

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

MINUTES OF THE PLANNING BOARD MEETING HELD December 16, 2010

PRESENT were MICHAEL CZORNYJ (ACTING CHAIRMAN), GORDON CHRISTIAN, FRANK ESSER, KEVIN MAINELLO, DAVID TARBOX and VINCE WETMILLER.

ABSENT was CHAIRMAN RUSSELL OSTER.

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

The Planning Board continued the public hearing on the site plan application in connection with the Duncan Meadows Planned Development District. Francis Bossolini, PE was present for the Applicant and made a brief presentation. There was one public comment offered by Bernice Cool of 170 McChesney Ave, who lives adjacent to the property being developed. Ms. Cool commented that the plans she reviewed at the library were different than those on file in Town Hall. She questioned the parking lot depicted on McChesney Ave and commented that sidewalks may not be appropriate on McChesney Avenue Extension. She is concerned about the football field and the traffic that will be generated as a result of the football games, and also inquired about the status of the proposed helipad.

Mr. Bossolini responded that the purpose of the gravel parking lot on McChesney Avenue is to allow the public access to natural preservation areas on the site. He also commented that McChesney Avenue Extension would be widened to accommodate the walking path. With respect to the football field, Mr. Bossolini commented that it was required as recreation space by

the Town Board. Finally, the issue of the helipad is before the Town Board for review. The helipad was not in the original PDD application, but was a suggestion from Brunswick Fire District No. 1.

There being no other public comments, Acting Chairman Michael Czornyj closed the public hearing on the Duncan Meadows Planned Development District site plan application.

The Board then moved into its regular meeting.

The first item of business on the agenda was the site plan application in connection with the Duncan Meadows Planned Development District. Francis Bossolini, PE was present for the Applicant. Mr. Bossolini stated he had received the sight distance profile for McChesney Avenue and the proposed driveway location. The profile has been submitted to the Planning Board and was reviewed by Mark Kestner. The Applicant took into account the neighboring property owners' vehicles that are often parked in the County right-of-way to determine if there would be any line of site obstruction, which the Applicant determined there would not be.

Mark Kestner then reviewed the Applicant's meeting with Fire Company No. 1. Mr. Bossolini agreed with the improvements suggested by the Fire Company No. 1 at that meeting. It was discussed that the condominium buildings are required to have sprinklers and that a decision on whether the garage areas have to be sprinklered will be made after the submission of building plans. The senior apartments have not yet been designed and will be reviewed for Fire Codes once submitted. Mr. Bossolini told the Board that instead of dumpsters, the Applicant was looking to use individual barrels. In addition, the Fire Apparatus Access Roads will have a 120' hammerhead and will be paved for weight. Fire Department access to the townhouses in the southeastern section of the project is deemed acceptable as there is a looped roadway. Finally,

Gus Scifo of Fire Company No. 1 submitted a letter to the Board and requested a walk through when the first building is completed.

Mr. Bossolini stated there were ongoing discussions with the Highland Creek developers regarding the sewage pump station. There is a plan to have a single pump station built by Marini, and Duncan Meadows will tie into that station via gravity feed. Member Wetmiller asked if there would be 2 pumps and a generator with an emergency switch. Mr. Bossolini confirmed that would be the case. He further indicated there would be variable frequency drives to adjust frequency of pumps for flexibility.

Member Tarbox expressed some concern over cars having to back out of certain of the parking lots and asked if some adjustments could be made so as to allow people to pull straight out.

Acting Chairman Czornyj reminded Mr. Bossolini that the Applicant still owes outstanding review fees and that further action on the application could not be taken until the fees were paid. Mr. Bossolini stated that he understood.

Per Mr. Kestner, the Water Department is still reviewing the water system as it concerns the valve and hydrant locations. Mr. Kestner also gave Mr. Bossolini the SWPPP review.

This matter was placed on the January 6, 2011 agenda for further discussion.

