

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD JANUARY 18, 2018

PRESENT were RUSSELL OSTER, CHAIRMAN, DONALD HENDERSON, MICHAEL CZORNYJ, KEVIN MAINELLO, LINDA STANCLIFFE, and DAVID TARBOX.

ABSENT was TIMOTHY CASEY.

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

Chairman Oster reviewed the agenda for the meeting.

The draft minutes of the January 4, 2018 meeting were reviewed. Chairman Oster noted that the address for Ace Hardware was incorrectly noted in the minutes as number 631 Hoosick Road, that the correct address is 831 Hoosick Road, and that the appropriate change should be made on page 4 of the minutes. Member Stancliffe noted that the final sentence on page 5 referred to placing the agenda item on the October 18 agenda, and the date should be corrected to reflect January 18. Ms. Guastella noted that the name of the project architect for the Ace Hardware project is Bo Michael, not Beau Mitchell, and the correct spelling of his name is on the application. Following this discussion, Member Czornyj made a motion to approve the minutes of the January 4, 2018 meeting with the corrections noted during the discussion, which was seconded by Member Henderson, and was unanimously approved.

The only item of business on the agenda was the sketch plan submission by Ace Hardware for its facility located at 831 Hoosick Road, with the applicant seeking to add a 3,000 square foot addition to the existing Ace Hardware building, and also to demolish the existing building located

on the west side of the parcel and replace that with a two-story mixed use building. The applicant was not in attendance. Chairman Oster indicated that the Building Department had reviewed its records with respect to the prior Planning Board minutes on the project site, and that the Planning Board would be discussing parking requirements and greenspace requirements. Chairman Oster then reviewed in detail the prior minutes for the property, beginning in 2011 and continuing through 2017. Chairman Oster noted that the project was approved for the Feathers furniture store and dance studio with a site plan providing for 15 parking spaces for the dance studio and 27 parking spaces for the furniture store. Chairman Oster further noted that the Planning Board adhered to the 42 parking spaces requirement throughout the review process, and that in or about August 2011, the fire company had requested that four spaces in one location be eliminated and relocated to a different portion of the site. This relocation of four parking spaces reduced the total greenspace to 31%, for which the Planning Board granted a waiver from the otherwise applicable 35% greenspace requirement. Chairman Oster then noted that the Ace Hardware project, when initially reviewed, was a two-phase project consisting of converting the existing Feathers furniture store into the Ace Hardware as phase one, and conversion of the western building to a warehouse/distribution building as phase two. At that time, the proposal added 17 additional parking spaces to the western end of the parcel to support the parking needs of the western building as then proposed, and eliminated 7 parking spaces from the building that now houses the Ace Hardware store. Member Henderson asked what the total parking spaces were for all three uses at that time. The Board discussed the issue and concluded that it appeared that there were 47 parking spaces approved for the entire site at that time. Member Stancliffe indicated that the applicant was proposing to keep 31 existing parking spaces and to add 43 new parking spaces. Chairman Oster then noted that in 2015, the western building was under review by the Planning Board to convert it into a tool rental and repair shop. The Planning Board discussed the parking requirements

implemented at that time as well as the existing greenspace. The Planning Board then began discussing the parking requirements under the current Zoning Law for the project currently under review and in that regard discussed the footprint of the proposed building as compared to the footprint of the existing building on the western end of the site. The Board noted that the concept plan showed a greenspace calculation of 35%. The Board asked whether the Planning Board had the authority to waive the parking space requirement or to vary from the number required under the current Zoning Law. Attorney Tingley indicated that the Zoning Law currently allows for the applicant to justify a smaller number of parking spaces upon submission of a report by a qualified parking consultant. In that scenario, the Board—if it deems the report acceptable—can vary from the otherwise applicable parking requirements. Chairman Oster suggested that the Town should consider providing the Planning Board more flexibility in determining parking requirements. Member Tarbox noted that the current use for the rental and repair area includes substantial repair of small equipment, along with rental of U-Haul trucks. He also indicated that there is pallet storage in the back in areas designated for parking. He further noted that turnover of customers at the Ace Hardware seems to be quicker than other retail stores, such as grocery stores or department stores. Member Tarbox indicated that his experience is that on weekdays there are very few cars in the parking lot at any given time, and on weekends there is more traffic at the site, but that he believes the customers are not there for very long. Member Mainello indicated that the existing parking does not seem to be the issue, but that without knowing the tenants of the new building on the western end of the site, it is difficult to determine how much parking will be needed. The Planning Board then moved on to discussing how it would calculate parking requirements for this project, given the prior site plan approval. Attorney Tingley indicated that it was the opinion of his office that the Board should be focused on the number of spaces required associated with the site changes, and consider adding that to the parking approval for the existing Ace Hardware store.

