

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD FEBRUARY 15, 2018

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

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

Chairman Oster reviewed the agenda for the meeting.

The draft minutes of the February 1, 2018 meeting were reviewed. Upon motion of Member Czornyj, seconded by Member Stancliffe, the minutes of the February 1, 2018 meeting were unanimously approved without amendment.

The first item of business on the agenda was the special use permit/site plan/subdivision application submitted by High Peaks Solar for property located at 566 Brunswick Road. Chairman Oster reviewed the current procedure of this application, noting that the applicant has submitted area variance applications to the Brunswick Zoning Board of Appeals, and that the Zoning Board of Appeals is scheduled to review those applications for completeness at the February 26 meeting of the Zoning Board of Appeals. Chairman Oster noted that in the event the Zoning Board of Appeals determines the area variance applications to be complete, it is the proposed procedure to hold a joint public hearing with the Zoning Board of Appeals on March 15. Kevin Bailey of High Peaks Solar was present for the applicant. Mr. Bailey reviewed updated aerial photos of the project

site, and also reviewed additional photo renderings of the site with the solar panel installation as proposed. Mr. Bailey also stated that he had visited the project site with his surveyor and that, based upon additional information concerning elevation of the site in relation to the creek on the west side of the parcel, the proposed solar array will be moved slightly to the east on the project site to better suit the existing terrain. Member Henderson inquired how far east the proposed solar array will be moved, and Mr. Bailey stated approximately 30–35 feet to the east in certain areas. Mr. Bailey also discussed the final proposed location in relation to an existing farm road on the property. Member Henderson inquired whether the solar array will be visible from Creek Road or from Brunswick Road. Mr. Bailey stated that the solar array would not be visible from Brunswick Road or Route 2, but that the solar panels would be visible from Creek Road during certain times of the year when the leaves are off the trees, and directed the Planning Board to the photo renderings and specifically photo number 15. Member Mainello had questions concerning photo rendering numbers 4 and 11 which regard the Clemente property. Chairman Oster asked Mr. Bailey whether he has reviewed these photo renderings with the Clementes, and Mr. Bailey stated that he had initially reviewed the project with the Clementes but has not reviewed the updated photo renderings with them. Mr. Bailey also confirmed he has not discussed the project with other neighbors. Chairman Oster noted that at the last meeting, Mr. Bailey indicated that he is not proposing any additional vegetative screening between the Clemente property and neighboring properties in relation to the proposed solar array, as Mr. Bailey thought this would not be effective. Chairman Oster inquired whether the applicant would be willing to install such vegetative screening if requested by the property owners, and Mr. Bailey stated that he would be happy to review that issue with the neighbors. Member Henderson asked whether Mr. Bailey had spoken with residents on Creek Road regarding the project, and Mr. Bailey stated that he had not spoken

to the residents on Creek Road. Chairman Oster inquired as to the status of the phase 1 archeological assessment of the project site. Mr. Bailey stated that he had a contractor scheduled to complete the phase 1 assessment as soon as weather permitted. Chairman Oster had a question regarding the Zoning Law requirement for decommissioning security, which was reviewed by Attorney Gilchrist. Chairman Oster asked whether Mr. Bonesteel had any questions on the application documents. Mr. Bonesteel stated that he did not have any questions, but that the applicant should submit updated large scale maps for his review as well as for members of the Planning Board. Mr. Bonesteel also stated that he felt the visual renderings were adequate for purposes of the public hearing and that, while he would complete a more detailed review of the updated visual Environmental Assessment Form, he did feel the visual EAF was adequate for a public hearing. Member Mainello asked about any photo rendering of the back of the proposed panels, as the application documents included only a photograph of the front side of the panels. Mr. Bailey stated that he would have that photograph prepared. Member Mainello said this was important as some of the neighbors would be looking at the back of the photo panel array. Chairman Oster confirmed that this matter will be in front of the Brunswick Zoning Board of Appeals for requested variances on February 26, and that the applicant will be submitting full-size plans of the updated site plan. The Planning Board indicated that Mr. Bailey did not need to appear on March 1, although he is certainly entitled to do so, and that the Planning Board would place this matter on the March 1 agenda for purposes of confirming a joint public hearing with the Zoning Board of Appeals following the February 26 Zoning Board of Appeals meeting. The Planning Board indicated it would contact Mr. Bailey to confirm the joint public hearing for March 15, following its meeting on March 1.

