the good,  
12 the bad and the very ugly. Monterey was good  
13 and largely because the public was involved and  
14 there was extensive discussion. So I hope and  
15 I'm encouraged what I see here, so let's keep  
16 it up. Thank you.

17 MR. POLETO: Next. Anybody else?

18 CHARLES HAYNES: My name is Charles  
19 Haynes. I'm a resident of Westlane Road in the  
20 Town of Brunswick. And the concern that I have  
21 is that we are acting in the Town of Brunswick  
22 as if we were an island. And somewhere along  
23 the way in school I was taught no man is an  
24 island, and I suspect no town is either. We

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1 are talking about creating a significant amount  
2 of increased waste and water runoff. And last  
3 time I heard things tend to run downhill in  
4 life. The City of Troy is your neighbor and  
5 we're acting like they don't exist. Last  
6 winter, if you remember, their sewers, some of  
7 which are over 100 years old, were cracked and  
8 backed up and houses were being flooded. And I  
9 have a suspicion that some of that water and  
10 some of that sewage that backed up down there  
11 wasn't just coming from Troy, but from areas a  
12 little higher up like the Town of Brunswick.  
13 We have a regional situation here and it  
14 appears that our population in general in this  
15 greater area is going to grow and grow, and we  
16 need some regional solutions. My question is,  
17 are we doing anything to coordinate our efforts  
18 with regard to growth and development with our  
19 neighbors so they don't impact us negatively  
20 and we don't impact them negatively. I think  
21 that needs to be taken very seriously as we  
22 develop our town plan. Thank you.

23 MR. POLETO: Next.

24 DAVID LITTLE: Dave Little, 17 Mickle Hill  
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1 Road. I stayed out of it thus far, fellows.  
2 Haven't been involved up until this point. But  
3 unfortunately, the situation as it has existed  
4 so far requires it. Tonight is a perfect  
5 metaphor for the way that we've approached  
6 planning so far, as 100 people staring into  
7 windows from outside is no way to plan the  
8 future of our town. We've got the facilities  
9 to be able to hold a proper hearing on this, we  
10 got places. There's nobody in the school  
11 auditorium tonight. We need to have a night  
12 when everyone can be adequately heard and  
13 everyone can adequately hear what's going on in  
14 the town. I'm concerned from what I have been  
15 able to glean thus far this evening. First,  
16 from the developer who indicates that these are  
17 empty-nester homes, and I am interested to find  
18 out. I understand that you aren't answering  
19 questions, but I am interested to find out at  
20 some point whether or not there are going to be  
21 restrictive deed covenants for these houses to  
22 prevent the inevitable children from these  
23 empty-nester houses. I spent a long time -- I  
24 mean I'm not unknown to you folks. I spent a  
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1 long time, nine years on Brittonkill School  
2 Board, four years as your County Legislature  
3 from this area and four years on the Capital  
4 Regional Planning Commission, so I know a  
5 little bit about this subject and I know that  
6 the Town Board, by letter from Mr. Herrington,  
7 has rejected the school's request for a  
8 demographic study of this issue. I now work  
9 for Public Education at Large, the New York  
10 State School Board Association, and so I work  
11 with school districts all the time about the  
12 pressures of development. I know that it's  
13 often been said in this debate that all of this  
14 is an attempt to keep town taxes down. And I  
15 can tell you that keeping the town taxes down  
16 by this method is in direct disproportion to  
17 increasing the school taxes.  
18 I can tell you a couple of things without  
19 doing your demographic study, things that we  
20 know for certain. If you're planning 80 homes,  
21 that means 100 kids. 1.2 kids at the very  
22 least. I can tell you of those kids, 18  
23 percent will have special needs. They'll be  
24 high cost public educational students. I can  
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1 tell you that there's a square footage  
2 requirement that the State of New York has for  
3 each and every student. And so you need to  
4 find where the school stands in their square  
5 footage requirement. I know from having done  
6 building projects at Brittonkill that you  
7 aren't putting anymore buildings in the swamp  
8 back there. There is no place to go and I know  
9 that those structures would have to be torn  
10 down to the ground and started over with a new  
11 foundation because they weren't built for a

12 second floor. So if you require building, I  
13 know that 100 kids requires some traffic  
14 routes, I know that 100 kids requires at least  
15 two extra elementary teaches, it requires the  
16 18 percent of high cost needs, and a  
17 conservative estimate of that cost would a  
18 million and a half dollars a year. Not just  
19 the first year, but each and every year. If  
20 you reduce the amount of property taxes that  
21 this particular project would bring into the  
22 town for school taxes, you're still talking  
23 about a million dollars a year. A million  
24 dollars a year to the Brittonkill Central

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1 School District, not just the Town of  
2 Brunswick, but the Town of Brunswick comprises  
3 about 70 percent of the school district. A  
4 million dollars costs the town residents and  
5 the others within the school district, the  
6 other four towns that are within the school  
7 district, every \$75,000 is a one percent tax  
8 increase in this school district. So you're  
9 talking about a 13 percent tax increase each  
10 and every year based on the project if those  
11 costs aren't ameliorated and if they aren't  
12 planned for. If you have a million dollars in  
13 costs of that 13 percent tax increase per year,  
14 you have to put that on top of the already  
15 inflationary increase that the school district  
16 faces; health care, pension costs, fuel oil  
17 costs, all the things that are likely to drive  
18 costs, inflationary costs, upwards of seven  
19 percent a year by themselves. 20 percent -- the  
20 two put together means a 20 percent school tax  
21 increase. A 20 percent school tax increase.  
22 We don't have to go any further then walking  
23 seven miles that way to Averill Park to see  
24 what happens to a school district when you

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1 start asking the residents to absorb 20 percent  
2 school tax increases per year. Development  
3 there changed the character of the town, it  
4 changed the quality of the school and it was  
5 not planned accurately. It wasn't planned  
6 appropriately. I applaud you for opening the  
7 public comment period longer. And you need  
8 to -- well, I don't want to tell you to do the  
9 right thing. What I do want to tell you is  
10 that to adequately perform your duty as a  
11 public servant in this particular case, you  
12 need to study what the impact is before you go  
13 further. I'm not telling you to build this  
14 thing or not build this thing, but please plan  
15 it. Okay. There are people who do this for a  
16 living, and the cost that you'll spend for a  
17 demographic study probably willingly shared by  
18 the School District if the two of you go  
19 together, then you can adequately find out what  
20 the future of this town is going to be like  
21 with either the singular impact of this or the  
22 cumulative impact of all of this. My kids are  
23 here and I hope my grandkids are here, but I  
24 want them to have a town that at least has had

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1 the foresight and the community interest to  
2 figure out what their life is going to be like  
3 here before they just decide on something. So  
4 I would just appreciate that. Thank you.  
5 PAUL GOWER: My name is Paul Gower,  
6 G-O-W-E-R. 1792 Route 7, a/k/a Hanersville.  
7 One of the few things that I haven't heard with  
8 regards to this, and I'll keep it real brief,  
9 is what kind of commercial impact this type of  
10 development is going to have on Route 7 itself.  
11 And one of the issues that I'd like you to keep  
12 in mind with this is the issue of imminent  
13 domain with regards to the town in taking over  
14 some of the property along Route 7 to develop  
15 commercial needs for this project. Thank you.  
16 MR. POLETO: Next.  
17 NORMAN FIVEL: My name is Norman Fivel. I  
18 live on Will Rose Lane. I want to address a  
19 couple of things, but first it occurred to me  
20 when I was reading the DEIS, and this is  
21 follow-up to something someone said before  
22 about fire protection. Apparently there was  
23 concerns raised by the Center Brunswick Fire  
24 Department and the Brunswick Fire Department

