

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD APRIL 3, 2025

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

ABSENT were ANDREW PETERSEN and MICHAEL CZORNYJ.

ALSO PRESENT were KEVIN MAINELLO, 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 March 20, 2025 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the March 20, 2025 regular meeting were unanimously approved without amendment.

The first item of business 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. Chairman Oster stated that this matter had been tabled prior to the meeting. This matter is placed on the April 17, 2025 agenda for further deliberation.

The second item of business on the agenda was a waiver of subdivision application submitted by CDP Hills, LLC & Wolf Hills Ranch, LLC for property located at 110 Lord Avenue. Lucas Richardson, PLS, from Environmental Design Partnership, was present to review the application. Mr. Richardson stated that since the Hudson Hills Planned Development District was

still active, the application now seeks a two-lot subdivision without a merger into the applicant's adjacent property. Attorney Gilchrist clarified the record, stating that, to his knowledge, the Town had not made any determination as to whether the Hudson Hills Planned Development District was still active. Mr. Richardson stated that the current project was a standard two-lot subdivision, and that the applicant had no intention to build on the land being transferred from Mary and Carl Stowell to the applicants. Mr. Richardson stated that a driveway, and water and septic systems had been added to the site map, and that the water and septic systems were located on the parcel with the existing house. Chairman Oster noted that an Agricultural Data Statement had been received from the applicant. Chairman Oster asked if there had been a subdivision on the property with the last seven years. Mr. Mainello stated that there had not been, but did note that there were two structures partially located on the land to be transferred. Mr. Richardson stated that both structures were temporary structures. Mr. Mainello stated that they constituted structures under the Brunswick Zoning Law even if they were only temporary structures, and noted that the applicant was therefore proposing a lot line adjustment that would result in a parcel with secondary structures and no primary structure, which would be in violation of the Brunswick Zoning Law. Chairman Oster asked if the two temporary structures would need to be taken down before action could be taken on the application. Member Tarbox stated that the applicant taking down the two structures could be a condition on the application. Attorney Gilchrist confirmed that the Planning Board had previously allowed applications to move forward with the condition that, within a specified period of time, a primary structure be constructed or the secondary structure(s) be removed. Mr. Bonesteel asked about a pipe shown on the site map. Mr. Richardson stated that he investigated that pipe, but could not determine its purpose, only that it was located on the property. Mr. Bonesteel stated that the existing house on the land owned by the Mary and Carl Stowell did not meet the required

setbacks, but that it did not matter for this application. Mr. Mainello agreed, stating that the house was an existing nonconforming structure due to not meeting the setbacks, but that not meeting the required setbacks was not an issue on the current application. Mr. Richardson asked if the two accessory structures would have required a building permit. Mr. Mainello confirmed that they would have. Mr. Richardson asked if a building permit had been issued when the structures were built. Mr. Mainello stated that he did not know and would research that issue. Chairman Oster asked Mr. Mainello what Dennis Bailey had said about the project when he spoke to him. Mr. Mainello stated that when he had met with Mr. Bailey earlier that day about the site and project, Mr. Bailey told him that he had only found out about the project that day and that he was concerned about possibly needing to take down structures on his property with no notice. Chairman Oster stated that in light of discovering the adjacent neighbor was not aware of the project, which would affect his property, the Planning Board should consider holding a public hearing on the application. Member Stancliffe stated that before the next meeting, the applicant should submit more information on the pipe on the site which Mr. Bonesteel had asked about, and to speak to Mr. Bailey about the project. Attorney Gilchrist stated that there were two options on how to move forward procedurally: the applicant could speak with Mr. Bailey and propose a solution to the encroachment issue, or a public hearing could be scheduled. Chairman Oster asked Mr. Richardson to speak with Mr. Bailey and provide some kind of written resolution to the issue, and to investigate the pipe issue, both before the next meeting. Chairman Oster noted that there were no further issues with the application. This matter is placed on the April 17, 2025 agenda for further deliberation.

The Planning Board discussed three items of new business.

The first item of new business was a waiver of subdivision application submitted by Mary McCarthy Gardam for property located at 13 Joy Lane. Nick Costa, of Advance Engineering &

Surveying, and Mary McCarthy Gardam were present to review the application. Mr. Costa stated that the applicant owned two adjacent lots, one with a house and garage and one that is vacant, and that the applicant was proposing a lot line adjustment to remedy an existing encroachment. Chairman Oster asked if the vacant lot was landlocked. Ms. Gardam confirmed that it was, and that the proposed lot line adjustment would not change the status of the lot. Chairman Oster noted that the applicant was proposing a lot line adjustment and that the proposal was not creating a landlocked parcel, just adjusting the lot line of that existing parcel. Chairman Oster asked if the Building Department had any issue with the parcels and/or application. Mr. Mainello stated that the only issue was that an existing garage was on the existing lot line, which the lot line adjustment would remedy. Mr. Mainello also stated that while investigating the parcels, he found an old permit allowing the construction of the garage on the lot line due to both lots having the same owners, but that a lot line adjustment would be necessary if the owners ever decided to sell one or both of the parcels. Member Tarbox asked what the plan was for the vacant parcel. Ms. Gardam stated that she was in the process of selling the vacant parcel and was not sure what the potential new owner intended to do with the lot. Member Tarbox asked if an Agricultural Data Statement would be necessary. Mr. Costa stated that one was being prepared and would be submitted. This matter is placed on the April 17, 2025 agenda for further deliberation.

