

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD MAY 15, 2025

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

ABSENT was ANDREW PETERSEN.

ALSO PRESENT were WENDY KNEER and 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.

Chairman Oster noted that there were no public hearings scheduled for this meeting, and that there is no general public comment period held at Planning Board meetings.

The draft minutes of the May 1, 2025 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the May 1, 2025 regular meeting were unanimously approved without amendment.

The first item of business on the agenda was the waiver of subdivision application submitted by Kyle Smith for property located at 1628 NYS Route 7. Kyle Smith was present on the application. Chairman Oster noted that this application is in the nature of a lot line adjustment, that the Board had reviewed this application at its meeting held May 1, and inquired whether there were any changes to the proposed lot line adjustment. Mr. Smith stated that there were no changes to the application, and generally reviewed the application and proposed lot line adjustment,

whereby Mr. Smith is seeking to divide 11.05 acres from the existing 13.05 acre parcel on property located at 1628 NYS Route 7, transfer the 11.05 acres to his adjacent parcel located at 1692 NYS Route 7 and merge the 11.05 acres to his existing residential lot, and have a remaining 2-acre parcel with a residential house at 1628 NYS Route 7, which he intends to use for rental purposes. Chairman Oster noted that an Agricultural Data Statement have been submitted, and that a Short Environmental Assessment Form had been submitted and reviewed. Chairman Oster inquired whether Mr. Bonesteel had any questions or comments. Mr. Bonesteel had no questions or comments on the application. The members of the Planning Board had no further questions or comments. Member Kreiger noted that he did own land adjacent to the subject property, but has no financial interest in the application and will not be recusing himself. Members Stancliff and Tarbox also noted that they were adjacent property owners but had no financial interest, and likewise would not be recusing themselves. Member Henderson inquired whether there would be any issues associated with the location of septic or well in relation to the lot line adjustment. The Planning Board confirmed that there would be no setback issues, and the septic and well locations have been shown on the map. Thereupon, Member Czornyj made a motion to adopt the negative declaration under SEQRA, which motion was seconded by Member Tarbox. The motion was unanimously approved, and a SEQRA negative declaration adopted. Member Czornyj then made a motion to approve the waiver of subdivision, upon the condition that the deed of merger adding the 11.05-acre area to the existing parcel at 1692 NYS Route 7 be filed with the Brunswick Building Department. Member Kreiger seconded the motion subject to the stated condition. The motion was unanimously approved, and the waiver of subdivision application approved subject to the stated condition.

The second item of business on the agenda was the major subdivision application submitted by Paramount Building Group of NY for property located at the northeast corner of Spring Avenue Extension and Creek Road. The applicant had notified the Board that it requested the matter be adjourned to the June 5 meeting.

The third item of business on the agenda was the applications submitted by Henry Reiser concerning property located at 52 Plante Lane and NYS Route 351. Henry Reiser was present on the application. Mr. Reiser explained that there were two applications pending. The first application seeks a lot line adjustment for Lot 9 of the Reiser Rock Subdivision and the second application seeks to amend the Reiser Rock Subdivision plat to add plat notes. Mr. Reiser reviewed the proposed lot line adjustment for Lot 9, and also described the additional plat notes for the Reiser Rock minor subdivision plat, which include a notation that the private roadway will be 20 feet in width, and that prior to the issuance of a building permit for Lot 4, the private road must be improved to meet fire apparatus access road requirements under the New York State Fire Code if the private road is used for access purposes, noting that Lot 4 does have additional and separate frontage on a public road. Chairman Oster inquired whether Mr. Bonesteel had any questions or comments regarding the plat notes. Mr. Bonesteel had no questions or comments. Member Tarbox inquired whether Lot 2 of the Reiser Rock Subdivision has separate frontage on NYS Route 351. Mr. Reiser confirmed that it does have its own separate frontage. Member Tarbox noted that there is a line on the subdivision plat across the access way for Lot 2, and that this line should be removed from the plat; further, Member Tarbox noted that the area map in the upper right corner of the subdivision plat did not depict the frontage for Lot 2. Mr. Reiser confirmed that both of the items should be corrected on the final plat. Whereupon, Member Tarbox made a motion to adopt a negative declaration under SEQRA with respect to the proposed lot line adjustment for Lot 9,