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1 concerning additional emergency access to this  
2 site. Right now the only access is from  
3 McChesney Avenue. The concern is raised that  
4 an additional emergency access was needed that  
5 was apparently explored and it was determined  
6 that access through either of these streets,  
7 which was Freeman Avenue or Harris Avenue was  
8 not reasonably practical for whatever reason,  
9 topography or whether the applicant doesn't  
10 have any rights to the property that would be  
11 necessary for that access. Additionally there  
12 was a request about consideration of a possible  
13 water main grouping to Harris Freeman Road,  
14 which would be desirable from the standpoint of  
15 eliminating dead end water main and providing a  
16 source of water from two directions. That also  
17 was determined not to be practical. Then the  
18 DEIS stops. It occurs to me that something  
19 further is needed to respond to those concerns  
20 of the fire department. Nothing was said in  
21 terms of the DEIS in terms of how they're going  
22 to mitigate those concerns of the fire  
23 department. The next issue that I wanted to  
24 mention has to do with the empty-nester

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1 projections. The developer is saying 130  
2 carriage homes are targeted for empty-nesters.  
3 I would assume that if a family having a child  
4 wants to buy one of those carriage homes, they  
5 are not going to be turned down. And someone  
6 mentioned the idea of getting deed restrictions  
7 in terms of limiting those homes to  
8 empty-nesters, that's just not going to happen.  
9 We have on the table the Hudson Hills project  
10 which is proposed for 1100 units targeted for  
11 empty-nesters. Where are all of the  
12 empty-nesters coming from? If the traffic  
13 projections and the students population  
14 projections are based on empty-nesters, then I  
15 think the study is flawed. Because there's no  
16 guarantee, there's no way the developer or the  
17 owner of the apartment complex can guarantee  
18 that the empty-nesters are going to occupy  
19 those residences. So the traffic study, the  
20 student study I believe are vaguely misleading.  
21 Not vaguely. They are much misleading in terms  
22 of impact that these projects are going to have  
23 on our community in terms of traffic and  
24 students, not to mention some of the other tax.

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1 But this brings up the issue of cumulative  
2 impact. These projects cannot be looked at in  
3 isolation, one from the other. And here's a  
4 perfect example. You have two major projects  
5 targeting the empty-nester market. And if that  
6 doesn't occur, the impact is going to be vastly  
7 different than what is projected in the DEIS.  
8 So for that reason I believe that further study  
9 is needed and options have to be explored as to  
10 what happens if these empty-nester projections  
11 don't follow through. Thank you.

12 MR. POLETO: Someone in the back have  
13 their hand up?

14 JENNY FALUSZCZAK: My name is Jenny  
15 Faluszcak. I live on Route 7 by Agway. I'm  
16 not very good at public speaking, but in coming  
17 to this meeting tonight I also -- my bias is  
18 emergency services; police, fire and EMS. I've  
19 worked for Colonie's Emergency Service System  
20 for 12 years. They obviously have a lot of  
21 resources. I choose to live in Brunswick. I  
22 could have a better job in Colonie being it's a  
23 civil service position. My husband could have  
24 a promotion if he was a Town of Colonie

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1 resident, as it's a civil service position. We  
2 chose to live in Brunswick. We moved here  
3 about 20 years ago. We liked the character.  
4 I'm not anti-development. Careful development.  
5 I have concerns as stated as many other people  
6 stated tonight about the multiple projects  
7 being looked at in segments as opposed to a  
8 whole. But my question is, I know Brunswick is  
9 served police wise by state police and the  
10 sheriff's department. We have a contract with  
11 Mohawk Ambulance. I'm sure they do a wonderful  
12 job. I work with many of those people. And we  
13 have two volunteer fire companies. The  
14 demographics are changing. Can our volunteers  
15 keep pace with the growth of our town. And the  
16 other gentleman also discussed regionalization,  
17 have we looked at how our emergency services --  
18 can our emergency services keep up with  
19 development. Thank you.

20 MR. POLETO: Somebody over here in the  
21 middle.

22 REBECCA KAISER: Good evening. My name is  
23 Rebecca Kaiser. It's kind of nice to wait a  
24 little while to speak because then you get to

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1 process what some other people have said. But  
2 on the other hand, the mind kind of starts  
3 spinning. But I do have a couple of comments,  
4 first of all, that I just thought of when  
5 everyone else was talking and I'd like to  
6 address those to the developer if I could. In  
7 my opinion, I'm a member of Brunswick Smart  
8 Growth, good development is sustainable  
9 development that adds to the economic base of a  
10 town while not sacrificing quality of life. I  
11 would suggest maybe considering adding that to  
12 the list. And in that regard, in my research  
13 on this general topic of development over the  
14 last ten months or so, one thing I was  
15 astounded to learn was that a new residential  
16 development does not give us the benefits  
17 financially that we think it might. For every  
18 dollar that new residential development brings  
19 in in property taxes, it costs us \$1.23 in  
20 services. And that, by the way, is a piece of  
21 information that came from a very in-depth  
22 study done by the American Farmland Trust.

23 One thing I'd really like to talk about  
24 just for a minute here and it's very pertinent  
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1 to this project and also to the other proposals  
2 going on in town right now, Brunswick Smart  
3 Growth has been petitioning for the past  
4 several weeks. And personally I'm a  
5 petitioner. It's very, very important for me  
6 to do this. I consider it a privilege. When I  
7 started it was a chore. We knew we had to do  
8 this because Wal-Mart had their petition out.  
9 What were we going to do. You know just sit  
10 around and wait. So we got our petition  
11 together and we go door to door and I'm telling  
12 you it is such a privilege to hear from the  
13 concerns of our town's people. To have people  
14 invite you inside and tell you about the  
15 history of their communities and their homes  
16 and their family. And then finally you get  
17 down to the fact, well, okay. Would you like  
18 to sign our petition. And let me tell you what  
19 usually happens. This is the typical afternoon  
20 of petitioning. In an hour and a half to two  
21 hours I might make contact, I knock on the door  
22 and talk to 15 to 17 people. Typically two  
23 people might decline to sign a petition because  
24 they don't have information. They're

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1 new-comers to town. Maybe one will refuse to  
2 sign because they are in favor of the  
3 development projects, or at least one of them  
4 or something like that. All the rest sign and  
5 thank me. And this is our experience town  
6 wide, and I just can't express to you what a  
7 feeling it is to be able to provide people with  
8 an avenue to express themselves. And so  
9 anyway, I'd like to quickly read our petition  
10 to you so that you have an understanding of our  
11 viewpoint in development in general. Not this  
12 project and others. We cannot possibly speak  
13 about any of these projects in an isolated  
14 segmented fashion. They are intimately  
15 connected with each other. And so what we are  
16 trying, we're trying to encourage people, and  
17 the Town Board also, to take a very hard look  
18 not at just each individual project, but their  
19 cumulative impacts. And this is what we're  
20 asking the Town Board to do. Right now we have  
21 about 1500 signatures, and the petitioning is  
22 ongoing. We'll be doing it for months I  
23 assume. This is the petition. "We, the  
24 undersigned, believe in preserving the quality  
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1 of life enjoyed by Brunswick residents through  
2 a comprehensive plan which guides future growth  
3 and avoids suburban sprawl. Such plan should  
4 identify specific Open Spaces to be preserved  
5 and establish priorities for residential and  
6 commercial development in town. This petition  
7 expresses our concern that pending development  
8 proposals before the town would dramatically  
9 increase town and school district costs,  
10 exacerbate traffic congestion and substantially  
11 change the character of our town. Brunswick  
12 presently has almost 5,000 housing units.  
13 Projects have been proposed that would increase  
14 the number of housing units in the town by more  
15 than one third. Brunswick's primary  
16 thoroughfare, Route 7, is already severely  
17 congested which has diverted commuter traffic  
18 to our residential roads. Four pending  
19 development proposals, Brunswick Meadows,  
20 Carriage Hills, Highland Creek and Hudson  
21 Hills, would require major zoning changes and  
22 loss of agricultural land. The proposed  
23 Wal-Mart Supercenter required rezoning of  
24 agricultural land to commercial use and would  
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1 establish a large scale commercial operation  
2 that would jeopardize the town's peaceful  
3 character, with air, water, light and noise  
4 pollution 24 hours a day, seven days a week.

