

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

Zoning Board of Appeals
TOWN OF BRUNSWICK
336 Town Office Road
Troy, New York 12180

MINUTES OF THE REGULAR PLANNING BOARD MEETING AND JOINT SPECIAL ZONING BOARD OF APPEALS MEETING HELD OCTOBER 15, 2020

PRESENT were RUSSEL OSTER, CHAIRMAN, DAVID TARBOX, LINDA STANCLIFFE, DONALD HENDERSON, J. EMIL KREIGER, and ANDREW PETERSEN.

ABSENT was KEVIN MAINELLO.

ALSO PRESENT were CHARLES GOLDEN, Brunswick Building Department, and WAYNE BONESTEEL, P.E., Review Engineer to the Planning Board.

The Brunswick Zoning Board of Appeals, pursuant to Notice of Special Meeting, is joining the Planning Board meeting for purposes of conducting joint public hearings on the applications of (1) David Leon for subdivision and site plan and use and area variance for a grocery store and two fast-food restaurants with drive-thru located at 658-664 Hoosick Road; and (2) HDIGSL, LLC for a special use permit and area variances for a detached accessory apartment on property located at 394 Pinewoods Avenue. PRESENT were ANN CLEMENTE, CHAIRPERSON, JESSICA CHARETTE, E. JOHN SCHMIDT, JOHN MAINELLO, and PATRICIA CURRAN.

Chairman Oster reviewed the safety procedures and protocols in place for meetings held at the Town of Brunswick Town Hall under the current Covid19 Public Health Emergency.

Chairman Oster reviewed the agenda for the Planning Board meeting, noting that the public hearings on each of the Leon and the HDIGSL, LLC applications will be joint public hearings with the Brunswick Zoning Board of Appeals.

Both the Planning Board and the Zoning Board of Appeals opened their respective meetings. Both the Planning Board and Zoning Board of Appeals thereupon opened a joint public hearing on the applications submitted by David Leon for property located at 658-664 Hoosick Road. The pending applications for this project include applications for subdivision and site plan submitted to the Planning Board and use and area variance submitted to the Zoning Board of Appeals. The joint public hearing is being opened by the Planning Board and Zoning Board of Appeals with respect to their respective pending permit applications. Chairman Oster reviewed the rules of the public hearing. The Notice of Joint Public Hearing was read, with the Joint Public Hearing Notice having been published in the Troy Record, placed on the Town sign board, posted on the Town website, and mailed to owners of properties surrounding the project site. The Boards requested that the applicant make a presentation concerning the applications. Jamie Easton, P.E., of M.J. Engineering, appeared on behalf the applicant. Mr. Easton noted that the project was proposed for property located near 660 Hoosick Road, and he presented the overall plan for the property as well as a history of the prior project approvals for this site. Mr. Easton noted that the site had previously been approved for construction of an Aldi Supermarket and a Taco Bell fast-food drive-thru restaurant. Mr. Easton explained that the Taco Bell has now opened at a different site and that a different tenant would be in the restaurant previously proposed. Mr. Easton outlined the differences between the current application and the application that had been previously approved. Mr. Easton noted that sidewalks have been added as well as additional landscaping, and that the traffic light was proposed to be located at the Hoosick Road curb cut for the Planet Fitness parking lot area. Mr. Easton explained that the proposal called for construction of a roadway from the adjoining residential neighborhood to the site and through the site to the proposed light at Hoosick Road. Mr. Easton explained that the roadway would be designated as a

