

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD JUNE 3, 2021**

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

ABSENT was J. EMIL KRIEGER.

ALSO PRESENT were CHARLES GOLDEN, Brunswick Building Department and WAYNE BONESTEEL, P.E.

Chairman Oster reviewed the agenda for the meeting, as posted on the Town sign board and Town website. The draft minutes of the May 20, 2021 meeting were reviewed. Upon motion of Member Henderson, seconded by Member Petersen, the draft minutes of the May 20, 2021 meeting were unanimously approved without amendment, with Member Stancliffe abstaining.

The first item of business on the agenda was a major subdivision application submitted by Jim Cillis for property located off Cole Lane. The owner of the property is Jim Cillis. This matter was tabled prior to the Planning Board meeting and is adjourned without date.

The second item of business on the agenda was the Brunswick Acres Planned Development District major subdivision application submitted by Brunswick Road Development, LLC. This matter was tabled prior to the Planning Board meeting and is adjourned without date.

The third item of business on the agenda was a waiver of subdivision application submitted by Gary Warrington for property located on Pinewoods Avenue. This matter was tabled prior to the Planning Board meeting. Chairman Oster stated that there had been a question at the last

Planning Board meeting as to the location of the well and septic system on the property. Chairman Oster stated that the project site uses public water and has no well on the site, but that information on the site's septic system has not been provided and that additional information is still needed. This matter is placed on the June 17 agenda for further deliberation.

The fourth item of business on the agenda was a site plan application submitted by TNKY, Troy LLC for property located at 845 Hoosick Road. The applicant seeks to construct an approximately 15,000 square foot Harbor Freight Tools retail building and a parking lot. Mary Elizabeth Slevin, the project attorney from Stockli Slevin, LLP, was present to review the project. Ms. Slevin stated that the project is the site plan for the Berkshire Properties Planned Development District, which was approved by the Planning Board back in 2011. Ms. Slevin stated that the proposed retail building is smaller than the commercial size approved for the Planned Development District. Ms. Slevin stated that the parking area being proposed will only be accessible onto NYS Route 7, not onto Betts Road. Ms. Slevin then reviewed the permit application submitted to NYS DEC for the wetlands buffer area, stating that there was a reduction in the area of disturbance approved for the Planned Development District. Ms. Slevin stated that stormwater will be managed on-site per NYS DEC requirements. Ms. Slevin also stated that the applicant is requesting that the Planning Board begin SEQRA lead agency coordination. Chairman Oster asked if the project included a lot line adjustment. Ms. Slevin confirmed that there will be two lot line adjustments, one for the MAX BMW dealership next to the project site, and the second to merge two parcels, approximately two and five acres in size, to create an approximately seven-acre commercial lot. Chairman Oster asked if the project would require any variances. Ms. Slevin stated that it would not. Chairman Oster briefly discussed the location of the building, stating that it has been moved back on the lot to be further away from Hoosick Road. Chairman Oster also clarified

that the side of the building would be facing Hoosick Road, not the front, and that the design of the building will need some enhancement for architectural purposes. Jim Reilly, developer of the project, discussed the architectural features of the side of the building facing Hoosick Road, stating that windows will look out onto Hoosick Road, there will be a split-face block for signage, and that lights have been removed from the side of the building since the plans were first submitted. Mr. Reilly also briefly discussed the elevation of the building. Chairman Oster asked if the building would be dark grey as shown on the plans and Mr. Reilly confirmed it would be. Chairman Oster asked if that color was required by Harbor Freight Tools and Mr. Reilly confirmed it was, stating that it is a company-wide color scheme. Member Mainello stated that the Harbor Freight Tools building in Clifton Park is not dark grey. Mr. Reilly confirmed that it is not, but this is because it is an older building; the building design has changed company-wide over the last few years. Member Henderson asked if the company color scheme will be required at this proposed location and Mr. Reilly confirmed that it would be. Member Henderson thanked Mr. Reilly for the design changes, but stated that he is not happy with the color of the proposed building. Member Henderson then asked if the landscaping plan would soften the building's outer appearance. Mr. Reilly said it would. Joseph Dannible, R.L.A., from Environmental Design Partnership, LLP, arrived at the meeting and presented the most recent set of design plans for the project site, while also stating that the applicant was requesting that the SEQRA lead agency process begin. Mr. Dannible stated that the site would consolidate two lots into a new approximately 7.1-acre lot, and that the project site is consistent with the previously-approved Berkshire Properties PDD. Mr. Dannible stated that the building will be located on the northwest side of Hoosick Road between Ace Hardware and the MAX BMW dealership. Mr. Dannible stated that the building will be approximately 15,000-16,000 square feet in size and will be located on the east side of the lot. Mr. Dannible stated that

