

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD DECEMBER 1, 2022**

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

ABSENT was LINDA STANCLIFFE.

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 November 17, 2022 regular meeting were reviewed. Upon motion of Chairperson Oster, seconded by Member Tarbox, the draft minutes of the November 17, 2022 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was a minor subdivision application submitted by Sagebrook Associates, Inc. for property located at 48 Spring Landing Boulevard. Matt Bond, from Barber Engineering, PLLC, was present for the applicant. Chairman Oster confirmed that the Planning Board had received the applicant's written responses to comments made at the public hearing on the application held on November 17 in a letter dated November 30, 2022. Mr. Bond then reviewed the written responses, which addressed all public comments. The applicant's letter dated November 30, 2022 was made part of the application record. Member Henderson noted that one public comment addressed wells on neighboring properties and asked if existing wells on Spring Landing Boulevard are at the same depth as the proposed wells for the three new lots. Mr.

Bond stated that the wells on the three new lots are to be 40-75 feet higher in elevation than the other lots on Spring Landing Boulevard, so the reported problems with wells on Spring Landing Boulevard should not happen on the new lots, and the wells on the new lots should have no impact on the wells on the existing lots on Spring Landing Boulevard. Mr. Bond also stated that having wells with depths of 150-250 feet is common in the area and that the wells for the three new lots will likely have similar depths. Mr. Bonesteel asked if a test well had been done on the site. Mr. Bond stated that no test well had been done. Mr. Bonesteel asked if any water information had been sent to the Rensselaer County Health Department. Mr. Bond stated that no water information had been sent to Rensselaer County yet as it was his position that there was no requirement to do so at this point, and that well logs would be sent to the County at the end of construction prior to the issuing of a Certificate of Occupancy as required. Mr. Bonesteel stated that all engineering issues with the project had been addressed. Attorney Gilchrist stated that the identified legal issue with the project in terms of the adjacent driveway location on the project site had also been addressed. There were no further questions or comments from the Planning Board. Member Mainello made a motion for a negative declaration under SEQRA on the project, which was seconded by Member Henderson. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster asked if there should be any conditions on the application for the Planning Board to consider. Attorney Gilchrist stated that conditions for the Planning Board to consider would be: Rensselaer County Health Department approval for well and septic for all three lots; payment of the Parks and Recreation fee; obtaining a Town driveway permit, maintaining 2% back pitch for a minimum of 10 feet off Spring Landing Boulevard, and complying with all other Town driveway specifications; limiting all clearing and grading on the project site to the approved plan; and obtaining an MS4 acceptance for the project's new

stormwater pollution prevention plan (SWPPP). Member Henderson made a motion to approve the minor subdivision subject to the stated conditions, which was seconded by Member Petersen. 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 site plan application submitted by Paulsen Development of Albany, LLC for property located at 112 McChesney Avenue. Skip Francis, P.E., of Creighton Manning Engineering LLP, was present to review the application. Chairman Oster stated that an issue that had been brought up at several previous meetings was work on the sewer line and asked if there was any update on that issue. Mr. Francis stated that the issue was that the sewer line would cross two adjacent lots not owned by the applicant, and that two letters of support from those two property owners had been obtained and submitted to the Town. Mr. Francis then generally reviewed the project's sewer plan. Mr. Bonesteel stated that the site plan attached to the two letters received by the Town was not the same site plan that had been presented to the Planning Board, and stated that the site plan that was sent to the owners of the adjacent properties should show the location of the proposed sewer line and the easements that the adjacent property owners would be consenting to. Mr. Francis stated that the Planning Board asked for consent from the two adjacent landowners, and that the applicant has provided that. Mr. Francis also stated that the final sewer design is not included on the site plan at this point as the owner is seeking Planning Board approval so further sewer design can be completed. Mr. Bonesteel stated that the Planning Board would need approval from Bill Bradley of the Brunswick Water Department to move forward, and that since part of the sewer line was being dedicated to and accepted by the Town, Mr. Bradley would likely need to see the full sewer design before he agreed to accept the part of the sewer line. Mr. Francis asked if obtaining approval for the detailed sewer design could be a condition of

approval of the application. Mr. Bonesteel stated that approval of the sewer design would be required before work permits could be issued. Member Tarbox asked if the adjacent landowners would be able to connect to the sewer line based on the current design. Mr. Francis stated that he was not sure, and that Greg Beswick, also of Creighton Manning, who has been working on the project more extensively, could provide detail on that. Chairman Oster stated that there were some areas of concern with the existing sewer line, and asked if the issues with those areas had been addressed. Mr. Francis confirmed that those issues had been addressed. Attorney Gilchrist stated that the Planning Board needs all information on the updated sewer line, including what specific section(s) of the line will be dedicated to the Town. The Planning Board then discussed the sewer line, and overall procedural options, including possible conditional approval in coordination with Bill Bradley, or requiring further information from Mr. Bradley prior to any action by the Planning Board. Member Mainello asked why the applicant was waiting to finish the sewer design. Mr. Francis stated that the developer wanted to wait to finalize the sewer design until site plan approval was obtained. Attorney Gilchrist stated that Mr. Bonesteel, Bill Bradley, and representatives from Creighton Manning should coordinate to finalize how to move forward with the sewer design. Mr. Bonesteel agreed, and added that Rensselaer County should also be coordinated with due to the sewer line being within a Rensselaer County right-of-way. This matter is placed on the December 15, 2022 agenda for further deliberation.

The third item of business on the agenda was a special use permit application submitted by Paul Brunina for property located at 125 Tamarac Road. Paul Brunina was present to review the application. Chairman Oster noted that Mr. Brunina had been before the Planning Board earlier in the year for a lot line adjustment to increase the size of his lot. Mr. Brunina stated that he was seeking to build a 30-foot by 40-foot addition onto his house, which would be used as an accessory

apartment. Mr. Brunina stated that his son, his son's wife, and their child would live in the main house, while he lived in the accessory apartment. Mr. Brunina stated that the addition to his house complies with all required setbacks. Chairman Oster stated that all special use permit applications require a public hearing. The Planning Board determined that the application materials were complete for purpose of scheduling a public hearing. A public hearing on this application is scheduled for January 5, 2023 at 7:00pm.

The fourth item of business on the agenda was reviewing proposed amendments to the Brunswick Zoning Law. Chairman Oster asked for clarification on the density chart, and on how density would be used for Planned Development District (PDD) considerations. Attorney Gilchrist reviewed the proposed density provisions under the zoning amendments. The Planning Board discussed the zoning amendments further and stated that they had no objection to the proposed amendments and support their adoption. Attorney Gilchrist stated that he would draft a letter to the Town Board stating that the Planning Board had no objections to the zoning amendments and support their adoption.

There was no new business to discuss.

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

1. Sagebrook Associates – minor subdivision (approved with conditions).
2. Paulsen Development – site plan (December 15, 2022).
3. Brunina – special use permit (January 5, 2023).
4. Discussion of Brunswick Zoning Law amendments.

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

1. Paulsen Development – site plan.