one-way road with traffic to travel from the residential neighborhood toward the project site. Mr. Easton explained that this would provide the neighborhood with access to a traffic light for entry onto Hoosick Road. Mr. Easton explained that the current application is a commercial site plan application located along Hoosick Road and that the application does not currently include any proposal for the parcel located to the rear. Mr. Easton acknowledged that the parcel to the rear had been the subject of a prior application for construction of multi-family housing, but that the prior application has been withdrawn. Mr. Easton then reviewed the variances that would be required for the project with the Board and the public. Mr. Easton stated that an area variance would be needed for the pavement setback, noting that the location of the pavement had been previously approved as part of the prior project under the prior zoning law. In addition, Mr. Easton stated that a use variance would be required for approximately 2500 +/- square feet of parking area in the R15 Zoning District. Mr. Easton noted that the approximate size of the use variance required would amount to approximately 11 parking stalls. Mr. Easton stated that the project requires approximately 220 parking spaces under the zoning requirements, and that the applicant was proposing 231 parking spaces because the Planning Board had suggested that more parking may be necessary. Chairman Oster then opened the floor for receipt of public comment before the Boards. Travis Bradley, 3 Watson Avenue, stated that he does not understand the concept of area and use variances and asked the applicant to explain what those applications were for and why they were required. Mr. Easton generally explained the concept of an area variance and a use variance and outlined the area and use variance that would be required for this particular project. Betty Fucci, 36 Killock Avenue, stated that she opposes the roadway connecting to the residential neighborhood. She indicated that the neighborhood already has an access road to the Price Chopper Plaza and questioned whether anybody from the neighborhood would use the roadway to

access the light at the Planet Fitness driveway intersection with Hoosick Road. Ms. Fucci stated that although the applicant stated that the prior application for multi-family housing had been withdrawn, she believes that the roadway proposal is tied into that project and that the multi-family housing proposal will simply be another phase in the development of these properties. Mary Ellen Adams, 18 Cooper Avenue, asked whether the roadway into the neighborhood would be one-way. The applicant responded that the roadway would be one-way from the neighborhood towards the project site, providing a means of egress for the neighborhood residents to access Hoosick Road at the light. Ms. Adams asked whether there would be utilities along the road. The applicant responded that the proposal included water infrastructure to loop the water system to insure adequate fire flows for the project. Ms. Adams asked whether the infrastructure would be tailored to the size of this particular project only. The applicant responded that the minimum size for a waterline is 8". Mr. Easton stated that the water usage requirements for these particular buildings would probably only require a 1 or 2 inch waterline but that they need a larger waterline for fire protection purposes. Mr. Easton stated that the proposal has nothing to do with the project that had previously been proposed for the rear parcel which had been withdrawn. He reiterated that the minimum size waterline for this project would be 8 inches. Ms. Adams stated that she thinks the infrastructure is being designed to accommodate a future project on the rear parcel to support a multi-family project. Ms. Adams stated that Cooper Avenue is located behind gas stations on Hoosick Road and that on a good day, it will take approximately 30 minutes for her to get to Walmart. Ms. Adams stated that she believes that cars will be stacking up at the intersection notwithstanding the traffic light. She further stated that the project proposal threatens the atmosphere of the community. Chairman Oster stated that with regard to the looping of the water system, the Brunswick Water Department generally encourages water system looping to mitigate

or prevent water outages during a water-main break. Joseph Anthony, 36 Goodman Avenue, stated that he has a septic tank and wants to know when the Town will consider putting in sewer lines. Mr. Anthony further stated that this area of Hoosick Road is often stop-and-go traffic and if anyone wants to “park” in that area, they just need to pull out onto Hoosick Road. Mr. Anthony further stated that Hoosick Road does not have appropriate bus pull-off areas and that he travels the road every day and it takes him 45 minutes to get to areas along Hoosick Road. Kate Constantine, 4 Woodward Avenue, stated that the residential neighborhood does not need the road connection and that the neighborhood on the opposite side of Hoosick Road is already suffering from speeding traffic and that the road and light installation as proposed would have a similar result in her neighborhood. Ms. Constantine stated that she disbelieves that the applicant is building a road out of the goodness of his heart. She further stated that the roadway makes very little sense and that the applicant is attempting to put too much development onto the site. Ms. Constantine further stated that she believes that the multi-family project previously proposed will eventually be part of this project and that she wants to now sell her home because of it. She also believes that the proposed road would serve as a cut-through to other neighborhood streets. Travis Bradley, 3 Watson Avenue, asked how wide the roadway would be, and what is required for a one-way road. The applicant responded that the proposed roadway would be 26 feet wide and the code requires a minimum width of 16 feet. Mr. Bradley stated that he believes that the apartment complex will be built eventually as a result of the construction of this roadway and installation of the traffic light. Mr. Bradley further stated that the residential neighborhood actually does not have very many homes in it and that the construction of the roadway will negatively impact the neighborhood and the Town of Brunswick. He stated that he would sell his home. Mary Ellen Adams, 18 Cooper Avenue, stated that if 16 feet is required for a one-way road, but the proposed roadway is 26 feet

