

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD JULY 17, 2025**

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

ALSO PRESENT was WAYNE BONESTEEL, and also KEVIN MAINELLO and WENDY KNEER of the Brunswick Building Department.

Chairman Oster reviewed the agenda as posted on the Town sign board and Town website. At the request of the applicant, the major subdivision application submitted by Paramount Building Group has been adjourned to the August 7, 2025 meeting.

The Planning Board opened a public hearing on the application submitted by Crown Castle USA, Inc. seeking amendment to special use permit and site plan pertaining to a wireless telecommunications facility located at 88-90 Palitsch Road (Callanan Cropseyville Quarry location) pursuant to the Federal Telecommunications Act and related FCC rules and regulations. Chairman Oster reviewed the procedure for public hearings before the Planning Board. The Notice of Public Hearing was read into the record, noting that the public hearing notice was published in the Troy Record, placed on the Town sign board, posted on the Town website, and mailed to owners of all properties located within 300 feet of the project site. Chairman Oster requested the applicant to make a brief presentation concerning the application. Don Carpenter, representing Crown Castle, stated that the application was straightforward, with Verizon Wireless seeking to upgrade existing antenna which would result in a slight reduction in total square footage, generally

described the specifications of the panel replacement as proposed, and stated that all other changes proposed in the project are interior to the existing tower structure. Chairman Oster then opened the floor for the receipt of public comment. No one wished to provide any public comment on this application. Hearing none, Chairman Oster stated that he would entertain a motion to close the public hearing, confirming that no written comment period would be required. Member Henderson made a motion to close the public hearing, which motion was seconded by Member Petersen. The motion was unanimously approved, and the public hearing closed.

The Planning Board then opened a public hearing on the application submitted by Crown Castle USA, Inc. seeking amendment to special use permit and site plan pertaining to a wireless telecommunications facility located at 227 Bald Mountain Road pursuant to the Federal Telecommunications Act and related FCC rules and regulations. The Notice of Public Hearing was read, noting that the public hearing notice had been published in the Troy Record, placed on the Town sign board, posted on the Town website, and mailed to owners of all properties located within 300 feet of the project site. Chairman Oster requested the applicant to present a brief overview of the application. Don Carpenter, representing Crown Castle, stated that this application likewise seeks limited equipment upgrade, and is in the same nature as was previously discussed for the Palitsch Road site. Chairman Oster then opened the floor to the receipt of public comment. No members of the public wished to comment on this application. Thereupon, Chairman Oster stated that he would make a motion to close the public hearing without the need for any further written comment period, which motion was seconded by Member Henderson. The motion was unanimously approved, and the public hearing closed.

The Planning Board then opened its regular business meeting.

The draft minutes of the June 24, 2025 meeting of the Planning Board were reviewed. Member Stancliffe had one correction to make, noting that at page 10, line 7, the words “to surface water discharge” should be added after “overall impact”. Subject to the state correction, Chairman Oster made a motion to approve the June 24, 2025 minutes, which motion was seconded by Member Petersen. The motion was unanimously approved, and the June 24, 2025 minutes were approved subject to the stated correction.

The first item of business on the agenda was the application submitted by Crown Castle USA, Inc. for amendment to special use permit and site plan pertaining to a wireless telecommunications facility located at 88-90 Palitsch Road (Callanan Cropseyville Quarry location). Chairman Oster noted that the Rensselaer County Department of Economic Development and Planning had provided its review and comment, noting that the application does not impact County plans and that local consideration shall prevail. Chairman Oster inquired whether any Planning Board members had any further questions or comments. Hearing none, Chairman Oster stated that the Planning Board was in a position to act on this application. The Planning Board then adopted a SEQRA negative declaration with respect to this application, and further unanimously approved the requested amendment to the existing special use permit and site plan pertaining to the wireless telecommunications facility located at 88-90 Palitsch Road (Callanan Cropseyville Quarry location).

The second item of business on the agenda was the application for amendment to special use permit and site plan submitted by Crown Castle USA, Inc. pertaining to a wireless telecommunications facility located at 227 Bald Mountain Road. Chairman Oster inquired whether the Planning Board members had any further questions or comments. Hearing none, Chairman Oster stated that the Planning Board was prepared to act on this application. Thereupon,

the Planning Board adopted a negative declaration under SEQRA, and unanimously approved the requested amendment to special use permit and site plan pertaining to the wireless telecommunications facility located at 227 Bald Mountain Road.

