

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

**MINUTES OF THE PLANNING BOARD MEETING HELD January 20, 2011**

PRESENT were CHAIRMAN RUSSELL OSTER, MICHAEL CZORNYJ, GORDON CHRISTIAN, KEVIN MAINELLO and DAVID TARBOX.

ABSENT were FRANK ESSER and VINCE WETMILLER.

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

Member Czornyj acted as Chairman for the January 20, 2011 meeting.

The draft minutes of the January 6, 2011 meeting were reviewed. No corrections were made. Upon motion of Member Mainello, seconded by Member Christian, the minutes of the January 6, 2011 meeting were unanimously approved.

Chairman Czornyj noted that the applications submitted by Oakwood Property Management, LLC had been adjourned, and are tentatively placed on the February 3, 2011 agenda.

The first item of business on the agenda was the Duncan Meadows PDD site plan and minor subdivision. Francis Bossolini, PE was present for the Applicant. Mr. Bossolini reported to the Board that his clients had met with the owners of Highland Creek PDD project concerning coordinating on construction of one sewage pump station to service the Highland Creek project and Phase III of the Duncan Meadows project. Mr. Bossolini reported that the owners have conceptually agreed on cooperating on the construction of one sewage pump station. Mr. Kestner explained that the Highland Creek PDD project needed a sewage pump station, and Phase III of

the Duncan Meadows condominium project also needed the use of a pump station to transmit the wastewater from that portion of the project. Rather than having two sewage pump stations on adjacent projects, Mr. Kestner explained that coordination and construction of one sewage pump station was preferable. The details of sewage pump station construction will need to be finalized with the Brunswick Building Department, Brunswick Water Department, and Town consulting engineer. Mr. Bossolini also noted that he is finishing his response to comments received from Mr. Kestner on the project SWPPP. Mr. Bossolini reported that he had completed incorporation of all comments from Brunswick No. 1 Fire Department regarding hydrant location and road widths in proximity to all hydrants on the project. Mr. Bossolini did report that the issue of project lighting was raised by Mr. Kestner, and that the project does not propose to include any pole lighting in any parking areas, and merely have porch style lighting on each of the buildings. Mr. Bossolini explained that the senior apartments are not part of the current site plan, and it is anticipated that there will be pole lights in a parking lot area for the senior apartments. However, Mr. Bossolini acknowledged that the owners will need to submit a full site plan application for construction of the senior apartments, which will include a lighting plan. Chairman Czornyj wanted to confirm that there would be no flood lights on any of the buildings. Mr. Bossolini stated that no flood lights will be used, and merely porch style lighting. Mr. Bossolini also reported that some of the driveway areas on the project had been reconfigured to address comments from Member Tarbox. Mr. Bossolini further reported that he had been in contact with engineers for Wal-Mart regarding Wal-Mart's plans for construction of stormwater facilities and wetland areas on the former DiGiovanni parcel adjacent to McChesney Avenue, in relation to the stormwater discharge plan for that portion of the Duncan Meadows project adjacent to the former DiGiovanni parcel. Part of the stormwater discharge from the Duncan Meadows project will be

channeled over the DiGiovanni parcel to an existing stream, and Wal-Mart will coordinate with the Duncan Meadows project and grant an easement for that stormwater discharge. Member Czornyj wanted to confirm that Mr. Bossolini was working with the Wal-Mart engineers to divert water away from the existing home located on McChesney Avenue also adjacent to the former DiGiovanni parcel. Mr. Bossolini said that was the goal of the Duncan Meadows stormwater plan. Member Czornyj noted for the record that a letter had been received from the Eagle Mills Fire Department in favor of an emergency helipad for the parking lot area of the recreational facility on the Duncan Meadows project. The Planning Board noted for the record that this issue had been forwarded to the Town Board for consideration, and is not part of the current site plan discussions. Thereupon, Attorney Gilchrist and Mr. Kestner reviewed a series of proposed conditions to be considered by the Planning Board in connection with any action on the Duncan Meadows site plan. Based on deliberation by the Planning Board, Attorney Gilchrist and Mr. Kestner will review and finalize the conditions on the Duncan Meadows site plan for final review by the Planning Board at the February 3 meeting. Member Tarbox inquired whether any extra signage would be placed on McChesney Avenue Extension near the entrance to the recreational field. Mr. Kestner stated that road signage would need to be coordinated with the County Highway Department and County Engineer. Mr. Bossolini said that he would research industry standards regarding signage and proximity to recreation fields and coordinate with the County Engineer on that issue. This matter is placed on the February 3 agenda for consideration of final conditions on the Duncan Meadows site plan.

The next item of business on the agenda was the major subdivision application submitted by Charles Farrell for property located on McChesney Avenue Extension and Town Office Road. Scott Reese, registered landscape architect, was present for the Applicant. Mr. Reese reported to

