

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

MINUTES OF THE PLANNING BOARD MEETING HELD January 6, 2011

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.

Acting Chairman Czornyj noted that the Duncan Meadows PDD – site plan and minor subdivision matter and the Oakwood Property Management, LLC matters have been adjourned, and tentatively placed on the January 20, 2011 meeting agenda.

The first item of business on the agenda was the waiver of subdivision application by Joseph Magno for property located at Route 2 and Route 351, Tax Map ID No. 92.-6-6. F. Redman Griffin, Esq. was present for the Applicant. The Applicant seeks to divide an approximately 57 acre parcel into two parcels. The first parcel will total 18.92± acres, and will include the existing house and out-buildings with access from Route 2. The second parcel totaling 38± acres is and will remain vacant property, with access off Route 351. This application seeks to create two lots only, and no further subdivision or developments. This matter previously came before the Planning Board, and was approved on August 9, 2009. Mr. Kestner has reviewed the subdivision map, and confirms that it is identical to that which the Planning Board previously reviewed and approved. The matter is before the Planning Board again since

the Applicant failed to have the subdivision map stamped and signed and recorded in the Rensselaer County Clerk's Office. After confirming payment of all new filing fees, the Planning Board determined that there were no new issues which needed to be addressed on this application. Member Tarbox then made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Wetmiller. The motion was unanimously approved, and a negative declaration adopted. Thereupon, Member Mainello made a motion to approve the waiver of subdivision map, which motion was seconded by Member Christian. The motion was unanimously approved, and the waiver of subdivision application approved.

The Planning Board then reviewed the draft minutes of the December 16, 2010 meeting. One correction was noted. At page 6 of the draft minutes, the reference to Acting Chairman Czornyj, Chairman Oster, and Mark Kestner visiting the Oakwood Property site is an error. Acting Czornyj, Chairman Oster, and Ronald LaBerge, PE, were present for the Oakwood Property site visit, and Mr. Kestner had and continues to recuse himself from consideration of the Oakwood Property Management matter. With the noted correction, Member Tarbox made a motion to approve the minutes, which motion was seconded by Member Christian. The motion was unanimously approved, and the December 16, 2010 minutes were approved subject to the noted correction.

One item of new business was discussed.

A major subdivision application has been submitted by Charles Farrell for property located at the intersection of McChesney Avenue Extension and Town Office Road. The parcel is 54.57 acres in size, Tax Map ID No. 102-2-3.12. Brian Holbriiter was present for the Applicant. The Applicant has submitted a major subdivision application, major subdivision plans, and a Full Environmental Assessment Form. Mr. Holbriiter generally reviewed the

concept plan, seeking to create 23 lots on the property with a new subdivision road. The new subdivision road will connect Town Office Road with McChesney Avenue Extension. Mr. Holbriiter stated that there has been additional soils work completed on the site, and preliminary work performed concerning septic locations. Further, Mr. Holbriiter stated that the wetlands have been delineated on the site, and that such wetlands have federal jurisdiction. Mr. Holbriiter confirmed that there are no wetlands on the site regulated by the New York State Department of Environmental Conservation. Mr. Holbriiter generally reviewed the subdivision map sheets, including proposed house, septic, and well locations, road location, and general layout of the project. Mr. Holbriiter stated that with respect to proposed septic systems, 20 of the lots will have in-ground systems, and 3 lots will have shallow trench systems. 21 of the proposed 23 lots will have access off the proposed new subdivision road, with the remaining 2 lots having access directly off Town Office Road. Mr. Holbriiter stated that a work permit application will be submitted to the Rensselaer County Highway Department. Mr. Holbriiter also confirmed that the 2 existing buildings on the property will be removed, and that the property owner has agreed with another party to come in to take the buildings down and remove them for reconstruction at another site. Mr. Kreiger noted that a permit will be required from his office for the building removal. Mr. Holbriiter stated that he had already corresponded with the New York State Department of Environmental Conservation concerning endangered plants and species, confirming that no endangered plants or species are known on the project site. There was general discussion concerning the location of the new proposed subdivision road, specifically with its location off Town Office Road in terms of potential impacts to federal wetland areas. It was noted that this location has an existing culvert, but there was question as to the original construction and installation of the culvert. Mr. Holbriiter stated that either an extension of the

