

**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 JULY 7, 2022**

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

ABSENT was ANDREW PETERSEN.

PRESENT for the Zoning Board of Appeals were ANN CLEMENTE, CHAIRPERSON, PATRICIA CURRAN, and E. JOHN SCHMIDT.

ABSENT were JOHN MAINELLO III and DARYL LOCKROW.

ALSO PRESENT were CHARLES GOLDEN, 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 special use permit and site plan applications submitted to the Planning Board and the application for an area variance submitted to the Zoning Board of Appeals by Atlas Renewables, LLC for the construction of a commercial solar collector facility on property located off Oakwood Avenue and Farrell Road.

Chairman Oster reviewed the agenda for the Planning Board meeting, noting that the public hearing would be a joint public hearing with the Zoning Board of Appeals. Chairman Oster opened

the public hearing of the Planning Board on the special use permit and site plan applications submitted by Atlas Renewables, LLC. Chairperson Clemente opened the public hearing of the Zoning Board of Appeals on the application for an area variance submitted by Atlas Renewables, 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. Lluís Torrent and John Watson, both of Atlas Renewables, were present to review the application. Mr. Torrent reviewed the project, stating that it was a 5 MW community solar project that would be located on 15 acres of a 79-acre site. Mr. Torrent reviewed a map of the site, detailing the location of the solar project and the access road to it. Mr. Torrent also reviewed the project's National Grid interconnection point on Oakwood Avenue, detailing how it would cross the former incinerator site. Mr. Torrent also stated that a screening simulation had been prepared by the applicant. Chairman Oster then opened the floor for the receipt of public comments. Nancy Williams, of 58 Biscayne Boulevard, asked where specifically the National Grid interconnection was going to be located. Mr. Watson pointed out the location on the site map. Mr. Torrent explained how the interconnection between the project site and National Grid will work, then showed a visual simulation of the project site. Peter Ryan, of 1703 Brunswick Meadows Way, stated that he was expecting a more thorough presentation, and asked where specifically on the site the solar panels would go, and where the trees being removed were located. Mr. Torrent reviewed where the panels would go and which trees would be removed on the site map, and also reviewed the project's wetlands delineation report, clarifying that the project site contained only federal wetlands, not NYS wetlands. Mr. Ryan asked how close

the solar project would be to Brunswick Meadows neighborhood, and if there had been visual and noise assessments done from Brunswick Meadows. Mr. Watson reviewed the information that the applicant had submitted concerning noise and the operation of the inverter on the site. Mr. Ryan asked what the applicant was going to do about the displacement of wildlife. Mr. Watson stated that the applicant was planning to install fauna-friendly fencing to keep wildlife away from the solar panels. Mr. Ryan replied that he was more concerned with the wildlife impact to the homes in Brunswick Meadows, as the solar project would be taking the habitats of local animals and wildlife, which would have to go somewhere else. Mr. Torrent stated that the parcel on which the project is proposed to be located is part of multiple zoning districts, that the section of the parcel where the solar project is planned is zoned industrial, and that other possible industrial uses allowed under the Brunswick Zoning Law would lead to even greater impacts. Mr. Watson then reviewed a visual simulation of the project site from Brunswick Meadows. Lawrence Leblanc, of 57 Farrell Road, asked if the project already had customers signed up to benefit from the solar power to be produced by the project. Mr. Watson stated that the applicant has partnered with a company that already has customers for the power produced by the project. Mr. Leblanc asked where on the site the inverter would be located. Mr. Watson pointed out where the inverter would go on the site map, and showed where it would be in relation to the road system. Barbara Pegrum, of 1501 Brunswick Meadows Way, stated that she lives in the Brunswick Meadows residence closest to the project site, and that the visual simulation shows significantly more trees than currently exist to buffer homes from the project site, and asked if the applicant was planning to plant more trees. Mr. Torrent stated that the applicant would not be disturbing trees providing a buffer that are located on the project site, but could not do anything off the project site. Ms. Pegrum stated that having 15 feet between wetlands to the solar panels will not be enough space. Ms.

