

Zoning Board of Appeals

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

MINUTES OF THE BRUNSWICK ZONING BOARD OF APPEALS SPECIAL MEETING HELD APRIL 26, 2021

PRESENT were ANN CLEMENTE, CHAIRPERSON, E. JOHN SCHMIDT, ADRIAN MORIN, and JOHN MAINELLO III.

ABSENT was PATRICIA CURRAN.

ALSO PRESENT was CHARLES GOLDEN, Brunswick Building Department.

The first item of business on the agenda was the use and area variance submitted by David Leon for property located at 660 Hoosick Road. The applicant seeks approval to construct two fast food drive-thrus and a grocery store. Rob Panasci, Esq., of Young/Sommer LLC, was present for the applicant. Chairperson Clemente stated that a Resolution pertaining to the use variance and area variance applications had been reviewed at the Zoning Board's April 19 meeting. The Resolution was discussed at the April 19 meeting and the Zoning Board requested additional conditions pertaining to on-site maintenance and garbage disposal be added. Attorney Gilchrist then drafted additional conditions, which were sent to the Zoning Board members for review. Attorney Gilchrist then reviewed the updated Resolution, specifically the findings and conditions that had been edited to address the Zoning Board's concerns about maintenance and trash disposal. Attorney Gilchrist also stated for the record that SEQRA had already been completed and a Negative Declaration had been adopted on the applications. Member Morin asked if the Planning Board was waiting for the Zoning Board to act on the variance applications before they could act on the site plan application. Attorney Gilchrist confirmed that the Planning Board was waiting for the Zoning Board to take action, noting that the Planning Board could not act on a site plan that is

not in compliance with the Town Zoning Law, so action on the variance applications by the Zoning Board was required. Member Mainello stated that he thought the condition on trash disposal was clear and well-written, and he liked how the condition placed to requirement to keep the project site clear of trash on the owner of the property. Member Mainello also asked if the condition requiring the property owner to keep the project site clear of trash was also included in the Resolution in front of the Planning Board. Attorney Gilchrist confirmed that the condition had been added to the Planning Board's Resolution as well. There were no further questions or comments from members of the Zoning Board. Chairperson Clemente asked if a Zoning Board member would offer up the Resolution. Member Schmidt offered the Resolution, which was seconded by Member Mainello. The Zoning Board voted unanimously to approve the Resolution and the Resolution granting the use variance and area variance subject to conditions was adopted.

The index for the April 26, 2021 special meeting is as follows:

1. Leon – use and area variance (granted with conditions).

The proposed agenda for the May 17, 2021 regular meeting is currently as follows:

1. Wark – area variances (public hearing to commence at 6:00pm).
2. Freeman – area variances (public hearing to commence at 6:15pm).
3. Jones – area variance (public hearing to commence at 6:30 pm).
4. Newell – area variances (public hearing to commence at 6:45pm).