

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD FEBRUARY 6, 2025

PRESENT were RUSSELL OSTER, CHAIRMAN, DONALD HENDERSON, J. EMIL KREIGER, LINDA STANCLIFFE, DAVID TARBOX, ANDREW PETERSEN and MICHAEL CZORNYJ.

ALSO PRESENT were WENDY KNEER and KEVIN MAINELLO, 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 January 16, 2025 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the January 16, 2025 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was the applications for site plan, minor subdivision, and a special use permit submitted by Maries Muse, LLC for property located at 727-737 Hoosick Road and 4 Mohawk Avenue. Tim Freitag, from Bohler Engineering, and Colton Hill were present to review the applications. Mr. Freitag stated that an amended application for area variances was presented to the Zoning Board of Appeals at its January 27, 2025 meeting, and that the Zoning Board was open to a joint public hearing to be held March 6 if a SEQRA determination was made before then. Mr. Freitag stated that there had been no changes to the application since the last Planning Board meeting, that Parts 2 and 3 of the Full Environmental Assessment Form

(EAF) had been drafted and reviewed in draft form at the last meeting, and that the applicant was looking for a SEQRA determination to be made by the Planning Board at this meeting. Chairman Oster stated that the Planning Board had received draft Parts 2 and 3 at the last meeting with a memorandum written by Mr. Bonesteel, and asked Mr. Bonesteel to review Parts 2 and 3 and that memorandum for the Planning Board. Mr. Bonesteel stated that he had reviewed the draft Parts 2 and 3 of the EAF at the last meeting, that he had received comments from the Planning Board members, and that he had made one update to Part 2 regarding the groundwater impacts due to the amount of fuel proposed for the site, and that no other changes had been made. Mr. Bonesteel then briefly reviewed Part 2 of the EAF, and there were no questions or comments from the Planning Board members. Mr. Bonesteel then noted that the project was listed as an Unlisted Action under SEQRA and that he was proposing, based on Parts 2 and 3, that a Negative Declaration be declared on the project under SEQRA. Chairman Oster asked Mr. Freitag if he had any questions for the Planning Board, and he did not. Attorney Gilchrist reviewed a draft Resolution adopting a Negative Declaration pursuant to SEQRA for the Planning Board. The Planning Board had no comments or questions on the draft Resolution. The foregoing Resolution was duly put to a roll call vote. The Planning Board voted unanimously to adopt the Resolution and adopted a Negative Declaration pursuant to SEQRA for this action. Chairman Oster then asked the Planning Board members if they were in favor of the Zoning Board holding a special meeting concurrently with the Planning Board regular meeting on March 6 for the purpose of holding a joint public hearing, and the Planning Board members were in favor of it. A public hearing on the applications before both Boards is scheduled for March 6, 2025 at 7:00pm.

The second item of business on the agenda was the Colton Ridge major subdivision application submitted by Paramount Building Group of NY for property located at the northeast

corner of Spring Avenue and Creek Road. Matt Bond, P.E., of Hart Engineering, was present to review the application. Mr. Bond stated that the applicant was completing the stormwater pollution prevention plan (SWPPP) for the project and would submit it before the next meeting. Mr. Bond stated that the applicant would be filing an updated Full EAF to include the establishment of a drainage district required by the Town Board. Mr. Bond stated that the applicant had contacted NYS Department of Environmental Conservation (DEC) regarding the construction exemption for mining, and that further discussions will be held on that subject. Mr. Bond also stated that the plans had been sent to the Eagle Mills Fire Department, but had not received any comments yet. Mr. Czornyj asked if the rear property line was also the tree line at the back of the property. Mr. Bond stated that the property line was within the tree line, with trees on either side of the line. This matter is placed on the February 20, 2025 agenda for further deliberation.

The Planning Board discussed one item of new business.