The third item of business on the agenda was the site plan application submitted by Calito Development Group/Thomas Murley to construct a retail store on a 1.19-acre parcel located at 291 Oakwood Avenue. Frances Bossolini, PE was present for the applicant. Chairman Oster noted that the applicant had been requested to submit easements concerning access for the subject parcel over the adjacent parcel on which the current Dimond Rock Plaza is located for purposes of traffic circulation. Mr. Bonesteel confirmed that the proposed easement had been submitted and reviewed, and he finds them to be adequate for purposes of traffic circulation. Mr. Bonesteel also stated that the updated site plan had been submitted and reviewed, and that he has no further comments. Mr. Bossolini confirmed that the proposed easement for traffic circulation is over the entirety of the parcel on which the Diamond Rock Plaza is located. Mr. Bossolini then generally discussed the truck routes for internal circulation, again noting that the easement for internal traffic circulation covered the entire parcel on which the Diamond Rock Plaza is located; Mr. Bossolini noted that Mr. Murley does currently own both lots, but it was anticipated that title to the lot proposed for the Dollar General store would be transferred to Calito Development Group, and that the easement for internal traffic circulation would be included with that deed transfer. It was noted that a copy of such deed transfer including the necessary easement for internal traffic circulation should be filed with the Building Department when executed and recorded. Mr. Bossolini stated that he had adjusted the site plan in accordance with the Speigletown Fire Department comment with respect to ladder truck access. Member Stancliffe had a question regarding the proposed retaining wall. Mr. Bossolini reviewed the retaining wall specifications, noting that the retaining

wall also served for stormwater management off of the parking lot. Mr. Bonesteel did state that he was in agreement with the proposed stormwater plan for the project. Mr. Bossolini also reminded the Planning Board that there was an active SPDES Permit for stormwater on this project site. Chairman Oster inquired whether the Planning Board members had any further questions or comments on the site plan. Hearing none, Member Tarbox made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Henderson. The motion was unanimously approved, and a SEQRA negative declaration adopted. Thereupon, Chairman Oster made a motion to approve the site plan subject to the following conditions: (1) the landscaping species and count table on the site plan must match the site plan drawing; (2) a copy of the easement pertaining to internal traffic circulation for the project site over the adjacent lot on which the Diamond Rock Plaza is located must be provided to the Brunswick Building Department upon being recorded in the Rensselaer County Clerk's Office; and (3) the site plan must be marked as "final". Member Henderson had a question regarding hours of operation. Mr. Bossolini stated that in general, the hours of operation would be 8 a.m. to 10 p.m. Member Henderson had a question regarding lighting. Mr. Bossolini confirmed that a lighting plan had been submitted, showing two (2) pole fixtures and also wall pack lights on the building, and that a foot candle analysis had been submitted which confirmed that there was no light spillage at the property line, and that the closest off-site home was approximately 200 feet from the project site and there would be no light impacts to that property. Chairman Oster noted that no comments had been received from that homeowner concerning this project. Mr. Bonesteel confirmed that the lighting plan does meet Town Code requirements. Following that discussion, with the motion to grant conditional final approval pending, Member Petersen seconded the motion as stated. The motion was unanimously approved, and the site plan approved subject to the stated conditions.

The fourth item of business on the agenda had been the major subdivision application submitted by Paramount Building Group, which has been adjourned to the August 7 meeting at the request of the applicant.

The fifth item of business on the agenda was the waiver of subdivision, site plan, and special use permit application submitted by CVE North America, Inc. for the construction of two (2) community solar facilities located on property located at 511 McChesney Avenue Ext. Carrie Cosentino of CVE North America and John Ahearn, Esq., project attorney, were present for the applicant. Chairman Oster noted that the Planning Board was in receipt of a written response from Attorney Ahearn regarding the Planning Board deliberation of the SEQRA EAF Part 2 which was held at the June 24 meeting, and requested that Attorney Ahearn generally review that submission. Attorney Ahearn stated that the written submission addressed comments concerning view shed/aesthetic resources, and generally discussed examples for lead agency consideration from the DEC SEQRA Workbook, and stated that CVE had provided pictures and photo simulations regarding view shed and aesthetic resources in accordance with prior Planning Board requests, and that the DEC SEQRA Workbook supported the conclusion that there were small impacts concerning view shed and aesthetic resources for this project. Chairman Oster noted that there were certain points in the immediate area considered by residents and drivers as scenic, and the Planning Board generally discussed various viewpoints, including Garfield, Creek Road, as well as others that were considered scenic spots. Member Henderson stated that there were many places in the Town of Brunswick that were appropriate for solar projects, but not this spot; and further that this project is larger than prior solar projects in the Town. Mr. Bonesteel then stated that his office had reviewed all the application documents, including the Visual Impact Assessment Report prepared by CVE's consultant, and that he had used language directly out of the Visual Assessment

