

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD DECEMBER 6, 2018

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

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

Chairman Oster reviewed the agenda as posted on the Town website and Town signboard.

The first matter on the agenda was the public hearing on the application for minor subdivision submitted by Karen DuJack for property located at 70 Town Office Road. Chairman Oster reviewed the procedure and rules governing public hearings. Attorney Tingley read the notice of public hearing and indicated that it had been published in the Troy Record on November 21, 2018, had been sent to surrounding property owners, had been posted on the Town website, and had been posted on the Town signboard. Brian Holbriiter appeared on behalf of the applicant. Mr. Holbriiter reviewed the application for the Board and the public and indicated that he had submitted plans to the County Health Department for water and septic. Mr. Holbriiter indicated that there had been no changes on the proposed plat since the last submittal reviewed by the Board. Chairman Oster then opened the matter for receipt of public comment. No comments were received. Chairman Oster then closed the public hearing.

Chairman Oster then opened up the regular meeting.

The Planning Board members reviewed the draft minutes of the regular meeting held November 15, 2018. Upon motion of Member Henderson, seconded by Member Tarbox, the draft minutes of the November 15, 2018 regular meeting were unanimously approved without amendment. The Planning Board members then reviewed the draft minutes of the November 15, 2018 special meeting. Upon motion of Member Henderson, seconded by Member Stancliffe, the draft minutes of the November 15, 2018 special meeting were approved by a vote of 4-0, with Chairman Oster abstaining.

The first item on the agenda was the application for minor subdivision made by Karen DuJack for property located at 70 Town Office Road. Chairman Oster noted that the agricultural data statement had been prepared and circulated as necessary and no comments had been received. Mr. Bonesteel indicated that he had completed his review and agreed that the application constituted a minor subdivision and that it met all of the requirements for minor subdivision application submittals. He noted that the driveway profiles did not show a negative pitch off the road and recommended that the applicant show a negative pitch off the road up to six feet. Mr. Bonesteel further indicated that County Highway Department permits would be required. Mr. Holbitter indicated that he would modify Note 5 on the plans to reflect not only that there would be negative pitch off the roadway, but also that County Highway permits would be required. Mr. Bonesteel asked whether the driveways were proposed to be paved or crusher run. Mr. Holbitter indicated that the driveways would be crusher run subject to any requirements of the County Highway Department. Mr. Bonesteel indicated the County may require not only the negative pitch but also culverts to accommodate drainage. Member Tarbox then made a motion to adopt a negative declaration under SEQRA, which was seconded by Member Mainello and was

unanimously approved. Member Stancliffe then made a motion to approve the application with the following conditions:

1. County Health Department approval shall be obtained for water and septic.
2. Prior to issuance of a building permit, County Highway Department approval shall be obtained for driveway locations.
3. Notice of Intent shall be filed with the Town's stormwater management officer.

The motion was seconded by Member Henderson and was unanimously approved.

The next item on the agenda was the application of Robert Irwin for waiver of subdivision to divide 10.12 acres from his existing parcel at 269 Menemsha Lane for transfer to an adjacent property owner. Rod Michael of RDM Surveying was present for the applicant. Chairman Oster noted that an agricultural data statement had been sent as required and no comments were received in response. Mr. Michael indicated that no changes had been made to the plan since the last submittal and presentation to the Board. Member Tarbox asked whether the 10.12 acres would be merged into the adjoining parcel. Mr. Michael indicated that the acreage would be merged into the parcel. Member Mainello then made a motion to adopt a negative declaration, which was seconded by Member Tarbox and was unanimously approved. Member Tarbox then made a motion to approve the waiver of subdivision subject to the requirement that the 10.12 acres be legally merged into the adjoining lot, with proof of merger being filed with the Brunswick Building Department. The motion was seconded by Member Stancliffe and was unanimously approved.

The next item on the agenda was the special use permit/SEQRA scoping document matter for the Valley Avenue apartment proposal made by David Leon. No representative of the applicant appeared. Chairman Oster noted that he had recused himself from the application and he left the meeting. Member Stancliffe was previously designated as the Acting Chair on this matter. Acting

Chair Stancliffe indicated that all the Planning Board members had received a copy of the latest draft final scope prepared in consultation with the Planning Board's consulting engineer. Acting Chair Stancliffe explained that the final scoping document would provide an outline of the analysis and data that would be contained in the Draft Environmental Impact Statement. Acting Chair Stancliffe asked if any Planning Board members had any comments or questions concerning the draft final scope as most recently provided by the Board's consulting engineer. Member Henderson indicated that he suggested that section 3.4.1.1 on page 9 be amended so that the paragraph beginning "An analysis of existing crash data..." conclude with the following language: "Include an assessment of the proposed development on existing crash patterns/rates." Attorney Tingley indicated that his office had some proposed changes. First, on page 1, in the final paragraph, second sentence, Attorney Tingley noted that the sentence should begin "No identified state-regulated fresh water wetlands". Second, on the final page, Appendix A should refer to July 2018 as the date of the last revised Full Environmental Assessment Form. Third, on the final page, the heading 11.0 "Issues Not Addressed in the DEIS" should be removed. Acting Chair Stancliffe indicated that she had the following proposed modifications:

- On page 1, the second sentence in the second full paragraph should refer to special use permit approval, not special permit approval.
- Section 2.1 should provide as examples of site improvements the following: parking lots, retaining walls, sidewalks, and utilities.
- Section 3.0, the third sentence should have the word "the" prior to DEIS.
- Section 3.1.1.1 should read as follows: "The topography, surface and subsurface soils, and bedrock conditions within the project site shall be described in detail and

shall be based on actual site specific soil investigations including soil borings, rock cores, and test pits to supplement available existing data.”

- Section 3.1.1.2 second sentence should read as follows: “If earthwork cuts and fills are balanced, then calculations of those quantities shall be provided.”
- Section 3.1.1.3, the following language shall be added after the term “retaining walls”: “and/or below grade parking structures”.
- Section 3.1.2.1, the end of the sentence should read “potentially increase or decrease runoff”.
- Section 3.1.3.2, second sentence should read as follows: “Compliance with the Rensselaer County blasting regulations shall be discussed.”
- Section 3.2.1.1 should read as follows: “Regulated state and federal wetlands and other surface water shall be described (including size, classification and appropriate jurisdiction) and delineated as well as associated buffers as enacted by NYSDEC and/or USACOE.”
- A new section 3.2.1.2 should be added and subsequent sections should be renumbered. New section 3.2.1.2 should read as follows: “Provide correspondence of jurisdictional determination (or lack thereof) for the project site from NYSDEC and/or USACOE.”
- Section 3.2.2.1, second sentence should read as follows: “Identify all direct and indirect impacts on wetlands from construction of the site improvements and stormwater management systems.”

- Section 3.2.2.4 should read as follows: “Describe anticipated construction-related impacts to drainage, detention, stormwater runoff and consequential impacts to water quality in the vicinity of the construction site.”
- Section 3.4.1.1 should be modified to include the following intersections in addition to those already listed: Hoosick Road and Goodman, Hoosick Road and Killock, Ridgewood and Woodward, Ridgewood and Killock, and Ridgewood and Goodman. The first sentence in the second full paragraph in 3.4.1.1 should read as follows: “Roadway characteristics shall be described for Hoosick Road, Hillcrest Avenue, Lord Avenue, Woodward Avenue, Goodman Avenue, Killcock Avenue, and Ridgewood Avenue, including functional classifications...” The term “accident” in the third paragraph in that section should be changed to “crash”.
- Section 3.4.3.1 should end with the following language: “Such as addition of turning lanes, signals, or a roundabout.”
- Section 3.5.2.2 should have the following as the second sentence: “Discuss the potential for blasting and the impact to adjacent residences.”
- Section 3.5.2.3 should add the following language after “automobile traffic,”: “Outdoor activity space,”.
- Section 3.6.1.2 should read as follows: “Discuss the land use patterns and types of structures in the area.”
- Section 3.7.1.1 should read as follows: “Existing information for services provided by the Town of Brunswick and other agencies, police, fire, ambulance, schools, libraries, senior centers, shall be included. Provide information regarding snow removal, road maintenance, trash pickup, mail delivery and emergency response.”

- New Section 3.7.2.6 should be added and read as follows: “Provide an analysis of snow removal, property maintenance, and deliveries.”
- In Section 7.1, the term “will” following utility service providers should be changed to “shall”.

Member Henderson requested that Section 3.4.1.1 be modified to not only document existing conditions for the weekday AM and PM peak hours and Saturday midday peak hours, but also Sunday midday peak hours. Member Henderson also pointed out that there was a typographical error in Section 3.1.2.2, and the words “will be” in the first line should be deleted. Attorney Tingley indicated that there was a typographical error on page 10 in the sentence “Included as Appendices shall be:”. Member Henderson then made a motion to adopt the final scope as modified at the meeting, which was seconded by Member Mainello, and was unanimously approved (with Chairman Oster not participating). Mr. Bonesteel indicated that he would make the necessary changes and would provide to the Planning Board attorney for circulation to the applicant and involved and interested agencies.

There was no new business addressed at the meeting.

The index for the December 6, 2018 meeting is as follows:

1. DuJack - Minor subdivision - Approved with conditions;
2. Irwin - Waiver of subdivision - Approved with conditions;
3. Leon/SEQRA scoping document - Final scope adopted.

There are currently no proposed agenda items for the December 20, 2018 meeting.