The one item of new business was a site plan application submitted by Edward King for property located at 272 Smith Hill Road. Edward King was present to review the application. Member Tarbox recused himself. Mr. King stated that the parcel was a 24.71-acre lot that borders Tarbox Farms, and that he was proposing dog boarding and a kennel on the site. Mr. King stated that he was proposing a 19-unit boarding “hotel”, or “doggy day care”, and 14 kennels for local municipalities, which would be done through contracts signed through NYS Department of Agriculture and Markets. Mr. King stated that the boarding and kennel areas would be separate. Member Henderson asked if the applicant would be working with the Town of Brunswick to hold dogs picked up by the Town. Mr. King stated that he would pursue working with the Town if the site plan application was approved. Chairman Oster asked if local municipalities were having trouble holding dogs due to NYS Department of Agriculture and Markets regulations. Mr. King

stated that local municipalities were having issues, which was why he was looking to work with local municipalities if the site plan application was approved. Member Henderson asked if there would be a time limit on how long a dog could be held at the site. Mr. King stated that he wanted the site to be open 24 hours a day, and to have no limit on how long a dog could stay as part of the doggy day care. Mr. King also stated that current NYS Department of Agriculture and Markets guidelines for kennels in New York are to keep dogs for five days. Member Czornyj asked if the project would accept dogs from the City of Troy as well. Mr. King stated that he would not due to potential safety issues with only having two full-time employees plus himself working at the site, and that he would focus on the Town of Brunswick and surrounding rural communities. Chairman Oster asked if there was a required number of employees for a certain number of dogs. Mr. King stated that that was no required number of employees, and that three employees would be enough to handle the work. Member Stancliffe asked Mr. King to review the proposed outdoor dog area on the site plan. Mr. King reviewed that part of the site for the Planning Board. Member Henderson asked about the septic system for the site. Mr. King stated that solid waste would be stored and shipped off the site through a contractor, and that liquid waste would be handled by the existing on-site septic system, which was attached to the house on the site. Mr. King also stated that the house on the site would be where all business transactions would be done on the site. Chairman Oster asked if there were Rensselaer County regulations for a septic system connected to this type of business. Mr. Bonesteel stated that he was not sure and would research that issue. Chairman Oster asked if there was a well on the site. Mr. King confirmed that there was. Mr. Bonesteel asked the applicant to review the short EAF submitted with the application before the next meeting as there were a few edits to be made. Mr. King stated that he would review the short EAF, and that

he would submit the relevant NYS Department of Agriculture and Markets regulations before the next meeting. This matter is placed on the February 20, 2025 agenda for further deliberation.

Member Tarbox returned to the meeting.

The Planning Board discussed one item of old business.

The one item of old business was the Brunswick Acres Planned Development District major subdivision submitted by Brunswick Road Development, LLC. Andrew Brick, Esq. and Anthony Casale were present to review the project. Mr. Brick stated that conditional final approval was granted on the project on August 15, 2024 and that the applicant had 180 days to complete a number of conditions on the conditional approval. Mr. Brick stated that the applicant was working through the conditions, but that more time was required. Mr. Brick stated that the 180-day period was set to expire on February 11 and that the applicant was requesting a 90-day extension. Mr. Brick stated that in September 2024, Mr. Casale had reached out to the Bill Bradley at the Town Water Department concerning the creation of new water and drainage districts, but that there had been a question as to which attorney would be handling the coordination with the Water Department on that issue, and that while that issue had been resolved, the creation of the special district had been delayed and was not yet complete, necessitating the 90-day extension. Attorney Gilchrist stated that the 180-day window to meet all conditions was a New York State Town Law requirement, and that the New York State Town Law also stated that the Planning Board could grant a 90-day extension to comply with those conditions. Chairman Oster reviewed the request for an extension for the Planning Board, stated that the district-formation delay had been due to the Town, and that he had no issue with granting the 90-day extension. Member Tarbox asked how many 90-day extensions could legally be granted. Attorney Gilchrist stated that previously under the New York State Town Law, only two 90-day extensions could be granted, but that that law

had been changed, and now there was no limit on the number of 90-day extensions that could be granted. Chairman Oster made a motion to approve the 90-day extension request, which was seconded by Member Petersen. The Planning Board voted unanimously to approve the 90-day extension request.

The index for the February 6, 2025 regular meeting is as follows:

1. Maries Muse, LLC – site plan, minor subdivision, and special use permit (March 6, 2025).
2. Paramount Building Group – major subdivision (February 20, 2025).
3. King – site plan (February 20, 2025).
4. Brunswick Acres – extension (granted).

The proposed agenda for the February 20, 2025 regular meeting is as follows:

1. Paramount Building Group – major subdivision.
2. King – site plan.

The proposed agenda for the March 6, 2025 regular meeting is as follows:

1. Maries Muse, LLC – site plan, minor subdivision, and special use permit
(public hearing to commence at 7:00pm).