

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

**Zoning Board of Appeals**  
TOWN OF BRUNSWICK  
336 Town Office Road  
Troy, New York 12180

**MINUTES OF THE PLANNING BOARD REGULAR MEETING AND  
ZONING BOARD OF APPEALS SPECIAL MEETING HELD MARCH 6, 2025**

PRESENT for the Planning Board were RUSSELL OSTER, CHAIRMAN, DONALD HENDERSON, J. EMIL KREIGER, LINDA STANCLIFFE, DAVID TARBOX and ANDREW PETERSEN.

ABSENT was MICHAEL CZORNYJ.

PRESENT for the Zoning Board of Appeals were ANN CLEMENTE, CHAIRPERSON, E. JOHN SCHMIDT, JOHN MAINELLO III and DARYL LOCKROW.

ABSENT was PATRICIA CURRAN.

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

The Town of Brunswick Zoning Board of Appeals, pursuant to a Notice of Special Meeting, joined the Planning Board meeting for the purpose of conducting a joint public hearing on the site plan, minor subdivision, and special use permit applications submitted to the Planning Board and the application for area variances submitted to the Zoning Board of Appeals by Maries Muse, LLC for the construction of a retail store with gasoline sales on the western portion of the site and a drive-thru restaurant and second retail store on the eastern portion of the site on property located at 727-737 Hoosick Road and 4 Mohawk Avenue.

Chairman Oster noted that the public hearing would be a joint public hearing with the Planning Board and Zoning Board of Appeals. Chairman Oster opened the public hearing of the Planning Board on the site plan, minor subdivision, and special use permit applications submitted by Maries Muse, LLC. Chairperson Clemente opened the public hearing of the Zoning Board of Appeals on the application for area variances submitted by Maries Muse, LLC. Chairman Oster reviewed the rules and procedure of a public hearing. Attorney Gilchrist read the Notice of Joint Public Hearing into the record, with the Notice having been published in the Eastwick Press, placed on the Town sign board, placed on the Town website, and mailed to owners of all properties located within 300 feet of the project site. Chairman Oster asked the applicant to give a brief overview of the project. Tim Freitag, from Bohler Engineering, and Jared George, from Maries Muse, LLC, were present to review the application. Mr. Freitag reviewed the project, stating that the applicant was seeking to consolidate seven existing lots into two lots, that the western lot would have a 6,730 square foot retail store with gasoline sales, and that the eastern lot would have a 2,350 square foot drive-thru restaurant and a 3,500 square foot retail building. Mr. Freitag stated that the site was in a B-15 business zoning district, that the site plan and minor subdivision applications were for permitted uses in a B-15 district, and that the gasoline sales proposed for the site required a special use permit. Mr. Freitag stated that the western portion of the site was proposed to have 15 parking spaces, 6 gas dispensers and a trash enclosure. Mr. Freitag stated that the site was proposed to have two driveways, on Hoosick Road and Mohawk Avenue, which would be shared by all users on the site. Mr. Freitag stated that traffic improvements were proposed at the intersection of Hoosick Road and McChesney Avenue, including replacing the existing traffic light and creating a four-way intersection. Mr. Freitag stated that the eastern portion of the site would have 47 parking spaces and a drive-thru restaurant as the eastern-most building on the site. Mr. Freitag stated that

the restaurant would have no menu board as part of the drive-thru and that orders would be placed earlier on an app and that the drive-thru would be only for picking up orders. Mr. Freitag stated that the existing homes along Hoosick Road on the site would be demolished as part of the project, that existing utilities would be shut down and/or removed, and that there would be new utilities and stormwater management facilities on both sides of the site. Mr. Freitag stated that significant stormwater review had been done as part of the project and briefly reviewed the stormwater plans. Mr. Freitag briefly reviewed the proposed lighting, landscaping, buffering and curbing on the site. Mr. Freitag stated that review on the project had been done by the Planning Board, Zoning Board of Appeals, NYS Department of Transportation (DOT), Rensselaer County DOT, local Fire Departments, and the Town Water Department, and that engineering and traffic studies had been done, the project had been referred to Rensselaer County, and that a Negative Declaration under SEQRA had been made. Chairman Oster asked the applicant to describe the proposed improvements to McChesney Avenue. Mr. Freitag repeated that the traffic signal at the intersection of McChesney Avenue and Hoosick Road would be replaced, and also stated that McChesney Avenue would be widened with a dedicated right-turn lane, and that there would be pedestrian improvements and crosswalks added to the site as well. Chairman Oster stated that the Town had received five written letters concerning the project and entered them into the record: a letter dated July 17, 2024 from Mary Ellen Adams; a letter dated July 31, 2024 from Kimberly Jensen; a letter dated August 12, 2024 from Sue Vitolins; a letter dated September 4, 2024 from Kimberly Jensen; and a letter dated September 19, 2024 from Kimberly Jensen. Chairman Oster stated that copies of all five letters had been provided to the applicant. Chairman Oster also stated that if anyone who had submitted written letters was present, they were not prohibited from speaking and could still give verbal comments on the project as well. Chairman Oster then opened the floor for the receipt

