

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD FEBRUARY 18, 2021

PRESENT were RUSSELL OSTER, CHAIRMAN, J. EMIL KRIEGER, DONALD HENDERSON, LINDA STANCLIFFE, DAVID TARBOX, ANDREW PETERSEN, and KEVIN MAINELLO.

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 February 4, 2021 meeting were reviewed. Member Stancliffe noted that she had abstained from voting on approving the January 21, 2021 minutes, which was not noted in the February 4, 2021 minutes and needed to be corrected. Upon motion of Member Henderson to approve the minutes subject to the stated correction, which motion was seconded by Member Stancliffe, the draft minutes of the February 4, 2021 meeting were unanimously approved subject to the stated correction.

The first item of business on the agenda was a special use permit and site plan review application submitted by Tamarac Solar, LLC for property located at 126 Brick Church Road. Norman Ward, a landscape architect from Environmental Design Partnership, LLP, and Devin Hallam, Project Coordinator with Eden Renewables, were present for the applicant. Mr. Ward stated that he had reviewed the sites suggested by the Planning Board at their previous meeting for visual impact. Mr. Ward noted that he had received a comment letter from Mr. Bonesteel dated

February 16, 2021 and that he would submit a reply letter and updated plans to Mr. Bonesteel during the week of February 22, and he requested that the application be placed on the Planning Board's March 4, 2021 agenda. Mr. Hallam stated that Eden Renewables had recently sent out a mailer advertising a digital open house that Eden Renewables would be putting on via Zoom to present the project to the public. Chairman Oster noted that he had received the mailer at his house. Mr. Ward then proceeded to a PowerPoint presentation, which began with reviewing the project's site plan, stating that EDP will add a pull-off area for emergency vehicles, and will revise the end of the main road in order to make it a turn-around area for trucks, specifically using a hammerhead design just past the area where the inverters are on the project site. Mr. Bonesteel discussed the specifics of the truck turn-around area. Chairman Oster confirmed that one pull-off was proposed for emergency vehicles on the access road. Mr. Ward stated one turn-off was proposed, but an additional turn-off could be added if necessary. Mr. Ward also said that EDP needed to meet with the local fire department and review the site plan with them. Mr. Ward stated that EDP likely needed to meet with the Eagle Mills Fire Department and Mr. Golden said he would check and confirm that. Mr. Ward reviewed the updated visual assessment and viewshed analysis, showing photographs he had taken at several sites. He reviewed visual impact from Tamarac High School, showing that the field the project is proposed to be constructed on is visible from the school. Mr. Ward also reviewed the visual impact from NYS Route 351, where the field is also visible, from the apartments along NYS Route 351, where there is vegetative screening and where EDP is willing to add further vegetative screening if necessary, and from Settlers Lane off NYS Route 351, where the field is not visible. Mr. Golden stated that he had taken additional photos outside of the EDP viewshed study area including along Bulson Road and on Winfield Lane off Bulson, where the field is visible, but he stated that he was not certain if the field that is visible from those

locations is the field where the solar panels will be located. Mr. Ward stated that he will review the photos taken by Mr. Golden and update the visual assessment accordingly. Chairman Oster noted that a previous solar project brought before the Planning Board by Borrego Solar Systems, Inc. did not include viewshed analysis from a number of locations this project is analyzing, and also that Borrego's solar project is visible from a number of the sites Tamarac Solar is analyzing. Mr. Ward noted that EDP normally analyzes six vantage points for commercial solar projects, but has done several more so far for this project. Mr. Ward also stated that Borrego's project is at a much higher elevation than the Tamarac Solar project site, and that Tamarac Solar's project will be difficult to screen because Borrego's project is already visible and part of the existing background. Attorney Gilchrist then discussed the procedure for how to move forward with the application. Chairman Oster asked if any additional visual assessment was needed. Member Stancliffe said the applicant should provide the Planning Board with a written response to Mr. Golden's photos. Chairman Oster stated that the applicant needed to contact the local fire department as soon as possible in order to complete the project review. Chairman Oster asked Mr. Bonesteel if he would review his comment letter. Mr. Bonesteel stated that most comments pertained to stormwater, as well as drainage and grading on the site. Mr. Bonesteel said that the panel size and location would likely not change the site plan, but could change the road on the site. Mr. Bonesteel stated that he wanted more time to review the updated plan. Attorney Gilchrist stated that the Planning Board needs the Zoning Board's input on the completeness of the application and the option of a joint public hearing in order to move forward. Attorney Gilchrist stated that while a joint public hearing of the Planning and Zoning Boards on an application before both boards is not required, it is encouraged by the Town Zoning Law. Attorney Gilchrist also stated that the lead agency coordination period is currently ongoing, that the Planning Board should

wait until that period is complete before holding a public hearing, and that it would likely be best to hold a public hearing at the Planning Board's first meeting in April. This matter is placed on the March 4 agenda for further discussion.

The second matter on the agenda was a special use permit and site plan review submitted by Blue Sky Towers III/Cellco Verizon Partnership d/b/a Verizon Wireless for property located on Creek Road. This matter was tabled prior to the meeting and is placed on the March 4 agenda for further discussion.

The third matter on the agenda was a site plan application submitted by David Leon for property located at 660 Hoosick Road. The applicant was not present. Chairman Oster stated that the Planning Board still needed the Town Board's input regarding the paper street on the project site. A special meeting of the Town Board was scheduled for February 25, 2021 to discuss this issue. This matter was placed on the March 4 agenda for further discussion.

One item of new business was discussed, which was a waiver of subdivision submitted by Vincent Jodice for property located at 225 Bellview Road. The applicant seeks to make a property line adjustment, selling a 0.59-acre section of a parcel to the adjacent landowner, which would also alleviate an encroachment and allow for any possible additions to the house on the adjacent property in the future. Mark Danskin was present for the applicant. Mr. Danskin stated that a survey of the entire 80 acres owned by the property owner had been done and that the 0.59-acre area to be sold to the neighboring property owner is zoned A-40 agricultural and is lightly wooded. Mr. Danskin also stated that no road frontage would be conveyed under this action. Member Stancliffe asked if the property being conveyed was subject to a 50-foot easement. Mr. Danskin said that it was, that this action will not affect the easement on the property, and that the conveyed property will continue to be subject to the 50-foot easement after being conveyed. The Board

members, Mr. Bonesteel and Mr. Danskin discussed the map of the project site submitted with the application. Following that deliberation, Member Tarbox made a motion for a negative declaration on the project, which was seconded by Member Henderson. The Planning Board voted unanimously to approve the motion, and a SEQRA negative declaration was adopted. Attorney Gilchrist stated that a condition on the project should be submitting proof of the transaction between the property owner and the adjacent landowner merging the 0.59-acre area into the adjacent owner's parcel, with proof of that merger filed with the Building Department. Member Mainello 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 motion with the stated condition, and the waiver of subdivision was approved.

The index for the February 18, 2021 meeting is as follows:

1. Tamarac Solar, LLC – special use permit and site plan (March 4, 2021).
2. Blue Sky Towers III, LLC/Cellco Partnership d/b/a Verizon Wireless – special use permit and site plan (March 4, 2021).
3. Leon – site plan (March 4, 2021).
4. Jodice – waiver of subdivision (approved with condition).

The proposed agenda for the March 4, 2021 regular meeting is currently as follows:

1. Tamarac Solar, LLC – special use permit and site plan.
2. Blue Sky Towers III, LLC/Cellco Partnership d/b/a Verizon Wireless – special use permit and site plan.
3. Leon – site plan.
4. Lord Avenue Property, LLC – site plan.