

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD JULY 1, 2021

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

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 June 17, 2021 meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the June 17, 2021 meeting were unanimously approved without amendment.

The first item of business on the agenda was a site plan and minor subdivision application submitted by Lord Avenue Property, LLC to develop an approximately 50,000 square foot supermarket building, loading dock area, parking, and stormwater facilities on 11.9 acres of property located northwest of the Lord Avenue and Hoosick Road intersection. This matter was adjourned to the July 15 meeting at the request of the applicant. Chairman Oster stated that the Town had received a copy of a petition signed by neighbors of the project site to close Duncan Lane and that copies of the petition will be provided to the Planning Board members and forwarded to the Town Board, since only the Town Board could take such an action. Attorney Gilchrist advised the Planning Board members to maintain the copies and that any personal information

included on the petition, such as telephone numbers, would likely be redacted if the petition were ever included in a Freedom of Information Law (FOIL) request.

The second item of business on the agenda was a site plan application submitted by TNKY, Troy LLC for property located on Hoosick Road in proximity to Betts Road. The applicant seeks to construct an approximately 15,000 square foot Harbor Freight Tools retail building and a parking lot. Joseph Dannible, R.L.A., from Environmental Design Partnership, LLP, was present to review the project. Mr. Dannible reviewed the site plan that had been presented at the June 3, 2021 Planning Board meeting. Mr. Dannible stated that he had received a review letter from Mr. Bonesteel and comments from the Brunswick No. 1 Fire Department, and that he has prepared written responses to all comments and will be submitting them to Mr. Bonesteel and the Planning Board for review. Mr. Dannible confirmed that there were no significant changes to the site plan as a result of the comments received, then he reviewed the site plan, stating that both stormwater basins on the site have been pulled out of the wetland buffer area and that the landscaping at the front of the building has been adjusted in order to better balance the vegetation there. Mr. Dannible stated that an application for the curb cut has been submitted to NYS DOT, an application for the wetland buffer impacts has been submitted to NYS DEC, and that he will keep the Planning Board up to date on agency comments and review. Mr. Dannible reviewed the updated building elevations, then passed around two samples of the material that the exterior of the building would be made of, which were split-face block, and stated that there would be windows on the Hoosick Road and west side of the building. Mr. Dannible also requested that the Planning Board declare itself SEQRA lead agency and to schedule a public hearing on the application for the Planning Board's August 5 meeting. Chairman Oster commented on the color scheme and lattice exterior of the building, asking if the samples handed out would be the exact color of the building being

proposed. Mr. Dannible confirmed that the outside of the building would be a lighter grey than was initially shown on the site plan and explained that the lighter grey is standard for Harbor Freight Tools stores, and that the darker grey on the site plan was simply due to a printer error. Chairman Oster stated that the lighter grey was preferable to him, but that it was open to Planning Board discussion. Member Mainello stated that the lighter grey was more in line with photos of Harbor Freight Tools stores that are available online. Member Stancliffe stated that she had travelled to a Harbor Freight Tools store in Hadley, Massachusetts and taken pictures of it as a reference and the lighter grey is in line with that store as well. Member Henderson asked for clarification on the window insert at the front of the building. The applicant stood up and reviewed the site plan and attached illustrations. Chairman Oster also clarified that there would be a window on the Hoosick Road side of the building as well. Member Stancliffe asked for clarification on the landscaping on the project site. The applicant again reviewed the site plan and clarified that vegetation would remain below the windows. Member Stancliffe asked if the trees currently on the site would remain. The applicant stated that the trees will likely be removed to make room for the building's utilities. Member Henderson asked for clarification on the building's entrances. The applicant again reviewed the site plan. Member Stancliffe asked if the lighting proposed for the site is in compliance with the Town Code. Mr. Dannible stated that the lights will be in compliance. Mr. Golden asked if there would be any area lights attached to the building. The applicant stated that there would only be security lights pointing downward just over the doors. Member Henderson asked if there would be lights in the parking lot. The applicant confirmed that there would be LED downward lighting in the parking lot. Member Henderson asked if the lights would be on all night. The applicant stated that they would not and would turn off one hour after the store closes every night. Chairman Oster asked if there was any issue with the comments on the project submitted by

the Brunswick No. 1 Fire Department. The applicant stated that there were no issues and that all comments can be addressed. Chairman Oster asked if the Fire Department had any issue with the proposed rear entrance to the building. The applicant stated that the Fire Department did not comment on it. The Planning Board then discussed the access to the rear of the building, that the building is made of steel and stone, that the building uses a sprinkler system, and that the building has a 300-foot access in compliance with the Fire Code. Member Tarbox asked if the applicant was planning to put solar panels on the roof of the building. The applicant stated that solar panels are not planned. Mr. Golden stated that 841 Hoosick Road has been assigned to the project site as its address by County 911. Chairman Oster asked if there were any other questions or comments on the outside of the building. The Planning Board members said that there were not. Member Henderson stated that he appreciated the applicant bringing in physical material and color samples for the Planning Board members to see. Member Mainello asked about the sidewalk connection to the building. The applicant stated that it would be reflected on the new site plan that will be submitted in response to the engineering comments. Chairman Oster asked what the next steps were in regards to the SEQRA process. Attorney Gilchrist stated that a lead agency coordination notice was mailed to all involved agencies on June 14 and that the legally required 30 day waiting period had not yet expired, but would by the Planning Board's next meeting on July 15. Attorney Gilchrist stated that the only response received so far was from NYS DEC. Chairman Oster suggested that the applicant respond to comments by the July 15 meeting and that a public hearing on the application could then be held on August 5. The Planning Board, Attorney Gilchrist, Mr. Bonesteel and the applicant then discussed procedure for submitting comments by the July 15 meeting and then holding a public hearing on August 5. Member Tarbox asked if the application

should be referred to the County. Attorney Gilchrist stated that it will be, upon submission of the revised and updated plans. This matter is placed on the July 15 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 Vincent Lepera for property located at 486 and 494 Brunswick Road. Mr. Golden reviewed the application for the Planning Board, stating that the applicant is seeking to transfer some land from 486 Brunswick Road to 494 Brunswick Road. Mr. Golden stated that a building at 486 Brunswick Road has been demolished and that it will still be a buildable lot after the lot line adjustment. The Planning Board discussed the application, noting the two abandoned septic systems on the property that have been deemed “decommissioned”. Attorney Gilchrist stated that the Planning Board should require the applicant to confirm that the septic systems have been properly abandoned per Rensselaer County Health Department requirements. Mr. Golden stated that the Town Building Department will notify the applicant. Mr. Bonesteel noted that there had been a lot line adjustment on the property three years ago and asked if that would be an issue. Attorney Gilchrist stated that the Town’s waiver regulations state that if a prior waiver is granted on a property within the past 7 years, then the Planning Board can entertain the waiver or require a minor subdivision application at its discretion. This matter is placed on the July 15 agenda for further deliberation.

The index for the July 1, 2021 meeting is as follows:

1. Harbor Freight Tools – site plan (July 15, 2021).
2. Lepera – waiver of subdivision (July 15, 2021).

The proposed agenda for the July 15, 2021 meeting is currently as follows:

1. Harbor Freight Tools – site plan.
2. Lepera – waiver of subdivision.
3. Lord Avenue Property, LLC – site plan and minor subdivision.