which motion was seconded by Member Stancliffe. The motion was unanimously approved, and a SEQRA negative declaration adopted on the Lot 9 lot line adjustment. Member Czornyj then made a motion to approve the lot line adjustment for Lot 9 subject to the condition that the merger deed be filed with the Brunswick Building Department. Member Henderson seconded the motion subject to the stated condition. The motion was unanimously approved, and the lot line adjustment for Lot 9 of the Reiser Rock Subdivision was approved subject to the filing of the merger deed with the Brunswick Building Department. The Planning Board noted that SEQRA had previously been completed with respect to the Reiser Rock Subdivision, and the addition of plat notes to the Reiser Rock Subdivision plat did not constitute an action subject to SEQRA. Member Stancliffe then made a motion to approve the modification to the Reiser Rock Subdivision plat to add the proposed plat notes, subject to the condition that the line shown on the frontage for Lot 2 be removed from the plat, and that the area map be corrected to show the frontage for Lot 2 directly onto the public highway, as described above. Member Henderson seconded the motion subject to the stated conditions. The motion was unanimously approved, and the modification to the Reiser Rock minor subdivision plat to add plat notes was approved subject to the stated conditions.

The fourth item of business on the agenda was the application submitted by CVE North America for waiver of subdivision, site plan, and special use permit for construction of two community solar facilities on property located at 511 McChesney Avenue Extension. Carrie Cosentino, Project Developer with CVE North America, and John Ahearn, Esq., Project Attorney, were present for CVE North America. Chairman Oster inquired with Mr. Bonesteel as to the status of his review of the SEQRA record. Mr. Bonesteel stated that he had reviewed the environmental record and the project plans; reports, including wetlands, visual assessment, and traffic data;

Part 1 of the Environmental Assessment Form; and correspondence from involved agencies including the State Historic Preservation Office. Mr. Bonesteel stated that he had completed his review, and had commenced preparation of draft Part 2 and 3 of the Environmental Assessment Form for review and consideration by the Planning Board, but that he had not yet completed all of the items. Mr. Bonesteel stated that at the last Planning Board meeting, the Board members discussed conducting a site visit to better assess the potential visual impacts of the project, and recommended that the site visits should be completed before any determination of potential visual impact be determined by the Planning Board under SEQRA. Chairman Oster agreed, and stated that weather conditions had made it difficult to complete the site visits over the last two weeks. Chairman Oster also confirmed that the applicant does want to be present during the site visits by the Planning Board. Chairman Oster stated that the Planning Board members could visit the site as long as no quorum was created, and that the Chairman would coordinate with Mr. Bonesteel and the applicant on scheduling site visits. Attorney Gilchrist generally reviewed the rules regarding site visits by Planning Boards, including the option of having members of the Board visit the site in groups less than a quorum, which would then not constitute a meeting under the New York Open Meetings Law. The Planning Board Members and the applicant representatives then discussed scheduling site visits for Planning Board Members. Chairman Oster then noted for the record that two correspondences had been received on this application, that they would be made part of the project file, and copies would be provided to the applicant. This matter is placed on the June 5 agenda for further discussion.

The fifth item of business on the agenda was the application submitted by Maries Muse, LLC for site plan, minor subdivision, and special use permit to construct a retail store with gasoline sales on the western portion of the site and a drive-thru restaurant and second retail store in the