The second item of business on the agenda was the special use permit/sketch plan application submitted by MJ Engineering on behalf of David Leon for property located at 1 Valley Avenue. Chairman Oster requested Attorney Gilchrist to review the procedural status of the matter. Attorney Gilchrist stated that the Planning Board had sent a letter to the Brunswick Town Board raising concern regarding multi-family/apartment use in the Town of Brunswick under the new Brunswick Zoning Law; that the Brunswick Town Board has not taken any action with regard to that letter; that the applicant has submitted a special use permit and sketch plan application that remains pending before the Planning Board; that the Planning Board should proceed with the review of those applications; and that Attorney Gilchrist had discussed with the project engineer the issue of paper streets in this area and had requested that the paper street map be superimposed over the site plan, which the applicant's engineer had completed. Attorney Gilchrist requested the applicant's engineer to provide a large map with the paper street overlay to the Planning Board members as well as Mr. Bonesteel for review. Jamie Easton, P.E., of MJ Engineering, was present for the applicant, and indicated he would supply the map with the paper street overlay to the Planning Board and Mr. Bonesteel. Mr. Easton stated that the applicant has pending before the Planning Board a sketch plan, a special use permit application, as well as the full Environmental Assessment Form. Mr. Easton stated that the applicant is seeking to have the special use permit review completed, and to provide as much information as necessary in addition to the sketch plan, to allow the Planning Board to make a determination on the special use permit without moving forward and completing the full site plan submittal, which requires a significant amount of engineering and would be very costly. The applicant is looking to have a determination by the Planning Board on the special use permit before making the investment to complete all necessary engineering for the required site plan, and was looking for feedback from the Planning Board as

to what additional information will be required to complete that review. Mr. Easton then generally reviewed the proposed project. Mr. Easton stated that the project is seeking approximately 150 units, but the unit count could go up or down depending on Planning Board consideration. Mr. Easton then reviewed the project's consistency with the Town Comprehensive Plan, highlighting high density residential in this area of the Town of Brunswick on the future land use map in the Town Comprehensive Plan, generally reviewing percentage of rental-units in the Town of Brunswick as opposed to surrounding municipalities and the State of New York, and the general market which is promoting more rental residential units as opposed to owner-occupied residential units. Mr. Easton stated that the sketch plan of this project is consistent with the Town Comprehensive Plan in terms of infrastructure. The applicants presented a video of a similar apartment project located in the Capital District, and reviewed building type and community areas within the proposed project. The Planning Board then further discussed procedure on the application with the applicant's engineer, both in terms of application review as well as public hearings. It is noted for the record that the Brunswick Zoning Law requires integration of special use permit and site plan review, to the extent practicable and consistent with applicable law (Section 160-64(L)). The issue concerning public hearings was discussed, with a mandatory public hearing required for the special use permit application, and a permissive public hearing required for the site plan. The Planning Board generally discussed the potential for integrating review procedures, as well as conducting two separate public hearings on the special use permit application and a subsequent site plan application. Attorney Gilchrist noted that the procedure for this review will be further researched, but that the review under the State Environmental Quality Review Act for this action—which will include both site plan and special use permit considerations—will require a record providing adequate detail on all potential significant