Report to prepare the draft SEQRA EAF Part 2 that was discussed at the June 24 meeting. Attorney Ahearn then continued, stating that his review of the Town of Brunswick Comprehensive Plan did not identify Route 2 as a resource area. Mr. Bonesteel responded by saying that Route 2 may not be designated as a scenic byway, but it is a high-use road with identified scenic value. Chairman Oster stated that the Town Comprehensive Plan generally identifies Route 7 as the commercial corridor, and leaving Route 2 as a more rural and scenic area; Route 7 was chosen to be the commercial corridor so as to conserve Route 2 as scenic and rural area; and that Chairman Oster had served on the Comprehensive Plan Committee and those statements were confirmed in public meetings. Chairman Oster also noted that there was visual impact from Garfield noted in the applicant's Visual Impact Assessment. Attorney Ahearn responded, stating that the visual impact from Garfield was not significant, but that the visual impact assessment report stated that to further mitigate any view shed impacts, additional vegetation could be planted on the Garfield property if they would allow it; and further that there was a significant amount of landscaping proposed for the CVE project site, but that CVE would be willing to add off-site plantings as well if allowed by the third-party owners. Attorney Ahearn stated also that it would not be a reasonable interpretation to state that a use allowed in the Brunswick Zoning Law could be pursued only if it could not be seen from any vantage point. Attorney Ahearn stated that the DEC SEQRA Workbook addresses visual impact, and includes as considerations the distance and the duration of view, and that a view of a few seconds is described as a small impact. Chairman Oster noted that 50% of the Route 2 studied within the view shed area in the Visual Impact Assessment had views of the project. Attorney Ahearn stated that the duration of that view is very limited. Member Czornyj asked whether the Planning Board needed to follow the DEC SEQRA Workbook. Mr. Bonesteel stated that the DEC SEQRA Workbook is a guide, and not a regulation. Attorney Ahearn addressed the

issue of whether the CVE project was out of character with the surrounding area, and noted that there is a large solar project located in the Creek Road area that is in close proximity to this project. Chairman Oster noted that the solar project located in the Creek Road area was one of the first solar projects reviewed by the Town of Brunswick, and that the Town has learned a lot concerning large scale solar farms since that time. Attorney Ahearn stated that the Creek Road solar project is existing, and should be considered part of the character of the area at this time. Member Stancliffe noted that the project site is currently vacant land, was previously an agricultural use, and that the proposed CVE project was not consistent with that prior use of the project site. Attorney Ahearn responded that the Town Board has zoned this property for solar use. Member Henderson stated that there were 16,000 solar panels proposed for this project, and how is that consistent with surrounding land uses. Attorney Ahearn responded by stating that the Town Board found that the large-scale solar use to be allowable in this district. Chairman Oster stated that the responses from CVE concerning the discussion on the SEQRA EAF Part 2 had been received and will be considered by the Planning Board. Mr. Bonesteel then reviewed revisions that he had made in the draft SEQRA EAF Part 2, which include item 9(c) as to whether the project is visible from publicly accessible vantage points, noting that item 9(c) is now noted as a moderate to large impact both seasonally and year-around, and that this change was based on Planning Board deliberation. Chairman Oster asked the Planning Board if they had any comments on that change to the EAF Part 2, and there were no further Planning Board comments. Mr. Bonesteel stated that he would like to review the revised EAF Part 2 with the Planning Board attorney prior to the August 7 meeting. Member Stancliffe asked for clarification regarding the description of the solar panels as being “tier 1”, and wanted clarification regarding the description that the panels do not contain toxic materials. Ms. Cosentino stated that the panels were characterized as tier 1 by the



manufacturer. It was determined that the specification sheet for the proposed panels should be supplied to the Planning Board for review. This matter is placed on the August 7 agenda for further discussion.

There are three items of new business discussed.

The first item of new business discussed was an application for site plan approval and to amend an existing special use permit submitted by Zachary Froio/Freedom Arms. Chairman Oster noted that the applicant had previously applied to amend a special use permit, seeking to allow customers to come to his home to pickup purchased firearms in order to comply with new New York State laws concerning background checks. Chairman Oster noted that the Planning Board had held a public hearing on the applicant's request to amend its existing special use permit; that after the public hearing was closed, a comment had been received concerning whether the proposed amendment was in compliance with the Brunswick Zoning Law; that the Brunswick Building Department made a written determination that the modification requested was not in compliance with the Brunswick Zoning Law; that the applicant had then sought to appeal that determination to the Brunswick Zoning Board of Appeals; that the Brunswick Zoning Board of Appeals did grant that appeal, determining that the requested amendment was in compliance with the Brunswick Zoning Law; that the applicant is now back before the Planning Board seeking action on the requested special use permit amendment and has submitted a site plan for review in compliance with the requirements of the Brunswick Building Department; that the Planning Board would need to review the site plan and to complete the procedure and act on the request to amend the existing special use permit. Chairman Oster noted that with respect to the site plan, the issues identified by the Building Department included required parking, lighting, and handicap access. Zachary Froio was present, and responded that there were no new lights being proposed in connection with

