

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

**MINUTES OF THE PLANNING BOARD MEETING HELD April 15, 2010**

PRESENT were CHAIRMAN OSTER, MICHAEL CZORNYJ, GORDON CHRISTIAN, FRANK ESSER and VINCE WETMILLER.

ABSENT were KEVIN MAINELLO and DAVID TARBOX.

ALSO PRESENT were JOHN KREIGER, Code Enforcement Officer, and MARK KESTNER, Consulting Engineer to the Planning Board.

The Planning Board reviewed the draft minutes of the March 18, 2010 meeting. Upon motion of Member Czornyj, seconded by Member Christian, the minutes were unanimously approved as drafted.

The Planning Board then reviewed the draft minutes of the April 1, 2010 meeting. Upon motion of Member Czornyj, seconded by Member Christian, the minutes were unanimously approved as drafted.

The first item of business on the agenda was the site plan application by the Volunteer Fire Company of Center Brunswick for expansion of the existing firehouse located at 1045 Hoosick Road. Neal Rivchin, Esq. appeared for the applicant. Mr. Rivchin stated that the fire company's engineer had estimated the cost of building a driveway on the adjacent property of D'Entrone within the existing 20' strip as discussed at prior meetings, and that the estimated cost, including a gabion retaining wall, was approximately \$30,000-\$40,000. Mr. Rivchin stated that the fire company was still agreeable to deed an additional 6' strip of property to D'Entrone to establish a 26' wide strip, which would allow the driveway to be relocated further away from

the slope so as to reduce or eliminate the need for any retaining wall. Further, the fire company stated that it would provide fill material produced during the firehouse expansion project to D'Entrone for assistance in driveway construction. Mr. Rivchin then stated that he had contacted Attorney Gilchrist for the purposes of inquiring whether the Planning Board would consider waiver of the private road standards so as to reduce the necessary width of the D'Entrone driveway. Attorney Gilchrist confirmed that Mr. Rivchin had contacted him, and that he advises the Planning Board that the private driveway standards associated with the D'Entrone driveway can be modified by the Planning Board on this application, subject to the Planning Board's discretion. Mr. Kestner stated that he had spoken with Mr. Donlen, of the engineering firm retained by the fire company, and that the estimate for driveway construction did include a gabion retaining wall, and was limited to the current 20' strip of land at full private driveway width. The estimate did not consider relocating the driveway within a full 26' wide strip of land, nor consider reduction of driveway width. Member Esser questioned how much fill would be generated during the firehouse construction which could be then transferred to D'Entrone, and questioned the fire company's estimate that the fill would have a value of \$50,000-\$60,000. Mr. Rivchin stated that approximately 220 yards of fill could be generated, and Member Esser disputed the value attributed to that fill by the fire company. Member Esser stated that the fire company should transfer fill to D'Entrone to assist her in driveway construction. Chairman Oster addressed the question of waiving the private driveway standards, stating that the private driveway standards of 16' width with two 3' shoulders for private driveways in excess of 150' were established in conjunction with fire companies determining that this width was necessary for emergency vehicle access, particularly when two-way traffic was on the driveway. Chairman Oster did note that this was a unique fact situation because the D'Entrone property is

immediately adjacent to a fire company. Chairman Oster stated that in his opinion, a 12' wide driveway may be adequate in this case because the property is located next to the firehouse and that this would seem to address the emergency vehicle access and public safety issue. However, Chairman Oster wanted the fire department to stipulate on the record that a 12' wide driveway to the D'Entrone property is adequate for emergency vehicle access and would not impair public health or safety. Jack Melsom, member of the fire company, stated that such a stipulation could be made by the fire company, and also noted that there was also a fire hydrant already located near the driveway to the D'Entrone property. Member Esser stated that he felt the fire company should not only provide the fill to D'Entrone to assist in the driveway construction, but that the fire company should rough grade the driveway as well. Member Czornyj inquired whether the fire company would be building the driveway for D'Entrone. Mr. Melsom stated that the fire company had a concern regarding the use of public funds for the construction of a private driveway, but that the fire company would supply the excess fill material from the construction project to D'Entrone for assistance in driveway construction. Chairman Oster generally polled the Planning Board to determine whether a reduction in driveway width to 12' for the D'Entrone property was acceptable. The Planning Board generally concurred that a reduction in driveway width to 12' in this case would be acceptable since it would eliminate, or greatly reduce, the need for any retaining wall, as long as the fire company transferred the additional 6' of width of property to D'Entrone and also the stipulation on the record made by the fire company that a 12' wide driveway would not impact emergency vehicle access or otherwise impair public health and safety. Mr. Melsom stated that the fire company had already approved transferring the additional 6' of land to D'Entrone, and will provide a written stipulation that the 12' wide driveway did not create any public safety issue nor impair emergency vehicle access. Mr. Melsom stated that the

emergency vehicle access and public safety issue would be discussed by the fire company, and a written submission would be made to the Planning Board. The Planning Board also stated that a waiver of subdivision application would need to be filed by the fire company for purposes of transferring the 6' wide strip of property to D'Entrone. The applicant will make the necessary waiver of subdivision application. This matter has been placed on the May 6 agenda for further discussion.

The next item of business on the agenda was the subdivision and commercial site plan application by Reiser Bros. Inc. for a proposed commercial development along NYS Route 2 and NYS Route 278. This matter has been adjourned upon request of the applicant, without date.