According to Attorney Tingley, the Board should calculate the parking requirements based on a 3,000 square foot addition to the existing Ace Hardware, and the two-floor, 4,000 square foot building on the western end of the site. The Board concluded that the site changes would require an additional 12 parking spaces for the 3,000 square foot addition, and 29 additional parking spaces for the building located on the western end of the site. The Board determined that, when combined with the existing approved 42 spaces for the Ace Hardware building, a total of 83 total parking spaces would be required for the overall site. The Planning Board then discussed the greenspace requirements and discussed the difficulty in determining how the project site would meet the greenspace requirements by adding the additional parking. The Board indicated that the applicant will be required to provide a greenspace calculation so that the Board is aware of the level of greenspace on the site. The Board asked Ms. Guastella to notify the Planning Board once the applicant had submitted a site plan application, and the matter will be placed on the agenda at that time.

There was no other business on the agenda. Chairman Oster noted for the record that the Planning Board had commenced lead agency coordination on the application by High Peaks Solar for property located at 566 Brunswick Road. He indicated that the Zoning Board of Appeals was meeting on Monday, January 22 to consider variances needed for the project and that the matter should be placed on the agenda for the Planning Board's February 1, 2018 meeting for purposes of potentially scheduling a joint public hearing between the Planning Board and the Zoning Board of Appeals on the project. Chairman Oster indicated that the applicant had been asked to submit an up-to-date environmental assessment form and/or corrections thereto, and Mr. Bonesteel indicated that his initial review indicates that the updated environmental assessment form has been filed.

The first item of new business on the agenda was the special use permit application made by Gail Lenihan to install a 25-foot by 16-foot small-scale ground-mounted solar facility on property located at 212 John Snyder Road. Rodney Wiltshire from the Empire Solar Store and Gail Lenihan were present on behalf of the applicant. Chairman Oster noted that, because the solar proposal was ground-mounted, a special use permit was required and a public hearing must be held. The applicant indicated that the solar proposal consisted of a 16-foot by 25-foot ground-mounted solar array supported by eight 2-inch pipes and having 16 panels at a 30° tilt. The Board asked whether the array would be visible from John Snyder Road. The applicant responded that the array would not be visible from John Snyder Road or from any of the neighboring properties. The Board asked what the height of the array would be. The applicant indicated that the front of the array would be two feet off the ground, and the back of the array would be eight feet off the ground. Attorney Tingley pointed out for the Board that the special use permit requirement for solar arrays of this nature has a maximum height of 20 feet at maximum tilt. The applicant indicated that the array would be fixed at 30° and would not be movable. The Board asked whether the transmission lines would be buried or above-ground. The applicant indicated that the transmission lines would be buried underground. The applicant further indicated that there were no wetlands that would be impacted by the project. The Board reviewed the completeness of the application and determined that it was sufficiently complete to schedule a public hearing. The public hearing was scheduled for February 1, 2018 at 7:00pm. The Board indicated that the matter would be placed on the agenda of the regular meeting following the public hearing and would be the first item listed on the agenda. The Board further discussed the procedure of the public hearing for the applicant's knowledge.

The next item of new business discussed was the submission made by Madeline Lew and Dixon Knipe for an agri-community development proposed for 191 Flower Road. Ms. Guastella

indicated that materials had been received and were provided to the Planning Board members. The Board generally discussed the location and size of the project and the size of the parcel. Attorney Tingley noted that the Building Department and his office were still reviewing the materials submitted for purposes of determining what permits and approvals would be required. Pending that review, the item was not placed on the agenda for any upcoming meetings.

The index for the January 18, 2018 meeting is as follows:

1. Ace Hardware - Concept site plan - Adjourned pending further submission by the applicant;
2. High Peaks Solar - Special use permit/site plan/subdivision - 2/1/2018;
3. Lenihan - Special use permit - 2/1/2018 (public hearing to commence at 7:00pm);
4. Agri-community Development/191 Flower Road - Initial permit and approval review by Building Department pending.

The proposed agenda for the February 1, 2018 meeting currently is as follows:

1. Lenihan - Special use permit (public hearing to commence at 7:00pm);
2. High Peaks Solar - Special use permit/site plan/subdivision.