5 Approval of these projects by the  
6 Brunswick Town Board will aggravate current  
7 traffic problems and overburden the town's  
8 infrastructure, including police, fire, water,  
9 highway, sewer and schools, detrimentally  
10 affecting a quality of life of all Brunswick  
11 residents and increasing taxes.

12 We, the undersigned, petition Brunswick  
13 Town Board to deny pending applications for  
14 major rezoning as the potential negative  
15 impacts far outweigh any alleged benefits. And  
16 instead, conduct extensive public hearings to  
17 revise and improve Brunswick's comprehensive  
18 plan, to provide for appropriate and affordable  
19 growth. It would preserve the town's  
20 essentially rural character." Thank you.

21 MR. POLETO: Next. Anybody else?

22 RUSSEL ZIEMBA: Good evening. My name is  
23 Russel Ziemba, and I live in the adjoining  
24 municipality of Troy, New York. And I'm also

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1 very concerned about all of this growth  
2 proposed for Brunswick. As an urbanist if  
3 there is going to be growth in the county I  
4 think that it ought to occur in the urban  
5 centers where there are alternatives for  
6 transportation where people can walk to things,  
7 where there is mixed uses, where people can  
8 walk to the corner store, the neighborhood  
9 school, the local cafe, the library, their  
10 friends' houses, City Hall, where they don't  
11 have to drive every trip or every trip -- where  
12 every trip does not require driving out onto  
13 Hoosick Street. Hoosick Street has been just  
14 repaired, but it's still is a very major  
15 problem. Troy has just conducted last year the  
16 Hoosick Street Quarter Plan and these almost  
17 2000 -- or 1600 housing units would have a very  
18 major effect on the traffic in Hoosick Street.  
19 It's horrible right now. And if you think that  
20 they'll probably two cars per housing unit,  
21 roughly, maybe more, maybe less, and one each  
22 one -- each person will probably drive to and  
23 from work and maybe to and from some other  
24 place each day, that's at least four trips on

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1 Hoosick Street per person. Possibly eight  
2 trips per apartment each day on Hoosick Street.  
3 I would like to see if there is going to be  
4 growth in Brunswick I think it ought to be in a  
5 place that relates to the businesses and a  
6 place where there are sidewalks, not just on  
7 one side of the street as is being proposed,  
8 but on both sides of the street, and where  
9 there are actual communities. The gentleman  
10 who did the proposal kept on referring to the  
11 development as a community. Residential --  
12 just a residential neighborhood isn't really a  
13 community. It's more of a small neighborhood.  
14 A community involves all kinds of other things;  
15 public purposes and commercial purposes. So I  
16 would like to see all of these developments  
17 looked comprehensively together as others have  
18 said. But I would encourage you to have  
19 another public hearing on this, because we have  
20 over 100 people, maybe 120 people inside. I  
21 was outside for the first half an hour. There  
22 were 50 over there, 18 people in the entryway  
23 and then 20 people on the porch, 20 to 25  
24 people on the porch. And as I walked in I saw  
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1 numerous people walking away because they're  
2 not going to stand up for a three hour meeting  
3 outside. It's really a lot to ask. And I want  
4 to commend everybody who's outside right now  
5 for staying out there and being part of this  
6 meeting.  
7 As the previous speaker said, 190 units on  
8 70 acres is what's being proposed, but much of  
9 that parcel is unable to be built on because of  
10 wetlands and steep slopes. He said that given  
11 the current zoning 100 units could be built. I  
12 don't want to see any of those units built  
13 there. I would like to see the land remain  
14 agricultural. And I'm not against the owners  
15 of the land. I think that farming is a very  
16 difficult occupation. I'm very much for  
17 farmers. I would like to see more easements  
18 for the farmers so that their taxes are lower,  
19 because the farms are enjoyed by not only the  
20 people that consume the products and the people  
21 that work there, the farmers themselves, but  
22 the other townspeople enjoy that Open Space  
23 whether they set a foot on it, just by looking  
24 at it it's a beautiful thing. So right now the  
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1 New York State Open Space Plan is open for  
2 comment. And past Open Space plans people  
3 suggested that farmers have increased easements  
4 so that their taxes can be lower so that Open  
5 Space would exist. Even if it wasn't  
6 recreational, it's still a great value to the  
7 community. But I would consider other uses for  
8 the land; allowing people on the land, maybe a  
9 little store, higher end -- selling products  
10 that are built on the site. There are other  
11 uses that could benefit farming. But I think  
12 farming in Brunswick is going to become more  
13 important. With gas prices at \$3, and \$3 is  
14 going to look like a bargain in a few years,  
15 shipping things all over the place, milk,  
16 vegetable is going to become much more  
17 expensive. Brunswick products, things grown  
18 locally are going to be a lot more valuable.  
19 So I would suggest now when we have the chance  
20 to not build in a corn field or on agricultural  
21 lands or wetlands. Leave them as they are.  
22 Put growth where it makes sense. Thank you.  
23 MR. POLETO: Ray, you had your hand up.  
24 Come on up.

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1 RAY SCHMIDT: Good evening. My name is  
2 Ray Schmidt. I reside on 81 Liberty Road, Town  
3 of Brunswick on the corner of Liberty and  
4 Farrell. I got an opportunity to review the  
5 proposal briefly. I'm glad that I believe  
6 we're having an extended review period. I was  
7 outside in the cheap seats with everybody else  
8 out there for over an hour, and unfortunately I  
9 missed a lot. So I do appreciate the fact that  
10 the period is going to be extended.  
11 Just a couple of comments regarding the  
12 math. There's 130 carriage houses. I think  
13 they project 36 students. That doesn't seem  
14 right. If I do my math I get 60 students,  
15 minimum. Let's see. 40 single family homes.  
16 Well, let's say two students per home. That's  
17 80 students right there. And 21 manor houses.  
18 Well, let's say three students per manor house  
19 or maybe more. If I do the math correctly it's  
20 80, 60. I get 140 right there. And you add to  
21 60 students from the carriage homes, you're up  
22 to 200 students. This 100 student projection  
23 is extremely, extremely low, and really not  
24 viable. Right there we're over the 200 limit

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1 and we're going to have to put up a new school  
2 just for this one project.  
3 The other issues is how can this be  
4 guaranteed that they'll be empty-nesters.  
5 Personally, I think this is developed and going  
6 to be marketed to single family parents.  
7 What's the word? Single family parents. I  
8 think that's who it's going to be marketed to.  
9 So there's no guarantee that out of 130 homes  
10 we can have 60 kids. We can have 130 kids, we  
11 can have 150 kids. There's no way that we can  
12 possibly limit this is zero kids or 20 kids.  
13 There's no projection there. So the projection  
14 is 60 to 70 students per year I read. I think  
15 that's a little bit unfeasible.  
16 The other issue is police services. Right  
17 now I hardly ever see a state trooper or a  
18 sheriff's officer down by Liberty Road. Cars  
19 are speeding through there all the time and  
20 nobody ever comes down there. What's the  
21 impact on all of the back roads. Right now  
22 Liberty and Farrell is being used as a  
23 cut-through by everybody. What about when  
24 Wal-Mart goes in and all of these other  
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1 projects. There's going to be a tremendous  
2 amount of traffic cutting through there. What  
3 about police services? Now, as I hear from the  
4 grapevine, because nobody will come out and say  
5 a lot of these things, but the state police are  
6 already strained. How many officers are on  
7 duty in one particular eight hour shift? Six,  
8 five? I don't know. This has not been  
9 addressed in the report. I think this is just  
10 a letter to the state police and to the  
11 sheriffs stating if you have any comments, tell  
12 us. That's it. There's no response from the  
13 state police or the sheriff. These things need  
14 to be addressed. How many state troopers are  
15 on duty at this time. If 1000 people come into  
16 this project, and I mean in my rough  
17 calculations that's got to be true. Even the  
18 developer said, well, the grandchildren will be  
19 coming in. Well, the grandchildren are coming  
20 in. How are they coming in here? They're  
21 coming in through their -- their parents are  
22 driving them in. The grandchildren aren't  
23 coming in on their bicycles. So we consider  
24 that more traffic is going to be coming in  
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1 through the parents. These are all of the  
2 empty-nesters. So even my rough calculations,  
3 this project alone, exclusive of all the other  
4 projects that are coming in, is going to  
5 increase the town by 1,000 people. So we have  
6 roughly 11,000 people now, we're up almost ten  
7 percent. Population and increase in budget  
8 just from this one particular project in  
9 exclusive -- and I'm not even talking about all  
10 of the other projects that are being proposed.