of public comment. Dr. Judy Purcell, of 39 Cole Lane, stated that she owned the former dentist's office adjacent to the site across Mohawk Avenue, that Mohawk Avenue is not a wide road, that she was currently trying to sell the building on her lot, and that she was very concerned about traffic impacts from the project to Mohawk Avenue, noting that people who currently do not want to turn onto Hoosick Road from Mohawk Avenue already drive up Mohawk to find another route, and that this project would make that condition worse. Dr. Purcell also noted that there was no traffic light at the intersection of Mohawk Avenue and Hoosick Road and asked how people trying to turn onto Mohawk Avenue from Hoosick Road and vice versa would be able to do so with the increase in traffic along Hoosick Road from the project. Mr. Freitag stated that while he would prefer to respond to all comments in writing after the public hearing, he did want to address the traffic concerns, stating that multiple traffic studies were done of the site with trip generation at both driveways taken into account. George Jones, of 105 Hillside Avenue, agreed with Dr. Purcell that Mohawk Avenue is a narrow road and noted that many families with children live on that road, amplifying the safety issue due to increased traffic. Mr. Jones also agreed that cars would travel up Mohawk Avenue to Roosevelt Avenue rather than turn directly onto Hoosick Road to try to avoid that intersection and get to the traffic light at the Roosevelt Avenue and Hoosick Road intersection, leading to increased traffic along Mohawk Avenue. Mr. Jones also stated that he did not like the entrance to the project site from Mohawk Avenue, and that the Mohawk Avenue entrance should be eliminated from the plans, limiting access to and from the site to one entrance on Hoosick Road. Victoria Galvin, of 5 Mohawk Avenue, stated that she was also concerned by the entrance to the site from Mohawk Avenue. Ms. Galvin stated that Mohawk Avenue is currently a quiet neighborhood, that many homes have young children, including hers, and that there is currently little to no traffic along Mohawk Avenue. Ms. Galvin stated that traffic would greatly

increase along Mohawk Avenue if the project were approved, agreeing with Dr. Purcell and Mr. Jones that cars would drive up Mohawk Avenue to Roosevelt Avenue to get to the traffic light there. Ms. Galvin stated that the school bus that her children take, as well as and other children on Mohawk Avenue, would be affected by the increase in traffic. Ms. Galvin stated that if the applicant is intent on having a second entrance to the site, then it should be at another location, such as down near the Burger King on Hoosick Road. Ms. Galvin also stated that she was concerned about the current state of the houses along Hoosick Road that are planned to be demolished as part of the project, stating that these houses have been vacant for some time and that vagrancy has become a serious issue, especially with young children in the neighborhood. Mary Beth Bruno, of 102 Lumax Run, stated that she wished longtime Brunswick resident Jennifer Mann, who recently passed away, could have been at the meeting to comment as well. Ms. Bruno stated that the retail store and gas station on the western portion of the site would be a chain called QuickChek, that a QuickChek location in Kingston was open 24 hours a day, asked if the proposed QuickChek would also be open 24 hours a day, and stated that it should not be as she did not believe there were any businesses along that section of Hoosick Road that were open 24 hours a day. Ms. Bruno asked if traffic along Hoosick Road would be impacted by construction on the site. Ms. Bruno stated that the Town Comprehensive Plan promotes coordinated signage to maintain the character of the area, yet the signage for businesses along Hoosick Road varies greatly, and that significant thought should be put into the signage for this project site. Ms. Bruno stated that people living nearby, such as on Mohawk Avenue, would be impacted by lighting on the site and that no variances for lighting should be granted. Ms. Bruno stated that information on sidewalks and crosswalks should be provided. Ms. Bruno stated that trees were proposed to be removed and approximately 1.6 acres were proposed to be covered by blacktop, yet there were trees along Wolf

