

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD NOVEMBER 3, 2016

PRESENT were RUSSELL OSTER, CHAIRMAN, TIMOTHY CASEY, MICHAEL CZORNYJ, FRANK ESSER, DAVID TARBOX, and KEVIN MAINELLO.

ABSENT was VINCE WETMILLER.

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 November 3 meeting as posted on the website and the Town signboard.

The Planning Board opened a public hearing on the site plan application submitted by Fagan Associates for property located at 767 Hoosick Road. Chairman Oster reviewed the procedure for the public hearing. The notice of public hearing was read into the record, with the notice having been published in the Troy Record, placed on the Town signboard, posted on the Town website, and mailed to owners of adjacent properties. Chairman Oster requested the applicant to present a brief overview of the project. Nick Costa, P.E., of Advanced Engineering, representing the applicant, presented an overview of the project, which is located on the north side of Hoosick Road on a 1.12-acre site located in the B-15 commercial district, which includes an existing building used as a professional office, with a proposed 1,170 square foot addition and the addition of five parking spaces to the existing parking lot; there is no proposed change to the public water and public sewer connections; the architecture and exterior materials will match the existing

structure; the existing driveway will be used for ingress and egress; the site will continue to have approximately 70–75% greenspace; stormwater management will be improved on the site; and the existing sign will be relocated. Chairman Oster then opened the floor for receipt of public comment. Gus Scifo, Fire Chief for the Brunswick No. 1 Fire Department, wanted to confirm that there were no solar panels proposed for the new section of the structure, that the addition will match the existing roofline and will not be in excess of 30 feet, that a knox box will be installed, and that a copy of the fire suppression system and smoke/carbon monoxide detector locations will be provided to the Fire Department if required by the New York State Fire Code. Mr. Costa stated that there were no solar panels proposed for the new section of the structure, and that the roofline of the addition will match the roofline of the existing structure and will not be in excess of 30 feet. Mr. Costa also stated that a knox box will be installed, and the applicant will comply with New York State Fire Code requirements. There were no further public comments. Thereupon, the Planning Board closed the public hearing on the Fagan Associates site plan.

The regular meeting of the Brunswick Planning Board was then opened.

The Planning Board members reviewed the draft minutes of the October 20, 2016 meeting. Upon motion of Member Czornyj, seconded by Member Mainello, the minutes of the October 20, 2016 meeting were unanimously approved without amendment.

The first item of business on the agenda was the site plan application submitted by Fagan Associates for property located at 767 Hoosick Road. Chairman Oster noted that the comments of the Brunswick No. 1 Fire Department were addressed during the public hearing. In addition, Chairman Oster noted that the Brunswick No. 1 Fire Department routinely requests a walk-through of the new structure prior to the issuance of the Certificate of Occupancy. Mr. Costa was in agreement. Chairman Oster asked Mr. Bonesteel whether the requested information on the site

plan had been received. Mr. Bonesteel stated that the dimensions of the stormwater features had been added to the site plan, as well as the public water and public sewer connection locations added to the site plan. Mr. Bonesteel confirmed that the site disturbance was less than one acre, and that a full stormwater pollution prevention plan was not required for the site plan, but that the erosion and sediment control plan had been prepared and completed, which Mr. Bonesteel deems to be adequate. Mr. Bonesteel stated that the site plan set was satisfactory for action by the Planning Board. Member Czornyj had a comment concerning the gravel surface located on the east side of the property, which Mr. Costa stated would continue to be used. Chairman Oster noted that the gravel surface will not infringe on the total greenspace percentage for the parcel. There were no further questions or comments from members of the Planning Board. It is noted that the recommendation of the Rensselaer County Department of Economic Development and Planning has not yet been received, and this matter is placed on the November 17 agenda for action on the site plan upon receipt of the County recommendation.