wide, then the 26 foot wide roadway could allow for two-way traffic. John Rafter, 24 Woodward Avenue, stated that there is no reason for the construction of the road and that there is no need for the neighborhood to have access to the traffic light at the project site. Mary Bruno, 102 Lumax Run, stated that the increased development on Hoosick Road has created traffic problems and that Hoosick Road cannot handle more traffic. Ms. Bruno stated that she does not believe there is any need for more fast food restaurants in the area and that the Board should be protecting the landscape of Brunswick. She further stated that the traffic avoids Hoosick Road by using the side streets as thoroughfares. Jim Tkacik, 387 Brunswick Road, stated that he does not live in the subject neighborhood. He stated that at 11:00 am at the Planet Fitness, traffic traveling on Hoosick Road was stopped for 20 seconds, which to him, is an eternity. He further stated that between 11:30 am and 2:00 pm, the intersection of Lake and Hoosick is blocked by traffic. He stated that the traffic studies do not make sense. He suggested that the applicant install a camera along Hoosick Road and count how many times traffic comes to a complete stop. He stated that the traffic light would possibly encourage traffic from the Cumberland Farms, Wendy's, KFC, Aldi, and the residential neighborhood to use the traffic light, but that there would be no place for the cars to go once they reach Hoosick Road. He further stated that it is his understanding that there is a proposal for another grocery store directly across Hoosick Road along Lord Avenue. He further stated that vehicles in that area cannot make a right hand turn or a left hand turn onto Hoosick Road. He further stated that the area of the parking lot in front of the Planet Fitness on the site is proposed as a traffic lane. Planet Fitness customers will have to cross this traffic lane to get to the area where their vehicle is parked. He commented that traffic lanes in a parking area are not a good idea. He further asked what would happen to the snow on the site. He further stated that there would be no place for the traffic to go once they reach the light. Damian Constantine, 4

Woodward Avenue, asked where the water infrastructure would loop. The applicant responded that the waterline would connect from Woodward to Hoosick. Mr. Constantine stated that digging for the lines in that area would require jack hammering, and that the project proposal includes no thoughtfulness for the community. He asked when construction would take place, including whether it would take place at daytime or nighttime given the traffic on Hoosick. He stated that the project proposal will impact families in the area in negative way and that the area does not need any more fast food restaurants or grocery stores. He asked whether the proposed roadway would be lighted and whether it would include sidewalks. He stated that the project would amount to a terrible disruption to good people in the neighborhood. Joseph Anthony, 36 Woodward Avenue, asked who makes the decision on this project and when. Chairman Oster explained the process to Mr. Anthony. Chairman Oster stated that the applicant will receive the comments and would provide a response to them. Chairman Oster then stated that the Zoning Board of Appeals would vote on the variance applications and the Planning Board would vote on the site plan and subdivision applications. Mr. Anthony asked whether any Board members lived in this neighborhood. Chairman Oster stated that he lives on Marthon Drive, on the other side of Cooper Pond. Mr. Anthony stated that the Board should consider studying Hoosick Road in general first, before authorizing additional development along Hoosick Road. Chairman Oster stated that Hoosick Road is a state highway and that the Town and DOT are in continuous dialogue concerning development along that corridor. Travis Bradley, 3 Watson Avenue, wanted to know who votes on the project, the Boards or the residents. Chairman Oster responded that the Boards vote on the projects. Mr. Bradley asked whether they were elected or appointed. Chairman Oster stated that they were appointed. Mr. Bradley stated that if the project is approved he would oppose the re-election of the current Town Supervisor. Sarah Coonrad, 30 Killock Avenue, stated that the