Road in Colonie that was just as busy and had just as many businesses, and stated that the trees proposed to be removed should be saved. Ms. Bruno asked if, due to the increase in traffic, there was a plan to widen Hoosick Road now or in the future. Ms. Bruno stated that there should be more greenspace on the site. Ms. Bruno stated that her greatest overall concern was maintaining the character of the Town. Kimberly Jensen, of 14 Roberts Drive, stated that the turn lane on Hoosick Road at the intersection with Mohawk Avenue could become a traffic hazard due to the combination of oncoming traffic, cars trying to turn, and queuing of those cars. Ms. Jensen also stated that making the driveway to the site from Mohawk Avenue exit only should be considered. Jim Tkachik, of 387 Brunswick Road, stated that the project site was an industrial-sized lot of approximately 2.25 acres. Mr. Tkachik stated that the western portion of the site would be approximately the size of a football field. Mr. Tkachik stated that all trees, vegetation and existing buildings were proposed to be removed/demolished, which would significantly change the appearance and character of the site. Mr. Tkachik stated that drainage was a major concern due to the project site being at the base of a hill, that extreme weather events were becoming more common, and that present weather models may not be accurate enough to control stormwater on the site. Mr. Tkachik stated that when the Walmart on Hoosick Road was built, a house adjacent to the site was flooded due to poor stormwater management, and that Walmart ultimately bought the property, demolished the flooded house, and built a stormwater basin on the lot. Mr. Tkachik stated that he had significant concerns over traffic, stating that QuickChek would not draw nearly as much through-traffic as the previously proposed Chick-fil-A, but that he still had great concern over the intersection of Hoosick Road and McChesney Avenue. Mr. Tkachik stated that after studying the traffic studies for the project, the QuickChek is actually expected to generate more overall traffic than the Chick-fil-A was. Mr. Tkachik stated that the traffic backup along Hoosick

Road was already great and would be made even worse if this project was approved. Mr. Tkachik stated that there was a lot of uncertainty over what the finished site would look like if the project were approved, as most of the review was on the western portion of the site and that there was no as much information on the eastern portion of the site. Mr. Tkachik asked who the tenants on the eastern portion of the site were, and stated that until that information was known, no one could know what the buildings or signage on the site would look like. Mr. Tkachik asked if there was a greenspace and/or landscaping plan for the site, noted that the western portion of the site was proposed to be mostly barren, and stated that while some trees were proposed for the eastern portion of the site, it was unclear in the application materials what specific trees and vegetation were proposed. Mr. Tkachik also asked why existing trees were to be removed and new trees were to be planted, as opposed to maintaining the existing trees on the site. Mr. Tkachik asked if there would be one or multiple phases of construction, how construction would affect traffic on Hoosick Road, and what the proposed hours of operation for construction would be. Mr. Tkachik also stated that he wanted the public hearing kept open until the project's plans were more definitive. Dr. Purcell spoke again, stating that while her dental practice was open, patients would be nervous turning onto Hoosick Road from Mohawk Avenue and that people turning onto Hoosick Road would be even more nervous if the project were approved due to the increases in traffic. Dr. Purcell also stated that when her office was open, she would recommend patients drive through the Mohawk Avenue neighborhood to get to the traffic light at the end of Roosevelt Avenue, and that there would be many more cars doing the same if the project was approved. Robin Jones, of 105 Hillside Avenue, asked if the Hoosick Road corridor needed another gas station, fast food restaurant or mattress store. Ms. Jones stated that cars driving up Mohawk Avenue and turning onto Roosevelt Avenue to get to the traffic light there often make the wrong turn from Mohawk

