

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD OCTOBER 19, 2023**

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

ALSO PRESENT were MICHAEL McDONALD, 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 sign board and Town website.

The draft minutes of the October 5, 2023 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the October 5, 2023 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was a site plan application submitted by Zafer Ak for property located at 585 Hoosick Road. Nick Costa, of Advance Engineering & Surveying, was present to review the application. Chairman Oster stated that the applicant had submitted a revised site plan since the last Planning Board meeting that included the new parking area on the lot across Oneida Avenue. Mr. Costa reviewed the updated site plan, which he had sent to Mr. Bonesteel electronically for review, stating that a question had been raised at the last Planning Board meeting about water draining off the new parking area into Oneida Avenue, and that the water would now run off into a dry well. Mr. Costa reviewed the overall site plan with the new parking area, stating

that signage would be added on Oneida Avenue for pedestrian crossing, and that a sidewalk would be constructed along the east side of Oneida Avenue to the restaurant. Mr. Costa also stated that a new application had been submitted for the parking area, that two Environmental Assessment Forms (EAF) had been submitted, and that the lot for the new parking area would be merged into the lot at 585 Hoosick Road. Mr. Bonesteel stated that the application was complete for purposes of holding a public hearing, but that he wanted to review the proposed drainage plan for the new parking area with the Town Highway Superintendent, and the size of the dry well to make sure it could handle the amount of drainage that would be produced. Mr. Bonesteel also stated that the applicant should check with NYS Department of Transportation (DOT) concerning the entrance and exit from Hoosick Road and the proposed signage to make sure all NYS requirements have been met. Chairman Oster asked if the lot across Oneida Avenue had already been purchased by the applicant. Mr. Costa stated that he believed the lot had been purchased, but was not certain. Chairman Oster asked if there would be an issue if the lot had not yet been purchased, and was not purchased by the public hearing. Attorney Gilchrist stated that if the lot was not purchased by the applicant prior to the public hearing, that a letter from the current owner authorizing the application would be needed from the applicant. Attorney Gilchrist also stated that only one site plan application should be submitted, and that the first application should be amended to include the second lot for the additional parking. Mr. Costa stated that he would coordinate amending the original application with the Town. Member Tarbox asked whether the dry well was on the new parcel. Mr. Costa stated that the dry well was not on the additional lot, but that it was within the right-of-way on Oneida Avenue. Mr. Bonesteel stated that the dry well would need to be reviewed by the Town Highway Superintendent and Stormwater Officer. Member Tarbox asked who would build the sidewalk from the additional parking area to the restaurant. Mr. Costa stated that the

applicant would build the sidewalk. Member Tarbox asked if a permit would be required to build the sidewalk. Mr. Costa stated that if a permit was needed, then the applicant would get one. Mr. Bonesteel stated that the applicant would need both a work permit from NYS DOT for the sidewalk improvement and a work permit from the Town for construction of a sidewalk within the Oneida Avenue right-of-way. There were no further questions or comments from the Planning Board. A public hearing on this application is scheduled for November 2, 2023 at 7:00pm.

The second item of business on the agenda was an application for an amendment to an approved site plan submitted by Nicole LaMora for property located at 1632 Hoosick Road. No one was present to review the application. Mr. McDonald stated that no new documents had been submitted by the applicant. This matter is adjourned without date.

The third item of business on the agenda was a referral from the Town Board concerning a zoning change proposed by Matopato, LLC for property located at 291 Oakwood Avenue. Thomas Murley, the petitioner, was present to review the application. Mr. Murley stated that he had submitted an updated plan since the last meeting showing the proposed building on the site. Chairman Oster reiterated for the other Planning Board members that the petitioner had submitted a zoning change petition to the Town Board and that the Town Board was seeking a recommendation on the matter from the Planning Board. Mr. Murley stated that the square footage of the building had decreased to 9,100 square feet due to the topography of the site, that 37 parking spots would be required for a building that size, and that he was proposing 38 parking spots. Chairman Oster asked if the decreased size of the proposed building would affect the tenant he was in discussions with. Mr. Murley said the smaller size for the building would not have any effect on the tenant due to that tenant having multiple sizes for their stores. Mr. Murley also stated that the building would use existing driveways on the site, and that utilities were already installed

for the space. Chairman Oster asked to confirm that the proposed zoning change was just for the northern parcel and not the entire Diamond Rock Plaza site. Attorney Gilchrist confirmed that the zoning change was only proposed for the northern parcel, as the southern parcel already had the Diamond Rock Plaza building constructed and was grandfathered. Chairman Oster asked if it would be easier to consider a zoning change for both parcels so that the zoning would remain consistent for the entire Diamond Rock Plaza site. Attorney Gilchrist stated that it was a decision for the applicant, but that he did not believe there would be any issues with the two parcels belonging to different zoning districts. The Planning Board discussed the plan for the proposed use on the site, concluding that a store of 9,100 square feet with parking would work conceptually on the site. Mr. Bonesteel asked what the rear setback for the proposed store would be. Mr. Murley stated that the setback would be about 15 feet. Mr. Bonesteel asked where deliveries to the store would be made. Mr. Murley stated that deliveries would be made through the front door of the store. Chairman Oster stated that the Planning Board must consider all allowable uses in a B-15 zoning district for the site, and not just the concept plan that had been presented, and then reviewed all allowable uses in a B-15 district from the Use Table in the Town Zoning Law. Chairman Oster stated that he had no concern for any of the allowable uses in a B-15 zoning district on the site. The Planning Board noted that the parcel was the northern-most parcel in the Light Industrial district and was adjacent to the City of Troy, and that placing this parcel in the B-15 zoning district would not impact the remaining area in that industrial district. The Planning Board also noted that the adjacent areas in the City of Troy included multi-family residential and commercial uses. Attorney Gilchrist stated that he would draft a recommendation to the Town Board based on the comments made by the Planning Board, which would be reviewed at the next Planning Board meeting. Attorney Gilchrist also stated that an EAF should be submitted for the petition seeking

the rezoning, and should be provided to the Planning Board. Mr. Murley stated that the he would submit an EAF. This matter is placed on the November 2, 2023 agenda for further deliberation and draft recommendation review.

The index for the October 19, 2023 regular meeting is as follows:

1. Golden Grain Pizza – site plan (November 2, 2023).
2. LaMora – amendment to site plan (adjourned without date).
3. Matopato, LLC – zoning change recommendation (November 2, 2023).

The proposed agenda for the November 2, 2023 regular meeting is as follows:

1. Golden Grain Pizza – site plan (public hearing to commence at 7:00pm).
2. Matopato, LLC – zoning change recommendation.