

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD JANUARY 16, 2025

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

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.

The draft minutes of the December 19, 2024 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the December 19, 2024 regular meeting were unanimously approved without amendment.

The draft minutes of the January 2, 2025 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Petersen, the draft minutes of the January 2, 2025 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was a waiver of subdivision application submitted by Sean Gallivan for property located on the western side of Deepkill Road. Brian Holbritter, of Holbritter Land Surveying, was present for the applicant. Member Stancliffe recused herself. Chairman Oster asked Mr. Holbritter to briefly review the project. Mr. Holbritter stated that the applicant was proposing to annex 0.25 acres from Lot #2 to Lot #3 on the project site. Mr.

Holbriiter also stated that Lot #2 would have a separate driveway entrance. Chairman Oster noted that the applicant was proposing a lot line adjustment and that no new lots would be created. Member Czornyj stated that it had been raised at the previous meeting on January 2 as to whether an Agricultural Data Statement was necessary, and asked if that issue had been addressed. Member Tarbox stated that an Agricultural Data Statement would not be necessary. Chairman Oster asked the Planning Board members if there were any further questions, and there were none. Chairman Oster asked Mr. Bonesteel if he had any questions, and he stated that he did not. Member Tarbox made a motion for a negative declaration on the project under SEQRA, which was seconded by Member Czornyj. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster asked if there should be any conditions for the Planning Board to consider on the application. Attorney Gilchrist stated that the Planning Board should consider a condition that the 0.25 acres from Lot #2 must be merged into Lot #3 and that a merger deed must be filed with the Town Building Department. Member Henderson made a motion to approve the waiver of subdivision application subject to the stated condition, which was seconded by Member Tarbox. The Planning Board voted unanimously to approve the waiver of subdivision subject to the stated condition.

Member Stancliffe returned to the meeting.

Chairman Oster stated that the third item on the agenda would be addressed next. The third item on the agenda was the Colton Ridge major subdivision application submitted by Paramount Building Group of NY for property located at the northeast corner of Spring Avenue and Creek Road. Matt Bond, P.E., of Hart Engineering, was present to review the application. Mr. Bond stated that there had been no significant changes made to the application since the last Planning Board meeting on January 2. Mr. Bond stated that the applicant was finalizing the stormwater

pollution prevention plan (SWPPP), that an updated Environmental Assessment Form (EAF) that included a drainage district would be submitted, and that the applicant was working with NYS Department of Environmental Conservation (DEC) on obtaining a mining construction exemption. Mr. Bond also stated that he would be submitting the plans to the Fire Department. Mr. Bonesteel asked how much material would be removed from the site. Mr. Bond stated that he was not sure, as the calculations would be done in connection with the grading plan, which was still being worked on. Member Tarbox asked where the graded material currently being removed from the site was going. Mr. Bond stated that no further graded material was being taken off the site, and that any graded material previously removed from the site had been used by the site owner on his existing farm. Member Henderson asked if there had been any grading done near a retention pond on the site. Mr. Bond stated that no grading had been done near the retention pond. Member Stancliffe asked if the application needed to be referred to Rensselaer County. Attorney Gilchrist stated that it did not as Rensselaer County does not review subdivisions. Member Stancliffe asked if the application needed to be referred to National Grid. Attorney Gilchrist stated that National Grid would need to be notified prior to a public hearing on the application due to owning land adjacent to the project site. Attorney Gilchrist also stated that the Town of Poestenkill and possibly the Town of North Greenbush would need to be notified before a public hearing. Chairman Oster asked if any portion of the project site was in an adjacent municipality. Mr. Bond stated that the entire project site was located in the Town of Brunswick. Mr. Bond stated that he would submit updated information before the next Planning Board meeting. This matter is tentatively placed on the February 6, 2025 agenda for further deliberation.

The Planning Board then returned to its regularly scheduled agenda.

