

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD DECEMBER 5, 2024

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

ABSENT was ANDREW PETERSEN.

ALSO PRESENT were WENDY KNEER, 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 and Town website. Chairman Oster stated that the second item of business on the agenda, the Colton Ridge major subdivision application submitted by Paramount Building Group of NY, had been removed from the agenda at the request of the applicant prior to the meeting.

The draft minutes of the November 21, 2024 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the November 21, 2024 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was a waiver of subdivision application submitted by Chad Murphy and Emily Murphy for property located at 100 Hudson Drive. Brian Holbriiter, of Holbriiter Land Surveying, was present for the applicant. Mr. Holbriiter stated that Emily's parents own the lot and that the applicants were looking to subdivide the lot in order to build a house on the new lot. Mr. Holbriiter stated that the existing lot is located in an R-25 residential zoning district, which requires lots to be 25,000 square feet, and that the proposed building lot

would be 37,460 square feet. Mr. Holbritter reviewed the site map, showing where a septic system was proposed for the new lot. Mr. Holbritter also stated that public water was available on Hudson Drive, and that the new lot would be connecting to it. Chairman Oster asked where the septic system for the existing house on the site was. Mr. Holbritter stated that the septic system was located in front of the existing house and was a significant distance from the location of the proposed new septic system for the proposed new building lot. Chairman Oster asked about wetlands on the site. Mr. Holbritter stated that there were no wetlands on the existing lot, but that there were wetlands on an adjacent lot, likely a small U.S. Army Corps of Engineers wetland. Chairman Oster stated that a question had been raised at the last meeting on November 21 as to how many houses were currently on Hudson Drive, which is a dead-end road, and that the Building Department had made a determination on that issue. Ms. Kneer stated that the Building Department had determined that there were seven (7) houses on Hudson Drive, two (2) houses on MacArthur Drive, which comes off Hudson Drive, and two (2) houses on Spring Avenue, which Hudson Drive connects to, totaling eleven (11) houses, and that the house on the proposed new lot would make twelve (12) houses. Mr. Holbritter and the Planning Board discussed whether houses on Berkshire Drive, which also comes off Hudson Drive, should be included. Mr. Bonesteel stated that Hudson Drive and Berkshire Drive seemed to be separate streets that intersect, as opposed to MacArthur Drive, which splits off directly from Hudson Drive. Member Tarbox noted that not all lots along the aforementioned streets had houses built on them. Ms. Kneer explained how the Building Department determined what lots were included in the Building Department determination, and reiterated that Berkshire Drive was not counted and that the new house being proposed by the applicants would be the twelfth house. Attorney Gilchrist stated that the Building Department determination controls. Member Stancliffe asked if the existing house on the lot used public water.

Mr. Holbriiter stated that Rensselaer County records showed that the house has a well, but that he could not locate it on the site. Chairman Oster asked Mr. Bonesteel if he had any questions or comments, and he did not. Member Mainello made a motion for a negative declaration on project under SEQRA, which was seconded by Member Tarbox. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster stated that obtaining Rensselaer County Health Department approval for the septic system should be considered as a condition on the application. Attorney Gilchrist stated that obtaining a driveway permit from the Town Building Department and coordinating with the Town Water Department on the use of public water should also be considered as conditions. Member Henderson made a motion to approve the waiver of subdivision application subject to the stated conditions, which was seconded by Member Stancliffe. The Planning Board voted unanimously to approve the waiver of subdivision application subject to the stated conditions.

The Planning Board discussed one item of new business.

The one item of new business was a waiver of subdivision application submitted by Joseph Breen for property located on Smith Hill Road. No one was present to review the application. Ms. Kneer stated that the approximately 55-acre parcel had previously been two lots that had been merged in 2017, and that the applicant was seeking to re-subdivide the parcel into the two lots that existed in 2017, of 48.66 acres and 6.5 acres. Ms. Kneer stated that there was a barn on the existing lot and that if the subdivision was approved, the barn would be located on the 6.5-acre lot, meaning that there would be an accessory structure without a primary structure on the lot. Member Mainello stated that the location of the barn should be added to the subdivision plat. Mr. Bonesteel asked if there was a driveway to the barn. Chairman Oster stated that if there was a driveway to the barn, it should be added to the subdivision plat as well. Chairman Oster asked if a potential house,

driveway to the house, well, and septic system should also be shown on the plat. The Planning Board discussed what additional information should be required on a map for a waiver of subdivision application, and concluded that the potential house, well and septic system locations should be added to the map in this case. Chairman Oster noted that the Planning Board had previously allowed waiver applications to move forward where an accessory structure was located on the new lot, but required the new primary structure on the subdivided lot to be built within a certain period of time. Mr. Bonesteel stated that a location map should be added to the plat, and that adding the house location to the plat would ensure it was a buildable lot. This matter is placed on the December 19, 2024 agenda for further deliberation.

There was no old business to discuss.

The index for the December 5, 2024 regular meeting is as follows:

1. Murphy – waiver of subdivision (approved with conditions).
2. Breen – waiver of subdivision (December 19, 2024).

The proposed agenda for the December 19, 2024 regular meeting is as follows:

1. Maries Muse LLC – site plan and minor subdivision.
2. Paramount Building Group – major subdivision.
3. Breen – waiver of subdivision.