The next item of business on the agenda was the Oakwood Property Management, LLC applications concerning property on Oakwood Avenue. These applications include a site plan application before the Planning Board, a petition to rezone property pending in front of the Town Board which has been referred to the Planning Board for recommendation, a waiver of subdivision application concerning a proposal by Oakwood Property Management to transfer property to an adjoining property owner (Murray), as well as the SEQRA Lead Agency

Coordination Notice received from the Town Board concerning these matters. It is noted on the record that Mr. Kestner has recused himself from consideration of these applications. Teresa Bakner, Esq. and Brendan Gallivan were present for the Applicant. Acting Chairman Czornyj advised that all Planning Board members had gone out and walked the property. He further advised that the waiver application still needed to be reviewed by the Board. Attorney Bakner advised that the archeology study had been performed and that the Applicant is moving forward with the Army Corps of Engineers on the wetland delineation.

Acting Chairman Czornyj also reiterated that the issue of a 50' setback on "Parcel 14" will need to be addressed. Attorney Gilchrist will research that issue. Acting Chairman Czornyj then stated the Planning Board needed to act on the SEQRA lead agency coordination notice. He reminded the Planning Board that the Town Board was seeking to be lead agency. Hearing no discussion, Acting Chairman Czornyj put the issue to a vote, and it was unanimously agreed that the Town Board could take lead agency. Attorney Coan was directed to send a letter on behalf of the Planning Board to the Town Board stating that the Planning Board agreed to the designation of the Town Board as lead agency for the Oakwood Properties project.

Member Esser then asked whether there would be any grinding operations on Parcel B6. Mr. Gallivan stated there would be some grinding on a smaller scale on the ½ acre parcel, using 1 or 2 portable grinders. Semis would be loaded and move mulch off that parcel. These operations were part of the original site plan. Truck parking will move to the area of the greenhouse.

Brendan Gallivan agreed to put 4' stakes along the property lines for inspection purposes. He also acknowledged the right of the Building Inspector to make periodic inspections.

Acting Chairman Czornyj stated that he wants to see the screening provided for in the original site plan installed. Currently there is a 6' fence, and he is concerned that you can see through the fence. Attorney Bakner said the Applicant will make a proposal to the Board concerning additional screening.

This matter has been placed on the January 6, 2011 agenda for further discussion.

There was one item of new business.

Joseph Magno, by Redmend Griffin, Esq., presented an application for waiver of subdivision concerning 38± acres on Route 2 and Route 351 (Tax Map ID No. 92.-6-6). The Applicant is proposing to divide off 18.92 acres from the site to be used for a single-family residence. The original application for waiver of subdivision was approved by the Planning Board on August 6, 2009, but the plat was never stamped and filed with the County Clerk. The Applicant has paid the application fee. According to Attorney Griffin, there are no changes to the plat, and John Kreiger has confirmed there were no conditions on the original approval. Mr. Kestner will review new plans against the original to ensure there have been no changes. The matter has been placed on the agenda for the January 6, 2011 meeting.

Finally, the Board reviewed the meeting minutes from the December 2, 2010 meeting. Acting Chairman Czornyj noted at page 4-5 of those minutes it states that the addition to the building shown on the Oakwood Property Development site plan on the southern portion of the Parcel 14 that does not meet the 50' setback is said to have existed on the site prior to Oakwood Property's acquisition of the same. Upon further review, it has come to the Board's attention that Oakwood Properties had made application for that addition in 2004. The original map shows the addition in compliance with the required setbacks, but the current map shows a violation thereof.

Acting Chairman Czornyj also stated that representatives of Oakwood Property told him, Chairman Oster and Mark Kestner that Oakwood had in fact constructed the addition.

With that, Member Wetmiller moved to approve the minutes. Said motion was seconded by Member Tarbox and unanimously approved.

The **index** for the December 16, 2010 meeting is as follows:

1. Duncan Meadows PDD site plan – 1/6/11;
2. Oakwood Property Management, LLC – site plan/waiver of subdivision/rezone petition referral – 1/6/11;
3. Joseph Magno – waiver of subdivision application – 1/6/11.

The **proposed agenda** for the January 6, 2011 meeting currently is as follows:

1. Duncan Meadows PDD – site plan and minor subdivision;
2. Oakwood Property Management, LLC – site plan/waiver of subdivision/rezone petition referral;
3. Joseph Magno – waiver of subdivision application.