11 And another issue is the dumping and the  
12 pumping station. We have to put up a pumping  
13 station. Who's going to support that. I mean  
14 that's a permanent maintenance project. Maybe  
15 they will build it, but who's going to support  
16 it. Well, I guess that's the end of my  
17 discussion by now. I appreciate the privilege  
18 of having more time to review the proposal and  
19 have the opportunity to speak to this  
20 distinguished Board in the next meeting and  
21 thanks for listening to me.

22 PETER MESKOSKEY: Okay. Can everybody  
23 hear me? Thank you. I would like to thank  
24 everybody that came tonight and the diligence

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1 of the people that are sitting outside. I  
2 think that's awesome in a community to see  
3 that. Public safety in the town has reached a  
4 critical point. Town Office Road, Moonlawn and  
5 McChesney and Route 7 and all of the side roads  
6 in Brunswick are becoming hazardous. We need  
7 to look at traffic control and traffic  
8 violators. Has anybody been by the town court  
9 on a Wednesday night? It's very mobbed because  
10 we're giving more and more tickets. We're  
11 giving more and more violations. We need to do  
12 something. I met with the Town Board at the  
13 budget meeting and we talked about and  
14 requested some extra either troopers or  
15 sheriffs, something to try to stop some of the  
16 violent issues in the town to make it safer  
17 before something happens. What we need is a  
18 great police presence and some public safety  
19 programs and some awareness programs. And if  
20 the town needs some help with it, I would be  
21 more than glad to try to set something up with  
22 whoever is going to spearhead it. And we need  
23 to reduce these numbers before we consider any  
24 projects. Now, the 190 cars, okay, we know

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1 that's not good. But what he didn't talk about  
2 was the UPS, the DHL and the Fed Ex. The  
3 electrician, plumber, the floors, the  
4 relatives, the friend, the Texas hold-up night.  
5 And you'll get a lot of those in there if you  
6 have empty-nesters. Right, Ray?

7 Now, I have a question for the Board.  
8 This is very easy. I have been to several  
9 meetings about no increase in taxes in  
10 Brunswick. For how long has that been going  
11 on. And you applied yourself and I applaud  
12 you--

13 MR. POLETO: -- we raised taxes last year,  
14 and prior to that it was 13 years.

15 PETER MESKOSKEY: 13 years. I think that  
16 deserves a round of applause. And the growth  
17 to the town over those 13 years has either been  
18 low to moderate. It hasn't been excessive; am  
19 I correct? Well, I ask you to keep it that  
20 way. Now, I'm also going to read something I  
21 got from Pat, Phil and Sam, and just let me  
22 read this. It says stable tax rate, controlled  
23 growth. Enhance community services including  
24 Keyes Lane Community Center and the new Route 2

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1 athletic fields. Preservation of rural  
2 character of the town. No tax increase on  
3 2006. On the backside it says, please do me a  
4 favor. I need your vote and your help. I need  
5 Pat Poleto and Sam Salvi with me on the Town  
6 Board to continue my vision to the Town of  
7 Brunswick. Together we have accomplished the  
8 adoption of the Town's Master Plan, the  
9 building of the family community center,  
10 establishing ambulance services, stabilizing  
11 taxes, establishing the summer concerts, which  
12 everybody likes, and provided a managed growth  
13 to the town. I'll say that again. A managed  
14 growth to the town. Nobody's investor services  
15 has recognized the outstanding job being done  
16 in the Town of Brunswick, and upgraded the town  
17 fund rating from -- to an A-2 status. And I  
18 applaud the town to ask the Board to continue  
19 Phil's vision. Thank you.

20 MR. POLETO: Come on down.

21 SCOTT HUNTER: Scott Hunter 112 Town  
22 Office Road, Brunswick. My family and I have  
23 lived in Brunswick for 27 years on Town Office  
24 Road. When we first moved in the skies were

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1 dark. You could see the stars at night.  
2 Traffic was no problem. There was a rural  
3 community. And in those 27 years there has  
4 been a tremendous change in the character of  
5 the town, and probably the most dramatic change  
6 has occurred on Route 7 in the area of  
7 McChesney Avenue with the building of Wal-Mart  
8 and several other commercial establishments  
9 that replaced acres and acres of farmland and  
10 Open Space resources for the town. When I  
11 first moved out here I became a member of the  
12 Rensselaer County Environmental Adviseement  
13 Council and served with distinction, I think,  
14 in that group along with people like Tom  
15 Simkins, who is a long time district resident  
16 and a champion of environmental causes.  
17 Shortly after that I became a member and after  
18 that a chairman of the Brunswick Conservation  
19 Advisory Council and I served this Board in  
20 that capacity for about ten years. Shortly  
21 after I left the Conservation Advisory Council  
22 and I was asked by former town councilmen, the  
23 late Bert Miller, to serve on the Brunswick  
24 Open Space Trust. Bert was a tireless worker  
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1 for the Open Space resources for the town of  
2 Brunswick. He encouraged and achieved a  
3 partnership with the Open Spaces in Ossening,  
4 New York to acquire Open Space and open vistas  
5 within the Brunswick Township, and in  
6 particular the McChesney Avenue Extension  
7 corridor. Bert spent hours and hours while his  
8 health was failing to try to convince property  
9 owners along McChesney Extension to preserve  
10 the Open Spaces in that area and the open  
11 vistas, and he was able to accomplish that with  
12 several different property owners. I'm asking  
13 you as town council to honor the memory of Bert  
14 Miller by keeping open the hope that we can  
15 sustain Open Spaces in this township. Thank  
16 you.  
17 MR. POLETO: Sean, come on down.  
18 SEAN MCLEAN: Hi. My name is Sean McLean.  
19 I live in Eagle Mills in Brunswick. I'd like  
20 to put a little more human face on this  
21 project. This 90 year old man named Samford  
22 Bonesteel that, you know, has farmed this land  
23 for quite a bit of time. I've talked to him  
24 twice now and Ken and Phil Herrington assured  
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1 him when they bought the land that they were  
2 going to continue farming it. This is not  
3 secondhand information. This is information  
4 that I got directly from Samford. I applaud  
5 you in having an open discussion now about it.  
6 I don't know why you couldn't do that before  
7 the election. But that's okay. You refuse to  
8 discuss any --  
9 (Inaudible and interruption during  
10 proceedings.)