The next item of business on the agenda was the site plan application submitted by Brunswick Design Group for property located at 74 Farrell Road. The applicant seeks to construct self-storage units and a caretaker home on a 20-acre parcel located at 74 Farrell Road. William Bradley of Brunswick Design Group was present. Mr. Bradley provided to the Planning Board written responses to the public comments received at the public hearing. In addition, the Planning Board is in receipt of a comment letter from Larry and Ginette Chambers, 60 Farrell Road, dated November 1, 2016, and provided a copy to Mr. Bradley. Mr. Bradley indicated he had already received a copy of these comments from Chambers, and responses to the Chambers comment letter are included in his written responses to public comments. Chairman Oster noted that the Chambers comment letter raised comments concerning environmental issues, traffic, security and insurance,

property values, visual impact, and consideration of neighbors. Mr. Bradley then reviewed his written responses to public comments. Mr. Bradley stated that regarding the comment on security and vandalism, he conducted research and there is no identified correlation between theft and vandalism at self-storage unit facilities and the surrounding neighborhood, and that while theft and vandalism may be an issue at the self-storage facility itself, there is no correlation to security issues in the surrounding neighborhood. Regarding concerns about aesthetic impacts, Mr. Bradley stated that the proposed storage units are 100 feet off the road, and he proposes to install berms and plantings to provide a vegetative screening along Farrell Road. In addition, Mr. Bradley provided depictions of a storage unit with an exterior façade and roof to create a more residential look for units in the front of the project site. Member Tarbox asked whether the storage units would have a uniform color. Mr. Bradley stated the units will have a uniform color, and is proposing a green color, but would be agreeable to any other color for purposes of blending the units into the background. Regarding comments on vehicles exiting the facility and turning left onto Farrell Road, Mr. Bradley stated that he would agree to install signage at the exit of the facility directing traffic to proceed in a westerly direction and exit to Oakwood Avenue. Regarding comments concerning traffic impacts, Mr. Bradley stated that there are on average 15–30 cars per hour on Farrell Road, and that the projected traffic from the self-storage facility will be insignificant compared to current conditions. Regarding the comment that the proposed industrial use is not consistent with the surrounding neighborhood, Mr. Bradley did state the property is located in the industrial zone under the Brunswick Zoning Ordinance and that he is maintaining vegetation on the eastern lot line to screen the facility from adjacent properties. Regarding comments on concerns for impacts to groundwater, Mr. Bradley stated that there will not be significant threat from petroleum storage at the site, as there are no petroleum storage tanks being proposed, and

that he will have adequate provisions in the unit leases regarding prohibition on storage of fluids or hazardous materials, and that he was also proposing to include a lease provision that will limit the age of any vehicle storage at the facility. Chairman Oster inquired whether there would be prohibitions on fluid storage within the storage units. Mr. Bradley confirmed that he is proposing a lease provision that will include prohibitions on storage of hazardous materials or fluids within the storage containers. Regarding any comments on wastewater, Mr. Bradley stated that the only wastewater generation would be in connection with the caretaker home being proposed, similar to residential use. Regarding comments concerning site security, Mr. Bradley stated he is planning to use cameras, which his research shows to be the most effective security measure at self-storage facilities. Regarding any comments concerning abandoned property or junk at the facility, Mr. Bradley stated that abandoned property will be disposed of in compliance with New York State law, and that he is not proposing any storage of junk materials. Regarding maintenance of proposed landscaping, Mr. Bradley stated that the facility will comply with the New York State property maintenance code. Regarding the comment on potential future expansion of the storage facility, Mr. Bradley stated he has no current plans to expand the facility, but if such expansion is proposed in the future, it must be in compliance with the provisions of the applicable Brunswick Town Code at that time. Mr. Bradley stated that he had addressed comments concerning traffic, hazardous materials, visual impacts, vegetation and screening, and security. Mr. Bradley stated that the final location and design of the stormwater ponds for the overall site stormwater management had been completed, and the final stormwater plan will now be completed and submitted for review by Mr. Bonesteel. Chairman Oster noted that comments had been received about the adjacent paintball facility, and whether this project was connected to the paintball facility. Mr. Bradley confirmed they are entirely separate and unrelated projects. Member Esser