this application, and that there is an existing light on the garage. Chairman Oster asked Mr. Froio to generally review the proposal. Mr. Froio reviewed his proposed business operation, stating that he did not keep any inventory or stock of firearms at his home; that all orders needed to be made and then the product ordered; that the customer would then need to make an appointment to pick up the firearm and to complete the background check; that the house on his property had a 200 foot driveway and would be well setback from the public road; that the firearm would be paid for either in advance or at the time of pickup; that he would complete the background check at the time of pickup, which is generally a short process but in certain circumstances may require some additional time; and that once the firearm background check was completed, the transaction was completed by turning over the firearm to the customer. Member Czornyj inquired about handicap access. Mr. Froio stated that the handicap access could be available through the garage if necessary, or that the customer could stay in his car and he could meet the customer out at the car. Mr. Maniello stated that the handicap access must be included through the garage, and that he would review that detail with Mr. Froio. There was discussion regarding the parking and lighting requirements that should be shown on the site plan, and Mr. Froio indicated that he would address those comments. This matter is placed on the August 7 agenda for further discussion.

The second item of new business discussed was a major subdivision application submitted by JJ Cillis for property located on Cole Lane. Russ Reeves, PE, was present for the applicant. Mr. Reeves gave an update on the pending subdivision, updating the Planning Board that he has been working with Mr. Bradley on the proposed subdivision; updated the Planning Board concerning lot configuration, including maintenance of existing vegetation; that 14 lots are now being proposed; the lots would be serviced by septic systems and also town water; that there are well drained soils on the project site; that stormwater detention ponds would have adequate

infiltration capability, and that most stormwater would be held on-site with limited discharge to roadside swales; that the Rensselaer County Department of Health will be reviewing the septic systems; and that the main issue on the subdivision is site disturbance and stormwater/drainage issues. Member Stancliffe had questions concerning slopes on the property, and Mr. Reeves stated that he would submit full-size set of plans for the Planning Board Members which would assist in their review on slopes. Mr. Reeves stated that he will meet with Mr. Bonesteel on this project, and requested to be placed on the August 7 agenda. This matter will be tentatively placed on the August 7 agenda.

The third item of new business discussed was special use application submitted by John Debboli for property located at 34 Cranston Road. Mr. Debboli was in attendance. Chairman Oster reviewed the procedure, indicating that it was his understanding area variances were required in connection with the proposed location of ground-mount solar panels, and that the Planning Board could not move forward on the special use permit application until the Zoning Board had acted on the requested variances. Mr. Debboli confirmed, stating that he was scheduled to have a public hearing in front of the Brunswick Zoning Board of Appeals on August 18. Mr. Debboli generally described the proposal, which is to install ground-mount solar array for residential use; that his lot is in the nature of a flag lot and that he was proposing to install the ground-mount solar array not directly in his backyard but to the side in the “pole” portion of the lot. Member Henderson asked if he had spoken with his neighbor yet, as it appeared that the proposed solar panels would be closer to his neighbor’s backyard than the Debboli backyard. Mr. Debboli stated that he had not spoken to his neighbor yet, but that he was willing to vegetate if necessary to screen the panels. Chairman Oster confirmed that the Planning Board would need to hold a public hearing on this special use permit application, that the neighbor would be noticed regarding that public

hearing, and that it may be a good idea for Mr. Debboli to contact his neighbor and discuss the proposed project. Member Stancliffe also stated that his plan should show the proposed underground route connecting the ground-mount solar array to the home as well as the location of the converter. Mr. Bonesteel also stated that Mr. Debboli should provide the cut sheet from the installer regarding the proposed solar panel system. This matter is placed on the August 7 agenda.

The index for the July 17, 2025 regular meeting is as follows:

1. Crown Castle USA – amended special use permit and site plan (88-90 Palitsch Rd.) - approved.
2. Crown Castle USA – amended special use permit and site plan (226 Bald Mountain Rd.) – approved.
3. Calito Development Group/Murley – site plan – approved with conditions.
4. Paramount Building Group – major subdivision – adjourned at request of applicant to August 7, 2025.
5. CVE North America Inc. – waiver of subdivision, special use permit and site plan – August 7, 2025.
6. Froio/Freedom Arms – amended special use permit and site plan – August 7, 2025.
7. JJ Cillis – major subdivision – August 7, 2025.
8. Debboli – special use permit – August 7, 2025.

The proposed agenda for the August 7, 2025 regular meeting currently is as follows:

1. Paramount Building Group – major subdivision (tentative).
2. CVE North America Inc. – waiver of subdivision, special use permit, and site plan.
3. Froio/Freedom Arms – amended special use permit and site plan.
4. JJ Cillis – major subdivision.
5. Debboli – special use permit.