11 MR. POLETO: Turn the mic up, Sean.

12 SEAN MCLEAN: I don't want to make this --  
13 this is not a political debate, but it could  
14 have been. Because Susan Haynes and I were  
15 running against Sam and Pat and they refused to  
16 discuss any of these projects before the  
17 election. The League of Women Voters invited  
18 them. No, they couldn't do it. So now we're  
19 stuck with a solid block of republicans on this  
20 board that are -- you know, I mean the fox is  
21 not charge of the chicken coop here, and I  
22 don't know how you're going to view all of  
23 these projects that obviously you've been in  
24 favor of all along. If you weren't, you would

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1 have discussed them openly. You told me  
2 before--

3 MR. POLETO: -- Sean, do you have comments  
4 on this project?

5 SEAN MCLEAN: -- I do. I do.

6 MR. POLETO: Let's get to them.

7 SEAN MCLEAN: You know, this was -- you  
8 know, this is a small, friendly community. I  
9 grew up here my whole life. Everyone knew each  
10 other, everyone could openly discuss things and  
11 it seems to me that that spirit has changed.  
12 This project stinks, you know. And the reason  
13 it stinks is because you won't look at a number  
14 of things. A, the headwaters of tributary into  
15 the Postenkill. It's most likely an Indian,  
16 you know -- there's Indian artifacts that've  
17 already been found on the land. The silt  
18 deposits that are going to, you know, pour  
19 out -- into the stream that runs down through  
20 Indian -- it was called Indian Run, by the way,  
21 you know are just going to mess up the stream.  
22 The project is going to take forever, you know.  
23 It's not just going to be one little, you know,  
24 overnight project, and it will change the

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1 rural, you know, complexion particularly of  
2 that area. But all of these projects, you  
3 know, they need to be openly discussed. And I  
4 say, now, you're discussing it, but it's taken  
5 a long time and I hope we can continue this.  
6 Thank you.

7 MR. POLETO: Anybody else?

8 BERNARD FLEISHMAN: Can I make another  
9 remark?

10 MR. POLETO: Come on up, Bernie.

11 BERNARD FLEISHMAN: I hope you will convey  
12 to Phil that there is nothing personal about  
13 this. I like him. I like the services that he  
14 has done for this town, though there have been  
15 deficiencies as I say in the planning process,  
16 which I outlined before. But I'm very  
17 disturbed that the owner, the landowner in this  
18 case is the supervisor of the town. It's hard  
19 for me -- I don't know whether there is any  
20 legal conflict of interest here, but I feel  
21 there is at least an ethical conflict of  
22 interest. And it's hard to believe that it's  
23 true, Phil and brother abstained themselves  
24 from this meeting. Obviously, they don't want

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1 to appear to be involved directly, what have  
2 you, but considering how long Phil has been on  
3 the Town Board, how the closeness that has  
4 existed between him and the other members of  
5 the Town Board, I find it virtually impossible  
6 to believe that this Town Board will consider  
7 this project purely on its merit without  
8 respect to existing and longstanding  
9 friendships and connections. I apologize -- I  
10 don't mean to impune the honesty or integrity  
11 of any person here, but human nature, being  
12 what it is, people who have long been  
13 associated with each other and have depended on  
14 each other for the discharge of their duties,  
15 they are bound to impact, they're bound to  
16 affect the way in which the Board would act on  
17 a project such as this. Thank you.

18 MR. POLETO: Next.

19 KEN HERRINGTON: My name is Ken  
20 Herrington. 88 Herrington Lane. I was trying  
21 to -- I didn't really want to get involved in  
22 speaking because I felt you were really here to  
23 consider the merits of the project itself. I  
24 think you should be here to consider the merits

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1 of the projects and the presentation these  
2 people gave, which I think was a -- you know  
3 they're quality builders. They're not  
4 fly-by-nighters. They're not going to come in  
5 here and throw up a few houses and leave. But  
6 I've been accused of being a developer rather  
7 than a farmer. I'd to clarify that a little  
8 bit. You know four generations of Herrington's  
9 have farmed in the Town of Brunswick. I moved  
10 here when I was a year old. Phillip was born  
11 on that farm that we're talking about right  
12 here on the front part of that farm. We lived  
13 there for 17 years. We couldn't buy anymore  
14 land in the area at the time. My dad couldn't  
15 and we moved to Tamarack where there was a farm  
16 for sale. We moved to Tamarack on a 400 acre  
17 farm which my dad thought he spent too much  
18 money on. He gave them \$22,000 for it, and we  
19 have spent millions on that since. All I ever  
20 wanted to do was farm. I had an excellent  
21 opportunity to remain in the service. I was a  
22 captain in the army after graduating from  
23 Cornell University. All I wanted to do was  
24 come back to this community and farm, and I  
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1 will probably do that until the day I die. But  
2 there's another generation of Herrington's back  
3 there on that farm that want to do the same  
4 thing that I am doing. And I might say, you  
5 know, you talk about Open Space and these guys  
6 say it stinks. You know this project stinks.  
7 We talk about Open Space and you ought to look  
8 and see who keeps the Open Space open. Not  
9 just me alone. However, Herrington's farm has  
10 grown from the 49 cows to the 1145 today. We  
11 produce ten percent of the gross agricultural  
12 production, gross income in Rensselaer County,  
13 and probably 50 percent of the gross income in  
14 agriculture in the Town of Brunswick. We try  
15 to do our best and we bought this land to  
16 continue farming. You know we've worked this  
17 land for the last 25 years, again. We had no  
18 intentions of selling any of this land. We  
19 have sold one lot in my entire lifetime. But  
20 you know I think you ought to understand the  
21 plight of the farmers today, and I don't think  
22 most of you in this room even have a slight  
23 understanding of that, especially those who  
24 stand up and speak against whatever is going on  
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1 and we want to keep agriculture here. It's a  
2 damn difficult job to keep agriculture in this  
3 area. It's a struggle every day. I've worked  
4 two lifetimes in one. I know that by the  
5 number of hours I worked. And I think -- I'm  
6 65 years old I'd like to retire somewhat and  
7 I'd like to turn the farm operation over to my  
8 children. I have two of them who do have some  
9 interest. They're both scared to go forward  
10 with it because of the way agriculture is in  
11 this part of the country especially. Dairy  
12 farms are almost extinct. I think there's four  
13 of us in the Town of Brunswick, and some of  
14 those are probably going to leave. Crop  
15 farmers -- some of them have turned to crops,  
16 and Kenny Hewitt is here. You should go talk  
17 to him because he's about ready to throw the  
18 towel in. He's selling corn for a lesser price  
19 than it's costing him to produce it and he's  
20 been doing that for a couple of years, more  
21 than a couple of years and he's about had it.  
22 Dairy farming is the same situation. In the  
23 year 2003 every morning I got up I borrowed  
24 \$931.50 just to continue to farming to pay for  
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1 the operating cost. That's a true fact. If  
2 you want to look in my books I'll show them to  
3 you. I borrowed \$340,000 and every dime of  
4 that went into daily operations. None of it  
5 went into investment. Now, 2004, we made it  
6 through without -- we borrowed some money  
7 naturally, but we paid some of it back. And I  
8 still owe well over a million dollars, 65 years  
9 old. 2004 was kind of a break even year and  
10 2005 was good until September and then all hell  
11 let loose. You know what the cost of petroleum  
12 is and the cost of fertilizer and how all of  
13 those things are related. My daughter told me  
14 last week, she said, Dad, you know if we're  
15 going to get through to the end of year we got  
16 to borrow \$80,000 just to pay the operating  
17 bills that are due right now and I think we're  
18 going to be able to pay November and December's  
19 because we're not burning any fuel. We burn  
20 85,000 gallons of fuel a year just to bring  
21 crops into the cows. We're not selling this  
22 land because we're land developers. We're  
23 selling this land because it is the most  
24 valuable piece of land that we have. It has  
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1 water, it has sewer and we have a developer  
2 willing to pay a price to take this piece of  
3 land and turn it into something damn nice for  
4 the community. At the same time we will be  
5 able to take that money and put some of it --  
6 Uncle Sam is probably going to take a good  
7 chunk of it. What's left, I'm going to take a  
8 little bit of that money, I hope, and put it in  
9 the bank so that I have some kind of  
10 retirement. I have no IRA. I have less than  
11 \$10,000 in the bank. And if you don't want to  
12 believe that, I'll show you my checking and  
13 savings account. All my money is invested in  
14 that dairy farm.

