

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD SEPTEMBER 1, 2022

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

ABSENT were KEVIN MAINELLO and ANDREW PETERSEN.

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

Chairperson Oster reviewed the agenda for the meeting, as posted on the Town sign board and Town website. The draft minutes of the August 18, 2022 regular meeting were reviewed. Upon motion of Chairperson Oster, seconded by Member Henderson, the draft minutes of the August 18, 2022 regular meeting were unanimously approved without amendment.

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, of Atlas Renewables, was present to review the application. Mr. Torrent noted that there had been a comment made at the last Planning Board meeting on August 18 by Mr. Bonesteel about tree stump removal on the site and that removing tree stumps might require a revision of the project's stormwater pollution prevention plan (SWPPP). Mr. Torrent stated that he and Mr. Bonesteel had subsequently reviewed the issue and that the applicant's operations would be consistent with Mr. Bonesteel's comments on tree stump removal from the site. Mr. Bonesteel noted that there is a memorandum published by NYS DEC in 2018 which states that tree removal

and grubbing do not require post-construction stormwater management compliance, but that standard erosion and sediment control practices are otherwise required during construction activity. Chairman Oster asked if there was any need to amend the SWPPP, as suggested at the last meeting. Mr. Bonesteel stated that the SWPPP did not need to be amended. Chairman Oster asked if there were any other outstanding items on the application. Mr. Bonesteel stated that there were no other issues, that the applicant had addressed all technical issues raised during the public hearing, and that the applicant had adequately responded to all technical issues he had raised. Chairman Oster asked the Planning Board members if there were any further questions and there were not. Chairman Oster asked Mr. Torrent if he had any further questions for the Planning Board. Mr. Torrent had no further questions, and stated that the Planning Board had to wait to make any decision until the Zoning Board acted on the area variance application for the project. Attorney Gilchrist agreed that the Planning Board could take no further action on the application until the Zoning Board acted on the area variance for the project. Attorney Gilchrist also stated that a SEQRA determination was needed by the Planning Board, since the Planning Board is serving as SEQRA lead agency, and that a SEQRA determination on this action could be made at the Planning Board's next meeting on September 15, after which the Zoning Board could act at its next meeting on September 19, and then the Planning Board could act on the special use permit and site plan applications at its first October meeting. This matter is placed on the September 15, 2022 agenda for further deliberation concerning SEQRA.

The second item of business on the agenda was a special use permit application submitted by Kevin Bailey for property located at 197 Bulson Road. Kevin Bailey was present to review the application. Richard Glynn, owner of the property, was also present. Mr. Bailey handed out photos of the project site showing where specifically on the site the solar panels would be located.

Chairman Oster asked how close this project would be to another ground-mounted solar project on Bulson Road that the Planning Board had previously approved. Mr. Bonesteel stated that the previous project was two lots away from this project. Mr. Bailey also noted that the current proposed project was at least twice the distance away from Bulson Road than the previously approved solar project. Mr. Bailey reviewed the pictures he had handed out showing the proposed solar panel location and the areas that would need to be cleared of trees and brush for equipment installation. Chairman Oster asked Mr. Bonesteel if he had any questions on the application or pictures, and he did not. Member Henderson stated that he was concerned over the visual impact of the solar panels and equipment, and asked if the property owner would be able to provide visual screening for the project. Mr. Bailey stated that a special use permit requires a public hearing, so comments from the neighbors could be gathered at that time to determine if the surrounding properties would have a problem with the location of the solar panels and equipment. Mr. Bonesteel noted that cut sheets for the project, which had been submitted after the application, should be included with the application record, and that the application would then be complete for purposes of holding a public hearing. Member Henderson asked what the size each solar panel would be and why 36 were being proposed. Mr. Bailey discussed the size of the panels and stated that the property owner had previously installed a geothermal heating and cooling system and that 36 solar panels are being proposed to power that system and achieve net zero emissions. Chairman Oster asked the Planning Board if there were any further questions, and there were not. Chairman Oster noted that the cut sheets and photos that Mr. Bailey had handed out would be included with the application record. A public hearing on this application is scheduled for October 6, 2022 at 7:00pm.

The third item of business on the agenda was a waiver of subdivision application submitted by David Bonesteel and Joanne Bonesteel for property located on 6 Elmview Drive. No one was present to review the application. Mr. Golden stated that he had not received any further information from the applicants, including the new site map that the Planning Board had requested at its last meeting. This matter is adjourned without date.