The second item of new business was a waiver of subdivision application submitted by Henry Reiser for property located at 52 Plante Lane. Henry Reiser was present to review the application. Mr. Reiser stated that the property concerned Lot 9 of the Grey Ledge Subdivision, which was approved in 2018. Mr. Reiser stated that he was proposing to transfer approximately 5 acres of land from the adjacent parcel owned by Reiser Rock Farms, LLC to Lot 9 of the Grey Ledge Subdivision, increasing the size of Lot 9 to approximately 10 acres, and that no new building

lot would be created from the project. Chairman Oster stated that there was a driveway issue, noting that the shared driveway providing access to several lots off Plante Lane does not meet NYS Fire Code requirements concerning turn-off areas on private roads and driveways. Mr. Reiser stated that there were turnarounds on the site, and that he could either add a specific section to a private road maintenance agreement to address that issue, or amend the large map/plat for the subdivision. Mr. Mainello discussed the current and proposed new layout, specifically driveway widths and the required fire/emergency vehicle access. The Planning Board discussed the current and proposed new layout of the site, specifically the potential issue with emergency vehicle access. Chairman Oster asked how many lots were serviced by the existing driveway. Mr. Reiser stated that with adding Lot 9 to the shared driveway, a total of five lots were serviced by the driveway. The Planning Board discussed not including Lot 9 on the shared driveway and having a separate driveway for Lot 9 onto Plante Lane to meet the NYS Fire Code requirements. Chairman Oster asked what surface type was required for the driveway. Mr. Mainello stated that the driveway could be gravel as long as it was properly maintained. Mr. Bonesteel confirmed that it could be gravel, but that it also must support emergency vehicles. Following further discussion, Mr. Reiser and the Planning Board agreed that Mr. Reiser would determine how to approach the Lot 9 driveway issue. This matter is placed on the April 17, 2025 agenda for further deliberation.

The third item of new business was a sketch plan submitted by Thomas Murley for property located at 291 Oakwood Avenue. Francis Bossolini, P.E., was present to review the sketch plan. Mr. Bossolini stated that he was presenting a preliminary sketch plan now and would submit a full site plan application at a later date. Mr. Bossolini stated that the site was on the northern edge of the Diamond Rock Plaza, that the applicant was proposing a single-use retail structure for a Dollar General, that it would be an approximately 9,100 square foot one-story building with 37

parking spaces, utilities, and sewer and municipal water. Mr. Bossolini stated that stormwater management would be consistent with the original plan for the site, which was a car wash, and that access to the retail store would be through the existing entrance off Oakwood Avenue, as there are reciprocal easements in place. Mr. Bossolini stated that the parcel had been rezoned from Light Industrial to Business (B-15) about a year ago and that the project was in compliance with current zoning. Mr. Bossolini stated that the height of the proposed building would be zoning compliant. Mr. Bossolini stated that the applicant was considering one large sign for both the Diamond Rock Plaza and the proposed new building, or a separate pylon sign for the new building. Mr. Bossolini asked if the Planning Board had any guidance for him at this point regarding the State Environmental Quality Review Act (SEQRA) review. Mr. Bonesteel stated that he would prefer to see a Full Environmental Assessment Form (EAF) submitted for the project. Mr. Bonesteel also stated that he would like to see traffic analysis from the applicant, and that the application would ultimately need to be submitted to Rensselaer County as well. Chairman Oster noted a loading dock at the rear of the building shown on the plan, and asked if tractor trailers would be entering and exiting the site. Mr. Bossolini stated that he was not sure if a full loading dock would be proposed on the final plans and stated that he would provide more information on that, but that a smaller delivery truck is anticipated. Member Henderson asked about landscaping on the site. Mr. Bossolini stated that he would submit information concerning landscaping with the full application. Mr. Bonesteel asked about the project's lighting plan. Mr. Bossolini stated that the lighting plan was not yet finalized, but would be included with the full application. Chairman Oster asked about the hours of operation for the Dollar General. Mr. Bossolini stated that he was not certain, but that it would likely close at 9:00pm and that he would provide information on hours of the operation with the full application. Mr. Bossolini also stated that the full stormwater plan

would be submitted with the full application. Mr. Bonesteel asked about contours on the site map. Mr. Bossolini stated that contours would be shown on the plat submitted with the full application. Member Tarbox asked what the approximate size of the Dollar General would be. Mr. Bossolini stated that it would be mid-size and would include information on the size of the building with the full application. Member Tarbox asked if a public hearing would be required. Attorney Gilchrist stated that whether to hold a public hearing on a site plan application was at the discretion of the Planning Board, and that the Planning Board had previously held public hearings on site plan applications at this property. Mr. Bossolini stated that he would like to be on the agenda for the first meeting in May, as he anticipated filing the full site plan application by that time. This matter is placed on the May 1, 2025 agenda for further deliberation.

The Planning Board also entertained discussion from James Murray, of 126 McChesney Avenue, concerning the relocation of a dumpster and addition of a second dumpster near the Walmart Plaza. Mr. Mainello noted that he was aware of the issue and that it was a significant enough change to the site that it would require a site plan amendment from the Planning Board, which had not yet been filed.

There was no old business to discuss.

The index for the April 3, 2025 regular meeting is as follows:

1. Paramount Building Group – major subdivision (April 17, 2025).
2. CDP Hills, LLC – waiver of subdivision (April 17, 2025).
3. Gardam – waiver of subdivision (April 17, 2025).
4. Reiser – waiver of subdivision (April 17, 2025).
5. Murley – sketch plan (May 1, 2025).

The proposed agenda for the April 17, 2025 regular meeting is as follows:

1. Paramount Building Group – major subdivision.
2. CDP Hills, LLC – waiver of subdivision.
3. Gardam – waiver of subdivision.
4. Reiser – waiver of subdivision.
5. CVE North America – waiver of subdivision, site plan, and special use permit.

The proposed agenda for the May 1, 2025 regular meeting is as follows:

1. Murley – site plan.