environmental impacts for the Planning Board to make a SEQRA determination. Attorney Gilchrist stated that, regardless of whether a detailed site plan application is submitted at this time, the SEQRA review for this action may require information that would be necessary for the site plan application in any event, in order to comply with SEQRA regulations. The applicant's engineer understood this, and stated that any information necessary for the SEQRA review will be provided. Member Mainello had several questions concerning the paper streets in this area, including whether the paper streets would be plotted on a map and if owners of adjacent properties would be provided notice. It was determined that additional information on paper streets would be provided prior to any public hearing. The Planning Board then entertained further discussion on additional information that the Planning Board would require in connection with the special permit review and consideration of concept site plan. Issues concerning an updated traffic study, proposed connectivity of roads through the project site and adjacent public roads, site grading, road geometry, and wetlands were discussed. It was determined that Mr. Bonesteel as well as members of the Planning Board would further review the current application materials to determine what additional information would be required. Member Stancliffe also identified certain errors in the full Environmental Assessment Form, which were reviewed with Mr. Easton, and Mr. Easton stated he would work on updating the Full Environmental Assessment Form and submit that to the Town. Mr. Easton also stated that he would review the Planning Board deliberation with his client and prepare additional information on the items already discussed, and that he anticipated being able to submit additional information to the Planning Board for its first meeting in April. This matter is adjourned without date pending receipt of additional information from the applicant.

One item of new business was discussed.

A site plan application has been submitted by Ace Hardware for property located at 831 Hoosick Road. Bo Michael, of Michael Architectural Services, was present for the applicant. Mr. Michael reviewed a revised site plan for this project, which seeks the installation of an addition to the existing Ace Hardware store, as well as the demolition of the existing rental center building and replacement with a two-story retail/office building. Mr. Michael reviewed the proposed parking plan, which now includes 84 parking spaces for the site, reviewed issues associated with the road leading to the Brunswick Little League field, and discussed updated greenspace calculations for the site. Member Stancliffe reviewed the parking plan, and the issue of the size of parking stalls, and directed the applicant to review the Town Code in terms of its parking standards. Member Stancliffe noted that the applicant is proposing parking stalls of 10 feet by 20 feet, while the Town Code requires parking stalls of 9 feet by 18 feet, which could reduce the area of parking and increase the greenspace on the site. The Planning Board reviewed the proposed road to the rear of the project site, as well as an existing drainage ditch located to the rear of the project site. The issue of site drainage was also discussed, and Mr. Bonesteel stated that he would need to review the prior drainage plan for this site for consistency with what is being proposed on the current site plan. The Planning Board also discussed site grading in relation to stormwater management. Mr. Michael then provided an updated rendering of the proposed office building. The Planning Board members discussed the fact that the rental center includes a repair service, and that it is unlikely that people would be bringing equipment through the existing Ace Hardware store to access the repair center in the addition to the rear of the building. Mr. Michael stated that the equipment being brought to the site for repair would be driven to the rear of the site, and that the equipment would be brought into the repair center through a door to be included in the proposed addition to the hardware store. The Planning Board also raised the issue of snow storage on the

site. Chairman Oster raised the issue of the separate parcels constituting the project site, and if separate parcels were to be maintained, the applicant would need to prepare cross-easements for purposes of parking, drainage, utilities, and access for review by the Town. Mr. Michael stated that he would review that issue with the Ace Hardware owner. It was noted that the Town Water Department had conducted a preliminary review of the water and sewer plan, and had provided initial comments. The Planning Board also indicated that site plans bearing a professional stamp needed to be submitted. It is also noted that this site plan will be referred to the Rensselaer County Planning Department for review and recommendation. Mr. Michael was also directed to correct the Environmental Assessment Form which had been filed with the application. This matter is placed on the March 1 agenda for purposes of reviewing the updated and corrected Environmental Assessment Form, and receipt of five copies of the site plan with the requisite professional stamp.

The index for the February 15, 2018 meeting is as follows:

1. High Peaks Solar - Special use permit/site plan/subdivision - 3/1/2018;
2. MJ Engineering/David Leon - Sketch plan/special use permit - Adjourned without date;
3. Ace Hardware - Site plan - 3/1/2018.

The proposed agenda for the March 1, 2018 meeting currently is as follows:

1. High Peaks Solar - Special use permit/site plan/subdivision;
2. Ace Hardware - Site plan.