Pegrum asked what this project will do for the Town of Brunswick. Mr. Torrent explained that New York State has passed a mandate that 70% of all energy produced in the State must be via solar power by 2030, and this project will help with that. Mr. Torrent also stated that a community solar project allows residents to benefit from and receive solar power without having solar panels on their property. Ms. Pegrum asked how long the applicant had been in business, and Mr. Torrent stated since 2008. Ms. Pegrum asked what the duration of the project was to be, and Mr. Torrent stated 25 years. Ms. Pegrum asked if the project had a decommissioning plan. Mr. Torrent confirmed that it did, and explained the project's decommissioning bond requirement. Ms. Pegrum asked if there were any toxic materials in the solar panels. Mr. Torrent stated that there are more toxic materials, both in terms of quantity and severity, in someone's home than in a solar farm. Ms. Pegrum asked if the solar panels were designed to withstand significant weather like tornados, as more extreme weather was becoming more common, and damage to the solar panels would affect the soil and groundwater where the panels would be built. Mr. Torrent confirmed that the engineers that design solar panels take all types of weather into account when designing the panels, but also noted that if a tornado were to touch down in Brunswick, people would be more concerned about damage to their houses than to nearby solar panels. Ms. Pegrum concluded by stating that she did not like the project and would prefer that the Planning and Zoning Boards denied the applications. A member of the public asked if the applicant would be purchasing the land that the project was proposed to be located on. Mr. Watson stated that the applicant would not be purchasing the land, but leasing it from the landowner. Diane Palmer, of 2301 Brunswick Meadows Way, asked how the underground portion of the transmission line would affect a local creek. Mr. Torrent reviewed the area where the underground line would be and where the creek in question is located on the site map, and described the conduit and specifications of the underground

line. Ms. Palmer noted that it had been stated a few minutes earlier that some trees would be cut and asked how many and where those trees would be. Mr. Torrent stated that he did not know how many trees would be removed offhand, but could look that number up, and Mr. Watson pointed out where the trees would be removed from on the site map for the installation of the solar panels. Ms. Palmer asked if there would be grading done on the site, and Mr. Torrent stated that there would not be, that the applicant would be using the existing topography. Ms. Palmer asked for further details on the fence surrounding the solar project. Mr. Watson stated that it would be a steel wire fence about 6-8 feet high. Ms. Palmer asked how safe the site would be considering how close it was to the paintball and Field of Horrors location. Mr. Watson showed the location of the solar project and the paintball and Fields of Horrors location on the site map, stating that he did not believe the short distance between them would create a safety hazard. Ms. Palmer asked for further details on the project's decommissioning plan. Mr. Torrent repeated that the project was to last 25 years, after which it would be decommissioned, and detailed the decommissioning plan and bond requirement. Ms. Palmer asked for further details on the inverter that would be on the site and the amount of noise that it would produce. Mr. Torrent described the inverter and stated that he would provide the decibel level for the inverter. Mr. Watson added that the inverter would only run when the sun is up, meaning that it would not run at night. Ms. Palmer asked if the applicant was receiving a tax benefit for the project. Mr. Watson stated that the applicant was not receiving a tax benefit. Lawrence Leblanc, of 57 Farrell Road, spoke again and asked where the entrance to the project site would be located. Mr. Torrent stated that the same entrance road to the paintball facility would be used. Mr. Leblanc asked how many solar panels there would be. Mr. Torrent stated that there would be between 10,000 to 11,000 panels. Mr. Leblanc asked if the applicant had constructed other projects in the area, and Mr. Watson stated that they had not. Mr. Leblanc asked

if the applicant had constructed other projects in New York State, and Mr. Watson stated that the applicant had several in development, but none had yet been approved. Mr. Watson also stated that the Atlas Renewables solar project would not look very different from other solar projects in the area, if anyone was looking for a visual comparison. Mr. Leblanc stated that he walks a lot along Farrell Road, Oakwood Avenue, and Liberty Road, and asked if he would be able to see the project while walking those roads. Mr. Torrent stated that the project is not visible from any of the surrounding roads in the visual simulations prepared by the applicant. Mr. Leblanc noted that visual simulations had been done, but asked if visual assessment had been done from the second floors of surrounding homes, not just at ground level. Mr. Torrent confirmed that the simulations accounted for two-story homes and that the project will not be visible from second floors, and reiterated that the 50-60-foot-tall trees near the site will remain in place as a natural buffer. Cynthia Martin, of 1904 Brunswick Meadows Way, asked if the applicant was planning to expand the project further in future. Mr. Watson stated that the applicant had no plans to expand the project site at any point in the future, and that it was not even a possibility due to the transmission lines into which the project plans to connect. Susan Trahan, of 1503 Brunswick Meadows Way, stated that she did not like the project and that it should not be so close to a residential area. A member of the public living at 1901 Brunswick Meadows Way stated that he found the applicant's presentation very reserved, conservative, and not forthcoming, and that it was not an adequate presentation for a project of such a large size. The speaker stated that everyone present needed to see an actual full presentation and the applicant repeatedly saying "trust us" is not good enough. The speaker stated that it is clear the applicant did not care for the neighbors living near the project site and that the project would have no benefit to the community. The speaker stated that the applicant just saying that the neighbors will not be able to see the solar project without clearly