neighborhood does not need the proposed road. She stated that the proposed road would serve as a cut-through and that her three children are currently home schooled and they use the neighborhood streets for hiking, biking, and hockey for activity. Ms. Coonrad stated that the neighborhood will suffer if the road is developed. She requested that the applicant consider smaller businesses like a local produce grocer that would benefit the Town of Brunswick. She questioned why the road would be 26 feet wide if it is proposed to be one-way. She stated that the sound of cars on the road would impact the neighborhood. She stated that lights from the site will shine into the neighborhood. She asked whether the businesses at the site would close at 9:00 pm so that the residents in the neighborhood can sleep. Lisa Dunham, 3 Watson Avenue, stated that she was raised in Sycaway and that her neighborhood would be directly impacted by the access road. She stated that if there was more traffic added, then there would be more speeding and she is concerned for the safety of children in the neighborhood. A resident at 10 Mellon Avenue asked whether DOT has actually approved the light. The applicant responded that the DOT has reviewed the proposal and much of the technical work has been completed, but that it has not formally been fully approved yet. The commenter stated that the light will stack up traffic in that area and that the applicant was being disingenuous in suggesting that the project does not include the parcel to the rear for multi-family housing. Fred Ring, 31 Woodward Avenue, stated that traffic will cut through the neighborhood regardless of any signage that is put up indicating that it is a one-way street. He criticized the uncoordinated development along Hoosick Road and asked whether the Town of Brunswick was going to be a destination community or instead become a pass-through fly-over to the northeast. He further stated that the utilities will be the infrastructure to service the apartment complex that had been previously proposed. He stated that the access road is not really necessary as part of the project. John Rafter, 24 Woodward Avenue, asked where the one-way

portion of the roadway would begin. The applicant responded that the area from Woodward Avenue to project site would be one-way. Damian Constantine, 4 Woodward Avenue, asked when the traffic study took place. The applicant responded that it took place in 2019. Mr. Constantine stated that the traffic study appeared to be taken beginning on February 8, 2019 and that the snow plows took out the traffic counters on or about February 13, 2019 and that a five day traffic study was not sufficient to understand existing traffic conditions. Sarah Coonrad, 30 Killock Avenue, stated that she was disappointed that the applicant, Mr. Leon, was not present to respond to the comments and to hear the comments of the neighborhood. The Planning Board and Zoning Board of Appeals then discussed whether or not to close the public hearing. Chairperson Clemente made a motion for the Zoning Board of Appeals to close their public hearing with the exception that written public comments would be accepted for the next two weeks, with such written comments to be addressed to the Building Department. The motion was seconded by Member Curran, and upon a vote was unanimously approved. Chairman Oster then made a motion that the Planning Board close its public hearing with the exception that written public comments would be accepted for the next two weeks, with such written comments to be addressed to the Building Department. Member Henderson seconded the motion and upon a vote the motion was unanimously approved.

The next item on the agenda was the joint public hearing on the applications submitted by HDIGSL, LLC for special use permit from the Planning Board and area variances from the Zoning Board of Appeals for property located at 394 Pinewoods Avenue. Chairman Oster reviewed the rules of the public hearing. The notice of public hearing was read into the record, with the joint public hearing notice having been published in the Troy Record, placed on the Town sign board, posted on the Town website, and mailed to owners of surrounding properties. The Board requested that the applicant present the project. Darin Palmetto appeared on behalf of the applicant. Mr.

Palmetto stated that he was seeking a special use permit and area variance to address existing non-conforming uses and structures on the site. He stated that there is an accessory apartment on the site, but that a special use permit is required for accessory apartments in the applicable zoning district. He further stated that the property requires area variances because the primary structure encroaches upon the minimum front setback and the accessory structure encroaches upon the minimum side yard setback. Ann Lanoue, 16 Banbury Road, asked for an explanation on the variance request. Mr. Palmetto and the Zoning Board generally discussed the variances needed for the project. Chairperson Clemente then reviewed the various questions that had been asked and answered at the September meeting for the benefit of the public. Chairperson Clemente asked the applicant whether any other options were explored. The applicant responded that no other options were explored because the structures currently exist. The applicant stated that the non-compliance was brought to his attention and they filed the applications in order to bring the property into compliance with zoning requirements. Chairman Oster invited any further comment. Hearing none, Chairman Oster then made a motion to close the public hearing, which was seconded by Member Henderson and was unanimously approved. Mr. Schmidt made a motion that the Zoning Board of Appeals close its portion of the public hearing, which was seconded by Member Curran and was unanimously approved. Thereupon the Zoning Board of Appeals closed its Special Meeting.

