

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD FEBRUARY 2, 2017

PRESENT were RUSSELL OSTER, CHAIRMAN, DAVID TARBOX, FRANK ESSER, KEVIN MAINELLO, MICHAEL CZORNYJ, TIMOTHY CASEY, and 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 meeting as posted on the Town signboard and website.

The draft minutes of the January 19, 2017 meeting were reviewed. Upon motion of Member Czornyj, seconded by Member Wetmiller, the January 19, 2017 minutes were unanimously approved without amendment.

The first item of business on the agenda was the application by Stewart's Shops to construct a 3,900 square foot Stewart's convenience store with a 4-pump fuel island at 1001 Hoosick Road. This matter is currently before the Planning Board for a recommendation on the special use permit application which the applicant has filed with the Brunswick Zoning Board of Appeals for operation of the 4-pump fuel island at this location. Chad Fowler of Stewart's Shops was present and updated the Planning Board on the status of the special use permit, which will have a public hearing before the Zoning Board of Appeals on February 27. Mr. Fowler also stated that comments had been received from the Rensselaer County Department of Health concerning the proposed septic system, and that the application has been resubmitted to the County Health Department

responding to comments. Mr. Fowler also stated that Creighton Manning, as consultant to Stewart's Shops, had received the comments of Planning Board engineer Bonesteel and was working on responses to those engineering comments. Mr. Fowler also updated the Board on the status of the plans to relocate the house from 1001 Hoosick Road to another location. Mr. Bonesteel briefly reviewed his comment letter dated January 30, 2017 concerning the proposed site plan. The Planning Board inquired whether any comments had been received from the New York State Department of Transportation on the traffic engineer report and proposed improvements to Route 7 in connection with the project. Mr. Fowler stated that no comments had been received back from NYSDOT. The Planning Board noted that both the special use permit recommendation and consideration of the site plan are dependent on NYSDOT approval of the proposed road improvements, since the road improvements are essential for the project to proceed. Mr. Fowler agreed, stating that if NYSDOT does not approve the center turn lane and two-way access onto Route 7, the project cannot proceed. Attorney Gilchrist noted that consideration of traffic impacts, including potential traffic hazards and creation of traffic congestion, are standards which the Planning Board must consider and address in both the special use permit recommendation and consideration of the site plan. The Planning Board confirmed that comments from NYSDOT are required before the recommendation on the special use permit can be made, and placed this matter on the February 16 agenda. Mr. Fowler stated he would follow up with NYSDOT, and seek to have comments before the February 16 meeting.

The next item of business on the agenda was completion of the recommendation to the Town Board on the proposed Hudson Hills PDD amendment. This matter is before the Planning Board on referral from the Town Board for the recommendation. Bill Hoblock of Capital District Properties was present. The Planning Board reviewed the revisions to the proposed

recommendation that were discussed at the January 19 meeting. The Planning Board members then completed their deliberation on the recommendation and unanimously approved a positive recommendation on the proposed amendment, subject to several considerations including the amount and schedule for payment of any monetary contribution to the Town of Brunswick as the public benefit component to this PDD project is to be left to the sound discretion and determination of the Town Board, potential upgrade to the emergency access road to Lord Avenue to a full access road in the event a signalized intersection is constructed at the Lord Avenue/Hoosick Road intersection, and restriction on the use of the 25-acre parcel owned by Capital District Properties so that apartments or non-owner occupied units are not permitted on that parcel in light of the Planning Board's prior resolution and memorandum to the Town Board concerning total number of apartment units currently in the Town of Brunswick. The resolution and recommendation will be forwarded to the Town Board.

One item of old business was discussed.

The site plan application submitted by Cumberland Farms Inc. for a proposed convenience store with a 6-pump fuel island at 630 Hoosick Road was presented. Stefanie Bitter, Esq., project attorney for Cumberland Farms Inc., was present, and updated the Planning Board that the special use permit required for the operation of the 6-pump fuel island on the site was approved by the Brunswick Zoning Board of Appeals at its January meeting, and the applicant is now pursuing completion of the site plan review before the Planning Board. Attorney Bitter generally reviewed the project. Attorney Bitter noted that the Planning Board engineer's comment letter dated January 30, 2017 was received, and an initial response letter to those comments was handed up to Mr. Bonesteel and the Planning Board members. Attorney Bitter stated that Cumberland Farms Inc. will supplement its response to Mr. Bonesteel's review comments. Mr. Bonesteel noted that he

