

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD MARCH 5, 2026

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

ABSENT was MICHAEL CZORNYJ.

ALSO PRESENT were KEVIN MAINELLO, Brunswick Building Department, CHRISTOPHER LANGLOIS, ESQ., Attorney to the Planning Board, 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 February 19, 2026 regular meeting were reviewed. Chairman Oster noted one correction: on page 13, line 10, “Member Schmidt” should be “Member Kreiger.” Member Kreiger noted two additional corrections: on page 4, fourth line from the bottom, “who mitigate” should be “would mitigate”; and on page 6, line 10, “effects to wells” should be “no effects to wells.” Upon motion of Chairman Oster, seconded by Member Tarbox, the draft minutes of the February 19, 2026 regular meeting were unanimously approved subject to the noted corrections.

The first item of business on the agenda was applications for site plan and a special use permit submitted by Kyle Smith for property located at 1691 NYS Route 7. Kyle Smith was present to review the applications. Chairman Oster stated that there had been questions about wetlands on

the site at a previous meeting. Mr. Smith stated that he had received a letter concerning the wetlands on his property from NYS Department of Environmental Conservation (DEC), which he had submitted to the Planning Board. Mr. Smith reviewed that letter, which stated that DEC had no concerns with the project, and that the wetlands on the site were not within the jurisdiction of DEC regardless. Chairman Oster asked Mr. Bonesteel if he had any further questions or comments. Mr. Bonesteel stated that all of his comments had been addressed. Mr. Smith stated that he had submitted a rendering of the site with site elevations listed. Chairman Oster asked if the new rendering showed the outdoor lighting on the site, and Mr. Smith confirmed that it did. Chairman Oster asked if the lighting would be downlighting. Mr. Smith confirmed that it would be standard residential downlighting. Member Henderson asked if the building would have a draining floor. Mr. Smith stated that it would not, and reiterated that the foundation for the building had already existed for some time, so he could not add a draining floor even if he wanted to. Chairman Oster asked if the door on the carport opened. Mr. Smith stated that the carport door would not open, and that it was connected to the building's foundation and was purely aesthetic. Chairman Oster asked if the application was complete for the purpose of scheduling a public hearing, and Mr. Bonesteel confirmed that it was. Chairman Oster asked if the application had been submitted to the local Fire Department. Mr. Smith stated that it had not been, but would be. Chairman Oster stated that the Fire Department would likely request that a Knox Box be added to the site. Member Stancliffe asked if the application had been sent to Rensselaer County. Mr. Mainello stated that he believed it had been, but would confirm so. A public hearing on these applications was scheduled for April 2, 2026 at 7:00pm.

The second 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. Matt Bond, P.E., of Hart Engineering, and T.J. Ruane, Esq. were present to review the application. Chairman Oster stated that he, Mr. Bonesteel, members of the Brunswick Building Department, and Attorney Langlois had a virtual meeting with representatives from NYS DEC the previous Friday (February 27) discussing the project, that DEC stated that they would further review the project after that virtual meeting, and that DEC had requested a copy of the project's stormwater pollution prevention plan (SWPPP) earlier that day. Chairman Oster also stated that DEC made it clear that they would also reach out to the applicant for a meeting on the project. Attorney Langlois stated that the Planning Board had 45 days from the close of the public hearing on the project to make a determination, that the public hearing had been opened and closed at the Planning Board's February 5 meeting, that the Planning Board therefore had until March 22 to make a determination, and that DEC was informed of this timeline during the previously mentioned virtual meeting with the Town. Mr. Ruane confirmed that the applicant had also had a meeting with DEC since the last Planning Board meeting discussing the project, including reviewing a site visit done in June 2025, which the applicant, representatives from DEC, and Mr. Bonesteel had attended, as well as the project's proposed timeline, and that he would be sending DEC some additional requested information the next day. Chairman Oster stated that DEC was still reviewing the project, potentially for mining issues, and that the Planning Board should wait for a full response from DEC before making any kind of determination. Chairman Oster also asked if DEC could take jurisdiction of the project. Mr. Ruane stated that DEC could take jurisdiction of the project at any point, including during excavation and construction. Mr. Ruane stated that DEC does not confirm that mining exemptions will be given before a municipality approves a project, which the DEC representatives again confirmed during the June 2025 site visit. Attorney Langlois reviewed the first letter received by the Town from DEC, dated