The next item of business on the agenda was the site plan application by Brunswick Associates of Albany, LP in connection with the Brunswick West Apartments Planned Development District ("PDD"). Dan Hershberg, PE appeared for the applicant, together with Tim Owens. Mr. Hershberg reviewed the general site plan, and briefly reviewed the file materials including site plan, grading plan, lighting plan, landscaping plan, sidewalk detail, road detail, and stormwater plan. Chairman Oster noted that the Planning Board, during its review and recommendation on the PDD application, had already made several comments and undertook review of the site plan with the Brunswick Fire Department No. 1, and comments including building location, garage location, road layout, width of roads, turning radius, hydrant location, and additional comments of the Brunswick Fire Department No. 1 had been fully addressed during the PDD review and action by the Town Board. Mr. Hershberg went on to review the stormwater management plan and proposal to manage stormwater on site, stating that the stormwater pollution prevention plan would need to be reviewed by the New York State Department of Transportation, but wanted the review by the Town's consulting engineer prior to

submission to NYSDOT because the Town is a MS4 community. Mr. Kestner stated that he would review the stormwater pollution prevent plan. Mr. Hershberg stated that his office is continuing to work on water pressure to the buildings on the project, and that he is working with both Mr. Kestner and the Town Water Department on that issue. Mr. Hershberg stated that the building elevation, landscaping plan, and lighting plan is similar to that which was constructed at “The Glen” portion of the Sugar Hill Apartments. Member Czornyj stated that he would like to see sidewalks brought from the Brunswick West complex down to and connect with the sidewalk system on Route 7. Mr. Owens responded by stating that the applicant will be looking into the sidewalk issue, but wanted to inform the Planning Board that he had met with the Brittonkill Superintendent, Lou McIntosh, and also Gail Lathrop of the Brittonkill system, and Supervisor Herrington concerning school bus access to the Brunswick West Apartments. Mr. Owens confirmed that a total of two students are attending the Brittonkill school system from “The Glen” section of the Sugar Hill Apartments, and confirmed with the Superintendent that there is likely to be a low impact in terms of student registration at the Brittonkill system from this expansion to the Brunswick West Apartments. Mr. Owens reported that the Brittonkill system is already sending school buses into the Brunswick West Apartments site to pickup/drop off elementary students at the existing clubhouse, but that the middle school and high school students are being picked up and dropped off at the Route 7/Brunswick Drive intersection. Brittonkill will investigate bringing buses for all students into the Brunswick West Apartments site, including one pickup location at the existing clubhouse prior to construction of the proposed expansion, and investigation of three bus stops on the loop road which will be constructed in conjunction with the proposed expansion. Member Czornyj reiterated his request for sidewalks, at least from the clubhouse at the apartment complex down to and connecting with Route 7. Mr.

Owens again stated that he will be investigating this issue, and will report back to the Planning Board. Mr. Owens said he would need to investigate legal ability to install the sidewalks, future ownership and maintenance issues, as well as coordination with NYSDOT. Mr. Owens also reviewed generally with the Planning Board proposed elevations for the garages and storage units, which will be similar in appearance to the proposed apartment buildings themselves. This matter has been placed on the May 6 agenda for further discussion.

The next item of business on the agenda was the proposed Duncan Meadows Planned Development District application, before the Planning Board for review and recommendation upon referral by the Town Board. Fran Bossolini, PE appeared for the applicant, and generally reviewed the concept layout for the project. Member Esser stated that the appearance of the proposed townhomes/condominiums were not attractive. Mr. Bossolini stated that in the event the PDD is approved, detailed architectural renderings will be prepared and subject to final review and approval by the Planning Board during site plan review. Chairman Oster inquired whether the applicant had conducted any market study, as he was concerned about the marketability of these units particularly in light of previously – approved projects in Town. Mr. Bossolini stated that the proposed condominium units and market – rate senior apartments did provide variation from the previously approved units, and that the applicant feels the project is marketable. Chairman Oster directed the applicant to review the application with the fire department for comment. Member Czorynj also raised the issue of sidewalks in conjunction with the Duncan Meadows PDD application. Mr. Bossolini stated that the issue of sidewalks was being discussed at the Town Board, including location, length, and type of sidewalk/walkway. Member Czornyj stated that he would like to see a sidewalk installed adjacent to the project site at least until the location of the small house on McChesney Avenue.

Chairman Oster also wanted to investigate walking paths internally in the project itself, for benefit of the residents of the project as well as for purposes of exercise. Mr. Bossolini stated that the applicant will investigate that issue. Mr. Bossolini stated that there had been some discussion concerning the community garden, and that such a foot path connection to the community garden should be explored. Chairman Oster inquired as to the number of projected school children from the project. Mr. Bossolini stated that the applicant was accumulating updated information on that issue, and will be submitting updated student projections in the Final Environmental Impact Statement. Member Czornyj wanted to make sure that the applicant fully explored the issue of sidewalks, and that an ultimate connection to the Sugar Hill Apartments on McChesney Avenue Extension would benefit not only this project, but the Sugar Hill Apartments, ROUSE Apartments, as well as potentially the Highland Creek PDD project. The Planning Board directed Attorney Gilchrist to prepare a draft recommendation based on the Planning Board's deliberations, and submit the same for Planning Board review at the May 6 meeting.

Mr. Kreiger reported that there was no new business to discuss.

The **index** for the April 15, 2010 Planning Board meeting is as follows:

1. Volunteer Fire Company of Center Brunswick – site plan – 5/6/10;
2. Reiser Bros. Inc. – subdivision and commercial site plan – adjourned without date;
3. Brunswick Associates of Albany, LP – Brunswick Woods Apartments PDD site plan – 5/6/10;
4. Duncan Meadows – Planned Development District review and recommendation – 5/6/10.

The **proposed agenda** for the May 6, 2010 meeting currently is as follows:

1. Volunteer Fire Company of Center Brunswick, Inc. – site plan;
2. Brunswick Associates of Albany, LP – Brunswick Woods Apartments PDD – site plan;
3. Duncan Meadows – Planned Development District review and recommendation.