presenting information showing that the project will not be visible is not good enough, and that he believed the neighbors will actually be able to see it. The speaker stated that the neighbors were not getting anything out of attending the public hearing as the applicant was not giving adequate information or a full picture of the project. The speaker stated that the former incinerator site that the utility lines were planned to cross needed to be fully investigated, that the environmental impact of the project needed to be studied, that stormwater runoff will affect the surrounding environment, and that the applicant needs to submit an Environmental Impact Statement. The speaker stated that tax benefits for the Town of Brunswick should not be the main reason to put a large solar project in the backyards of dozens of Brunswick residents. The speaker discussed the impact of the project to local wildlife, stating that it is much more of an issue than the applicant is stating. The speaker stated that the applicant should have presented the entire file on the project, not just the limited information that was presented, and that the public hearing should remain open for more comments. Mr. Torrent responded, stating that all necessary documents had been submitted to the Town and were on file at Brunswick Town Hall, that the applicant had previously discussed the site investigation and DEC oversight of the former incinerator site, and that an archeological study of the site had been done. Doug Hanlon, of 16 Kreiger Lane, asked if DEC or the EPA had done any core sampling of the site and if not, that the site may be toxic from contamination from the former incinerator migrating to the site. Mr. Torrent reviewed the location of the incinerator in relation to the where the solar panels are proposed to go. A member of public stated that the project will decrease the property values of the homes within the Brunswick Meadows development. Another member of the public stated that since work is being done close to the nearby stream and wetlands, that the stream will overflow after a heavy rainfall. Peter Ryan, of 1703 Brunswick Meadows Way, spoke again and agreed that the presentation was poor, noted that the applicant

does not have any solar projects in New York State or anywhere in the Northeast, and asked what the potential next step for the application was after the public hearing. Attorney Gilchrist stated that following the closing of the public hearing, the applicant would need to respond to all comments in writing, and also noted that all application documents were on file at the Brunswick Town Hall. Mr. Torrent reiterated that there would not be any land movement or change in topography of the site due to the project, and that the project would not result in any additional off-site runoff. Chairman Oster then paused the public hearing, stating that both the Planning and Zoning Board had heard all public comments, but that some comments were beginning to be repeated, and that both Boards would take a short recess to determine whether to close the joint public hearing or keep it open. A short recess was taken as the Boards deliberated. After the short recess, Chairman Oster stated that the Planning Board wanted to extend the public hearing for the receipt of written comments, which would last for 10 days, and reiterated that all documents submitted by the applicant were on file at Town Hall. Chairperson Clemente agreed, and also asked the applicant for additional information to submitted with the written responses: the distance from 58 Biscayne Boulevard to the project site, the height of the steel wire fence surrounding the project, a description of the fence, a visual of the fence, the distance from the Field of Horrors location to the project site, a visual simulation of the project site from residential areas, the total number of acres of trees being removed, the decibel levels the inverter will produce, whether or not there will be digging or grading on the site, the full stormwater impact, the impact on property values, and clarifying whether or not the land would be leased or purchased. Chairman Oster asked for clarification on site maintenance and whether or not pesticides/herbicides would be used. Mr. Torrent stated that no pesticides or herbicides would be used, that the grass on the project site would be mowed a few times a year, and that grasses and wildflowers would be planted. Chairman



Oster made a motion to close the public hearing of the Planning Board, but allow a 10-day written comment period, which was clarified to be 10 business days, not calendar days, which was seconded by Member Tarbox. The motion was unanimously approved, and the public hearing of the Planning Board was closed, but with a 10 business day written comment period ending July 21, 2022. Chairperson Clemente made a motion to close the public hearing of the Zoning Board of Appeals, but allow a 10 business day written comment period, which was seconded by Member Curran. The motion was unanimously approved, and the public hearing of the Zoning Board of Appeals was closed, but with a 10 business day written comment period ending July 21, 2022.

The Zoning Board of Appeals discussed one additional item of business: the amendment of the site plan submitted by David Leon for property located at 660 Hoosick Road. Chairperson Clemente stated that the Zoning Board of Appeals consented to the Planning Board serving as lead agency under SEQRA for the project. Chairperson Clemente made a motion to close the Zoning Board's special meeting, which was seconded by Member Curran. The Zoning Board voted unanimously to close the special meeting.