The Planning Board continued its regular business meeting. The Planning Board members reviewed the draft minutes of the August 20, 2020 meeting. Chairman Oster made a motion to approve the draft minutes of the August 20, 2020 meeting, which motion was seconded by Member Kreiger and was unanimously approved.

The Planning Board members then reviewed the draft minutes of the September 3, 2020 meeting. Chairman Oster made a motion to approve the draft minutes of the September 3, 2020 meeting, which motion was seconded by Member Stancliffe and was unanimously approved.

Chairman Oster then explained that the minutes for the September 17, 2020 meeting were not yet available for review, and that the October 1, 2020 meeting had been cancelled.

The first item of business on the agenda was the subdivision and site plan application submitted by David Leon for two fast food drive thru restaurants, the existing Planet Fitness, and the grocery store for property located at 660 Hoosick Road. Chairman Oster noted that the Planning Board had allowed a period of two weeks for written comments to be received on the application. Taking into account the time needed for the applicant to respond to comments, the matter was tentatively placed on the agenda for November 19, 2020.

The next item of business on the agenda was the special use permit application of HDIGSL, LLC for property located at 394 Pinewoods Avenue to permit a detached accessory apartment. The Board discussed that the accessory apartment was currently existing and the application was made in order to bring it into compliance with zoning requirements. Member Stancliffe asked whether there was any progress made on the review of the septic system. The applicant responded that the County Health Department is currently reviewing the septic system. Member Stancliffe then made a motion to adopt a negative declaration under SEQRA, which was seconded by Member Tarbox, and was approved unanimously. The Board noted that the application needs area variances, and that it was likely to be on the agenda for the Zoning Board of Appeals meeting scheduled for October 19, 2020. Accordingly the matter was placed on the November 5, 2020 meeting agenda.

The next item of business on the agenda was the major subdivision application of Brunswick Road Development LLC for a 44-acre parcel located along the north side of Brunswick Road just west of Heather Ridge Road. Chad Kortz, P.E., appeared on behalf of the applicant. Mr. Kortz stated that the applicant had provided a response to the comments received at the public hearing. He further stated that the applicant was working through the necessary revisions for the next Planning Board meeting incorporating comments from the Planning Board's consulting Engineer, the Planning Board and Bill Bradley. Ron Laberge, of Laberge Engineers, appeared as the consulting Engineer for the Planning Board. He stated that they did not have any significant issues with the responses to the comments. He stated that the applicant's response anticipated that the construction of the road would begin as early as November 2020, but such a schedule seems unlikely. Mr. Laberge stated that there was a comment received as to the risk of the ponds overflowing and flooding Route 2, and that the response provided by the applicant was not complete and he requested that the applicant provide a complete response. Mr. Laberge stated that his review of the plans suggest that overflowing and flooding is not likely. Mr. Laberge stated he is awaiting revised plans for review. Member Tarbox asked what approvals would be necessary for the landlocked parcel to be approved for residential development. The Board discussed that the subject parcel could be included in the PDD by a PDD amendment approval, or alternatively the owner of the parcel could develop it in accordance with the existing zoning and subdivision regulations for that particular parcel. The Board also discussed that any further extension of the cul-de-sac road as a dead-end would require Town Board approval given the number of lots. The Board then discussed with the applicant the current deadline for the Board to act on the subdivision application. The applicant consented to extend the deadline to December 18, 2020. The matter was tentatively placed on the agenda for November 5, 2020.