eastern portion of the site located 727-737 Hoosick Road and 4 Mohawk Avenue. Tim Freitag, PE, of Bohler Engineering, and also Jared George and Colten Hill of Maries Muse, LLC were present on the application. Chairman Oster inquired whether there were any updates or changes to the site plan since the last meeting. Mr. Freitag stated that the Planning Board had charged the applicant with looking into site lighting and also options to restrict right hand turns from the project exit onto Mohawk Avenue. Mr. Freitag stated that the lighting plan had been updated to reduce light impact to both neighboring properties and Mohawk Avenue. Mr. Freitag also stated that curbing had been added to the exit from the project site onto Mohawk Avenue directing traffic in a left turn direction only, in addition to the signage proposed for the project prohibiting right turns onto Mohawk Avenue. Mr. Freitag also stated that his office had addressed the comments of Mr. Bonesteel as well as the Town Stormwater Officer concerning the stormwater plan for the project. Mr. Bonesteel confirmed that the stormwater design is in approvable form, and that his office will be available to address any comments during construction, and that his office had sent a letter to Bill Bradley, the Town Stormwater Officer, regarding completeness of the stormwater plan in relation to signing the MS4 Acceptance Form for coverage under the New York State General Stormwater Permit for Construction Activities. Chairman Oster noted that trees had been removed from the project site and the existing buildings had been readied for demolition, and inquired whether the owners had restricted days and hours of operation for these site activities. Chairman Oster noted that there was concern that demolition activities had occurred on a Sunday. Mr. Hill stated that any work on Sundays on the site had not been authorized by Maries Muse, LLC, and that no work on weekends or weeknights had been authorized to date. Mr. Hill noted that the former owners of some of these properties had contacted Maries Muse, LLC and wanted to remove interior fixtures from some of these homes, and that may account for some of the Sunday activities.

Mr. Hill noted that the work on the structures had thus far been limited to completion of asbestos survey work prior to building demolition. Chairman Oster noted that this gave rise to the issue of restricting construction hours during project construction, and that the Planning Board would be discussing that issue during this meeting. On that issue, Member Tarbox noted that prior minutes of the Zoning Board of Appeals noted that the applicant was seeking construction hours of 6 a.m. to 8 p.m. seven days a week. Mr. Hill stated that the applicant will work with the Planning Board on appropriate hours of construction for the project, but that generally speaking, construction activities would likely occur between 7 a.m. and 5 p.m. Monday through Friday. Chairman Oster asked whether the Brunswick No. 1 Fire Department had been coordinated regarding demolition of the buildings. Mr. Hill stated that Maries Muse, LLC had coordinated with the fire department, and that drills would be undertaken by the fire department during the period of preparing structures for demolition. Chairman Oster noted for the record that the Brunswick No. 1 Fire Department did not support the installation of the gate from the exit from the project site onto Mohawk Avenue, which Mr. Hill confirmed. Mr. Freitag stated that coordination with the fire department had also occurred regarding the overall site plan, and that access for firefighting apparatus had been extended on the east side of the project site, and hydrants had been located on the project site in coordination with the Fire Department. Thereupon, the Planning Board reviewed a draft resolution granting conditional final site plan approval and special use permit subject to conditions, and also final subdivision approval, prepared by Attorney Gilchrist at the request of the Planning Board and based upon deliberations held by the Planning Board at its May 1 meeting. Following further discussions between the Planning Board Members and the Applicant, and amending and finalizing conditions attached to approval, the Planning Board unanimously adopted a resolution granting conditional final site plan approval and special use permit subject to conditions, and final

subdivision approval. The final resolution of the Planning Board on the Maries Muse, LLC project is appended to these minutes.

The sixth item of business on the agenda was the site plan application submitted by Calito Development Group for property located at 291 Oakwood Avenue. Francis Bossolini, P.E. was present for the applicant. Mr. Bossolini presented a general overview of the project, which proposes the construction of a retail store on a 1.19-acre parcel, which is proposed to be a Dollar General store. Mr. Bossolini stated that at the request of the Planning Board, a summary of comparison of previously reviewed traffic data undertaken during the original site plan review for this location as well as projected traffic for retail use in conjunction with the Dollar General store, concluding that less traffic is generated during peak hours for the proposed retail use in relation to the previous traffic data generated for what had been a proposed car wash at the same location. Mr. Bossolini also stated that SEQRA had been completed on the prior site plan review in 2015, that such SEQRA review in 2015 anticipated the retail strip mall and also a car wash on the 1.19-acre parcel, and that SEQRA had also been completed by the Brunswick Town Board in 2024 in relation to a zoning amendment for the 1.19-acre parcel from industrial to business B-15, and that the Brunswick Town Board had adopted a SEQRA negative declaration on that action. Mr. Bossolini also confirmed that there was an existing active SPDES stormwater permit for the site. Mr. Bossolini also generally reviewed the water and sewer to the project site, that there would be minimal grading proposed for the construction of the retail store, that the applicant had addressed minor comments from the Speigletown Fire Department, and that the applicant has committed to restriping the turn lane on Oakwood Avenue in coordination with Rensselaer County. Mr. Bonesteel confirmed that he had reviewed the environmental assessment form submitted by the applicant, and finds no significant change from the prior SEQRA review undertaken on the original