Chairman Oster opened the public hearing of the Planning Board on the minor subdivision application submitted by Richard Witbeck and Jacquelyn Witbeck for property located at 131 Kreiger Lane. 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. Brian Holbriiter was present for the applicants. Mr. Holbriiter presented a map of the area, highlighting the existing parcel and the proposed subdivided parcels, stating that 4 parcels would be created by the subdivision, 3 new building lots

and 1 new remainder lot, with the 3 new buildings lots to be sold and have single-family houses built on them. Chairman Oster then opened the floor for the receipt of public comments. James Dayton, of 89 Kreiger Lane, stated that the subdivision would lead to more traffic along Kreiger Lane, which would make the road even more unsafe, and that when he moved to Kreiger Lane many years ago, there were only 6 lots on the road, but now there are more than twice that, with the possibility of even more lots due to this subdivision, which is not what he was looking for when he moved to the area. Doug Hanlon, of 16 Kreiger Lane, asked if the four newly subdivided lots could be further subdivided and that if they could, then it could impact his property and the value of his property. Chairman Oster stated that if the owner(s) of the new lots wanted to subdivide them further, then they would need to go through the Town subdivision review process, and also petition to the Town Board for a waiver for more lots on a dead-end street than is allowed under the Brunswick Zoning Law. Kyle Stratton, of 14 Kreiger Lane, stated that Kreiger Lane is a narrow road that kids are regularly on and has no sidewalk, making it unsafe as it is and that it would be even more unsafe if new lots are added. Mr. Golden stated that he had recently gone out to Kreiger Lane and measured the width, stating that it is 20 feet wide throughout. Mr. Stratton stated that it is not possible for one car to pass another on Kreiger Lane, which is why he is concerned about the width of the road. Mr. Stratton also asked who maintains the road and who legally owns it. Mr. Bonesteel discussed Kreiger Lane's status as a highway-by-use, meaning that the Town of Brunswick maintains the road. Mr. Bonesteel also stated that the Town does not legally own the road itself and that the property owners along Krieger Lane own whatever is stated in their deeds, which could include land extending off their front yards into the road, and that Mr. Stratton would need to consult with his neighbors to find out what their deeds say to establish who owns what specific parts of Kreiger Lane. Jason Jones, of 8 Kreiger Lane, agreed with Mr. Stratton

that there are many children in the neighborhood, that the road is too narrow for the lots on Kreiger Lane now, and that it will be even more unsafe if lots are added. Mr. Jones asked why there is a maximum number of lots on a cul-de-sac if someone can get a waiver to go past it. Mr. Golden stated that there is a maximum for safety reasons, specifically so emergency vehicles can use the road without problems. Mr. Jones asked how additional lots could be approved by the Town Board if the road is not adequate for the number of lots on it now. Mr. Golden stated that the subdivision application and petition of additional lots were submitted to the Fire Department for review, and the Fire Department had no objection to the proposed new lots. Mr. Jones stated that if whoever buys the subdivided lots from the applicants decides to go through the process of subdividing those lots further, then there could be even more lots on Kreiger Lane when there are already too many, and that it would change the character of the neighborhood significantly. Chairman Oster then stated that the number of lots on a dead-end road and whether to allow more lots than otherwise permitted under the Town Code is a Town Board decision, but that the Planning Board can be asked to make a recommendation to the Town Board, which happened in this case. Chairman Oster stated that that the Planning Board had done an extensive review of this application and petition, including reviewing the width of Kreiger Lane and coordinated with the Fire Department, before giving the Town Board its recommendation on whether or not to approve the additional lots. Mr. Jones stated that he only wanted to make sure Kreiger Lane was safe and maintain the character of the neighborhood, and asked that if the subdivided lots could be further subdivided, when would the subdividing end. Mr. Jones also stated that Kreiger Lane is not wide enough for both a car and a school bus, which is a problem for people driving to work in the morning. Debbie Dayton, of 89 Kreiger Lane, stated that she lives directly across from where the new lots are proposed to be and will be looking at the new houses that will be built if the subdivision is approved. Ms. Dayton

agreed with the previous speakers who stated that there is already too much traffic on Kreiger Lane, that the road is unsafe as it is, and that further homes would decrease the amount of privacy that people living on Kreiger Lane have. Gail Hanlon, of 16 Kreiger Lane, asked what the process was for getting a waiver to go past the maximum number of lots on a dead-end road. Attorney Gilchrist explained the process and procedure. Ms. Hanlon asked if there were any driveway or road frontage requirements for lots on a public road. Attorney Gilchrist stated that a lot is required to have a minimum of 15 feet of frontage on a public road. Chairman Oster asked if there were any further comments and there were not. Chairman Oster made a motion to close the public hearing, which was seconded by Member Henderson. The motion was unanimously approved and the public hearing of the Planning Board was closed.