Two items of new business were discussed. The first item of new business was a minor subdivision application submitted by Sagebrook Associates, Inc. for property located at 48 Spring Landing Boulevard. Matt Bond, from Barber Engineering, PLLC, and Kevin Kronau, of Sagebrook Associates, were present to review the application. Mr. Bond stated that the project site was an approximately 22.7-acre parcel at the end of Spring Landing Boulevard and that the parcel is zoned R-25 residential, where a minor subdivision is an allowable use. Mr. Bond stated that the project is a minor subdivision to create three lots, each of which will have on-site well and septic, and that soil testing has been completed on the site and a septic plan has been sent to the Rensselaer County Department of Health. Mr. Bond stated that the lots will have sufficient space for driveways that will be wide enough for emergency vehicles to enter and turn around. Mr. Bond stated that a 10% grade will be required for all three driveways, which will be achievable for the lots. Mr. Bond also stated that a stormwater plan for the lots had been prepared. Chairman Oster asked about a house already built on the 22.7-acre property and if it would affect the three new lots at all. Mr. Bond reviewed the location of the existing house on the site and its relation to the three proposed new lots. Member Tarbox asked if an Agricultural Data Statement would be needed. Attorney Gilchrist asked if the property was in an agricultural district. Mr. Golden stated that it was not, and that an Agricultural Data Statement was therefore not necessary. Member Stancliffe asked if the three lots would meet the required amount of frontage. Mr. Bond stated that

they would. Member Stancliffe asked if the driveways could be combined into a shared driveway. Mr. Bond stated that it was possible through a shared driveway agreement, but that the subdivision plat shows that each lot has adequate frontage and could have its own driveway. Member Stancliffe asked how much runoff was expected from the driveways. Mr. Bond stated that some runoff was expected, which would go into the existing drainage system along Spring Landing Boulevard, and that the remainder of the runoff would move into a low area in the existing subdivision. Member Tarbox asked if the applicant owned any other property within the existing subdivision. Mr. Bond stated that the applicant also owned the detention areas on the site. The Planning Board and Mr. Bonesteel discussed the stormwater runoff for the three lots. Member Tarbox stated that he thought the detention areas would be owned by a Homeowners Association. Attorney Gilchrist stated that the Planning Board must determine who owns the detention areas and how the stormwater management system for this subdivision is operated and maintained. Member Henderson asked about the location of the driveways. Mr. Bond stated that if a separate driveway is built for each lot as is shown on the subdivision plat, then there would be a grass area between the driveways for drainage and runoff. Chairman Oster asked how many lots are currently in the subdivision. Mr. Bond noted that the site map showed 31 lots, so there must be at least that many. Mr. Bonesteel stated that he had concerns with stormwater compliance for the entire development. Attorney Gilchrist agreed, stating that the Planning Board must review the topography of the entire watershed for the subdivision, not just the sites of the three proposed lots. Mr. Kronau stated that the driveways for the three proposed lots already exist, having been constructed years ago, that they are not likely to create much additional runoff, and that stormwater from the driveways currently sheds off into the nearby wetland areas. Mr. Bonesteel stated that he needed to review the issue further. Mr. Bond stated that no more than 5 acres on the 22.7-acre parcel would be

disturbed for the three new lots, so only a sediment and control plan is needed. Mr. Bond also noted that if the three new lots are to be considered part of the overall plan of development, then the existing detention areas are not designed to current stormwater standards. Mr. Bonesteel and Chairman Oster both expressed interest in walking the site to review the stormwater and overall site status, and stated that they would try to schedule the site visit with Mr. Kronau before the next Planning Board meeting. This matter is placed on the September 15, 2022 agenda for further deliberation.

The second item of new business was a waiver of subdivision application submitted by the Brunswick Church for property located at 54 White Church Road. No one was present to review the application. Mr. Golden stated that the Church is looking to sell the land, but wants to maintain a 5-foot-wide by 270-foot-long strip of land for drainage purposes, and that the application is more in the nature of a lot line adjustment. Member Stancliffe asked if there were any septic tanks or leachfields on the property. Chairman Oster stated that if there are, then they should be added to the site map, as well as any wells on the property. This matter is placed on the September 15, 2022 agenda for further deliberation.

The index for the September 1, 2022 regular meeting is as follows:

1. Atlas Renewables (North Troy Solar) – special use permit and site plan (September 15, 2022).
2. Bailey – special use permit (October 6, 2022).
3. Bonesteel – waiver of subdivision (adjourned without date).
4. Sagebrook Associates – minor subdivision (September 15, 2022).
5. Brunswick Church – waiver of subdivision (September 15, 2022).

The proposed agenda for the September 15, 2022 regular meeting is currently as follows:

1. Paulsen Development – site plan (public hearing to commence at 7:00pm).
2. Atlas Renewables (North Troy Solar) – special use permit and site plan.
3. Sagebrook Associates – minor subdivision.
4. Brunswick Church – waiver of subdivision.

The proposed agenda for the October 6, 2022 regular meeting is currently as follows:

1. Bailey – special use permit (public hearing to commence at 7:00pm).