February 17, 2026, in which new DEC Regional Director Sean Maher stated that DEC was reevaluating the project, particularly regarding mined land reclamation jurisdiction. Attorney Langlois pointed out that the letter did not state what DEC was specifically reviewing, what that review process would entail, how long that review process would take, or what the result of that review could be. Attorney Langlois also stated that if the Planning Board were to approve the project, he would advise that a condition on the approval directly address the DEC review process; specifically, that construction could not begin until the Town had received some sort of response from DEC, and how that response was to be received, such as by letter. Chairman Oster stated that he had thought of several possible conditions should the Planning Board approve the project. Chairman Oster stated that one condition could be that a reclamation bond be required from the applicant, and that the amount would need to be determined. Chairman Oster stated that another condition could be an environmental monitor of some kind for the site during excavation and construction, who would submit regular progress reports to the Town. Member Stancliffe stated that the amount of material being moved, the number and types of trucks entering and exiting the site, the phasing schedule, and traffic on and near the site should also be monitored and reported on. Member John Mainello stated that any material spilling off trucks exiting the site should also be monitored and documented. Member Henderson noted that information concerning the traffic route for trucks and the truck contracting company still had not been provided to the Planning Board. Mr. Ruane stated that the applicant would not hire a trucking contractor until the project had been approved. Chairman Oster stated that he wanted traveling north on Creek Road to be prohibited. Mr. Ruane stated that the truck traffic route could be a condition on approval of the application, and added that the applicant had spoken to the Rensselaer County Highway Department concerning the project. Member Stancliffe asked if the truck traffic route had been a

condition when the Hannaford Supermarket site plan and minor subdivision applications had been approved back in 2021. Mr. Bonesteel confirmed that the truck traffic route had been a condition on the Hannaford approval. Mr. Bonesteel stated that he had also spoken to the Rensselaer County Highway Department and reported that they were very opposed to a lot of additional traffic heading north on Creek Road. Chairman Oster asked what the weight of a truck exiting the site would be. Mr. Bonesteel stated that trucks exiting the site would be 20 tons. Chairman Oster asked how fast trucks would be loaded with material, and asked if an error in the loading process could cause stacking issues. Member Tarbox noted that the application materials stated that 17 trucks would be exiting the site every hour, which was about one truck every 3.5 minutes. Member John Mainello stated that with trucks proposed to be leaving the site that quickly, issues with loading trucks would definitely cause backups. Chairman Oster noted that the Planning Board could establish a condition monitoring trucks entering and exiting the site, but that it would be impossible to inspect every single truck. Attorney Langlois stated that should the Planning Board make monitoring a condition, the monitor could be someone from the Town, someone selected by a third party, or someone chosen by the applicant. Mr. Ruane asked that the Planning Board send the list of potential conditions to the applicant in writing, as that would make them easier to respond to. Chairman Oster reiterated that a trucking contractor would only be hired should the project be approved, and asked if the contractor hired by the applicant would be able to alter the excavation plan, even if that specific excavation plan had been approved by the Planning Board. Mr. Bond stated that the applicant would only be looking to hire a trucking contractor that agreed to follow the excavation plan approved by the Planning Board. Member Stancliffe noted that the application called for removing approximately 11 acres of vegetation and asked if any of that vegetation could be moved and/or saved. Mr. Ruane confirmed that the applicant was considering saving some of

that vegetation. Chairman Oster asked if the existing waterline near the project site could be looped around to homes along Spring Avenue. Mr. Bond stated that that was not possible due to jurisdictional issues with that waterline. Chairman Oster asked if the applicant had discussed extending the waterline with the property owner. Mr. Ruane stated that the issue had been raised with the property owner, but that there had not been a response on that issue yet. Chairman Oster asked, based on the proposed extension of the existing waterline, if the waterline could be extended further in the future. Mr. Bond confirmed that it could be. Mr. Bonesteel stated that an extension of the existing water district could be a condition on approving the application. Chairman Oster returned to his list of possible conditions and stated that a construction bond for the road to be built on the site could be a condition, then asked how much such a bond should be for. Mr. Bonesteel stated that the establishment of a drainage district could be a condition. Member Tarbox asked if the proposed Lots 16 and 17 on the site were proposed to share a driveway. Mr. Bond confirmed that Lots 16 and 17 would share a driveway. Member Tarbox asked if the owners of those lots would need a Private Road Maintenance Agreement. The Planning Board then discussed the required road frontage and road lengths on the site. Member Tarbox stated that a \$500.00 Parks and Recreation fee would be required for each lot. Mr. Bonesteel stated that Michael Bayly, from the Brunswick Highway Department, had reviewed the application and given comments on it, and that the applicant had implemented those comments into the most recent set of plans. Member Stancliffe asked if receiving septic approval from Rensselaer County should be a condition. Kevin Mainello asked if hours of operation should be a condition. Chairman Oster asked Mr. Mainello if he meant hours for excavation or construction, and Mr. Mainello stated both. Mr. Ruane noted that proposed hours of operation were noted on the excavation plan. Attorney Langlois stated that different hours of operation could be listed for excavation and construction. Attorney Langlois