The draft minutes of the June 16, 2022 regular meeting were reviewed. Mr. Golden noted one correction: on page 4, line 19, the word “with” should be between “working” and “National Grid”. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the June 16, 2022 regular meeting were unanimously approved subject to the noted correction.

The first item of business on the agenda was a special use permit and site plan application submitted by Atlas Renewables, LLC for property located off Oakwood Avenue and Farrell Road. Lluís Torrent and John Watson, both of Atlas Renewables, had left the meeting following the public hearing. Chairman Oster reiterated that the applicant had to respond to all comments in writing, and that the Planning Board had established a written comment period of 10 business days ending July 21, 2022. This matter is placed on the August 4, 2022 agenda for further deliberation.

The second item of business on the agenda was a minor subdivision application submitted by Richard Witbeck and Jacquelyn Witbeck for property located at 131 Kreiger Lane. Brian Holbriiter was present for the applicants. Mr. Holbriiter stated that he was aware that he needed to

address all public comments in writing, but that he would not be ready with those responses before the next meeting and asked to be placed on the agenda for the Planning Board's first meeting in August. Member Tarbox asked what the width of two of the new proposed lots would be. Mr. Holbriiter stated that one would be 201 feet wide and the other would be 240 feet wide, and that those measurements included the easement area. Member Tarbox asked whether the lots owned by a number of the speakers at the public hearing were bought from the applicants. Mr. Holbriiter stated that he believed so. Member Kreiger stated that a few of the lots were not from the original Witbeck parcel. This matter is placed on the August 4, 2022 agenda for further deliberation.

The Planning Board then moved ahead to the sixth item of business on the agenda, which was the Brunswick Acres Planned Development District major subdivision application submitted by Brunswick Road Development, LLC. Kathryn Serra, P.E., Project Manager for C.T. Male Associates, was present for the applicant. Ron Laberge, P.E., of Laberge Group, the Review Engineer to the Planning Board on this project, was also present. Mr. Laberge reviewed the status of the project, then reviewed a letter dated July 6, 2022 that his office had submitted to the Planning Board. Mr. Laberge also stated that the applicant still needed several approvals to move forward with the project, and that the applicant would need to reply to his letter. Attorney Gilchrist stated that there had already been a public hearing on the application and several extensions, then reviewed the procedural issues in relation to site grading, subdivision review, and review by the Rensselaer County Health Department. Attorney Gilchrist reviewed the procedural difficulties in reviewing any proposed phasing of this project in relation to Rensselaer County Health Department review of septic systems on lots on which significant grading is required. Attorney Gilchrist discussed the option of continuing to review all proposed lots, totaling 24 residential lots, but considering a conditional approval, which will require Rensselaer County Health Department

approval for all lots, among others. The ability to start grading work with appropriate stormwater controls, financial security, and inspection requirements was also discussed. Ms. Serra stated that she had nothing to add as Attorney Gilchrist reviewed all the points she planned to make. Member Tarbox asked if the Planning Board should still consider all 24 lots on the site map. Attorney Gilchrist confirmed that all 24 lots and septic systems should be considered. Member Stancliffe asked if there would be enough time to perform perc tests on the property. Attorney Gilchrist stated that the applicant generally had until November to perform the perc tests. Member Stancliffe asked if a Stormwater Pollution Prevention Plan (SWPPP) had been submitted. Bill Bradley, of the Town of Brunswick Water Department, stated that the applicant had not submitted a SWPPP yet, but must before disturbing soil on the site. Mr. Bradley also stated that Mr. Laberge's letter addressed all comments he had with the project. The Planning Board then discussed procedure for the application. This matter is placed on the July 21, 2022 agenda for further deliberation.