had a question about the 8-foot fence, and why it was limited to a certain portion of the site. Mr. Bradley confirmed that the fencing would be in the area of the outdoor vehicle storage, and that the best security option was not fencing but rather lighting and cameras. Mr. Bradley also stated that there would be a security access gate in the front of the site, and a 4-foot stock fence would also be constructed in the front of the facility. Member Esser had questions concerning the doors on the containers and the latching systems, and also the materials of the container systems and how the materials prevented rust. Member Czornyj wanted to confirm that the depiction of the container with the roof and exterior façade being proposed for the project would look like the depictions handed to the Planning Board, and Mr. Bradley confirmed that was the type of facility he was proposing. Member Czornyj asked whether this type of unit with the roof and façade would be located on both sides of the entrance road, which was confirmed by Mr. Bradley. Member Casey requested that the specific locations for the storage units with the roof and façade be identified, and that they be shown on the site plan. Member Esser had some questions regarding the size of the specific containers, and the size of doors for each of the proposed containers. The Planning Board members discussed the size and functionality of the doors, and customer use and convenience. The Planning Board requested that the initial phase of the container installation be shown on the site plan. Chairman Oster had a question regarding snow removal at the site. Mr. Bradley said the site was designed to allow snow to be plowed through and pushed onto greenspace areas. Mr. Bonesteel confirmed that he needed to receive and review the stormwater plan. Mr. Bonesteel also had a question concerning the location of the proposed septic field for the caretaker house, and Mr. Bradley stated that the location was shown but is looking to have a condition attached to site plan approval that Rensselaer County Health Department approval must be

obtained for the septic system prior to building permit issuance. This matter is placed on the November 17 agenda for further discussion.

The next item of business on the agenda was the proposed Cumberland Farms project located at the intersection of Hoosick Road and Hillcrest Avenue, and specifically the request from the Brunswick Zoning Board of Appeals for a recommendation on the special use permit requirement for the 6-pump fuel island. Stefanie Bitter, Esq., project attorney, was present for the applicant, together with Jim Gillespie of Bohler Engineering and Wendy Holsberger of Creighton Manning. Attorney Bitter stated that the traffic report which was discussed at the last Planning Board meeting was finalized and submitted on October 31, and presented Ms. Holsberger to review the report. Mr. Holsberger stated that the traffic report data and conclusions were not different than the discussion which was held at the last Planning Board meeting, and was available for any questions that the Planning Board may have. Chairman Oster stated that he had reviewed the traffic report, and while the report does analyze traffic impacts from this project in particular, he is more concerned that there is a lot of development now occurring and projected along Hoosick Road, and traffic issues are not limited to this one individual project. Chairman Oster stated that he read the traffic report prepared by Creighton Manning to conclude that most of the projected customers for the Cumberland Farms come from existing traffic along the Hoosick Road corridor. Chairman Oster then asked whether Mr. Bonesteel had had the opportunity to review the traffic report. Mr. Bonesteel stated that he did review the traffic report, and that it appears only one intersection was analyzed. Ms. Holsberger stated that because of the low number of projected additional trips from the proposed Cumberland Farms facility, additional intersection analysis was not warranted. Mr. Bonesteel stated that the report concludes no mitigation for traffic is required, even though the level of service for a left turn exiting the Cumberland Farms site onto Hoosick

