

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD OCTOBER 18, 2018**

PRESENT were KEVIN MAINELLO, DAVID TARBOX, TIMOTHY CASEY, and LINDA STANCLIFFE.

ABSENT were RUSSELL OSTER, CHAIRMAN, DONALD HENDERSON, and MICHAEL CZORNYJ.

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

The Planning Board members addressed the issue of an acting Chair for the meeting. Upon motion of Member Stancliffe, seconded by Member Mainello, Member Tarbox was identified as acting Chair for this meeting by unanimous vote.

The draft minutes of the October 4, 2018 meeting were reviewed. Upon motion of Member Mainello, seconded by Member Stancliffe, the minutes of the October 4, 2018 meeting were unanimously approved without amendment.

There were three items of new business discussed.

The first item of new business discussed was a concept plan submission submitted by Bergmann Engineers on behalf of Sharpe Road Development LLC for a proposed major subdivision located along Sharpe Road. Eric Redding of Bergmann Engineers was present for the applicant. Mr. Redding generally reviewed the concept plan, which consists of a 19± lot residential subdivision located on approximately 18 acres along Sharpe Road. The project site is located in

both the Town of Brunswick and the Town of North Greenbush. Mr. Redding stated that the property is currently mostly open field. Mr. Redding reviewed the proposed layout, which includes a new Town road. Mr. Redding stated that the Town road would be located entirely within the Town of Brunswick, and that the current concept plan is for a 24-foot wide road within a 50-foot right of way, culminating in a cul-de-sac. Mr. Redding stated that 15 of the proposed lots would have access on the new public road, and 4 lots would have access on the existing Sharpe Road. Mr. Redding reviewed the size of the proposed lots, which include lots of 0.6 acres within the Town of Brunswick to meet the R-25 Zoning designation, and lot sizes of 1.5 acres for the property located in North Greenbush to meet North Greenbush zoning requirements. Mr. Redding stated the project would be connected to public water, and that he had coordinated with the Brunswick Water Department, and understood that an extension from the North Greenbush public water system would likely be required for this project, which raises the issue of coordination between the Town of Brunswick and Town of North Greenbush on public water supply for this project. Mr. Redding stated that the lots would have individual septic systems. Mr. Redding stated that a stormwater plan is being proposed, which will include a series of detention areas. Mr. Redding stated that the homes would be approximately 2,200 square feet. Member Tarbox stated that the major subdivision plan will need to include topography. Mr. Redding stated that topographic work was being completed now, and his plan is to be able to have a more advanced major subdivision proposal by early November. Mr. Redding also stated that test pits are being done now on the site. Member Stancliffe asked about any current drainage on and across this property as it approaches Sharpe Road, given the current topography of general sloping from the property to Sharpe Road. Mr. Redding confirmed that the project site does slope to Sharpe Road, and that there is a low point along the property frontage on Sharpe Road, but that he had not been able to locate any

culvert. Mr. Redding stated he would need to further investigate that issue. Member Mainello asked whether the lots proposed for the property in North Greenbush count toward the total lot count for the project under the Brunswick subdivision limitation of 12 lots on a cul-de-sac road. Attorney Gilchrist stated that the North Greenbush lots should be included in the lot count, and that a waiver from the Brunswick Town Board for the number of lots on a cul-de-sac road would be required. Member Stancliffe asked whether there was any minimum lot size for individual septic systems. Mr. Redding stated there was no minimum lot size requirement, but that the engineering and perc tests needed to meet Rensselaer County Health Department requirements, and that separation distances could be met due to the availability of public water. Mr. Redding did state that the preliminary lot layout did work for purposes of siting individual septic systems, including expansion areas, on each of the lots. Mr. Bonesteel stated that a 50-foot road right of way was not in compliance with the Town Code. There was discussion concerning Brunswick road specifications, and Attorney Gilchrist stated that he would circulate the Town Code road specifications. Member Tarbox noted that the Planning Board has been requiring the installation of a street light at all new Town roads intersecting public streets. Mr. Redding understood this, and said that the specifications for a street light can be worked out as the project review proceeds. The Planning Board members, Mr. Bonesteel, and Mr. Redding generally discussed location of existing water mains near the project site, and also discussed water district issues and the potential need for an out-of-district user agreement. It was noted that water supply and water district issues must be coordinated with the Town of North Greenbush. Mr. Redding was advised to prepare a Full Environmental Assessment Form in connection with the major subdivision application. Member Stancliffe asked whether there were any archeological or historic resources on the project site. Mr. Redding stated that the DEC mapper did not disclose any archeological issues on the

property, nor did it disclose any regulated wetlands. This matter is adjourned without date, pending submission of the major subdivision application and Full Environmental Assessment Form.