stated that the second Planning Board meeting in April was on April 16, and asked if the applicant consented to a 25-day extension on the date by when the Planning Board had to make a determination on the application. Mr. Ruane stated that the applicant consented to the 25-day extension. Chairman Oster stated that the Planning Board was still waiting for a response from DEC on what it was reviewing. Attorney Langlois stated that the Planning Board could reach out to DEC for information on their review process. Chairman Oster asked Mr. Ruane and Mr. Bond if they had any immediate questions for the Planning Board, and they did not. This matter was tentatively placed on the March 19, 2026 agenda for further deliberation.

The third item of business on the agenda was a major subdivision application submitted by Jim Cillis for property located on Cole Lane. Aaron Vera, P.E., of Verity Engineering, D.P.C., was present to review the application. Mr. Vera stated that a full Environmental Assessment Form (EAF) had been submitted since the last Planning Board on February 19, and that the applicant was seeking a State Environmental Quality Review Act (SEQRA) determination from the Planning Board. Mr. Bonesteel stated that he had reviewed the full EAF and had no comments on it. Member Stancliffe asked if there was an issue with the application proposing more than 12 lots on a cul-de-sac road. Mr. Vera stated that more than 12 lots on the cul-de-sac road had been approved several years ago. Member Henderson asked about topography on the site, specifically in regards to the road proposed to be built. Mr. Vera stated that the applicant would add full topography to the site plan. The Planning Board agreed that they wanted to act as lead agency for this project. Member Stancliffe made a motion to circulate a SEQRA Lead Agency Coordination Notice to all involved and interested agencies for this project, which was seconded by Member Henderson. The Planning Board voted unanimously to circulate a SEQRA Lead Agency Coordination Notice to all

involved and interested agencies for this project. This matter was placed on the April 16, 2026 agenda for further deliberation.

The fourth item of business on the agenda was a site plan application submitted by Richard Valverde for property located at 721 Hoosick Road. Andrew Brick, Esq. and Kevin Hickson, of BL Companies, were present to review the application. Mr. Brick stated that the applicant was currently drafting the full EAF for the project, that elevations for the site had been calculated, and that everything required should be submitted by April. Mr. Hickson stated that the applicant had a pre-application meeting with the Town last year concerning the project. Mr. Hickson stated that there was approximately 16,000 square feet of greenspace on this site, which was approximately 60% of the project site, and the project was proposing to decrease the amount of greenspace to approximately 10,000 square feet. Mr. Hickson reviewed the location and size of the proposed driveway for the site. Mr. Hickson also stated that the lights on the site would shut off at night, likely at 11:00pm, but that the lights for the sign in front of the site would stay on 24 hours a day. Mr. Hickson stated that the applicant did not anticipate the need for any sign variances from the Zoning Board, and that there was no proposed curb cut on Hoosick Road due to the grade of the road. Mr. Bonesteel noted that Rensselaer County was also trying to decrease the number of curb cuts on Hoosick Road. Mr. Hickson stated that there never was a curb cut onto Hoosick Road from the project site, and clarified that the applicant did not want to build one even if grading was not an issue. Mr. Hickson also reviewed the proposed parking on the site, proposed dumpster pickup times, and stated that the application had been sent to the local Fire Department on March 4. Kevin Mainello stated that any signage on the side of the building would require a sign variance from the Zoning Board. Mr. Hickson stated that proposed signage was still being discussed, and that he would bring that up to the applicant. Member Henderson asked if there would be vegetative