Road in the AM peak goes from a level of service “C” to “D” and in the PM peak goes from a level of service of “D” to “E”. Mr. Holsberger stated that this was not unusual for a roadway which has existing significant traffic volume. Both Mr. Bonesteel and the Planning Board members then had extensive discussion concerning the findings and conclusions in the traffic report. Chairman Oster asked whether the traffic report considered potential additional construction on Hillcrest Avenue. Ms. Holsberger stated that additional construction on Hillcrest was not considered, but that other commercial projects in and along the Hoosick Road corridor were considered, and that the report does focus on the 2017 build season. Mr. Bonesteel also commented that delays exiting a commercial site will not be limited to the Cumberland Farms site, but is and will be experienced by businesses on and along the Hoosick Road corridor. Chairman Oster asked about the analysis of stacking cars in the center turn lane on Hoosick Road in relation to entering and exiting the Cumberland Farms through the Hoosick Road entrance. Ms. Holsberger stated that this had been modeled, and that there is not an excessive delay and adequate space exists for stacking in the center lane. Chairman Oster asked whether the traffic analysis was pertinent on their recommendation to the Zoning Board on the special use permit, or should be considered only in connection with the site plan review to be undertaken by the Planning Board. Attorney Gilchrist reviewed the standards in the Brunswick Zoning Ordinance which the Zoning Board of Appeals must apply for consideration of the special use permit, which include consideration of traffic congestion and traffic hazards, and attorney Gilchrist stated the Planning Board should consider traffic issues in connection with its recommendation to the Zoning Board of Appeals. Chairman Oster noted that the traffic report does conclude that additional traffic will be generated on the Hoosick Road corridor due to the construction of the Cumberland Farms, but that the report anticipates less than two cars per minute in both the AM and PM peak hours due solely to

construction of the Cumberland Farms. Mr. Bonesteel stated that 40 cars per hour was not a significant factor on the Hoosick Road corridor. Mr. Bonesteel stated that he agreed with the conclusions in the traffic report that the anticipated increase in traffic volume due to the construction of the Cumberland Farms was not significant. Chairman Oster and the Planning Board members discussed the traffic volume issue, but also identified the turning of traffic in and out of the Cumberland Farms to be the potential traffic problem. Ms. Holsberger stated that the ingress and egress from the Cumberland Farms was analyzed in the report, and particularly given the existence of the center turn lane on Hoosick Road, these turning movements do not present a significant impact. Member Mainello asked about the potential impact for cars exiting Hillcrest Avenue, and discussion between current conditions and post-build conditions were discussed. Chairman Oster asked whether the Planning Board members were concluding that the traffic report presented by Creighton Manning was adequate to support the conclusion that there will not be any significant traffic impact from the proposed Cumberland Farms. Member Mainello stated that he would like to review the traffic report in more detail, particularly regarding turning out of Hillcrest Avenue. Member Casey wanted to confirm that the latest traffic data was used by Creighton Manning in connection with the traffic assessment. Ms. Holsberger stated that the most updated traffic data was used, and the report is very conservative. The Planning Board members then generally discussed preparation of a draft recommendation on the special use permit, concluding that the recommendation would be in favor of granting the special use permit as the facility generally complies with the special use permit standards for the fueling station, with particular regard to reliance on the traffic assessment report to address traffic concerns. Attorney Gilchrist is directed to prepare a draft recommendation, which will be reviewed at the November 17 meeting. This matter is placed on the November 17 agenda for further discussion.

The next item of business on the agenda was the referral from the Brunswick Town Board on the application submitted by Nigro Group/Golub Corporation for an amendment to the Brunswick Plaza Planned Development District to allow the construction of a drive-thru pharmacy to the existing Price Chopper store. Phil Koziol, P.E., of Laberge Group, was present for the applicant, and generally reviewed the site layout and the location of the proposed drive-thru pharmacy. Mr. Koziol also presented a Google Earth aerial of the site (2015) to confirm the parking space count in the immediate location of the drive-thru pharmacy, as well as the overall plaza parking area. Mr. Koziol stated that with regard to the side parking lot in the immediate area of the proposed drive-thru pharmacy, there are currently 71 parking spaces, and 15 parking spaces will be lost in connection with the construction of the drive-thru pharmacy, resulting in a total of 56 parking spaces in the side lot in the immediate area of the drive-thru pharmacy. Mr. Koziol stated that in the total parking lot for the plaza, a total of 590 parking spaces exist, four of which are used for shopping cart corrals, and therefore a total of 586 usable parking spaces are available. The Director of Design for Golub Corporation was also present, and stated that the parking spaces on the east side of the Price Chopper building in the area of the proposed drive-thru pharmacy are generally used for employee parking, and that the reduction will not significantly affect the availability of employee parking, and stated that employee parking would not spill out into the front parking lot. Member Casey asked whether the original PDD approval had a specific parking space count. Member Tarbox stated that regardless of the original PDD parking space count, some of the spaces had been removed over the years, including removing parking spaces for the CDTA bus stop on the east side of the Price Chopper building, and an area for salt storage. In that regard, Member Tarbox asked whether the CDTA bus stop had ever been reviewed and approved by the Brunswick Building Department or the Brunswick Planning Board. Member Casey also raised a