The next item of business on the agenda was the special use permit and site plan application made by Blue Sky Towers III, LLC/Cellco Partnership d/b/a Verizon Wireless, for construction of a monopole tower on property located on Creek Road. David Brennan, Esq., and Rick Andras, RF Engineer for Verizon, appeared on behalf of the applicant. Mr. Brennan stated that the applicant had submitted revised plans under cover letter dated September 22, 2020, and that the applicant had received comments of Laberge Group under letter dated September 29, 2020. Mr. Brennan indicated that the applicant will submit responses to the review letter of Laberge Group. Mr. Brennan further stated that he had received from the Building Department a photograph of a stealth tree in the Town of Halfmoon. Mr. Brennan stated that he responded to Mr. Golden's email concerning the stealth tree in Halfmoon and that the photograph provided of the Halfmoon tower is not representative of what this proposal would look like. Mr. Laberge asked the applicant to clarify the number of arrays that were planned for the tower. Mr. Brennan responded that the proposal initially sought two arrays, but with the extent of the branching proposed on the stealth tree, another array can physically be accommodated on the pole. Mr. Brennan stated that it is his expectation that a third array is not likely to proceed, but that there was enough space on the pole to allow for it. Mr. Brennan stated that the height of the third array was likely too low to be attractive to any third carrier. Chairman Oster asked what height would work for the third array. Mr. Brennan responded that it really depends on the carrier and what gaps in coverage they are attempting to fill. Chairman Oster asked whether there was any intention to propose a higher tower to accommodate additional antennas. Mr. Brennan responded that there is no such intention. Mr. Laberge then reviewed his comment letter of September 29, 2020 with the Board. After that review, he indicated that he expects his next letter will be a final review letter that would include recommended conditions of any approval. Member Stancliffe asked whether there was any need

for a microwave dish. The applicant responded that no microwave dish was proposed and that it is expected that fiber will service the site. Mr. Brennan then outlined what he believed would be the next steps in the application process. Mr. Brennan stated that the Board could undertake its SEQRA review at the November 5, 2020 meeting, followed by the Zoning Board of Appeals meeting to review the variance applications on November 16, 2020. The Planning Board would have the opportunity to review the site plan and special use permit applications once the Zoning Board of Appeals acted on the variance applications, but Mr. Brennan was not sure if the Zoning Board of Appeals would act on November 16, 2020 or not. Mr. Brennan requested that the matter be placed on the November 5, 2020 agenda for SEQRA review. The Planning Board placed the matter on the agenda tentatively for the November 5, 2020 meeting. In terms of the shot clock, Mr. Brennan stated that he viewed the Board as having been working in good faith to review the application in a timely manner and he would work with Attorney Gilchrist's office to document necessary extension of time at month end, as they had done in the past.

The next matter on the agenda was the minor subdivision application submitted by Sean Gallivan seeking approval to create three additional lots on a previously subdivided parcel located on the northerly and easterly side of Deepkill Road. Member Stancliffe recused herself from participating on this matter. Brian Holbriiter appeared on behalf of the applicant. Mr. Holbriiter acknowledged the receipt of the review letter dated October 15, 2020 from Mr. Bonesteel and stated that a SHPO letter had been submitted. Mr. Bonesteel indicated that the SHPO letter must be included in the SWPPP. Mr. Holbriiter indicated that the subdivision plan had been adjusted given the discovery of gravel deposits on lot 6 which could be used for an in-ground septic system on lot 6. Mr. Holbriiter explained that the property to be annexed from lot 6 to lot 2 will be smaller than originally proposed so that lot 6 can retain the gravel deposit for the septic system. Mr.

Holbriiter indicated that the applicant would respond to the comment letter received from Mr. Bonesteel. Member Tarbox indicated that the septic design on lot 5 seems unusual and he asked Mr. Bonesteel to review it. The matter was placed tentatively on the agenda for the November 5, 2020 meeting.

The next item of business on the agenda was the special use permit and site plan application of AC Property and Development LLC for property located at 4048 NYS Route 2 in furtherance of a mixed-use development consisting of two buildings for use as retail and apartments. The applicant was not in attendance. The matter was adjourned without date pending receipt of information from the applicant.

There were two items of new business addressed.