site plan, which included a car wash on the project site. Chairman Oster asked Mr. Bonesteel whether the application was complete for a public hearing. Mr. Bossolini questioned whether a public hearing would be required for this site plan, in light of the fact that a public hearing was held on the prior site plan approval as well as a public hearing having been held by the Brunswick Town Board in 2024 in relation to the zoning amendment. It was noted that the Brunswick Zoning Law provides that the Planning Board may hold a public hearing on site plan, at the discretion of the Planning Board. Upon further discussion of the Planning Board members, it was determined that a public hearing will be held on the current site plan application. Mr. Bossolini inquired whether the SEQRA record need to be reopened on this application, in light of the prior SEQRA determinations. Attorney Gilchrist recommended to the Planning Board that this site plan constituted a new action, that a new SEQRA determination should be made, but with review and consideration of the prior SEQRA record for this site. The Planning Board members then determined to schedule a public hearing on this site plan application for its meeting to be held June 5 at 7 p.m. It was also determined that the site plan application will be forwarded to the Rensselaer County Department of Economic Development and Planning for review and recommendation. This matter is placed on the June 5 agenda.

The seventh item of business on the agenda was the site plan amendment and application submitted by Johnston Associates for property located at 740 Hoosick Road. The applicant was not present due to a scheduling error, and this matter is placed on the June 5 agenda for further discussion.

The eighth item of business on the agenda was a request by Brunswick Acres for an extension on the conditional final subdivision approval associated with the Brunswick Acres PDD project located off NYS Route 2 in proximity to Heather Ridge Road. Andrew Brick, Esq. and

Charles Casale were present on the matter. Attorney Brick reviewed the request for an additional 90-day extension on the final conditional subdivision approval for the project, reviewing the status of the Water District creation as well as the need to obtain easements in connection with project development. Mr. Brick stated that three easements were required for the project, and that two of these easements needed to be obtained from private property owners, and that they have been obtained and signed, but that the applicant is still working with National Grid on obtaining the third required easement. Attorney Brick confirmed that only one extension had been granted on the current conditional final subdivision approval, and that Brunswick Acres was seeking a second extension on the current subdivision approval. Chairman Oster noted for the record that if approved, the 90-day extension would generally coincide with the period of the current PDD approval granted by the Brunswick Town Board. Attorney Brick confirmed that timeframe. Chairman Oster confirmed that he did not have any objection to the requested 90-day extension, and that Planning Board members generally concurred. Thereupon, Member Tarbox made a motion to grant one 90-day extension to the final conditional subdivision approval for the Brunswick Acres PDD, which motion was seconded by Member Stancliffe. The motion was unanimously approved, and the extension granted.

One item of new business was discussed.

An application for special use permit has been submitted by Hal Smith for a proposed in-law apartment at his daughter's home located at 13 Heather Ridge Road. Mr. Smith was present on the application. Mr. Smith explained that the residential lot was limited by wetlands, and that the proposed addition for the in-law apartment must go on the west side of the residential structure, requiring an area variance which is pending before the Brunswick Zoning Board of Appeals. The Planning Board generally reviewed the proposed location of the accessory apartment, including

direct access to the exterior from the accessory apartment. The Board members also generally discussed the existing septic system, noting that the existing septic system is sized for four bedrooms, that the existing house did have four bedrooms but one was being used for an office, and that one bedroom was being proposed for the accessory apartment, with Mr. Smith explaining that the Rensselaer County Department of Health confirmed that the existing septic system was adequate upon verification that one of the existing bedrooms in the main home is being used as an office only and not for a bedroom. The Planning Board did confirm that determinations concerning the septic system are within the jurisdiction of the Rensselaer County Department of Health. This matter is placed on the June 5 agenda for further discussion.

