

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD AUGUST 3, 2023**

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

ABSENT were J. EMIL KREIGER and ANDREW PETERSEN.

ALSO PRESENT were CHARLES GOLDEN, 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 July 6, 2023 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the July 6, 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. Mr. Costa reviewed the site plan, stating that it would be a good re-use of the site, that there would be no change to the building's footprint, but that an outdoor patio area would be added and there would be significant interior renovations. Mr. Costa showed the proposed new building elevation and the site layout, and stated that delivery and on-site dining and takeout were proposed for the restaurant. Chairman Oster noted that Mr. Costa had a history with the location. Mr. Costa confirmed that he had grown up in the surrounding

neighborhood, had worked at the Roxy Cleaners dry-cleaning business formerly on the site, and still owned properties in the neighborhood. Chairman Oster stated that parking had been a primary concern when the project was first presented at the last meeting on July 20 and asked that if land was available for parking across the street, if that land would be pursued for additional parking. Mr. Costa confirmed that if the parcel across the street became available, that the applicant would pursue it for parking, and also stated that the parcel adjacent to the project site could be pursued for parking if needed, though there were currently no plans for parking on the adjacent parcel. Chairman Oster stated that the number of parking spaces on the site had been established, but that the question of required parking spaces for outdoor seating remained outstanding. The Planning Board then discussed on-site parking requirements. Chairman Oster asked if food would be delivered by wait staff. Mr. Ak stated that food would be picked up by customers at the counter, and that there would be no wait staff. Chairman Oster asked if there would be adequate parking for employees as well as customers. Mr. Ak stated that most employees would be driven to the site by his company, likely by bus. Mr. Bonesteel stated that one parking spot at the end of the site was too small for trucks, stating that it would very difficult to back out of the spot. The Planning Board discussed the viability of the last parking spot. Mr. Golden stated that one parking spot was required for every two seats on the site, meaning that two seats in the dining area would need to be eliminated if the parking spot in question was removed. The Planning Board discussed outdoor seating and on-site parking. Member Mainello asked if there was a need for a fence or railing in the area of the slope near the proposed outdoor dining area. Mr. Costa stated that the applicant would review that issue, and that the applicant was already proposing a landscaping box for the patio area. Chairman Oster asked about the parking spaces in the front of the building. Mr. Bonesteel reiterated that it would be difficult to back out of the parking spot on the end, that it was

likely not a viable parking spot in the current layout, and that the applicant would likely need some space from the adjacent parcel to make the parking spot viable. Chairman Oster asked what the applicant was planning to do with the existing Roxy Cleaners sign on the site. Mr. Ak stated that the sign structure would remain and be used for a new Golden Grain Pizza sign. Mr. Bonesteel stated that keeping a sign at that spot would further affect the parking spot on the end. Mr. Costa stated that the site plan could be amended to show available space on the adjacent parcel being used for parking. Attorney Gilchrist stated that if space on the adjacent parcel were to be used, the applicant would need to obtain a lease agreement or other legal right provided by the owner of the adjacent parcel, which would need to be submitted to the Planning Board. The Planning Board continued discussing parking in proximity to the outdoor dining area. Mr. Bonesteel stated that contours needed to be added to the site plan, which would aid in the review of the parking plan. Mr. Costa stated that contours would be added to the site plan. Mr. Bonesteel asked if any additional paving would be done on the site. Mr. Costa stated that there would be no additional paving. Member Tarbox asked where dumpsters would be placed on the site. Mr. Costa stated that there would be no dumpsters on the site and that waste would be kept inside and rolled out to the curb for regular pick-up. Member Stancliffe asked how the site would look in comparison to the Golden Grain Pizza restaurant on Wolf Road in Colonie. Mr. Ak stated that the Wolf Road location is approximately 2,600 square feet and the proposed Hoosick Road location would be approximately 2,900 square feet. Member Stancliffe stated that the Wolf Road location had about 25 parking spots with a dumpster outside the building, and that the Hoosick Road location was proposed to have a larger building, but less parking and no dumpster outside. The Planning Board and applicant discussed the differences between the Wolf Road and proposed Hoosick Road sites, specifically the square footage and surrounding traffic of the sites. Mr. Ak also stated that the