The second item of new business discussed was a waiver of subdivision application submitted by Vincent Lepera for property located at 717 Pinewoods Avenue and 494 Brunswick Road. This application is in the nature of a lot line adjustment. Mr. Lepera explained that Lelani Morrison, owner of the property located at 717 Pinewoods Avenue, is proposing to divide 0.71 acres from the lot at 717 Pinewoods Avenue for transfer to Mr. Lepera to be merged into the Lepera lot located at 494 Brunswick Road. Written authorization from Morrison is included in the application materials. The Planning Board members generally reviewed the proposed subdivision map, and identified the location of the properties and the proposed lot line adjustment. Member Tarbox asked whether the property would remain as open field. Mr. Lepera stated that the property will remain as an open field, and he has no plans for the property. Member Tarbox also asked about the location of the septic system and water supply for the lot on 717 Pinewoods Avenue. Mr. Lepera stated that the Pinewoods Avenue lot is serviced by public water, and identified the septic location on the Pinewoods Avenue lot, which is not located near the proposed new lot line. Mr. Lepera confirmed that the 0.71 acres being transferred to him will be legally merged into his parcel, and no new lot will be created. The Planning Board members and Ms. Guastella confirmed the lot size requirements for the Zoning District in which the Pinewoods Avenue parcel is located, and confirmed that the size of the remaining lot on Pinewoods Avenue after the lot line adjustment does meet Zoning Code requirements. Member Tarbox inquired whether the Planning Board members had any further questions or comments on the application. Hearing none, Member Stancliffe made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Mainello. The motion was unanimously approved, and a negative

declaration adopted. Thereupon, Member Casey made a motion to approve the waiver of subdivision application, subject to the condition that the 0.71 acres being transferred from 717 Pinewoods Avenue be legally merged into the lot located at 494 Brunswick Road, so as no new lot is created by this action. Member Stancliffe seconded the motion subject to the stated condition. The motion was unanimously approved, and the waiver of subdivision approved subject to the stated condition.

The third item of new business discussed was the site plan application submitted by St. Peter's Health Partners for property located at 740 Hoosick Road (Walmart Plaza). Mike Tierney of St. Peter's was present, and identified himself as the St. Peter's Project Manager. Mr. Tierney explained that St. Peter's Health Partners is looking to relocate its rehabilitation facility to 740 Hoosick Road, and move into a 6,000 square foot space in the existing Walmart Plaza. Mr. Tierney explained that the rehabilitation facility is for physical, occupational, and speech therapy. Mr. Tierney confirmed that there would be no exterior physical alterations to the plaza building, and that all renovations are interior. Mr. Tierney explained that an existing 8,000 square foot retail space would be broken into a 6,000 square foot space for the St. Peter's Health Partners rehabilitation facility, and also a 2,000 square foot space for future retail lease. Mr. Tierney stated that four additional handicap spaces are being proposed for the parking lot in front of this lease space, explaining that two handicap spaces are already located in the parking lot, and that this proposal is to add four new handicap spaces. This will result in the loss of existing vehicular parking spots for plaza patrons. Member Tarbox asked whether this application would need to be referred to Rensselaer County. Attorney Gilchrist stated that this site plan application will need to be forwarded to the Rensselaer County Planning Department for review and recommendation. Mr. Bonesteel confirmed that there were no proposed exterior alterations or additions to the existing