15 PUBLIC: Do you have a question?

16 KEN HERRINGTON: I just want you to know  
17 where I'm coming from so that you understand --  
18 and I've been accused of being a land  
19 developer. I am not.

20 (Public interrupts speaker.)

21 KEN HERRINGTON: Let me finish. The farm,  
22 as I said -- but you don't have any -- I'm  
23 trying to tell you. Since the year 2000 --  
24 1990 was a good year and the year 2000 was a

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1 good year. Those are the two good years that  
2 we've had since 1990. But I have no  
3 retirement. I have no money put away, so this  
4 will be somewhat of a retirement for me. We  
5 will still have 1,000 acres of land left. We  
6 still rent land and will try to keep the rest  
7 of the open land in town that we rent, open,  
8 and continue farming. But I'm telling you, you  
9 have to understand the plight of the farmers  
10 here. I think we have done a real good job,  
11 because many of your relatives have already  
12 sold their farms and gone onto other things,  
13 and that land has been developed. We are doing  
14 our best to keep what we got, open. But we  
15 have to have some kind -- we can sell the other  
16 thousand if you want me to and keep this 200,  
17 but it won't do much for me and it won't do  
18 much for you. We plan on continuing farming  
19 one way or the other in this community. My son  
20 is standing right down here and he's saying to  
21 me, don't make them any promises because we're  
22 doing the best we can. But the best we can is  
23 a break even today at most, and next year it's  
24 probably going to be a loss again. I'm just

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1 saying, this is an area that can be developed,  
2 it can be developed in-depth. There's water,  
3 there's sewer, and I think it's a fine project.  
4 That's all I have to say. Thank you.  
5 MIKE GERMONO: Hello. I'm Mike Germono.  
6 Fox Hollow Road in Troy, Town of Brunswick. I  
7 want to get back to the merits of the project  
8 itself. What I want to talk about is the  
9 potential for flooding and a water table. This  
10 clearly talks about the water table being three  
11 to six feet below the lines. I mean wetlands  
12 are wetlands because you have a high water  
13 table. Some of the mitigation that has been  
14 proposed by the developer here is building  
15 roads that are about two feet above the hundred  
16 year zone. Also, putting sump pumps into new  
17 housing. Sump pumps are not here as a remedy,  
18 but here as a solution going into the project  
19 in the very beginning. And this is based on a  
20 hundred year flood zones by FEMA. Now, if you  
21 follow the news and weather pattern changing,  
22 there's a lot of people in communities here,  
23 but also in Massachusetts and Vermont, that  
24 thought they were on flood zones too, and they

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1 ended up on the water. So I think there's --  
2 we need to take some serious looks at whether  
3 the flood zones here are accurate and how much  
4 of the project is actually in danger of that.  
5 The second point I'd like to look at is  
6 the part about the archeological digs. It  
7 talks about how some of that is in the area of  
8 the area to be developed. Is doesn't specify  
9 what the boundary of the area is yet. We need  
10 to know those boundaries of it and make sure  
11 that's taken care of first. Because it's  
12 possible that the boundaries are large enough  
13 that some of this area can't be developed at  
14 all. Thank you.  
15 DONNA FOSTERING: I'm Donna Fostering. I  
16 just want to respond a little bit to what Ken  
17 Herrington said. And it's not that we're not  
18 sympathetic to the farmers. My family still has  
19 a farm from 1855, the Polly Farm in White  
20 Church. We know that farmers have to, in some  
21 way, make good use of their land. Taxes are  
22 high, et cetera. I've been out petitioning.  
23 The farmers on McChesney Avenue who subdivided  
24 their land into large lots, such as the Dunkins

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1 and others, have signed the petition. Our  
2 objection is to the density of this project.  
3 If it were a reasonable number of homes on the  
4 acreage, you know we would work with this  
5 project much better. But 190 homes, some of  
6 them -- most of them ten feet apart from each  
7 other is not our vision of Brunswick. Thank  
8 you.

9 MR. POLETO: Anybody else?

10 HENRY SCARTON: My name is Henry Scarton.  
11 I'm the director of the Laboratory for  
12 Vibration and Noise Control Research at RPI. I  
13 live at 14 Kestner Lane in Troy. I'm an expert  
14 in acoustics, and environmental acoustics is  
15 one of my specialties. I have been qualified  
16 in judicatory proceedings in front of the DEIS  
17 in such matters as Aleve, a matter in  
18 Rensselaers and Columbia County. And I'd like  
19 to address the density problem as well. The  
20 carriage houses, there's 130 of them. The  
21 spacing between the houses is going to be about  
22 47 and a half feet. The air handling units in  
23 the summertime, and there will be surely -- I  
24 didn't see none on the map here, but I'm sure

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1 they'll be air handling units with heat  
2 exchanges. By the way, I'm a mechanical  
3 engineer, so I understand that aspect as well.  
4 The air handling units will be making noise.  
5 They'll all be making noise. I brought the  
6 same issue up, by the way, at the last hearing.  
7 Even if you take ten of these units it will add  
8 ten decibels above the level produced by one,  
9 giving the density of these carriage houses.  
10 Now, I'm not complaining about the manor homes  
11 and traditional homes. I'm talking about the  
12 carriage homes that are going to be very close  
13 together. And I don't see where they are, but  
14 I'm going to guess they're going to be in the  
15 backyard. Now, when people are out in the  
16 backyard -- or where are you going to put it?  
17 In the side of the house? I'm not quite sure,  
18 because it doesn't say. Those -- they're going  
19 to be sufficiently close together that you will  
20 have the ambient levels are going to be much  
21 higher than as I pointed out the last time,  
22 nine times sound levels of 35 decibels  
23 A-weighted, and we have tree frogs it goes up  
24 to 55. But in absence of the tree frogs it's

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1 going to be very well above the 35 decibels.  
2 Now, yes, I think it'll be probably -- not that  
3 the sound will propagate that part, it'll just  
4 ruin the atmosphere of the community. People  
5 are going to be listening to these air handling  
6 units on their back porch and it's probably  
7 going to have levels well in excess of 60  
8 decibels, 65, maybe even 75 db's. I don't  
9 know. Because it doesn't show where the air  
10 handling units are going to be. I do see  
11 they're going to be very close together. So  
12 the issue of noise, which I think is not  
13 addressed probably in this document, needs to  
14 be further addressed. In the document, and I  
15 did read it thoroughly, went to the library and  
16 read it, and it apparently, as far as I could  
17 see, 3.2.5.4, Section 4.2.5 and Section 6.2.3,  
18 the only sections in this document that deal  
19 with noise. And they say that outside of  
20 traffic noise and construction noise, noise is  
21 not a problem. Well, I beg to differ with you.  
22 I think it probably is going to be a serious  
23 problem, and the background of the rural  
24 community is going to be ruined. Now, far, far  
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1 away, of course, it's all going to go down and  
2 you're not going to hear it. But those poor  
3 people living there, it's not going to be rural  
4 at all. It's going to be suburban levels. And  
5 I think there will be noise impacts and I think  
6 it needs to be studied. Now, I am not -- by  
7 the way, I get money to do this. I have to  
8 write Environmental Impact Statements, I appear  
9 in court, I'm here -- nobody is paying me here  
10 to sit here and do this. I'm just providing  
11 some counsel on this having sat over there and  
12 looked through the document, having to write  
13 some of these documents, and I think we need to  
14 consider more impacts than construction noise  
15 and traffic noise. Thank you.  
16 BRENDAN GALLIVAN: Brendan Gallivan,  
17 Deepkill Road and president of Gallivan  
18 Corporation on Oakwood Avenue. I would like to  
19 speak on behalf of the project. I have  
20 opportunities as a business owner that I deal  
21 with Marini throughout the different  
22 communities; Cohoes, Latham, Clinton Park.  
23 Their focus on quality would be very beneficial  
24 to this community. As working with different  
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1 contractors I've had the opportunity to have  
2 some unpleasant dealings with builders. And  
3 they're very respectable on their curb appeal  
4 end of things. That's a priority. The overall  
5 effect of the project, the landscape, how it  
6 looks when it's done is first and foremost to  
7 the Marini's. They have a saying, building  
8 landscapes for life. We're a landscape  
9 contractor working along with Marini and they  
10 are constantly talking about how it looks in  
11 the end. They don't want to just blow into a  
12 community and pop up some houses and leave.  
13 That's not what they're about.