Mr. Mainello also brought to the attention of the Planning Board an application which had been submitted by Crown Castle for modification to the existing cell tower located in the Callanan Cropseyville quarry. Mr. Mainello generally described the minor modification being proposed, which would replace certain equipment on the tower and also add an additional building at the base of the tower extending the fenced area around the base of the tower. Attorney Gilchrist generally reviewed the Federal Telecommunications Act and FCC Regulations concerning minor modifications to existing wireless telecommunications facilities, and also noting that an amendment to the existing special use permit of this facility would be required, which did necessitate a public hearing, also noting that in the event this application does qualify as a minor modification under federal law, the Planning Board is under federal requirement to approve the modification. This matter is placed on the June 5 agenda for further discussion, with public hearing likely scheduled for the second meeting in June.

The index for the May 15, 2025 regular meeting is as follows:

1. Smith - waiver of subdivision – approved with condition.
2. Paramount Building Group – major subdivision (June 5, 2025; tentative).
3. Reiser - waiver of subdivision and amendment to minor subdivision approval – approved with conditions.
4. CVE North America – waiver of subdivision, site plan, and special use permit (June 5, 2025).
5. Maries Muse, LLC – site plan, minor subdivision, and special use permit – approved with conditions.
6. Calito Development Group – site plan (June 5, 2025, public hearing to commence at 7 p.m.).
7. Johnston Associates – site plan amendment (June 5, 2025).
8. Brunswick Acres – extension to final conditional subdivision approval – granted.
9. Smith – special use permit (June 5, 2025).
10. Crown Castle – amendment to special use permit (June 5, 2025).

The proposed agenda for the June 5, 2025 regular meeting is as follows:

1. Calito Development Group – site plan (public hearing to commence at 7 p.m.).
2. Paramount Building Group – major subdivision (tentative).
3. CVE North America – waiver of subdivision, site plan, and special use permit.
4. Johnston Associates – site plan amendment.
5. Smith – special use permit.
6. Crown Castle - amendment to special use permit.

**TOWN OF BRUNSWICK PLANNING BOARD
REGULAR MEETING**

May 15, 2025

**RESOLUTION GRANTING CONDITIONAL FINAL SITE PLAN
APPROVAL, SPECIAL USE PERMIT SUBJECT TO CONDITIONS, AND
FINAL SUBDIVISION APPROVAL**

WHEREAS, on June 14, 2023, a site plan application was submitted to the Town of Brunswick Planning Board (hereinafter “Planning Board”) by Maries Muse, LLC (hereinafter “Applicant”) for property located at 727-737 Hoosick Road and 4 Mohawk Avenue; and

WHEREAS, such application proposed construction of a medical building and drive-thru quick serve restaurant on the eastern portion of the site, and another drive-thru quick serve restaurant on the western portion of the site; and

WHEREAS, such application included a Short Environmental Assessment Form (hereinafter “EAF”) pursuant to the State Environmental Quality Review Act (hereinafter “SEQRA”) dated June 14, 2023; and

WHEREAS, the application was introduced to the Planning Board at its June 15, 2023 meeting; and

WHEREAS, the Brunswick Planning Board reviewed such application materials and requested additional information at its June 15, 2023 meeting; and

WHEREAS, the Applicant thereafter submitted Part 1 of a Full EAF pursuant to SEQRA for this action, dated June 28, 2023; and

WHEREAS, the Planning Board reviewed the application at its July 6, 2023 meeting; and

WHEREAS, the Applicant stated that the building on the eastern portion of the site would likely be for retail, not medical purposes; and

WHEREAS, the Planning Board reviewed the application at its July 20, 2023 meeting; and

WHEREAS, the Planning Board sought to declare itself lead agency under SEQRA for this action; and

