

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD MAY 18, 2023

PRESENT were RUSSELL OSTER, CHAIRMAN, LINDA STANCLIFFE, DAVID TARBOX, KEVIN MAINELLO and ANDREW PETERSEN.

ABSENT were DONALD HENDERSON and J. EMIL KREIGER.

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.

The draft minutes of the May 4, 2023 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Stancliffe, the draft minutes of the May 4, 2023 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was a site plan application and special use permit application submitted by Lynn Currier for property located at 215 Oakwood Avenue. No one was present for the applicant. Mr. Golden stated that the applicant had not submitted any additional documents since the last meeting on May 4. Mr. Bonesteel stated that he had submitted a 2-page letter with written comments to the applicant and that the applicant was likely in the process of responding to those comments. This matter is tentatively placed on the June 1, 2023 agenda for further deliberation.

The second item of business on the agenda was a site plan application submitted by Humble Country, LLC for property located at 740 Hoosick Road. Scott Shearing, from Bohler Engineering,

Al Burgazoli, from AOW Associates, Inc., and Paul Engster, the property owner, were present to review the application. Mr. Shearing presented an updated site map of the project, which addressed comments at the previous meeting. Mr. Shearing stated that concerns had been raised at the previous meeting over parking, citing parking issues at a dispensary in Schenectady, and noted that the Walmart Plaza has adequate parking for the dispensary. Mr. Shearing stated that concerns had been raised about queueing at the previous meeting and that the Schenectady dispensary, which had queueing issues when it opened, had three point of service locations, while the Humble Country dispensary would have six points of service locations, as well as employees walking around the store with tablets to help customers. Mr. Shearing stated that there would be ample security, including armed guards. Mr. Shearing also stated that there would queueing on the sidewalk outside the dispensary and in a vestibule within the space. Mr. Shearing stated that the dispensary's hours of operation would be 10:00AM to 11:00PM Monday through Thursday, 10:00AM to midnight on Friday and Saturday, and 10:00AM to 8:00PM on Sunday. Mr. Shearing stated that dispensaries are heavily regulated by New York State and must adhere to strict State guidelines. Mr. Shearing stated that there would be no exterior construction on the site and that all work would be done on the interior space. Mr. Shearing further stated that the applicant was requesting a determination on the completeness of the application, a SEQRA lead agency determination, and the scheduling of a public hearing. Chairman Oster asked how long the anticipated initial surge of business to the dispensary was expected to last. Mr. Shearing stated that there would be other dispensaries opening in the area by mid-summer, which would help mitigate the initial surge. Chairman Oster noted that dispensaries in Massachusetts had seen a significant initial surge and asked if such a surge could be expected at the Brunswick location. Mr. Shearing stated that the other dispensaries in the area would help avoid extensive surges like those seen in

Massachusetts and that the initial surge at the Brunswick dispensary would likely not be longer than two months. Mr. Bonesteel asked for confirmation that there would be no structural site improvements and no outside sales. Mr. Shearing stated that no sales outside the building are proposed, but that there will be signage at the site in compliance with all Town sign requirements. Mr. Burgazoli then explained the NYS restrictions on dispensaries, stating that there would be no product displays in the store windows and that there would only be limited signage. Mr. Bonesteel asked for more information on the other dispensaries opening in the area later in the year. Mr. Burgazoli stated that there would be four dispensaries opened as part of a first wave of sites: a dispensary near the Home Depot on Central Avenue in Albany, two dispensaries in Schenectady, one already open and another to open soon, and the Brunswick dispensary. Mr. Burgazoli also stated that the next planned phase of dispensary openings would likely add 6-8 dispensaries in the area. Mr. Bonesteel stated that there were no issues with the application from an engineering standpoint. Member Stancliffe noted that the dispensary was taking an 8,000 square foot space and setting up a dividing wall, making it two 4,000 square foot spaces, and asked if the remaining space not taken by the dispensary would have a new exterior door installed. Mr. Golden confirmed that an exterior door to the other space would be installed. Mr. Bonesteel asked if there would be changes to parking at the site. Mr. Burgazoli reiterated that there would be no exterior changes to the site. Chairman Oster inquired as to the NYS security requirements for a dispensary. Mr. Burgazoli reviewed the security provisions for the site, including surveillance cameras and a vault located within the store. Mr. Bonesteel stated that adequate information had been submitted and that the application was complete. A public hearing on this application was scheduled for June 15, 2023 at 7:00pm. Chairman Oster asked the applicant if he wanted to be on the agenda for the next Planning Board meeting on June 1. Mr. Shearing stated that if the application was complete and