the parking area would be on the west side of the lot and have 71 parking spots and electric vehicle access. Mr. Dannible stated that the site will have a single access to Hoosick Road and briefly discussed the loading dock location on the property. Mr. Dannible discussed the project's lighting plan. Mr. Golden asked what the height of the light poles will be as the maximum height allowed under the Town Zoning Law is 15 feet and an area variance would be required if the light poles are higher than 15 feet. Mr. Dannible said he would check on the height of the light poles. Mr. Dannible discussed the trash enclosure on the site and stated that the site would connect to public sewer and public water. Mr. Dannible then discussed the project's stormwater management plan, landscaping plan, and the wetland buffer disturbance, specifically the NYS DEC permitting process for that disturbance. Mr. Dannible stated that the project will require curb cut approval from NYS DOT. Mr. Dannible also stated that the MAX BMW access driveway will be divided off and transferred to MAX BMW. Chairman Oster asked Mr. Bonesteel if he had reviewed the application documents. Mr. Bonesteel stated that he is currently reviewing the documents and has no comment at this time. Chairman Oster asked about the SEQRA lead agency process, which Attorney Gilchrist then reviewed. Chairman Oster asked the Planning Board members if the Board would like to serve as lead agency on this project and the Board members stated that they would. Attorney Gilchrist stated that his office would send out Notice of Intent to Serve as Lead Agency to the other agencies involved in this project, and that he and Mr. Bonesteel will review the project's Environmental Assessment Form (EAF) for all involved agencies. The Planning Board then discussed the project's lot line adjustment and lot merger. Member Stancliffe stated that the EAF should be reviewed for wastewater generation numbers. Mr. Bonesteel reiterated that he is currently reviewing the application documents and that his review would be complete in 2-3 weeks. The Planning Board then discussed the public hearing procedure, stating that a possible

schedule would be discussing the application's engineering comments and completeness at the Planning Board's July 1 meeting before a potential public hearing at the Board's first meeting in August. Member Mainello stated that the landscaping at the front of the building seems to hide the front door and asked that these landscaping plans be reviewed. Mr. Dannible stated that there is not currently any additional landscaping proposed, but will review the landscaping plan and adjustments can be made. Member Mainello also agreed with Member Henderson that he did not like the dark grey color for the outside of the building and that he would like additional landscaping to soften the building's appearance. Member Stancliffe stated that there are two mature trees along Hoosick Road and asked if they were to be saved. Mr. Dannible stated that the trees were being removed, not saved. Member Stancliffe stated that the sidewalk proposed for the project site does not connect to the existing sidewalk along Hoosick Road, and that the proposed sidewalk, which goes to the front of the proposed building, should be extended to connect to the Hoosick Road sidewalk so people do not have to walk through the parking lot to get to the building. The Planning Board then discussed sidewalk and pedestrian access to the site. Member Mainello asked if Harbor Freight Tools would display products on the sidewalk in front of the building. Mr. Dannible said they would not, except for the occasional sidewalk sale. Member Henderson asked if there would be landscaping along the back of the building. Mr. Dannible stated that none is currently planned as the back of the building will be shielded by the MAX BMW building. Member Mainello asked if the application documents had been sent to the Brunswick No. 1 Fire Department. Mr. Dannible stated that they had not, but he would make sure to send them within the next few days. Chairman Oster stated that any potential landscaping at the back of the building should wait until the fire department has reviewed the plans as they may need to use that area for emergency access. Member Henderson asked for clarification on the "service area" near the loading dock. Mr.

Dannible stated that this is where customers can pick up large items. Member Henderson asked what the width of the curb cut would be. Mr. Dannible stated that 30 feet is proposed, but that will be subject to NYS DOT review. Member Henderson stated that traffic leaving the site and taking a left could lead to a back-up, especially during peak traffic hours. Mr. Bonesteel stated that on page 13 of the EAF, it was noted that the site qualifies under the National Registry of Historic Places and asked for explanation. Mr. Dannible stated that he will look into it and forward all related documents to Mr. Bonesteel. This matter is placed on the July 1 agenda for further deliberation.

One new item of business was discussed.

The first item of new business was a waiver of subdivision application submitted by Carol Hyldelund for property located at 538 Livingston Street. Mr. Golden reviewed the application for the Planning Board, stating that the project is to transfer 0.24 acres from the neighboring parcel owned by Peter Calhoun to the Hyldelund parcel, which is currently 0.75 acres and will increase to 0.99 acres as a result of this action. Mr. Golden also stated that 392 square feet of property is to also be transferred. This matter is placed on the June 17 agenda for further deliberation.

The index for the June 3, 2021 meeting is as follows:

1. Cillis – major subdivision (adjourned without date).
2. Brunswick Acres – major subdivision (adjourned without date).
3. Warrington – waiver of subdivision (June 17, 2021).
4. Harbor Freight Tools – site plan (July 1, 2021).
5. Hyldelund – waiver of subdivision (June 17, 2021).

The proposed agenda for the June 17, 2021 meeting is currently as follows:

1. Lord Avenue Property, LLC – site plan and minor subdivision (joint public hearing to commence at 7:00pm).
2. Hyldelund – waiver of subdivision.
3. Warrington – waiver of subdivision.