

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD FEBRUARY 2, 2023

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

ALSO PRESENT was CHARLES GOLDEN, Brunswick Building Department.

Chairman Oster reviewed the agenda for the meeting, as posted on the Town sign board and Town website.

The draft minutes of the January 19, 2023 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the January 19, 2023 regular meeting were unanimously approved without amendment.

There were no items on the agenda.

The Planning Board then discussed one item of new business. The one item of new business was a waiver of subdivision application submitted by Donald Fane for properties located at 1 Larry Court and 60 Leverage Road. Mr. Golden briefly reviewed the application, stating that it was more in line with a lot line adjustment, that the applicant owned two adjacent lots and was looking to increase the size of one of them in order to make the lot compliant with the Brunswick Zoning Code. Mr. Golden stated that the applicant would be going before the Zoning Board of Appeals for an area variance for a proposed addition to the house on the parcel located at 1 Larry Court, and that an area variance application had been submitted to the Zoning Board. Member Stancliffe

asked if the property used public water and sewer, and Mr. Golden confirmed that the lot did use public water and needed to investigate the sewer issue. Member Petersen noted that the site map showed that the lot that was to decrease in size has an existing structure identified as encroaching onto the neighboring property. Attorney Gilchrist asked if there was an existing Notice of Violation on the property due to the encroachment issue and resulting lot line setback issue, and Mr. Golden stated that there was not. Mr. Golden reviewed the requirements for an area variance in connection with the proposed house addition. Attorney Gilchrist reviewed Section 160-8 of the Brunswick Zoning Law, which states that applications cannot be reviewed for a property upon which there is an existing Zoning Law violation, and that even though there is not currently a Notice of Violation on the property, there is clearly a zoning violation present. Attorney Gilchrist stated that the issue is that a stamped survey map has been filed with the Town that depicts a zoning violation. Chairman Oster noted that the application could not be placed on the next agenda due to the zoning issue as discussed. Chairman Oster asked Mr. Golden to inform the applicant of the issue, and Mr. Golden stated that he would. This matter is adjourned without date.

The index for the February 2, 2023 regular meeting is as follows:

1. Fane – waiver of subdivision (adjourned without date).

The proposed agenda for the February 16, 2023 regular meeting is currently as follows:

1. Santoro – minor subdivision (public hearing to commence at 7:00pm).