

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD JULY 15, 2021**

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

ABSENT were LINDA STANCLIFFE and ANDREW PETERSEN.

ALSO PRESENT were CHARLES GOLDEN, Brunswick Building Department and WAYNE BONESTEEL, P.E.

Chairman Oster reviewed the agenda for the meeting, as posted on the Town sign board and Town website. The draft minutes of the July 1, 2021 meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the July 1, 2021 meeting were unanimously approved without amendment.

The first item of business on the agenda was a site plan application submitted by TNKY, Troy LLC for property located at 841 Hoosick Road. Anna Rehder, Project Engineer with Environmental Design Partnership, LLP, was present to review the application. Ms. Rehder briefly reviewed the application and a map of the project site, stating that the project was a consolidation of lots, that there would be a lot line adjustment on the east side of the property with MAX BMW, and that the applicant is seeking site plan approval. Ms. Rehder stated that the planting plan for the site has been updated and that all engineering comments have been addressed, including moving the sidewalk to attach to the sidewalk along Hoosick Street. Mr. Bonesteel stated that he received the comment response letter from the applicant and while he does have a few additional

comments on the project, they are all minor issues with the site plan, such as the spacing of the bollards and that the bioretention area requires a planting plan. Mr. Bonesteel also confirmed that he had no further comments on the project's Stormwater Pollution Prevention Plan (SWPPP) or Environmental Assessment Form (EAF), and that he would be sending the applicant a letter with all additional minor comments in the next few days. Chairman Oster stated that he greatly appreciated the applicant bringing physical samples of the material that will be used on the exterior of the building to the last meeting and that the material is satisfactory. Chairman Oster asked Mr. Bonesteel if the site plan was complete for the purpose of holding a public hearing. Mr. Bonesteel stated that it was, as all further comments he has are minor. Member Henderson asked about the green area on the site plan. Ms. Rehder stated that it is about 4 acres of mostly wetland and buffer area. Member Henderson asked if there are plans to develop the green area as well. Ms. Rehder stated that there are no plans to develop the green area on this project. Chairman Oster stated that the Brunswick Building Department will send the updated site plan to the Rensselaer County Planning Department. Chairman Oster asked if any other agency had objected to the Planning Board declaring itself lead agency and Attorney Gilchrist stated that none had. Member Henderson made a motion to declare the Planning Board as the lead agency on the project under SEQRA, which was seconded by Member Mainello. The Planning Board voted unanimously to approve the motion, and the Planning Board was declared lead agency on the project under SEQRA. This matter is placed on the August 5 agenda for a public hearing and further deliberation.

The second item of business on the agenda was a waiver of subdivision application submitted by Vincent Lepera for property located at 486 and 494 Brunswick Road. Vincent Lepera was present to review the application. Chairman Oster stated that there had been a question at the July 1, 2021 Planning Board meeting as to the locations of the two abandoned septic systems on

the property. Mr. Lepera stated that the first septic system had been for a house on the property that was previously demolished, that the septic tank was cracked during excavation and that it was decommissioned by filling it with slurry sand. Mr. Lepera stated that the second septic system was for a trailer that had been approved for the property in the 1940s, and had a steel septic tank which had collapsed and rusted out over time, and that Mr. Lepera had excavated around the tank and filled it with slurry sand to decommission it. Chairman Oster asked if the Rensselaer County Department of Health needed to be notified. Mr. Bonesteel stated that the County does not require confirmation of decommissioning, and that the County only gives direction on such decommissioning. Chairman Oster asked Mr. Lepera if there had been another lot line adjustment on the property within the last 7 years and Mr. Lepera confirmed that there had been, which was shown on the map filed with the application. Chairman Oster noted that the lot line adjustment being sought through this application is 22 feet on the south side of the parcel and 27 feet on the north side, then asked Mr. Lepera if he intends to sell the lot that has been cleaned up. Mr. Lepera confirmed that he intends to sell that lot. Chairman Oster noted that a parcel being altered by a waiver of subdivision within the last 7 years is something that must be considered by the Planning Board. In this case, however, the prior waiver application was only a lot line adjustment, and no new lot had been created; therefore, the Planning Board will entertain the current waiver application and will not require a minor subdivision application to be filed. There were no other Planning Board comments or questions on the application. Member Tarbox made a motion for a negative declaration on the project, which was seconded by Member Henderson. The Planning Board voted unanimously to declare a negative declaration under SEQRA. Member Henderson made a motion to approve the waiver of subdivision application, which was seconded by Member

Mainello. The Planning Board voted unanimously to approve the waiver of subdivision. Mr. Lepera was directed to file a copy of the recorded map with the Building Department.

The third item of business on the agenda was a site plan and minor subdivision application filed by Lord Avenue Property, LLC for property located on Lord Avenue. Walter Lippmann, Project Manager with M.J. Engineering and Land Surveying, P.C., was present for the applicant. Alanna Moran, Transportation Engineer with Vanasse Hangen Brustlin, Inc., was also present. Mr. Lippmann reviewed the responses to public comments, which had been submitted to the Planning Board by letter on July 2. Mr. Lippmann stated that the primary issues raised during the public hearing were traffic, lighting, and drainage. Mr. Lippmann detailed the plan for bringing fill to the site during construction, including providing the truck route, stating the trucks will go “right in, right out”, meaning that trucks will only turn right whether entering or exiting the project site. Mr. Lippmann stated that a water truck will be provided to reduce dust on and near the project site and to keep the roads clean. Member Henderson asked about truck traffic once the proposed Hannaford supermarket opens. Mr. Lippmann stated that the traffic light at the Hoosick Road and Lord Avenue intersection will be operational by then, which will make it easier for delivery trucks to exit off Lord Avenue onto Hoosick Road. Mr. Lippmann then discussed site elevation in relation to the light poles proposed for the site, as well as the visibility of the lights from neighboring properties. Mr. Lippmann also briefly discussed the stormwater plan for the project site. Ms. Moran then gave a brief presentation on the traffic study, stating that traffic through the Genesee Street neighborhood was one of the biggest concerns at the public hearing. Ms. Moran stated that additional field work was recently done based on public comments, including at the intersection of Lord Avenue and Tucker Avenue, with traffic counts taken during weekday peak hours. Ms. Moran stated that only 2 cars passed through that intersection during the AM peak, while 17 cars