WHEREAS, the Brunswick Planning Board circulated a notice of intent to establish SEQRA lead agency to all involved agencies identified on the Full EAF, indicating that the Brunswick Planning Board sought to be established as SEQRA lead agency for the environmental impact review of this action; and

WHEREAS, no involved agency objected to the Brunswick Planning Board serving as SEQRA lead agency or otherwise the 30-day response period elapsed with no reply received; and

WHEREAS, a subdivision application was submitted to the Planning Board dated September 7, 2023 by the applicant for the same property; and

WHEREAS, the Planning Board reviewed the site plan application at its September 7, 2023 meeting; and

WHEREAS, the Planning Board declared itself SEQRA lead agency for this action at its September 7, 2023 meeting; and

WHEREAS, the Planning Board reviewed the site plan application at its September 21, 2023; December 21, 2023; and January 4, 2024 meetings; and

WHEREAS, the Planning Board stated at its January 4, 2024 meeting that it would recirculate the notice of intent to establish SEQRA lead agency to all involved agencies identified on the Full EAF due to Rensselaer County becoming an involved agency due to proposed upgrades to McChesney Avenue, indicating that the Brunswick Planning Board again sought to be established as SEQRA lead agency for the environmental impact review of this action; and

WHEREAS, the Planning Board reviewed the site plan application at its April 18, 2024 and June 6, 2024 meetings; and

WHEREAS, the applicant submitted to the Planning Board additional information in support of its site plan and subdivision applications on June 12, 2024; and

WHEREAS, the Planning Board reviewed the site plan and subdivision applications at its June 20, 2024; July 18, 2024; August 15, 2024; September 5, 2024; October 3, 2024; and November 21, 2024 meetings; and

WHEREAS, the Applicant gave a significant update on the project at the November 21, 2024 meeting, stating that the drive-thru quick-serve restaurant on the western portion of the site had been replaced by a retail store with gasoline sales, and that the eastern portion of the site would be a separate drive-thru quick-serve restaurant and a mattress store; and

WHEREAS, a special use permit application, an updated traffic impact study, a Short EAF, and a stormwater pollution prevention plan were submitted in connection with the updated project on December 9, 2024; and

WHEREAS, the special use permit application was introduced to the Planning Board at its December 19, 2024 meeting; and

WHEREAS, the Planning Board reviewed the site plan, subdivision, and special use permit applications at its December 19, 2024 meeting; and

WHEREAS, Part 1 of a Full EAF was submitted in connection with the updated project on December 27, 2024; and

WHEREAS, the Planning Board reviewed the site plan, subdivision, and special use permit applications at its January 16, 2025 and February 6, 2025 meetings; and

WHEREAS, the Brunswick Planning Board duly considered the information contained in the Full EAF, stormwater pollution prevention plan, traffic study, and the site plan, subdivision, and special use permit application submittals; and

WHEREAS, at its February 6, 2025 meeting, and acting as lead agency pursuant to a coordinated review, the Planning Board completed Parts 2 and 3 of the Full EAF for this action in consultation with its review engineer, and adopted a negative declaration pursuant to SEQRA for this action; and

WHEREAS, a joint public hearing by the Planning Board and Town of Brunswick Zoning Board of Appeals was duly noticed and held on March 6, 2025 regarding the site plan, minor subdivision, and special use permit applications before the Planning Board and application for area variances before the Zoning Board of Appeals for this action; and

WHEREAS, such joint public hearing was thereafter continued by the Planning Board and Zoning Board of Appeals at a duly noticed meeting held March 17, 2025; and

WHEREAS, such joint public hearing was closed by the Planning Board and Zoning Board of Appeals on March 17, 2025; and

WHEREAS, the Applicant provided written responses to the public comments received at and pursuant to such joint public hearing; and

WHEREAS, the Zoning Board of Appeals, at its meeting held April 21, 2025 and upon due deliberation, approved the requested area variances for this action subject to one condition regarding signage at the egress from the project site onto Mohawk Avenue and with certain recommendations for consideration by the Planning Board during its site plan review; and