the public hearing was scheduled for June 15, then there was reason to be at the June 1 meeting. Mr. Shearing asked if a State Environmental Quality Review Act (SEQRA) determination could be made. Attorney Gilchrist noted that a Short Environmental Assessment Form (EAF) had been submitted with the application, asked what agencies were involved, including all NYS regulatory agencies, and asked Mr. Shearing to submit a complete list of involved agencies to Mr. Bonesteel. Attorney Gilchrist also stated that the application needed to be sent to Rensselaer County for review and recommendation.

The third item of business on the agenda was a waiver of subdivision application submitted by Matthew Guzzo for property located at 137 Town Office Road. Matthew Guzzo was present to review the application. Chairman Oster stated that the location of a well and septic system, and sight distances for a driveway, both existing and proposed, needed to be added to the site map. Mr. Guzzo stated that an updated site map had been submitted with those elements, and he reviewed the updated site map. Mr. Bonesteel asked which of the two driveways depicted on the site map had a driveway permit been issued by Rensselaer County. Mr. Guzzo stated that the Rensselaer County driveway permit was for the proposed new driveway on the lot. Mr. Bonesteel stated that there were no outstanding issues on the application. Member Tarbox asked what the speed limit was on Town Office Road. Mr. Golden stated that it was 35 miles per hour. Member Tarbox asked if the sight distance was adequate for the proposed driveway. Mr. Bonesteel confirmed that the sight distances were adequate and that Rensselaer County had approved the location of the driveway. There were no further questions or comments from the Planning Board. Member Petersen made a motion for a negative declaration under SEQRA on the project, which was seconded by Member Tarbox. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster asked if there should be any conditions

to be considered by the Planning Board. Attorney Gilchrist stated that one condition for the Planning Board to consider would be that the applicant obtain Rensselaer County Health Department approval for water and septic prior to the issuance of a building permit by the Town Building Department. Member Tarbox made a motion to approve the waiver of subdivision subject to the stated condition, which was seconded by Member Petersen. The Planning Board voted unanimously to approve the waiver of subdivision subject to the stated condition.

The Planning Board discussed one item of new business.

The one item of new business was a waiver of subdivision application submitted by Joshua Kingsley-Charland for property located at 6 Grandview Drive. Joshua Kingsley-Charland was present to review the application. Mr. Kingsley-Charland stated that the application was more in the nature of a lot line adjustment with his adjacent neighbor at 656 Pinewoods Avenue, and that he was seeking to transfer 10,500 square feet from his neighbor's lot to his lot. Mr. Kingsley-Charland stated that he was in the process of obtaining a letter from his adjacent neighbor consenting to the application, which he would submit to the Town. Member Mainello asked if there were any new buildings in the area of the lot line adjustment. Mr. Kingsley-Charland confirmed that no buildings were on the land to be transferred. Mr. Bonesteel asked what zoning district the lot was located in. Mr. Golden stated that it was in a hamlet district. Mr. Golden also stated that 10,500 square feet being divided off an approximately 10-acre lot resulted in no issues with lot size compliance. This matter is placed on the June 1, 2023 agenda for further deliberation.

The index for the May 18, 2023 regular meeting is as follows:

1. Currier – site plan and special use permit (June 1, 2023).
2. Humble Country, LLC – site plan (June 15, 2023).
3. Guzzo – waiver of subdivision (approved subject to condition).
4. Kingsley-Charland – waiver of subdivision (June 1, 2023).

The proposed agenda for the June 1, 2023 regular meeting is currently as follows:

1. Currier – site plan and special use permit (tentative).
2. Kingsley-Charland – waiver of subdivision.

The proposed agenda for the June 15, 2023 regular meeting is currently as follows:

1. Humble Country, LLC – site plan (public hearing to commence at 7:00pm).