14 My second dealing was just most recent,  
15 Deepkill Road. I asked the Marini's to come to  
16 Brunswick to build me a home. My brother did  
17 also and we had one of our friends that  
18 actually asked them. I asked the Marini's to  
19 come because I was so enthused with their focus  
20 on quality, overall customer satisfaction.  
21 I've seen other people experience that, and I  
22 encourage anybody to take a look at our homes  
23 on Deepkill Road for the quality of the home  
24 they built. Thank you.

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1 MIKE KEENAN: Good evening. I'm Mike  
2 Keenan. I live at 43 Madonna Lake Road.  
3 That's in Grafton, but I'm in the Brittonkill  
4 School District. I won't belabor tonight  
5 because it's late, but I will ask one question  
6 of the Town Board. I note in the draft EIS,  
7 the a copy that I assume all of them, on the  
8 bottom of each page there's a little notation  
9 of where the file came from. And in particular  
10 it ends contents.doc, D-O-C. I assume it's a  
11 Word file. I know it's from some word  
12 processor. It's very simple to print this out  
13 into an Adobe file, PDF file, and put it on the  
14 town website. I've heard this asked at other  
15 public hearings and I'm asking it again  
16 tonight. To please for all of these EIS's, to  
17 ask the developer to send an Adobe file. The  
18 software, if you have to buy it, is only about  
19 \$400. But you buy Share -- you can get  
20 Shareware on the internet for free. I  
21 appreciate all of the copies of the draft EIS  
22 that was put here in the library, here, there  
23 and everything. But if it was up on the  
24 internet it would be much simpler for all the

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1 town residents who at least have internet  
2 access to get access to this. I'm requesting  
3 that that be done again, just ask the  
4 developers to send you an electronic copy,  
5 either as an Adobe or the town go off and  
6 purchase the software itself and just turn all  
7 of these things into electronic files that can  
8 be easily reviewed by the town citizens. Thank  
9 you.

10 MR. POLETO: Anybody else?

11 SHAWN GALLIVAN: I'm Shawn Gallivan. I'm  
12 at 158 Deepkill Road and I'm the president of  
13 S.N. Gallivan, LLC on Oakwood Ave., and I want  
14 to speak on behalf of the project. And first  
15 and foremost say that I think we got a pretty  
16 good Town Board here in whatever decision they  
17 wind up making on all of the projects. I think  
18 we have a highly educated staff here that'll  
19 make the best decision for the whole community.  
20 I've had the experience as well to work with a  
21 Marini's on different projects. I've  
22 experienced them from both sides, from a  
23 homeowner as well as a vendor. I watched them  
24 work tight with the community, I watched to

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1 make sure that he had the right needs for the  
2 community, the right aspects for the community.  
3 They look at the landscape quite heavily. I  
4 think as all-around developer we've got a good  
5 person to join our team. The team being the  
6 Town of Brunswick. As we grow, things are  
7 going -- we are going to have some new homes  
8 pop up. With the new homes, I mean it's not  
9 right for us to tell people, hey, you can't  
10 build a home in Brunswick. I'm 32. For 32  
11 years I've been in Brunswick. A lot of people  
12 sitting in the stands I don't believe have been  
13 here for their whole life. They had the  
14 opportunity. I think we ought to give the  
15 opportunity to others. Thank you.

16 MR. POLETO: Thank you.

17 TIM BOLOGER: I'm Tim Bologer. I'm on 446  
18 on McChesney Avenue Extension right across from  
19 the entrance to this development. My family  
20 farmed that property for 60 years, from 1906 to  
21 1960. And when they were done we got jobs. So  
22 it's still the same land it was when it started  
23 in 1906. I get up every morning, I drive down  
24 to McChesney Avenue Extension onto McChesney,

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1 down Route 7, up alternate Route 7, down Route  
2 87, I get off of exit 2W, I go up three lights,  
3 I take a left at Jupiter Lane, I take another  
4 left onto Walker Lane and then I take a left  
5 onto Fritz. I believe you're on Petra. Okay.  
6 So I drive Central Avenue every day. I don't  
7 think Bob Marini lives near Central Avenue, and  
8 I prefer not to live near Central Ave. in  
9 Brunswick either. Thank you.

10 EVERT KNEER: Good evening. My name is  
11 Evert Kneer. I live on 361 Moonlawn Road. I  
12 have been a town resident for almost 60 years,  
13 my family, my grandfather and so on. You know  
14 I can't believe what I'm hearing here. The  
15 problem here is, is that you people got a lot  
16 of good things you said, a lot of sensible  
17 things you said. But if I felt the way you  
18 people felt, none of you would've been here,  
19 most of you wouldn't have been here, because I  
20 wouldn't have wanted you here. I have the  
21 utmost respect for the Town Board, the Planning  
22 Board and the Zoning Board, and I've just been  
23 looking at the state police barracks what they  
24 put up, the stuff they've done in the town is

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1 outstanding. And I'm talking from a person  
2 that's got a lot of experience and I don't  
3 pretend to know it all, but I'm going to say  
4 this. I don't have a problem what you're  
5 feeling like you feel about you don't want more  
6 growth.

7 MR. POLETO: Hold your thought. While Sue  
8 is doing that, we also got your new machine for  
9 the new Town Hall, which we won't have the  
10 tapes. It's all going to be digital. We'll  
11 have 800 minutes. 30 hours. So there won't be  
12 every 30 minutes I'm flipping the tape here.

13 EVERT KNEER: What I'm trying to say is I  
14 don't mean to offend anybody personally. It's  
15 just the way I talk if you don't know me. But  
16 this is how we come along. You know where I  
17 stand on it. If you call me a 3:00 in the  
18 morning for a tow job, I'm the same guy I am at  
19 3:00 in the afternoon. I'm not made out of  
20 plastic. I don't know any other way to tell  
21 it. You got a dilemma here, all right.  
22 Because the town is growing and growing and  
23 growing, and listening to all these people, but  
24 you're trying to stop this dilemma at somebody

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1 else's expense. The Smart Growth sounds like a  
2 good group. Well, they didn't knock on my door.  
3 I wish they did. They're neighbors of mine.  
4 They walk down the road and I wave to them.  
5 They don't wave back, because in the nature of  
6 my business it's not too beautiful looking.  
7 They like me as a person, but they don't  
8 particularly like the type of business I run.  
9 Okay. Well, I've helped most of the people in  
10 the town and I'll continue with my family to do  
11 so. But the thing of it is, the Smart Growth  
12 ought to knock on the doors instead of getting  
13 petitions for donations and start buying some  
14 of this land and we'll keep it rural the way  
15 you want it. Until then you can't expect  
16 anybody to knock on your door and tell you what  
17 to do with your property and take away your  
18 retirement from you. It wouldn't be fair to  
19 you. You people work hard, you've invested in  
20 nice homes and when you get ready to sell them  
21 I guarantee you're not going to sell them what  
22 you paid for them. Okay. But we have a little  
23 bit of jealousy here if you listen to  
24 everything and that's not how to solve the