the Planning Board that the Applicant was still addressing the prior comments from the Planning Board on the preliminary subdivision plat. The Planning Board had a discussion regarding the culvert which had been previously placed in a drainage ditch along Town Office Road, and the Applicant's proposed use of the culvert for access for the subdivision road off of Town Office Road. The Planning Board noted that this needed to be coordinated with the U.S. Army Corps of Engineers regarding federal wetland issues. The Planning Board noted that the culvert had been placed in the drainage ditch by a prior owner in connection with a proposed equine riding arena, but that project had not moved forward. Mr. Kreiger did note that there was some question regarding the initial installation of that drainage culvert, and that this issue did need to be reviewed with the County Highway Department and the County Engineer, as well as the U.S. Army Corps of Engineers. Mr. Reese inquired whether the Planning Board could move forward and schedule a public hearing. Attorney Gilchrist noted that prior to moving this major subdivision to public hearing on the preliminary plat, SEQRA should be coordinated with other involved agencies, and initial comments from other involved agencies should be received and considered by the Planning Board, most notably the U.S. Army Corps of Engineers. The Planning Board directed Attorney Gilchrist to commence SEQRA lead agency coordination with other involved agencies. Further, Mr. Kestner noted that he had reviewed the preliminary plat, and would prepare a full comment letter for the Planning Board and Applicant. The Planning Board noted that there were three proposed driveways on the subdivision plat which were very lengthy, ranging from 400' to as much as 1,000'. The Planning Board requested the Applicant to look at these lengthy driveways, particularly with respect to the amount of stormwater runoff from the driveways. Member Mainello again inquired as to the closest connection for public water and public sewer for this project site. Mr. Kestner noted that the closest public water may

be on Town Office Road, and the closest public sewer was on McChesney Avenue Extension, but both were significant distances from the project site. This matter has been placed on the February 17 agenda for further discussion in light of the SEQRA lead agency coordination process.

The next item of business on the agenda was the commercial subdivision and site plan by Reiser Bros. Inc. for property located at the intersection of NYS Route 2 and NYS Route 278 (Brunswick Farms). Henry Reiser and Scott Reese, RLA were present. Mr. Reese brought the Board up to date on the proposed wastewater plan, which has been prepared and submitted to NYSDEC and Rensselaer County Department of Health for conceptual review. However, neither NYSDEC nor the Rensselaer County Department of Health have yet responded to the proposed wastewater plan. The Applicant inquired how the Planning Board wished to proceed on this application. Attorney Gilchrist reviewed the significant issues which have been raised on this application, including removal of material from the project site, wastewater design, and drainage to DOT facilities. Attorney Gilchrist reiterated that NYSDEC has determined that a NYS MLRL Mining Permit is not required for this project, subject to the condition that construction of the underlying project proceed within six months of the start of the initial grading on the site. In turn, this requirement has raised the issue of an approvable wastewater design, so that the project can commence construction within six months of the start of the initial site grading. The Applicant has now prepared a proposed wastewater system, which continues to be reviewed by NYSDEC and Rensselaer County Department of Health. Further, the NYSDOT has conceptually approved the curbcut locations for entrances to the proposed commercial uses both on NYS Route 2 and NYS Route 278. However, it is Mr. Kestner's understanding that the proposed wastewater system is designed to discharge treated wastewater to the NYSDOT culvert system along NYS

Route 278 and NYS Route 2, and review and conceptual approval of that proposal will be required from NYSDOT for consideration by the Planning Board. Finally, when the Applicant was last before the Planning Board, he described a proposed berm to be constructed to the rear of the residential lots upgradient from the project site to provide a buffer between the residential use and the commercial use. The Planning Board is requiring that the Applicant provide detail on the berms for review. Accordingly, the Planning Board has determined that it can move forward and renote and continue the public hearing on this application at such time as it has received information and conceptual approval on the wastewater design from NYSDEC, Rensselaer County Department of Health, and NYSDOT. Further, the Applicant will need to submit details concerning the proposed berms between the upgradient residential lots and the project site. Once the record is complete on these issues, the Planning Board will be in a position to move forward and renote and continue the public hearing. At that point, the Planning Board will be in a position to make a SEQRA determination. Once the SEQRA determination is made, the Brunswick Zoning Board of Appeals will be in a position to act upon the special permit application pending before the ZBA concerning the proposed “filling station”. Once the ZBA has acted on the special permit application, the Planning Board will then be in a position to act upon the proposed site plan as well as commercial subdivision. Both the Planning Board and the Applicant understood the proposed procedure. This matter is adjourned until such time as further information is received from NYSDEC, Rensselaer County Department of Health, NYSDOT, and also information from the Applicant concerning the proposed berm.

Two new items of business were discussed.

The first item of new business discussed was a site plan application submitted by A&S Diesel, 850 Hoosick Road. The Applicant is seeking to install a 10,000 gallon diesel fuel tank at

the existing A&S Diesel facility for use by the public. It is noted that this proposal has received a special permit from the Zoning Board of Appeals for a “filling station”. This matter is placed on the February 3 agenda for further discussion, and the application information was forwarded to the Brunswick No. 1 Fire Department for review and comment.

The second item of new business discussed was a site plan application submitted by Tamarac Auto Sales for a proposed used car lot at the Tamarac Plaza located on Route 2 opposite Tamarac School. Upon initial review, the Planning Board determined that the application was incomplete, and the matter will not be placed on an agenda until such time as a complete site plan has been submitted. Mr. Kreiger will pull the Planning Board minutes when a proposal for a used car lot at this location was last discussed by the Planning Board.

The **index** for the January 20, 2011 meeting is as follows:

1. Duncan Meadows PDD site plan and minor subdivision – 2/3/11;
2. Charles Farrell – major subdivision – 2/17/11;
3. Reiser Bros. Inc. – commercial subdivision and site plan – adjourned without date;
4. A&S Diesel – site plan – 2/3/11;
5. Tamarac Auto Sales – adjourned until complete site plan application submitted.

The **proposed agenda** for the February 3, 2011 meeting currently is as follows:

1. Duncan Meadows PDD – site plan and minor subdivision;
2. A&S Diesel – site plan;
3. Oakwood Property Management, LLC – site plan/waiver of subdivision/rezone petition referral (tentative).