onto Roosevelt and end up driving through her neighborhood on Hillside Avenue, which is a dead-end road, and turn around on her front lawn. Ms. Jones also stated that the character of the neighborhood had already changed significantly due to the increasing number of businesses along Hoosick Road and that she did not want it to change any further. Tony Spensieri, of 10 Mohawk Avenue, agreed that Mohawk Avenue is a narrow road and is not wide enough to handle the potential increase in traffic. Mr. Spensieri also stated that drivers often use the turning lane on Hoosick Road as a driving lane, and that this would only get worse if the project was approved. Kim Jensen spoke again, asking if there would be a written comment period. Chairman Oster stated that the Planning Board would discuss whether to have a written comment period after the public hearing. Mary Beth Bruno spoke again, stating that she had called a representative of Maries Muse, LLC, that the project owner is a member of the Brunswick community, and that he wants to make the project look nice and have a positive impact for the Brunswick community. There were no further comments from the public. Chairman Oster asked whether the public hearing should be closed, and whether there should be a written comment period. Member Tarbox suggested that the public hearing be closed and a written comment period be established. The other Planning Board members agreed. Chairperson Clemente stated that she wanted to keep the Zoning Board's public hearing open. Member Mainello stated that the responses to public comments could affect the plans for the project and agreed that the public hearing should be kept open. The Planning and Zoning Board then further discussed the need for the applicant to respond to comments and the public hearing schedule. Mr. Freitag stated that the applicant wanted the public hearing to be closed and a written comments period to be established. Chairperson Clemente asked Attorney Gilchrist what the procedure would be for one Board closing its public hearing and the other Board keeping its public hearing open. Attorney Gilchrist stated that each Board had independent jurisdiction and



could make its own decision on whether to keep its public hearing open, and discussed potential procedural issues. Mr. Freitag stated that the applicant could respond to comments in a timely manner in advance of the next Zoning Board meeting on March 17. Member Tarbox asked if the Zoning Board needed to act on the application before it before the Planning Board. Attorney Gilchrist stated that the reviews could run concurrently, but confirmed that the Zoning Board needed to act on the application for area variances first before the Planning Board could act on the applications before it. Member Schmidt asked if there would be a timing issue if the Planning Board closed its public hearing and the Zoning Board kept its public hearing open. Attorney Gilchrist stated that there was no time limit on the site plan and special use permit applications, but that if a decision was not made on the minor subdivision application within 62 days of the close of the public hearing, then it was deemed approved, and confirmed there could be a timing issue. The Planning Board deliberated and determined that it was willing to leave its public hearing open, establish a special meeting to be held concurrently with the Zoning Board's regular meeting on March 17, continue the joint public hearing at its special meeting on March 17, and accept additional written comments until March 17. Mr. Freitag stated that the applicant could submit written responses to comments by March 13. Attorney Gilchrist confirmed that written comments for the applications before both Boards could be received until March 17. Chairman Oster made a motion to keep the Planning Board's public hearing open, to hold a special meeting of the Planning Board on March 17, 2025 at 6:45pm, and to continue the joint public hearing with the Zoning Board of Appeals on March 17, 2025 at 6:45pm, which was seconded by Member Henderson. The Planning Board voted unanimously to keep the Planning Board's public hearing open, to hold a special meeting of the Planning Board on March 17, 2025 at 6:45pm, and to continue the joint public hearing with the Zoning Board of Appeals on March 17, 2025 at 6:45pm. Chairperson

Clemente made a motion to keep the Zoning Board's public hearing open and to continue the joint public hearing with the Planning Board on March 17, 2025 at 6:45pm, which was seconded by Member Schmidt. The Zoning Board of Appeals voted unanimously to keep the Zoning Board's public hearing open and to continue the joint public hearing with the Planning Board on March 17, 2025 at 6:45pm. Chairperson Clemente made a motion to close the special meeting of the Zoning Board of Appeals, which was seconded by Member Mainello. The Zoning Board of Appeals voted unanimously to close its special meeting.

Chairman Oster stated that the Planning Board would then continue its regular meeting and reviewed the agenda. Chairman Oster noted that the second item on the agenda, 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, had been tabled at the request of the applicant prior to the meeting, and that this matter would be placed on the agenda for the next regular meeting on March 20, 2025. Chairman Oster also noted that the third item on the agenda, a site plan application submitted by Edward King for property located at 272 Smith Hill Road, had been withdrawn by the applicant.

