

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD DECEMBER 2, 2021

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

ALSO PRESENT were CHARLES GOLDEN, 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 October 21, 2021 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the October 2, 2021 regular meeting were unanimously approved without amendment, with Member Stancliffe abstaining.

The draft minutes of the November 18, 2021 regular meeting were reviewed. Mr. Golden noted one correction: on page 10, line 11, “have” should be added before “authority.” Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the November 18, 2021 regular meeting were unanimously approved subject to the noted correction.

The first item of business on the agenda was a minor subdivision application submitted by Matopato, LLC for property located at 291 Oakwood Avenue. Thomas Murley was present to review the application. Mr. Bonesteel stated that he had reviewed the updated materials Mr. Murley had submitted since this matter was last before the Planning Board and had no comment

on them. Mr. Murley stated that he had submitted a new plat, which removed the area for previously proposed school bus parking, as well as a new Environmental Assessment Form (EAF). Mr. Murley also stated that he had added notes on the plat calling for reciprocal easements for access and utilities between 291 Oakwood Avenue and the proposed new subdivided lot, which was assigned the address of 289 Oakwood Avenue. Member Stancliffe noted that the easement was not shown on the plat. Mr. Murley stated that the easement was mentioned on a note on the plat. Attorney Gilchrist stated that a condition for the Planning Board to consider would be to require the easement description and terms be submitted to the Planning Board for review by Mr. Bonesteel and Attorney Gilchrist, which Mr. Bonesteel agreed with. Member Tarbox asked if there was any greenspace identified on the plat. Mr. Murley stated that it was not, though it had been on prior maps submitted to the Planning Board. Member Tarbox asked about requirements for greenspace. Attorney Gilchrist stated that 35% of a lot was required to be greenspace on a site plan prior to the adoption of the Brunswick Zoning Law in 2017, but that the 2017 Zoning Law does not include that requirement. Mr. Bonesteel noted that the plat submitted to the Planning Board was not stamped by the surveyor. Mr. Murley stated that he would contact the surveyor and have him stamp it. Attorney Gilchrist stated that the public hearing held for this application was for both minor subdivision and site plan, meaning that no further public hearing was needed. Member Tarbox made a motion for a negative declaration on the project under SEQRA, which was seconded by Member Mainello. The Planning Board voted unanimously to adopt a negative declaration on the project under SEQRA. Chairman Oster asked Attorney Gilchrist to list the conditions on the application. Attorney Gilchrist stated that the conditions for consideration by the Planning Board were: that the cross-easement location, description, and terms are subject to final review by Mr. Bonesteel and Attorney Gilchrist; that the plat must be stamped by the surveyor;

and that the approved stormwater pollution prevention plan (SWPPP) remains in place. Member Henderson made a motion to approve the minor subdivision subject to the stated conditions, which was seconded by Member Kreiger. The Planning Board voted unanimously to approve the minor subdivision subject to the stated conditions.

The second item of business on the agenda was a waiver of subdivision application submitted by Todd McClurg for property located at 206 South Road. No one was present to review the application. This matter is placed on the December 16 agenda for further deliberation.

The third item of business on the agenda was a special use permit application submitted by Zachary Froio for property located at 502 Pinewoods Avenue. Zachary Froio was present to review the application. Chairman Oster stated that Mr. Froio had submitted written responses to the comments received at the public hearing on the application held on November 4. Chairman Oster asked the Planning Board if there were any questions on the written responses and there were not. Mr. Bonesteel and Attorney Gilchrist also had no comment on the written responses. After further deliberation, Member Henderson made a motion for a negative declaration on the project under SEQRA, which was seconded by Member Mainello. The Planning Board voted unanimously to adopt a negative declaration on the project under SEQRA. Member Stancliffe asked if there should be any conditions on the application. Attorney Gilchrist listed six conditions on the application for consideration by the Planning Board: that firearms that are delivered to Mr. Froio's residence are not to be directly delivered by Mr. Froio to the end user at his residence; that there will be no signage at the entrance to the property; that the hours of operation will be Monday through Saturday from 8:00am to 5:00pm; that all firearms will be stored in a secure location; that all bulk ammunition will be stored in an area away from heat sources, which will be reviewed by the Brunswick Fire Department; and that the delivery of firearms/ammunition by delivery companies

must be made to a lock box for security purposes, and that the lock box must be reviewed by the Brunswick Building Department. Member Stancliffe made a motion to approve the special use permit subject to the stated conditions, which was seconded by Member Mainello. The Planning Board voted unanimously to approve the special use permit subject to the stated conditions.

The fourth item of business on the agenda was a waiver of subdivision submitted by Kerry Armstrong for property located off Plank Road. Kerry Armstrong was present to review the application. Mr. Armstrong stated that he had submitted an updated plat and area map, then reviewed them for the Planning Board. Member Tarbox asked if Wagar Lane was a dead-end cul-de-sac off Plank Road. Mr. Armstrong confirmed that it was. Mr. Armstrong also reiterated that the waiver of subdivision is to provide access to the parcel off Plank Road that he purchased. Mr. Golden stated that a question was raised at the last Planning Board meeting about whether or not Wagar Lane was a Town road, and stated that the Town does plow and maintain the roadway to the end of Wagar Lane, meaning that it is a public road. The Planning Board then reviewed the number of lots on the cul-de-sac, noting that there are 5 lots currently, with a possibility of a sixth, which would not be near the maximum number of homes allowed on a dead-end road. Attorney Gilchrist asked if the frontage of the proposed lot is directly on a public road. The Planning Board then discussed the frontage required on a public road for a buildable lot. Chairman Oster stated that the Planning Board could not act until the frontage issue was answered. Mr. Armstrong stated that he would revise the plat again to comply with the frontage requirements for a buildable lot. This matter is placed on the December 16 agenda for further deliberation.

The fifth item of business on the agenda was a waiver of subdivision application submitted by Charles Tangredi for property located at 210 Menemsha Lane. Mr. Golden stated that Mr. Tangredi had contacted him before the meeting to ask that the matter be adjourned until the

Planning Board's next meeting. This matter is placed on the December 16 agenda for further deliberation.

One item of new business was discussed.

The first item of new business was a waiver of subdivision application submitted by Michael Vickers for property located at 10 Kreiger Lane. Mr. Golden stated that Mr. Vickers had applied for a subdivision for the same lot approximately 5 years ago, having received a Town Board waiver for the number of lots on a dead-end road and an area variance from the Zoning Board, but had never completed the subdivision process, and is now looking to restart the subdivision process the same parcel. The Planning Board discussed the current map of the area and the past proceedings for the parcel. This matter is placed on the December 16 agenda for further deliberation.

The index for the December 2, 2021 regular meeting is as follows:

1. Matopato, LLC – minor subdivision (approved subject to conditions).
2. McClurg – waiver of subdivision (December 16, 2021).
3. Froio – special use permit (approved subject to conditions).
4. Armstrong – waiver of subdivision (December 16, 2021).
5. Tangredi – waiver of subdivision (December 16, 2021).
6. Vickers – waiver of subdivision (December 16, 2021).

The proposed agenda for the December 16, 2021 regular meeting is currently as follows:

1. Gallivan – minor subdivision (public hearing to commence at 7:00pm).
2. Tilson Technology – special use permit and site plan (public hearing to commence
at conclusion of first public hearing).
3. Borrego Solar – sketch plan.
4. McClurg – waiver of subdivision.
5. Armstrong – waiver of subdivision.
6. Tangredi – waiver of subdivision.
7. Vickers – waiver of subdivision.