

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD AUGUST 17, 2023

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

ABSENT was LINDA STANCLIFFE.

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 August 3, 2023 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Tarbox, the draft minutes of the August 3, 2023 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was a waiver of subdivision application submitted by Michael Hart for property located at the end of Langmore Lane. Jacob Keasbey, from Holbritten Land Surveying, and Michael Hart were present to review the application. Mr. Keasbey reviewed the proposed layout of the proposed new lot, including driveway access for the parcel, which would be subdividing land from Mr. Hart's existing lot identified as Lot #1 on the proposed waiver map, to create a new lot, identified as Lot #5 on the waiver map. Chairman Oster asked if the new driveway was proposed to be constructed near or over wetlands. Mr. Keasbey stated that there was a pond near the proposed driveway, but that the pond was for drainage and was not considered a wetland. Chairman Oster noted that the driveway for Lot #5 would require an easement over the

remaining land on Lot #1, and asked if the required frontage for Lot #5 would have access only over a drainage area. Member Tarbox asked what the length of the driveway on Lot #5 would be. Mr. Hart stated that the length of the driveway would depend on where the house was built on Lot #5. The Planning Board discussed the fire code requirements for a driveway. Mr. Golden asked if the driveway for Lot #5 would be located within a wetland buffer. Member Tarbox stated that it had been the policy of the Planning Board that access frontage must be usable to install a driveway in the future, and that the Planning Board should also require it here, even if the access frontage was located in a drainage area or wetland buffer. Mr. Hart discussed the drainage on Lot #5. Chairman Oster asked about the topography of Lot #5, and if the pond along the access area for Lot #5 could be relocated, which would allow access to Lot #5 in the future if needed. Attorney Gilchrist stated that the issue currently before the Planning Board was whether the required frontage on a public road must currently be viable for use as access, regardless of an easement over part of the adjacent parcel. Attorney Gilchrist also noted that the driveway for the adjacent lot, owned by Ucellini, is currently located on Lot #1, and that while it may constitute an encroachment on Lot #1, it was an existing condition that would not impact the creation of Lot #5, and that it was not part of the Planning Board's current review. Chairman Oster asked if Lot #5 would comply with the Town Law requirements for frontage given the pond and drainage conditions. Attorney Gilchrist stated that he would need to review that issue. The Planning Board discussed the Town-owned right-of-way and driveway location to Lot #5. Attorney Gilchrist stated that he was not sure whether the driveway was proposed to be built on Town-owned property and needed to review that issue also. Member Mainello asked if the drainage catch basin on Langmore Lane was too close to the proposed access for Lot #5. Mr. Hart stated that he was not sure if it was too close according to the Town regulations. Attorney Gilchrist stated that the Town Water and

Highway Departments should review the catch basin issue. Member Tarbox asked for confirmation on the length of the frontage between the existing driveway location for the adjacent lot (actually located on Lot #1) and the proposed lot line between Lot #1 and Lot #5. Mr. Hart stated that the length of the frontage was 25 feet. Member Mainello identified a manhole on the property noted on the site map and asked about sanitation on the site. Mr. Keasbey and Mr. Hart stated that a manhole was there, that there may be sanitation piping beneath it, but that a sanitation system was never built and that if there was piping beneath that manhole, it was not connected to anything. Attorney Gilchrist stated that Mr. Bonesteel, who was absent, should have a chance to review and comment on the application. Member Tarbox asked if the Planning Board members had permission to visit the site. Mr. Hart confirmed that the Planning Board members had permission. Mr. Keasbey asked if any federal agencies needed to be involved regarding the wetlands. Attorney Gilchrist asked if the wetlands were NYS-regulated. Mr. Hart confirmed that the wetlands were regulated by NYS. Attorney Gilchrist stated that NYS DEC jurisdiction over the wetlands would likely control. This matter is placed on the September 7, 2023 agenda for further deliberation.

The Planning Board discussed one item of new business.

The one item of new business was a special use permit application submitted Charles Golden and Donna Golden for property located at 318 Pinewoods Avenue. Mr. Golden reviewed the application, stating that there was an existing bedroom above the garage on the property and that he was looking to construct a kitchen in that bedroom space, which would make the space an accessory apartment. Mr. Golden stated that there would be two points of egress from the bedroom area after the kitchen was constructed. Chairman Oster asked if there was a drawing of the proposed accessory apartment, and Mr. Golden stated that he would submit one. Member Tarbox

asked if a public hearing would be required. Attorney Gilchrist confirmed that a public hearing would be required. This matter is placed on the September 7, 2023 agenda for further deliberation.

The Planning Board discussed one item of old business.

The one item of old business was a site plan application submitted by Maries Muse, LLC for property located at 727-737 Hoosick Road. Attorney Gilchrist stated that lead agency responses had been received from NYS DEC and the Rensselaer County Department of Economic Development and Planning, both of which did not object to the Planning Board serving as lead agency on the project. Attorney Gilchrist stated that Bill Bradley from the Town Water Department had raised issues with stormwater that needed to be addressed. Attorney Gilchrist also noted that the independent analysis of the traffic study had been completed and Mr. Bonesteel would be distributing that report to the Planning Board members. This matter is placed on the September 7, 2023 agenda for further deliberation.

The index for the August 17, 2023 regular meeting is as follows:

1. Hart – waiver of subdivision (September 7, 2023).
2. Golden – special use permit (September 7, 2023).
3. Maries Muse, LLC – site plan (September 7, 2023).

The proposed agenda for the September 7, 2023 regular meeting is currently as follows:

1. Hart – waiver of subdivision.
2. Maries Muse, LLC – site plan.
3. Golden Grain Pizza – site plan.
4. Golden – special use permit.