The draft minutes of the February 20, 2025 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the February 20, 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 Jared George, from Maries Muse, LLC, were present to review the applications. Chairman Oster noted that the public hearing on the applications remained open and would be continued on March 17,

but that the Planning Board wanted to review some of the comments at this time. Chairman Oster asked what the hours of operation would be for the QuickChek. Mr. Freitag stated that the QuickChek store was proposed to be open 24 hours a day. Chairman Oster asked about the project's construction traffic plan. Mr. Freitag stated that the construction traffic plan was being worked on and needed to be submitted to NYS DOT for review and comment. Chairman Oster asked what the businesses on the eastern portion of the site would be. Mr. Freitag stated that the drive-thru restaurant would be a Chipotle and the retail store would be a mattress store, both of which had been discussed at previous meetings. Chairman Oster asked if the Chipotle would be drive-thru only or have indoor seating as well. Mr. Freitag stated that the Chipotle would have indoor seating, but clarified that the drive-thru would not have a menu board and be pick-up only, as customers would have to order on an app ahead of time. Chairman Oster asked if the proposed driveway on Mohawk Avenue would be both an entrance and exit to the site. Mr. Freitag confirmed that it would be. Chairman Oster stated that several comments were made at the public hearing about traffic concerns on Mohawk Avenue. Mr. Freitag stated that the traffic studies showed that while some customers were expected to use the Mohawk Avenue driveway, most cars would use the driveway on Hoosick Road due to the traffic light there, and that the Mohawk Avenue driveway was included due to it being good practice to have a second point of access to a site. Mr. Freitag stated that the impacts to houses along Mohawk Avenue were good comments and could be addressed through signage. Chairman Oster asked if curbing could be used to dissuade cars from turning right onto Mohawk Avenue. Mr. Freitag stated that it could be considered, and that he would review that issue with the project's traffic engineer. Member Petersen asked if Roosevelt Avenue could be made into a one-way street. Chairman Oster stated that it would not be a good idea due to it being a residential street. Member Tarbox asked if Mohawk Avenue could be

widened. Mr. Freitag stated that the traffic studies showed no need to widen Mohawk Avenue. Member Tarbox asked if fencing could be installed or trees planted at the rear of the site to provide screening for houses behind the site. Mr. Freitag reviewed the proposed retaining wall and fencing at the rear of the site. Member Tarbox asked if some parking spaces could be removed from the front of the western portion of the site and be replaced by additional vegetation and/or trees. Mr. Freitag stated that the front of the western portion of the site was near an existing retaining wall and that planting additional trees was not recommended due to tree roots potentially eroding and/or damaging that retaining wall. Mr. Bonesteel stated that planting additional trees at the front of the western portion of the site would affect the stormwater and drainage plans. Mr. Freitag stated that the plans would be reviewed to see if there was any opportunity to add additional vegetation and shrubbery to the site. Member Tarbox asked why existing trees on the eastern portion of the site were proposed to be removed and new trees planted. Mr. Freitag stated that the existing trees were being removed so that grading could be done to level the site, then new trees would be planted. Chairman Oster asked what the total acreage of the site was. Mr. Freitag stated that the site was 2.57 acres. Member Stancliffe asked if the hours of operation for the QuickChek could be reduced. Mr. Freitag stated that QuickChek stores being open 24 hours a day was standard, and also noted that a Cumberland Farms gas station and convenience store less than half a mile down Hoosick Road was also open 24 hours a day. Member Tarbox asked for details on lighting at the QuickChek, especially at night. Mr. Freitag stated that the eastern portion of the site would be dark at night as both the Chipotle and the mattress store would not be open 24 hours a day, and that while the western portion of the site would have lights on 24 hours, he would inquire with QuickChek as to whether the lighting could be dimmed during overnight hours. Chairman Oster asked what responsibility the applicant had for the abandoned houses along Hoosick Road that were proposed

to demolished as part of the project, but were currently vacant. Mr. Freitag stated that the applicant was working on obtaining a demolition permit for those houses, and that the applicant was looking to demolish those houses as soon as possible. Mr. Freitag stated that design plans for traffic improvements had been submitted to NYS DOT and Rensselaer County. Mr. Freitag also stated that NYS DOT was open to further discussion of a subsurface stormwater connection to a NYS drainage facility and was seeking the opinion of the Town on the matter. Mr. Bonesteel stated that he and Bill Bradley of the Town Water Department could draft a submittal to NYS DOT on that issue. This matter is placed on the March 17, 2025 special meeting agenda for continuation of the joint public hearing.

There was no new business to discuss.

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

1. Maries Muse, LLC – site plan, minor subdivision, and special use permit (March 17, 2025).

The proposed agenda for the March 17, 2025 special meeting is as follows:

1. Maries Muse, LLC – site plan, minor subdivision, and special use permit (joint public hearing with the Zoning Board of Appeals to continue at 6:45pm).

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

1. Paramount Building Group – major subdivision.
2. Maries Muse, LLC – site plan, minor subdivision, and special use permit (tentative).