

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD NOVEMBER 16, 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 November 2, 2023 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Mainello, the draft minutes of the November 2, 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, and Zafer Ak were present to review the application. Chairman Oster stated that a public hearing on the application was held at the last Planning Board meeting on November 2 and was closed. Chairman Oster stated that written responses to all comments made at the public hearing had been submitted by the applicant, but that the written responses were taken verbatim from the minutes of the November 2 meeting, at which the applicant had verbally responded to all public comments at the public hearing. While this was unusual, Chairman Oster noted that it was technically

compliant with the requirement of responding to all public comments in writing. Chairman Oster then asked Mr. Costa to review the written responses for the Planning Board. Mr. Costa stated that the written responses were taken verbatim from the minutes of the November 2 meeting as he believed the responses given by the applicant at the public hearing were all thorough enough. Chairman Oster reiterated that the written responses were compliant, but that it was unusual to copy responses from meeting minutes verbatim. Mr. Costa reviewed the written responses, stating that there were no chemical spills on record at the site, that any spills would have to have been reported, that there were no records of any on-site or nearby chemical spills in any NYS databases, and that the company Safety-Kleen brought and took away all chemicals used at the site. Mr. Costa then reviewed responses related to the project's parking plan, the sidewalk to be installed along Oneida Avenue, and the project's lighting plan, specifically the use of downlighting. Chairman Oster asked to confirm that trees would be planted behind the parking lot on the additional lot being purchased by the applicant. Mr. Costa confirmed that trees would be planted behind the parking lot and that those trees had been added to the revised plans, which he had submitted to the Planning Board since the last meeting. Chairman Oster asked Mr. Bonesteel if he had any questions or comments on the revised plans. Mr. Bonesteel reviewed the revised plans and asked for clarification on the drainage for the site. Mr. Costa reviewed the catch basin near the site, noting that he had reviewed it with Bill Bradley with the Brunswick Water Department earlier that week. Mr. Bonesteel stated that he was uncomfortable with a 12-inch water pipe being used considering the slope of the location, noting that a 12-inch pipe could clog easily and that an 18-inch pipe would be better. The Planning Board discussed the drainage pipe that would be used. The Planning Board then discussed screening for adjacent property owners, including trees along the sidewalk. Member Mainello asked who would maintain the new sidewalk to be built by the applicant. Mr.

Costa stated that the applicant would maintain the new sidewalk. Chairman Oster asked who was maintaining the sidewalk along Hoosick Road. Mr. Costa stated that either the Town or NYS maintains that sidewalk, not the applicant. Chairman Oster stated that comments had been received from Brunswick Fire Co. No. 1. Mr. Costa stated that he had not received those comments. Mr. McDonald made a copy of the Fire Department comments for the applicant. Chairman Oster stated that the Fire Department requested a Knox box for the site. Mr. Costa stated that there would be a Knox box. Chairman Oster stated that the Fire Department had questions on when and where deliveries would be made to the site. Mr. Costa reviewed the delivery plan for the site. Chairman Oster also stated that the Fire Department had requested a walkthrough of the site before opening. Mr. Costa confirmed that a walkthrough would be provided. Member Tarbox asked if the restaurant would serve alcohol. Mr. Costa stated that alcohol would not be served, and that alcohol was not served at the other two Golden Grain Pizza locations either. There were no other questions or comments from the Planning Board. Member Stancliffe made a motion for a negative declaration on the project under SEQRA, which was seconded by Member Petersen. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster noted that the applicant obtaining all necessary permits should be a condition on the application, and asked if there should be any further conditions to be considered by the Planning Board. Mr. Bonesteel suggested a number of conditions: that all required permits and approvals from NYS Department of Transportation (DOT) for the sidewalk to be installed along Oneida Avenue be obtained by the applicant; that all required permits and approvals for the driveway into the parking area off Oneida Avenue be obtained by the applicant; that the applicant work in coordination with the Town Highway Department, Town Water Department, and Planning Board Review Engineer on stormwater compliance; that all lighting 15 feet in height; that the planting

schedule for additional trees, including the installation and maintenance of the trees, for screening be revised; and that the applicant maintain the newly-installed sidewalk along Oneida Avenue. Member Tarbox made a motion to approve the site plan application subject to the stated conditions, which was seconded by Member Mainello. The Planning Board voted unanimously to approve the site plan application subject to the stated conditions.

The second item of business on the agenda was a site plan amendment application submitted by Carolyn A. Howard, P.E., representing Wal-Mart Stores, Inc., for property located at 760 Hoosick Road, seeking approval for relocation of the grocery pick-up area for online grocery orders. Mark Talbert, P.E., from Dewberry Engineers, Inc., was present to review the application. Chairman Oster stated that the Town had received a letter from the Rensselaer County Bureau of Economic Development and Planning stating that the project will not have a major impact on County plans and that local consideration shall prevail. Chairman Oster asked if the Brunswick Fire Department needed to review the application. Mr. Talbert stated that the Fire Department did not need to review the application as there would be no changes to the traffic flow resulting from the project and that only parking stalls would be affected. Chairman Oster noted that there would be 34 feet between the curb and the parking spaces on the side of the building, which was adequate for two-way traffic. Chairman Oster stated that a question had been raised at the previous meeting as to whether bollards should be added to the site. Mr. Bonesteel stated that he thought the addition of bollards was a good idea and that the bollards should be installed at the ramp to the grocery pick-up area. Mr. Talbert noted that the ramp was 20 inches high. Mr. Bonesteel stated that two bollards should be installed and discussed where specifically on the site they should go. Chairman Oster asked if there was signage on the site for trucks. Mr. Talbert confirmed that signage had been added for pedestrian crossing. Chairman Oster reminded the Planning Board that the only matter

before the Planning Board was the amendment to the parking and grocery pick-up area, and that the Planned Development District (PDD) amendment application was a separate issue before the Town Board, not the Planning Board. Member Tarbox asked if the applicant was ready to begin grocery pick-up at the new location. Mr. Talbert confirmed that the applicant was ready, other than installing bollards. Member Mainello asked if there was adequate lighting at the new grocery pick-up area. Mr. Talbert confirmed that there was adequate light, stating that a lighting plan had been submitted and that one new light head was being added to one light pole. Member Mainello asked if employees working in the new grocery pick-up area would be wearing light-reflective clothing. Mr. Talbert confirmed that all employees working outside already wear light-reflective clothing and would continue to do so. There were no other questions or comments from the Planning Board. Member Henderson made a motion for a negative declaration on the project under SEQRA, which was seconded by Member Tarbox. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster asked if there should be any conditions on the application for the Planning Board to consider. Attorney Gilchrist stated that one condition for the Planning Board to consider would be installing two additional bollards, the location of which would be subject to final review by Mr. Bonesteel. Member Mainello made a motion to approve the site plan amendment subject to the stated condition, which was seconded by Member Stancliff. The Planning Board voted unanimously to approve the site plan application subject to the stated condition.

There was no new business to discuss.

The index for the November 16, 2023 regular meeting is as follows:

1. Golden Grain Pizza – site plan (approved with conditions).
2. Wal-Mart – site plan amendment (approved with condition).

There are no agenda items for the December 7, 2023 regular meeting.