passed through during the PM peak. Ms. Moran stated that she also looked at stop sign compliance at the intersection of Genesee Street and Oneida Avenue, stating that the posted speed limit there is 20 MPH and that there is some truck traffic in that area. Ms. Moran stated that in her opinion, excessive speed will not be a problem due to that road being narrow and not long enough to get up to a dangerous speed. Ms. Moran also noted that while there is truck traffic, it is not significant, as the traffic is mostly local cars, moving trucks, and National Grid and Verizon trucks. Chairman Oster asked if by moving trucks, Ms. Moran meant U-Haul trucks and Ms. Moran said she did. Chairman Oster stated that there is a U-Haul dealer on Duncan Lane and that neighbors have told him that people renting U-Haul trucks return them later in the day before the dealer closes and that they often speed on Duncan Lane to return the trucks on time. Member Henderson noted that traffic is terrible along Hoosick Road on the weekend and traffic during “normal” hours on weekdays is nowhere close to the amount of traffic on the weekend. Chairman Oster stated that a lot of the cut through traffic on the analyzed streets could be local residents who know how bad the traffic is on Hoosick Road and take side streets to avoid it. Chairman Oster noted that the traffic light at the intersection of Hoosick Road and Lord Avenue has not been installed yet and that it will be difficult to be certain of how that light will impact traffic. Chairman Oster stated that there are two unknown factors when considering traffic, the traffic light at the Hoosick Road-Lord Avenue intersection, and the Hannaford supermarket itself. Ms. Moran then reviewed her supplemental traffic analysis submitted to the Planning Board on June 7. Chairman Oster stated that the Planning Board needs to take all traffic studies and analyze them for the consideration of potential mitigation measures in connection with this application. Ms. Moran noted that any traffic changes made often impact the people they were meant to help, meaning that any changes to traffic patterns may also burden adjacent owners. The Planning Board then discussed the Board’s authority to retain an independent

traffic consultant with costs reimbursed by the applicant, with Attorney Gilchrist stating that the Town site plan regulations allow for independent technical analysis of specific issues. Mr. Bonesteel reviewed a proposal from Colliers Engineering & Design for a traffic engineering review. Rich Rosen, from Lord Avenue Properties, stated that he had no problem with a consultant retained, but that timing could be an issue. The Planning Board then discussed putting money for the consultant in escrow and getting the independent traffic consultation completed, specifically that the new traffic analysis should focus on project impacts, particularly on Lord Avenue, Duncan Lane, and the surrounding neighborhoods. Mr. Lippmann asked if SEQRA review could occur concurrently with the new traffic review. Mr. Bonesteel stated that it could and noted that the key issues are traffic, both truck traffic during construction and customers post-construction, and stormwater/drainage. Chairman Oster asked about trucks entering and exiting the project site during construction. Mr. Rosen stated that the route was given to him by R.J. Valente Gravel, Inc., who has made a proposal for the transportation of the fill. Chairman Oster asked if there any other possible locations for fill. Mr. Rosen stated that he can check, but that the fill is currently planned to come from Schaghticoke. Member Tarbox made a motion to retain Colliers Engineering & Design for independent traffic consultation per the scope of the work under the letter dated July 7, 2021, with an initial escrow amount of \$5,500.00 to be deposited by the applicant, which was seconded by Member Mainello. The motion was unanimously approved and Colliers Engineering & Design was retained for the purpose of completing an independent technical review of the traffic studies submitted by the applicant. This matter is placed on the August 5 agenda for further deliberation.

One new item of business was discussed, which was a waiver of subdivision application submitted by Cynthia Wilson for property located at 82 and 80 Carrolls Grove Road. Mr. Golden

reviewed the application for the Planning Board, stating that the applicant is seeking to transfer 0.19 acres from the 82 Carrolls Grove Road parcel to the 80 Carrolls Grove Road parcel. Attorney Gilchrist stated that the application does not require an Agricultural Data Statement as it is already a non-agricultural use and is only a lot line adjustment. Attorney Gilchrist then asked who updated the map submitted with the application, as it appeared to have been updated recently, and said this needs to be clarified. This matter is placed on the August 5 agenda for further deliberation.

The index for the July 15, 2021 meeting is as follows:

1. Harbor Freight Tools – site plan (public hearing on August 5, 2021).
2. Lepera – waiver of subdivision (approved).
3. Lord Avenue Property, LLC – site plan and minor subdivision (August 5, 2021).
4. Wilson – waiver of subdivision (August 5, 2021).

The proposed agenda for the August 5, 2021 meeting is currently as follows:

1. Harbor Freight Tools – site plan (public hearing to commence at 7:00pm).
2. Lord Avenue Property, LLC – site plan and minor subdivision.
3. Wilson – waiver of subdivision.