concern regarding traffic flow in the area of the drive lane for the proposed drive-thru pharmacy. Mr. Bonesteel asked whether a one-way drive lane option was reviewed by Price Chopper, so that the driving lane was limited to a northerly direction consistent with the proposed car movement through the drive-thru pharmacy, and eliminating the south-bound traveling lane for parking adjacent to the drive-thru lane. The Price Chopper representative stated that this could be done, but questioned the need for that given the total width of that driving lane on the east side of the Price Chopper building. Ms. Guastella raised the issue of necessary turning radius for the CDTA busses leaving the bus stop area, and whether the busses leaving the bus stop would encroach into the travel lane for the drive-thru pharmacy. There was extensive discussion concerning the travel lanes in the immediate area of the drive-thru pharmacy window and exit area and in the area of the CDTA bus stop. Chairman Oster stated that the Planning Board did not have any problem conceptually with the addition of a drive-thru pharmacy at this location, and did see it as a viable amendment to the Brunswick Plaza PDD; however, he did see potential issues regarding traffic flow and traffic/pedestrian safety given the number of potential travel lanes with a CDTA bus stop, and that the safety issue and traffic flow issue must be analyzed in connection with the site plan review for this project. The Planning Board concurred, stating that a recommendation on the PDD approval could be positive, but it will note that the Planning Board does have concern regarding traffic flow and traffic/pedestrian safety, and that this issue will require analysis during the site plan review. The Planning Board directed attorney Gilchrist to prepare a draft recommendation on the PDD referral, and this matter is placed on the November 17 agenda for further discussion.

Two items of new business were discussed.

The first item of new business discussed was a site plan application submitted by Stewart's Shops for property located at 1001 Hoosick Road. Stewart's Shops is proposing the construction

of a new Stewart's Shop at this location. Chad Fowler of Stewart's Shops was present, together with representatives of Creighton Manning. Mr. Fowler presented a brief background regarding the existing Stewart's location at the intersection of Hoosick Road and NYS Route 142, and while Stewart's Shops preferred to expand at the current site, there was no physical space to do so and were unable to acquire additional property in that location for an expansion. As an alternative, Mr. Fowler stated Stewart's is proposing to relocate this store to 1001 Hoosick Road, which is a parcel of 1.068 acres in size, and does have access on both Hoosick Road and Sweetmilk Creek Road. Mr. Fowler stated that a new Stewart's convenience store is proposed of approximately 3,900 square feet, plus four new gas pumps in one gas island area. Mr. Fowler stated that the store would be similar in appearance to the new Stewart's store located in Cropseyville, and whereas the Cropseyville store has six gas pumps, this site is proposing to have only four gas pumps. Mr. Fowler generally reviewed the entrance and exit locations on both Hoosick Road and Sweetmilk Creek Road, noting that the proposal will require the addition of a turning lane on Hoosick Road. Linda Stancliffe of Creighton Manning generally reviewed the sketch site plan, identifying the location of the proposed store to the rear of the site with the gas pumps toward the front of the parcel, stating that the structures meet all Brunswick setback requirements, will maintain a 40% greenspace area post-development, is proposing 20 parking spaces, and deliveries will be made on the east side of the building. Ms. Stancliffe reviewed the two access driveways, both on Hoosick Road and Sweetmilk Creek Road. Ms. Stancliffe generally reviewed the public water and private sanitary sewer for the site, and generally discussed stormwater management. Alanna Moran of Creighton Manning generally discussed the preliminary traffic evaluation, concluding that the majority of the customers entering and exiting the new site will be existing traffic on Hoosick Road, and that the facility would generate new trips totaling 27 in the AM peak hours and 29 in