buildings, and that the only exterior change is the addition of handicap parking spaces. Mr. Tierney confirmed this. Mr. Bonesteel reviewed the site plan with the Planning Board members, and stated that the site plan would need to be amended to include information on drainage, utilities, existing lighting and any proposed new lighting. Member Mainello noted that at the prior concept stage, Mr. Tierney had stated that it was the intent of St. Peter's to have its staff access the building to the rear of the building, and asked whether this was the current proposal. Mr. Tierney stated that St. Peter's had changed its plan; that they will not have any staff entering the facility to rear; that the staff would be entering the facility through the front door; and the rear door would be used only for deliveries. Member Mainello also had questions regarding ADA compliance for the proposed handicap parking spaces, which was generally reviewed by Mr. Bonesteel. Member Tarbox asked about the typical patient coming to the rehabilitation facility, and whether many patients used wheelchairs. Mr. Tierney stated that wheelchair use was not significant, with most patients coming for general physical and occupational rehabilitation. Upon review of the site plan, the Planning Board members discussed the location of employee parking, and the need to update the site plan to show current conditions in relation to the Trustco Bank branch, including the drive-thru and existing pedestrian crosswalks. Mr. Bonesteel also requested that a location map be added to the site plan. Mr. Bonesteel stated that the applicant should contact his office directly with any questions regarding the Brunswick site plan requirements. Member Mainello wanted to confirm the hours of operation for the rehabilitation facility. Mr. Tierney stated that the facility is open 7am to 7pm, Monday through Thursday, 7am to 5pm on Friday, and closed on weekends and major holidays. Mr. Bonesteel also noted that the Environmental Assessment Form submitted with the site plan application needed to be corrected. Member Casey asked whether the Planned Development District approvals allowed for this existing retail space to be broken up into two

lease spaces. Attorney Gilchrist stated that as long as the proposal utilized the existing square footage without any exterior renovation or addition, the matter would be considered consistent with the Planned Development District and that all interior renovations were within the review jurisdiction of the Building Department. Mr. Tierney stated that he would amend and update the site plan application documents, and this matter was adjourned without date.

Ms. Guastella stated that she had been working on a matter associated with the self-storage units at the Shed Man location on NYS Route 2 near Tamarac school, and that she anticipated an application to be submitted to amend the approved site plan for that location. Ms. Guastella explained that in connection with flood plain map issues, it was discovered that an update and amendment to the existing approved site plan would be required to be consistent with the existing building layout on that site.

It was noted for the record that Member Czornyj has submitted a letter to the Town Board resigning his position as member of the Planning Board. Attorney Gilchrist noted that Member Czornyj had been identified as acting Chair for the special use permit application submitted by David Leon for property located at Valley Avenue, given that Chairman Oster had recused himself from consideration of that application. In light of the resignation letter submitted by Member Czornyj, Attorney Gilchrist stated that the Planning Board should identify a new acting Chair for the Leon special use permit application. Following discussion, Member Tarbox made a motion for Member Stancliffe to serve as acting Chair for the Leon special use permit application review, which motion was seconded by Member Mainello. The motion was unanimously approved, and Member Stancliffe will serve as acting Chair of the Planning Board for the Leon special use permit review. Attorney Gilchrist reviewed the submission of a draft scoping document by the applicant under the State Environmental Quality Review Act, and generally reviewed the procedural

requirements under the SEQRA regulations for preparation of the final scope by the Planning Board, serving as SEQRA lead agency on this action. Attorney Gilchrist also reviewed the options for the Planning Board in terms of public participation in the scoping process, including the option of holding a public scoping meeting. The Planning Board members generally concurred that it would hold a public scoping meeting to receive public comment on the draft scope. In light of the timeframes required under the SEQRA regulations for the scoping process, the Planning Board members generally concurred that a special meeting would be held at 6:00pm on Thursday, November 15, 2018 prior to the regularly scheduled Planning Board meeting at 7:00pm on that date. The Planning Board directed Attorney Gilchrist to prepare a notice of special meeting for review by the Planning Board members.

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

1. Sharpe Road Development LLC - Major subdivision - Adjourned without date;
2. Lepara - Waiver of subdivision - Approved with condition;
3. St. Peter's Health Partners - Site plan - Adjourned without date.

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

1. Stewart's Shops - Special use permit/site plan;
2. DuJack - Minor subdivision.