The Planning Board returned to its regularly scheduled agenda. The third item of business on the agenda was an amendment to a site plan submitted by David Leon for property located at 660 Hoosick Road. Dennis Lynch, from M.J. Engineering and Land Surveying, P.C., was present for the applicant. Chairman Oster stated that the applicant had submitted a letter to the Planning Board responding to comments dated June 28, 2022. Mr. Lynch briefly reviewed the letter. The Planning Board had no questions on the letter. Chairman Oster stated that since all comments had been addressed, SEQRA review could be done on the project. Mr. Bonesteel briefly reviewed the SEQRA record for the initial site plan application and the new submissions for the site plan amendment, then reviewed Parts 2 and 3 of the Environmental Assessment Form (EAF) with proposed responses. Mr. Bonesteel stated that there would a small impact to land; an impact to surface water and that an updated SWPPP had been submitted; a small impact to plants and

animals; and an impact to agricultural resources as the site is next to an agricultural district even though it is not currently in agricultural production. Mr. Bonesteel stated that there would be an impact on transportation, and that analysis had been done on the additional traffic from the coffee shop, with the existing Planet Fitness gym included with all commercial uses, that analysis had been done on peak traffic hours, and that the new traffic signal would mitigate in-and-out traffic impacts to Hoosick Road. Mr. Bonesteel also stated that there would be a small impact on energy and a small impact on noise/odor/light during the construction phase, and small light impact post-construction. The Planning Board had no comments on Parts 2 and 3 of the EAF. Member Stancliffe made a motion for a negative declaration under SEQRA on the project, which was seconded by Member Mainello. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. This matter is placed on the July 21, 2022 agenda for further deliberation.

The fourth item of business on the agenda was a major subdivision application submitted by Jim Cillis of JJ Cillis Builders, Inc. for property located at the east end of Cole Lane. This matter was tabled prior to the meeting and is adjourned without date.

The fifth item of business on the agenda was a waiver of subdivision application submitted by Richard Patton and Lynne Patton for property located at 250 Pinewoods Avenue. Richard Patton and Lynne Patton were present to review the application. Mr. Patton stated that the application was more in line with a lot line adjustment which would transfer a retaining wall and a line of trees from one parcel to the adjacent parcel. Member Tarbox asked if there was a septic system or well in proximity to the land seeking to be transferred. Mr. Patton stated that there was not. There were no further questions from the Planning Board. Member Tarbox made a motion for a negative declaration under SEQRA on the project, which was seconded by Member Kreiger. The

Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster asked if there should be any conditions, and Attorney Gilchrist stated that the only condition should be that the area being transferred be merged into the adjacent parcel, creating no new parcels, and that the new merger deed be filed with the Brunswick Building Department. Member Henderson made a motion to approve the waiver of subdivision subject to the stated condition, which was seconded by Member Stancliffe. The Planning Board voted unanimously to approve the waiver of subdivision subject to the stated condition.

Two new items of business were discussed. The first item of new business was a waiver of subdivision submitted by Paul Brunina for property located at 137 Tamarac Road. Mr. Golden reviewed the application, stating that the action was to create a new building lot that would then be put up for sale. The Planning Board discussed what information would be required for a new building lot for a commercial sale. This matter is placed on the July 21, 2022 agenda for further deliberation.

The second item of new business was a waiver of subdivision application submitted by Tim D'Allaird and Christine D'Allaird for property located at 103 Hickory Court, 105 Hickory Court and 5 Ledgewood Drive. Mr. Golden reviewed the application, stating that the applicants are seeking to adjust the lot lines to create 2 lots where there are currently 3 lots. This matter is placed on the July 21, 2022 agenda for further deliberation.



The index for the July 7, 2022 regular meeting is as follows:

1. Atlas Renewables – special use permit and site plan (joint public hearing with Zoning Board of Appeals) (August 4, 2022).
2. Witbeck – minor subdivision (August 4, 2022).
3. Brunswick Acres – major subdivision (July 21, 2022).
4. Leon – site plan amendment (July 21, 2022).
4. Patton – waiver of subdivision (approved).
6. Brunina – waiver of subdivision (July 21, 2022).
7. D’Allaird – waiver of subdivision (July 21, 2022).

The proposed agenda for the July 21, 2022 regular meeting is currently as follows:

1. Leon – site plan amendment.
2. Brunswick Acres – major subdivision.
3. Paulsen Development – site plan.
4. Brunina – waiver of subdivision.
5. D’Allaird – waiver of subdivision.
6. Discussion of Brunswick Zoning Law amendments.

The proposed agenda for the August 4, 2022 regular meeting is currently as follows:

1. Atlas Renewables – special use permit and site plan.
2. Witbeck – minor subdivision.