the PM peak hour. Ms. Moran did review the mitigation required on Hoosick Road for the Stewart's entrance, which will include a two-way left turn lane being proposed for Hoosick Road, which will require widening of Hoosick Road and approval of NYSDOT. Chairman Oster discussed the farmhouse and barn currently located on the property, and asked whether these buildings are proposed to be demolished or moved in connection with the site plan. Mr. Fowler stated that they were proposed to be demolished. Chairman Oster noted that demolishing the buildings may generate public comment, and that the architectural or aesthetic significance of the buildings will be reviewed under SEQRA. Chairman Oster asked about the plans for the current Stewart's Shop location. Mr. Fowler stated that the gas pumps and tanks would be removed, and that the parcel would be prepared for sale or lease by Stewart's, but that it would not be a convenience store. Chairman Oster stated that the Town would be concerned that the site would remain vacant. Chairman Oster asked about the traffic circulation in this location of Hoosick Road and NYSDOT Route 142, and asked whether Creighton Manning was aware of whether NYSDOT was proposing any type of traffic circle. Ms. Moran stated that she is not aware of any proposal by NYSDOT to install a traffic circle in that location, but rather NYSDOT had recently installed new poles in that location which would indicate NYSDOT is considering retaining the current configuration. The Planning Board and the applicants then generally discussed the concept site plan and layout. The Planning Board stated that a long environmental assessment form should be prepared, and that this site plan will require coordination with NYSDOT in connection with traffic issues. This matter is placed on the December 1 agenda for further discussion.

The second item of new business discussed was a waiver of subdivision application submitted by Holly Murphy for property located at 572 Pinewoods Avenue. The applicant was not present, but the application was reviewed. The proposal is for a 25-foot strip to be divided

from 576 Pinewoods Avenue to be transferred and merged into the lot identified as 572 Pinewoods Avenue, generally in the nature of a lot line adjustment. This matter is placed on the November 17 agenda for discussion.

One item of old business was discussed.

The waiver of subdivision application previously submitted by Michael Vickers for property located off Krieger Lane was discussed. Mr. Vickers was present. Mr. Vickers stated that he had received an area variance from the Brunswick Zoning Board of Appeals to allow the use of a private road to access his property for construction purposes, and that he is seeking to pursue the waiver of subdivision to divide his current lot into two building lots. The Planning Board generally reviewed the Zoning Board approval of the area variance, highlighting the conditions attached to that approval which must be met by Mr. Vickers. The Planning Board also noted that the subdivision presents the proposal for an additional building lot which is in excess of 12 lots on a dead end road, which must be addressed and approved by the Brunswick Town Board. This requires a referral from the Planning Board to the Brunswick Town Board for consideration of waiving the limitation on the number of lots on a dead end road. The Planning Board was generally in favor of the Town Board granting such variance, finding that the access road must be improved pursuant to the Zoning Board special use permit conditions which would allow adequate access, and also that the proposed lot was located in close proximity to Krieger Lane. Attorney Gilchrist was directed to draft a referral letter with recommendation to the Brunswick Town Board on this matter. This matter is placed on the November 17 agenda for review of the referral letter.

The index for the November 3, 2016 meeting is as follows:

1. Fagan Associates - Site plan - November 17, 2016;
2. Brunswick Design Group - Site plan - November 17, 2016;

3. Cumberland Farms - Recommendation on special use permit - November 17, 2016;
4. Nigro Group/Golub Corporation - Recommendation on PDD Amendment - November 17, 2016;
5. Stewart's Shops - Site plan - December 1, 2016;
6. Murphy - Waiver of subdivision - November 17, 2016; and
7. Vickers - Waiver of subdivision - November 17, 2016.

The proposed agenda for the November 17, 2016 meeting currently is as follows:

1. Fagan Associates - Site plan;
2. Brunswick Design Group - Site plan;
3. Cumberland Farms - Recommendation on special use permit;
4. Nigro Group/Golub Corporation - Recommendation on PDD Amendment;
5. Murphy - Waiver of subdivision; and
6. Vickers - Waiver of subdivision.