The first item of new business addressed was the application submitted by Charles Farrell seeking a subdivision of lots 14 and 20 in the Doubleday Estates subdivision on Line Drive. Brian Holbriiter appeared on behalf of the applicant. Mr. Holbriiter explained that lots 14 and 20 both are currently large keyhole lots. The applicant seeks to divide lot 14 into two separate lots, lot 14A consisting of 1.672 +/- acres and lot 14B, consisting of 2.443 +/- acres. Mr. Holbriiter indicated that each of the lots would have 25 feet of frontage along Line Drive. Mr. Holbriiter explained that lot 20 is proposed to be divided into lot 20A consisting of 1.759 +/- acres, and lot 20B consisting of 3.066 +/- acres. Each of the lots 20A and 20B would also have frontage on Line Drive. Mr. Holbriiter also indicated that the proposal seeks to annex a portion of lot 19 to lot 20A. Mr. Holbriiter also indicated that the applicant seeks to transfer some property to lot 21. Mr. Holbriiter stated that the driveway length for all of the lots would be in excess of 150 feet, with the driveway length on lot 20A being approximately 250 feet and the driveways on the other lots being approximately 375-400 feet. Mr. Holbriiter stated that given the length of the driveways,

they would be built to private roadway standards. He further stated that the driveways would need to comply with the requirements of the fire code. Mr. Bonesteel asked whether any of the stormwater facilities are located on these lots. Mr. Holbriter indicated that all the stormwater facilities are located on lot 21 and lot 13. Mr. Holbriter stated that the Army Corps wetlands were delineated prior to the location of the septic systems on the proposed lots. The Board discussed the fact that the application seeks to amend a previously approved subdivision and generally discussed whether a major or minor subdivision application needed to be filed. The application seeks the creation of two new lots and transfers of property with minor lot line adjustments from some lots to the proposed new lots. The Board discussed that the application appears to be qualified for minor subdivision application. Attorney Tingley noted that any of the additional lots that would either be receiving property or providing property to the new lots would need to have the owners of such properties consent in writing to the application. The matter was placed on the agenda for the November 19, 2020 Planning Board meeting.

The next item of new business discussed was the application by Charles Farrell for a minor subdivision of a parcel of 11.75 acres located on the northerly side of McChesney Avenue Ext. Brian Holbriter appeared on behalf of the applicant. Mr. Holbriter explained that the proposal seeks to create three building lots and a 9.44 acre residual parcel. Mr. Holbriter stated that the proposal would allow space for a possible future street to access the residual parcel to the rear in case the owner wants to further subdivide the residual parcel. The matter was placed on the agenda for the November 19, 2020 Planning Board meeting.

The index for the October 15, 2020 meeting is as follows:

1. Leon - site plan/subdivision - November 19, 2020 (tentative) (joint public hearing with Zoning Board of Appeals closed and a two week written comment period provided);
2. HDIGSL, LLC – special use permit – November 5, 2020 (joint public hearing with Zoning Board of Appeals held; Negative Declaration adopted);
3. Brunswick Road Development, LLC/Brunswick Acres PDD – major subdivision – November 5, 2020 (tentative);
4. Blue Sky Towers III, LLC/Cellco Partnership d/b/a Verizon Wireless – special use permit/site plan – November 5, 2020 (tentative);
5. Gallivan/Deepkill Road – minor subdivision – November 5, 2020 (tentative);
6. AC Property and Development, LLC – special use permit and site plan – adjourned with date pending receipt of information from applicant.
7. Charles Farrell/Doubleday Estates – minor subdivision – November 19, 2020
8. Charles Farrell/McChesney Ave. Ext. – minor subdivision – November 19, 2020

The proposed agenda for the November 5, 2020 meeting currently is as follows:

1. HDIGSL, LLC – special use permit
2. Brunswick Road Development, LLC/Brunswick Acres PDD – major subdivision
3. Blue Sky III, LLC/Cellco Partnership d/b/a Verizon Wireless – special use permit/site plan – SEQRA
4. Gallivan/Deepkill Road – minor subdivision (tentative)

The proposed agenda for the November 19, 2020 meeting currently is as follows:

1. Leon – site plan/subdivision (tentative)
2. Farrell/Doubleday Estates – minor subdivision
3. Farrell/McChesney Ave. Ext. – minor subdivision