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1 problem. We need an organization if you don't  
2 -- if you want to stop building, if that's your  
3 motive, and it sounds like it, to go buy this  
4 property at the value of it. Get three  
5 appraisals and pay it, and then you own it and  
6 you people can do what you want to do with it.  
7 You can keep it Forever Wild, you can take care  
8 of the tree frogs and you can worry about the  
9 nonsense that somebody else wants to worry  
10 about, but it'll be your problem and you can  
11 pay the taxes on it. Or else you can let the  
12 farmer who's been working for -- God. You  
13 people are intelligent. For the 60's and 70's  
14 milk prices, they work for about 70 cents an  
15 hour. That's all right as long as they're  
16 doing it and keep that land the way you want to  
17 keep it, but the minute they want to do  
18 something with it, you have a petition going  
19 up. But everybody in here is going to get  
20 their retirement. I have to -- to be honest  
21 with you, I see their side. I can understand.  
22 I've worked 18 hours a day for many, many days  
23 and been criticized for it. But I'm just  
24 telling you, I'm not crying and he ain't crying

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1 either. He's just telling the facts the only  
2 way he knows how to explain it. You know what  
3 I mean? We educate our kids, we send them to  
4 school, we sent them to college to go to the  
5 Space Age, yet we don't want the town to grow,  
6 and I can understand that. I agree with a lot  
7 of people. There's a lot of things here that  
8 have been said that make total sense. But it  
9 don't make sense doing it at somebody else's  
10 expense. Buy their property. Get your  
11 organization together, start buying this land.  
12 You've tried it with the Wetland Act, you've  
13 tried it with the Indian -- you tried it with  
14 the Indian stuff, archeology. You've tried it  
15 with all kinds of deals and you stole a lot of  
16 it. But you can't steal it all. It's killing  
17 you's. Just go out and buy it. Pay for it and  
18 it's yours. You wouldn't like somebody telling  
19 you what color shirt you got to wear. All I  
20 see here is the beginning of socialism and  
21 communism. You got to stop it. Wake up. Love  
22 one another. Work with these things. If I  
23 offended you, I apologize. But the truth, most  
24 facts are brutal.

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1 MR. POLETO: Anybody else?  
2 JOE JABOUR: My name is Joe Jabour. I  
3 live at 6 Kenworth Avenue, and I presently  
4 serve on the Town Zoning Board. It's good to  
5 see all of these people here tonight. And I  
6 came here because of this project as well as  
7 potential empty-nesters. I've been living in  
8 the town for 20 years and we would like to  
9 retire and get a smaller home. I don't want  
10 the upkeeps. So out of all of the proposals  
11 that came before the Town Board, the apartments  
12 and all of the others, this seems to be more  
13 something that I would rather do if want to  
14 stay in the town. I'm an empty-nester, our kids  
15 are grown. I don't plan on having anymore  
16 children, and if my wife does then there's  
17 something wrong. But I just want to say this  
18 is -- I commend the Town Board for opening this  
19 up. I got the proposals from the town at the  
20 Zoning Board. We've listened to them  
21 previously. They did point out some good  
22 things. There are some questions that have to  
23 be answered. Let their proposal -- let it take  
24 its course so we can see where it goes. Maybe

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1 out of these 190, they're going to put 140.  
2 Maybe with your input they'll look this over.  
3 Maybe some of the other ones might change. But  
4 give it a chance, let it take it's course and  
5 let some of the other people that want to stay  
6 in the town as empty-nesters and live here take  
7 advantage of it. Thank you.  
8 MR. POLETO: Anybody else?  
9 KEN HEWITT: I'm Ken Hewitt on 51 Hewitt  
10 Lane. I've been farming there all of my. I'm  
11 71 years old, and I just want to second  
12 everything that Evert Kneer just said. People  
13 want to hunt on our land, they want  
14 four-wheelers on our land and when we want to  
15 do anything for retirement, everything is  
16 against us. Thank you.  
17 MR. POLETO: Anybody else have anything to  
18 say? If not, like I said when we opened up  
19 this meeting -- go ahead, Andy.  
20 ANDY JOHNSON: My name is Andy Johnson. I  
21 just want to say a few things. I do work up to  
22 Herrington's and I know what everybody is  
23 saying, but a lot of stuff that's not coming  
24 out that should come out. Like Shawn said,  
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1 they're taking from a 90 year old man. Nobody  
2 knows that -- or they're not saying that they  
3 bought the property and they -- and Sam and his  
4 wife can live there until they die. And they  
5 made sure when they bought this or sold -- or  
6 what they're in the process of doing this, that  
7 they're always going to have a place to stay  
8 and nobody's saying anything about that. So  
9 like I said, I mean that's some of the stuff  
10 that's not coming out. It's just the bad stuff  
11 and I think somebody should be bring that stuff  
12 up. Thank you.  
13 MR. POLETO: Anybody else?  
14 EILEEN BONESTEEL: My name is Eileen  
15 Bonesteel and I'm Sam's daughter, Samford's and  
16 Flora's daughter. And they do have the right  
17 to live there. However, there was like a  
18 \$50,000 credit, Ken, if I'm not mistaken that  
19 was taken off for them to live there for rent  
20 for the rest of their life. That's not true?  
21 Okay. If it's not, I'm sorry. But I don't  
22 have -- the point was brought up that Sam and  
23 Flora could live there the rest of their life,  
24 but there is a certain amount of money that was  
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1 set aside for rent or whatever. I thought it  
2 was \$50,000, but maybe it's not. I'm not sorry  
3 if it's not that much, but I'll have to look it  
4 up. But I mean they are -- they do have the  
5 right to live there, but they have sacrificed  
6 some too. Thank you.

7 MR. POLETO: Anybody else? If not, like I  
8 said, when we first opened this, we'll keep  
9 this open. Feel free when you read this either  
10 at the Town Hall or any other of the places  
11 that it's out there, if you have comment feel  
12 free to write down your comment and mail it the  
13 Town Office. We'll make sure that everybody  
14 who gets them, gets the response so you get it  
15 right into the record. We'll reconvene on  
16 December 29th. We'll consider where we're  
17 going to do it though. All right. And stay  
18 tuned. We'll let you know. Hang on before you  
19 leave. I'm not totally done yet. I want to  
20 turn it back over to Andy Gilchrist for one  
21 minute.

22 MR. GILCHRIST: We've heard the date that  
23 the public hearing will be reconvened, that's  
24 December 29. The location will be determined,  
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1 it'll be discussed by the Board. This will be  
2 renoticed. It'll be in the paper, it'll be  
3 posted at the Town Hall, it will be on the town  
4 website. Please look for that as to, you know  
5 the date and time, as to where the location  
6 will be for the public hearing. So it will be  
7 noticed adequately so that you know the  
8 location. And I would repeat what Mr. Poleto  
9 said; if there are written comments, those can  
10 always be submitted prior to that date and also  
11 after that date as well, and that will be  
12 reviewed on the 29th.

13 MR. POLETO: Thank you, Andy. I want to  
14 thank everybody for coming out tonight, and  
15 we'll see you on the 29th. Do we have a motion  
16 here?

17 TOWN BOARD MEMBER: I'll make a motion to  
18 adjourn.

19 MR. POLETO: All in favor?  
20 (Yeh's)

21 MR. POLETO: Motion is carried.  
22 (Whereupon the proceeding in the above-entitled  
23 matter concluded at 9:00 p.m.)

24  
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C E R T I F I C A T I O N

I, DIANE DALY-GAGE, Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify that the foregoing record taken by me at the place and date noted in the heading thereof is a true and accurate transcript of same to the best of my ability and belief.

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DIANE DALY-GAGE

Dated: December 26, 2005

