

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD DECEMBER 15, 2022**

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

ABSENT was ANDREW PETERSEN.

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

Chairperson Oster reviewed the agenda for the meeting, as posted on the Town sign board and Town website. The draft minutes of the December 1, 2022 regular meeting were reviewed. Upon motion of Chairperson Oster, seconded by Member Henderson, the draft minutes of the December 1, 2022 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was a site plan application submitted by Paulsen Development of Albany, LLC for property located at 112 McChesney Avenue. Skip Francis, P.E., of Creighton Manning Engineering, LLP, was present to review the application. Mr. Francis stated that issues were raised at the last Planning Board meeting on December 1 concerning the proposed sewer line work for the project. Mr. Francis stated that the applicant had been in contact with Bill Bradley of the Brunswick Water Department since the last meeting and that Mr. Bradley agrees with the sewer alignment, that Mr. Bradley confirms the September 26 meeting at the project site regarding the sewer line, and that Mr. Bradley agrees with the concept plan for the sewer line as long as all necessary easements are obtained as well. Mr. Francis stated that another issue raised

at the last Planning Board meeting was whether McChesney Avenue was a Rensselaer County or NYS Department of Transportation (DOT) right-of-way. Mr. Francis stated that due to a past realignment of McChesney Avenue, the road itself is in both the Rensselaer County and NYS DOT right-of-way, and that the applicant would coordinate with both Rensselaer County and NYS DOT on the sewer alignment. Mr. Bonesteel confirmed that Mr. Bradley agreed with the general sewer plan, and that the Town of Brunswick would be taking over part of the sewer line. Chairman Oster noted that there was a question raised at the last Planning Board meeting about Planning Board approval of the overall project or whether additional detail of the sewer alignment was needed first, and asked if there were any additional details on the sewer line. Mr. Bonesteel stated that he had received no additional information on the sewer line since the last Planning Board meeting. Mr. Francis stated that since Mr. Bradley has confirmed his agreement with the sewer design and the adjacent third-party property owners have consented to easements over their properties, the applicant will be able to move forward with final sewer design. Chairman Oster asked if there were any further questions from the Planning Board, and there were none. Attorney Gilchrist handed out a draft set of conditions for the Planning Board to consider. The Planning Board deliberated on proposed conditions to action on the site plan. Following such deliberation, the Planning Board determined the following conditions will be imposed on action on the site plan:

1. Owner shall fund a non-refundable escrow account with the Town of Brunswick in the amount of ten thousand dollars (\$10,000.00) to be utilized for the construction of a sidewalk segment on and along McChesney Avenue within the boundary of the project site.
2. Town of Brunswick and Rensselaer County approvals for public water connection.
3. Rensselaer County work permit in the County highway boundary for the driveway entrances and, if applicable, the sewer main installation.
4. New York State Department of Transportation work permit, if applicable, in connection with the sewer main installation.

5. Signage placed a minimum of 15 feet back from the McChesney Avenue travel way; landscaping shall not impact sight lines at the site driveway location.
6. Hours of operation for site grading are limited to Monday – Friday, 7:00 AM to 7:00 PM, and Saturday, 7:00 AM to 5:00 PM. Site grading shall be prohibited on Sundays and legal holidays.
7. Sewer:
  - a. Town of Brunswick and Rensselaer County approvals for sewer connections.
  - b. Detailed plan for sewer improvements subject to review and approval by the Town of Brunswick Water Department and Planning Board Review Engineer.
  - c. Easements in recordable form filed with the Brunswick Water Department for all sewer work on third party private properties; such easements shall include a clause that it is intended that such easement be assigned to the Town of Brunswick as part of the sewer main dedication.
  - d. Dedication of new sewer main to the Town of Brunswick in compliance of all dedication requirements of the Town of Brunswick Town Code, conditioned on confirmation by the Brunswick Water Department that such sewer main has been constructed and completed in conformance with the approved plans and specifications.
  - e. Owner shall fund an escrow account for inspection fees concerning sewer line construction and/or repair in the amount of three thousand dollars (\$3,000.00).
8. File Notice of Intent to Comply with NYS DEC General Permit for Stormwater Discharges from Construction Activities and compliance with all applicable stormwater regulations; Town of Brunswick Stormwater Management Facilities Maintenance and Easement Agreement is required prior to issuance of a Certificate of Occupancy.

Member Henderson asked if the monument sign on the project site would be lit. Mr. Francis stated that the sign would likely have ground-mounted lights pointing up at the sign. Mr. Bonesteel stated that the project's site plan showed no power to the sign, so it would likely not be lit. Member Henderson asked if the power lines from the road to the building would be above or below ground. Mr. Francis stated that there would be a transformer on-site, so the power lines would be below ground. There were no further questions from the Planning Board. Attorney Gilchrist noted that a SEQRA determination had already been made. Member Henderson made a motion to approve the

site plan application subject to the conditions stated above, which was seconded by Member Mainello. The Planning Board voted unanimously to approve the site plan application subject to the stated conditions.

There was no new business to discuss.

Mr. Golden then handed out a tree cutting plan submitted by Atlas Renewables, LLC for the North Troy Solar project on property located off Oakwood Avenue and Farrell Road. Mr. Golden stated that the plan was for the cutting of trees, principally in the area of the fence around the solar project, as previously approved by the Planning Board. Attorney Gilchrist clarified that no Planning Board action was required for the tree cutting and that the plan was handed out to the Planning Board members for informational purposes only.

The index for the December 15, 2022 regular meeting is as follows:

1. Paulsen Development – site plan (approved with conditions).

The proposed agenda for the January 5, 2023 regular meeting is currently as follows:

1. Brunina – special use permit (public hearing to commence at 7:00pm).