culvert will be required or a new culvert will be installed, and all necessary permits will be obtained, including any necessary permit from the Army Corps of Engineers. Member Christian asked whether all of the water supply will be from private wells. Mr. Holbriiter stated that all will be private wells. Member Christian then said with the total of 23 homes, the Applicant should be prepared to do an analysis of potential drawdown of the water table and potential impact on existing surrounding residential wells. Mr. Kestner concurred, stating that in the past the Planning Board has required a pump test to be performed to determine any potential impact to existing surrounding residential wells. Mr. Holbriiter stated that the Rensselaer County Health Department will require a minimum of 5 wells to be installed on this site for testing purposes, and that in conjunction with that effort the Applicant could perform a drawdown test. Mr. Kestner stated that he would like to work with Mr. Holbriiter on these locations for these test wells, both in terms of subsequent use for the residential lots as well as appropriateness for a drawdown test. Member Mainello inquired about drainage systems proposed along the subdivision road, noting that catch basins were connected to piping which was proposed to be under the roadbed itself. The Planning Board stated that the drainage piping should be within the road right-of-way, but not under the roadbed itself. Mr. Kestner stated that the drainage pipes should be located on the edge of roadway pavement, not under the roadbed. Mr. Holbriiter will address this issue. Member Tarbox inquired as to future ownership of stormwater detention basins. The Town policy concerning stormwater detention basins is that such remain in private ownership, and with respect to subdivisions, the Town has required a Homeowners Association to be created for the subdivision, and that the Homeowners Association takes legal ownership and responsibility for operation and maintenance of the stormwater basins created for the subdivision. It was noted that an Agricultural Data Statement will be required to be filed on this

application. Mr. Kestner stated that he wanted to review the Full Environmental Assessment Form as well. Member Tarbox inquired as to the proposed grade on the subdivision road. Mr. Holbriiter stated that the grade of the subdivision road off McChesney Avenue Extension is approximately 7.5%, flattening out in the center section, and a 4.85% grade as the road connects to Town Office Road. Mr. Holbriiter also confirmed that all appropriate back pitches have been designed into the subdivision road. Mr. Holbriiter also confirmed that the subdivision road has been designed according to Town Road Specifications. The Planning Board also generally discussed the location of the stormwater basins, and potential landscaping and safety issues. The Planning Board stated that it wanted time to review the proposed subdivision plans for completeness, and have an opportunity to have the Full Environmental Assessment Form reviewed. This matter has been placed on the January 20, 2011 agenda for further discussion.

Mr. Kreiger reported that he had been contacted by Reiser Bros. with a request that the site plan and commercial subdivision matter for Brunswick Farms be placed on the January 20 agenda. Mr. Kreiger reported that required project review fees had been paid by the Applicant. The Planning Board agreed to put the Reiser Bros. project on the January 20 agenda.

The members of the Planning Board, Mr. Kestner, and Mr. Gilchrist note with sadness the passing of Shawn Malone, former Chairman of the Planning Board. Mr. Malone's service to the Town of Brunswick, and his leadership as Chairman of the Planning Board, was consistently professional and worthy of praise.

The **index** for the January 6, 2011 meeting is as follows:

1. Joseph Magno – waiver of subdivision – approved;
2. Charles Ferrell – major subdivision – 1/20/11.

The **proposed agenda** for the January 20, 2011 meeting currently is as follows:

1. Duncan Meadows PDD – site plan and minor subdivision (tentative);
2. Oakwood Property Management, LLC – site plan/waiver of subdivision/rezone petition referral (tentative);
3. Charles Farrell – major subdivision;
4. Reiser Bros. – site plan and commercial subdivision.