screening on the site, and Mr. Hickson confirmed that there would be. Member Henderson asked why the outdoor lighting would be on until 11:00pm when the Mavis Tire store was expected to close earlier than 11:00. Mr. Hickson stated that he would review that with the applicant, and would provide the Planning Board with a photometric plan of the site. Member John Mainello asked about the retaining wall proposed for the front of the site. Mr. Hickson confirmed that a retaining wall was proposed and that it would be 5-6 feet tall and wrap around Hoosick Road onto Mohawk Avenue. Member Mainello asked if vehicles would be stored on the site overnight, and Mr. Hickson stated that they would not be. Member Henderson asked if used tires would be stored on the site, and Mr. Hickson stated that they would not be. Member Mainello asked if curbing would be installed to encourage customers leaving the site to turn toward Hoosick Road instead of driving up Mohawk Avenue. Mr. Hickson confirmed that curbing would be installed for that reason. Chairman Oster asked about a wooden retaining wall along the back of the project site shown on the plans. Mr. Hickson stated that it was an existing wall and that the applicant was proposing to remove it. Chairman Oster stated that the local Fire Department may want access to the back of the site, and asked if the proposed location of a dumpster may prohibit emergency access to the back of the site. Mr. Hickson stated that the applicant would consult with the Fire Department as to the location of the dumpster. Member Mainello asked if solar panels were proposed for the roof of the new building. Mr. Hickson stated that he did not know, and would ask the applicant. Member Stancliffe asked if the proposed parking met the Town regulations for parking. Mr. Hickson stated that he believed so, but would confirm, and that the applicant believed the 25 proposed parking spots would be adequate for employees and customers. Chairman Oster asked how many employees the Mavis Tire store would have. Mr. Hickson stated that the store would have 7-10 employees. Chairman Oster asked if 10 of the 25 parking spots might then be

necessary for employees, and Mr. Hickson confirmed that was possible. Chairman Oster stated that avoiding traffic backups onto Mohawk Avenue was a priority for the Planning Board. Mr. Hickson agreed that it was a major issue. Member Henderson asked what the application meant by the Mavis Tire store being “full service.” Mr. Hickson reviewed the services to be offered by the store. Member Tarbox asked about the sidewalk along Mohawk Avenue. Mr. Hickson stated that there were multiple issues with widening Mohawk Avenue, including the locations of a fire hydrant and transformer. Member Mainello asked if the applicant would consider a crosswalk from the project site across Mohawk Avenue to the QuickChek convenience store on the adjacent parcel. Mr. Hickson stated that he would ask the applicant. Kevin Mainello stated that there would be a sidewalk on the other side of Mohawk Avenue to the edge of the QuickChek site. Member Stancliffé asked if soil analysis on the site had been done yet. Mr. Hickson stated that soil analysis had not been done yet, but that geotechnical investigation work had started. The Planning Board discussed the elevation of the site. Chairman Oster asked if the existing building on the site had a basement, and if so, if there were issues with drainage and/or flooding. Mr. Hickson stated that he did not know if the existing building had a basement. Mr. Bonesteel stated that the applicant would likely propose an underground infiltration system beneath the parking lot for stormwater mitigation. Member Henderson noted that at the last Planning Board meeting on February 19, the representative for the applicant stated that the proposed retaining wall at the front of the site would be 3 feet tall, but that Mr. Hickson had stated earlier that the wall was proposed to be 5-6 feet tall, and asked for clarification. Mr. Hickson stated that the wall was currently proposed to be 5-6 feet tall, but that the applicant was still determining the size of that wall, and that the applicant was working to make it as small as possible. Member Mainello asked what the retaining wall would

look like. Mr. Hickson stated that a rendering of the wall would be submitted. This matter was placed on the April 2, 2026 agenda for further deliberation.

The fifth item of business on the agenda was an amendment to a previously-approved site plan submitted by Zafer Ak for property located at 585 Hoosick Road. Nick Costa, of Advance Engineering & Surveying, was present to review the application. Mr. Costa stated that the applicant required an area variance from the Zoning Board due to the outdoor patio and overhang over that patio being built larger than they should have been. Mr. Costa stated that since the outdoor patio and overhang were built a different size than what was on the site plan approved by the Planning Board, the Planning Board needed to review and approve the site plan modification. Mr. Costa reviewed the sizes of the outdoor patio and overhang that had been built on the site, and stated that there were two additional changes to the site plan at the back of the site. Mr. Costa stated that the outdoor patio, as it had been built, was five feet from the property line. Mr. Costa also clarified that the overhang extended a few inches into the right-of-way on Oneida Avenue, but that the applicant would cut back that overhang so it no longer did so. Chairman Oster asked why the patio was built the wrong size. Mr. Costa stated that the builder was erroneously given an incorrect set of plans that had a larger size for the outdoor patio than the set of plans approved by the Planning Board. Chairman Oster asked if the applicant had gone before the Zoning Board at the same time the Planning Board was initially reviewing the project for an area variance due to the setbacks. Mr. Costa stated that no area variance was initially sought for setbacks due to the building being an existing nonconforming structure. Chairman Oster asked what the other changes to the site, specifically at the back of the site, were. Mr. Costa stated that the building's HVAC system had previously been on the roof, but was now behind the building, and that the loading area at the back of the building had been slightly changed. Kevin Mainello stated that the applicant had already

