

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD JANUARY 2, 2025

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

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 noted that the first item on the agenda, the Colton Ridge major subdivision application submitted by Paramount Building Group of NY, had been tabled at the request of the applicant prior to the meeting, and that this matter would be placed on the agenda for the next meeting on January 16, 2025.

Chairman Oster stated that Kevin Mainello had resigned from the Planning Board at the conclusion of the last meeting on December 19, 2024 to take a position in the Town Building Department. Chairman Oster announced that Mike Czornyj had been appointed to the open seat on the Planning Board and that Ms. Kneer would provide him with documents on all matters currently before the Planning Board.

Chairman Oster also stated that at the Town's organizational meeting held earlier in the day, he had been appointed chairman of the Planning Board for another one-year term.

The second item of business on the agenda was a waiver of subdivision application submitted by Jason Smith for property located at 350 Dater Hill Road. Bill Darling, Land Surveyor, was present to review the application. Chairman Oster stated that the Planning Board had received an Agricultural Data Statement on the project since the last meeting. Mr. Darling stated that there were two small parcels, both approximately three quarters of an acre, on either side of a parcel owned by Mark Wagner, which were to be merged into the Wagner lot between them, resulting in a merged parcel of approximately 3.3 acres. Mr. Darling stated that there was a separate parcel of approximately 73 acres that would be conveyed to a parcel owned by Wagner Farms. Chairman Oster asked if the three parcels proposing to be merged were currently owned by Kings Grant Farms. Mr. Darling confirmed that they were, and that the applicant, who was also present, was one of the owners of Kings Grant Farms. Chairman Oster asked when the last subdivision was done on the property, and Mr. Darling stated that as far as he was aware, it was in the 1980s. Chairman Oster asked the Planning Board members if there were any questions, and there were none. Chairman Oster asked Mr. Bonesteel if he had any questions. Mr. Bonesteel asked if there were any structures on the parcels other than the barns noted on the site plan. Mr. Darling stated that the barns were the only structures on the parcels, and that they were currently being used for agricultural purposes. Mr. Bonesteel asked if there were any septic systems on the parcels. Mr. Darling stated that the only septic system on the parcel was for Mark Wagner's house, which was on the approximately 73-acre parcel. Mr. Bonesteel asked if that septic system was in front of or behind the house. Mr. Darling and Mr. Bonesteel discussed the location of the septic system on the property. Chairman Oster asked if the barn on the site had access to water. Mr. Darling stated that the barn received water from a well located next to it. Mr. Bonesteel asked about the scale of the site map and, after review, stated that the new lot lines met all required setbacks. Chairman

Oster again asked the Planning Board members if there were any questions, and there were none. Member Tarbox made a motion for a negative declaration on project under SEQRA, which was seconded by Member Stancliffe. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster asked if there should any conditions for the Planning Board to consider on the application. Member Tarbox stated that requiring a copy of the deeds showing the merger of the parcels to be filed with the Building Department for its records should be a condition. Member Henderson made a motion to approve the waiver of subdivision application subject to the stated condition, which was seconded by Member Kreiger. 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 Sean Gallivan for property located on the western side of Deepkill Road. Brian Holbriiter, of Holbriiter Land Surveying, was present for the applicant. Member Stancliffe recused herself. Mr. Holbriiter stated that three subdivided lots were approved on the project site a few years earlier, and that the developer was now seeking to build houses on those lots. Mr. Holbriiter stated that the applicant was seeking a lot line adjustment to transfer 0.25 acres from Lot 2 to Lot 3 on the site, and reviewed where driveways to houses on Lots 1 and 2 could go if the waiver were approved. Chairman Oster asked when the previous subdivision had been approved. Ms. Kneer stated that the previous subdivision was approved in 2022. Chairman Oster noted that the Brunswick subdivision regulations state that the Planning Board may consider whether a prior waiver or subdivision had been approved within the past seven years, but that the Planning Board had previously considered whether the prior waiver or subdivision resulted in a lot line adjustment or created a new lot. Mr. Holbriiter stated that no new building lots would be created as a result of this lot line adjustment.

Chairman Oster stated that he had no issue with considering the waiver of subdivision application as a lot line adjustment. Member Tarbox asked if an Agricultural Data Statement would be required. Ms. Kneer stated that the project site was not within 500 feet of the nearest farm. Mr. Holbriiter stated that the applicant owned all the land surrounding the project site. Member Tarbox asked if another farm on Deepkill Road was within 500 feet of the project site. Mr. Holbriiter stated that the other farm was not listed as an adjacent owner, and stated that the other farm was much more than 500 feet from the project site. Ms. Kneer confirmed that the other farm was more than 500 feet from the project site. Mr. Holbriiter also noted that the project site for this matter only concerned Lots 2 and 3, not the entire parcel. This matter is placed on the January 16, 2025 agenda for further deliberation.

Member Stancliffe returned to the meeting.

There was no old business to discuss.

The index for the January 2, 2025 regular meeting is as follows:

1. Smith – waiver of subdivision (approved subject to condition).
2. Gallivan – waiver of subdivision (January 16, 2025).

The proposed agenda for the January 16, 2025 regular meeting is as follows:

1. Gallivan – waiver of subdivision.
2. Maries Muse, LLC – site plan, minor subdivision, and special use permit.
3. Paramount Building Group – major subdivision (tentative).