had only received the full site plan set on February 2, and that his initial comment letter was based solely on the preliminary plans. Attorney Bitter then requested the Planning Board schedule the public hearing on the site plan. Chairman Oster noted that in order to schedule the public hearing, the Planning Board must consider the site plan application materials to be complete and adequate for public hearing, and that both Mr. Bonesteel and the Planning Board members need adequate time to review the full site plan set of documents, which had been received only on February 2. Mr. Bonesteel concurred, stating that prior to the next Planning Board meeting, he would be able to review the complete site plan set of documents to determine completeness for scheduling a public hearing. Mr. Bonesteel also commented that a stormwater pollution prevention plan had been prepared for this entire site, including the phase 1 section (which now includes the Advance Auto store) and this phase 2 section now proposed for Cumberland Farms, but the operation of fuel pumps and gasoline sales had not been considered. Mr. Bonesteel stated that the stormwater plan would need to be updated to consider current stormwater requirements for operation of gas pumps, and to determine whether the overall stormwater management facilities are properly designed for the specific Cumberland Farms use. Mr. Bonesteel also stated that a full environmental assessment form had been prepared in connection with the initial review of phase 1 of this project, and that a full environmental assessment form will need to be prepared in connection with the proposed Cumberland Farms. In addition, Mr. Bonesteel stated that there were conditions included on the site plan approval for phase 1 of this project site, including issues concerning investigation of subsurface conditions. The Cumberland Farms project engineer, Jim Gillespie of Bohler Engineering, was present, and stated that the stormwater pollution prevention plan was designed for full site buildout, including both phase 1 and phase 2, but it was not designed for a gas station, and that the stormwater plan will need to be updated to include additional

treatment of stormwater required in connection with operation of a gas station, and that the updated stormwater plan will need to be reviewed by Mr. Bonesteel. Chairman Oster asked whether the updated full stormwater details are required in order to schedule a public hearing. Mr. Bonesteel stated that the full, detailed stormwater plan would not be required for opening the public hearing, and that his review of the concept plan for the stormwater control on the site would be adequate for opening the public hearing. Member Tarbox asked whether raising the elevation of Hillcrest Avenue had been considered. Mr. Gillespie stated that raising the elevation of Hillcrest Avenue is not part of the project, and that the access driveway onto Hillcrest Avenue meets required grade elevations. The Planning Board members also discussed the location of existing drainage facilities on and along Hillcrest Avenue. Member Casey asked about the tractor trailer and delivery truck access to the site, and whether the current construction of Hillcrest Avenue is adequate to support heavy vehicles. Mr. Gillespie stated that the proposed tractor trailer and delivery truck access to the site is from Route 7 only. Attorney Gilchrist and Mr. Bonesteel stated that a truck delivery route could be noted on the site plan, and a binding condition of approval may include restriction of tractor trailer and delivery truck to the identified truck delivery route on the site plan. Charles Tutunjian, member of the owner of the project site, did state that a Phase 1 Environmental Site Assessment had been performed on the project site, and that the testing did note two subsurface anomalies which needed to be further investigated prior to construction, and that the two anomalies ended up being a rock formation and a clay tile field probably used in connection with a former septic system. Mr. Tutunjian stated that the Phase 1 Environmental Site Assessment for the site did not note any further subsurface anomalies. Mr. Tutunjian also stated that Cumberland Farms had completed a Phase 1 Environmental Site Assessment and soil borings on the phase 2 section of the site, and that the applicant should supply that information to the Planning Board and

Planning Board engineer. Attorney Bitter stated that the information will be supplied. This matter is placed on the February 16 agenda for further discussion.

The index for the February 2, 2017 meeting is as follows:

1. Stewart's Shops - Recommendation on special use permit application - 2/16/2017;
2. Capital District Properties - Recommendation to Town Board on Hudson Hills PDD Amendment - Completed; and
3. Cumberland Farms - Site plan - February 16, 2017.

The proposed agenda for the February 16, 2017 meeting currently is as follows:

1. Stewart's Shops - Recommendation on special use permit application; and
2. Cumberland Farms - Site plan.