The second item of business on the agenda was the applications for site plan, minor subdivision, and a special use permit submitted by Maries Muse, LLC for property located at 727-737 Hoosick Road and 4 Mohawk Avenue. Tim Freitag, from Bohler Engineering, and Colton Hill were present to review the applications. Mr. Freitag stated that a full EAF had been submitted since the last meeting on January 2, that scheduling a public hearing is the next step of the process, and that a SEQRA determination was needed prior to a public hearing. Mr. Freitag stated that the applicant was continuing to work with NYS Department of Transportation (DOT) on the changes to the traffic signal and road widening of McChesney Avenue, and that the traffic mitigation plan submitted when a Chick-fil-A was proposed for the site was still being proposed for the current project. Mr. Freitag also stated that the applicant was working with the Fire Department on traffic. Chairman Oster asked if the applicant anticipated any changes to the application based on comments from the Fire Department. Mr. Freitag stated that other than moving some fire hydrants on the site, the applicant did not anticipate any changes based on Fire Department comments. Member Czornyj asked for a brief overview of the buildings proposed for the site, as he was new to the Planning Board. Mr. Freitag reviewed the layout of the buildings and gas pumps, as well as the ingress and egress points. Mr. Bonesteel reviewed Part 1 of the EAF and noted that he had drafted Parts 2 and 3 of the EAF for the Planning Board's review. Chairman Oster stated that Parts 2 and 3 had been distributed at the present meeting. Attorney Gilchrist stated that as the Planning Board had only received Parts 2 and 3 at the present meeting, it would be appropriate for the Planning Board members to review the Parts 2 and 3 on their own and make a SEQRA determination, by resolution, at the next meeting. Chairman Oster asked Mr. Bonesteel to review a memo he had submitted with Parts 2 and 3 which discussed potential adverse environmental impacts due to the project. Mr. Bonesteel reviewed his memo, which stated that there would be a

small impact on land; a small impact on surface water, noting that there was significant work being done on the stormwater design and that that design was reasonable to manage stormwater on the site; a small impact on transportation, noting that mitigation was being provided; and a small impact to noise, odor, and light. Mr. Bonesteel also noted that the project was an Unlisted Action under SEQRA; that, in his opinion, an Environmental Impact Statement (EIS) was not necessary; and that he was proposing, based on Parts 2 and 3, that a Negative Declaration be declared on the project under SEQRA. Chairman Oster asked if anything needed to be reviewed under SEQRA concerning the gas tanks on the site. Mr. Freitag stated that there were stormwater hot spot requirements and DEC regulations for the locations of the gas tanks, and that these would be handled under separate regulatory programs. The Planning Board discussed procedure, including coordinating with the Zoning Board of Appeals of a potential joint public hearing. Mr. Freitag stated that the applicant would be at the January Zoning Board meeting to introduce its amended application for area variances. Attorney Gilchrist stated that due to Town requirements on posting a Notice of Public Hearing, a joint public hearing could be held at the Planning Board's first meeting in March, with the Zoning Board holding a special meeting simultaneously with the Planning Board's regular meeting. Member Czornyj asked if the applicant would be merging the seven lots on the site into one big lot, then subdividing it into two lots. Mr. Freitag stated that the seven existing lots would be merged into two lots, rather than merging and then subdividing. Member Tarbox asked what the storefronts would look like. Mr. Freitag showed a rendering of what the storefronts would look like. Chairman Oster asked what the proposed timeline was for breaking ground on the site. Mr. Freitag stated that the applicant must finish the project and present the finished site to potential tenants by the end of 2025. This matter is placed on the February 6, 2025 agenda for further deliberation.

There was no new business to discuss.

The Planning Board discussed one item of old business.

The one item of old business was the applications for a waiver of subdivision, site plan, and a special use permit submitted by CVE North America, Inc. for property located at 511 McChesney Avenue Extension. No one was present for the applicant. Chairman Oster stated that an engineering letter from Mr. Bonesteel's office dated January 10, 2025 had been received by the Planning Board. This matter is adjourned without date pending technical review.

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

1. Gallivan – waiver of subdivision (approved subject to condition).
2. Paramount Building Group – major subdivision (February 6, 2025).
3. Maries Muse, LLC – site plan, minor subdivision, and special use permit (February 6, 2025).
4. CVE North America – waiver of subdivision, site plan, and special use permit
(adjourned without date).

The proposed agenda for the February 6, 2025 regular meeting is as follows:

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