Golden Grain Pizza site in East Greenbush was comparable to the proposed Hoosick Road site. Mr. Bonesteel noted one page of the Environmental Assessment Form (EAF) needed to be changed to state Brunswick instead of East Greenbush. Mr. Costa stated that the EAF would be amended. Mr. Bonesteel stated that he was still reviewing the plan for completeness, that some information was still missing, and that more information was needed regarding parking and traffic circulation. Chairman Oster asked what the size of the parcel was. Mr. Golden stated that the parcel was 0.23 acres. Chairman Oster asked if there were any other viable options for additional parking. Mr. Costa stated that the applicant would review further parking options. Member Henderson asked if the previously mentioned parcel across the street that could be used for additional parking was referring to a parcel across Hoosick Road. Mr. Costa stated that the parcel was not across from Hoosick Road, but the adjacent parcel across from Oneida Avenue. Member Henderson asked how chemicals were treated on the site when it was a dry-cleaners. Mr. Costa stated that a company called Safety-Kleen had brought cleaning chemicals to and from the site, and that the chemicals were always handled carefully on-site. Member Henderson asked if the applicant had any knowledge of any past chemical spills from when the site was a dry-cleaners. Mr. Costa stated that he did not. Mr. Bonesteel stated that the NYS DEC environmental database did not show any chemical spills on the site. Mr. Bonesteel stated that he would coordinate with Mr. Costa as to the site plan requirements. Chairman Oster asked if a traffic study should be required. Mr. Bonesteel stated that the applicant should submit projected traffic/trip generation data for a restaurant on the site in accordance with accepted engineering standards. Chairman Oster agreed that traffic data should be submitted, and stated that many comments on traffic would be brought up at a public hearing, which will be required for this application. Mr. Costa stated that the applicant would

submit the requested traffic data. This matter is placed on the September 7, 2023 agenda for further deliberation.

The Planning Board discussed two items of new business.

The first item of new business was an application for a site plan amendment submitted by Carolyn A. Howard, P.E., on behalf of Wal-Mart Stores, Inc., for property located at 760 Hoosick Road. Jen Alice Sanders, store manager for the Brunswick Walmart, was present to review the application. Ms. Sanders reviewed the site plan amendment, including the changes to the interior of the store, that the seasonal lawn and garden sales area was proposed to be in the parking lot from March to July, and that outdoor storage was proposed in the parking lot from August to February. Member Tarbox stated that prior approvals for the building did not allow for the sale of items in the parking lot. Mr. Golden reviewed the current site modifications, noting that an online grocery pick-up area was being added to the site. Mr. Golden asked where snow would be stored during the winter months due to the proposed modifications. Ms. Sanders stated that she did not know the store's snow removal policy as she had only become manager of the Hoosick Road Walmart a few months prior. Member Tarbox asked if the modifications to the site would impact the tax assessment for the parcel. Attorney Gilchrist stated that any change to the site's assessed value would be within the jurisdiction of the Town Tax Assessor. Attorney Gilchrist stated that the initial application for the Walmart was not simply a site plan application, but a Planned Development District (PDD) application, that the initial PDD approval prohibited all storage or display of items or sales in the parking lot, and that the current action would require a PDD amendment, which could only be done by the Town Board. Attorney Gilchrist stated that the Planning Board could not take action on the application until the Town Board had addressed the

PDD amendment, and that Walmart should coordinate with the Town Building Department on the PDD amendment requirements. This matter is tabled.

The second item of new business was a waiver of subdivision application submitted by Michael Hart for property located at the end of Langmore Lane. No one was present for the applicant. Mr. Golden briefly reviewed the application. The Planning Board discussed the area and the proposed new lot. Mr. Golden noted that a shed was sitting where the lot line was proposed and that there was an issue with the proposed driveway for the proposed new lot. Chairman Oster asked if there was enough room for a driveway or if the new parcel would be landlocked. Attorney Gilchrist agreed that the proposed new lot raised an issue of required frontage on a public road. Attorney Gilchrist also asked about Langmore Lane itself, asking if it was a deeded road or a highway by use. Attorney Gilchrist also noted that emergency vehicle access would be an issue. This matter is placed on the August 17, 2023 agenda for further deliberation.

The index for the August 3, 2023 regular meeting is as follows:

1. Golden Grain Pizza – site plan (September 7, 2023).
2. Walmart – site plan amendment (tabled).
3. Hart – waiver of subdivision (August 17, 2023).

The proposed agenda for the August 17, 2023 regular meeting is currently as follows:

1. Maries Muse, LLC – site plan.
2. Hart – waiver of subdivision.