WHEREAS, at its meeting held May 1, 2025 and May 15, 2025, the Planning Board reviewed the site plan, special use permit, and subdivision application, and the Applicant's responses to public comments, and upon due deliberation and consultation with its review engineer, and in consideration of such deliberation and comments received from all involved and interested agencies, the Planning Board is prepared to act upon the site plan, special use permit, and subdivision applications submitted by Maries Muse, LLC as hereinabove described;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Town of Brunswick in regular session duly convened as follows:

1. The Town of Brunswick Planning Board hereby approves the site plan and special use permit applications by Maries Muse, LLC as hereinabove described, and grants final site plan approval and special use permit subject to the following conditions:
 - a. Installation of mountable curbing at the exit from the project site onto Mohawk Avenue directing all vehicles in a left-turn direction, and installation of signage in proximity to the exit from the project site onto Mohawk Avenue prohibiting right turns onto Mohawk Avenue.
 - b. On-site lighting must be downlighting and dark-sky compliant, with exterior lighting intensity to be at minimum standards as established by the Town of Brunswick Zoning Law lighting regulations and recommended levels for outdoor lighting set by the Illuminating Engineering Society of North America (IESNA).
 - c. Dumpster and dumpster enclosure to be maintained in a manner that eliminates the release/blowing of paper/cardboard or other waste materials.
 - d. Final comments of Brunswick Planning Board engineer and Brunswick Water Department/Stormwater Officer on the project Stormwater Pollution Prevention Plan (SWPPP), and compliance with NYSDEC stormwater regulations.
 - e. Execution of a stormwater management facilities maintenance and easement agreement with Town of Brunswick by the owners of each lot, and which must identify and describe cross-easements for drainage.
 - f. NYSDOT highway work permit for work in the right-of-way of Hoosick Road (NY Route 7).
 - g. Rensselaer County Highway Department highway work permit for work in the right-of-way of McChesney Avenue (CR 134).
 - h. Town of Brunswick Highway Department highway work permit for work in the right-of-way of Mohawk Avenue.

- i. A pre-construction inspection report on the condition of Mohawk Avenue shall be prepared by the Applicant in coordination with the Town of Brunswick Highway Department and Town of Brunswick Building Department, and a post-construction inspection report on the condition of Mohawk Avenue shall be prepared by the Applicant in coordination with the Brunswick Highway Department and Brunswick Building Department, and any damage to Mohawk Avenue as a result of construction vehicles or other use of Mohawk Avenue during construction on the project site shall be repaired by the Applicant to achieve at least pre-construction conditions. All such repair work, if any, shall be completed prior to the issuance by the Brunswick Building Department of a Certificate of Occupancy for the project.
 - j. Construction activities are limited to Monday through Friday 6:30am to 6pm, and Saturday 8am to 4pm, on the project site outside the NYSDOT right-of-way. No construction activities are allowed on Sundays or legal holidays. The Applicant may apply to the Town of Brunswick Building Department for additional construction hours, subject to the discretion of the Brunswick Building Department. These limitations are not applicable to activities occurring wholly within enclosed buildings.
 - k. Authorization from NYSDOT regarding the traffic improvements at McChesney Avenue and Hoosick Road (NY Route 7) must be provided to the Town of Brunswick Building Department prior to the issuance of a Certificate of Occupancy by the Brunswick Building Department for each respective building
2. The Town of Brunswick Planning Board hereby approves the subdivision application by Maries Muse, LLC as hereinabove described, and grants final subdivision approval.

The foregoing Resolution, offered by Chairman Oster and seconded by Member Tarbox, was duly put to a roll call vote as follows:

CHAIRMAN OSTER	VOTING	aye
MEMBER HENDERSON	VOTING	aye
MEMBER KREIGER	VOTING	aye
MEMBER PETERSEN	VOTING	absent
MEMBER TARBOX	VOTING	aye
MEMBER STANCLIFFE	VOTING	aye
MEMBER CZORNYJ	VOTING	aye

The foregoing Resolution was thereupon declared duly adopted.

May 15, 2025