been before the Zoning Board due to the changes to the site, and that the Zoning Board had asked that bollards be added between the outdoor patio and parking lot, which Mr. Costa had confirmed would be added. Member Henderson asked if there was a house directly behind the site, and Mr. Costa confirmed that there was. Member Henderson asked if there would be screening for that house. Mr. Costa stated that screening for that house could be considered. Chairman Oster asked Mr. Bonesteel if he had any questions or comments on the application. Mr. Bonesteel stated that he did not. The Planning Board also confirmed that it would hold a joint public hearing with the Zoning Board concerning the applications before both Boards submitted by the applicant. A joint public hearing with the Zoning Board on the applications before both Boards was scheduled for March 16, 2026 at 6:00pm.

The sixth item of business on the agenda was a recommendation to the Town Board on a referral concerning an application from Grafton Quarry, LLC requesting a zoning change. Kevin Mainello reviewed the project, stating that it concerned four parcels owned by the applicant, and that the applicant was petitioning to the Town Board to change the zoning of those four parcels from A-40 Agricultural to Heavy Industrial. Mr. Mainello stated that the request was to allow mining on those four parcels, as the applicant wanted to expand the existing mine. Chairman Oster asked what modifications were being proposed for the existing mine. Mr. Mainello stated that the existing mine was in the adjacent Town of Grafton, that the applicant wanted its mining operations to go deeper, that the applicant was proposing to mine not only downward, but also outward, and that by increasing mining operations outward, the mine would extend into the Town of Brunswick. Attorney Langlois clarified that the applicant still needed to apply to modify its mining permit with NYS DEC. Member Henderson noted that the four parcels at issue were very steep, with stormwater and screening issues. Attorney Langlois stated that DEC would take topography,

stormwater, and screening issues into consideration when considering whether to approve the modification of the mining permit. Chairman Oster asked Mr. Bonesteel if he had any questions or comments on the rezoning request. Mr. Bonesteel stated that he did not. The Planning Board determined that it was prepared to make a recommendation to the Town Board on the zoning change immediately. Member Tarbox made a motion for a positive recommendation to the Town Board, which was seconded by Member Mainello. Chairman Oster and Members Kreiger, Stancliffe, Tarbox, and Mainello voted in favor of the recommendation, while Member Henderson voted against it. The positive recommendation to the Town Board was approved.

The index for the March 5, 2026 regular meeting is as follows:

1. K. Smith – site plan and special use permit (April 2, 2026).
2. Paramount Building Group – major subdivision (March 19, 2026).
3. Cillis – major subdivision (April 16, 2026).
4. Mavis Tire – site plan (April 2, 2026).
5. Golden Grain Pizza – amendment to site plan (March 16, 2026).
6. Grafton Quarry – recommendation to Town Board (approved).

The proposed agenda for the March 16, 2026 special meeting is currently as follows:

1. Golden Grain Pizza – amendment to site plan (public hearing to commence at 6:00pm).

The proposed agenda for the March 19, 2026 regular meeting is currently as follows:

1. Fischer – minor subdivision (public hearing to commence at 7:00pm).
2. AT&T – amendments to site plans and special use permits
(public hearing to commence at 7:15pm).
3. Paramount Building Group – major subdivision (tentative).
4. Golden Grain Pizza – amendment to site plan.

The proposed agenda for the April 2, 2026 regular meeting is currently as follows:

1. K. Smith – site plan and special use permit (public hearing to commence at 7:00pm).
2. Mavis Tire – site plan.

The proposed agenda for the April 16, 2026 regular meeting is currently as follows:

1. Cillis – major subdivision.